



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6:00 PM on

Monday 16 December 2024

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

(Note: In accordance with the Code of Meeting Practice, Councillors will be able to attend and participate in this meeting via audio-visual link)

Order of Business

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

Members

Lord Mayor –
Councillor Tania Brown (Chair)
Deputy Lord Mayor –
Councillor Linda Campbell
Councillor Andrew Anthony
Councillor David Brown
Councillor Kit Docker
Councillor Dan Hayes
Councillor Ann Martin
Councillor Richard Martin
Councillor Ryan Morris
Councillor Tiana Myers
Councillor Thomas Quinn
Councillor Deidre Stuart
Councillor Jess Whittaker

QUORUM – 7 MEMBERS TO BE PRESENT

Statement of Ethical Obligations

In accordance with clause 3.23 of the Model Code of Meeting Practice, released by the NSW Office of Local Government, Councillors are reminded of their Oath or Affirmation of Office made under section 233A of the Act and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest

OATH OR AFFIRMATION OF OFFICE

The Oath or Affirmation is taken by each Councillor whereby they swear or declare to undertake the duties of the office of councillor in the best interests of the people of Wollongong and Wollongong City Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgment.

CONFLICTS OF INTEREST

All Councillors must declare and manage any conflicts of interest they may have in matters being considered at Council meetings in accordance with the Council's Code of Conduct. All declarations of conflicts of interest and how the conflict of interest was managed will be recorded in the minutes of the meeting at which the declaration was made.

Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with Council's Code of Conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting will be suspended or terminated for the time during which the matter is being considered or discussed by Council, or at any time during which Council is voting on the matter.

Councillors should ensure that they are familiar with Parts 4 and 5 of the Wollongong City Council **Code of Conduct for Councillors** in relation to their obligations to declare and manage conflicts of interests.

Staff should also be mindful of their obligations under the Wollongong City Council **Code of Conduct for Staff** when preparing reports and answering questions during meetings of Council.

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MINUTES

ORDINARY MEETING OF COUNCIL

at 6:00 PM

Monday 25 November 2024

Present

Lord Mayor – Councillor Tania Brown (in the Chair)
Deputy Lord Mayor – Councillor Linda Campbell
Councillor Andrew Anthony
Councillor David Brown
Councillor Kit Docker
Councillor Dan Hayes
Councillor Ann Martin
Councillor Richard Martin

Councillor Ryan Morris
Councillor Tiana Myers
Councillor Thomas Quinn
Councillor Deidre Stuart
Councillor Jess Whittaker

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City
Director Planning + Environment, Future City + Neighbourhoods
Director Corporate Services, Connected + Engaged City
Director Community Services, Creative + Innovative City (Acting)
Chief Financial Officer
Manager Customer + Business Integrity (Returning Officer)
Manager Commercial Operations + Property
Manager City Strategy
Manager Regulation + Enforcement
Manager Project Delivery (Acting)
Manager Infrastructure Strategy + Planning
Manager Open Space + Environmental Services
Manager Community Culture + Engagement
Land Use Planning Manager

Greg Doyle
Joanne Page
Linda Davis
Renee Campbell
Mark Berriman
Brian Jenkins
Todd Hopwood
Lani Richardson
Chris Stewart
Corey Stoneham
Jeremy Morgan
Nathan McBriarty
Paul Tracey
Sue Savage
David Green

Note: In accordance with the Code of Meeting Practice, participants in the meeting can participate via audio-visual link. Those who participated via audio-visual link are indicated in the attendance section of the Minutes.

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CONFLICTS OF INTERESTS

Councillor Ann Martin declared a non-significant, non-pecuniary interest in Item 5 - Public Exhibition - Planning Proposal Request - Forest Reach Minor Amendments PP-2024/2, Item 6 - Public Exhibition - Planning Proposal Request - Irvine Street, Madoline Street, Sidney Street, Paulsgrove Street, Hoskins Street, Leahy Crescent, Spearing Parade and Murphys Avenue, Gwynneville and Item 7 - Post Exhibition - Wollongong Development Control Plan D16 - West Dapto Release Area - West Dapto Centres Master Plan, due to her employment at the Department of Planning and Environment. As she has no involvement in planning matters related to the Wollongong LGA, Councillor A Martin advised she would remain in the meeting during debate and voting on the items.

Councillor Anthony declared a non-significant, non-pecuniary interest in Item 6 - Public Exhibition - Planning Proposal Request - Irvine Street, Madoline Street, Sidney Street, Paulsgrove Street, Hoskins Street, Leahy Crescent, Spearing Parade and Murphys Avenue, Gwynneville, as he made a submission to the Planning Proposal. Councillor Anthony advised he would remain in the meeting during debate and voting on the item.

Councillor Hayes declared a non-significant, non-pecuniary interest in Item 6 - Public Exhibition - Planning Proposal Request - Irvine Street, Madoline Street, Sidney Street, Paulsgrove Street, Hoskins Street, Leahy Crescent, Spearing Parade and Murphys Avenue, Gwynneville. Councillor Hayes advised he would remain in the meeting during debate and voting on the item.

Councillor Quinn declared a non-significant, non-pecuniary interest in Item 6 - Public Exhibition - Planning Proposal Request - Irvine Street, Madoline Street, Sidney Street, Paulsgrove Street, Hoskins Street, Leahy Crescent, Spearing Parade and Murphys Avenue, Gwynneville. Councillor Quinn advised he would remain in the meeting during debate and voting on the item.

Councillor Whittaker declared a non-significant, non-pecuniary interest in Item 15 - Notice of Motion - Councillor Jess Whittaker - Local Food Systems, as she is an organiser for the Port Kembla Crop Swap. As the item is in relation to local food initiatives across the whole LGA, Councillor Whittaker advised she would remain in the meeting during debate and voting on the item.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 28 OCTOBER 2024

1018 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Stuart that the Minutes of the Ordinary Meeting of Council held on Monday, 28 October 2024 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM NO	TITLE	NAME OF SPEAKER
A	LORD MAYORAL MINUTE - ESTABLISHING A CRUISE TERMINAL AT PORT KEMBLA	RYAN AITCHISON BUSINESS ILLAWARRA REGIONAL ADVISORY COUNCIL FOR RECOMMENDATION

B	LORD MAYORAL MINUTE - ALEX VOLKANOVSKI - KEYS TO THE CITY	NIKKI AITCHISON THE ILLAWARRA HOTEL FOR RECOMMENDATION
5	PUBLIC EXHIBITION - PLANNING PROPOSAL REQUEST - FOREST REACH MINOR AMENDMENTS PP-2024/2	MATT COOPER GLN PLANNING FOR RECOMMENDATION
6	PUBLIC EXHIBITION - PLANNING PROPOSAL REQUEST - IRVINE STREET, MADOLINE STREET, SIDNEY STREET, PAULSGROVE STREET, HOSKINS STREET, LEAHY CRESCENT, SPEARING PARADE AND MURPHYS AVENUE, GWYNNEVILLE	JOHN FALLON HOMES NSW FOR RECOMMENDATION
15	NOTICE OF MOTION - COUNCILLOR JESS WHITTAKER - LOCAL FOOD SYSTEMS	SUZY PICKLES UOW (PHD CANDIDATE), FOODTALKS ILLAWARRA, BULLI CROP SWAP FOR RECOMMENDATION
NON-AGENDA ITEM	PORT HEDLAND COUNCIL (WA) MOTION 11.10	SHARON COUSINS

1019 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

1020 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the staff recommendations for Items 3 to 5 inclusive, 7 and 10 to 14 inclusive be adopted as a block.

ITEM A - LORD MAYORAL MINUTE - ESTABLISHING A CRUISE TERMINAL AT PORT KEMBLA

1021 COUNCIL'S RESOLUTION - RESOLVED on the motion of Lord Mayor Tania Brown that Wollongong City Council –

- 1 Provide a submission to the Cruising Industry Advisory Panel to highlight Port Kembla as the most suitable location for a new cruise terminal in NSW.
- 2 Request that the Illawarra Shoalhaven Joint Organisation make a submission to the Cruising Industry Advisory Panel outlining the significant regional economic benefits of establishing a cruise terminal at Port Kembla.

Councillors Hayes, R Martin, Quinn, D Brown, Myers, A Martin, Campbell, Anthony, Morris, T Brown

In favour

Against

Councillors Whittaker, Docker and Stuart

ITEM B - LORD MAYORAL MINUTE - ALEX VOLKANOVSKI - KEYS TO THE CITY

1022 **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Lord Mayor Tania Brown that the City of Wollongong, in line with our Community Recognition Policy, bestow the Keys to the City on Mr Alex Volkanovski in recognition of his contribution to raising Wollongong's profile on the world stage, his valuable support for local charities and awareness campaigns, and his outstanding sporting achievements including winning six UFC World Championship titles.

In favour
Against

Councillors Hayes, R Martin, Quinn, D Brown, Myers, A Martin, Campbell, Anthony, Docker, Morris and T Brown

Councillors Whittaker and Stuart

A PROCEDURAL MOTION was MOVED by Councillor Anthony seconded Councillor Docker that Councillor Stuart be granted an additional 1 minutes to address the meeting in relation to Item B.

ITEM 1 - DRAFT STATE OF OUR CITY REPORT JULY 2022-JUNE 2024

1023 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the draft State of our City Report July 2022-June 2024 be endorsed.

ITEM 2 - DRAFT WOLLONGONG CITY COUNCIL ANNUAL REPORT 2023-2024

1024 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Campbell seconded Councillor D Brown that the draft Wollongong City Council Annual Report 2023-2024 and Attachment A Financial Statements be endorsed.

ITEM 3 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the audited Annual Financial Statements for the year ended 30 June 2024, together with the Auditor's report, be presented to the public.

ITEM 4 - DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the draft Quarterly Review Statement September 2024 be adopted.

ITEM 5 - PUBLIC EXHIBITION - PLANNING PROPOSAL REQUEST - FOREST REACH MINOR AMENDMENTS PP-2024/2

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

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

- 1 A Planning Proposal be prepared for the Forest Reach Estate, Horsley and Huntley, to amend the Land Use Zoning, Floor Space Ratio, Minimum Lot Size, Heritage and Land Reservation Acquisition Maps, to reflect the approved subdivision layout.
- 2 The Planning Proposal be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination and the preparation of an amendment to the Wollongong Local Environmental Plan (LEP) 2009.
- 2 To expedite the Planning Proposal, the NSW Department of Planning, Housing and Infrastructure be requested to authorise a minimum exhibition period of 14 days, as part of Gateway Determination.
- 3 Following the exhibition period, a report on submissions be prepared for Council's consideration.
- 4 The NSW Department of Planning, Housing and Infrastructure be advised that Council wishes to use its delegations to finalise the Planning Proposal.

ITEM 6 - PUBLIC EXHIBITION - PLANNING PROPOSAL REQUEST - IRVINE STREET, MADOLINE STREET, SIDNEY STREET, PAULSGROVE STREET, HOSKINS STREET, LEAHY CRESCENT, SPEARING PARADE AND MURPHYS AVENUE, GWYNNEVILLE

1025 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Anthony that -

- 1 A Planning Proposal be prepared to rezone the precinct that includes Irvine Street, Madoline Street, Sidney Street, Paulsgrove Street, Hoskins Street, Leahy Crescent, Spearing Parade and Murphys Avenue, Gwynneville to R4 High Density Residential Development with bonus floor space ratio and building height controls if sites are amalgamated (Attachment 4).
- 2 The Planning Proposal be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway determination and the preparation of an amendment to the Wollongong Local Environmental Plan (LEP) 2009.
- 3 Homes NSW be requested to prepare a Traffic Management Plan, Active Transport Plan, Flood Impact and Risk Assessment (FIRA) and a comprehensive Community Engagement Strategy for the future development of the precinct to be exhibited with the Planning Proposal.
- 4 Following the Gateway determination, the Planning Proposal and supporting documentation be exhibited for a minimum period of six weeks (excluding the Christmas – New Year period).
- 5 Following the exhibition period, a report on submissions be prepared for Council's consideration.
- 6 The NSW Department of Planning, Housing and Infrastructure be advised that Council wishes to use its delegations to finalise the Planning Proposal.
- 7 Homes NSW be invited to work with Council officers to prepare a revised draft Wollongong Development Control Plan 2009 Chapter D22 Gwynneville Precinct to reflect the revised concept plan and other issues raised in this report, and be reported to Council for endorsement prior to exhibition.

- 8 In accordance with Council's Planning Agreement Policy, Homes NSW and Council officers discuss and prepare a draft Planning Agreement for the provision of infrastructure upgrades, 50% social and affordable housing on the "primary" and "secondary" key sites and developer contributions. The draft Planning Agreement be reported to Council prior to finalisation of the Planning Proposal, and if endorsed exhibited.
- 9 A draft Affordable Housing Contributions Plan be prepared for the precinct requiring the provision of 10% Affordable Rental Housing on the "private" key sites. The draft Affordable Housing Contributions Plan be reported to Council prior to finalisation of the Planning Proposal, and if endorsed exhibited.

ITEM 7 - POST EXHIBITION - WOLLONGONG DEVELOPMENT CONTROL PLAN D16 - WEST DAPTO RELEASE AREA - WEST DAPTO CENTRES MASTER PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the Wollongong Development Control Plan 2009 – Chapter D16 – West Dapto Release Area be adopted as amended (Attachment 1) and an adoption notice be published on Council's Website.

ITEM 8 - SUBMISSION TO THE OFFICE OF LOCAL GOVERNMENT - COUNCILLOR CONDUCT AND MEETING PRACTICES DISCUSSION PAPER

1026 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that -

- 1 The Discussion Paper for the Councillor conduct and meeting practices framework be noted.
- 2 The General Manager be authorised to finalise the draft submission (Attachment 1) and forward it to the Office of Local Government for their consideration.

ITEM 9 - APPOINTMENT OF COUNCILLOR DELEGATES TO COMMITTEES AND EXTERNAL BODIES

1027 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Docker that -

- 1 The Charter of the Sport Facilities and Reference Group be expanded to include four councillor representatives.
- 2 Councillor representatives be appointed to the following groups and committees as detailed:

Performance Review Committee (Moved Cr Quinn, Seconded Cr Morris)

- Cr Tania Brown (LM) (Chair)
- Cr Linda Campbell (DLM)
- Cr Kit Docker

West Dapto Review Committee (Moved Cr Hayes, Seconded Cr Whittaker)

- Cr Tania Brown (LM) (Chair)
- Cr Linda Campbell (DLM)
- Cr Ann Martin
- Cr Deidre Stuart

- Cr Tiana Myers

Northern Area Floodplain Risk Management Committee
(Moved Cr Docker, Seconded Cr Campbell)

- Cr Richard Martin (Chair)
- Cr Ryan Morris
- Cr Jess Whittaker

Central Area Floodplain Risk Management Committee
(Moved Cr Myers, Seconded Cr R Martin)

- Cr Thomas Quinn (Chair)
- Cr Andrew Anthony
- Cr Kit Docker

Southern Area Floodplain Risk Management Committee
(Moved Cr Morris, Seconded Cr Campbell)

- Cr Tiana Myers (Chair)
- Cr Ann Martin
- Cr Deidre Stuart

Illawarra Shoalhaven Joint Organisation (Moved Cr R Martin, Seconded Cr Stuart)

- Cr Tania Brown (LM)
- Cr David Brown

Illawarra Bushfire Management Committee (Moved Cr Hayes, Seconded Cr Docker)

- Cr David Brown

Illawarra District Weeds Authority (Moved Cr Hayes, Seconded Cr Morris)

- Cr Jess Whittaker

Illawarra Zone Liaison Committee – Rural Fire Service
(Moved Cr Stuart, Seconded Cr Docker)

- Cr Ryan Morris

Public Libraries NSW SE ZONE (Moved Cr Docker, Seconded Cr Stuart)

- Cr Linda Campbell

Aboriginal Reference Group (Moved Cr Stuart, Seconded Cr R Martin)

- Cr Jess Whittaker
- Cr Ann Martin

Heritage Reference Group (Moved Cr Campbell, Seconded Cr Stuart)

- Cr Ann Martin (Chair)
- Cr Ryan Morris

Sports and Facilities Reference Group (Moved Cr A Martin, Seconded Cr Stuart)

- Cr Linda Campbell (Chair)
- Cr Dan Hayes
- Cr Ryan Morris
- Cr Kit Docker

Lake Illawarra Coastal Management Plan Implementation Group (Moved A Martin, Seconded Cr Hayes)

- Cr Ann Martin (Chair)
- Cr Deidre Stuart
- Cr Tiana Myers

Walking, Cycling and Mobility Reference Group (Moved Cr Hayes, Seconded Cr Morris)

- Cr Dan Hayes (Chair)
- Cr Tiana Myers
- Cr Jess Whittaker

City of Wollongong Awards Committee (Moved Cr Hayes, Seconded Cr R Martin)

- Cr Tania Brown (LM) (Chair)
- Cr Kit Docker

- 3 Where the number of nominations is greater than the number of available appointments, elections be held to fill any remaining vacancies, with the elections to be conducted by open means on a show of hands.
- 4 The General Manager be authorised to appoint staff to any groups or committees that continue to have vacancies following the election of Councillors.
- 5 The term of appointment to Internal Committees and External Organisations be for the term of Council.

The Lord Mayor handed proceedings over to the Returning Officer. Council's Public Officer, Todd Hopwood acted as Returning Officer.

As there were more nominations received than required delegates, the Returning Officer conducted elections for the following Committees and External Organisations:

- Audit Risk and Improvement Committee
 - One Councillor position available
 - Two nominations received from Cr Thomas Quinn and Cr Deidre Stuart
- Association of Mining and Energy Related Councils
 - Two Councillor positions available
 - Three nominations received from Cr Thomas Quinn, Cr Ryan Morris and Cr Deidre Stuart

Following the election the Returning Officer declared the following Councillors elected:

- Audit Risk and Improvement Committee – Cr Thomas Quinn

- Association of Mining and Energy Related Councils – Cr Thomas Quinn and Cr Deidre Stuart

ITEM 10 - PROPOSED ACQUISITION OF 42 MIRRABOOKA ROAD, LAKE HEIGHTS UNDER THE VOLUNTARY PURCHASE SCHEME FOR FLOOD AFFECTED PROPERTIES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

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

- 1 Council authorise the acquisition of 42 Mirrabooka Road, Lake Heights, as shown on the black hatching on the attachment to this report subject to the following conditions:
 - a Funding be provided by the Department of Climate Change, Energy, the Environment and Water for two-thirds of the purchase price, two-thirds of the demolition costs and two-thirds of the reasonable legal and valuation fees.
 - b The remainder of the acquisition costs be provided from Council's Capital Budget Contingency.
- 2 Upon the acquisition being finalised, 42 Mirrabooka Road, Lake Heights, (Lot 334 DP 201106) be classified as Community land in accordance with the Local Government Act 1993.
- 3 Authority be granted to the Lord Mayor and the General Manager to sign any documentation necessary to finalise the acquisition and to affix the Common Seal of Council where necessary.

ITEM 11 - PROPOSED ACQUISITION OF 63 MIRRABOOKA ROAD, LAKE HEIGHTS UNDER THE VOLUNTARY PURCHASE SCHEME FOR FLOOD AFFECTED PROPERTIES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

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

- 1 Council authorise the acquisition of 63 Mirrabooka Road, Lake Heights, as shown on the black hatching on the attachment to this report subject to the following conditions:
 - a Funding be provided by the Department of Climate Change, Energy, the Environment and Water for two-thirds of the purchase price, two-thirds of the demolition costs and two-thirds of the reasonable legal and valuation fees.
 - b The remainder of the acquisition costs be provided from Council's Capital Budget Contingency.
- 2 Upon the acquisition being finalised, 63 Mirrabooka Road, Lake Heights, (Lot 109 DP 201106) be classified as Community land in accordance with the Local Government Act 1993.
- 3 Authority be granted to the Lord Mayor and the General Manager to sign any documentation necessary to finalise the acquisition and to affix the Common Seal of Council where necessary.

ITEM 12 - OCTOBER 2024 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that the financials be received and noted.

ITEM 13 - STATEMENT OF INVESTMENT - OCTOBER 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that Council receive the Statement of Investment for October 2024.

ITEM 14 - RETURNS OF DISCLOSURES OF PECUNIARY INTERESTS - NOVEMBER 2024

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 1020)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Campbell that Council notes the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

ITEM 15 - NOTICE OF MOTION - COUNCILLOR JESS WHITTAKER - LOCAL FOOD SYSTEMS

MOVED by Councillor Whittaker seconded Councillor Docker that -

- 1 Councillors receive a Briefing on the support offered thus far by council for local food systems in the Wollongong LGA and outcomes delivered in response to the Illawarra Regional Food Strategy (2013-2019) or related documents. The Briefing should include but not be limited to:
 - a A list of all the current active community gardens operating on public land in the LGA.
 - b Staff assistance that has been given to establishing community gardens on public land.
 - c The supply of plants, insurance, promotion or collaboration on community events relating to local food.
 - d Workshops relating to local food systems.
 - e Support for crop swaps, garden tours and farmers markets; and
 - f Any grants that council has offered to groups for local food related projects.
- 2 The briefing also include staff insights into the regulatory, approval or funding barriers which may deter local food initiatives from progressing.

Variation The variation moved by Councillor D Brown (the Motion read-

- 1 Councillors receive a briefing or information note on delivery against the Action Plan of the Illawarra Regional Food Strategy by Council, or in partnership with the other bodies.
- 2 That the briefing or information note outline the possible future of the Illawarra Regional Food Strategy either in its present form or potentially as a policy for the ISJO.
- 3 Council reaffirms support for community gardens and the current policy review of them.)

Was accepted by the mover and seconder.

1028 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Whittaker seconded Councillor Docker that -

- 1 Councillors receive a briefing or information note on delivery against the Action Plan of the Illawarra Regional Food Strategy by Council, or in partnership with the other bodies.
- 2 That the briefing or information note outline the possible future of the Illawarra Regional Food Strategy either in its present form or potentially as a policy for the ISJO.
- 3 Council reaffirms support for community gardens and the current policy review of them.

THE MEETING CONCLUDED AT 8:07 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 16 December 2024.

Chairperson

ITEM 1 PUBLIC EXHIBITION - DRAFT WOLLONGONG DCP CHAPTER A2 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

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

The DCP includes Chapter A2: Ecologically Sustainable Development. A review of the chapter has been undertaken in response to actions detailed in the Sustainable Wollongong 2030 – A Climate Healthy City Strategy, and Climate Change Mitigation Plan 2023 -2030. The chapter review also aligns with actions in the Climate Change Adaptation Plan 2022 and Urban Heat Strategy 2023.

It is recommended that Council endorse the draft Wollongong DCP Chapter A2: Ecologically Sustainable Development for public exhibition.

RECOMMENDATION

- 1 The Draft Wollongong Development Control Plan 2009 – Chapter A2: Ecologically Sustainable Development be exhibited for a minimum of 28 days commencing in early 2025.
- 2 Following the exhibition period, a report outlining the submissions received from the public exhibition process be prepared for Council’s consideration.
- 3 The General Manager write to relevant State Government Ministers seeking -
 - An expansion of its consideration of ESD to include urban heat, health and social equity objectives and specific provisions in relevant State planning instruments, and
 - to clarify its position in relation to banning the use of gas where other alternatives such as electricity are available

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy
 Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 draft Development Control Plan Chapter A2 - Ecologically Sustainable Development
- 2 Climate Friendly Planning Framework Review Discussion Paper
- 3 Community Engagement Report

BACKGROUND

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

On 21 November 2016, Council adopted Chapter A2: Ecological Sustainable Development which commenced on 14 December 2016. The chapter was introduced following a sustainability review of the DCP. Seven other DCP chapters were also updated as part of the 2016 review.

The Sustainable Wollongong 2030 – A Climate Healthy City Strategy, Climate Change Mitigation Plan 2023 -2030, Climate Change Adaptation Plan 2022 and Urban Heat Strategy 2023 contain actions related to the review of Council’s Development Control Plan detailed in Table 1 below -

Document	Action
Sustainable Wollongong 2030 – A Climate Healthy City Strategy	L3 Incorporate sustainability principles, requirements and standards into all decision making, including strategic planning projects and documents, asset management planning, procurement processes, licence and lease agreements for Council-owned facilities.

Document	Action
	<p>L4 Review and update development controls and associated policy to encourage environmentally sustainable development, including water efficiency, energy efficiency, use of renewable energy, and integrated transport management.</p> <p>L5 Advocate for stronger sustainability requirements in Federal and State Government planning controls.</p> <p>C3 Update the Water Sensitive Design chapter in the DCP.</p>
<p>Climate Change Mitigation Plan 2023 – 2030</p>	<p>EC5 Review Council’s planning documents and guidelines to increase sustainability principles where feasible.</p> <p>EC6 Provide sustainable buildings guidelines.</p> <p>EC11 Increase public and active transport availability and options via delivery of infrastructure, strategies and planning provisions.</p>
<p>Climate Change Adaptation Plan 2022</p>	<p>Strategic land use planning must ensure adequate new greenspace is provided as part of land releases and protect riparian corridors from urban development.</p> <p>Strategic and statutory planning to consider open space, land use and design requirements to address heat.</p>
<p>Urban Heat Strategy 2023</p>	<p>Consider urban heat more clearly and comprehensively in updates to DCP and other urban planning documents.</p>

Table 1: Key supporting documents and relevant endorsed actions related to the review of Council's DCP

In late 2021, the Sustainable Planning Framework Review Project was initiated. This included a review of comparable local, state and federal government planning provisions and associated research. Some of the themes that emerged related to the health and cost benefits relating to the use of electricity rather than gas for cooking and heating. These saving come from rising costs due to aging gas network infrastructure, reduced electricity costs from increased renewable energy penetration (ie, solar photovoltaic systems), and greater efficiencies from electric appliances. From a social perspective, a well-managed transition to electrification will ensure equitable access to the known cost saving.

