

SHOALHAVEN CITY COUNCIL

STRATEGY AND ASSETS COMMITTEE

To be held on Tuesday, 10 May, 2016
Commencing at 4.00 pm

4 May, 2016

Councillors,

NOTICE OF MEETING

You are hereby requested to attend a meeting of the Strategy and Assets Committee of the Council of the City of Shoalhaven, **to be held in the Council Chambers at the City Administrative Centre, Bridge Road, Nowra on Tuesday, 10 May 2016 commencing at 4.00 pm** for consideration of the following business.

R D Pigg
General Manager

Membership (Quorum – 5)

Clr Wells – Chairperson

All Councillors

General Manager or nominee

BUSINESS OF MEETING

1. **Apologies**
2. **Adoption of Minutes of Previous Meeting**
3. **Declarations of Interest**
4. **Mayoral Minutes**
5. **Deputations**
6. **Councillor's Reports on Conferences**
7. **Report of the General Manager**
 - Corporate and Community Services
 - Assets and Works
 - Planning and Development
 - Shoalhaven Water
 - Corporate and Community Services / General Manager
 - Corporate and Community Services / Assets and Works
 - Assets and Works / General Manager
8. **Notices of Motion**
9. **Addendum Reports**
10. **Confidential Report of the General Manager**
 - Planning and Development
 - Shoalhaven Water

Delegation:

Pursuant to s377 (1) of the *Local Government Act 1993* the Committee is delegated the functions conferred on Council by the *Local Government Act 1993* (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;

- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

Schedule

1. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
2. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager.
3. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
4. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
5. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'reserve trust manager' within the meaning of s92 of the *Crown Lands Act 1989*, and the making of recommendations to Council regarding such matters where the function cannot be delegated by Council;
6. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
7. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
8. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
9. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
10. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc) into development opportunities for Council's strategic land holdings and make recommendations to Council.
11. Review and make recommendations to Council in relation to:
 - a) The sale prices of land in connection with residential and industrial Council subdivisions;
 - b) The sale of Council property or the purchase or resumption of land;
 - c) The compensation to be offered in respect of land resumed by Council; and
 - d) Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

Note: The attention of Councillors is drawn to Section 451 of the Local Government Act and Regulations and Code of Conduct regarding the requirements to declare pecuniary and non-pecuniary Interest in matters before Council.

Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

TABLE OF CONTENTS

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE - TUESDAY, 12 APRIL, 2016	1
COUNCILLOR REPORTS ON CONFERENCES	15
<i>ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY</i>	15
1. Tourism Conference 2016 File 4688E.....	15
GENERAL MANAGER.....	16
<i>ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY</i>	16
2. Third Quarter Report on Delivery Program 2015 - 2017 & Operational Plan 2015 - 2016 File 50863E.....	16
3. Councillor Briefings & Confidential Information File 3798E	17
CORPORATE AND COMMUNITY SERVICES	20
<i>ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY</i>	20
4. Review of the Local Government Rating System File 8923E.....	20
5. International Youth Day Awards 2016 File 1506E.....	21
6. 2016 National General Assembly of Local Government - Voting Delegates File 1077E	23
7. Local Government NSW Board Executive Election 2016 - Voting Delegates File 28493E.....	24
8. Local Government Conference - IPWEA - 2016 NSW Local Roads Congress File 4688E.....	25
<i>ITEMS TO BE REFERRED TO ORDINARY MEETING.....</i>	26
9. Quarterly Budget Review as at 31st March 2016 File 2127e	26
10. Investment Policy Review File 23767e.....	42
11. Stronger Communities Program Federal Funding Success File 2391E	43
12. Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees 2016/2017 File 5141E	45
ASSETS AND WORKS	48
<i>ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY</i>	48
13. Car Park at 36 Owen Street, Huskisson File 35143E.....	48
14. Civic Centre Site, Bridge Road, Nowra File 52522E	51
15. Holiday Haven Tourist Parks Management Contract – Shoalhaven Heads Holiday Park File 38265E.....	55
16. Hyams Beach Rural Fire Station - Future Use File 15975	57
<i>ITEMS TO BE REFERRED TO ORDINARY MEETING.....</i>	60
17. Draft Policy for Adoption – Management of Mobile Food Vending Vehicles File 52631E.....	60
18. Emergency Operations Centre Application for Funding File 4537E	61
19. Classification of Land – Huskisson & Terara File 7720E, 49630E, 2444E	65
20. Sale of Land – Chisholm Street Callala Bay File 48516E	66

PLANNING AND DEVELOPMENT	69
ITEMS TO BE DEALT WITH UNDER DELEGATION OF COUNCIL	69
21. Collingwood Beach Dune Vegetation Management File 9929E	69
ITEMS TO BE REFERRED TO ORDINARY MEETING.....	75
22. Request for Refund of Development Application Fees – Masterplan/Staged Development Application for Upgrade of Facilities at Lot 101 DP 751273 (Por 101) 170 Riversdale Road, Lot 227 DP 751273 (Por 227) Bundanon Road and Lot 7315 DP 1166783, Illaroo. Applicant: Locale Consulting Pty Ltd Owner: Bundanon Trust File RA15/1002	75
23. Adoption of Generic Community Lands Plan of Management version 5 & Foreshore Reserves Policy (POL16/38) File 20861E, 51952E, 29352E	77
24. Five (5) Bushcare Group Action Plans - Review File 51838E	79
SHOALHAVEN WATER.....	82
ITEMS TO BE REFERRED TO ORDINARY MEETING.....	82
25. Payment of Dividends from Shoalhaven Water 2014-15 File 32701E.....	82
26. Tender Process - Milton-Ulladulla Sewer Trunk Main File 52945E	84
CORPORATE AND COMMUNITY SERVICES / GENERAL MANAGER	90
ITEMS TO BE REFERRED TO ORDINARY MEETING.....	90
27. Shoalhaven River - Riverfront Infrastructure File 52289E	90
CORPORATE AND COMMUNITY SERVICES / ASSETS AND WORKS.....	93
ITEM TO BE REFERRED TO ORDINARY MEETING.....	93
28. Future Use - Nowra Sailing Club Building File4237E	93
ASSETS AND WORKS / GENERAL MANAGER	96
ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY	96
29. Draft Princes Highway Corridor Strategy File 6825E	96
NOTICES OF MOTION.....	101
30. Proposed Sale of 'Future Park' Ulladulla File 35345E.....	101
31. Proposed Sale of 'The Old Bakery' Sussex Inlet File 46484E.....	102
32. Children's Services Directory File 8783E	104
CONFIDENTIAL BUSINESS PAPER AGENDA	106

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE MEETING HELD ON TUESDAY, 12 APRIL, 2016 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00 PM

The following members were present;

Clr Wells – Chairperson
Clr Gash
Clr Tribe
Clr Robertson
Clr Kearney
Clr White
Clr Baptist
Clr Guile – 4.10pm
Clr Watson
Clr McCrudden
Ben Stewart – Acting General Manager

Apologies:

Apologies were received from Clr Kitchener and Clr Anstiss

1. Confirmation of the Minutes of the Strategy and Assets Committee meeting held on Tuesday 8 March 2016 [Index](#)

MOTION:

Moved: Robertson / Second: Baptist

(MIN16.232) RESOLVED that the Minutes of the Strategy and Assets Committee meeting held on Tuesday 8 March 2016 be confirmed.

CARRIED

2. [Declarations of Interest](#) [Index](#)

Conflict of Interest Declaration - Clr Watson – Item 7, Naming of Shoalhaven Entertainment Centre Auditorium - less than significant non pecuniary interest – that the report and proposed naming of the SEC is of personal interest – will leave the room, will not take part in discussion or vote.

Conflict of Interest Declaration - Clr Kearney – Item 1, Shoalhaven Business Chamber - Memorandum of Understanding - Economic Development - less than significant non pecuniary interest – member of non-financing subcommittee of the Shoalhaven Business Chamber, there will be no benefit financially or personally – will remain in the room

3. Procedural Motion – Item Be Dealt With Later [Index](#)

PROCEDURAL MOTION: Moved: Wells / Second: Baptist

That Item 7 Naming of Shoalhaven Entertainment Centre Auditorium be dealt with at the end of the open session of the Strategy and Assets Committee meeting.

