

BACKGROUND ART COLLECTION

This background deals with the acquisition, maintenance and administration of works of art acquired for the former collection of the Shoalhaven City Council.

PREAMBLE

The Shoalhaven City Art Collection has grown over the years into a rather large collection containing some excellent examples of Australian art including several works by Leonard Long, as well as a major body of watercolours and photographs of historical significance by noted artist Samuel Elyard.

THE CURRENT COLLECTION

As of March 2006, Council's Art Collection consisted of the following:

- 124 paintings, drawings and photographs by Samuel Elyard (includes a book publication of the biography and works of Elyard)(purchased by Council
- Over 300 paintings have been acquired via an acquisitive prize organised annually by the Shoalhaven Art Society over the past 40 years. \$2000 is currently provided annually by 'Shoalhaven Holiday Haven', a Council managed operation.
- Various Photographic and artworks donated to Council.
- 30 donated paintings (watercolours and drawings) by war artist Clarrie Payne.
- 10 linocut prints by Shoalhaven aboriginal artists purchased by the Board in 1998.
- 20 ceramics(donated to Council).
- 27 framed reproduced photographs depicting the Ulladulla Italian community's contribution to the pioneer fishing industry (1998 Carnivale funded project)
- A series of black and white photographs commissioned from Dora Rognavaldotsir depicting Shoalhaven citizens of ethnic background (1996 Art Grant funded).
- 6 prints (some signed) and photographic prints by artist Arthur Boyd donated by the Bundanon Trust to Council's collection in 2001
- 23 photographs by Shoalhaven photographer Oliver Silvano depicting the Latin American and Filipino Shoalhaven Community acquired via a 1999 Carnivale project.
- 14 works from the 'IMB Berry School of Arts Collection', acquired by the Berry School of Arts Management Committee & exhibited at the Berry School of Arts.
- A series of 12 stock frames purchased in 1998 to house works on paper for curated exhibitions.
- 26 photographs of Sydney 1950, created by and donated to Council by John Edward.
- 2 long term loans ...

- Arthur Boyd oil on canvas, 2003 – by R& K Moyes 2002
- William Robertson oil on canvas– by Peter Ross 2004
- Bequest of 70 drawings by the late Dennis Adams from the artist's wife Anne Adams 2002.
- A fibreglass bust of Dennis Adams created and donated to Council by artist Dale Miles
- Several commissions and acquisitions (purchases) made by the Arts Board since 1998

A database of works is available.

DISPLAY

- ◆ **The art works are currently hanging at.....**
The Council Administrative buildings in Ulladulla and Nowra
The Nowra and Ulladulla City Libraries
The Nowra Cemetery
The Sanctuary Point Community Centre (Dora Rognavaldotsir Photography)
The Berry School of Arts (the IMB Berry Collection)
The Shoalhaven City Arts Centre

STORAGE

- ◆ The works are stored in the Art Vault in the Shoalhaven City Council Administrative Centre, Nowra
- ◆ Some works from the Collection are stored at the Shoalhaven City Arts Centre

BUDGET

- ◆ Council currently allocates funding of the amount of \$5000 from its annual budget for the specific acquisition of art works for its Collection.

ACQUISITION

- ◆ Previously a sub committee for the Shoalhaven Arts Advisory Committee (SAAC) had been given the role of selecting and acquiring new works under specific guidelines.
- ◆ The Committee has not acquired works since 1995.
- ◆ The Committee was disbanded in 1998 when the Shoalhaven Arts Board was formed.
- ◆ Since the establishment of the Board in 1998 several commissions and acquisitions have been made based on the draft collection policy.

CONSERVATION

- ◆ Previously, Mr Keith Turner, voluntarily cared for the Collection stored in Council's Vault. He also regularly changed the exhibition of the Elyard works in Committee Rooms 1&2 of Council's Administrative Building in Nowra. This support ceased in 2002.

CATALOGUE

- ◆ The catalogue, kept in the Art Collection vault at Council's Administration Centre Nowra, has been updated by volunteer community members Mr Keith Turner and Mrs Lois Robertson to 1997. Information comprises written data, catalogue numbers, photographs and negatives of each work.

BORROWING AGREEMENTS

- ◆ An informal loan agreement was developed between the University of Wollongong and the Shoalhaven City Council to lend works from each collection to the other when appropriate.
- ◆ An informal agreement was developed with the Bundanon Trust whereby Shoalhaven City Council borrowed, for short periods, artworks from the Bundanon Trust Collection for display in the Council Administration Building at Nowra. This ceased at the opening of the Arts Centre in 2004.
- ◆ Council does not lend its Collection to other private or corporate bodies as insurance, curatorial support and administrative restraints currently render this impracticable.
- ◆ Formal loan agreements were documented in Council's Art Collection file.

ADMINISTRATION

The collection is overseen by Council's Arts & Events Manager who takes responsibility for rotating the collection displayed in Council's Administration Building in Nowra, organising the repair and maintenance of works and exhibition of the Collection.

A budget of \$1000 is allocated annually to cover associated costs.

EXHIBITION of the COLLECTION

Council's Arts & Events Manager and Arts Centre Manager organise exhibitions of the Collection at the Shoalhaven City Arts Centre.

INSURANCE

All works in the collection are covered under Council's insurance policy. Other works on loan for exhibition are registered with Council's Insurance Section.