The Sustainable Planning Framework Review Project led to the Climate Friendly Planning Framework Discussion Paper being developed, which was exhibited in June 2022. The Discussion Paper presented five key focus areas: Landscaping and Urban Greening, Solar and Energy Efficiency, Material, Building Form and Waste, Transport and Car Parking, Policies, and Incentives (Attachment 2).

Twenty-six submissions were received, and the responses were used to improve our understanding of community priorities for sustainability reforms (Attachment 3).

A project control group comprising relevant managers from across the organisation was subsequently established. Several workshops were held in May and June 2024 with Council staff and industry representatives.

PROPOSAL

Chapter A2 – Ecologically Sustainable Development is an introductory chapter of the DCP. It serves to provide context for how Council considers the principles of ESD as part of its decision-making process. The chapter has been updated to outline the principles and key objectives relating to ESD considerations and provides examples of how to satisfy the objectives. When lodging a Development Application, the proponent is required to demonstrate how the principles of ESD have been incorporated into their building design and / or construction principles.

The draft Chapter A2 is provided as Attachment 1. The chapter has been substantially rewritten rather than amended given the recent change in DCP format. The draft chapter provides relevant legislative context and removes provisions which are duplicated elsewhere in the DCP.

The ESD principles and objectives applicable to residential development are summarised in Table 2 below:

ESD Principle	Objective
Indoor amenity	Ensure building occupants health and wellbeing is protected Improve indoor air quality and avoid the generation of harmful airborne byproducts associated with the consumption of natural gas or other fossil fuels
Equitable access to low emission equipment and appliances and renewable energy	Support development that demonstrates a high level of energy efficiency through energy sourcing, storage and equitable access by occupants.
Reduced building operational costs and promote a transition to a low waste and emissions lifestyle	Promote the health and economic benefits of living sustainably. Encourage and enable a transition to a low waste and emissions lifestyle. Encourage and enable opportunities for on-site food production.
Reduce the negative impacts of urban heat	Promote urban cooling and minimise the heat island effect. Support the health of occupants by designing buildings to perform well in hot and extreme weather events.

Table 2: ESD Principles and Objectives as outlined in draft Chapter A2

Examples of how to satisfy the ESD principles and objectives are provided in the draft Chapter A2 to guide applicants in addressing ESD in their development applications.

In addition to Chapter A2, there are general ESD and sustainability provisions throughout the DCP. Some of these provisions were introduced as part of the 2016 DCP review and others have been introduced more recently. For example, Chapter B2: Residential Subdivision has an objective relating to ESD and provisions relating to lot layout for aspect and solar access, and Chapter D13: Wollongong City Centre Precinct includes objectives relating to creating a sustainable urban environment as well as provisions relating to energy efficiency and water conservation for residential and non-residential development.

It is proposed that individual chapters of the DCP be reviewed over time to incorporate contemporary sustainability controls. This approach is expected to lead to timely integration of key controls related to electrification, local renewable energy production, reduction of urban heat and EV charging requirements.

The schedule of DCP Chapter reviews underway as described in Table 3 below -

DCP Chapter	Scheduled Review
A1: Introduction	On 28 October 2024 Council resolved to exhibit updated draft DCP chapter. Draft chapter exhibited 4 November – 9 December 2024.
D13: Wollongong City Centre	Due to be reported to Council in early 2025.
D16: West Dapto	Regularly updated as new stages of West Dapto Urban Release Area are initiated.

DCP Chapter	Scheduled Review
E3: Car Parking, Access, Servicing/Loading Facilities and Traffic Management	Currently under review. Expected to be reported to Council in early to mid-2025.
B1: Residential Development	Currently under review. Expected to be reported to Council in late 2025.
B4: Development in Centres and Peripheral Sales Precincts	Currently under review. Expected to be reported to Council in mid to late-2025.
B5: Industrial Development	Currently under review. Expected to be reported to Council in late 2025.
E7: Waste Management	Currently under review. Expected to be reported to Council in mid to late-2025.
E15: Water Sensitive Urban Design	Currently under review. Expected to be reported to Council in mid to late-2025.

Table 3: List of Wollongong DCP Chapters relevant to ESD currently scheduled for review

It should be noted that the draft Chapter A2 provisions will relate to the assessment of new development. A retrospective application of the provisions to existing development is not proposed.

It is acknowledged that additional technical material will be necessary to inform the building design process and detail the outcomes required for certain sustainability provisions (ie, appropriate solar reflective index for roofs, additional setback to support airflow etc). Such information will be made available on Council’s website as they are developed. The technical material will improve public education and will be available to also influence those developments that progress through the complying development certification planning approval pathway.

It is proposed that the draft Chapter A2 – Ecologically Sustainable Development be exhibited for a minimum of 28 days

CONSULTATION AND COMMUNICATION

The draft Chapter A2 is an output of a broader piece of work which has included the public exhibition of a Climate Friendly Planning Framework Discussion Paper in June 2022 and multiple workshops with internal staff from May to June 2024. The sustainability review has been led by a project control group including representatives from across the Planning and Environment Division of Council.

Further consultation will occur with staff as draft sustainability controls are proposed for other DCP chapters scheduled for review.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Objectives “We value and protect our environment” and “We have a healthy community in a liveable city”. It specifically delivers on the following –

Community Strategic Plan	Delivery Program 2022-2026
Strategy	Service
<p>Goal 1 - We value and protect our environment</p> <p>1.5 Maintain the unique character of the Wollongong Local Government Area, whilst balancing development, population growth and housing needs</p>	Land Use Planning
<p>Goal 5 - We have a healthy community in a liveable city</p> <p>5.2 Urban areas are created and maintained to provide a healthy and safe living environment for our community.</p>	

SUSTAINABILITY IMPLICATIONS

The draft Chapter A2 provides clear principles, objectives and examples of how to satisfy the objectives to guide proponents when considering ESD as part of their development proposal. The DCP provisions seek to facilitate a transition to a low waste and emission lifestyle with building occupants able to enjoy the health and cost benefits associated with living in a sustainable building.

RISK MANAGEMENT

The draft Chapter A2 aligns with Council's current supporting documents such as the Sustainable Wollongong 2030, Climate Change Mitigation Plan and Climate Change Adaptation Plan.

The DCP provisions will assist Council to meet its legislative obligations under the *Local Government Act 1993* and *Environmental Planning & Assessment Act 1979* to consider ESD principles in decision-making about environmental planning and assessment.

When the draft Chapter A2 is exhibited, it is important to explain the sustainability measures being considered for various relevant chapters of the DCP and that these chapters will be exhibited separately.

FINANCIAL IMPLICATIONS

There is no financial implication for Council to progress this work. All resourcing cost have been covered by the operational budget for the City Strategy Division.

CONCLUSION

A review of the Wollongong DCP Chapter A2: Ecologically Sustainable Development has been conducted as part of a broader review of how Council development controls can support the sustainability of our community. The chapter has been amended to highlight the key objectives of ecologically sustainable development in the Wollongong LGA. Detailed development controls related to sustainability are planned to be integrated into scheduled updates of relevant chapters of the DCP.

It is recommended that the draft Chapter A2: Ecologically Sustainable Development be endorsed for exhibition for a minimum period of 28 days. Following the exhibition period, all submissions will be reviewed, and any post exhibition amendments will be reported to a future Council meeting for consideration prior to adoption.



Part A – Introduction

Chapter A2 Ecologically Sustainable Development

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Document Control

Rev No.	Adoption Date	In Force Date	Revision Details
	21/11/2016	14/12/2016	New Chapter resulting from sustainability review of DCP.
	Insert date	[Comments]	

Chapter A2 Ecologically Sustainable Development

1. INTRODUCTION

Under the *Local Government Act 1993*, the consideration of Ecologically Sustainable Development (ESD) principles is a guiding principle for Council's when exercising their decision-making functions. The four pillars of ESD are environmental, social, economic and governance considerations.

The *Environmental Planning and Assessment Act 1979* (EP&A Act) similarly requires ESD considerations in decision-making about environmental planning and assessment. The EP&A Act also seeks to promote good design and amenity of the built environment with an aim to protect the health and safety of their occupants.

The DCP provisions relating to ESD are consistent with the vision and goals in our Community Strategic Plan relating to a healthy community and liveable city.

Wollongong City Council has developed several supporting documents related to achieving ESD including:

- Sustainable Wollongong 2030 A Climate Healthy City Strategy
- Wollongong Climate Change Mitigation Plan 2023-2030
- Wollongong Climate Change Adaptation Plan 2022
- Wollongong Urban Heat Strategy 2023
- Wollongong Urban Greening Strategy 2017-2037
- Wollongong Waste and Resource Recovery Strategy 2024-2034
- West Dapto Open Space Design Manual
- West Dapto Open Space Technical Manual.

Council has an ongoing program of developing and updating supporting documents to ensure they remain relevant. Council's website should be consulted for the latest list and version of supporting documents that may be relevant to your proposal.

2. BACKGROUND

In NSW the sustainable performance of buildings is largely governed by the National Construction Code and State policy.

The Building Sustainability Index (BASIX) was introduced in 2004 to measure the sustainability performance of households. Over time the development thresholds (i.e. type of building and value of construction) to which the BASIX requirements apply, have evolved to capture more development. The sustainability targets applied to development have also increased over time. The BASIX requirements now form part of the Sustainable Buildings State Environmental Planning Policy (SEPP) which commenced on 1 October 2023.

The SEPP includes a provision that gives no effect to an environmental planning instrument or DCP that seeks to further reduce consumption of mains-supplied potable water or greenhouse gas emissions related to the use of a residential building. The BASIX requirements do not stipulate a specific product or solution to meet the sustainability targets but maintains the freedom to choose amongst various options. This includes options relating to the household energy source(s).

The provisions of this DCP Chapter seek to inform design choice by highlighting the health and economic benefits of living in a sustainable and all-electric household. Council also encourages applicants to go beyond the minimum requirements for their development to increase the sustainability and environmental performance of our built environment.

Chapter A2 Ecologically Sustainable Development

3. OBJECTIVES

The objectives of this Chapter are:

- a) To support development that contributes to the sustainable future of our City and Wollongong community target of net zero greenhouse gas emissions by 2050.
- b) Require proponents to demonstrate that ESD principles have been considered in the built form design of proposed development.
- c) Encourage and promote development that sets new benchmarks for the resilience, health, and wellbeing of building occupants through:
 - i) improvement to indoor air quality
 - ii) equitable access to low emission equipment and appliances
 - iii) reduced building operational costs and encourage a transition to a low waste and emissions lifestyle
 - iv) measures to reduce the negative impacts of heat.

4. HOW TO USE THIS CHAPTER

When determining a development application, a consent authority is required under section 4.15 of the EP&A Act, to consider the likely impacts of that development, including environmental impacts on both the natural and built environments, the social and economic impacts in the locality and the public interest.

Council expects the principles of ESD to be a consideration for all relevant development in Wollongong Local Government Area.

This chapter outlines the ESD principles and objectives that proponents for new development must consider and address as part of their development application. Examples of how to satisfy the ESD objectives are also provided in this chapter. The listed examples are not meant to be exhaustive and a proponent may nominate alternative sustainable design elements for consideration.

5. RELATIONSHIP WITH OTHER PLANS AND POLICIES

Development controls that align with the principles of ESD have been integrated into relevant sections of this DCP. This chapter must be read in conjunction with other relevant chapters. This chapter reflects recent developments in federal and state government policies as well as the strategic direction of Wollongong City Council. ESD principles are considered in each update of the Wollongong DCP.

6. PRINCIPLES

6.1 Residential Development (including subdivisions)

In deciding whether to grant consent to residential development, Council requires an application to demonstrate how ESD principles have been considered as part of the building design and fit out to enhance the health and safety of its future occupants.

Applicants must demonstrate that consideration has been given to incorporation of the following options into any new development:

Chapter A2 Ecologically Sustainable Development

6.1.1 Indoor Amenity

Objectives

- a) Ensure building occupants health and wellbeing is protected with suitable choices being made at building design and construction phase.
- b) Improve indoor air quality and avoid the generation of harmful airborne byproducts associated with the consumption of natural gas or other fossil fuels.

Examples of how to satisfy the objectives

- 1) Provide all-electric appliances for indoor cooking and heating
- 2) Ensure habitable rooms are provided with natural ventilation and cross ventilation where possible
- 3) Include ceiling fans to facilitate greater ventilation and air flow

6.1.2 Equitable access to low emission equipment and appliances

Objectives

- a) Support development that demonstrates a high level of energy efficiency through energy sourcing, storage and equitable access by occupants.

Examples of how to satisfy the objectives

- 1) Design building orientation, envelope, and openings to increase energy efficiency
- 2) Select energy efficient systems, equipment and appliances
- 3) Support the generate of renewable energy onsite through solar photovoltaic systems and / or purchase offsite renewable energy
- 4) Incorporate appropriate roof structures to accommodate and access equipment for cleaning and maintenance on relevant buildings
- 5) Consider spatial and equitable access requirements for renewable energy storage or other energy management systems
- 6) Consider the provision of infrastructure that promotes active and low emission transport options including electric vehicle and e-bike charging facilities
- 7) Residential subdivision in urban release areas are designed to promote active transport as the primary choice for short journeys and demonstrate key connections to public transport
- 8) Residential subdivision design in urban release areas include appropriate allocated space and land easement requirements to house associated renewable energy infrastructure such as community batteries and solar photovoltaic systems

6.1.3 Reduced building operational costs encourage a transition to a low waste and emissions lifestyle

Objectives

- a) Promote the health and economic benefits of living sustainably.
- b) Encourage and enable a transition to a low waste and emissions lifestyle.

Chapter A2 Ecologically Sustainable Development

Examples of how to satisfy the objectives

- 1) Rationalise household energy sources to promote all-electric buildings and avoid gas supply and disconnection charges
- 2) Prioritise passive solar design to maximise thermal comfort and minimise energy consumption for heating and cooling
- 3) Use materials that are durable, reducing the need for replacement
- 4) Consider a flexible approach to the allocation and suitable adaptable use of car parking spaces for occupants that do not rely upon vehicle ownership for their transportation needs
- 5) Specify water efficient fixtures, fittings and equipment
- 6) Support access to Food Organics (FOGO) waste collection through building design
- 7) Integrate opportunities for food production into medium to high density residential development including planter boxes, roof-top gardens and irrigation
- 8) Consider landscaping that incorporates edible plants such as fruit trees, nuts and herbs
- 9) Residential subdivisions in urban release areas include the installation of energy storage technologies such as community batteries to maximise the use of locally generated renewable electricity

6.1.4 Measures to reduce the negative impacts of heat

Objectives

- a) Promote urban cooling and minimise the heat island effect.
- b) Support the health of occupants by designing buildings to perform well in hot and extreme weather events.

Examples of how to satisfy the objectives

- 1) Generate and store renewable energy onsite and minimise peak electricity demand supplied from the electricity network / grid
- 2) Select appropriate roof colours for the locality to maximise the solar reflective index
- 3) Encourage the retention of existing mature trees and use of native landscaping in residential subdivision design
- 4) Locate landscaping and green cover to maximise cooling of the private open space and adjoining public realm
- 5) Optimise urban cooling through green infrastructure placement and street orientation to catch prevailing breezes
- 6) Subdivision design in urban release areas include appropriate allocated space for an interlocking tree canopy to be established over time
- 7) Incorporate additional building setbacks to support airflow in urban areas

Chapter A2 Ecologically Sustainable Development

6.2 Non-residential Development

In deciding whether to grant consent for certain non-residential development, Council requires an application to address the relevant assessment provisions outlined in the Sustainable Buildings SEPP. An extract of the SEPP provisions that must be addressed is provided below:

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,*
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
- (d) the generation and storage of renewable energy,*
- (e) the metering and monitoring of energy consumption,*
- (f) the minimisation of the consumption of potable water.*

In addition to this requirement, applicants are encouraged to consider if any of the examples provided under the residential development section of this chapter can be incorporated into their non-residential development plans.



Wollongong City Council

Climate Friendly Planning Framework Review Discussion Paper





Acknowledgement of Country

We acknowledge the Traditional Custodians of the land on which our city is built, Dharawal Country. We recognise and appreciate their deep connection to this land, waters and the greater community. We pay respect to Elders past, present and those emerging and extend our respect to all Aboriginal and Torres Strait Islander people who call this city home. We recognise Aboriginal and Torres Strait Islander people as the first people to live in the area. We respect their living cultures and recognise the positive contribution their voices, traditions and histories make to the city.

What is the Local Planning Assessment Framework?

The local planning assessment framework is an array of legislation, policies, guidance materials and checklists used to support the NSW planning system.

Wollongong City Council has its own planning assessment framework which is informed by the State Government, primarily through the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policies (SEPP)'s.

Council's core planning framework includes -

- The Wollongong Local Environmental Plan 2009 (LEP)
- The Wollongong Development Control Plan 2009 (DCP).



Alongside these plans, we have several policies and guidelines which relate to planning and development across the Local Government Area (LGA). These include the Wollongong Local Strategic Planning Statement 2020, Wollongong City-Wide Development Contributions Plan 2021, the West Dapto Vision, and the Community Participation Plan 2019.

We are in the process of reviewing and improving this local planning assessment framework, using community consultation and industry best practice as a guide. The aim of this review is to increase environmental sustainability, improve climate change adaptation, and reduce greenhouse gas emissions where possible and feasible to provide better outcomes for our community and help us achieve the goals and objectives of the Wollongong Community Strategic Plan.



Why is Council proposing to amend our local planning assessment framework?

Our planning assessment framework needs to be updated periodically to ensure its currency with NSW planning legislation and policy, to correct errors, omissions or provide clarity of content as identified through the day-to-day use of the plans. Importantly, it also needs to align with or complement the goals and objectives for the city of Wollongong and community aspirations.

Council has adopted net zero greenhouse gas emissions targets of:

- Net zero greenhouse gas emissions by 2030 for Council operations
- Net zero greenhouse gas emissions by 2050 for the city.



To guide our efforts towards achieving these targets, Council has adopted the Climate Change Mitigation Plan 2020-2022 and the Sustainable Wollongong 2030 strategy.

We are also currently developing the next Climate Change Mitigation Plan which is envisaged to project our pathway towards net zero.

These strategic documents recognise the significant potential to increase sustainability and climate resilience through improved and effective development controls and supporting instruments, and the role that development and town planning will play in contributing to net zero. Thus, they prescribe actions for a review and update of Council's planning assessment framework.

Apart from industrial emissions, the majority of the Wollongong community's emissions are from the stationary energy sector (78%), which is mainly electricity consumed by residential, commercial and institutional facilities, and manufacturing and construction activities. Second to this are emissions from our transport sector (19%). See Figure 1 for an overview of the emissions profile for the Wollongong Local Government Area.

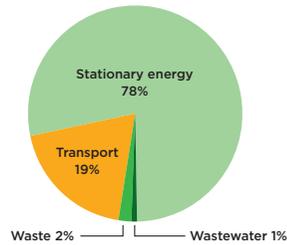


Figure 1. Emissions profile for the Wollongong Local Governmental Area 2019/20, excluding industrial processes (Source: Ironbark Sustainability, 2022)

With this in mind, if we facilitate developments that are more energy efficient, less vulnerable to extreme weather conditions, allow for full electrification and the shift to electric vehicles and reduced vehicle usage, we will enable the transition to net zero emissions and help our community prepare and adapt to a changing climate.



What is a Climate Friendly local planning framework?

A climate friendly planning framework is one that is centred around -

- Sustainable development
- Contributing towards the net zero emissions targets
- Preparedness and adaptation for a changing climate.

Sustainable development is development that meets the needs of the present without compromising the ability of the future generations to meet their own needs. Sustainable developments exist harmoniously with the natural environment and considers the social, environmental, and economic aspects of decisions.

'Net Zero' means achieving a balance between the amount of greenhouse gas emissions produced and those removed from the atmosphere in order to limit climate change. Development that reduces energy consumption needs and/or off sets consumption contributes towards net zero emissions.

Development that is prepared for climate change can cope with the key hazards that climate change presents for the Wollongong LGA, as identified in Council's adopted Climate Change Adaption Plan. This includes hotter days, more extreme rainfall events, more frequent and intense bushfires, and drought. It also means that development is better able to adapt to changing technology and energy sources.

We aim to promote development that is climate friendly across our planning framework through LGA specific environmental controls, enhancements to existing controls, guidance materials and tools and improved compliance measures.





What is the purpose of the Discussion Paper?

The purpose of this document is to provide a brief snapshot on the focus areas for proposed changes within our local planning assessment framework, the proposed key objectives for change and discussion points. As this is a discussion document, nothing is locked in, options are open for input and ideas.

A review of other planning frameworks across NSW, Australia and internationally has helped us identify options which are most relevant to Wollongong.

We will use the community and stakeholder feedback on the paper to make decisions on what changes could be incorporated into the framework and how best to proceed. These changes may include amendments to existing controls and guidelines across the planning framework or the implementation of additional supporting tools and materials to help guide and inform people making considering development on how they can be climate friendly.

What changes are proposed to be made to Council's planning framework?

At this current stage, opportunities for changes to the planning framework are being examined for certain residential and non-residential chapters of our DCP. We are also exploring supporting materials such as guidelines and tools that can assist our community to make informed decisions to improve resilience, reduce emissions and progress towards net zero.

We aim to integrate these changes across the planning framework to display how being climate friendly is cohesive and holistic across all sectors. This approach acknowledges how people, place and environment are interrelated and interdependent.

The focus areas for change and initial concepts have been informed by Council's supporting documents (such as our Climate Change Mitigation Plan and Climate Change Adaptation Plan).

How is the Discussion Paper set out?

The paper is an easy-to-navigate overview on the five focus areas and their objectives and discussion points.

Objectives are targets that we can aspire to, whereas discussion points are more specific thoughts, actions and amendments. These may apply to the entire planning framework, or individual policies and plans.

What are the Focus Areas and ideas for change?

The current focus areas for change are as follows -

- Landscaping and Urban Greening
- Solar and Energy Efficiency
- Materials, Building Form and Waste
- Transport and Car Parking
- Policies and Incentives

Ideas for change are outlined below according to the relevant focus areas.

Landscaping and Urban Greening

Effective landscaping and urban greening can help improve microclimates, combat air and noise pollution, efficiently cool and shade cities and decreases the urban heat island effect, helping our city to adapt to a changing climate and reduce energy requirements for heating and cooling. Council has already adopted the Urban Greening Strategy 2017-2037 and has several development controls across the DCP focused on landscaping and greening. However, we believe that there is an opportunity to do more in this space.

Objectives

- i. Maximise the quality and quantity of healthy tree canopy coverage across the LGA.
- ii. Ensure that tree canopy cover is considered and provided appropriately in each development
- iii. Improve the diversity and abundance of locally indigenous flora and fauna species across the LGA.
- iv. Ensure the protection of trees
- v. Encourage green infrastructure across all development types
- vi. To ensure that new and existing streets provide street trees and canopy cover to help cool our houses and suburbs and improve climate resilience.

Discussion Points

- (1) Tree retention is prioritised within an evidence-based assessment framework.
- (2) Public domain design should optimise for maximum achievable canopy cover. This will boost canopy cover in neighbourhoods, provide liveable streetscapes, improve air quality and public amenity.
- (3) Provide canopy trees and landscaping in public spaces as early as possible to establish long-term amenity and thermal comfort
- (4) Select appropriate plant species for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat.
- (5) Provide a diversity of tree species, including indigenous local provenance species (trees, shrubs, and groundcovers) in riparian corridors and ecological buffers.
- (6) Encourage green roofs or green facades where possible
- (7) Avoid and minimise the clearing of native vegetation and rehabilitate remaining native vegetation
- (8) Development must assess impacts of climate change and increased rainfall intensities, particularly when located near waterways.
- (9) Provide both new guides and support materials and improvements to existing resources on tree planting for developers and residents



Solar and Energy Efficiency

Council supports increased energy efficiency and the use of renewable energy. We have already taken steps to enter into a Power Purchase Agreement for Council facilities, allowing us to access 100% renewable energy for the majority of our electricity use, and have installed solar panels at various Council properties. We are keen to support the community taking similar actions. Transitioning to more renewable energy sources such as solar and using energy more efficiently will guide us on our path to reach net zero emissions by 2050 for the city.