CARRIED

4. Deputations [Index](#)

Mr Grounds addressed the Committee in relation to Item 20 - Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral

Note: Clr Guile arrived – 4.10pm

Mr Scevola (Shoalhaven Land Owners Association) addressed the Committee in relation to Item 20 - Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral

Mr Chesterson addressed the Committee in relation to Item 20 - Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral

5. Procedural Motion – Item Be Brought Forward [Index](#)

PROCEDURAL MOTION: Moved: Wells / Second: White

That Item 20 - Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral be brought forward.

CARRIED

6. (Item 20) Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral [File 1446E/4](#) [Index](#)

MOTION: Moved: Gash / Second: White

RECOMMENDED that Council:

- a) Grant consent to install the proposed gates and barriers in accordance with section 118 of the Roads Act 1993 (the Act) and the Shoalhaven Traffic Committee's recommendation;
- b) Undertake a risk assessment and determine if it is appropriate to allow vehicles into the area given their current condition of the tracks;
- c) Investigate whether appropriate control measures can be put in place to mitigate risk;
- d) Subject to the outcomes of b) and c), develop a protocol for providing vehicular access to landowners and the general public which minimises Council's exposure to public liability claims, provides keys to the land owners at no cost to the land

owners and Council write to the land owners to advise the results of the risk assessment so that they are aware of the risk of accessing the land by vehicle.

CARRIED

FOR: Tribe, Kearney, Gash, White, Baptist, Wells, Ben Stewart

AGAINST: Robertson, Guile, Watson, McCrudden

REPORT OF THE GENERAL MANAGER

7. Shoalhaven Business Chamber - Memorandum of Understanding - Economic Development File 39962E [Index](#)
-

MOTION: Moved: Guile / Second: Baptist

RECOMMENDED that

- a) Council enters into a new Memorandum of Understanding with the Shoalhaven Business Chamber for the three financial years being 2016/2017, 2017/2018 and 2018/2019:
 - i) for the delivery of the Shoalhaven Business Awards; and
 - ii) for a business events/training program.
- b) Council allocate \$40,000 in the Economic Development budget for each financial year for the duration of the Memorandum of Understanding.

CARRIED

8. Request for Community Consultative Body Recognition - Hyams Beach File 1792E, 34354E [Index](#)
-

MOTION: Moved: Robertson / Second: Tribe

RECOMMENDED that Council:

- a) Formally recognise Hyams Beach Villages Association as the Community Consultative Body for the Hyams Beach area;
- b) Authorise the payment of \$125 from its donations vote to assist HBVA in its administrative costs and/or hall hire expenses for the remainder of 2015/16.

CARRIED

CORPORATE AND COMMUNITY SERVICES

9. Local Government Conference - 2016 National General Assembly of Local Government File 1077E [Index](#)

MOTION: Moved: Robertson / Second: Baptist

(MIN16.233) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the Australian Local Government Association – 2016 National General Assembly, scheduled for 19-22 June 2016, in Canberra, ACT.
- b) Authorises Councillors to attend the conference within the limits imposed under current policy and such attendance be deemed Council Business.
- c) Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- d) Councillor/s Gash, Guile, Wells, White be determined as the Council voting delegates for the conference and Councillor Watson as alternate delegate.
- e) Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.
- f) Call for a Councillor Briefing to be convened to consider Notices of Motion for the Australian Local Government Association National General Assembly

CARRIED

10. Local Government Conference - Urban Renewal Australia Conference File 4688E [Index](#)

MOTION: Moved: Robertson / Second: Baptist

(MIN16.234) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the Urban Renewal Australia Conference, scheduled for 13-14 July 2016, in Melbourne.
- b) Authorises Councillors to attend the conference within the limits imposed under current policy and such attendance be deemed Council Business.
- c) Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- d) Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

11. Draft Community Infrastructure Strategic Plan – Public Exhibition File 35382e [Index](#)

MOTION: Moved: Gash / Second: White

(MIN16.235) RESOLVED that in accordance with the Committee’s delegated authority from Council, that

- a) Council endorse public exhibition of the Draft Community Infrastructure Strategic Plan for 40 days.
- b) Notification of the Draft Community Infrastructure Strategic Plan be advertised in local newspapers, Council website and notification to Community Consultative Bodies and key stakeholders including several Council Advisory Committees as identified during the development of the draft strategic plan.
- c) A post exhibition report for the Draft Community Infrastructure Strategic Plan be presented to a future Strategy & Assets committee meeting.

CARRIED

12. Tender Report - Shoalhaven Equestrian Centre of Excellence - Stage 1 Construction
File 52396E [Index](#)

MOTION: Moved: Baptist / Second: Gash

(MIN16.236) RESOLVED that in accordance with the Committee’s delegated authority from Council, that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

13. Naming of Shoalhaven Entertainment Centre Auditorium File 36592E [Index](#)

Note: This item was dealt with later in the meeting.

14. Lehman Brothers Australia Ltd - Class Action - Acceptance of Covenant File 35194E [Index](#)

MOTION: Moved: Wells / Second: Watson

RECOMMENDED that Council resolve for the General Manager and Mayor to execute the Deed of Covenant (Confidential Attachment A) to ensure Council has entitlement to claim as per the Claim Data Notice (Confidential Attachment B) in relation to the above Class Action.

CARRIED

15. International Conference Attendance – Arts & Culture Manager File 47656E [Index](#)

MOTION: Moved: Baptist / Second: Robertson

(MIN16.237) RESOLVED that in accordance with the Committee's delegated authority from Council, that Bronwyn Coulston, Arts and Culture Manager be approved to attend the Museums Australasia Conference in Auckland from the 16-19th May 2016.

CARRIED

16. Request for Donation – Ulladulla and Districts Blessing of the Fleet Festival
File 4771E, 8029E, 1247E, 2245E, 3076E [Index](#)

MOTION: Moved: White / Second: Gash

RECOMMENDED that Council

- a) Continue to support the current arrangement for an annual contribution of \$10,000 towards the Ulladulla and Districts Blessing of the Fleet Festival.
- b) Waive the cost of the hire and cleaning fees for the use of the Ulladulla Civic Centre and grounds and the Foreshore Reserve for the Ulladulla and Districts Blessing of the Fleet Festival and Princess Ball events in 2016 and future years, with the fees for the 2016 event (\$3682) to be sourced from the Unallocated Donations budget.
- c) Funds for the waiving of the fees for future Ulladulla and Districts Blessing of the Fleet Festivals to be sourced from the Allocated Donations Budget.

CARRIED

17. Request for Donation - Australia Day Event in Nowra File 4771E [Index](#)

MOTION: Moved: Guile / Second: Watson

That Council agree to provide the additional donation of \$5,000 toward the Australia Day event to be held at the Nowra Showground on 26 January 2016 subject to the GM and Mayor meeting with the Rotary Club to discuss arrangements.

LOST

FOR: Guile

AGAINST: Robertson, Tribe, Kearney, Gash, White, Baptist, Watson, McCrudden, Wells, Ben Stewart

FORESHADOWED MOTION: Moved: Gash / Second: Tribe

RECOMMENDED that this item be deferred until the General Manager and the Mayor meet with the Rotary Club of South Nowra to consider what arrangements they can come up with in relation to managing costs for the event.

CARRIED

18. Berry District Park Draft Master Plan

File 49929e [Index](#)

MOTION:

Moved: Guile / Second: Kearney

RECOMMENDED that:

- a) Council adopt the Berry District Park Draft Master Plan with the amendments as detailed in this report which includes the following main changes:
 - i) Need for further archaeological studies
 - ii) Modification to off street car parking area "G" to provide for long vehicle parking
 - iii) Inclusion of cycling facility
 - iv) Roads & Maritime Service land to remain in their ownership (control by Council)
- b) Council consider allocating \$100,000 in the 2016/17 budget to undertake staged detailed design and development of a Business Plan to guide future delivery of Berry District Park and ensure it is "shovel ready" for future grant applications.
- c) Council consider development of the Berry District Park in its future Delivery Program.
- d) Council seek grant funding to develop Berry District Park
- e) Council work with Roads & Maritime Service staff to encourage in-kind support to start developing key earthwork elements of the Berry District Park Master Plan.
- f) Council continue to assist the Berry Garden Club to develop the George Street Reserve.
- g) Council seek further community feedback via public exhibition of the proposed name change from Berry District Park to "Boongaree Park (the original Aboriginal name for the Berry/Broughton Creek area) and receive a report on this matter.