Grant Applications Received 2007.xls

Organisation	Address	Address 2	Suburb Pcode	Contact Person	Phone No.	Project	Grant Request	Grant Recomm
1 Beaumont Writers Group	PO Box 745		Nowra 2541	Isabel MacCallum	4421 2157	"Recollections of World War II" book	750	500
2 FAW Shoalhaven	C/- PO Box 193		Cambewarra 2540	Jennifer Dickerson	4446 1017 / 041	Shoalhaven Poetry Festival	2000	1500
3 Escape Artfest Inc	12 Myrtle St		Milton 2538	Julie Sydenham	4454 5993	Sculpture in the Forest - Acquisitive Sculpture Prize film trailer "Someone's Daughter"	1500	1500
4 Corinne Sennitt	40 Saumarez St		Vincentia 2540	Corinne Sennitt	4441 5983	Nowra Stage Dance Festival	2000	500
5 Nowra Stage Dance Festival Inc	Po Box 103		Greenwell Point NSW 2	Leonie Baker	4447 1521		1000	1000
6 Southern Stars Management Committee	Dept of Education & Training	PO Box 118	Warilla NSW 2528	David Phipps	4251 9900	Southern Stars 2007 "Musical Can You Feel It?" Workshops	2000	2000
7 Shoalhaven Arts Society Inc	PO Box 240		Nowra 2541	Patricia Mason	4421 4204		3000	500
8 Bay & Basin Music Club Inc	PO Box 223		Vincentia 2540	Trish Browning	4443 2550	"Young Performers of the Shoalhaven" Concert	600	500
9 Bay & Basin Bush Potters	48 Edmonds St		Sanctuary Point NSW 2	Gay Peters	4443 6013	Pottery Workshop	600	500
10 Narrawilly Proggy Ruggers	25 Stoney Hill Lane		Milton 2538	Miriam Miller	4455 6870	Proggy Rug Making in the Shoalhaven	500	500
11 YWCA NSW	PO Box 333		Nowra 2541	Judith Reardon	4423 8512	Beautiful Bomaderry	500	500
12 Shoalhaven Potters Inc	PO Box 218		Nowra 2541	June Stallon	4421 0930	Ceramic Artist Workshop	620	500
13 Nowra Quilters	PO Box 3146		North Nowra 2541	Pat Hennessy	4232 2455	Quiltsessentials (Quilting Exhibition)	500	500
14 Milton Follies Inc	PO Box 4026		Burrill Lake 2539	Andrea Douglass	4454 0066	Advanced Lighting Workshop at Milton Theatre	500	500
15 Shoalhaven Folk Club	PO Box 6134		Kangaroo Valley NSW 2	Jane Richter	0403 180 644	Kangaroo Valley Folk Festival	2000	1000
16 Art Side In Inc	PO Box 4		Bomaderry NSW 2541	Suzie Francis	4422 7212	Art Side In Exhibition	200	200
17 Access Community Group	PO Box 99		Corrimal NSW 2518	Cathie McGill	4286 5600 /0434	Workshop and Foyer Gallery Hire for Youth At Risk Artwork	3160	700
20 Berry Musicale	95 Brogers Creek Rd		Woodhill NSW 2535	Yvonne Merrington	4464 2629 /0413	Musical Scholarship program	1000	500
21 Women's Health Centre International	5 McGrath Ave		Nowra 2541		4421 0730	Photographic Tribute "Outstanding Women of the Shoalhaven"	1000	500
22 City of Shoalhaven Eisteddfod Inc	30 Cocos Palm Dr		Bomaderry NSW 2541	George Windsor	4421 4067	24th Annual Eisteddfod	5500 N/A	
23 Millhouse Art Society of Milton Ulladool	PO Box 200		Milton 2538	Helen Carroll	4455 4114	Workshop	1000	500
24 Shoalhaven Photographic Club Inc	PO Box 184		Nowra 2541	Chris King	4422 6501	National Biennial Photographic Competition	1250	1200
25 Jervis Bay & Basin Arts Inc	PO Box 207		Vincentia 2540	Denise Stevens	4441 5965	See Change Winter Arts Festival 2008	2000	1000
26 Jervis Bay & Basin Arts Inc	PO Box 208		Vincentia 2541	Denise Stevens	4442 5965	Workshops for exhibiting artists	500	500
27 Music Shoalhaven	PO Box 343		Nowra 2541	Bob Baldock	4421 3089	60th Anniversary Concerts	5640	1500
29 Shoalhaven Movie & Multimedia Group	PO Box 1232		Nowra 2541	David Wastie	4421 3270	Museum & Arts Trail in Shoalhaven	400 Nil	

31	313 Nowra	PO Box 30		Nowra 2541	Gai-Ellen Palmer	4227 1715	Celebration of Learning Open Day	1000	1000
32	FAW - Bay and Basin Writers	PO Box 133		Sanctuary Point NSW 2	Margaret Britton	4443 4207	Young Writers Workshop	450	400
28	Barry Stevenson	2/116 Berry St		Nowra 2541	Barry Stevenson	0432 986 617	Training Support Light & Sound Production Courses	1 person	
30	Mark Anderson	C/- PCYC Nowra	Park Road	Nowra 2541	Mark Anderson	4421 8588 / 043	Training Support Light & Sound Production Courses	4 people	
33	Nowra Players	PO Box 357		Nowra 2541	Debbi Szota		Training Support Light & Sound Production Courses	7 people	
34	Albatross Musical Theatre Company	PO Box 752		Nowra 2541	Marie De La Torre		Training Support Light & Sound Production Courses	5 people	
									20000