Objectives

- i. Apply principles and processes that contribute to ecologically sustainable development (ESD).
- ii. Ensure that greenhouse gas emissions will be reduced
- iii. Encourage solar panels and energy efficient lighting for developments
- iv. Promote electrification of products over gas appliances

- v. Increase the resilience of development to the effects of climate change and grid disruption.
- vi. Replace intensive carbon power sources with low carbon and renewable energy.
- vii. Enable developments to maximise solar access and energy efficiency design
- viii. To facilitate the achievement of a community that can achieve net zero carbon emissions by 2050

Discussion Points

- (1) Encourage new developments to be designed to minimise energy consumption
- (2) Developments are to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures such as -
 - a) orientating buildings to maximise winter solar access
 - b) introducing thermal mass and insulation to retain heat in winter
 - c) appropriately locating glazing, and using additional performance glazing where necessary

- d) utilising shading to manage solar access in summer including horizontal shading for northern sun, vertical shading for western sun, and the use of vegetation
- e) maximising natural ventilation through a variety of means including cross ventilation, stack ventilation, and ceiling fans where necessary
- (3) Additional landscaping and canopy where possible to reduce the urban heat island effect
- (4) New buildings are encouraged to be designed to maximise opportunities for cross flow ventilation and passive cooling.
- (5) Where practical, developments should be designed to minimise the need for air conditioning
- (6) Consideration should be given to using north-facing pergolas and facades treatments to shade walls and windows
- (7) Developments should seek to incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use
- (8) Lighting for streets, parks and any other public domain spaces provided as part of a development should aim to use solar or energy efficient LED lighting.

- (9) In multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for lighting, air-conditioning and power within each tenancy or strata unit. Locations are to be identified on the development plans.
- (10) Allow for the consideration of community micro-grids and battery storage.
- (11) Where possible proposals for new buildings, alterations and additions and major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to the performance, efficiency, economic viability and reasonableness of their location.
- (12) Discourage gas connections in all developments, in particular greenfield developments.
- (13) Support tools and information packages for homeowners and developers
- (14) Council to invest in solar and energy efficiency decision support tools for residents



Materials, Building Form and Waste

Research shows that using renewable, recycled, and sustainable building materials can reduce an enormous amount of energy and waste that normally goes into the manufacturing process. Sustainable materials, such as timber and bamboo have lower environmental impacts throughout the production, placing and maintenance stages compared to other building materials, they also have efficient thermal properties compared to metals.

Objectives

- i. Reduce the cause and impacts of the urban heat island effect.
- ii. Increase the use of products from recycled sources.
- iii. Conserve energy
- iv. Encourage the use of more sustainable building and construction materials and methods
- v. Reduce the environmental impact from building materials through reduction, re-use and recycling of materials, resources and building components.
- vi. Encourage renovation and retrofitting
- vii. Promote the use of materials with low embodied energy
- viii. Increase recycling of waste and use of products from recycled sources.

Discussion Points

- (1) Where possible, developments should use recycled and renewable materials
- (2) Provide developers and homeowners with support materials and guidelines for choosing sustainable materials eg. Sustainable materials index
- (3) Food waste (FOGO) collection and/or composting provisions for multi-dwelling style developments should be considered.

- (4) Retrofitting and renovation of buildings is highly encouraged where possible.
- (5) Lighter coloured roofs and use of lighter coloured and non-reflective materials and finishes on main external parts of the building is required where possible.
- (6) Materials that are likely to contribute to poor internal air quality and those containing Volatile Organic Compounds should be avoided.
- (7) Encourage and prioritise low-carbon low-emission materials and processes such as -
 - (a) Recycled bricks
 - (b) Green steel and concrete
 - (c) Bamboo
 - (d) Sustainably harvested timber
 - (e) Recycled cladding
 - (f) Minimise cut and fill
- (8) Reduce the amount of materials used in the construction of a building wherever possible. Examples of potential methods include -
 - (a) reduced footprint and overall scale of the development
 - (b) exposing structures to reduce the use of floor, ceiling and wall cladding and finishes
 - (c) naturally ventilating buildings to reduce ductwork;
 - (d) providing waterless urinals to reduce piping and water use;
 - (e) using prefabricated components for internal fit outs; and
 - (f) providing only one bathroom for every two bedrooms in residential developments.
- (9) Council to provide guidance material and/or support for sustainable building material options and housing design



Transport and Car Parking

Transport is the second largest contributor of greenhouse gas emissions in the Wollongong LGA, responsible for 19% of emissions. With efforts to reduce emissions in this area and transition to net zero, Council recognises the development framework should also be updated to encourage more sustainable transport planning and design.

Objectives

- i. To encourage the use of public transport
- ii. To support the installation of infrastructure for charging electric vehicles

- iii. To reduce greenhouse gas emissions produced by transport and private car use
- iv. To ensure development is adaptable and planned to support future transport needs.

Discussion Points

- (1) Encourage walkable and cycling friendly centres, particularly in CBD's
- (2) Developments, where possible, should contribute to minimising car trips and car travel distances by:
 - (a) supporting access to public transport
 - (b) restricting the surplus of private car parking

- (3) Encourage developments to show connections and options for utilisation of public transport where possible
- (4) Provide and encourage rideshare or car share opportunities within the City
- (5) Increase electric scooter and bicycle parking provisions
- (6) Requirement for significant developments to include Electric Vehicle ready charging spaces.

- (7) Neighbourhood Plans for West Dapto and DCP provisions for Tallawarra and Calderwood must demonstrate how bus routes and bus movements are to be accommodated for each stage of the development.
- (8) Certain developments to be well connected to various facilities including park/playground, bus stop, village





Policies and Incentives

There are a range of environmental assessment rating schemes that applicants can use when assessing developments such as NABERS and Green Star. We want to encouraging our community to go above standard government requirements in order to increase environmental sustainability and reduce emissions. We are also looking at opportunities to incentivise our community to take action.

Objectives

- i. To encourage greater engagement and utilisation of recognised sustainability assessment measures
- ii. To encourage developments to exceed sustainability standards set by State and Local government policies
- iii. Recognise and support developers and individuals who exceed these standards

Discussion Points

- (1) In NSW, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) mandates provisions that aim to reduce consumption of mains-supplied potable water, reduce emissions of greenhouse gases and improve thermal comfort across residential development. The BASIX SEPP sets the minimum standards that a development is to achieve. The BASIX SEPP also mandates

that a DCP cannot include provisions which require a development to exceed its minimum standards. However, where voluntarily proposed, Council encourages development to exceed minimum BASIX scores.

- (2) Encourages applicants to use an environmental building rating tool, such as Green Star or any similar rating tool shown below, to demonstrate enhanced environmental performance of a proposed development.
- (3) Provide incentives for those who choose to exceed standards
- (4) Introduce a 'raising the bar' section across the planning framework for those wishing to go above and beyond standards
- (5) Promote developers and individuals who exceed mandatory requirements
- (6) Council to provide guidance material on how developers and individuals can exceed mandatory requirements and what the lifecycle cost benefit of these actions is likely to be.

Minimum Performance Standards

- Minimum Energy Performance Standards (MEPS)
- NSW Building Sustainability Index (BASIX)
- National Construction Code (NCC) Section J

Information and Incentive Programs

- Commercial Building Disclosure
- Green Star Program
- Well Rating
- National Australian Built Environment Rating Scheme (NABERS)
- NSW Energy Savings Scheme - financial incentives for businesses and households to be more energy efficient
- NSW Manufacturing Efficiency funding
- NSW Environmental Upgrade Agreements
- NSW Sustainable Advantage

What is the process for making changes to the local planning assessment framework?

The planning framework is primarily regulated under the Environmental Planning and Assessment Act 1979. As the planning framework is so broad and includes various policies and plans, requirements for each component can differ.

Our aim is to amend the planning framework through a 3-stage approach. These stages include:

- Stage 1: Consultation
- Stage 2: Development
- Stage 3: Implementation.

The Discussion Paper is a key component of Stage 1 of this approach. Once feedback is received from the community, comments will be considered and the amendment process, or Stage 2, will begin.



CBA is an analytical tool used to assess the costs and benefits of regulatory proposals. Costs and benefits are examined from the perspective of the community as a whole to identify the proposal with the highest net benefit. The costs and benefits considered are incremental, that is, they reflect only the additional costs and benefits incurred as a result of the proposed policy change.

This will likely be prepared once the changes and enhancements are drafted and will be considered as a supporting document alongside the amended framework.

What if I already have a development application approval before the changes are made?

Any development applications or planning assessments lodged after any changes are made will need to address the new standards.

If you submit or gain approval for a development before that time, there is no obligation to comply with the new standards, unless on a voluntary basis.

How can I make comment on what is proposed?

We highly value the opinions and feedback of our community and development sector and aim to guide them on a smooth transition to progress towards net zero and climate preparedness, working collaboratively alongside Council.

We encourage feedback on all aspects of the Discussion Paper. Comments and feedback can be made via our engagement page.



Scan to access the engagement page, or go to www.wollongong.nsw.gov.au

What is the timeline for finalising changes and implementing them?

The timeline for finalising changes will vary depending on the policy tool. There may be different timelines for different focus areas or planning instruments, with this in mind the approach may not be linear. As documents are updated and changes made, we will check in periodically with the community and provide further opportunities to comment.

What will the cost of these changes mean for me?

We understand that the community may have some questions and concerns surrounding the cost of these changes.

In the next stage of the consultation process our aim is to prepare cost benefit analyses (CBA) for proposed changes, to examine how the costs of these changes and enhancements may be offset by the benefits and future savings.





From the mountains to the sea, we value and protect our natural environment and will be leaders in building an educated, creative, sustainable and connected community.

We value and protect our environment

We have an innovative and sustainable economy

Wollongong is a creative, vibrant city

We are a connected and engaged community

We have a healthy community in a liveable city

We have affordable and accessible transport



Wollongong City Council
wollongong.nsw.gov.au
Phone (02) 4227 7111



OUR WOLLONGONG

JOIN THE CONVERSATION

**Climate Friendly Planning Framework
Discussion Paper
Community Engagement Report**

July 2022

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The information in this report is based on data collected from community members who chose to be involved in engagement activities and therefore should not be considered representative.

This report is intended to provide a high-level analysis of the most prominent themes and issues. While it's not possible to include all the details of feedback we received, feedback that was relevant to the project has been provided to technical experts for review and consideration.

Document id.22237916 Climate Friendly Planning Framework Discussion Paper - Engagement Report (July, 2022)

Executive Summary

Council is committed to reducing the threat of climate change to the Wollongong community as much as we can at a local level. To deliver on this commitment and protect our environment, we are undertaking a review of our Local Planning and Assessment Framework. As the first stage in this review, we developed the Climate Friendly Planning Framework Discussion Paper. This Discussion paper presents ideas about how we can make updates to this Framework so developments in our city can be more climate friendly. We asked the community to provide their feedback on the objectives and ideas presented in the Discussion Paper, along with any other ideas they may have about how developments in our city could be more climate friendly.

Methods and Stakeholders

The community was invited to share their feedback and ideas via a feedback form, which was open from 2 June - 1 July 2022. We published a project webpage on our.wollongong.nsw.gov.au which included the feedback form, Q&A forum and frequently asked questions. Emails containing the link to the webpage and a copy of the FAQs were sent to the following stakeholders -

- Neighbourhood Forums
- Register of Interest – Business, Environment
- Urban Development Institute Australia
- Business Illawarra
- Illawarra – Property Council of Australia
- Northern Illawarra Chamber of Commerce
- Port Kembla Chamber of Commerce
- Business Dapto

The engagement was promoted by email to targeted stakeholders and to the broader community by issuing a media release, publishing Facebook posts, and including information in the Illawarra Mercury Community Update.

Feedback

Twenty-six people shared their feedback on the Discussion Paper as well as other ideas they had about how development in Wollongong could be more climate friendly. Overall, respondents were supportive of most of the objectives and discussion points outlined in the Discussion Paper. Below is a summary of the feedback:

Landscaping and Urban Greening	<ul style="list-style-type: none"> • An increase in greening across the local government area, and greater emphasis placed on the planting of local natives and edible plants. • More communications and community education about the benefits of increased plantings and the planting local native plants. • Increased clearing of invasive species. • A strategic approach to the clearing and retention of trees to ensure that there is an appropriate number of trees in the right locations. • Consideration given to how the shade from trees may impact the effectiveness of solar panels. • Greening new buildings – roof-top gardens, green roofs, and green facades. • More permeable ground surfaces to be used in brownfield and greenfield developments.
Solar and Energy Efficiency	<ul style="list-style-type: none"> • Greater encouragement for the use of heat pump hot water heaters, instead of gas. • More information to be shared about helping consumers to find the best electric/climate solutions. • Council to work with local energy providers to facilitate the establishment of micro-grids and battery storage.

Document id.22237916 Climate Friendly Planning Framework Discussion Paper - Engagement Report (July, 2022)

	<ul style="list-style-type: none"> • Solar panels double glazing and external shutters to become a requirement for new developments. • Greater consideration given to the use of water recycling, grey water use, and water-sensitive urban design. • Developers to be required to identify the NABERS and Green Star levels of their proposals.
Materials and Building Form and Waste	<ul style="list-style-type: none"> • Several respondents were unsupportive of the idea of providing only one bathroom for every two bedrooms in residential developments. • Consideration to be given to waterless/composting toilets. • Greater uptake in the use of sustainable and renewable materials, with some saying they should become a requirement or highly incentivised. • While people were supportive of the idea of sustainable and renewable materials, there were concerns about the cost of these materials compared to other, commonly used materials. • Consideration given to the use of building materials in a “circular materials economy”. • The Passive Housing Standard to be listed in the Paper and for Council to provide incentives for people whose homes are built or retrofitted to meet this Standard. • Light roofs to become a requirement for new developments. • Multi-storey developments to provide infrastructure to enable the separation and collection of recyclables, food and garden waste.
Transport and Car Parking	<ul style="list-style-type: none"> • Electronic vehicle charging stations to become a requirement of all new developments. • The inclusion of charging stations for E-bikes and E-scooters, shade covers and on-roof solar panels in public and private car parks. • The discussion point about restricting private car parking provision was not supported by several respondents. • Raise awareness of active transport options • Council to further explore and provide park-and-ride options. • Council to continue to improve pathways and cycleways throughout the local government area. • Ensure subdivision design prioritises pedestrian pathways and cycleways over vehicles. •
Policies and Incentives	<ul style="list-style-type: none"> • Council to assess all Objectives and Discussion Points in the Paper against existing planning policy requirements which already contain provisions to address climate change, to avoid overlap and confusion. • Council to encourage climate-friendly outcomes with controls that are flexible enough not to stifle development, increase the cost of housing. • It was suggested that higher construction costs could be offset by things like such as greater development density/height or FSR bonus or alike. • Creation of various policies that support positive climate actions and positive environmental or personal health outcomes. •

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Background

Wollongong City Council has a target of net-zero greenhouse gas emissions by 2050 for our City and net zero emissions by 2030 for Council operations. Except for industrial emissions, 78% of emissions produced in the Wollongong Local Government Area are from the stationary energy sector. This includes the energy we use in our homes and use to run our local shops, cafes, schools, and office buildings.

It's important that homes and other infrastructure built in our local government area are energy efficient and can withstand the challenges of climate change such as hotter days, rising sea levels, and more extreme weather events. One way we can achieve this is by reviewing our Local Planning Assessment Framework to encourage people building developments in our city to consider climate-friendly design.

Council developed the Climate Friendly Planning Framework Discussion Paper as the first stage of the review of our Local Planning and Assessment Framework. The Discussion Paper presents ideas about how developments in our City can be made more climate friendly. The feedback and ideas captured through community engagement will help Council make decisions about what we should focus our review on. The feedback and ideas shared will also help inform any changes that may be incorporated into our Local Planning Assessment Framework.

This report provides details about the stakeholders targeted as part of this engagement, our communication methods, as well as a high-level summary of the major themes of the feedback captured through the various engagement methods.

Stakeholders

Stakeholders identified prior to the start of the engagement period included:



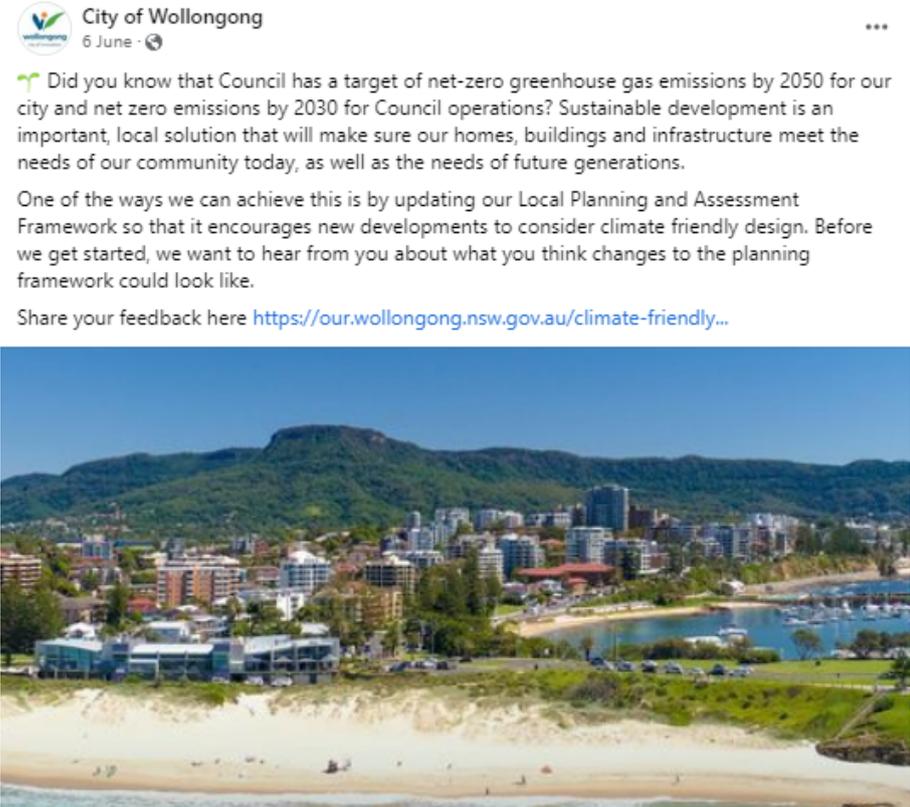
Methods

Our Methods

Table 1: Details of Communication and Engagement Methods

Methods	Details of Methods
Communication Methods	
Email to key stakeholders	An email outlining the details of the project, the feedback form and FAQ was sent to key stakeholders identified through an analysis process.

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Register of Interest	Information about the feedback from was sent to 775 participants registered on the Our Wollongong website with an interest in business and 1892 participants registered with an interest in environment.
Our Wollongong website	The project webpage hosted background information and supporting documents: <ul style="list-style-type: none"> • Frequently Asked Questions • Climate Friendly Planning Framework Review Discussion Paper • Climate Change Mitigation Plan 2020-2022 • Climate Change Adaptation Plan 2022 • Sustainable Wollongong 2030: A Climate Healthy City Strategy
Community Update	A notice appeared in Council’s Community Update page, printed in the Illawarra Mercury, on the following dates: <ul style="list-style-type: none"> • 15 June • 22 June
Media release	A media release about the exhibition was distributed on 14 June 2022.
Social media	<p>Facebook posts promoting the engagement were published on the City of Wollongong Facebook page on 6 and 14 June 2022.</p> 

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City of Wollongong
14 June at 12:22 · 🌐

⋮

We know our community loves the natural environment of Wollongong! One of the ways we're working to protect our environment, make our city more energy efficient and prepare our community for the future is by encouraging climate friendly design.

It's an ambitious goal, and to get started we're calling for your ideas on how Council can encourage sustainable development in homes, buildings and other infrastructure.

To start the conversation, we've drafted a discussion paper that explains some of the ideas we want to focus on. Now it's up to you. Read our discussion paper and share feedback on what can be improved and let us know if you have any ideas on what you'd like to see happen.



OUR.WOLLONGONG.NSW.GOV.AU

Climate Friendly Planning Framework

Council is committed to reducing the threat of climate change to the Wollon...

Learn More

Engagement Methods

Our Wollongong website	<ul style="list-style-type: none"> • An online feedback form was used to capture participants' comments and ideas. • An online Q&A forum was provided for participants to ask questions about the project.
Email	People emailed in their open, written submissions.

Results

All stakeholders and the wider community were invited to provide feedback on the discussion paper and share any ideas about how developments in our city could be more climate friendly. Some stakeholders promoted the public exhibition via their email networks and social media profiles, and several community members shared the posts made on the City of Wollongong Facebook page. Across the two Facebook posts published on the City of Wollongong Facebook page, a total of 109 comments were left. The overall sentiment and engagement with the posts was positive and supportive. The comments made in relation to the Discussion Paper were very similar to the feedback received via the formal engagement methods.

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Engagement Participation

This section provides details on the participation in engagement activities and feedback received during the engagement period. Details of the number of participants for each engagement activity are presented in Table 2.

Table 2: Participation in Engagement Activities

Engagement Activities	Participation
Emails	8
Online Participation	
<ul style="list-style-type: none"> Aware – Total number of people who viewed the project webpage. 	412
<ul style="list-style-type: none"> Informed – Total number of people who clicked a hyperlink, e.g. to download the draft plans. 	157
<ul style="list-style-type: none"> Engaged – Total number of people who actively contributed to the project, e.g. by submitting comments via the feedback form or posting a question to the Q&A. 	18

Submission Results

Twenty-six people shared their feedback on the Discussion Paper and their ideas about how development in Wollongong could be more climate friendly.

Table 3: Submission Types

Submission Type	Number of Participants
Open – Email	8
Online – Feedback form	17
Online – Q&A forum	1
TOTAL	26

People contributed many ideas and comments in different ways. Below is a summary of all the feedback and ideas we received via the various methods -

Open feedback received via email

Individual Submissions

We received 4 individual submissions from community members. The feedback and ideas shared in these submissions have been summarised under the following themes:

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Landscaping and Urban Greening

A call was made for Council to require knockdown rebuilds in well-established residential areas to retain existing native trees within substantial gardens.

We heard that greater support needs to be given to encourage residents living close to weed-infested public spaces, containing remnant native vegetation, to manage these areas. It was mentioned Council's Bushcare groups could be better resourced enabling them to play a more active role in providing advice to community and to undertake more plantings across the city.

A respondent shared that they would like to see consideration be given to the inclusion of edible trees and vegetation in public spaces. They would also like to see some of the objectives of the Illawarra Local Food Strategy incorporated into future Planning Framework updates.

Solar and Energy Efficiency

It was mentioned that many new developments have gas-fed, instant hot water systems, most likely because they require less floor space than a heat pump hot water system. A suggestion was made for the DCP to be amended to require all plans to reserve more floor space for tanks for heat-pump systems and to include 15-amp wiring adjacent to instant heater installations as this would make retrofits cheaper and convenient. Another respondent would like Council to discourage the installation of gas lines in new developments. It was suggested that Council could undertake an educational campaign promoting the benefits of induction cooking technology as a means of discouraging people from utilising gas cooktops in their homes.

A request was made for more consideration to be given to community energy efficiency initiatives. Some people are unable to install solar panels on their homes due to tree canopy cover but would still like an opportunity to contribute to the installation of solar panels and batteries on other buildings, like Council-owned buildings. It was suggested that people who contributed to these community panels could receive some form of compensation for the energy generated by these community panels.

A suggestion was made for Council to facilitate the establishment of micro-grids and battery storage.

It was mentioned that greater consideration should be given to the use of water recycling, grey water use, and water-sensitive urban design.

Materials and Building Form and Waste

A respondent would like to see Council liaise directly with developers about sustainable building material options and housing design well in advance of submitting their development applications.

It was suggested that consideration be given to the use of building materials in a "circular materials economy". It was also mentioned that regenerative fibres such as strawbale, hemp and other products should be included in the list of low-carbon, low-emission building materials.

Transport and Car Parking

In addition to requiring charging stations in new developments, we heard that Council could set a good example by committing to the installation of a small number of electric vehicle charging stations. We also heard a suggestion for a campaign promoting the benefits of electric vehicles and dispelling potential myths.

Other Comments

A call was made for Council to consider the effects of concrete-sealed ground. Concerns were shared about how concrete-sealed ground greatly contributes to flash flooding and increases the height of the flood peak. There is a perception this poses a far greater risk than more natural conditions where water is

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able to soak into the landscape. We heard that having more natural or porous ground covers would also contribute to long-term soil water and plant growth and could help manage extreme heat. It was suggested that planning controls need to reduce the use of concrete in private and public land to reduce the amount of water that ends up in our streets and homes due to flash-flooding events.

A respondent would like to see a greater emphasis on the use of rainwater tanks, to reduce reliance on mains water supplies and also reduce the amount of water going into stormwater systems during severe rain events.

Group Submissions

We received detailed submissions from four groups. The full submissions have been provided to the project team for consideration. This section presents a high-level summary of each.

A local resident action group provided a detailed submission. Following is a summary of their comments:

Landscaping and Urban Greening

- Green roofs or green facades should be mandated on buildings three stories and above.
- Deep planting zones should be mostly on the street side of the development to reinforce the streetscape and vegetated corridors for wildlife in the city.
- More emphasis to be placed on aesthetics when pruning street trees.
- Hard surfacing on public land should be minimised and environmentally sound surfaces maximised.

Solar and Energy Efficiency

- Solar panels or other on-site renewable energy sources should be mandated on buildings three stories and above.
- Developers should be mandated to identify the NABERS and Green Star levels of their proposals.

Materials, Building Form and Waste

- The discussion point about including one bathroom for every two bedrooms in residential developments is not supported as many older couples need a bathroom each.
- Multi-storey developments should provide infrastructure to allow for the separation and collection of recyclables, food and garden waste.

Transport and Car Parking

- Promote active transport and facilitate and provide supportive infrastructure it requires.
- The discussion point about restricting private car parking provision is not supported as it is the use of cars which is critical not their ownership. There are concerns that this will result in more cars parking on the street.
- Council should reverse its policy to encourage medium-density developments in relatively remote locations as people living in these areas will be required to drive long distances for work or shopping, resulting in more greenhouse gas emissions.