CARRIED

ASSETS AND WORKS

19. Holiday Haven Tourist Parks – Tender for the Management & Operation of the Huskisson White Sands Holiday Park

File 52601E [Index](#)

MOTION:

Moved: White / Second: Baptist

(MIN16.238) RESOLVED that, in accordance with the Committee's delegated authority from Council, that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, consider a separate confidential report on this matter.

CARRIED

20. Draft Policy for Adoption – Management of Mobile Food Vending Vehicles
File 33417E, 52631E [Index](#)

MOTION: Moved: Gash / Second: Tribe

RECOMMENDED that:

- a) This item be deferred until the next meeting of Strategy & Assets Committee
- b) That the Draft Policy be amended to:
 - i) Remove specific locations, with any proposed locations to be assessed on merit
 - ii) Extend trading restrictions to locations 1km from the nearest shop selling similar products.

CARRIED

21. Rural Fire Service - Capital Works Program File 2371E [Index](#)

MOTION: Moved: Robertson / Second: Kearney

RECOMMENDED that:

- a) Council provides a commitment to contribute 11.7% of the amount the Shoalhaven District Rural Fire Service (RFS) secures for Capital Projects through the Rural Fire Fighting Fund (State Government) in accordance with this report.
- b) Council allocates in the 2016/17 Operational Plan budget the amount of \$1,307,000 towards the RFS contribution.
- c) All fire brigades listed are communicated with in relation to the Station upgrades.

CARRIED

22. Mollymook Beach Reserve - Inclusive Play Space – Adult ‘Changing Places’ grant
File 50637E [Index](#)

Note: Cllr Kearney left the meeting, the time being 5.34pm

MOTION: Moved: Tribe / Second: Baptist

RECOMMENDED that Council:

- a) Accept the \$35,000 grant from LGNSW to contribute towards the cost of a Changing Places room at the Mollymook Beach Reserve, be accepted
 - b) Accept the donation of \$20,000 from the Budawang School (for students with moderate or severe physical disabilities) and thank them for their contribution
 - c) Allocate \$105,000 from the 2016/2017 Operational Plan budget within the Public Toilets Replacement Program to the Mollymook Changing Places room and accessible toilet construction
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-
- d) Allocate the Operating Expenses budget be increased by \$8,000 in 2016/17, and by \$17,200 in subsequent financial years, resulting from the new Mollymook beach reserve toilet construction
 - e) Consider funding other improvements in the Mollymook Beach reserve in the 2016/17 Operational Plan budget
 - f) Request additional funding from LGNSW for the Changing Places room at the Mollymook Beach Reserve.
 - g) Priority be allocated to a contribution towards a public toilet at Clifton Park (Men's Shed) as part of the 2016/17 Public Toilet Replacement Program.

CARRIED

23. Request for Donation - Council Slashing Works at the Old Pyree School Site File 4771E, 5469E [Index](#)
-

Note: Cllr Kearney was absent from the meeting.

MOTION: Moved: Watson / Second: Guile

RECOMMENDED that:

- a) Council subsidise the Pyree Public School Site Management Committee for the cost of slashing (\$720 annually) of the Old Pyree School Site for three (3) years commencing in 2016/2017.
- b) Funds to be sourced from the 2016/2017 to 2018/2019 Unallocated Donations Budget.

CARRIED

PLANNING AND DEVELOPMENT

24. Adoption of Floodplain Risk Management Study and Plans
File 42487E, 44188E, 44869E, 47572E, 37537E [Index](#)
-

MOTION: Moved: Baptist / Second: White

Note: Cllr Kearney was absent from the meeting.

(MIN16.239) RESOLVED that, in accordance with the Committee's delegated authority from Council, the:

- a) Tabourie Lake Floodplain Risk Management Study and Plan be adopted with minor changes as detailed in this report;
- b) Kangaroo River Floodplain Risk Management Study and Plan be adopted with minor changes as detailed in this report;

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- c) Nowra and Browns Creeks Floodplain Risk Management Study and Plan be adopted with minor changes as detailed in this report;
 - d) Bomaderry Creek Floodplain Risk Management Study and Plan be adopted with minor changes as detailed in this report;
 - e) Currumbene and Moona Moona Creeks Floodplain Risk Management Study and Plan be adopted as with minor changes as detailed in this report;
 - f) Section 149 certificates be updated to include flood extents from the Lake Tabourie, Kangaroo River, Nowra and Browns Creeks, Bomaderry Creek and the Currumbene and Moona Moona Creeks Floodplain Risk Management Studies and Plans; and
 - g) Flood planning area mapping in the Shoalhaven LEP 2014 be updated to include flood extents from the Lake Tabourie, Kangaroo River, Nowra and Browns Creeks, Bomaderry Creek and the Currumbene and Moona Moona Creeks Floodplain Risk Management Studies and Plans.

CARRIED

25. Natural Areas Tender: Maintenance, minor construction, asset auditing & risk assessments in Natural Areas File 51689E, 50372E [Index](#)

Note: Cllr Kearney was absent from the meeting.

MOTION:

Moved: Baptist / Second: White

(MIN16.240) RESOLVED that, in accordance with the Committee's delegated authority from Council, the Committee consider a separate confidential report on this matter in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council.

CARRIED

26. Heritage Estates - Proposed Gates/Barriers – Traffic Committee Referral File 1446E/4 [Index](#)

Note: This item was brought forward.

SHOALHAVEN WATER

27. Tenders - Minor Mains Replacement Panel - Construction Package 4B File 52762E [Index](#)

Note: Cllr Kearney was absent from the meeting.

MOTION:

Moved: Guile / Second: Robertson

(MIN16.241) RESOLVED that, in accordance with the Committee's delegated authority from Council that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (1993), consider a separate confidential report on this matter.

CARRIED

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28. Tender Report - Construction of Proposed Workshop and offices for Shoalhaven Water at Council's Ulladulla Depot File 52549E [Index](#)

Note: Clr Kearney was absent from the meeting.

MOTION: Moved: Guile / Second: Baptist

(MIN16.242) RESOLVED that, in accordance with the Committee's delegated authority from Council, that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (1993), consider a separate confidential report on this matter.

CARRIED

29. Acquisition of water supply easement at Woollamia Road Huskisson File 30773E [Index](#)

Note: Clr Kearney was absent from the meeting.

MOTION: Moved: Guile / Second: Baptist

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Water Supply variable width over Lot 1 DP1044611 Woollamia Road Huskisson, as shown by hatching on copy of DP1204307 marked Attachment 'A'.
- b) Council pay compensation of \$4,500 plus GST and costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Water fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

CORPORATE AND COMMUNITY SERVICES / PLANNING AND DEVELOPMENT

30. Greenwell Point Anzac Park & Old Berrys Wharf File 6037E [Index](#)

MOTION: Moved: Guile / Second: Tribe

RECOMMENDED that:

- a) Council treat foreshore erosion affecting Greenwell Point Anzac Park and the site of the old Berrys Wharf by undertaking remediation works that involves installation of rock armour and mid-slope path and seek concurrence from Office of Environment & Heritage (OEH) (Option 1 as identified in the Attachment B to this report).
- b) Council consider allocating \$100,000 in 16/17 budget process to treat foreshore erosion affecting Greenwell Point Anzac Park and the site of the old Berrys Wharf.

-
- c) Council request OEH to have the old Berrys Wharf site placed on the NSW State Heritage Register and develop appropriate heritage signage installation.
 - d) Council advise "Get To The Point Program Inc" and Nowra RSL Sub-Branch of the above resolution.
 - e) That the General Manager provide a report to Council on the Berry's Bay Wharf and the possibility of the funding of the reconstruction of the wharf

Note: Clr Kearney returned to the meeting the time being 5.35pm.