1

8

ELIA AVE

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EASEMENT

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HAWTHORN AVE

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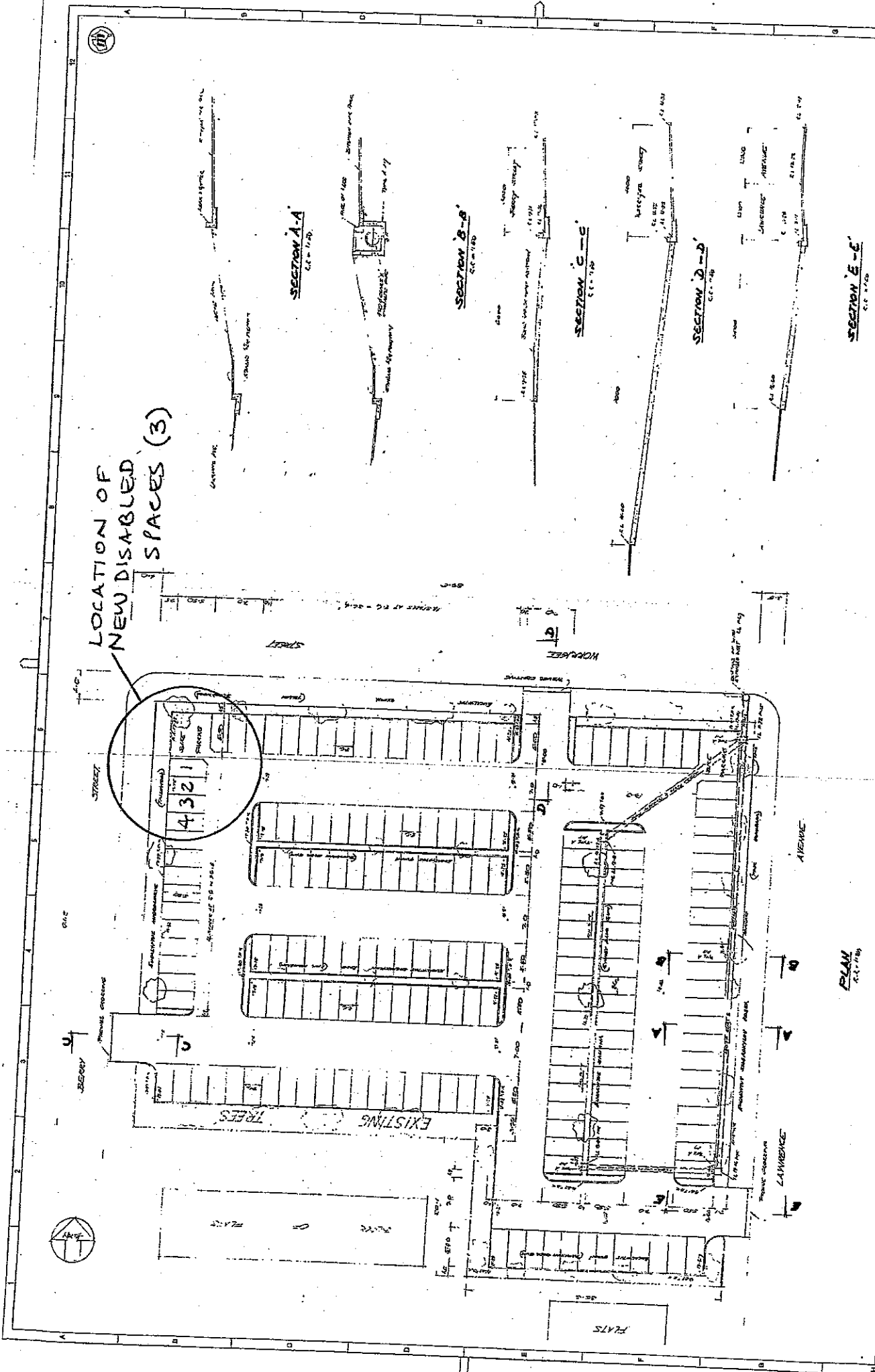
9

FOR
LINE

LEASANT WAY

TRAF 2007/10

LOCATION OF NEW DISABLED SPACES (3)



DESIGNED: E. MCDONALD DRAWN: C. HITCHCOCK CHECKED: [Signature] SURVEYED BY: G. GARDNER FIELD BOOK: [Blank] LEVEL BOOK: [Blank] CHECKED BY: [Blank] DATE: [Blank]	SHIRE OF SHOALHAVEN LAWRENCE AVENUE - MONROE PLAN AND SECTIONS	CONSULTING ARCHITECTS CENTRAL FILE # 79/1447 MARK BOURN DATE: [Blank]	PLAN REFERENCE 1311-03A
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MULTI PURPOSE CENTRE