A community coalition focused on fair and sustainable food solutions told us they would like to see greater consideration given to urban food-growing spaces. They would like to see greater support for urban food-growing as this will increase the availability of healthy and sustainable food, whilst mitigating climate change. It was suggested this can be achieved by -

- Providing space for growing food within new developments.
- Updating landscape policies to encourage the inclusion of edible plants such as fruit, nuts and herbs in all major developments.
- Facilitating local groups to start a community food growing space.

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- Protecting food growing spaces in and around our local area under threat from a proposed development.
- Using land for food growing on a temporary basis, for example in spaces that are waiting to be redeveloped.

A local not-for-profit concerned with the creation of healthy communities provided a detailed submission. Following is a summary of their comments:

Landscaping and Urban Greening

- Add an objective about ensuring that the area of permeable surface is maximised in both greenfield developments and brownfield developments.
- Add an objective about providing support for urban food growing as this will increase the availability of healthy and sustainable food, whilst mitigating climate change.

Solar and Energy Efficiency

- Require subdivision layouts to maximise the number of residential blocks which have their long side facing north.
- Council could do more to encourage the use of heat pump hot water heaters, instead of gas.
- The objective relating to shade and canopy could be more explicit, ensuring this is applied for existing neighbourhoods as well as new developments.

Materials, Building Form and Waste

- Add an objective about encouraging the use of local building materials and services as this will reduce transport demands and stimulate the economy.

Transport and Car Parking

- The focus area be renamed to 'Transport and Movement' to broaden the scope to better include active transport.
- Add an objective about creating an urban environment where active transport becomes the primary choice for short journeys.
- Add a discussion point about the importance of all streets being pedestrian and cycle friendly.
- Ensure subdivision design prioritises pedestrian pathways and cycleways over vehicles.
- Residential development should occur in areas close to, or with active transport access to town centres and public transport nodes.

Policies and Incentives

- Creation of a policy that doesn't allow advertisements on public amenities, that contains messaging that is not supportive of positive climate actions or positive environmental or personal health outcomes.
- Creation of a policy to control, protect and increase the number and the diversity of types of food retail outlets – such as hot food take-aways, small shops and markets - locally, and within easy walking distance of communities, or by public transport.
- Local incentive programs for retailers to enable the phasing out of takeaway coffee cups by offering discounts for the use of 'keep cups' etc.

An industry body representing the NSW property development sector called for greater consideration to be given to how the implementation of these objectives may negatively contribute to the housing and rental market in the Illawarra. It was suggested this approach should be undertaken with a view to streamline the current onerous planning processes, reduce development costs and lessen any further impacts on the housing delivery pipeline.

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The recommendations included in their submission are summarised as follows -

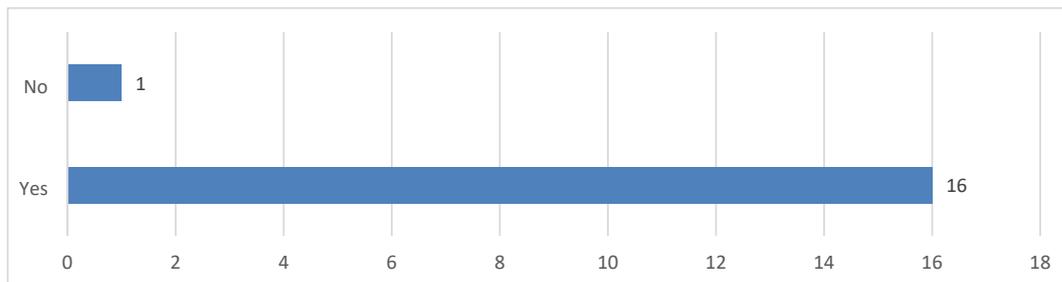
- Council to assess all Objectives and Discussion Points against existing planning policy requirements which already contain provisions to address climate change, to avoid overlap and confusion.
- Council to prepare a feasibility assessment on the potential cost impacts due to high-risk Objectives and Discussion Points.
- Council to work with industry to implement the changes through an incentives-based approach.
- Council to review the need for key Discussion Points which are typically undertaken during the master planning process.
- Council to lead on certain initiatives covering climate change.
- Council to engage further with industry prior to implementation of proposed Objectives and Discussion Points into the local planning assessment framework.

Online – Feedback Form

We received a total of 17 feedback forms. Some responses to the questions are graphed and others are presented under themed headings.

Landscaping and Urban Greening

Do you support the objectives for Focus Area 1: Landscaping and Urban Greening?



Increased Greening

Some people said they would like to see more verge gardens. It was suggested Council could encourage people to incorporate Indigenous plantings, native ground covers, garden vegetables and herbs along the kerbside of roads and combine them with the front gardens of their houses. This is to significantly green the streets and provide shelter and food for local birds.

Respondents mentioned their support for minimising the clearing of native vegetation. In addition, they would like to see Council focus on expanding and increasing the areas of native vegetation across the local government area.

The planting of trees and inclusion of greening new buildings was another idea shared. It was mentioned this could be a key area in improving our air and noise quality as well as the general streetscape. They would also like to see Council encouraging rooftop gardens on unit blocks and including water tanks on new homes. We also heard that cycleways and parklands are essential to allow residents to enjoy their local environment.

We heard that the clearing and also protection of trees should be approached strategically, as this would ensure that there is an appropriate number of trees in the right locations. It was mentioned that retaining small pockets of vegetation in development zoned areas is not necessarily a good outcome as it could generate a substandard/inefficient development pattern. It was suggested that the removal of trees should be followed with compensatory planting in more appropriate locations.

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Some shared that while they are supportive of the increased planting of trees, they would like consideration to be given to how the shade from trees can impact the effectiveness of solar panels and outdoor clotheslines.

Impacts of Invasive Species

We heard a call for increased efforts for the clearing of invasive flora species, particularly around waterways. It was mentioned that in addition to the clearing of invasive flora, native/non-invasive species should be re-planted in other, more appropriate areas.

A respondent shared that they live in an area set underneath an overgrown canopy of trees covered in lantana and other introduced flora. They experience little sunlight in winter, damp and mould-related issues. They said that without sunlight, air conditioning, dehumidifiers, fires, chemicals, clothes dryers and lighting is a necessity. They would like this considered as part of the review.

Education and Communication

A suggestion was made for the Wollongong Botanic Garden - Greenplan Nursery to provide advice to residents looking to plant trees in their yards. It was mentioned that good advice from experienced gardeners could assist in effective plantings that allow for decent summer shading, winter sun ingress and clear roofs for solar panel efficiency. We also heard a call for more communications and community education about the benefits of increased plantings and also planting local native plants.

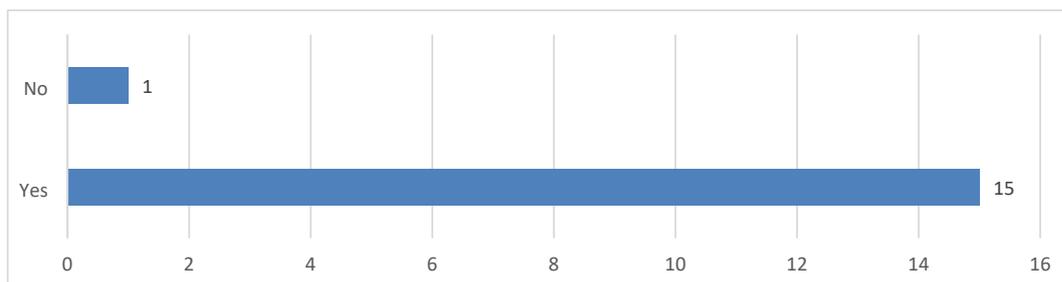
Other Comments

Other ideas and feedback for this focus area included -

- Limiting/reducing the use of concrete and other impermeable surfaces on public land.
- More focus on water sensitive-design.
- Veggie and herb planter boxes in public areas.
- All playgrounds to have shade canopies and be surrounded by large-canopied trees.
- Safe water features in the Mall to create a cooling effect.

Solar and Energy Efficiency

Do you support the objectives for Focus Area 2: Solar and Energy Efficiency?



Units

Some respondents would like double glazing and external shutters to be compulsory for new developments. We also heard calls for a ban on embedded networks, as well as a ban on gas stoves and hot water systems.

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Community Battery Storage and Solar Energy

Several respondents would like to see Council liaise with local energy providers to create local grids and community batteries to store energy collected from residential solar panels. A call was made to strengthen the wording of discussion point 10, so it reads “encourage and facilitate community micro-grids and battery storage with incentives for developers”. It was suggested this initiative could be part of an affordable housing development, or an integrated new area such as the Corrimal Cokeworks site.

Some would like to see solar and energy-related products become a requirement for new building projects in the Illawarra. It was also mentioned that Wollongong Council residents who reside under the escarpment are unable to change to solar due to the overgrown canopy and suffocation of lantana and other introduced flora that inhibits the sunlight.

Brownfield and Greenfield Development

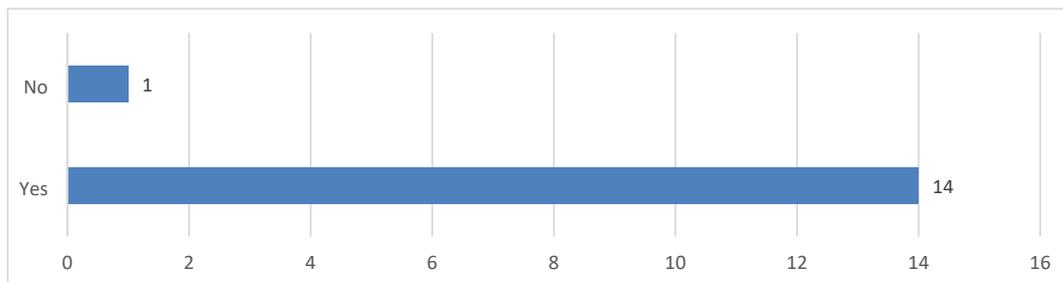
We heard the controls for brownfield and greenfield developments may need to be considered differently. It was said that not all sites in brownfield areas will have the orientation or frontages to easily maximise passive outcomes due to the existing/historical development patterns of the area. However, it’s thought greenfield areas can be designed with orientations that maximise the opportunity for solar panels.

Education

Greater emphasis on education and engagement was another theme. Suggestions were made for more information to be shared via workshops and websites about helping consumers to find the best electric/climate solutions.

Materials and Building Form and Waste

Do you support the objectives for Focus Area 3: Materials and Building Form and Waste?



Housing Design

We heard calls for the Passive Housing Standard to be listed among the objectives and discussion points in the Paper. Some respondents would like to see more family houses built to these standards or existing houses to be retrofitted to meet these standards. It was suggested Council could provide incentives for those whose homes meet the Standard.

Several respondents said they would like Council to make light-coloured roofs a requirement.

Bathrooms and Toilets

Some respondents were unsupportive of the discussion point about providing only one bathroom for every two bedrooms in residential developments. It was mentioned that a two-bedroom property could occupy anywhere from 1 – 4 people and it is likely that one-bathroom wouldn’t be enough for a 4-person household. Some were concerned this would no longer allow for the inclusion of a powder room or water

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closet. Some said they feel this is a necessary feature in their home, especially if they often have visitors. Another mentioned they thought it would be necessary for townhouses to have access to a toilet both upstairs and downstairs. It was suggested this discussion point may be too restrictive, and that it should allow for greater flexibility. There were concerns expressed that if this were to become a requirement, it may come with an unintended consequence of developers designing houses and apartments with more bedrooms.

A request was made for Council to give greater consideration to the inclusion of waterless/composting toilets, suggesting this could be a great innovation for reducing water consumption and pollution and also enable nutrient recycling.

Cut and Fill

There was a call for more information about how minimising cut and fill would contribute to climate-friendly outcomes. It was mentioned that cutting and filling is an already expensive activity that developers currently seek to minimise. Concerns were expressed that further restrictions placed around cutting and filling may transfer costs into other areas of construction or result in other poor development outcomes.

Materials

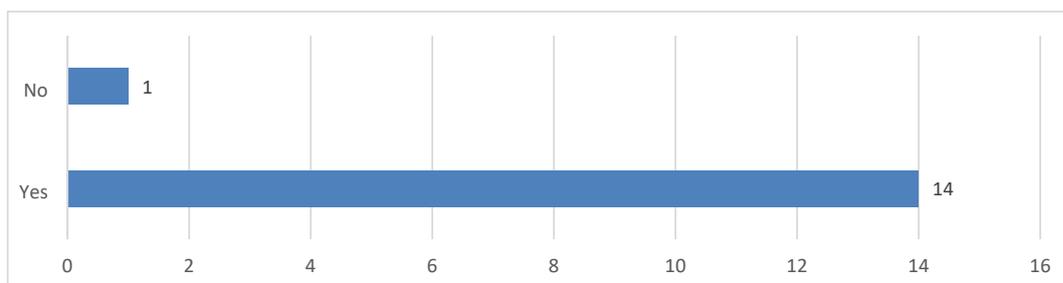
Overall, respondents would like to see a greater uptake in the use of sustainable and renewable materials, with some saying they should become a requirement or highly incentivised. It was suggested there could be a Council-run dedicated resource centre for building material collection (including, brick, timber, steel sheeting, fittings, taps, toilets etc.) that could enable the on-selling of these materials to local enterprises.

While people were supportive of the idea of sustainable and renewable materials, there were concerns about the cost of these materials compared to other, commonly used materials. It was also mentioned that maintaining, fixing and cleaning recycled materials can be expensive. It was suggested that Council could work with local suppliers to run workshops for residents providing information about how they could clean and repair these materials.

It was also mentioned that controls around the requirement for sustainable and renewable materials may need to be considered differently for multi-storey developments, as fire regulations have a great bearing on the types of materials that can be used.

Transport and Car Parking

Do you support the objectives for Focus Area 4: Transport and Car Parking?



Public Transport

We heard calls for the local bus service to become electric and for free bus travel to be provided throughout the LGA by 2025. Others would like to see better transport links, by way of public transport and non-

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powered transport, between Wollongong and the outer suburbs of the local government area. It was stated that safe, direct access to train stations in neighbourhood catchments is also important.

It was mentioned that the discussion points and objectives should be considered differently for brownfield or greenfield developments. We heard that it should not be a developer's role to demonstrate connections to public transport in brownfield areas as public transport is a government-managed issue outside of developer control. However, it was mentioned that in large-scale greenfield areas, where a developer is to provide open space and commercial centres, then developers should be required to demonstrate key connections to public transport.

We also heard a call for Council and Department of Planning and Environment to provide information to developers about future bus routes in West Dapto, as this will assist them with their planning.

Parking

We heard several calls for electric vehicle charging points to become a requirement for all new car parks, both public and private. In addition, people would like to see the inclusion of charging stations for E-bikes and E-scooters, shade covers and on-roof solar panels. It was suggested that Council could set an example by starting to install these features in their existing car parks.

Feedback about parking in apartment buildings was mixed. Some people would like to see parking space minimum requirements removed and replaced by a "Green Travel Plan". It was suggested this Plan could outline the walkable and rideable routes around the development as well as key public transport links. Others would like to see each new apartment building have at least one parking space per apartment. It was mentioned that Council should consider that these parking spaces and/or garages are not always used just as a space for residents to park their cars, they are also used as spaces to store things like bikes, boats, kayaks, canoes, surfboards, etc. It was also mentioned that people who live in the Wollongong CBD may use public transport to get to work and to do their local shopping, but they may also have a car that they use when they need to travel long distances.

Active Transport

It was suggested that an objective could be added about enabling and promoting active transport options. Some would like to see more onus placed on developers to contribute to the construction of more active transport infrastructure.

Comments were made about the opportunity to further explore and provide park-and-ride options. It was suggested there could be large-scale car parking facilities located on the fringe of our city. People could park their cars and easily access a network of pathways and cycleways that would connect them to the city centre. It was suggested these car parks could be equipped with charging stations for electric vehicles, E-bikes and E-scooters. We also heard a call for large-scale, secure bike and scooter parking and charging stations to be installed in the Wollongong CBD.

Requests were made for Council to continue to improve pathways and cycleways throughout the local government area, including the Wollongong CBD and the outer suburbs. We heard this is important in reducing car dependency amongst locals. It was mentioned that wherever possible, Council should aim to separate pedestrian footpaths and bike paths.

While we received comments in support of expanding and improving the local bike and pedestrian network, we also received comments from people who are less supportive of the recent increase in cycle infrastructure across the city. Some are unhappy that the recent popup cycleways have reduced the amount of on-street parking for residents and their visitors.

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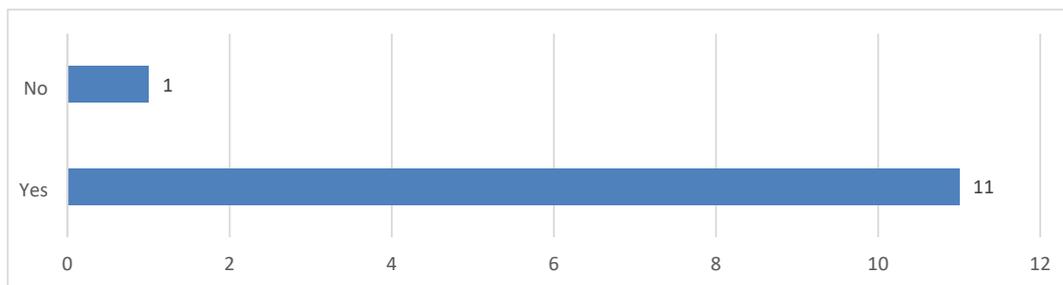
Other Comments

Other ideas and feedback included -

- Reducing parking in key spots in the Wollongong CBD.
- Using more traffic calming measures in areas well used by drivers, cyclists and pedestrians.
- Reducing the speed limit to 30km/hr on minor roads.
- Prioritising walking and cycling within 3km catchments around schools.
- Creating opportunities for developers and residents to come together to brainstorm ideas about how to include active transport options in new developments.

Policies and Incentives

Do you support the objectives for Focus Area 5: Policies and Incentives?



Policy Updates

Some mentioned it will be important for Council to encourage climate-friendly outcomes with controls that are flexible enough not to stifle development, increase the cost of housing or push more major projects to court for determination.

Incentives

We heard a call for Council to consider how updates to the Planning Framework may contribute to increased construction costs for developers. It was mentioned that higher construction costs could be offset by things like such as greater development density/height or FSR bonus or alike.

Education

It was suggested that Council can do more to educate residents about energy-efficient changes they can make to their homes. This could be done by including information with rates notices or sharing information on the Council website.

Other feedback and ideas

Respondents were provided the opportunity to share any other feedback or ideas that didn't relate to a particular focus area, at the end of the feedback form. Their comments have been summarised under the following themes -

Education

Some would like to see Council play a greater role in building climate literacy amongst both residents and the corporate sector. It was suggested there could be more information about general waste, where it goes and the impact it can have on the wider environment, particularly single-use plastics. Other suggested methods for sharing information included community conversations, competitions, workshops, forums and town hall assemblies.

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Flooding

A call was made for Council to look at flooding and water run-off from streets, footpaths and other hard surfaces. It was suggested things like road water gardens, porous driveways and car parks made from vegetation and smaller stone pavers could be investigated further.

Community Assets

We received comments about the need to consider how community assets are used during and after extreme weather events such as heavy rain, floods, high winds and hotter days. It was suggested that these extreme weather events may result in fewer people accessing outdoor facilities like playgrounds, outdoor pools, bike paths and sportsfields, placing more strain on indoor facilities like Beaton Park.

Reference Group

A call was made for the establishment of a Climate Mitigation and Adaptions reference group made up of representatives from community, industry and the university.

Other Comments

- Council should have a net zero carbon emissions by 2030.
- Council should set an ambition for Wollongong to be the first fully electrified city in the world.
- Council could focus on regenerative positive impact rather than focussing solely on reducing impact.
- Council should take care of trees that have become overgrown and dangerous.

Online – Q&A Forum

One question was asked via the online Q&A forum. The participant sought more information about what Council was doing to focus on protecting and conserving our local biodiversity and species and managing contaminated land.

A response was provided and links to the following documents were shared with the participant -

- Chapter E17: Preservation and Management of Trees and Vegetation.
- Chapter E18: Threatened Species Impact Assessment.
- Chapter E20: Contaminated Land Management.
- Chapter E23: Riparian Land Management.
- The Illawarra Biodiversity Strategy (Vol. 1 and Vol. 2).

Next Steps

The feedback and ideas collected from the engagement will be used by Council to help make decisions about what we should focus the review on. This information will be used to help inform draft changes that may be incorporated into our draft Local Planning Assessment Framework. We'll come back to the community with any draft changes and updates to our Local Planning Assessment Framework and ask for your feedback before any proposed changes go to Council for endorsement.

ITEM 2 TRIAL OF SCHOOL HOLIDAY VOUCHER PROGRAM - DAPTO & CORRIMAL SWIMMING POOLS

This report is to provide an update on the Notice of Motion resolved unanimously within the Council meeting of 29 July 2024 to investigate the feasibility of a voucher system or other options to provide free entry to Dapto and Corrimal swimming pools for children aged 5 – 16 years during the summer NSW School Holiday period.

RECOMMENDATION

That Council adopt Option D – implementing a digital voucher system at Dapto and Corrimal swimming pools at the beginning of the NSW School Holidays for Corrimal pool (commencing from Monday, 23 December 2024) and upon the reinstatement of entry fees at Dapto Memorial Swimming Pool from Monday, 6 January 2025).

REPORT AUTHORISATIONS

Report of: Mark Berriman, Manager Sport + Recreation

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

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

At its meeting of 29 July 2024, Council resolved to prepare an option paper and detail the cost to Council to implement a voucher system or other options to provide free entry to Dapto and Corrimal swimming pools for children aged 5-16 initially during the summer NSW School Holiday period, while also investigating funding opportunities to subsidise water-based recreation opportunities as part of a Dapto and Corrimal Summer swim program.

Wollongong Council operates eight community swimming pools, with six pools being seasonal and free of charge for entry, and two pools heated year-round at Dapto and Corrimal. Both heated pools have an entry fee to offset the costs involved in providing a year-round facility and service. At present, entry fees are applicable to only Corrimal pool as the entry fees for Dapto Memorial Swimming Pool were waived commencing from September 2023 due to heating issues. The consideration of a voucher program for the summer school holiday period for Corrimal and Dapto pools takes the reintroduction of fees at Dapto Pool into consideration.

The indoor swimming pool located at Beaton Park Leisure Centre is operated in line with commercial leisure facilities and is not considered as part of this report or included within this proposed voucher program.

Entry fees for Dapto pool

Entry fees to Dapto Memorial Swimming Pool have been waived since September 2023 due to the failure of the heating system at the site causing unreliable heating of the pool. Due to the uncertainty of key infrastructure replacement, it was considered appropriate to waive fees until such time that repairs were made and water temperature returned to a consistent 26 degrees. At this time, this facility remains fee-free for entry.

New gas boilers have been commissioned for use in October 2024 and the final handover of documentation for the electronic heat pumps to reinstate appropriate levels of heating is scheduled to occur on Friday, 13 December 2024. Since the commissioning of the gas back up system and the current seasonal warmer weather, the pool at Dapto has maintained a consistent temperature for the community.

It is proposed to recommence entry fees at Dapto Memorial Swimming Pool from 6 January 2025.

Cash collection services

As both Corrimal and Dapto pools ordinarily have an entry fee applicable for patrons, contractors are engaged for cash collection services at point of entry. The cashier collection and kiosk contracts have been awarded at both Dapto and Corrimal pools however, the service at Dapto is currently on hold until fees are reinstated at the pool.

The current fee structure at our community pools are as follows:

- Children under 5 are Free - Parents supervising children under 5 is \$2.90
- Child / concession \$4.00
- Family \$20.00 (2 adults, 2 children)
- Spectator fee \$0.60

Voucher Criteria

Council would need to create a voucher system and process to track the financial impact of the program, as well as create some level of governance surrounding the program to decrease fraudulent activity (for example duplicating vouchers, or entry into other fee-paying activities at the pools including fitness activities, aqua and swim programs etc.)

A voucher system would also need to be accessible to all who live within the Wollongong Local Government Area (LGA), and ensure children remain supervised while entering the facility as required in the Royal Life Saving Society Australia (RLSSA) Keep Watch Guidelines, which state that children aged 14 and under need to be fully supervised by a guardian. Ensuring controlled entry occurs to swimming pools during a trial voucher program will support Council staff and our contract partners in ensuring children are entering the pool grounds supervised.

PROPOSAL

Council considered four approaches with the recommendation to implement a 10 visit-pass trial program at Corrimal and Dapto swimming pools (Option D). This option will allow almost 2 visits per week for children and families to attend over the summer school holiday period, as well as controlling the costs of the voucher program. The trial voucher program would be valid during the summer NSW School Holiday period (Monday, 23 December 2024 to Thursday, 30 January 2025).

A parent or guardian will be required to take receipt of the 10 visit-pass, to confirm the date of birth of the child, and to show proof of address to confirm residency in the Wollongong LGA through photo identification. Vouchers would only be valid for child entry for the purpose of recreational swimming activities at Corrimal and Dapto swimming pools and would be:

- Not valid for children attending programmed commercial activities (learn to swim and squad lessons)
- Not valid for aqua aerobics classes
- Not valid for adults/concession pass holders
- Not valid for spectator fees for supervising parents/guardians.