CARRIED

PLANNING AND DEVELOPMENT / SHOALHAVEN WATER

25. Coolangatta - St Andrews Way - Long term wastewater needs - options File 50317e [Index](#)

MOTION:

Moved: Wells / Second: Guile

RECOMMENDED that:

- a) Council recognise in principle, that the long-term wastewater needs for St Andrews Way estate, Coolangatta; 99 Edward Wollstonecraft Lane, Coolangatta and No.'s 1260 – 1280 Bolong Rd, Coolangatta (Berry's Bay) is to connect to pressurised reticulated sewer, pending Council approval of a financial plan to fund the scheme;
- b) The financial plan will determine what, if any, additional contributions may be payable by existing residents; and
- c) Options to fund the sewer scheme are to be reported to Council once the outcome of the potential merger with Kiama Council is determined, in accordance with section 23A of the Local Government Act (merger guidelines).

CARRIED

26. (Item 7) Naming of Shoalhaven Entertainment Centre Auditorium File 36592E [Index](#)

Conflict of Interest Declaration - Clr Watson – less than significant non pecuniary interest – that the report and proposed naming of the SEC is of personal interest - left the room, did not take part in discussion or vote.

MOTION:

Moved: McCrudden / Second: Gash

RECOMMENDED that this matter be deferred until the full Council meeting, Tuesday 19 April 2016.

CARRIED

Note: Clr Watson returned to the meeting.

CONFIDENTIAL REPORT

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

CORPORATE AND COMMUNITY SERVICES

Item	Reason
Tender Shoalhaven Equestrian Centre of Excellence - Stage 1 Construction	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)
Draft Shoalhaven Regional Sports & Community Precinct Master Plan – Notice to Affected Land Owners prior to Public Exhibition	Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 10(A)(2)(c)

ASSETS AND WORKS

Item	Reason
Holiday Haven Tourist Parks – Tender for the Management & Operation of the Huskisson White Sands Holiday Park	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

PLANNING AND DEVELOPMENT

Item	Reason
Natural Areas Tender: Maintenance, minor construction, asset auditing & risk assessments in Natural Areas	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

SHOALHAVEN WATER

Item	Reason
Tenders - Minor Mains Replacement Panel - Construction Package 4B	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)
Tender Report - Construction of proposed Workshop and Offices for Shoalhaven Water at Council's Ulladulla Depot	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

Pursuant to Section 10(A)(4), the public were invited to make representations to the Strategy and Assets Committee before any part of the meeting is closed, as to whether that part of the meeting should be closed. The Chairperson asked the General Manager if any written representations had been received as to whether that part of the meeting should be closed.

MOTION:

Moved: Baptist / Second: Gash

That the Strategy and Assets Committee Meeting exclude the press and public from the Meeting pursuant to Section 10(A)(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Section 10(A)(2)(c) and 10A(2)(d)(i).

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may impact on the ability of Council to attract competitive tenders in the future:

- Tender Shoalhaven Equestrian Centre of Excellence - Stage 1 Construction
- Holiday Haven Tourist Parks – Tender for the Management & Operation of the Huskisson White Sands Holiday Park
- Natural Areas Tender: Maintenance, minor construction, asset auditing & risk assessments in Natural Areas
- Tenders - Minor Mains Replacement Panel - Construction Package 4B
- Tender Report - Construction of proposed Workshop and Offices for Shoalhaven Water at Council's Ulladulla Depot

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may prejudice the commercial position of Council in future negotiations.

- Draft Shoalhaven Regional Sports & Community Precinct Master Plan – Notice to Affected Land Owners prior to Public Exhibition

CARRIED.

The meeting moved into confidential the time being 5.51 pm.

The meeting moved into open session, the time being 6.05 pm.

There being no further business, the meeting concluded, the time being 6.06 pm.

Clr Wells
CHAIRPERSON

STRATEGY AND ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

COUNCILLOR REPORTS ON CONFERENCES

ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY

1. Tourism Conference 2016

File 4688E [Index](#)

Clr Kitchener.

PURPOSE:

To provide a report from Clr Kitchener on the Tourism Conference 2016 held in the Elements of Byron Bay on 9-11 March 2016.

RECOMMENDED, under delegated authority, that the Committee receive the report from Clr Kitchener regarding the Tourism Conference 2016 for information.

OPTIONS

1. Receive this report for information as recommended.
2. The Committee could choose to provide an alternative recommendation.

DETAILS

- # In accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy, Clr Kitchener has submitted a report regarding the Tourism Conference 2016 (Attachment A).

REPORT OF GENERAL MANAGER
STRATEGY AND ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

GENERAL MANAGER

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

2. **Third Quarter Report on Delivery Program 2015 - 2017 & Operational Plan 2015 - 2016**
File 50863E [Index](#)
-

PURPOSE:

The purpose of this report is to provide information on how the organisation has performed against targets during the third quarter of the financial year commencing July 2015.

RECOMMENDED that in accordance with the Committee's delegated authority from Council, the report of the General Manager (Executive Strategy) regarding progress to 31 March 2016 on the 2015/2017 Delivery Program and Operational Plan be received for information, noted and published on Council's website.

OPTIONS

1. As recommended.
2. Adopt the recommendation and seek a further report on specific aspects of the Third Quarter Progress Report.

DETAILS

Attached (**Attachment 'A'**) is a summary of the Third Quarter Progress Report on the Delivery Program and Operational Plan providing a snapshot of how the organisation has performed against targets during the third quarter of the 2015/2016 financial year. Whilst most activities are either 'on' or 'above' target some are 'below' target and the summary provides a short commentary on those.

FINANCIAL IMPLICATIONS

This report provides a snapshot on the delivery of community outcomes across the span of people, place, prosperity, leadership and governance with no specific financial implication for its adoption.

COMMUNITY ENGAGEMENT

The community was provided with an opportunity for engagement as part of the consultation period when drafting the Delivery Program 2015 - 2017 & Operational Plan for 2015 - 2016.

3. Councillor Briefings & Confidential Information

File 3798E [Index](#)

PURPOSE:

To highlight instances of disclosure of confidential information to media and implications of breaches of the Code of Conduct and Local Government Act.

RECOMMENDED that in accordance with the Committee's delegated authority from Council, Council note the report and reaffirm the requirement for Council officials to respect the requirements of the Code of Conduct and Local Government Act and not disclose confidential information other than for a lawful purpose.

DETAILS

On the evening of 5 April 2016 a confidential Councillor briefing was held where staff briefed Councillors on the assessment of the Woolworths, Bomaderry Development Application and more specifically the legal advice received on planning considerations and interpretation. This legal advice is subject to legal professional privilege.

The briefing was designed to inform Councillors on the subject matter prior to the finalisation and issue of a report in the following week (on Thursday 14 April) to Councillors for the Ordinary Council meeting to be held 19 April 2016.

The day following the Councillor briefing (i.e. Wednesday 6 April) the South Coast Register uploaded a story onto its website referring to the information outlined at the confidential Councillor Briefing. It referred to "*consultant's report*" and "*legal advice said*". A further story appeared on Thursday 7 April - both stories are attached - see **Attachment 'A'**.

It is an offence under the Local Government Act and a breach of the Code of Conduct to disclose confidential information unless for a proper & lawful purpose, 'leaking' confidential information to the media is not a proper & lawful purpose.

The Specific provisions of the Code of Conduct that may apply are:

General conduct

3.1 *You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:*

- a) *contravenes the Act, associated regulations, council's relevant administrative requirements and policies*

-
- c) *is improper or unethical*
 - d) *is an abuse of power or otherwise amounts to misconduct*

3.2 *You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act.*

7.8 *You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.*

7.9 *In addition to your general obligations relating to the use of council information, you must:*

- a) *protect confidential information*
- b) *only release confidential information if you have authority to do so*
- c) *only use confidential information for the purpose it is intended to be used*
- d) *not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person*
- e) *not use confidential information with the intention to cause harm or detriment to your council or any other person or body*
- f) *not disclose any information discussed during a confidential session of a council meeting*

and the provision in the Local Government Act is:

664 Disclosure and misuse of information

- (1) *A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:*
 - (a) *with the consent of the person from whom the information was obtained, or*
 - (b) *in connection with the administration or execution of this Act, or*
 - (c) *for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or*
 - (d) *in accordance with a requirement imposed under the [Ombudsman Act 1974](#) or the [Government Information \(Public Access\) Act 2009](#) , or*
 - (e) *with other lawful excuse.*

No direct action can be taken when the perpetrator cannot be conclusively identified and hence the necessity to highlight this matter in more general terms.

What are the potential implications of 'leaking' confidential information, particularly legal advice or other privileged documents?