BUILDING 1

Community Resources Centre

EXISTING COMMERCIAL BUILDING

BUILDING 2

Youth Centre

Shared Meeting Room

YOUTH OUTDOOR AREA

EXISTING COMMERCIAL BUILDING

Toilets

BUILDING 3

Suite 3
Community Technology Centre

Suite 2
Homecare

Suite 1
Meals on Wheels

LOADING BAY

RESERVED PARKING

BACK YARD

ONE WAY TRAFFIC

RESERVED PARKING, "3P" PARKING

"3P" PARKING

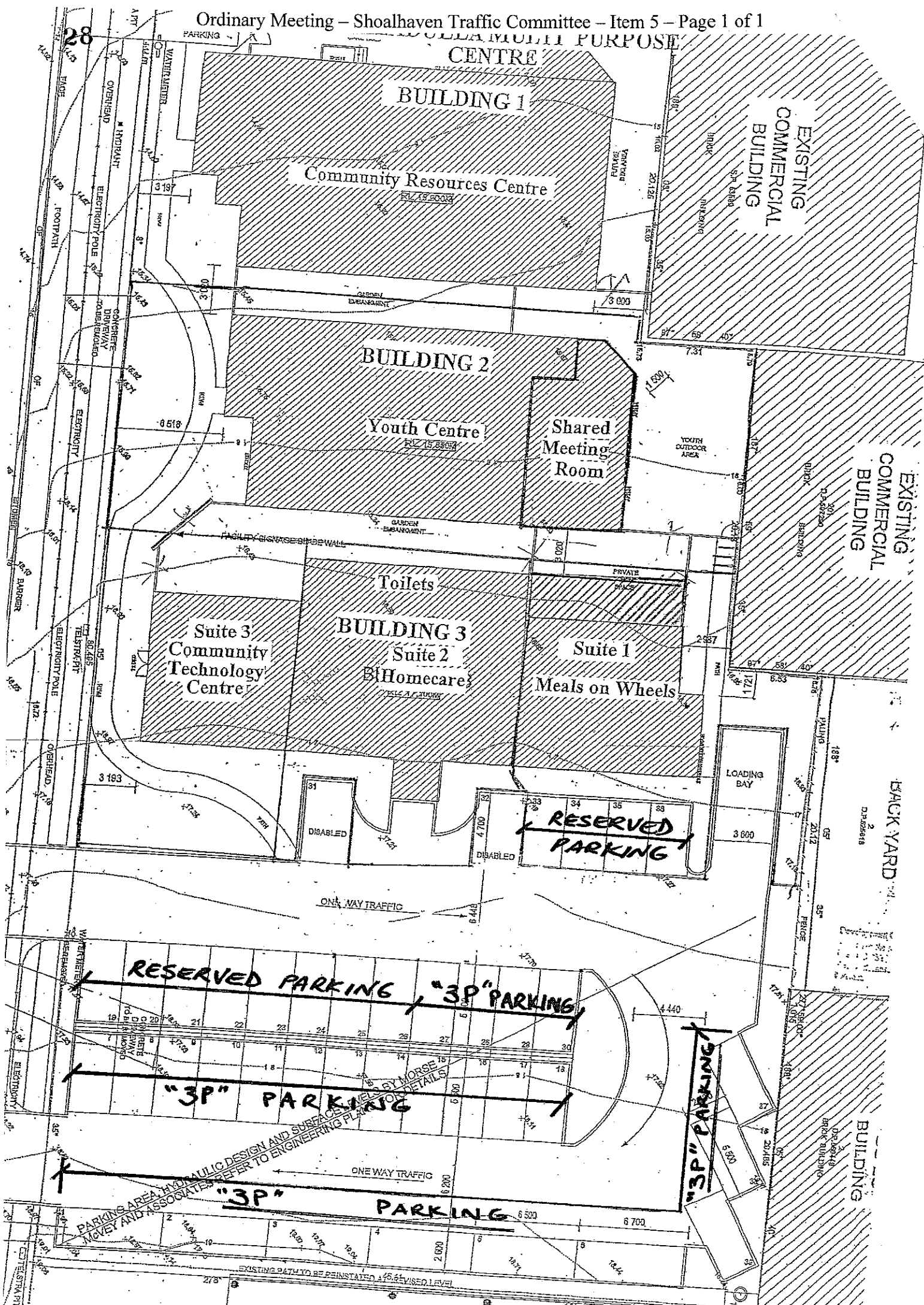
"3P" PARKING

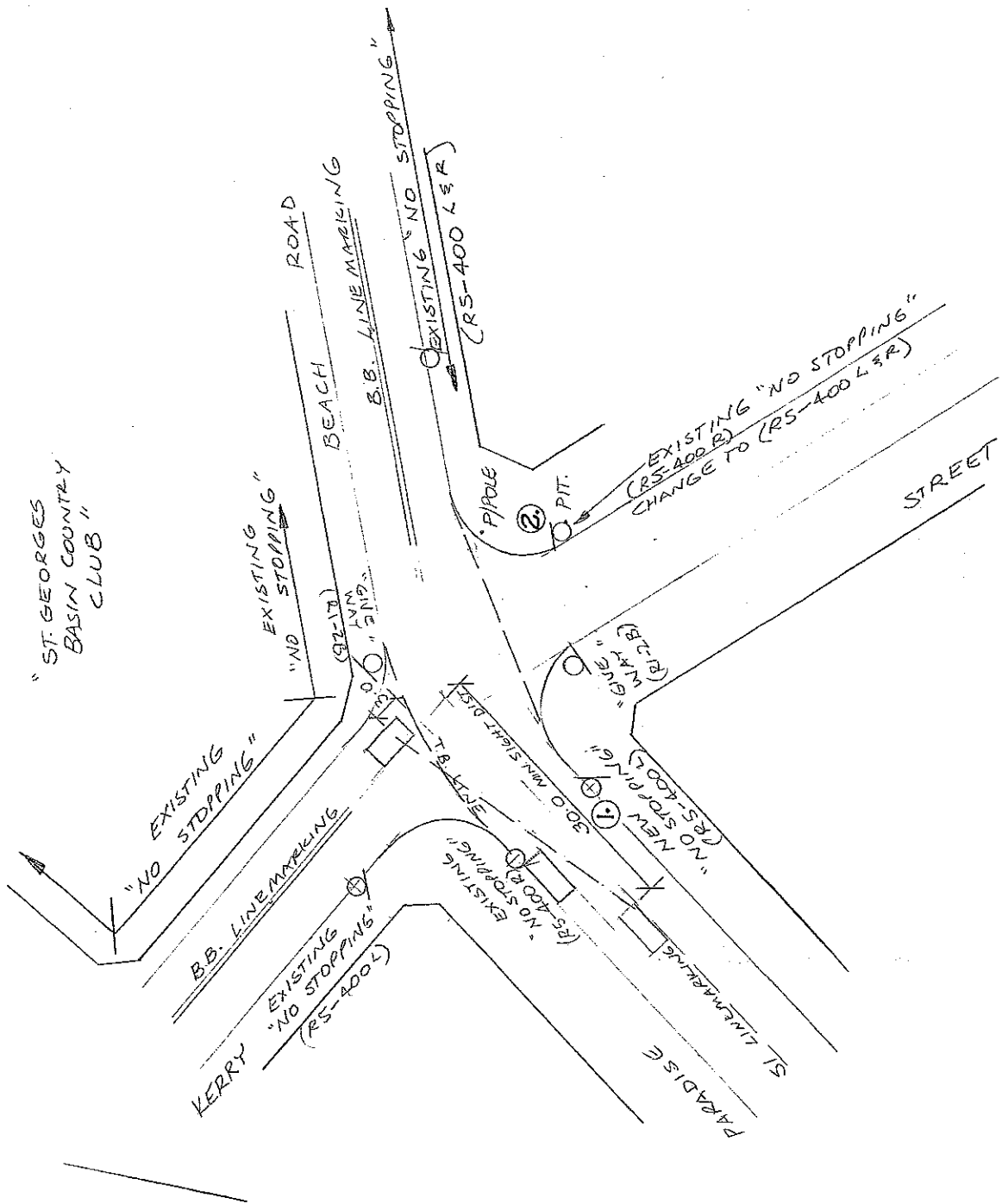
"3P" PARKING

BUILDING

PARKING AREA HYDRAULIC DESIGN AND SURFACE DETAILS BY MORSE AND ASSOCIATES REFER TO ENGINEERING PLAN FOR DETAILS

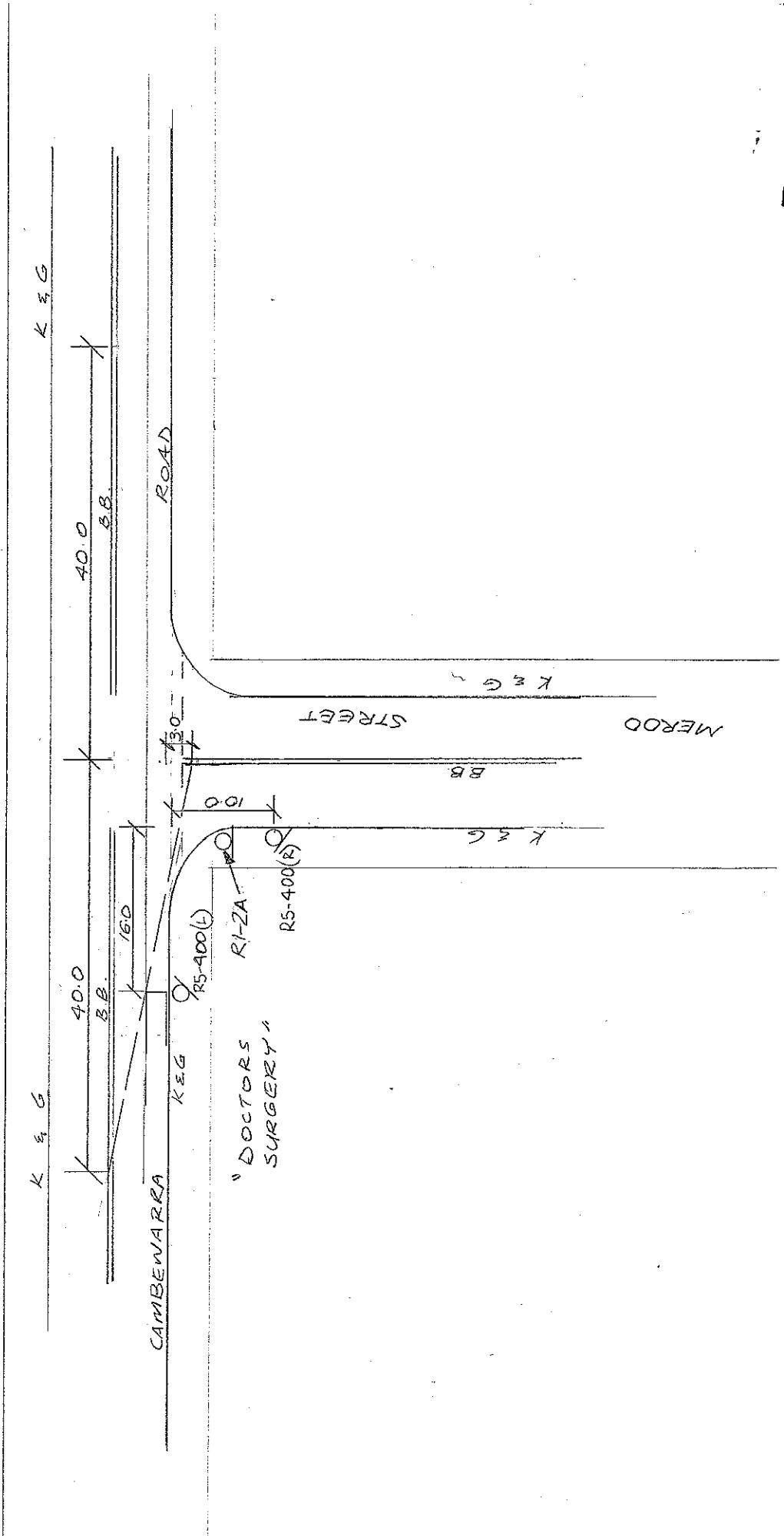
EXISTING PATH TO BE REINSTATED AT RELEVANT LEVEL





"BOMADERY BOWLING CLUB."

"NO STOPPING" (RS-400) @ SOUTH-WEST CORNER OF CAMBERRA ROAD & MEROD STREET INTERSECTION, BOMADERY.



TRAF 2007/11

SHOALHAVEN CITY COUNCIL AGREEMENT

BETWEEN: The Shoalhaven City Council of PO Box 42 Nowra 2541 [‘the Council’]

AND: The New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Union of 321 Pitt Street Sydney [‘the Union’]

AND: The Local Government Engineers’ Association of Level 1 491 Kent Street Sydney [‘the Union’]

AND: The Development and Environmental Professionals’ Association of 106/118 Great North Road Five Dock [‘the Union’]

AND: The Electrical Trades Union of Australia, NSW Branch of Level 5 370 Pitt St Sydney [‘the Union’]

This Council Agreement is made on the --th day of 2007.

1. AREA, INCIDENCE AND DURATION

- 1.1 This Council Agreement is made pursuant to clause 36 of the Local Government (State) Award 2004 or Notional Agreement Preserving State Award (Award/NAPSA), however so defined.