A summary of the options that were considered are tabled below:

Option A – Library/Community Centre voucher	Option B – Inclusion of voucher within Rates Notice	Option C – No Voucher at Dapto and reinstatement of Dapto fees after school holidays	Option D – Digital voucher system at Corrimal and Dapto pools
<ul style="list-style-type: none"> Paper-based system, cost to print, easy to duplicate as Aquatic facility computerised system is specialised and not accessible to libraries. No digital database for verification. Poor Customer experience having to collect voucher in one location and redeem in another. 	<ul style="list-style-type: none"> 2 x family passes per each Council rates notice issued. Timing doesn't align with school holidays. Paper-based system, easy to duplicate. 	<ul style="list-style-type: none"> Fees waiver already a significant cost to Council. Potential additional loss of revenue. Potential increase of anti-social conduct, and children being left unattended at facility. Risk of contract dispute or additional financial risks. 	<ul style="list-style-type: none"> Can track and verify vouchers used through existing digital operating system. Controlled entry (supervision). Administratively heavy initially which will apply pressure on contract partners and Customer experience.
Not recommended	Not recommended	Not recommended	Recommended

Table 1: Subsidised Voucher Options

Option A – Library/Community Centre Voucher Option (Not recommended)

Council officers explored running a paper-based voucher system from the local library/community centres at Dapto and Corrimal. This option would incur a cost to print, a potential waste of unused vouchers, potential inaccessibility issues by having collection and redemption of vouchers at differing sites and could also be easy for individuals to duplicate. It was noted that having one singular location to conduct the voucher transaction in its entirety would be of most benefit for residents.

Option B – Inclusion of voucher within Rates Notice (Not recommended)

Consideration was given to providing two family passes within Council issued Rates Notices for Wollongong residents, however the dates for the mail out of the rates did not align with the summer school holiday period. This option also carries the same risk of Option A with a paper-based system that may be easily duplicated.

Option C – No voucher at Dapto pool, reinstatement of Dapto pool fees after school holiday (Not recommended)

While the heating system is fully operational and with the Christmas period approaching, an option of not reinstating fees at Dapto Memorial Swimming Pool until after the summer school holiday period was considered. However, there has already been a significant financial impact to Council with the waiver of fees at Dapto which would be further extended during the pool's busier months. By delaying the reinstatement of fees at Dapto Memorial Swimming Pool, it would further jeopardise the contract that is currently on hold for cashier collection and kiosk services being implemented as it was initially planned to have the heating fully operational by October 2024.

Option D – Digital voucher system at Corrimal and Dapto pools (Recommended)

Utilising Council's existing facility management software, a 10 visit-pass for children could be created to be redeemed at both Corrimal and Dapto swimming pools at point of entry. Access would be controlled via the cashier collection service, where Council's contract partners would sight photo identification of the parent or guardian for proof of address within the Wollongong LGA and redeem the visit-pass in the same manner as existing memberships/visit-passes utilised at the pools.

Utilising an existing digital database would create a smoother customer experience and ideal reporting capabilities when reviewing the financial impact of the voucher system, as well as communicating with visitors regarding their experience with Council services. It is acknowledged however that the implementation of this voucher program may initially place additional pressure on our contract partners administratively.

While the voucher program would begin at Corrimal pool on Monday, 23 December 2024 the entry fees at Dapto Memorial Swimming Pool would be reinstated on Monday, 6 January 2025. The reinstatement of fees to Dapto would be supported by a comprehensive communication campaign that would occur before 6 January and would continue after this date, promoting the kiosk reopening, consistent pool temperatures, and voucher system.

CONSULTATION AND COMMUNICATION

Consultation with internal stakeholders included Lifeguard Services, Library Services and the Financial Services team. Consultation with Council’s contract partners has indicated their support of the voucher program on a trial period.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 5: ‘We are a healthy community in the liveable City’ in the 2032 Community Strategic Plan.

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
5.4 Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community.	Aquatic Services

RISK MANAGEMENT

There is a financial risk in introducing or continuing subsidised entry at Council’s two fee-based swimming pools. Entry fees are in place at these pools to subsidise the heating systems and associated utility costs (gas, electricity, etc), and fees collected during peak periods at these facilities allow subsidisation of the cost to run these pools year-round.

FINANCIAL IMPLICATIONS

Creating a subsidised voucher program will see a loss in revenue for Council. Last season in December and January, 22% of Corrimal pool’s overall revenue was generated for the year. The estimated cost that the voucher program could have to the current Aquatic Services’ budget is approximately \$50,000 to \$60,000 in reduced revenue.

It should also be noted that the operational costs associated to Council’s community pools equated to \$6,623,154 for the 2023/24 financial year. Dapto pool operated at a loss of \$1,142,000 in the last financial year, and Corrimal pool incurred an operating loss of \$930,000 for the same period. The financial impact of waiving fees at Dapto Memorial Swimming Pool for the period September 2023 to September 2024 has been a reduction of approximately \$250,000 in revenue for Council.

CONCLUSION

Providing a fee-free option for children aged 5 – 16 years to enter both Corrimal and Dapto swimming pools over the summer period will provide much-valued entertainment and enjoyment for our youngest residents. The option for a trial of a digital voucher system for free entry for children aged 5 – 16 years to Corrimal and Dapto swimming pools during the summer NSW School Holiday period is proposed to be endorsed by Council in response to the Notice of Motion of 29 July 2024.

ITEM 3 POST EXHIBITION: COUNCILLOR EXPENSES, SUPPORT AND FACILITIES POLICY

At its meeting held on 28 October 2024, Council resolved to place an updated Councillor Expenses, Support and Facilities Policy on public exhibition. This report provides the results of the public exhibition process and presents the Councillor Expenses, Support and Facilities Policy for adoption by Council.

RECOMMENDATION

The updated Councillor Expenses, Support and Facilities Policy be adopted.

REPORT AUTHORISATIONS

Report of: Todd Hopwood, Manager Customer and Business Integrity
Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Councillor Expenses, Support and Facilities Policy - 2024

BACKGROUND

At its meeting held on 28 October 2024 Council considered a report to place on public exhibition an updated Councillor Expenses, Support and Facilities Policy to satisfy the requirement under Section 253 of the *Local Government Act 1993* that Council review and adopt an updated policy within the first 12 months after each election.

The Draft Councillor Expenses, Support and Facilities Policy was updated to incorporate changes that reflect technology changes since the policy was last updated as well as changes to reflect best practice in governance and to provide a flexible level of support to meet the differing needs of Councillors in their role. In addition to the substantive policy changes, a number of formatting and administrative changes were made that do not affect the application or intent of the policy.

At its meeting on 28 October 2024, Council considered these updates and resolved to provide in principle support for the updated provisions of the Policy and endorsed the draft Policy being placed on public exhibition for a period of not less than 28 days. Council also resolved to update clause 6.48 of the policy to ensure that the clause clearly states that when a Councillor cannot attend their official duties due to care requirements for an elderly, infirm or disabled family member, they can be reimbursed for costs for specialist care to allow them to attend to their duties. The draft policy was updated with this amendment prior to being placed on public exhibition.

PROPOSAL

It is proposed that the Councillor Expenses, Support and Facilities Policy, as outlined in Attachment 1 be adopted.

One small change has been made to the policy that was placed on exhibition, regarding the reimbursement of costs for printer consumables. The cap for this item was changed from \$500 per annum to the higher of \$1000 or the cost of two full sets of toners per annum to account for the increasing cost of ink, following the identification of suitable printers to be issued to Councillors.

Guidance from the Office of Local Government suggests that it is best practice for councils to place caps and maximum limits on expenses wherever practical and the updated draft policy has continued to implement this approach.

CONSULTATION AND COMMUNICATION

The draft policy was placed on public exhibition for a period of 28 days, concluding on 27 November 2024, in which time the public could view the draft document and make comment. During the exhibition period the webpage for the policy exhibition was visited 32 times, with 7 copies of the policy being downloaded. No submissions were received by the end of the exhibition period.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal “We are a connected and engaged community”

It specifically delivers on core business activities as detailed in the 2024-25 Business Plan of the Customer and Business Integrity Division.

SUSTAINABILITY IMPLICATIONS

Council is committed to creating a sustainable City for future generations. This policy is guided by that principle and aims to encourage the ethical, financially responsible and environmentally sustainable use of Council resources by the elected Council.

RISK MANAGEMENT

The draft policy is intended to reduce risks in the area of reimbursement of Councillor expenses by providing a defined range of items and a process for approval for reimbursement and expenses that can be claimed by each Councillor. It also provides greater clarity on allowed reimbursements.

FINANCIAL IMPLICATIONS

The adoption of the updated policy is not expected to create any additional financial implications to Council, as the proposed policy does not propose any expansion in facilities or expenses provided to Councillors and expenditure under the existing policy is budgeted for.

CONCLUSION

The Councillor Expenses, Support and Facilities Policy has been placed on public exhibition and no public comments were received on the Policy. The Policy is now recommended for adoption.



COUNCILLOR EXPENSES, SUPPORT AND FACILITIES COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties. The *Local Government Act 1993* requires Council to adopt a policy that allows for Councillors to receive reasonable and appropriate expenses and provision of facilities to enable them to carry out their civic duties as elected representatives of their local communities.

POLICY INTENT

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties and seeks to align councillor expenditure and provision of facilities with community expectations.

WOLLONGONG 2032 OBJECTIVES

Council is committed to creating a sustainable City for future generations. This policy is guided by that principle and aims to encourage the ethical, financially responsible and environmentally sustainable use of Council resources by the elected Council.

LEGISLATIVE REQUIREMENTS

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of Local Government's s23A Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

REVIEW

This Policy will be reviewed within the first 12 months of each Council term, and at other times as required.

REPORTING

Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations within the Annual Report of Council.

APPLICATION OF POLICY

All monetary amounts referenced in this policy are inclusive of GST.

Notwithstanding the provisions of this policy, Council may resolve to approve expenses in excess of any defined limits in this policy or may resolve to vary or increase the provisions of this policy at any time.

Any costs incurred by a Councillor in excess of the provisions of this policy, and where there is no resolution of Council approving reimbursement of the additional expenses, the Councillor will be responsible for payment of these expenses.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

PART A – INTRODUCTION

1. Introduction

- 1.1. The provision of expenses, support and facilities to Councillors enables them to fulfil their civic duties as the elected representatives of Wollongong City Council.
- 1.2. The community is entitled to know the extent of expenses, support and facilities that may be paid or provided to Councillors, and be comfortable there is appropriate allocation of public resources.
- 1.3. Council staff are empowered to decline a request for payment or reimbursement from a Councillor when it does not accord with this policy.
- 1.4. Expenses, support and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.5. Councillors must provide claims for reimbursement within 60 days of an expense being incurred. Claims made after this time may not be approved.
- 1.6. A report on Lord Mayor and Councillor expenses will be submitted to the Audit, Risk and Improvement Committee on an annual basis. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

2. Definitions

the Act	<i>Local Government Act 1993</i>
the Regulation	<i>Local Government (General) Regulation 2021</i>
OLG	Office of Local Government
Conference	Formal gathering on a particular topic relevant to local government that typically takes place over several days.
Seminar	Generally, a single day event aimed at education or knowledge sharing on a topic relevant to local government
Year	The financial year (1 July to 30 June)
Accompanying person	A spouse or partner of the Councillor and/or provides carer support for the Councillor.
For the purposes of this policy, the following definitions apply to travel -	
Illawarra	Wollongong, Shellharbour and Kiama LGAs
Local travel	Travel within the Wollongong, Shellharbour, Kiama or Shoalhaven LGAs.
Intrastate	Travel within New South Wales and the Australian Capital Territory.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

3. Principles

3.1. Council commits to the following principles:

- **Proper conduct:** Councillors and staff shall act lawfully and honestly, exercising care and diligence in carrying out their functions.
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense, support or facility provided to them under this policy.
- 4.2. Incidental private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must advise and reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.
- 4.6. On occasions, an expense to be claimed by a Councillor may involve both personal and private components. In such circumstances the figures stated in this policy will be seen as an upper limit on claims, and a proportional rate of reimbursement will be determined by the Manager Customer and Business Integrity based on the level of private usage.

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PART B – EXPENSES

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Documentation to support items claimed for reimbursement are required to be presented to Council staff as part of the claim. The provision of tax invoices and tax receipts are required for expenses being claimed.
- 5.3. Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 5.4. Notwithstanding 5.3, if an expense meets the intended benefit of a particular clause but is not expressly covered by that clause, the General Manager may consider approval, following advice from the Manager Customer and Business Integrity. In such circumstances appropriate amendments to this policy will be made to clarify the availability of such an expense, at the next review of the policy. It is expected this would be a rare occurrence.
- 5.5. All Councillor expenses and reimbursements, including Purchase Card Transactions, are to be reviewed by the Governance Unit prior to being approved.
- 5.6. Lord Mayor Expenses and purchase card transactions are to be reviewed by the Manager Customer and Business Integrity or the Governance and Risk Manager prior to being approved for reimbursement or for reconciliation.

6. Specific expenses

General travel arrangements and expenses

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. When travelling by car, carpooling is encouraged.
- 6.2 Councillors may request the use of a Council vehicle for official business use. To ensure availability, minimum of 48 hours' notice is required for access to a vehicle for overnight use and 7 days' notice for longer periods.
- 6.3 Councillors may request the use of a Council E-Bike for official business use, subject to availability, and satisfactory induction on usage in accordance with *Bicycle Fleet Management Policy*. E-Bikes are only available for collection and return from the Council Administration Building.
- 6.4 Councillors may access and use the Bike Storage facility located at the Council Administration Building, if they travel to the site using their own private bicycle when on official council business.
- 6.5 Each Councillor may be reimbursed for reasonable travel expenses incurred while undertaking official business or professional development or attending approved events, conferences and seminars within NSW or the ACT, with the total of each claim not exceeding the cost of economy return air travel and reasonable Sydney airport transfer costs, where applicable. This includes reimbursement for:
 - the use of a private vehicle
 - public transport fares
 - tolls

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- taxis and documented ride-share programs, such as Uber, where tax invoices/receipts can be issued.
- 6.6. Official Council Business includes, but is not limited to, attendance at the following:
- all Council and Committee meetings including Council Reference Groups and Councillor briefing sessions.
 - civic receptions.
 - meetings and inspections with Council staff including those required to respond to residents' enquiries or requests.
 - Meetings with residents about current matters requiring Council involvement
 - authorised conferences, seminars and training.
 - Wollongong Local Planning Panel (WLPP) and/or formal facilitation sessions.
 - official meetings of external organisations where the Councillor is an elected or appointed Council delegate or alternate delegate;
 - where Councillor attendance is required at official Council events (to undertake official duties) as indicated by –
 - receipt of an invitation from Council officers,
 - receipt of a meeting request where attendance is identified as required,and does not include event notifications sent for information purposes or general event invitations.
- 6.7. Allowances for the use of a private internal combustion vehicle, private plug-in hybrid vehicle, or private electric vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*.
- 6.8. In the scenario where a claim for reimbursement of travel costs involves some element of private travel or private component by the Councillor, an appropriate pro-rata rate of reimbursement to the rate specified in clause 6.7 may be determined by the Manager Customer and Business Integrity in accordance with clause 4.6 of this policy.
- 6.9. Councillors seeking to be reimbursed for use of a private vehicle must include the date, distance, starting location and destination, and purpose of travel being claimed, along with any other information relevant with the claim such as engine size where applicable.
- 6.10. If Councillors are travelling to an official council event, held in the Wollongong LGA, from personal or business activities located outside the Wollongong LGA, the calculation of distance travelled will be limited to travel undertaken within the Wollongong LGA, and paid at the rate specified in clause 6.7. Clause 6.8 is not relevant to reimbursements under this clause

Intrastate, Interstate and overseas travel expenses

- 6.11. Councillors seeking approval for any long-distance intrastate travel must submit a case to and obtain the approval of the General Manager prior to travel.
- 6.12. Councillors seeking approval for any interstate and overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.13. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties.

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- who is to take part in the travel.
 - duration and itinerary of travel.
 - a detailed estimate of costs, including transport, accommodation and other out-of-pocket travelling expenses.
- 6.14. For interstate journeys by air of less than four hours, the class of air travel is to be economy class.
- 6.15. For interstate journeys by air of more than four hours, the class of air travel may be premium economy if available. If unavailable on the date or route required, the class of travel is to be economy.
- 6.16. For international travel, the class of air travel is to be premium economy if available. If unavailable on the date, route or preferred airline required, the class of travel is to be economy.
- 6.17. A Councillor may request the General Manager to approve an upgrade to the class of air travel specified in clauses 6.14 to 6.16, subject to all increases in costs being met by the Councillor themselves. The Councillor must arrange for immediate reimbursement to Council of the difference in cost between the two classes of travel. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.
- 6.18. All Councillor travel arrangements will be centrally coordinated and booked by the Governance Unit. All Lord Mayoral travel arrangements will be centrally coordinated and booked by the Lord Mayor's Office. No travel is to be booked privately, and a subsequent reimbursement requested. This is to ensure the Council achieves value for money for all travel arrangements.
- 6.19. The Governance Unit or the Lord Mayor's Office staff may make bookings for an accompanying person travelling with a Councillor so as to ensure that they are seated together during travel.
- 6.20. If a booking is made for an accompanying person in accordance with clause 6.19 the Councillor must arrange for immediate reimbursement to Council of all applicable costs. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.
- 6.21. Governance Unit staff shall ensure that when booking flights and/or accommodation that individual Councillors do not accrue points under airline frequent flyer programs or hotel chain membership programs for any portion of travel or accommodation paid for by Council for the Councillor. Any Councillor found to be subsequently claiming/accruing points after the booking has been made by Council may be in breach of the provisions of the Code of Conduct.
- 6.22. If a Councillor requests an alternate travel route for private reasons, the Governance and Risk Manager will determine the cost to Council if the most direct route was taken. The Councillor must arrange for immediate reimbursement to Council of the difference in cost between the most direct route and the requested route of the Councillor. Reimbursement can be made via a deduction from the Councillors next Councillor fee payment.

Travel expenses not paid by Council.

- 6.23. Council will not pay any traffic or parking fines or administrative charges for a Councillor's private road toll account/s. Council will also not pay tips paid to taxi, uber or ride share providers.

Accommodation, meals and costs associated with overnight travel.

- 6.24. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for

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accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 10.00pm or starts earlier than 7:00am and the Councillor lives more than 50 kilometres from the meeting location.

- 6.25. Council will meet the cost of reasonable costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Illawarra.
- 6.26. Council is mindful of the impact and disruption that overnight travel may have on Councillors as well as the differing needs that each individual Councillor may have when travelling away from home.
- 6.27. To allow flexibility in meeting the needs of Councillors, in situations where Councillors are required to stay overnight away from their normal residence on official council business, Councillors may seek reimbursement of up to \$140 on any given day, for normal costs of living while away from home. This will include all meals, laundry, personal hygiene, room service charges, etc and are required to be supported by itemised tax invoices and receipts. Transport costs are calculated and reimbursed separate to this cap.
- 6.28. Where possible, accommodation is to be booked at the conference venue unless the General Manager determines otherwise.
- 6.29. Councillors will not be reimbursed for alcoholic beverages.
- 6.30. Council will not pay or reimburse tips paid to restaurants, hotels or other providers.

Refreshments for Council related meetings

- 6.31. Appropriate refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings and workshops, approved meetings and engagements, and official Council functions as approved by the General Manager.

Conferences and seminars

- 6.32. Council is committed to ensuring Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.33. Council will meet all relevant costs to facilitate Councillor attendance at conferences and seminars. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.34. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:
 - relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
 - the number of Councillors and Council staff that are already attending

For conferences, the General Manager will submit a report to Council with relevant details to seek a resolution to approve attendance of relevant Councillors.

- 6.35. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees provided, they are supported by itemised tax invoices and/or tax receipts. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.25-6.27. If meals are included in the conference fees no other reimbursement or allowance for meals will be provided for that particular meal.

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Community and charitable functions, dinners and other non-Council functions

- 6.36. Council will meet to costs for Councillor attendance at approved local community and charitable functions.
- 6.37. Where a Councillor is approved to accept an invitation to attend a local community or charitable function in the role of a Councillor, Council shall meet the cost of the entry fee.
- 6.38. Council will meet the entry fee associated with the attendance of a Councillor at a dinner or other non-Council function which provides briefings to Councillors from key members of the community, politicians and business.
- 6.39. Council will not contribute to, or reimburse to a Councillor, any costs associated with attendance at any political fundraising event, any donation to a political party or candidate's electoral fund or for some other private benefit.

Accompanying person expenses

- 6.40. Council will meet the registration and ticket costs of spouses, partners or an accompanying carer in attending official Council functions that are of a formal or ceremonial nature, or relevant formal or ceremonial industry events, where the Councillor's spouse, partner or accompanying carer would reasonably be expected to attend. Examples include, but are not limited to Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions, charitable functions at the request of the Lord Mayor, and events where a Councillor is receiving an award, or otherwise being recognised.
- 6.41. Council will meet the registration and ticket costs of a spouse, partner or an accompanying carer in attending charitable functions to which the Lord Mayor has been invited and award ceremonies and other functions to which the Lord Mayor is invited to represent the Council.
- 6.42. The payment of expenses as detailed above is limited to the cost of the ticket, meal and/or the direct cost of attending the function.
- 6.43. Where not provided above, all expenses incurred in relation to the attendance of a spouse, partner or accompanying carer at any event, function, seminar, conference, business trip and the like, must be met by the Councillor or the spouse, partner or accompanying carer. This includes travel expenses, any additional accommodation expenses and the cost of the spouse, partner or accompanying carer's tours.

Special requirement and carer expenses

- 6.44. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.
- 6.45. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.46. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability, or other caring needs, to perform their civic duties, up to a maximum of \$5,000 annually.
- 6.47. The General Manager may authorise appropriate expenses associated with the attendance of a Councillor's accompanying carer at the Local Government NSW Annual Conference and the Australian Local Government Association's National General Assembly of Local Government. Any such expenses will not be included in the cap referenced in clause 6.46.
- 6.48. Where a Councillor cannot attend their official duties due to an immediate family member requiring supervised care due to being elderly, infirm, disabled or other medical condition,

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they can be reimbursed for costs for specialist care to allow them to attend to their duties up to a maximum of \$3,000 annually, plus reasonable travel from the principal place of residence.

- 6.49. Childcare expenses, supported by tax invoices and receipts may be claimed for children up to and including the age of 16 years where the carer is not a relative who resides in the same residence, up to a maximum of \$3,000 annually.
- 6.50. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Protection expenses and obligations

- 6.51. Council may assist in providing protection to Councillors from any substantiated adverse security threats to their person or property. Approval of the General Manager must be sought and gained prior to any expenses being incurred by Councillors.
- 6.52. The General Manager will determine requests after consultation with the NSW Police as to the risk and history of the matter. These protection measures may take the form of a security assessment, installation of a security system and/or physical monitoring.
- 6.53. Requests will not be considered in circumstances where the NSW Police have not been informed of the security threat.
- 6.54. Council will, subject to substantiation, reimburse Councillors for expenses that they may incur up to a limit of \$2,000 per year.
- 6.55. Should an amount above the \$2,000 per year limit be required by any Councillor, the matter will be referred to Council for determination after taking advice from the General Manager, and the Independent Chair of the Audit, Risk and Improvement Committee.

Recognition of service

- 6.56. In recognition of long service as Councillor and/or Lord Mayor, Councillors are eligible to receive particular Local Government NSW awards if their service meets certain criteria. In these cases, Council will meet the cost of the Local Government NSW Service Award or Certificate applied for.

7. Professional Development

- 7.1 Council will support professional development of Councillors through programs, training and education courses.
- 7.2 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to any provisions relating to ongoing professional development funding.
- 7.3 Councillors will be provided an opportunity to attend, at Council's expense, either the 5-day Company Directors Course run by the Australian Institute of Company Directors, or the 4-day Executive Certificate for Elected Members run by the University of Technology Sydney, if they have not previously undertaken either course.
- 7.4 Councillors who have previously completed the Company Directors Course may attend, at Council's expense, the 2-day Company Directors Course Update run by the Australian Institute of Company Directors. Councillors may only attend once per Council term.
- 7.5 Councillors may seek approval to attend or participate in other professional development courses or opportunities if the skills can be directly linked to the role of Councillor, subject to a maximum cap specified in clause 7.7.