- Potential waiver of legal privilege;
- Creating suspicion and lack of trust between Council officials;
- Creating an environment where the community, including investors & business proprietors, do not trust Council and may erode confidence & willingness to do business in this local government area.

The community expect Council officials to act with honesty & high ethical standards.

Historically there have been other instances where media reports refer to “*documents acquired revealed...*” indicating that confidential information had been conveyed to the media by Council officials having been supplied with or have access to those confidential documents.

Such matters leaked to the South Coast Register previously have involved confidential information related to the Motorcycling NSW proposal at Yerriyong & the Egans Lane, Nowra Expression of Interest evaluations.

The remedy for such instances in future include:

- A general awareness & training of Councillors & other Council officials in respect to their obligations and responsibilities in relation to the Code of Conduct and in particular, their obligations concerning disclosure of confidential information;
- If the identity of an individual is known, procedures under Code of Conduct, including formalising a code of conduct complaint;
- If the identity of the source of the disclosure is unknown, referral to the Office of Local Government for the Minister or Director General to consider its options to conduct an investigation (Section 430 LGA). It is understood in such an investigation, the Director General may direct a person (who does not have to be a councillor or council staff i.e. could include an employee of the South Coast Register) to appear personally, give evidence (including evidence under oath), & produce any document
- 3ts under their control. Such powers are only used where Council’s conduct is having a serious impact on the local community.
- Referral to ICAC if issues involve suspected corrupt conduct.
- Litigation in the Land & Environment Court for serious matters of disclosure of confidential information - such actions are extremely rare e.g. the *Shellharbour* case.

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
STRATEGY AND ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

CORPORATE AND COMMUNITY SERVICES

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

4. Review of the Local Government Rating System

File 8923E [Index](#)

SECTION MANAGER: Pamela Gokgur.

PURPOSE:

To seek Council approval to make a written submission into the Review of the Local Government Rating system. Submissions are due by Friday 13 May 2016.

- # RECOMMENDED, in accordance with the Committee's delegated authority from Council, that Council make a submission to the Independent Pricing and Regulatory Tribunal commenting on the matters for discussion as per Attachment A – Issues Paper.**

OPTIONS

1. Adopt the recommendation in the report.
2. Not adopt the recommendation and to make an alternative resolution.

DETAILS

The IPART is conducting a review of the local government rating system in NSW, with the aim to recommend reforms to improve its efficiency and equity and to ensure that councils can implement sustainable fiscal policies over the longer term. The terms of reference cover:

- The rating burden across the within communities, including consideration of multi-unit dwellings
- The appropriateness and impact of current rating categories and exemptions and mandatory concessions
- The land valuation methodology used as the basis for determining rates in comparison to other jurisdictions
- The capacity of a merged council to establish a new equitable rating system and transition to it in a fair and timely manner, and
- The objectives and design of the rating system according to recognised principles of taxation.

-
- # Council has prepared a response to the issues raised, with particular emphasis on the direction given with regard to the rates freeze on proposed merger councils, see Attachment B.

FINANCIAL IMPLICATIONS:

It is important that Council contribute to this process, particularly with regard to the proposed freeze on rates for merger councils, as this will have a significant detrimental impact on Councils operating result over future years. It is also important that Council have a say in the other rating issues as they impact on Councils ability to rate and collect rates and the concessions or exemptions which are made.

COMMUNITY ENGAGEMENT:

There has been no community consultation as part of this review.

5. International Youth Day Awards 2016

File 1506E [Index](#)

SECTION MANAGER: Jane Lewis.

PURPOSE:

To seek Council's support for the Shoalhaven City Council's Youth Advisory Committee's International Youth Day Awards Dinner and Ceremony which will be held on the 12 August 2016 at Bomaderry Bowling Club.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that Council support Shoalhaven Youth Advisory Committee's International Youth Day Awards Dinner and Ceremony.

OPTIONS

1. To accept the recommendation.
2. To reject the recommendation and provide an alternative recommendation.

DETAILS

The Shoalhaven Youth Advisory Committee are holding an awards ceremony on International Youth Day 12th August 2016. Bomaderry Bowling Club has been booked for the event.

The awards evening is to recognise and celebrate the contribution made by young Shoalhaven people between the ages of 12–24 years. It will be an opportunity to highlight

those who benefit and enrich the local community and inspire others to share their time and skills.

The awards acknowledge the efforts of a young person who may not ordinarily be publically recognised.

There are five award categories:

The Challenge and Change Award - Recognises a young person who has made a substantial turn around in their life. This young person will have demonstrated personal growth whilst overcoming challenges in their day to day life.

The Good Neighbour Award - Recognises a young person who acts within the community to help strengthen local bonds, enrich community life and contributes to a greater sense of security in the neighbourhood. Good neighbours are often quiet achievers who don't look for any reward or recognitions for themselves, yet are valuable contributors to our neighbourhoods and to the safety and wellbeing of the community.

The Positive Youth Award - Recognises individual young people who promote a positive image of young people within schools, clubs and the wider community.

The Community Citizenship Award - Recognises young people involved in a range of activities that make a major difference in the lives of others for example, volunteering at an aged care facility, mentoring other young people, positive attitude to connecting with others.

The Inspiration Award - Recognises individual young people who can be described as an inspirational role model for others.

Shoalhaven City Council will call for nominations for the awards through media, schools, tertiary education facilities and local community groups.

Five finalists for each category will be decided by a panel of judges, including Councillors, Community Development staff and local residents involved in working with youth. All finalists will receive a certificate of recognition.

The winners of each category will receive a certificate and prizes which will be sponsored and presented by both Council and local business. Sponsorship packages to contribute to and partner with Council for the awards will be sought from local business by the Youth Advisory Committee supported by staff.

Five major sponsorship packages of four hundred and fifty dollars (\$450) will be sought to cover the cost of attendance at the dinner awards for the finalists and contribute to the prizes. Sponsors will be acknowledged in all promotional material, media coverage and the program.

All others attending the awards dinner will be required to pay to cover the cost of their meal.

The MC for the evening will be a high profile personality who is yet to be secured, this person will have local connections. Entertainment will be provided by local youth musicians.

Shoalhaven Youth Advisory Committee International Youth Day Awards will join the world online map of celebrating International Youth Day 2016.

FINANCIAL IMPLICATIONS:

Shoalhaven Youth Advisory Committee has two thousand dollars (\$2000) to cover the two hundred dollar (\$200) cost of hire of the Bomaderry Bowling Club function room and any costs associated with the high profile MC.

Sponsorship of four hundred and fifty dollars (\$450) per award will be sought from local businesses to cover the cost of prizes and meals for the nominees.

COMMUNITY ENGAGEMENT:

As a Youth Advisory Committee project, the consultative engagement process was with the Shoalhaven Youth Advisory Committee via a focus group format which is in accordance with Council's Community Engagement Policy.

6. 2016 National General Assembly of Local Government - Voting Delegates

File 1077E [Index](#)

SECTION MANAGER: Melissa McCoy.

PURPOSE:

To clarify the voting delegates for the 2016 National General Assembly of Local Government.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that Council nominate voting delegate(s) for the 2016 National General Assembly of Local Government.

OPTIONS

1. Nominate one voting delegate for all three voting sessions.
2. Nominate one voting delegate for each of the three voting sessions.

DETAILS

At the Strategy and Assets Committee 12 April 2016 Council appointed Councillors Gash, Guile, Wells, White and Watson (alternate) as the voting delegates for the 2016 National General Assembly of Local Government.

As there are only three (3) voting sessions during the Assembly, Council needs to reduce the number of voting delegates nominated to a maximum of three, which would equate to one delegate per session. Previously Council has nominated one voting delegate and an alternate.

FINANCIAL IMPLICATIONS:

N/A

COMMUNITY ENGAGEMENT:

N/A

7. Local Government NSW Board Executive Election 2016 - Voting Delegates

File 28493E [Index](#)

SECTION MANAGER: Melissa McCoy.

PURPOSE:

To elect voting delegates for the Local Government NSW Board Executives Election 2016.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that four Councillors be determined as the voting delegates for the Local Government NSW Board Executives election 2016.

OPTIONS

1. Council nominate the same Councillors nominated for the 2015 Local Government NSW Conference. These were Councillors Gash, Guile, Wells and White.
2. Council determine alternate voting delegates.