- 1.2 This Council Agreement will take effect from the first full pay period on or after 1st November 2007 and will remain in force for a period of one year. At the expiration of the period any party may terminate this Agreement by the giving of one month’s written notice of termination to the other parties provided that the Agreement will terminate without notice on 27 March 2009.
- 1.3 The parties agree to commence discussions/negotiations during this period with a view to developing a Council Collective agreement.

2. RATES OF PAY AND SALARY SYSTEM

- 2.1 Council agrees to pay a 4% increase in its salary system’s rates of pay and allowances that were applicable from the first full pay period commencing on or after 1 November 2006 as per Part B of the Award/NAPSA.
- 2.2 The increase will consolidate increases to rates of pay awarded by the Australian Fair Pay Commission in December 2006 and October 2007.
- 2.3 The rates of pay will not be less than the Australian Pay and Classification Scales, as varied from time to time, if applicable.
- 2.4 The parties further agree that the increase to rates of pay in Council’s salary system and allowances will not be less than the rates of pay and allowances prescribed by the Local Government (State) Award 2004 (or its successor)]

2.5 During the term of this agreement the Union agrees not to make any extra claims for general increases in rates of pay or allowances.

SIGNATURES:

Signed for and on behalf of
Shoalhaven City Council

_____ Date _____
General Manager

In the presence of _____ Date _____
Witness

Signed for and on behalf of
United Services Union

_____ Date _____
General Secretary

In the presence of _____ Date _____
Witness

Signed for and on behalf of
The Local Government Engineers'
Association

_____ Date _____
Director

In the presence of _____ Date _____
Witness

Signed for and on behalf of
The Development and Environmental
Professionals' Association