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- 7.6 Councillors may seek reimbursement of membership of relevant professional associations or bodies to assist with maintaining appropriate knowledge and skills, and accessing relevant networking opportunities, relevant to the role of Councillor, subject to a maximum cap specified in clause 7.7.
- 7.7 Total reimbursements/expenses for professional development opportunities in accordance with clauses 7.5 and 7.6 would be subject to a combined limit of \$3000 per year.
- 7.8 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 7.9 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 7.8 as well as the cost of the professional development in relation to the Councillor's remaining budget

8. Insurances

- 8.1 Councillors are to receive the benefit of the following insurance coverage effected by Council subject to any terms, conditions, exclusions and limitations of the policy of insurance effected by Council, for matters arising out of Councillors' performance of their civic duties and/or exercise of their Civic Functions:
- Public Liability and Professional Indemnity insurance
 - Councillors and Officers insurance
 - Corporate Travel insurance
 - Personal Accident insurance
- 8.2 Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of their civic duties, or exercise of their functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 8.3 Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 8.4 Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

9. Legal assistance

- 9.1 Councillors are to receive the benefit of relevant insurance coverage that may be affected by Council for Legal Services in the event of:
- An enquiry, investigation or hearing by an appropriate investigative or review body including Council's Conduct Review Committee/Reviewer. Independent Commission Against Corruption. Office of the NSW Ombudsman Office of Local Government. NSW Police Force. Director of Public Prosecutions or NSW Civil and Administrative Tribunal into the conduct of a Councillor; or
 - Legal proceedings being taken against a Councillor, arising out of or in connection with the Councillor's exercise in good faith of their functions as a Councillor, provided the circumstances of the matter are reported to Council's relevant insurance provider who in turn consents to the legal services and costs prior to the costs being incurred.

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- 9.2 Council shall, subject to the terms and condition of the insurance coverage, reimburse such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a Solicitor/client basis, provided that:
- approval of the General Manager and insurance provider for the nominated solicitor and their hourly rates is both sought and gained in writing prior to legal expenses being incurred.
 - approval of the General Manager and insurance provider for any additional legal expenses is both sought and gained in writing prior to those expenses being incurred.
 - the outcome of the legal proceedings is favourable to the Councillor or where an investigator or review body makes a finding that is not substantially unfavourable to the Councillor.
 - the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis; and
 - the Councillor's exercise of their function was, in the opinion of Council, bona fide and proper and as a Councillor.
- 9.3 Notwithstanding any other provisions of this Policy the following costs cannot be the subject of reimbursement:
- the costs of any action in defamation taken by a Councillor as plaintiff in any circumstances.
 - the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
 - legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor.
 - legal costs of legal proceedings initiated by a Councillor under any circumstances; or
 - the costs of defending any matter relating to the eligibility of a Councillor to stand for election.

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Part C – Facilities

10. General facilities for all Councillors

Facilities

- 10.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- A Councillors Suite appropriately furnished and serviced in Council's Administration Building that can facilitate any office-based work related to their role that Councillors may wish to undertake. Hard copies of council papers will not be automatically provided to Councillors. If necessary, Councillors can access the Councillor common room to print required documents, however electronic means are preferred in an aim to increase sustainability across Wollongong City Council.
 - Access to car parking in the Administration Building and Stewart Street East car parks while attending Council offices on official business only, this is not for private use. Vehicle stickers will be supplied for this purpose.
 - Access to personal protective equipment, including umbrellas, hi-vis vests, hats and sunscreen for use during site visits.
- 10.2 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.
- 10.3 Councillors may seek approval to use dedicated meeting rooms in Council facilities to meet with residents. The Councillors Suite may not be used for this purpose. The General Manager or the Manager Customer and Business Integrity shall determine and approve the appropriate facilities/rooms that may be used based on the circumstances of each request. Given the high demand for usage of some facilities, not all requests will be able to be supported, particularly on short notice. Councillors may not make bookings on behalf of others.

Information and communications technology (ICT) provisions

- 10.4 Council will provide Councillors with a Council specified standard laptop device for Council business. The type of device will be appropriate for viewing papers and presentations and will have internet connectivity. One Council specified additional computer screen will be provided per councillor where required to assist with viewing Council business at home.
- 10.5 The Chief Digital and Information Officer will identify the device to be provided in accordance with clause 10.4, with the same type of device is to be provided to all Councillors. Only where access and usability issues are relevant, will the Chief Digital and Information Officer consider a separate device for an individual Councillor.
- 10.6 Any excess data allowance charges, above the established data plan for each Councillor, will be reimbursed to Council by way of deduction from the Councillor's next monthly Councillor fee payment.
- 10.7 Council will provide Councillors with appropriate induction in the use of the provided equipment.
- 10.8 Internet access on Council provided devices will be filtered by Council, with appropriate software to ensure compliance with Council policies and maintain cyber security.
- 10.9 Usage of all Council provided technology requires compliance with Council's *Technology Acceptable Use* policy.

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- 10.10 Council will provide support services for Council provided services and applications during business hours, being 9:00 am to 5.00 pm, to assist Councillors in resolving operational issues.
- 10.11 Access to a Council supplied email address and Councillor Portal will be provided on the laptop.
- 10.12 Servicing and repairs to all Council provided equipment will be coordinated through Council's IMT Service Desk facility during business hours, being 9:00 am to 5.00 pm , on the basis of a back-to-base service.
- 10.13 All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

Telephones, Plan Charges and E-Subscriptions

- 10.14 Council will not organise nor provide Councillors with a fixed landline nor a data plan from an Internet Service Provider.
- 10.15 Councillors may choose to have provided a Council issued mobile phone. This phone will be the standard issued to Council staff inclusive of apps provided and the standard data plan. Councillors will not be able to add their own apps to this device. Alternatively, Councillors can opt to organise their own mobile phone and phone plan. If a Councillor opts to organise their own phone, compliance with Council's *Bring Your Own Device* policy is required.
- 10.16 If a Councillor elects to have a BYOD phone, any phone plans and data plans shall be reimbursed a maximum of \$175 per month per Councillor towards these costs. The plans obtained by Councillors may include bundled equipment including mobile phone handsets, hot spot devices, other associated mobile technology etc subject to the maximum reimbursement being \$175 per month.
- 10.17 Councillors may seek reimbursement of one-off purchases of accessories to support their technology needs if the value of the transaction can be amortised over a defined period to fit within the technology cap under clause 10.16.
- 10.18 Councillors may request, in accordance with clause 15.2, to retain ownership of a Council issued (non-BYOD) phone at the conclusion of the Council term. The Councillor will be responsible for organising all transfer, insurance, maintenance, and replacement of such devices.
- 10.19 Claims for reimbursement must be lodged within 60 days of the expense being incurred and must be submitted in writing and supported by itemised tax invoices, tax receipts as well as other support documentation if required.
- 10.20 In the event that a Councillor has to break a contract for mobile and / or data due to ceasing being a councillor, Council shall contribute towards plan cancellation costs if there are any, up to a maximum of the equivalent of three months payment of the relevant plan.

Postage

- 10.21 Electronic Mail (E-Mail) is the preferred method of communication. Council will forward limited hard copy correspondence on behalf of Councillors if the use of E-Mail is not possible. This can be organised through the Governance Unit.

Administrative support

- 10.22 Council will provide limited administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council's Governance and Risk Team as arranged by the General Manager or their delegate.
- 10.23 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

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Councillor Welfare

- 10.24 Council will implement a Councillor Development, Support and Wellbeing Framework that will include workshops and information on Councillor wellbeing.
- 10.25 Councillors and their immediate family members (i.e. spouse; partner; or dependent child living under the same roof as the Councillor who is under the age of 18) will have access to Council's Employee Assistance Program (EAP) to Councillors. It provides an effective program which enables the maintenance of Councillors' and their families' health and wellbeing.
- 10.26 Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor are able to seek counselling, on a confidential basis, directly through the EAP. The EAP provider will assess and determine the number of sessions provided based on the nature of the support offered.

Newspaper Subscriptions

- 10.27 Consistent with Council's sustainability goals, Council will offer an electronic newspaper subscription service to one newspaper to Councillors with relevance to Council operations.

Printing

- 10.28 Consistent with Council's sustainability goals, Councillors are encouraged to use electronic/digital services and formats wherever possible. However, if Councillors need to undertake their own printing, they can utilise printers in the Councillor Common Room or be provided with a personal device upon request. For large volume printing Councillors may seek the assistance of the Corporate Print Room through the Governance Unit.
- 10.29 If a Councillor is provided with a printer, they will be required to return any printed materials, that may be of a confidential nature, to Council for secure destruction or disposal.
- 10.30 If a Councillor is provided with a Council printer, Council is not responsible for provision of consumables such as ink and paper. Councillors can request reimbursement of consumable purchases up to an amount of the higher of \$500-1,000 or the cost of two full sets of toner per annum. If the cost of two full sets of toner exceeds \$1,000 an additional \$100 per annum may be reimbursed for paper consumables.

Insignia of Office

- 10.31 On request, provision of a jacket/ blazer (sourced from Council's Corporate Wardrobe supplier) to be worn at civic functions indicating that the wearer holds the office Councillor. In addition, Councillors may be provided suitable Council branded apparel for wearing whilst undertaking official Council functions.

11. Additional facilities for the Lord Mayor

- 11.01 A fully serviced and maintained vehicle with a value (inclusive of GST) below the Luxury Car Tax (LCT) threshold for official civic duties and incidental use or a credit through a Novated Lease to a similar value. Full private use is available in accordance with the private use provisions contained within Council's Vehicle Management Policy.
- 11.02 The Lord Mayor is personally liable for all fines resulting from breaches of traffic laws and regulations and parking offences incurred whilst driving this vehicle.
- 11.03 A parking space at Council's offices will be reserved for the Lord Mayor and Deputy Lord Mayor.
- 11.04 Council will provide the Lord Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.

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- 11.05 A Purchase Card will be provided to meet hospitality and other reasonable incidental expenses incurred by the Lord Mayor whilst at official Council events. Use of the Purchase Card is to be in accordance with Council's Purchase Card Policy. The Purchase Card is not to be used for the purchase of alcohol.
- 11.06 Expenses that are personal or not related to business purposes are not to be paid on Council credit card, irrespective of intention to reimburse Council at a later date.
- 11.07 In performing their civic duties, the Lord Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

Insignia of Office

- 11.08 Provision on request a council branded blazer to be worn at civic functions indicating that the wearer holds the offices of Lord Mayor and Councillor.
- 11.09 Provision of a Lord Mayoral Robe and Chain to be worn at civic receptions, citizenship ceremonies and other appropriate functions.

Maintenance and servicing of equipment

- 11.10 Servicing and repairs to all Council provided technology equipment will be coordinated through Council's IMT Service Desk facility during business hours, being 9:00 am to 5.00 pm, on the basis of a back-to-base service.
- 11.11 All servicing and repairs to any privately owned equipment will be the responsibility of the Lord Mayor irrespective of whether it is used for Council related businesses

12. Payment of Lord Mayoral Fee to Deputy Lord Mayor

- 12.1 The Deputy Lord Mayor will receive payment of the Lord Mayoral fee for the period where:
- The Lord Mayor is unable to exercise the function of the Lord Mayor for a period of more than 30 calendar days for any reason and irrespective of whether leave of absence has been granted.
 - The office of the Lord Mayor becomes vacant in accordance with section 234 of the *Local Government Act 1993*.
 - A casual vacancy occurs in the office of the Lord Mayor within 18 months before the date specified for the next ordinary election of councillors as detailed in section 294 of the *Local Government Act 1993*. In this occurrence the Deputy Lord Mayor is to be the Councillor nominated by the Council to the Governor for appointment to the vacant office.
- 12.2 The portion of the Lord Mayoral fee paid to the Deputy Lord Mayor in circumstance (a) outlined above is to be deducted from the Lord Mayor's annual fee in accordance with Section 249 (5) of the *Local Government Act 1993*.
- 12.3 Any reference to a Deputy Lord Mayor in this policy can be taken to include an Acting Deputy Lord Mayor, in the case where the Deputy Lord Mayor is absent. The appointment of an Acting Deputy Lord Mayor is by resolution of Council, following an election held in accordance with the Regulations.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

Part D – Processes

13. Approval, payment and reimbursement arrangements

	General Manager Approval Only	Report to Open Meeting of Council
A Applications to attend events (including those requiring overnight accommodation and/or air travel within the ACT or New South Wales) in accordance with the following criteria: <ul style="list-style-type: none"> • Seminars. • Board meetings, meetings with government ministers or external organisations where the Councillor is Council's appointed representative. • Community functions, annual awards, dinners and other non-Council Functions. • Events where the Councillor has been invited to speak on behalf of Council • Professional Development requests of individual Councillors. 	✓	
B Attendance at a Conference.		✓
C Use of private vehicle for (non-local) official Council business.	✓	
D Applications requiring interstate travel.		✓
E Applications requiring overseas travel.		✓
F All other Applications and where approval at a meeting of Council is not appropriate.	✓	

- 13.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 13.2 A *Councillor Request to Attend External Event* application is to be submitted to the General Manager in the first instance for Councillor attendance at any Conference, seminar, meeting with external parties on official Council business, professional development or training and skills development session, community function, dinner and other non-Council event or function the Councillor wishes to attend in their civic capacity. All requests for approvals under this Policy are to be made in writing. Verbal requests will not be considered.
- 13.3 Application forms are to be submitted prior to attendance at the event and/or any expenses being incurred and must detail the purpose of the trip, expected benefits, duration, itinerary and approximate costs (where known).

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

- 13.4 The General Manager will consider whether they are authorised to approve the application form or whether it is appropriate to refer the application form for report to an open meeting of Council.
- 13.5 Where a report to Council is required, reports must detail the purpose of the trip, expected benefits, duration, itinerary, approximate costs and nomination/number of Councillors undertaking the trip.
- 13.6 Overseas travel must be approved prior to the Councillor/s undertaking the trip.
- 13.7 Retrospective reimbursement of overseas travel expenses is not permitted.
- 13.8 The use of a Lord Mayoral Minute to obtain Council approval for travel is not appropriate as it is not consistent with the principles of openness and transparency.

Reimbursement

- 13.9 All claims for reimbursement of expenses incurred are to be made on the prescribed form, supported by appropriate itemised receipts and/or tax invoices and be submitted via the Councillors' Portal or via the governance@wollongong.nsw.gov.au email address.

Advance payment

- 13.10 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 13.11 The maximum value of a cash advance is \$250 per day of the conference, seminar or professional development.
- 13.12 Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 13.13 Councillors must fully reconcile all expenses against the cost of the advance within 30 days of incurring the cost and/or returning home. This includes providing to Council:
 - a full reconciliation of all expenses including appropriate receipts and/or tax invoices
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 13.14 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 13.15 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 13.16 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy, the Councillor will reimburse Council immediately for that expense by way of a deduction from the Councillor's next allowance.

Timeframe for reimbursement

- 13.17 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within 60 days of an expense being incurred. Claims made after this time may not be approved.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

14. Disputes

- 14.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 14.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.
- 14.3 Council's decision will be final, and no further appeal will be permitted.

15. Return or retention of facilities

- 15.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Lord Mayor ceasing to hold office or at the cessation of their civic duties.
- 15.2 Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine a price for the item of equipment.
- 15.3 The prices for all equipment purchased by Councillors under Clause 15.2 will be recorded in Council's annual report.
- 15.4 Notwithstanding clause 15.2 equipment will not be available for purchase by a Councillor, if the Chief Digital and Information Officer determines that the device would present an information security risk if retained outside Council possession at the conclusion of the Councillors elected term.

16. Publication

- 16.1 This policy will be published on Council's website.

17. Reporting

- 17.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations within the Annual Report of Council.
- 17.2 A report on Lord Mayor and Councillor expenses will be submitted to the Audit, Risk and Improvement Committee on an annual basis. This can be distributed out of session.
- 17.3 These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

18. Auditing

- 18.1 The operation of this policy, including claims made under the policy, should be included in Council's internal audit program and an audit undertaken at least once during a term of Council.

19. Breaches

- 19.1 Suspected breaches of this policy are to be reported to the General Manager.
- 19.2 Alleged breaches of this policy will be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

COUNCILLOR EXPENSES, SUPPORT AND FACILITIES

COUNCIL POLICY

APPROVAL AND REVIEW			
Responsible Division	Customer and Business Integrity		
Date adopted by Council	[To be inserted by Corporate Governance]		
Date/s of previous adoptions	27/06/2022 19/11/2018 09/11/2015 13/10/2014	11/11/2013 08/04/2013 12/11/2012 28/11/2011	26/07/2011 19/11/2007 17/10/1994
Date of next review	[To be inserted by Corporate Governance]		
Responsible Manager	Governance and Risk Manager		

Appendix 1. Overview of Limits applied throughout this Policy

Clause No.	Item	Limit applied	Parameters
6.2	Councillor request for use of Council vehicle	48 hours' notice	Overnight use
		7 days' notice	Two or more nights' use
6.26	Reimbursement of living away from home costs when travelling overnight	\$140	Up to limit Per day
6.48	Carer expenses	\$3,000	Up to limit annually
6.49	Childcare expenses	\$3,000	Up to limit annually
6.54	Protection expenses	\$2,000	Up to limit annually
7.7	Professional Development	\$3,000	Up to limit annually
10.16	BYOD	\$175	Up to limit Per month
11.01	Lord Mayoral Vehicle	Below LCT	
13.11	Advance payment	\$250	Up to limit Per day
13.17	Timeframe for submission of request for reimbursement	Within 60 days	From date of expense being incurred

ITEM 4 POLICY REVIEW - DRAFT COMMUNITY ENGAGEMENT STRATEGY COUNCIL POLICY

Council's Community Engagement Strategy Council Policy (Policy) enables an informed and consistent approach to involving our community in decision making. The Policy outlines Council's principles, commitments, levels and process for engagement to guide Council's elected members, staff and consultants when engaging with our community.

A review of the Policy has been undertaken in line with Integrated Planning and Reporting requirements.

RECOMMENDATION

Council endorse the Draft Community Engagement Strategy Council Policy for adoption

REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community Culture + Engagement

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

ATTACHMENTS

- 1 Draft Community Engagement Strategy Council Policy

BACKGROUND

Council delivers a diverse range of services and projects for our community and community engagement is an essential part of this process. Community engagement is undertaken based on the level of impact, interest and influence for our community. The draft Policy enables an informed and consistent approach to involving our community in decision making. It outlines Council's principles, commitments, levels and process for engagement to guide Council's elected members, staff and consultants when engaging with our community. The draft Policy details Council's commitment to providing a diverse range of opportunities for our community to share feedback and join the conversation on Council's projects and plans. The draft Policy highlights Council's role in effectively planning engagement activities, keeping our community informed about project updates and the rationale for Council's decisions.

In July 2023, the draft Policy was updated to align with changes and recommendations from the Integrated Planning and Reporting (IPR) Handbook, released by the Office of Local Government (OLG). The handbook provides three standard levels; 'good', 'better' and 'best'. An independent audit of our IPR approach undertaken in December 2023 confirmed our Policy aligns with 'best' practice.

IPR Handbook stipulates the Policy needs to 'be reviewed within 3 months of the local government elections'. It suggests when reviewing the ongoing effectiveness of the Policy councils should consider whether the Community Participation Plan required under the *EP&A Act*, should be incorporated into the Policy.

Every council and NSW agency with key planning approval functions is required to have a Community Participation Plan (CPP) that sets out how they will engage with their communities across their statutory planning functions. 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 and decisions made by the Local Planning Panel.

A process was undertaken to consider incorporating the CPP into the Policy, including:

- Reviewing other council's approaches
- Reflecting on feedback received in previous engagements about the value of plain English and short documents
- Recognising the relationship between Policy and procedure.

The review found that incorporating the CPP would significantly lengthen the Policy document, resulting in the Policy becoming weighted with detailed procedural information and reduce accessibility. The CPP is listed in the related documents, however it was resolved the opportunity exists to strengthen the connection to the CPP within the Policy. As a result, a new section has been added to page 3 'Engagement on Planning and Development'. The rest of the Policy remains unchanged.

PROPOSAL

It is proposed the draft Policy be considered by Council for adoption at its 16 December 2024 meeting.

Due to the minor nature of the change, the recent exhibition of the draft Policy and the timeframes required to conform with the OLG’s IPR requirements, it is proposed the draft Policy is not placed on public exhibition.

CONSULTATION AND COMMUNICATION

The current Policy was placed on public exhibition in 2023. At that time a range of methods were used to invite the community to provide feedback including Council’s social media channels, a media release, direct email, Register of Interest e-newsletter, Council’s websites, Illawarra Mercury Community Update and presentations to Neighbourhood Forums, NIRAG, Aboriginal Reference Group and Illawarra Local Aboriginal Land Council.

Internal consultation was undertaken with Planning and Environment staff to consider if the Community Participation Plan be incorporated into the Policy.

A Councillor Briefing was undertaken 2 December 2024.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 4: ‘We are a connected and engagement community’. It specifically delivers on the following:

Community Strategic Plan 2032		Delivery Program 2022-2026
Strategy		Service
4.1	Provide our community with equitable access to information and opportunities to inform decision-making.	Engagement, Communication and Events

SUSTAINABILITY IMPLICATIONS

The draft Policy promotes a more efficient and improved service delivery through collaboration and innovation.

FINANCIAL IMPLICATIONS

The draft Policy will be delivered within existing operational budget.

CONCLUSION

Council is committed to involving our community in decision making processes. The draft Policy is a resource to enable a consistent approach to undertaking meaningful and effective community engagement. Through seeking feedback and engaging our community to join the conversation with Council, we will enable better decision making, strengthen our community and build trust.

The revised draft Policy strengthens the connection to the Community Participation Plan while maintaining a plain English, accessible document.



Draft



OUR WOLLONGONG JOIN THE CONVERSATION

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

We want to share information, hear your views and involve you to help make decisions that affect our community. This process is called community engagement.

What is community engagement?

Community engagement is how we reach out and encourage you, the community, to talk with us about the plans, projects and policies we develop on your behalf. It is about seeking and listening to your feedback to help us make decisions. Through engagement, Council and the community benefit from sharing ideas, skills, knowledge, expertise and experiences.

Community engagement is based on social justice principles of equity, access, participation and rights. When done well, it offers opportunities to:

- Involve the community in decision making;
- Build relationships and trust;
- Strengthen community;
- Build a sense of belonging; and
- Keep the community informed.

There are risks if genuine opportunities for community engagement are not provided, such as a loss of trust from community, unrealistic expectations and misinformation.

Our commitment to community engagement

We are committed to the following principles of community engagement:

1. We aim to be flexible

We will use a range of methods to give you opportunities to join the conversation and share feedback. We encourage feedback from you and all community members who may be affected by, or are interested in, a decision we make on the community's behalf.

2. We will be inclusive

We live in a diverse community and know it's important everyone's voices are heard. We also recognise the unique and significant contribution made by Aboriginal people to the local community. We will tailor our engagement methods and activities to ensure Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse (CALD) backgrounds, children and young people, people with disability, and community members who need support, have appropriate access and opportunities to share their feedback and join the conversation. We also have an Aboriginal Engagement Framework to support and deliver on this principle.

3. We believe community engagement is important for good governance

We are committed to engaging with you, the community, as a core component of effective decision making. We value your ideas, views and local knowledge. Your feedback will be used to continuously improve the service we provide.

4. We aim to effectively plan each engagement

Through effective planning and engagement techniques we will avoid repeatedly asking the community to provide feedback about the same topic. You will be provided reasonable timeframes to join the conversation and share your feedback. We will continue to learn, improve and build our capability to engage effectively.

5. We will keep you updated

We are committed to letting you know your views, concerns and feedback have been heard and outlining why decisions were made. We will keep you informed about decisions made and provide updates on projects and plans.



Our process of community engagement

Each engagement will be tailored to the needs of the affected community and the project. We will undertake six key steps. The order these steps are taken can vary and may move back and forth, especially for complex projects.

Plan

Deciding to engage

Community engagement is considered when a change of service, activities or infrastructure is planned, or when an issue is raised and requires a decision. For a long-term project there is likely to be multiple stages of engagement. Community engagement isn't possible or necessary for all the work Council does, for example, emergency work or low-impact maintenance.

When planning an engagement we consider who to engage, how to engage and where to engage.

Who we engage

We define community as all people and groups who are interested in the future of Wollongong. This includes government and non-government agencies, community groups, businesses, residents and visitors. We will target engagements to those who might be interested in, impacted or benefited by a decision.

How we engage

How we engage depends on the level of interest and impact a plan or project will have on people and stakeholder groups in the community. To support community participation, accessibility and inclusion, we will use a range of ways for people to be involved, including face to face and online. Based on our stakeholder analysis, we will use culturally appropriate methods, share information in other languages like our Council websites, online meetings and social media.

Where we engage

We engage in many different settings. This can be in the community, at workshops or events, meetings of committees and groups, and using different online options like our Council websites, online meetings and social media.

Engage

This is when we talk with you, the community, about a project. We call this the engagement or exhibition period. For each engagement process we will explain:

- What the engagement is about;
- Where to find out more information about the topic;
- How you can share your feedback and join the conversation;
- The timeframe to provide your comments;
- What happens to your feedback.

We accept community feedback in a variety of formats such as letters, emails, surveys, online tools, petitions, feedback forms, face to face meetings and workshops. We are also open to alternative methods of communication so everyone can join the conversation and share their feedback. Submissions can be made available for people to read. You can request we remove your personal information from your submission.

Analyse

We read, review and analyse all feedback. All feedback is collated in its original format, analysed, assessed and a report is written summarising what was said and presenting key themes. Petitions and form letters will be handled in line with our [Petition Guidelines](#). The report is provided to decision makers and is one way community feedback informs the decision making process.

Engagement on Planning and Development

Some parts of our engagement are guided by legal requirements, especially in areas like planning and development. The Community Participation Plan (CPP) outlines how we can meet our legal responsibilities while focusing on what matters to the community. The CPP explains how we notify and consult people about development applications, planning proposals and key policies. You can find more details on the documents that guide planning-related engagement in the Related Documents section.