DETAILS

An election for the Local Government NSW Board executives was conducted in October 2015. An inquiry was held by the Federal Court under the Fair Work (Registered Organisations) Act. The Court declared the election of 13 of the 18 board members void and that a fresh vote for the board is to be conducted by a secret postal ballot.

Council may nominate four voting delegates to take part in the election. This is equal to the number of voting delegates for the Local Government NSW Conference. There is no requirement for Council to nominate the same Councillors nominated for the October 2015 election or conference. Nominations must be made by 12:00 noon Thursday 2 June, 2016.

FINANCIAL IMPLICATIONS:

N/A

COMMUNITY ENGAGEMENT:

N/A

8. Local Government Conference - IPWEA - 2016 NSW Local Roads Congress

File 4688E [Index](#)

SECTION MANAGER: Melissa McCoy.

PURPOSE:

To advise Council of the 2016 NSW Local Roads Congress to be held in Sydney on Monday 6 June 2016.

RECOMMENDED that in accordance with its delegated authority from Council the Committee:

- a) **Notes the details of the 2016 NSW Local Roads Congress, scheduled for Monday 6 June 2016, in Sydney.**
- b) **Authorises Councillors to attend the conference within the limits imposed under current policy and such attendance be deemed Council Business.**
- c) **Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.**
- d) **Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.**

OPTIONS:

1. As per the recommendation.
2. That Council not approve Councillor attendance at the Conference as Council business.

DETAILS:

Advice has been received in relation to the following conference relevant to local government:

- 2016 NSW Local Roads Congress
- scheduled for Monday 6 June 2016
- at State Parliament House, Macquarie Street, Sydney

The program for the conference is attached for information.

Costs associated with the conference are estimated as follows:

- registration : \$727.28
- special promotion: With a paying delegate Councillors attend at no cost
- travel, accommodation and out of pocket expenses : not yet determined.

FINANCIAL IMPLICATIONS:

Funds are available for Councillors to attend this conference.

The Council Members – Payment of Expenses and Provision of Facilities Policy limits attendance at conferences to three per annum per councillor exclusive of any conference arranged by either the State or National Local Government Associations.

ITEMS TO BE REFERRED TO ORDINARY MEETING

9. Quarterly Budget Review as at 31st March 2016

File 2127e [Index](#)

SECTION MANAGER: Pamela Gokgur.

PURPOSE:

In accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to the council a budget review statement after the end of each quarter. This has been carried out for the third quarter of the 2015/2016 financial year.

RECOMMENDED that the March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.

OPTIONS

1. Adopt the recommendation
2. Not adopt the recommendation and make an alternative resolution

DETAILS

This budget review involves analysis of Council's annual budget in each Group to determine whether any changes in votes are required for the period. This process has been undertaken for the period to 31st March 2016 and any changes have been reported in the Quarterly Budget Review Document. This report also analyses the progress of each group in achieving its financial objectives.

At the end of the third quarter, Council had a deficit budget of \$695K. Adjustments made during the March review have reduced the deficit by \$681K

Budget Position

The adjustments recommended in the third quarter have resulted in an estimated deficit budget position.

	Original	Carry forward Surplus	Subsequent Adjustments	Qtr Review Adjustments	Revised Estimate (Excl Revotes)
Net Change in Budget	(11,579,722)	473,301	(2,852,338)	11,027,728	(2,931,031)
Net Transfer from Reserves	10,858,744		1,723,841	(10,346,639)	2,235,947
Net Change in Cash	(720,978)	473,301	(1,128,497)	681,089	(695,085)
Net Budget Surplus/(Deficit) - (Use of Accumulated/Unspent funds)					(695,085)

The movements which affect the net budget position year to date, including recommendations of this review are:

Cashflow Balance

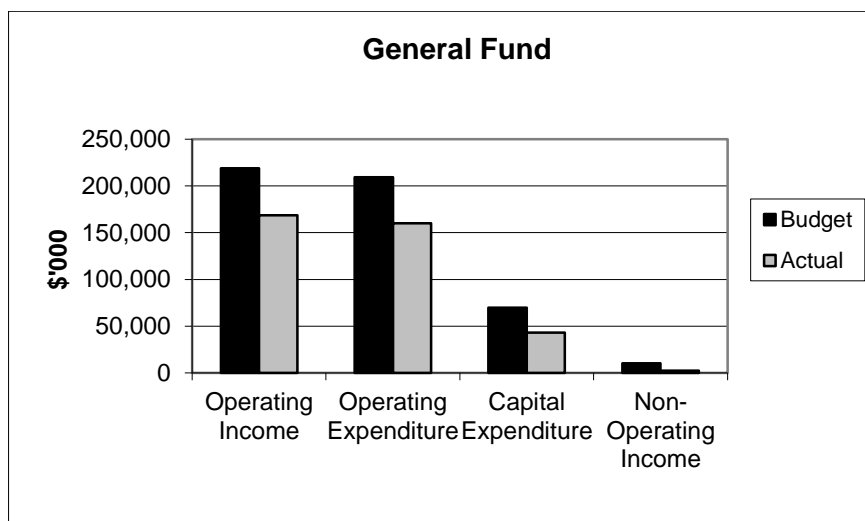
Opening Balance	<u>(\$720,977)</u>
Brought forward surplus from 14/15 financial year	\$473,301
September Quarterly Budget Review Adjustments	
Additional income (assorted)	\$40,077
Adjustment to Financial Assistance Grant	\$113,499
Budget adjustments to positions	(\$52,989)
Overhead realignment due to restructure	(\$834,828)
Transfer of additional transformation savings to offset overhead realignment	\$500,000
	<u>(\$234,240)</u>
December Quarterly Budget Review Adjustments	
Additional income	\$1,482
Additional payments - Emergency Services	(\$848,740)
	<u>(\$847,258)</u>
March Quarterly Budget Review Adjustments	
Additional income - Development	\$120,261
Additional income - Subdivisions	\$40,000
Adjustment to overhead alignment from September	\$176,516
Additional fine income	\$5,664
Assorted miscellaneous income	\$5,110
Recognise additional interest income	\$100,000
Reduction in grant matching funds required	\$3,000
Public Works Disaster payment received - June 2013	\$230,538
	<u>\$681,089</u>
Subsequent Adjustments Other Than Quarterly Review adjustments	
MIN15.583 - Berry Showground - caravan and camping facilities	(\$25,000)
MIN16.30 - Merger community survey	(\$10,000)
MIN16.40 - Beach Patrol - additional services	(\$12,000)
	<u>(\$47,000)</u>
Current Surplus/(Deficit)	(\$695,085)

Operational Savings Targets

The budget for 2015/16 had a required savings target of \$5.6M. When adopted, the total savings achieved were at \$6.1M – exceeding the target by \$486K. The September Review had a net saving of \$116K. No additional savings have been recommended during this review.

Summary of Results to End of Quarter – General Fund

The March Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and results to date. Further details on each area is detailed below in the Group Summaries.



Operating Income

As of 31st March 2016, General Fund has achieved 77.0% of the revised budget. This is primarily due to the raising of rates revenue in full. Excluding rate income, general fund has achieved 70.7% of the revised budget. The March Quarterly Budget Review Statement recommends a decrease of \$1.9M. The major adjustments in the review are:

- Building Section - \$100K increase for legal recovery \$80K and additional revenue \$20K
- Construction & Maintenance - \$231K increase for payment received for June 2013 flood – offset to deficit
- Development Section - \$125K increase related to increased DA activity
- Economic Development - \$466K increase for dividend received from Southern Phones, offset to Economic Projects Reserve
- Financial services – net increase of \$754K for overhead reallocation \$177K, Section 94 received to reserves \$465K, \$113K for additional interest income
- Fire Protection & Emergency Services – reduction of \$905K to align grant income and expenditure to allocated amounts
- Roads and Transport - \$2.7M grant income cashflowed to 16/17, offset by grant expenditure reduction
- Planning and Development – increase of \$274K for additional revenue
- Waterways – reduction of \$177K, \$148K grant income is cashflowed to 16/17, reduced current year grant of \$29K. All are offset by expenditure reductions

Non-Operating Income

Non-Operating income is at 22.8% of the revised budget. This is due to planned borrowings not occurring until later in the financial year. An adjustment of \$180K is recommended. \$190K increase for additional cremator works, and \$10K reduction of prior period adjustment.