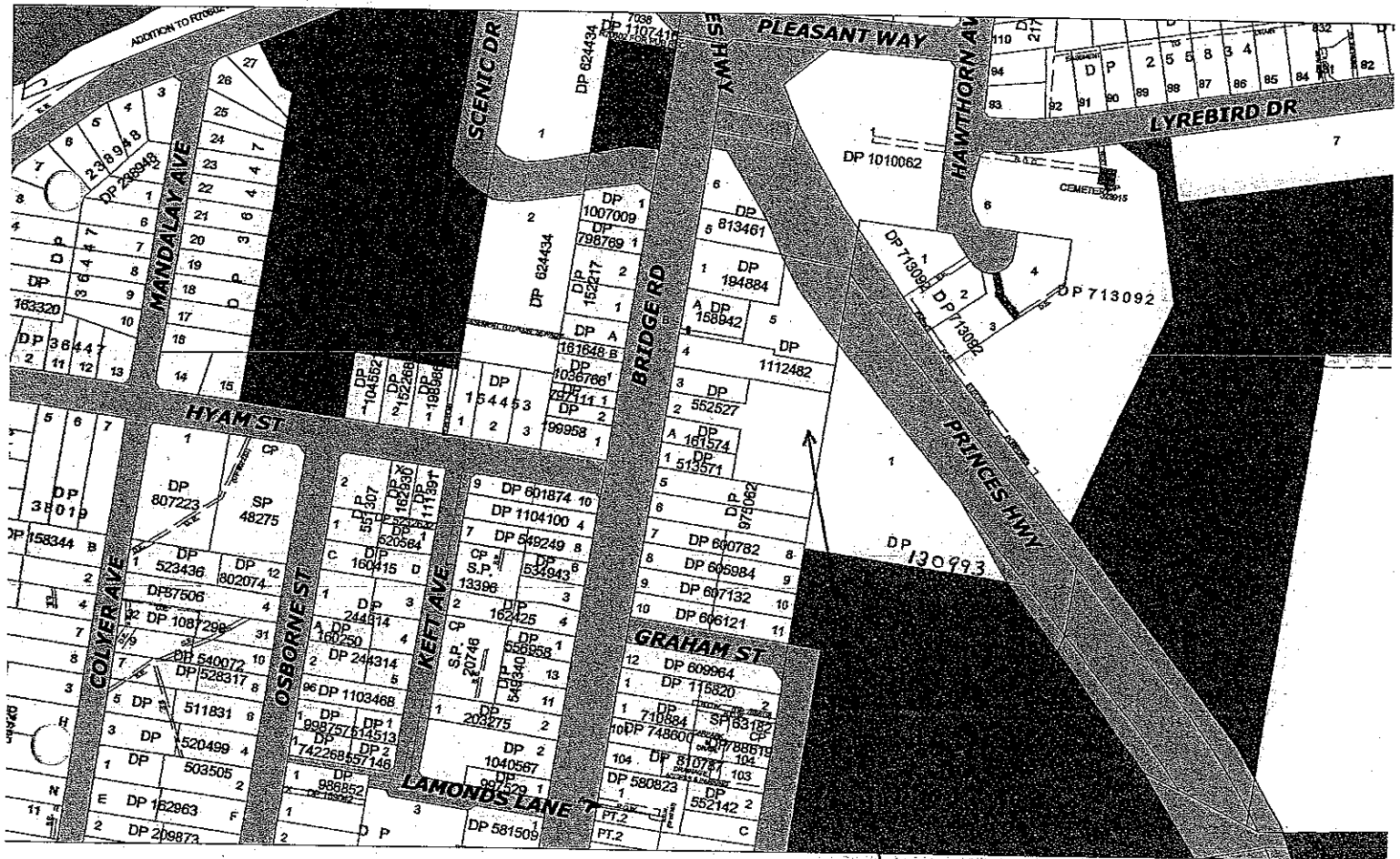
_____ Date _____
General Secretary

In the presence of _____ Date _____
Witness

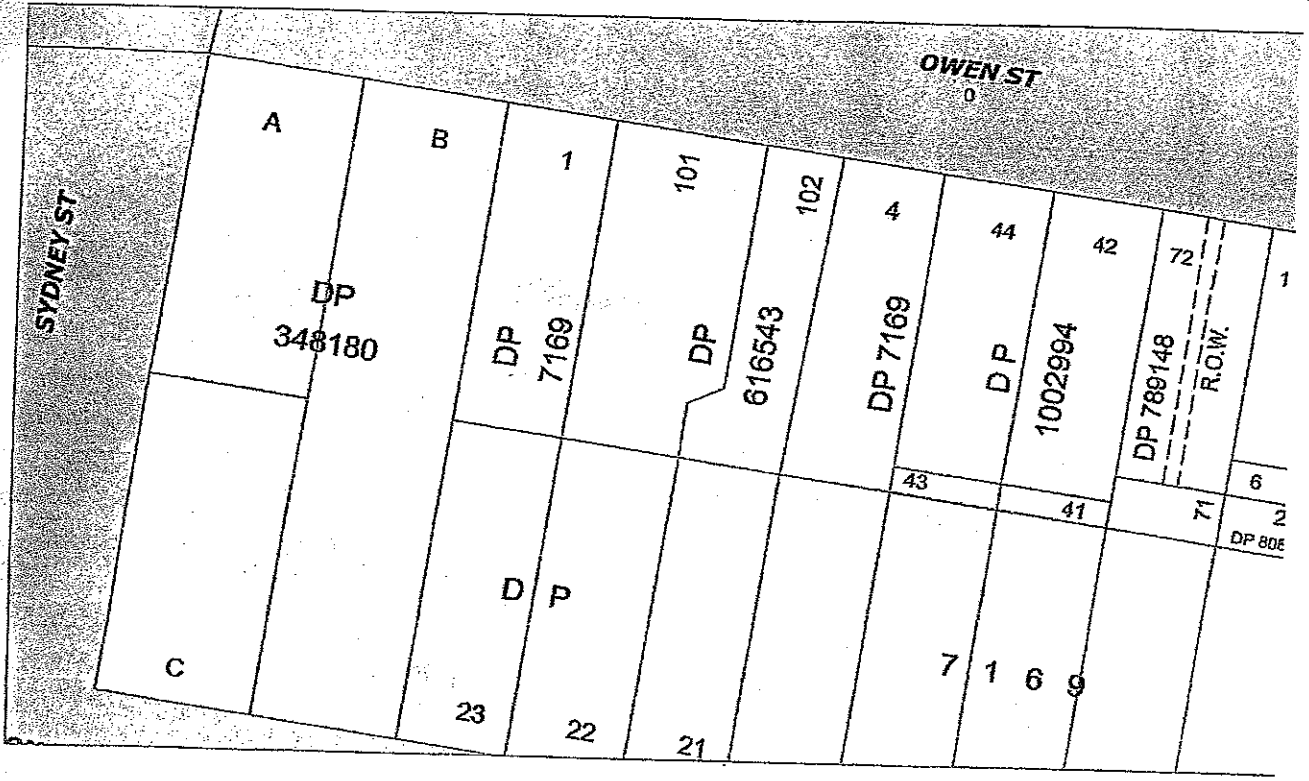
Signed for and on behalf of
The Electrical Trades Union of Australia,
NSW Branch.

_____ Date _____
General Secretary

In the presence of _____ Date _____
Witness



Nowra Civic and Hotel Precinct



HUSKISSON

1. Swan Lake Cycleway

File 16747

Introduction

Council at its meeting of 27th June 2006 considered a report on the proposed cycleway route from Sussex Inlet to Cudmirrah and resolved that:

- a) *“Council allocate the \$4,000 proposed in 2006/07 for Cycleway Investigations and Design to a review of route options and supporting environmental studies for the proposed cycleway from Cudmirrah to Swanhaven.*
- b) *The outcome of the investigations be referred to Council for determination of the preferred route.”*

A copy of this report is provided in the attachment folder as Attachment “A”.