Decision making

Your views, ideas and local knowledge are an important part of the decision making process. Other things we need to consider include:

- Budget or financial impact (so we can spend your money wisely);
- Legislation (State and Federal);
- Council policies and resolutions (endorsed by your elected representatives);
- Evidence provided by technical and professional assessment and industry best practice;
- Economic, environmental, social and governance impacts.

The diagram (right) shows how feedback is one of a number of considerations when a decision is made.

Factors in decision making



Provide updates

We will let you know what the outcome of the engagement was, including how feedback was used and what decisions were made. We will provide updates on projects as they progress.

Evaluate

We will evaluate the effectiveness of our engagement activities and processes so we can continue to learn and improve the ways we engage. Our evaluation criteria aligns with our principles of community engagement.

Evaluation Criteria

Engagement Principle	Measure
We aim to be flexible	<ul style="list-style-type: none"> • A stakeholder analysis is done and used to plan the engagement • A range of communications and engagement methods are used to share information and gather feedback • We adjusted our engagement approach based on identified needs or when requested
We will be inclusive	<ul style="list-style-type: none"> • The engagement is publicised and people viewed the material • Feedback is received from a range of people/stakeholders • Accessible, inclusive and culturally appropriate communications and engagement methods are used
We believe community engagement is important for good governance	<ul style="list-style-type: none"> • Community feedback is analysed and reported to decision makers • People tell us they've had a positive experience through the engagement process • Community feedback informs the decision making process
We aim to effectively plan each engagement	<ul style="list-style-type: none"> • An engagement plan is developed identifying the project background, level of engagement, stakeholders, methods, messages and timeline • The right people received the right information at the right time • We identify areas for improvement for our people and practice and act on them
We will keep you updated	<ul style="list-style-type: none"> • Submissions are acknowledged • Engagement outcomes and decisions are shared with respondents • Project updates are provided



Our Stakeholders

Our community is diverse, with people from a range of backgrounds and with a range of interests living, working and visiting this place. When planning community engagement, we analyse the stakeholders and target those who might be interested in, impacted by or benefit from a decision, including:

- Residents and ratepayers
- Traditional Custodians
- Aboriginal Communities
- CALD communities
- Young people
- Children
- People with disability
- Commuters
- People experiencing homelessness
- Creatives
- Staff
- Volunteers
- Media
- Business
- Visitors + tourists
- Council reference groups
- Interest groups
- Engagement HQ users
- Community Forums
- Non-government agencies
- State and federal MPs





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Levels of engagement

The guide below shows the four levels of engagement Council has adapted from the International Association of Public Participation (IAP2) Spectrum. A range of factors are considered to determine the level of engagement for each project including the engagement purpose, level of impact, degree of complexity, timeframes and legislation.

Community engagement is a dynamic process which means there is likely to be movement back and forth through the different levels of an engagement process. Whichever process is used, Council is responsible for making the final decision.

LEVELS OF ENGAGEMENT				
	INFORM	CONSULT	INVOLVE	COLLABORATE
GOALS	To let the community know what we're doing.	To seek community feedback on what we're planning. To use community feedback to inform decision making.	To work with the community to understand their priorities and involve them in designing potential solutions.	To work with the community to understand their priorities and work together to decide on preferred solutions.
COMMITMENT	We will use a variety of methods to share information. We aim to make sure that information we share is accessible. We will share project updates.	We will provide opportunities for the community to share feedback that will be considered in decision making. We will provide clear information and give reasonable timeframes for the community to share feedback.	We will provide opportunities for the community to work with us to identify priorities. We will incorporate feedback into our plans as often as possible. We will provide updates on how community input influenced decisions.	We will work alongside the community to develop solutions together.
METHODS	Council's websites and online media channels 'Our Wollongong' - Council's Engagement website Council's newsletters Letters and emails Fact sheets Customer Service Community forums Information stand and information sessions	'Our Wollongong' - Council's Engagement website Public Access Forum Community forums Information stand Surveys and submissions Online engagement Independent Hearing and Assessment Panel	'Our Wollongong' - Council's Engagement website Community forums Reference and Advisory Groups Focus groups Workshops Online engagement Working groups	'Our Wollongong' - Council's Engagement website Focus groups Workshops Community forums Reference and Advisory Groups Online engagement Working groups

* adopted from IAP2



Application of this policy

This Policy applies to Council's:

- Councillors
- Staff
- Volunteers
- Contractors
- Consultants

Role of the Lord Mayor and Councillors

The Lord Mayor acts as the spokesperson for Council to promote engagement on key strategic plans and projects. Together with the General Manager, the Lord Mayor ensures adequate opportunities for engagement between Council and the community, and promotes collaboration with key stakeholders.

Councillors are your elected representatives and have a role in community engagement. They meet with the community in a range of ways to hear your views, concerns and aspirations. They sit on reference groups and committees, attend Council meetings, events and engagement activities.

Councillors may attend opportunities set up by staff to talk with the community. At these community engagements, the Councillors' role is to listen, discuss and record community feedback so it can be considered in decision making. Councillors may also engage with the community without Council staff involvement.

Councillors do not make decisions about Development Applications (DAs) and they are not allowed to attempt to direct, influence or pressure staff in an assessment or determination of a DA. As a community member you're able to contact your Councillors directly. Their contact details are listed on Council's website.

Role of the General Manager

The General Manager oversees preparation and implementation of this policy and legislative documents for endorsement by the elected Council. The General Manager ensures community members are given enough information to participate meaningfully in engagement processes.

Role of Council staff

Council staff are responsible for providing clear, professional and objective information to help the community understand a project. Council staff will engage in a respectful and genuine way to provide information on the ways the community can share feedback, how feedback will be reported and to share updates on projects.

The requirements to engage with you on matters that affect you are set out in the Local Government Act 1993.

Related documents

This Policy should be read in conjunction with the following documents:

- **Works notification policies** – describes standard internal process for maintenance, tree management, chemical use, civil works and construction notifications.
- [Customer Service Policy](#)
- [Council Committees and Reference Groups](#)
- [Neighbourhood Forum Charter](#)
- [Code of Meeting Practice Policy](#)
- [Aboriginal Engagement Framework](#)
- [Petition Guidelines](#)
- [Privacy Management Plan Policy](#)
- [Public Access to Documents and Information held by Council Policy](#)

There are statutory/legislative requirements for planning matters that guide engagement needs.

- [Wollongong Local Planning Panel Submissions Policy](#)
- [Community Participation Plan](#)
- [NSW Office of Local Government Policy and Legislation](#)



OUR WOLLONGONG JOIN THE CONVERSATION

We are a connected and engaged community

- Residents have easy and equitable access to information and play an active role in the decisions that affect our city.
- Our residents have an increased sense of community.
- Our Council is accountable, financially sustainable and has the trust of the community.



ITEM 5 ACQUISITION OF LOT 1 DP 667974 BEING PART STANWELL TOPS WAR MEMORIAL

This report seeks to obtain Council approval to acquire Lot 1 DP 667974, Stanwell Tops, for passive open space land and as an extension of the existing Stanwell Tops War Memorial.

RECOMMENDATION

- 1 Council acquire Lot 1 DP 667974, Stanwell Tops, to enable the land to be used as passive open space and as an extension to the existing Stanwell Tops War Memorial.
- 2 Council Officers be authorised to submit an Application to Transfer for Nil Consideration to the Australian Securities and Investment Commission (ASIC).
- 3 Upon acquisition, the land be dedicated as Community Land for the purposes of extending the existing Stanwell Tops War Memorial.
- 4 The General Manager be granted authority to sign any and all documents required, and affix the common seal of council, where necessary, to the transfer documents and any other documentation required to give effect to the resolution.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of Lot 1 DP 667974

BACKGROUND

On 26 September 1933, the Stanwell Tops Estate was created by way of DP 17336. The Estate dedicated all new roads to the public however, an island surrounded by the old Princes Highway and Stonehaven Road, was not adequately described within the plan, and had been left partly unidentified, and subsequently was not appropriately dedicated to Council as public road.

The developer of the Estate was The Stanwell Park Hotel Co Pty Ltd (ACN 000 003 618) (Deregistered) ("Company"). As such, that parcel of land remained in the Company's name. Notwithstanding, the Company was deregistered on 30 September 1989 and the parcel remained in its ownership. Upon deregistration, the land owned by the Company vested in the Australian Securities and Investment Commission ("ASIC")

On 17 August 1998, Lot 1 DP 667974, being 101.2 metres squared, was created by way of a departmental plan to provide a unique identifier for that parcel of land ("Property").

The land adjoining the Property, is the Stanwell Tops War Memorial, which is Council Community Land.

In 2016, Council considered acquiring the Property by compulsory process due to unpaid property rates. On 17 July 2017, Council resolved to compulsorily acquire the Property for public recreation. The compulsory acquisition did not proceed due to, among other things, the inability to contact former officeholders of the Company.

Council subsequently contacted ASIC to enquire whether they would transfer the Property to Council for nil consideration, given it is being used for a public purpose and has accrued significant unpaid rates. ASIC consented to the transfer of the Property for nil consideration, subject to Council making an Application for Transfer for Nil Consideration.

PROPOSAL

It is proposed to acquire Lot 1 DP 667974 as passive open space land.

CONSULTATION AND COMMUNICATION

In preparing this report, Council has consulted and communicated with:

- Council's Finance and Rates Team; and
- ASIC

PLANNING AND POLICY IMPACT

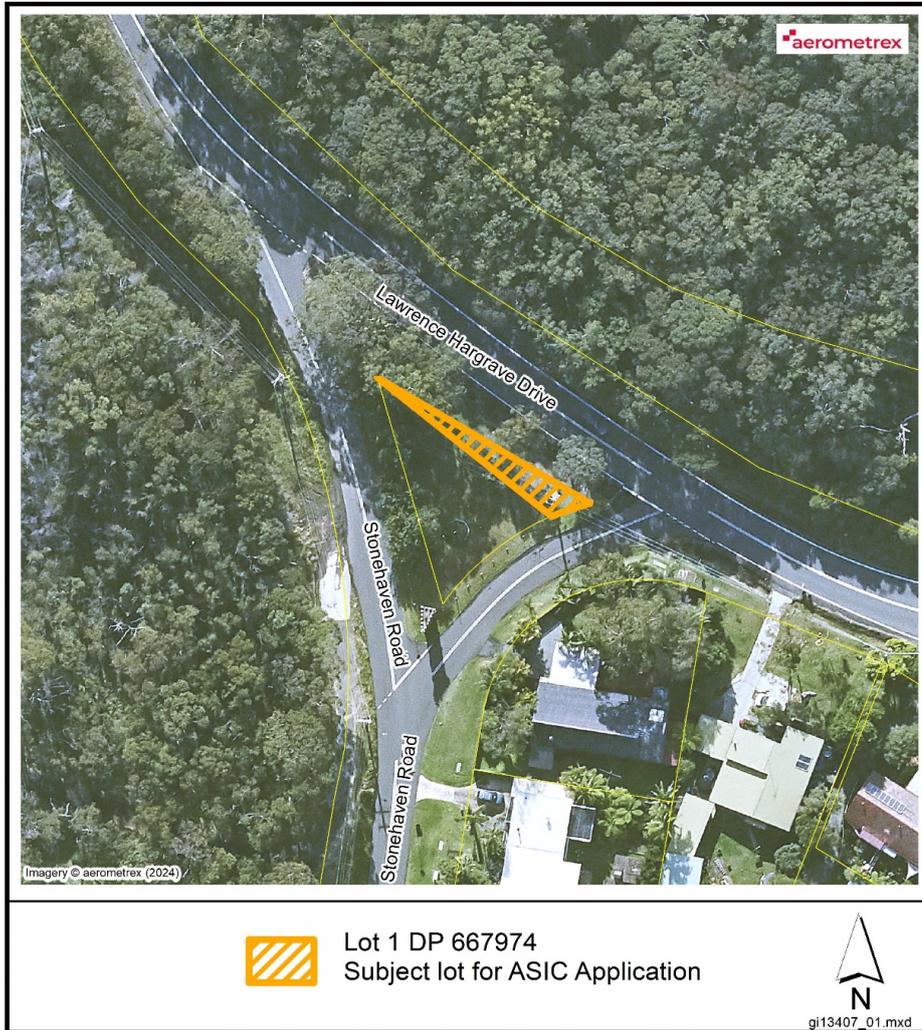
This report contributes to the delivery of Our Wollongong 2032 Goals of “we value and protect the environment” and “we are a connected and engaged community”. This acquisition is in accordance with Council's Land and Easement Acquisition and Disposal Policy.

FINANCIAL IMPLICATIONS

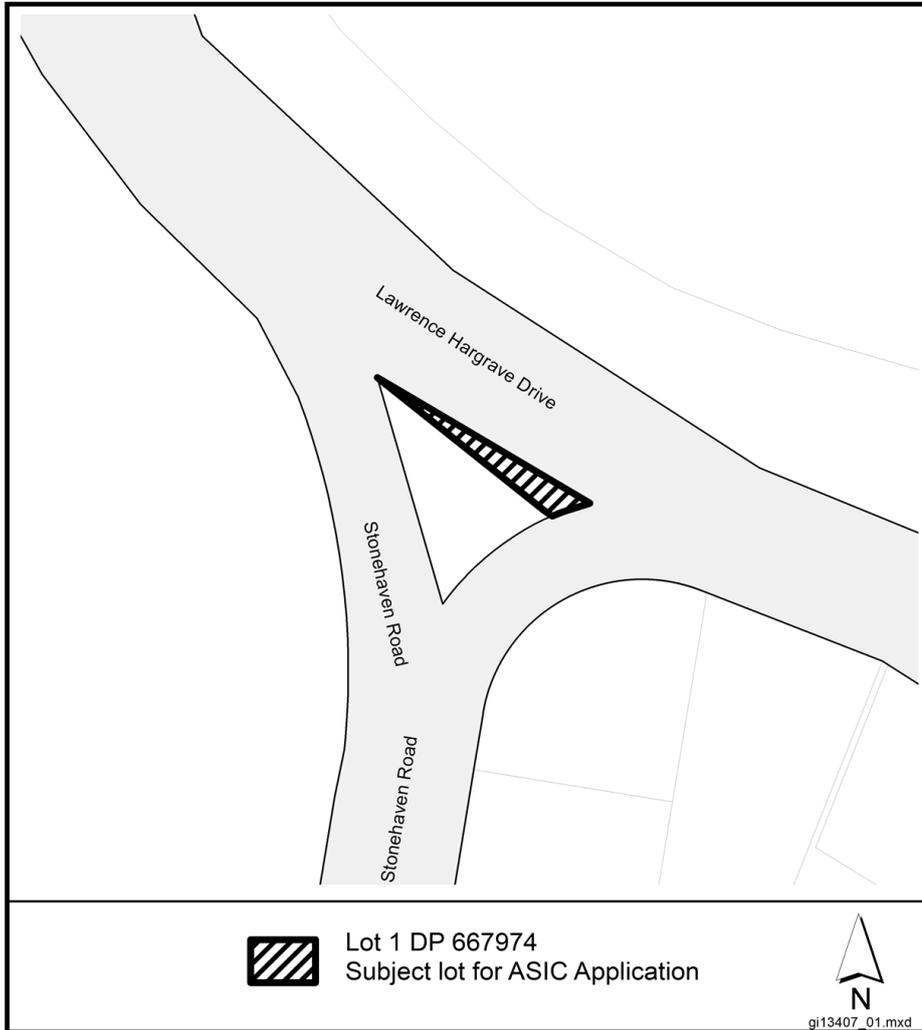
The transfer is for nil consideration and Council will not be required to fund the purchase. Council already maintains the Property as it adjoins the Stanwell Tops War Memorial located on Council Community Land. Council will lose the entitlement to charge rates for the Property, however the Property is not occupied and the Company liable for the payment of rates has been deregistered.

CONCLUSION

Council has already resolved to acquire the Property and now Council should acquire the Property for nil consideration as opposed to incurring additional costs with the administration of a compulsory acquisition, and the compensation that would need to be paid to ASIC for that acquisition.



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ITEM 6 ACQUISITION OF LOT 6 DP 242135 BEING LOT 6 OTFORD ROAD, OTFORD

This report seeks to obtain Council approval to acquire Lot 6 DP 242135, Otford Road, Otford, for passive open space land as per the land reservation acquisition map in the Wollongong Local Environmental Plan 2009.

RECOMMENDATION

- 1 Council acquire Lot 6 DP 242135 at Otford Road, Otford as the land is required for passive open space land as per the land reservation acquisition map in the Wollongong Local Environment Plan 2009.
- 2 Council be responsible for the landowners' reasonable legal costs associated with the sale at an agreed capped amount.
- 3 Authority be granted to the General Manager to execute any documentation necessary to finalise the acquisition and to affix the Common Seal of Council where necessary.
- 4 Upon acquisition the land becomes classified as Community Land.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property

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

ATTACHMENTS

- 1 Acquisition Location Mapping for Lot 6 DP 242135

BACKGROUND

On 12 April 1967 Council approved a subdivision application which created the Lloyd Place lots and the Otford Road lots. At this time the minimum lot size for "country dwelling" was 8,000m² or 0.8 hectare. The lots created measured two hectares and were zoned Non-Urban "A". In 1968 the minimum lot size for a country dwelling increased to two (2) hectares by the Illawarra Planning Scheme.

In September 1969 Council considered a proposal from the then State Planning Authority to increase the minimum area for "country dwellings" in all non-urban areas from two hectares to 40.4 hectares. Council agreed in principle with the proposal but considered that a twenty-hectare (20 ha) minimum would be more satisfactory for non-urban areas.

On 9 August 1971, the Town Clerk's certificate was issued for the Lloyd Place and Otford Road subdivision after all site works were completed.

On 8 October 1971, the Otford Road lots were released as the first part of the subdivision, with the Lloyd Place lots being released on 6 March 1972.

On 12 December 1970, Council advertised in a local newspaper the proposed increase to minimum lot size requirements for a "country dwelling" from two (2) hectares to twenty (20) hectares and allowed a period of twenty-eight days for comments.

Council received five objections, none of which related to the lots at Otford Road and Lloyd Place.

On 30 April 1971, the Minister for Local Government increased the minimum lot standard for a "country dwelling" on Non-Urban "A" land from two (2) hectares to twenty (20) hectares. By this time most of the lots in the Otford Road and Lloyd Place subdivisions had been sold to persons planning to build dwelling houses.

In 1984, the minimum lot size for a "country dwelling" increased to forty (40) hectares. As a result of these historic changes to planning controls, the landowners have been unable to erect a dwelling.

On 5 June 2015, the lots were rezoned to E2 Environmental Conservation as part of the review of former 7(d) zoned lands, and dwelling houses are no longer permitted.

While some of the lots have been sold, some land holders have been waiting since 1971 to build a house or receive compensation.

On 10 October 2016, Council resolved that:

- 1 *The draft Planning Proposal to identify 21 lots within the Lloyd Place, Otford precinct, and one lot within the Camp Gully Precinct Undola Road sub-precinct (No 3 Undola Road) on the Wollongong LEP 2009 – Land Reservation Acquisition Map as Local Open Space, be progressed by:*
 - a *Referring the final Planning Proposal to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal; and*
 - b *Noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the final proposal.*
- 2 *Requests for acquisition of properties within the precinct be reported to Council for determination.*
- 3 *Lots 1, 2 and 3 DP 242135 Lloyd Place be excluded from the Planning proposal.*

Part 3 of the resolution reduced the number of lots to be acquired from twenty-one to eighteen.

The draft Planning Proposal was submitted to the NSW Department of Planning and Environment and an amendment to the Wollongong Local Environment Plan 2009 (LEP) (Amendment No 31) (*Attachment 1*) under the Environmental Planning and Assessment Act (EPA) 1979 was notified on the NSW legislation website on 17 March 2017 which reserves the following lots for acquisition:

- 1.1. Lot 38, Section G, DP 2644, 3 Undola Road, Helensburgh;
- 1.2. Lots 4-6 and 8 DP 242135, Lloyd Place, Otford; and
- 1.3. Lot 2 DP 33693, Lot 104 DP 226579, Lot 100 DP 226580 and Lots 11-21 DP 241582 Otford Road, Otford.

Council wrote to the affected landowners on 30 March 2017 advising them of the LEP amendment and that Council could now acquire the land for passive “open space” if they so wished, thereby providing them with an exit strategy. They were also advised that the acquisition would be under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW), in accordance with clause 5.1 of the LEP.

The letter also states “*Council will have regard to the ownership history of the property and the planning controls that applied at the time of purchase*”.

On 26 July 2024, the landowners of Lot 6 DP 242135 wrote to Council confirming that they would like to proceed with the Council acquisition.

An independent market valuation report was obtained to assess the market value of the property. The agreed purchase price reflects the valuation amount in the market valuation report. The details have been circulated to Council under separate cover.

PROPOSAL

It is proposed that Council acquire Lot 6 DP 242135, known as Lot 6 Otford Road, Otford, in accordance with the conditions outlined in this report.

CONSULTATION AND COMMUNICATION

In preparing this report, Council have consulted and communicated with:

- a The landowners of Lot 6 DP 242135,
- b Herron Todd White Property Valuers; and
- c the Land Use Planning Division.

PLANNING AND POLICY IMPACT

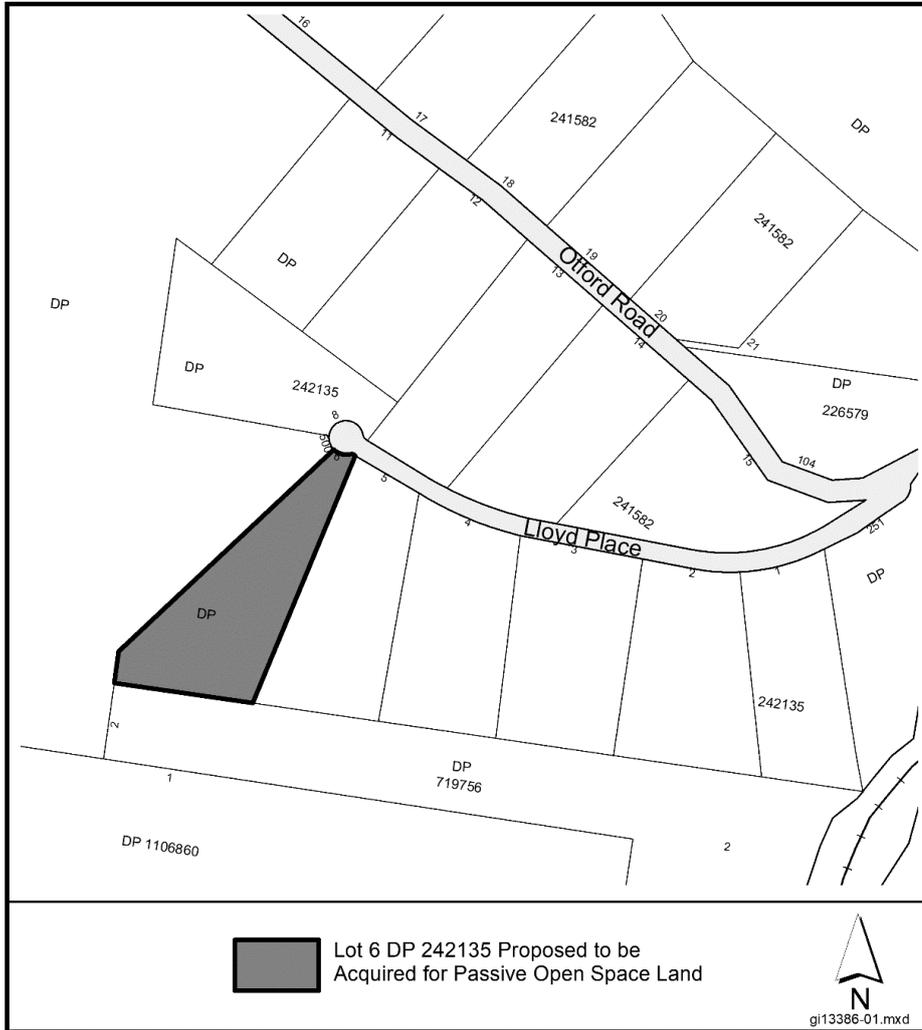
This report contributes to the delivery of Our Wollongong 2032 Goal of “we value and protect the environment”. This acquisition is in accordance with Council’s Land and Easement Acquisition and Disposal Policy.

FINANCIAL IMPLICATIONS

Funding for the acquisition is sourced from the City-Wide Development Contribution Plan.

CONCLUSION

The land is included in the Wollongong Local Environmental Plan 2009 Land Reservation Acquisition map for passive open space land and therefore is required to be purchased.



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ITEM 7 ACQUISITION OF LOT 8 DP 242135 BEING LOT 8 OTFORD ROAD, OTFORD

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RECOMMENDATION

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- 2 Council be responsible for the landowners' reasonable legal costs associated with the sale at an agreed capped amount.
- 3 Authority be granted to the General Manager to execute any documentation necessary to finalise the acquisition and to affix the Common Seal of Council where necessary.
- 4 Upon acquisition the becomes classified as Community Land.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property

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

ATTACHMENTS

- 1 Acquisition Location Mapping for Lot 8 DP 242135

BACKGROUND

On 12 April 1967 Council approved a subdivision application which created the Lloyd Place lots and the Otford Road lots. At this time the minimum lot size for "country dwelling" was 8,000m² or 0.8 hectare. The lots created measured two hectares and were zoned Non-Urban "A". In 1968 the minimum lot size for a country dwelling increased to two (2) hectares by the Illawarra Planning Scheme.