Operating Expenditure

General Fund is slightly above target with having spent 76.5% of the revised operating expenditure budget. The March Quarterly Budget Review Statement recommends an increase of \$171K, made up of:

- Roads and Transport – reduction of \$31K to Kerb and Gutter capital programme
- Tourist Parks Administration – increase of \$60K from capital programme
- Insurance and Risk Management – increase of \$33K, offset by reserve
- Development & Environmental – increase of \$80K for legal expenses

Capital Expenditure

Capital expenditure as at 31st March 2016 stands at 52.7% of the revised budget (excluding commitments). The Group Director's comments included in this report, highlight the progress with projects.

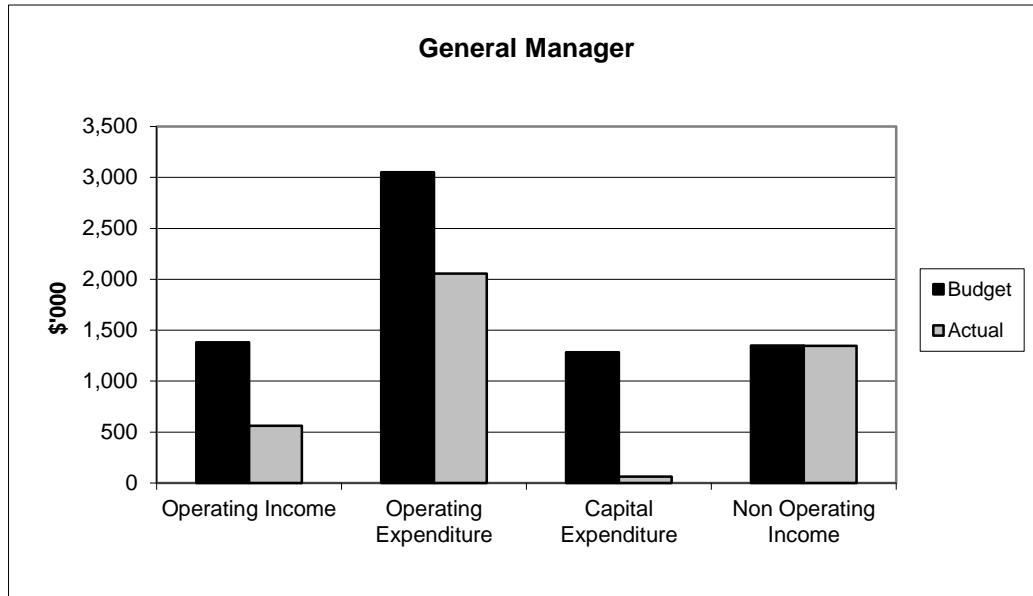
	\$ '000	% Budget Spent
<u>Budget Capital Expenditure</u>		
Original and Subsequent Budgets	69,688	
Total Revote	28,406	
Total Budget	98,094	
Works completed prior year	16,616	
Total to Spend in 2014/15	81,478	
<u>Actual Capital Expenditure</u>		
Purchase order commitments	15,999	19.6%
Spent This Year	26,938	33.1%
Total Spent	42,937	52.7%

The March Quarterly Budget Review Statement recommends a budget decrease of \$12.76M. The major adjustments in this review related to the reallocation of budget in line with cash outflows that will occur during the 2016/17 financial year are:

Shoalhaven Indoor Sports Centre	\$7,500,000
Flinders Road upgrade	\$2,085,000
Ison Park Amenities	\$ 500,000
Sussex Inlet Road	\$ 500,000
Ulladulla Traffic & Pedestrian Improvements	\$ 480,000
CCTV renewal	\$ 350,000
Nowra Pool	\$ 325,000

September Quarterly Budget Review – Group Summaries

General Manager



The recommended budget changes and revised budget for the General Manager's Group is summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	963	418	1,381
Operating Expenditure	3,098	-48	3,050
Capital Expenditure	1,284	0	1,284
Non Operating Income	1,350	0	1,350

The General Manager's group has achieved 40.6% of the revised income budget; non-operating income is at 99.7%. Operating expenditure is at 67.4% of the revised budget and the revised capital expenditure budget is currently 5.0% spent. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

General Manager's Comments:

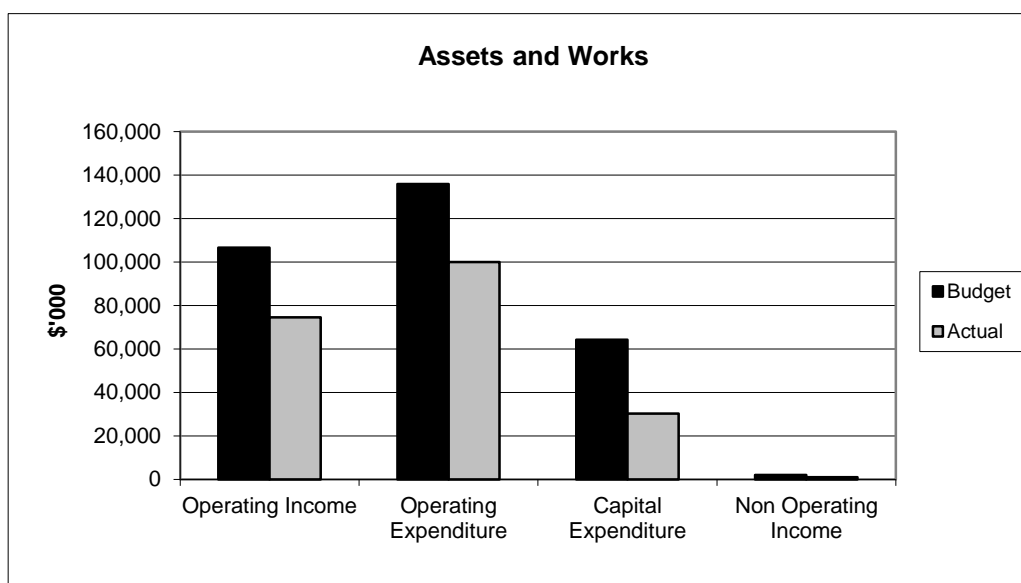
Operating Income received to date is well under budget for the following reasons:

- Regional Infrastructure Grant (\$563,000) will not be received until the Capital works at AATP are undertaken (extension of taxiway);
- Revenue from Transformation program are not yet achieved however are offset by the total Transformation savings;
- Cost recovery for legal services not achieved but offset with reduced expenditure during the time the position remained vacant.

Operating Expenditure is generally on track. An anomaly arises due to the cost of Transformation program staff reduction costs appearing in the GM budget with no offsetting budget. However this cost is offset when you consider the Net result of the Operational savings program.

Non-Operating Revenue is almost fully achieved well with land sales at Flinders and Woollamia having being settled. Once transfers of bonds have occurred, the target will be fully achieved.

Assets and Works Group



The recommended budget changes and revised budget for the Assets and Works Group is summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	110,034	-3,513	106,521
Operating Expenditure	135,862	32	135,893
Capital Expenditure	68,507	-4,242	64,265
Non Operating Income	1,996	-10	1,986

The Assets and Works Group has achieved 69.9% of the revised income budget; revised non-operating income is at 48.0%. Operating expenditure is at 73.6% of the revised budget and revised capital expenditure is currently 47% spent. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

Group Director's Comments:

Each Section of the Assets and Works Group operated close to budget within the 3rd Quarter, with operational expenditure being on target at 74%. A number of large capital projects that were grant funded will continue into next financial year.

Bereavement Services in terms of budget, income and expenditure are performing in accordance with budget projections as at the 3rd Quarter Budget Review with income over budget. Additional funding of \$190K has been through the Quarterly review in order to complete the installation of two new cremators.

Claims were submitted last quarter under the Natural Disaster Relief Recovery Arrangements for costs incurred in the August 2015 rainfall and flood event. The incurred costs and restoration works completed to date is shown as un-budgeted expenditure in the Contracting Units account. Approval has been received from RMS in April 2016 of an offer of \$2.1 million towards repairing Council roads, which will be received in the next quarter.

Council awaits advice on claims for the flood levee and the Bens Walk bridge, and these will be dealt with during the next quarter in line with the schedule of works.

Stormwater Levy

Spending against the stormwater levy funding is 54% of budget.