Background

In 2000 Council was approached by the Cudmirrah/Berrara Progress Association regarding the possibility of building a shared cycleway from Cudmirrah to Sussex Inlet. The Progress Association consider that a cycleway is required to provide a safe route bicycle/pedestrian route from Cudmirrah to Sussex Inlet.

The Association suggested a route which essentially runs along the existing electricity line easement through the Crown Reserve to the south of Swanhaven, then continues again via the existing electricity line easement in a northerly direction adjacent to the Springs Road.

The Swanhaven Progress Association is opposed to this route due to environmental reasons and supports a route that uses the sealed shoulder along Springs Road.

Review of Route Options and Environmental Factors

A draft review of route options and review of environmental factors (REF) for the project has been completed that considered 3 options.

A copy of the REF is provided in the Councillor Information Folder.

The options are:

- Option 1: On road cycleway - Springs Road
- Option 2: Off road shared pathway - Springs Rd
- Option 3: Off road shared path via Swanhaven and the foreshore Reserve.

A plan of the route options as shown in Council’s Pedestrian Access and Mobility Plan forms Attachment “B”.

Whilst detailed design and survey would need to be undertaken to more accurately quantify the impacts of each option on the environment, the draft review of environmental effects has identified that all options are environmentally feasible.

Concerns identified by the Swanhaven Progress Association in relation to the off road cycleway route are:

- Disruption to the amenity of Swanhaven
- Disruption to the amenity of the existing natural walking track
- Potential impact on the environment
- Maintenance cost due to potential flooding and impact on and by shifting sand dunes
- Possible increase in weeds and rubbish
- Impact on items of aboriginal significance.

The draft Review of Environmental Factors addresses these issues and has determined that there are no major constraints to prevent option 3 being pursued subject to the path being routed to avoid the wetland located South of Swanhaven.

The construction of a boardwalk could be considered to avoid the removal of any mature Bangalay trees which may be required as the Bangalay sand forest in this area is identified as an endangered ecological community.

Financial Implications

Preliminary cost estimates of each of the three options from the Cudmirrah Bridge to Thompson Street Sussex Inlet are as follows:

Options	Route	Construction type	Preliminary Estimate
1	On Road cycleway - Springs Road	Bitumen sealed shoulders 2.5 metres wide located on both sides of 3.65km of Springs Road. No physical separation between cyclists and motorists	\$547,500
2	Off Rd- shared path Springs Rd	Bitumen seal path 2.5 metres wide is recommended due to the need to cross sand dunes. A rigid path such as concrete is not recommended. A clear path width of 2.5 metres would be required that will require some clearing	\$350,000
3	Off Road shared path via Swanhaven and the Swan Lake Foreshore noting that a boardwalk may be required in the wetland Sth of Swanhaven subject to further detailed design	a) <u>Coloured Concrete</u> 2.5 metre wide path for 3.4 km using existing Swanhaven Village Roads. b) <u>Bitumen path</u> 2.5 metre wide bitumen path c) Boardwalk (approx 200m long by 2 metres wide)	\$765,000 \$255,000 \$180,000

The Progress Association in their submission to Council proposed to raise the necessary funds for the cycleway and use the community to construct it, if successful. Option 3 "Off road shared bitumen path" is the cheapest option subject to no expansive boardwalk being required. However volunteer workers would not have the skills necessary to lay an asphalt path and it is considered that a boardwalk is the preferred option at the wetland rather than tree removal.

Options for Staging

If the Foreshore route is the proposed route, the Cudmirrah-Berrara Progress Association is likely to undertake as Stage 1 the section from the Ski Park to Swanhaven, a distance of about 800 linear metres of which 200 linear metres would be boardwalk. The 600 linear metres of path would use about 150 m³ of concrete (estimated value \$30,000). Some financial assistance from Council could facilitate this section being undertaken over a 2 to 3 year period.

Staging of work and building of the cycleway to a lesser standard (e.g. gravel path in the electrical easement) provides the opportunity to significantly further reduce the cost of the project. All options require survey and detailed design work to more accurately cost the work.

The project is not included in the draft 3 year cycleway program however \$10,000 per annum is included to assist community projects.

Conclusion

A number of years have passed since the Cudmirrah Berrarra Progress Association initiated the project and it is recommended that Council staff meet with the Association and the Swanhaven Progress Association to discuss staging, funding, detailed design and how to advance the project forward.

As the draft review of environmental factors has not identified any major impediments to the off road shared pathway via Swanhaven it is recommended that this route be identified as the preferred cycleway route in Council's PAMP.

RECOMMENDED that

- a) **The off road shared path via Swanhaven be identified as the preferred cycleway route in Council's PAMP.**
- b) **Further consultation be undertaken with the Swanhaven Progress Association and Cudmirrah – Berrara Progress Association to discuss details of the project.**
- c) **Options for staging, funding and outcomes of the project be reported back to a meeting of Council after further discussions have been undertaken with the Swanhaven and Cudmirrah Progress Association.**



Swan Lake Environment Protection Association Inc.

PO Box 37 Cudmirrah NSW 2540 Australia. Ph: 02 4441 0079

The General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your Ref. 1366-03

Attention : Michael Strachan

Dear Mr Strachan,

Thank you for your letter of 25th July 2007 inviting comment on the Cudmirrah-Berrara Progress Association's proposed cycleway route (Option 3) as presented in the draft *Review of Environmental Factors for Shared Footpath and Cycleway Cudmirrah to Sussex Inlet* (the draft REF). The Swan Lake Environment Protection Association (SLEPA) has made several submissions (attached) to Council both independently, and in support of submissions by the Swanhaven Progress Association, opposing the Cudmirrah-Berrara Progress Association's proposed route along the shore of Swan Lake. All of the matters raised in these submissions are still pertinent to the foreshore route described in the draft REF.

SLEPA understands that a recommendation from Council's Works and Finance Committee (10/07/07) for further consultation about the cycle route involving our organisation, the Cudmirrah-Berrara Progress Association, the Swanhaven Progress Association and the broader community, was overturned by a full meeting of Council, leaving this written response to the draft REF as the only avenue available to us to provide additional input to the proposed cycleway. As a consequence, SLEPA would like to offer the following detailed comments, not just on the proposed foreshore cycleway route, but on the adequacy of the draft REF and any decisions or activities that may flow from it which, in our view, could be open to legal and administrative challenge.