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- 3 *Lots 1, 2 and 3 DP 242135 Lloyd Place be excluded from the Planning proposal.*

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On 26 July 2024, the landowners of Lot 8 DP 242135 wrote to Council confirming that they would like to proceed with the Council acquisition.

An independent market valuation report was obtained to assess the market value of the property. The agreed purchase price reflects the valuation amount in the market valuation report. The details have been circulated to Council under separate cover.

PROPOSAL

It is proposed that Council acquire Lot 8 DP 242135, known as Lot 6 Otford Road, Otford, in accordance with the conditions outlined in this report.

CONSULTATION AND COMMUNICATION

In preparing this report, Council have consulted and communicated with:

- The landowners of Lot 8 DP 242135,
- Herron Todd White Property Valuers; and
- the Land Use Planning Division.

PLANNING AND POLICY IMPACT

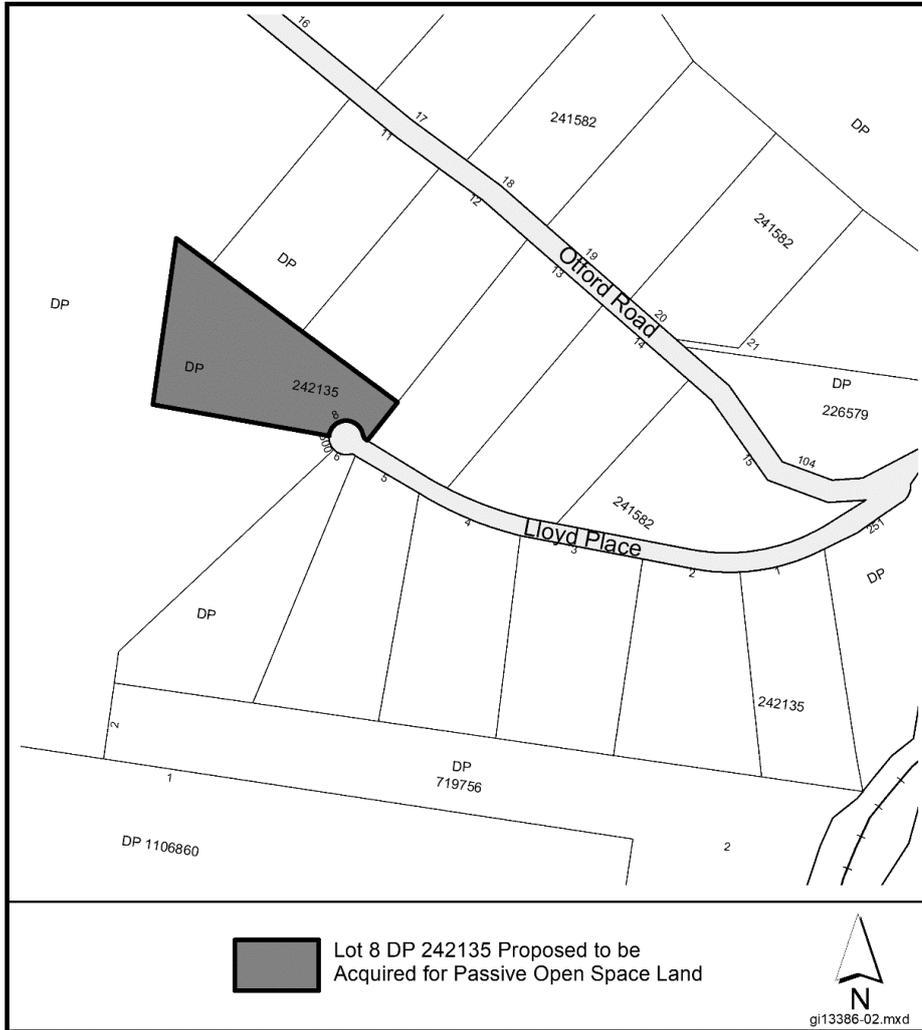
This report contributes to the delivery of Our Wollongong 2032 Goal of “we value and protect the environment”. This acquisition is in accordance with Council’s Land and Easement Acquisition and Disposal Policy.

FINANCIAL IMPLICATIONS

The funding for the acquisition is sourced from the City-Wide Development Contribution Plan.

CONCLUSION

The land is included in the Wollongong Local Environmental Plan 2009 Land Reservation Acquisition map for passive open space land and therefore is required to be purchased.



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ITEM 8

GRANT OF EASEMENT OVER COUNCIL COMMUNITY LAND AT LOT 7 DP 227650
KNOWN AS GORRELL PARK, MANGERTON

As a condition of consent of DA-2023/358 relating to Lots 18 and 19 in DP 227950, being 11-13 St Johns Avenue, Mangerton (“Applicant’s Property”) the applicant requires an easement to drain water through the adjoining Council owned community land known as Lot 7 in DP 227950, Gorrell Park, Mangerton (“Council’s Land”). This report seeks approval to the grant of the easement.

RECOMMENDATION

- 1 Pursuant to section 46 (1) (a1) of the Local Government Act 1993, Council resolves to grant an easement to drain water 1.0m wide over Council land known as Lot 7 in DP 227950, Gorrell Park, in favour of Lots 18 and 19 in DP 227950, 11-13 St Johns Avenue, Mangerton, as shown crosshatched on the attachment to this report.
- 2 The applicant will be responsible for compensation to Council for the grant of the easement in accordance with the amount assessed by an independent certified valuer.
- 3 The applicant be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.
- 4 Approval be granted to affix the Common Seal of Council and/or delegation pursuant to section 377 of the Local Government Act 1993 to the survey plan, Section 88B Instrument and any other documentation required to give effect to this resolution.
- 5 The General Manager be authorised to execute any documents to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of proposed easement to drain water 1.0m wide over Council land known as Lot 7 in DP 227950

BACKGROUND

Deferred development consent for DA-2023/358 on the Applicant’s Property for the demolition of the existing dwelling and the construction of a dual occupancy and subdivision was granted on 2 April 2024.

Development consent shall not operate until the applicant has demonstrated that an easement to drain water has been registered over Council’s Land, benefitting the Applicant’s Property.

Council’s Land is classified as ‘Community Land’ and categorised as ‘Park’ pursuant to the *Local Government Act 1993* (the Act). Council has limitations on how it can deal with Community land, in particular to the granting of leases, licences and other estates. The granting of easements is deemed another estate for the purposes of the Act.

Section 46 (1) (a1) of the Act gives Council the power to grant easements over Community Land for the following purpose: providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider.

The use of infrastructure for drainage of private land through Council owned Community Land to connect to Council’s stormwater network is also a permissible use and development described under Council’s 2022 Community Land Plan of Management for Council Owned Land categorised as Park.

The proposed works are to install a 225mm PVC (sewer grade) drainage line at a 0.5% minimum fall to connect to Council’s existing stormwater drainage facility located within Council’s Land to connect to an existing Council stormwater pit.

The easement location is shown as crosshatched on Attachment 1. The easement will allow the applicant to construct underground drainage infrastructure which will be owned and maintained by the applicant or any subsequent owners of the land. The proposed easement will have minimal impact upon the public's current use and amenity of the land as the pipes are underground and will connect to an existing stormwater pit.

Council sought a valuation report from Herron Todd White Valuers to assess the amount of compensation that would be payable by the applicant to Council for the grant of the easement. The agreed easement compensation price reflects the valuation amount in the market valuation report. The details have been circulated to Council under separate cover.

By granting a drainage easement over the land, Council will receive compensation for the easement and be able to identify the exact location of the underground drainage infrastructure which will be recorded in a registered deposited plan. Council will also formalise maintenance obligations of the underground drainage infrastructure to ensure it is not responsible for future maintenance of the underground drainage infrastructure.

PROPOSAL

It is proposed that Council approve the grant of an easement to drain water one (1) metre wide over Lot 7 in DP 227950 in favour of Lots 18 and 19 in DP 227950, as shown crosshatched on the attachment to this report.

CONSULTATION AND COMMUNICATION

- Applicant
- Herron Todd White - Valuers
- Council's Development Assessment and Certification – City Wide and Development Team

Council gave Statutory Notice of the proposed granting of an easement over Council's Community land pursuant to the *Local Government Act 1993*, with the submission period closing on 22 November 2024. No submissions were received.

PLANNING AND POLICY IMPACT

This report is in accordance with Council's Land and Easement Acquisition and Disposal policy. This report contributes to the delivery of Our Wollongong 2032 Goal "We are a connected and engaged community" through managing easements and other encumbrances on Council land.

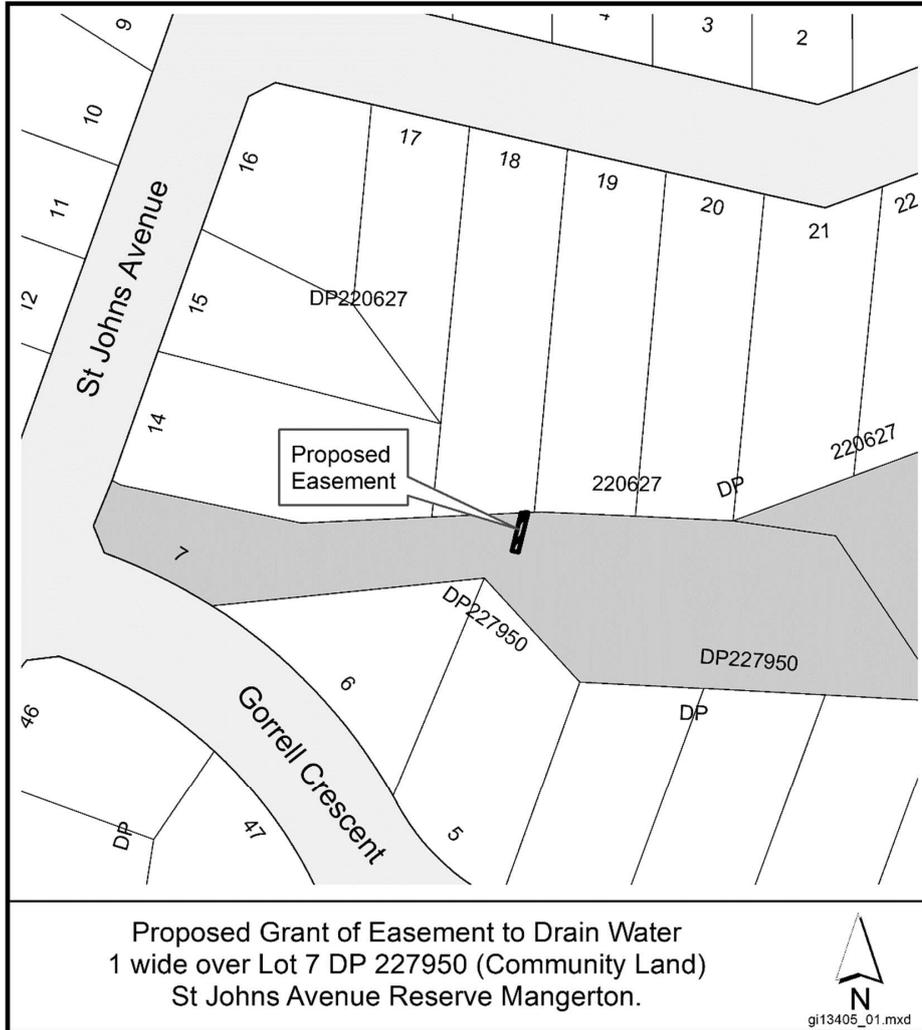
FINANCIAL IMPLICATIONS

Council will receive compensation for the grant of the easement which is considered to be fair and reasonable based on the valuation report obtained.

The applicant will also be responsible for all costs in the creation of the easement including valuation, survey, plan lodgment and legal costs, and any other costs associated with the grant/registration of the easement.

CONCLUSION

By granting a drainage easement over the land, Council will receive compensation for the easement, be able to identify the exact location of the underground drainage infrastructure and will formalise maintenance obligations of the underground drainage infrastructure to ensure Council is not responsible for future maintenance of the underground drainage infrastructure.



Proposed Grant of Easement to Drain Water
1 wide over Lot 7 DP 227950 (Community Land)
St Johns Avenue Reserve Mangerton.

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ITEM 9

EXTINGUISHMENT OF EXISTING EASEMENT FOR TRANSMISSION LINE AND GRANT OF EASEMENT FOR UNDERGROUND CABLES OVER COUNCIL COMMUNITY LAND AT LAKESIDE DRIVE RESERVE, KOONAWARRA BEING LOT 143 DP 573617

This report recommends the extinguishment of an easement for overhead transmission lines and the creation of an easement for underground cables over Council's land at Lot 143 DP 573617, Lakeside Drive Reserve, Koonawarra.

RECOMMENDATION

- 1 Council authorises the extinguishment of an easement for transmission lines over Council land known as Lot 143 DP 573617, Lakeside Drive Reserve, Koonawarra, as shown crosshatched on the attachment to this report.
- 2 Pursuant to Section 46 (1) (a) of the *Local Government Act 1993*, Council authorises the grant of an easement for underground cables over Lot 143 DP 573617, Lakeside Drive Reserve, Koonawarra, as shown crosshatched on the attachment to this report, subject to statutory notification requirements being met in accordance with Section 47 of the *Local Government Act 1993*.
- 3 The applicant be responsible for all costs related to the easement extinguishment and the easement grant including but not limited to valuation, survey, plan registration and legal costs.
- 4 Authority be granted to affix the Common Seal of Council and/or delegation pursuant to Section 377 of the *Local Government Act 1993* to the survey plan, Section 88B Instrument and any other documentation required to give effect to this resolution.
- 5 The General Manager be authorised to sign any documentation necessary to complete the above matters.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of proposed extinguishment of easement for transmission lines and easement for underground cables over Council land at Lot 143 DP 573617

BACKGROUND

Development consent for DA-2020/1332 was granted for the subdivision and creation of fourteen lots consisting of five super lots, one environmental offset lot and eight lots for future road provision on Lot 30 DP 1175058 which is adjacent to the south of Council's land at Lot 143 DP 573617 ("Council's land").

As part of the intended works for the applicant's development, the applicant seeks to remove the overhead power lines on Council's land and move cables underground. The transmission line tower and all overhead wires will also be removed from the transmission line easement area.

An easement currently exists over Council's land for the overhead transmission lines. It is proposed to extinguish the existing easement and grant a new easement in the same vicinity for the underground cables. It is considered that the works will increase public enjoyment and amenity as it improves the visual appearance of Council's land. Additionally, the works would provide more usable public open space on Council's land.

Council's land is classified as 'Community Land' and categorised as 'Park' pursuant to the *Local Government Act 1993* (the Act). Council has limitations on how it can deal with Community land, in particular to the granting of leases, licences and other estates. An easement is deemed an "other estate" for the purposes of the Act.

Section 46 (1) (a) of the Act gives Council the power to grant easements over Community Land for the provision of public utilities and works associated with or ancillary to public utilities. The proposed

easement relates to the supply of electricity by an electricity supply authority and as such is permissible under the Act.

Council sought a valuation report from Walsh and Monaghan Valuers to assess the amount of compensation that would be payable by the applicant to Council for the grant of the easement. The compensation details have been circulated to Council under separate cover.

By granting an easement over Council's land, Council will also formalise maintenance obligations of the underground cables to ensure it is not responsible for the future maintenance of the underground cables.

PROPOSAL

It is proposed that Council approve the extinguishment of the easement for transmission lines and the grant of an easement for underground cables over Council's land as shown crosshatched on the attachment to this report.

CONSULTATION AND COMMUNICATION

- Applicant
- Walsh and Monaghan Valuers
- Development Assessment and Certification (DAC)
- Heritage
- Legal Services
- Transport
- Stormwater
- Parks and Open Spaces

Council has commenced statutory notification of the proposed grant of an easement over Council's Community land pursuant to the *Local Government Act 1993*. The close of submissions is 20 January 2025. Should any reasonable objections be received following the completion of statutory notification, the matter will be reported back to Council.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal "We are a connected and engaged community" through managing easements and other encumbrances on Council land.

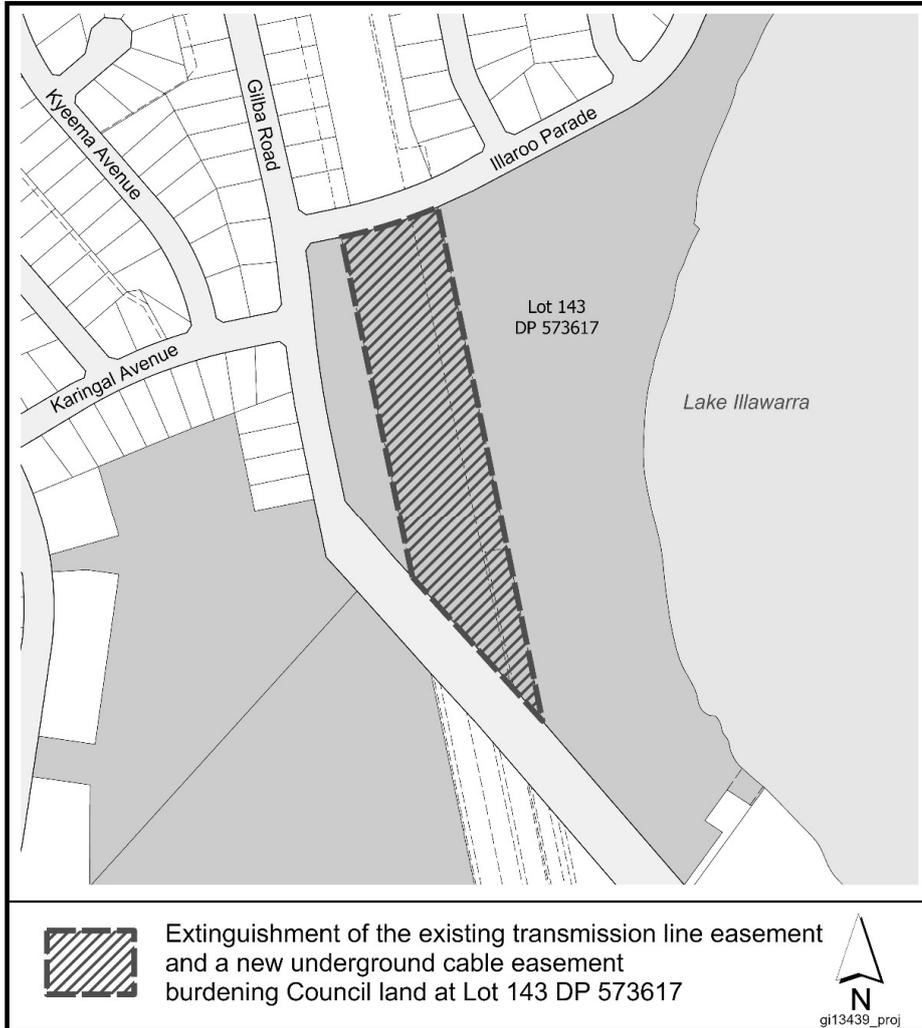
The report is in accordance with Council's Land and Easement Acquisition and Disposal Policy. It specifically delivers on core business activities as detailed in the Property Services Service Plan 2024-25.

FINANCIAL IMPLICATIONS

The applicant will be responsible for all costs in the extinguishment and creation of the easement including but not limited to valuation, survey, plan lodgement, legal costs and any other costs associated with the extinguishment and grant of the easement. The compensation to be received is considered fair and reasonable based on the valuation report that was obtained.

CONCLUSION

By extinguishing the existing easement on Council's land for overhead transmission lines and granting an easement for underground cables, Council will improve the public enjoyment of Council's land. Council will also be able to identify the exact location of the underground infrastructure and will formalise maintenance obligations of the cables to ensure Council is not responsible for the future maintenance of the underground cables.



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ITEM 10 TENDER T1000160 - LEASE OF BULLI BEACH CAFE

This report recommends acceptance of a tender for T1000160 the lease of Bulli Beach Café in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2021.

RECOMMEDATION

- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accept the tender of The Trustee for Birloom Unit Trust T/as Bulli Beach Café, ABN (26 199 680 073) for the new lease agreement as per tender T1000160 for Bulli Beach Café.
- 2 The lease be awarded for an initial term of Five (5) years, with two options to extend of five years each.
- 2 Council delegate to the General Manager the authority to finalise and execute the lease agreement 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 lease and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

Wollongong City Council (Council) sought submissions from experienced qualified food operators to enter into a lease for a prominent beach front location at part Lot 68 in Deposited Plan 1102884 also known as Bulli Beach Café, Trinity Row, Bulli NSW 2516. An outdoor dining licence will run concurrently with the lease agreement over the building.

Bulli Beach Café is currently occupied with the current lease expiring 1 December 2024. Council provided the current tenant with an extension to the current lease under holdover provisions to allow the tenant to operate over the summer period until such time the property would be vacated to allow Council's Project Delivery team to undertake a capital works project to the building which includes the replacement of the outdoor awning structure and the grease trap. The proposed works are estimated to be completed by September 2025 and the proposed new lease will then commence for the café.

Tenders were invited for this lease by the open tender method with the tender closing at 10.00am on Thursday, 7 November 2024. Three (3) tenders were received by the closing date, and all tenders have been scrutinised and evaluated by a Tender Evaluation Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Commercial Operations & Property, Finance and Customer & Business Integrity divisions.

The Tender Evaluation Panel evaluated all tenders in accordance with the following Evaluation 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 capacity that tenderers may be required to provide information required by an independent financial assessment provider engaged by Council. Council will review and determine whether such financial assessment is acceptable to Council and demonstrates the tenderer's financial capacity to enter into a lease.
- 3 Food safety certificate that tenderers have already obtained or willingness to obtain within 2 months of Contract award.

- 4 Site inspection that tenderers or their authorised representative/s must attend one of the site inspections as advertised.
- 5 Operating Objectives that tenderers acknowledge the successful lessee is required to contribute towards Council operating objectives and commitment to obtaining any associated approvals.
- 6 Workplace Health and Safety that tenderers must provide working examples of workplace health and safety documentation, including risk management policies and procedures.

Evaluation Criteria

- 1 Proposed Annual Rental Payable to Council – Weighting 30%.
- 2 Demonstrated Experience and Satisfactory performance in operating premises of similar size, scope and risk profile – Weighting 20%.
- 3 Staff qualifications and experience – Weighting 20%.
- 4 Proposed Business Plan – Weighting 20%.
- 5 Demonstrated strengthening of local economy – Weighting 10%.

The mandatory evaluation criteria have been met by the recommended tenderer.

The Tender Evaluation Panel utilised a weighted scoring method for the evaluation 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 evaluation criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the evaluation 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 evaluation and the ranking of tenders.

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
The Trustee for Birloom Unit Trust T/as Bulli Beach Café	1
The Diggies Group T/as Diggies	2
The Wolf Pack Organisation T/as His Boy Elroy	3

PROPOSAL

Council should authorise the engagement of the Trustee for Birloom Unit Trust to enter into a new lease agreement in accordance with the requirements for this leasing tender.

The recommended tenderer has satisfied the Tender Evaluation 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 Evaluation 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 Evaluation Panel
- 2 Nominated Referees
3. Statutory Notification

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 2 “We have an innovative and sustainable economy” and Strategy 2.3.1 “Build our city as a tourist destination of choice for conferences, events and a place to live, learn, work & visit”.

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.

SUSTAINABILITY IMPLICATIONS

The recommended tenderer demonstrated at least three (3) of their own sustainable business practices that they have used in similar operations and plan to introduce to this site. Such initiatives included in their submission were:

- **Waste Reduction:** Commit to minimising food waste through portion control and composting.
- **Eco-Friendly Materials:** Utilise biodegradable packaging for takeout orders and encourage customers to bring reusable containers.
- **Local Partnerships:** Collaborate with local organisations focused on conservation and sustainability efforts.

FINANCIAL IMPLICATIONS

Herron Todd White provided market valuation advice to Council on 31 July 2024 to assist with lease negotiations as part of the tender process. Granting the new lease agreement will result in a rental uplift of 6.65% on the current passing rent and is above the market rental valuation advice.

CONCLUSION

This report concludes the procurement process for the lease of the Bulli Beach Café and pending adoption of the recommendations, the new lease will deliver a defined income stream to Council that will support the delivery of Council services.

ITEM 11 QUESTION WITH NOTICE - SPECIAL ENTERTAINMENT GRANTS**QUESTION SUBMITTED BY**

Councillor Thomas Quinn.

QUESTION

With the opening of applications for the NSW Special Entertainment Kickstart Grants program on 21 November 2024 (closing 12 March 2025), will Council staff be seeking to apply for a grant as aligned with Strategy 4.2 and Actions 4.2.1, 4.2.2 and 4.2.3 per Creative Wollongong 2024-2033?

Strategy 4.2 - Stimulate the 24-Hour Economy by review of regulatory conditions and providing planning and event support

Action 4.2.1 - Work with the NSW Government Office of the 24-Hour Commissioner on matters of common interest to support the development of a sustainable night-time economy

Action 4.2.2 - Test Council's existing policies and processes against the implementation in Wollongong of the NSW Government's Vibrancy Reforms – Amendment Act 2023

Action 4.2.3 - Investigate Special Entertainment Precincts and assess their suitability for the Wollongong CBD and selected Town Centres and venues

ANSWER

The Special Entertainment Precinct (SEP) Kickstart Grant Program has only recently been released along with the final version of the SEP guidelines. Council officers will review the latest material and update Councillors in the new year.