SLEPA considers that the draft REF does not constitute an adequate Part 5 assessment of the cycleway proposal as per s. 111(1) of the *Environmental Planning and Assessment Act 1979* which requires Council to examine and take into account 'to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity'. The document is in fact a review of cycle route options, which lacks the appropriate detail and supporting information to qualify as an REF, as acknowledged in your letter. Consequently, it is of concern that the final page provides for a determination based on the contents of the REF to be signed by the Director of Strategic Planning.

The draft REF (more accurately described as a draft options paper) is deficient in the following ways:

1. It fails to identify a preferred route and address this route in detail in terms of specifics such as a site plan showing the accurate location of the route overlaid on a map/aerial photo; actual dimensions/alignments and sectional elevations; material to be used; associated earthworks; construction methods; staging of works; machinery required; ancillary works (e.g. drainage or environmental mitigation works and access requirements for maintenance of existing infrastructure); and the quantity and type of vegetation to be removed as a result. Instead it discusses 3 options, some of which (Options 2 and 3) are still fairly vague in terms of their actual route, construction materials and dimensions. Consequently the amount and type of vegetation to be cleared for these options is unclear.
2. It relies on outdated flora and fauna information based on a cursory one-off inspection of the electricity easement and examination of the NSW Wildlife Atlas carried out seven years ago by Shoalhaven Council's Threatened Species Officer, as well as broad-scale vegetation mapping based on Aerial Photo Interpretation. No targeted surveys have been undertaken for threatened species likely to occur in area nor has there been any ground-truthing of the vegetation mapping. As a consequence, the draft REF fails to recognise that there are at least three Endangered Ecological Communities (EECs), not one, present along the proposed route for Option 3, all of which will be impacted directly by this route. It also fails to recognise that the impacts of vegetation clearing on the Sand Bangalay Forest EEC are not limited to removal of the *Eucalyptus botryoides* (Bangalay) trees, but include the removal of any component of the community including the understorey and groundcovers, as well as disturbance of the soil seed bank. The Bangalay Sand Forest EEC either side of the Integral Energy Easement is in good condition and is only disturbed beneath the power lines. The lists of threatened species and protected species identified in the draft REF as likely to occur in the vicinity of the proposed cycle route are incomplete. There are a number of additional threatened plants and animals which have been recorded in the area and should be added to these lists. These include species that are listed under both *NSW Threatened Species Act 1995* and the *Commonwealth's Environment Protection and Biodiversity Conservation Act 1999*, such as *Galium australe* which is known from Swan Lake and only one or two other sites and Black Bittern which has been recorded around the edges of Swan Lake. The draft REF is incorrect when it states that there is no suitable habitat for Glossy Black Cockatoo or Yellow-bellied Glider in the vicinity of the proposed cycle routes. It also downplays the potential for a number of other threatened species to occur in the vicinity of the cycle route, some of which have been observed or heard in the area. To address these deficiencies, a targeted flora and fauna survey needs to be carried out by an appropriately qualified and experienced person. The results together with the survey methodologies used should be documented in the REF.
3. It does not substantively address the issue of Aboriginal heritage. There is a very high potential for Aboriginal sites to occur around the edges of Swan Lake, particularly in the dune system, which is along the route for Option 3. This has been borne out recently by the discovery of two burial sites at the edge of the lake adjacent to the bridge. A survey will need to be undertaken along the proposed cycle route at the edge of the lake and through the dune where ground disturbance and vegetation clearance have the potential to impact on Aboriginal sites. This survey will need to be undertaken by an appropriately qualified and experience person. Council should be aware that lack of knowledge of the occurrence of Aboriginal sites is not a defence to

prosecution under the *National Parks and Wildlife Act 1974*, however due diligence is. Consequently, it is in the interests of Council to ensure that all reasonable precautions are taken to prevent the occurrence of damage to Aboriginal sites. It is ludicrous to expect the community volunteers constructing the cycle path to be able to identify Aboriginal sites or objects and alert the appropriate authorities. Consultation with the local Aboriginal communities is also required if the area through which the cycle route will pass has the potential for Aboriginal sites to be present or if it is culturally sensitive.

4. It fails to adequately address indirect impacts, including construction-related impacts such as truck/machinery access to the easement along the lake edge and manoeuvring of these trucks/machinery in this area; exposure of Acid Sulfate Soils during construction of the route along the lake foreshore which is particularly relevant to Option 3; and the impacts of using materials such as bitumen and asphalt both with respect to the methods required to lay these materials and the subsequent impact of runoff from these surfaces into an acidic dune environment. The draft REF also fails to properly address potential indirect impacts on the environment post-construction which relate to increased access along the lake edge by both humans and feral/pest species, fragmentation of the vegetation and the associated edge effects on the remaining intact vegetation. These include: littering; trampling of vegetation caused by the creation of informal tracks to the lake edge from the cycle path; spread of disease/pathogens into healthy vegetation; erosion/compaction of adjoining areas caused by unregistered off-road vehicles which will inevitably use and abuse the cycle path; introduction of weed propagules; and increased likelihood of arson (a recognised problem in the area). If anything, the draft REF downplays the cumulative impacts of further fragmenting/disturbing the vegetation.
5. It fails to address the issue of landowner consent for the Option 3 route on Crown land between Cudmirrah and Swanhaven and through National Park estate between Swanhaven and Thompson St. Nor is it clear whether this route is compatible with maintenance activities along the power line easement through the dune. The extent of the Sand Bangalay Forest EEC that would need to be removed to accommodate both a cycle way and maintenance track, should Integral Energy permit construction of the cycleway along their easement, is not addressed in any detail in the draft REF, but would presumably be quite significant at the local level. The draft REF fails to address the additional issue of compatibility between the Option 3 route and maintenance of the sewerage infrastructure along the Integral Energy easement.
6. It fails to address the issue of flooding in any detail, particularly in relation to the Option 3 route which will be affected by local flooding along the edge of Swan Lake south of Dyball's Reserve on a regular basis. As SLEPA has noted in all of its submissions, construction of the Option 3 route is in direct contravention of Shoalhaven Council's own policy to avoid locating new infrastructure in flood-prone areas.

The draft options document fails to acknowledge SLEPA's previous written submissions to Council regarding the proposed Cudmirrah to Sussex Inlet Cycleway in its submissions to Council's Works and Finance Committee meeting (13th June 2006) and the draft Shoalhaven Pedestrian and Access Mobility Plan (September 2006). These submissions were not acknowledged in the General Manager's