Stormwater Levy Progress 2015/16

	Stormwater Levy Budget					Actual	Budget Remaining	% Spent
	2014/15 unspent	2015/16	Adjustment	Adjustment Notes	Current			
Drainage Program								
St Andrews Way Coolangatta Stage 1	\$16,822	\$0			\$16,822	\$531	\$16,290	3%
Woollamia Rd Woollamia	\$136,714	\$0	\$42,000	3	\$178,714	\$178,714	\$0	100%
St Andrews Way Coolangatta Stage 2	\$7,765	\$200,000			\$207,765	\$1,536	\$206,228	1%
Princess Street Drainage	\$14,047	\$0	\$5,200	4	\$19,247	\$19,225	\$21	100%
Dowling St Ulladulla	\$30,106	\$0			\$30,106	\$7,325	\$22,781	24%
Katela Avenue Bomaderry	\$0	\$80,000			\$80,000	\$90	\$79,910	0%
St Georges Rd St Georges Basin	\$0	\$50,000	-\$41,200	5	\$8,800	\$8,800	\$0	100%
Cypress St North Bendalong	\$0	\$40,000			\$40,000	\$40,000	\$0	100%
River Rd Lake Tabourie	\$0	\$100,000			\$100,000	\$100,000	\$0	100%
Canal Improvements Sussex Inlt	\$0	\$150,000			\$150,000	\$27,794	\$122,206	19%
Sussex Inlet Access Rd Sussex	\$0	\$50,000	-\$50,000	6	\$0	\$0	\$0	100%
Mollymook Creek Stage 1	\$0	\$80,000			\$80,000	\$70,614	\$9,386	88%
Bannisters Head Rd Mollymook	\$0	\$30,000			\$30,000	\$10,113	\$19,887	34%
Burrill St North Ulladulla	\$0	\$40,000			\$40,000	\$9,590	\$30,410	24%
Chisholm St Callala Bay	\$0	\$40,000			\$40,000	\$40,000	\$0	100%
The Park Dr Sanctuary Pt	\$0	\$40,000	\$12,075	1	\$52,075	\$52,075	\$0	100%
Old Berrara Rd Sussex Inlet	\$0	\$50,000			\$50,000	\$257	\$49,743	1%
Drainage Elizabeth Dr (198)	\$0	\$30,000			\$30,000	\$0	\$30,000	0%
Greville Ave Sanctuary Point	\$0	\$50,000	-\$42,000	7	\$8,000	\$0	\$8,000	0%
Culburra drainage	\$0	\$0	\$16,000	2	\$16,000	\$15,869	\$131	99%
Quinns Lane Drainage	\$0	\$0	\$75,629	8	\$75,629	\$75,629	\$0	100%
Park Row Orient Point	\$0	\$0	\$33,000	9	\$33,000	\$33,000	\$0	100%
Total Stormwater Levy	\$205,453	\$1,030,000	\$50,704		\$1,286,157	\$691,163	\$594,994	54%

Note: - The projects may have other additional funding, but only the Stormwater Levy is included in this table

- 1 +\$20,075 - September Quarterly Budget Review - additional stormwater levy received
-\$8,000 - March Quarterly Budget Review - transfer to Quinns Lane
- 2 +\$30,000 - September Quarterly Budget Review - additional stormwater levy received
-\$14,000 - March Quarterly Budget Review - transfer to Quinns Lane
- 3 +\$42,000 - March Quarterly Budget Review - transfer from Greville Avenue
- 4 +\$5,200 - March Quarterly Budget Review - transfer from St Georges Rd
- 5 -\$41,200 - March Quarterly Budget Review - transfer \$3K to Quinns Lane, \$33K to Park Row, \$5,200 to Princess Street
- 6 -\$50,000 - March Quarterly Budget Review - transfer to Quinns Lane
- 7 -\$42,000 - March Quarterly Budget Review - transfer to Woollamia Road
- 8 +\$75,629 - March Quarterly Budget Review - \$629 from additional stormwater levy, \$50K from Sussex, \$3K from St Georges Rd, \$14K from Culburra, \$8K from The Park Drive
- 9 +\$33,000 - March Quarterly Budget Review - transfer from St Georges Road

Group Director's Comments:

Chisolm Street drainage was completed as part of a package of works which included a footpath and road upgrade. Also major works upsizing the culvert at Quinns Lane was undertaken. Mollymook Creek works are nearing completion with revegetation now taking place.

Special Rate Variation

Spending against the Special Rate Variation funding is 77% of budget.

Special Rate Variation Progress 2015/16

	Special Rate Variation Budget					Actual	Budget Remaining	% Spent
	2014/15 unspent	2015/16	Adjustment	Adjustment Notes	Current			
Roads and Transport Program								
Quinns Ln South Nowra	\$53,830	\$0			\$53,830	\$46,409	\$7,420	86%
Naval College Road	\$43,816	\$245,000			\$288,816	\$18,583	\$270,233	6%
Currambene St Huskisson	\$141,510	\$0			\$141,510	\$24,272	\$117,238	17%
Matron Porter Drive SUP	\$280,775	\$210,000			\$490,775	\$490,775	\$0	100%
Tallyan Point Road	\$76,398	\$0			\$76,398	\$76,398	\$0	100%
Golf Ave Mollymook	-\$30	\$400,000			\$399,970	\$275,024	\$124,946	69%
Camden St Ulladulla	\$0	\$800,000			\$800,000	\$742,902	\$57,098	93%
RTB Walk Callala Bay	\$0	\$133,000			\$133,000	\$3,265	\$129,735	2%
Orion Beach Walk	\$0	\$635,000			\$635,000	\$635,000	\$0	100%
Total Special Rate Levy	\$596,299	\$2,423,000	\$0		\$3,019,299	\$2,312,627	\$706,672	77%

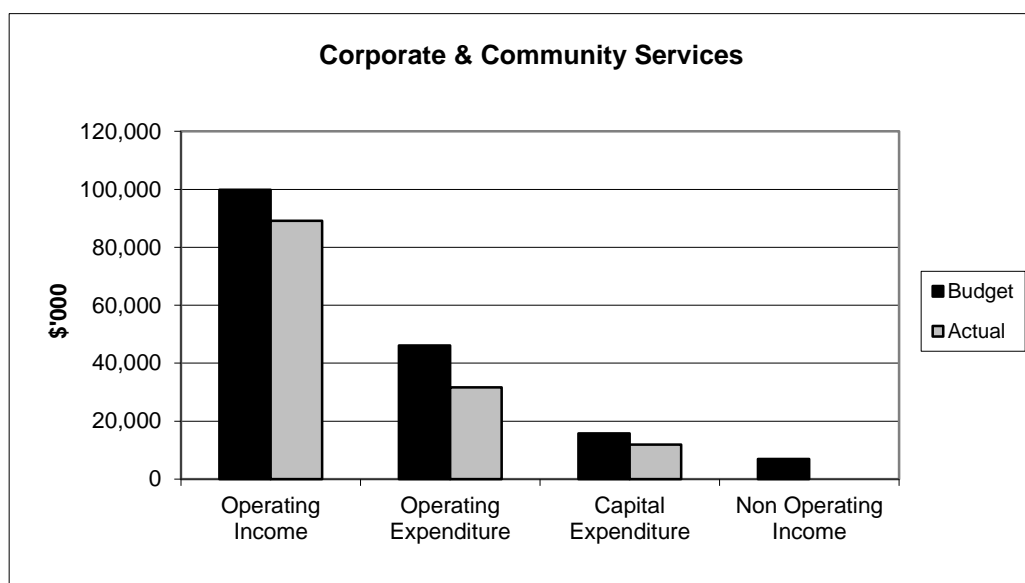
Note: - The projects may have other additional funding, but only the Special Rate Levy is included in this table

Group Director comments:

Matron Porter Drive shared user path was extended to Frogs Holla. Other major works in the south of the City were a major upgrade at Camden Street and the carpark at the sports field, as well as pavement rehabilitation at Golf Avenue, Mollymook.

Orion Beach shared user path progressed well with minor delays due to wet weather. Naval College Road works commenced and will be completed early May, they were programmed to start after the busy holiday period and the Vincentia shopping center works. Similarly works commenced on the lower end of Currambene Street near the wharf, where the pavement is now renewed

Corporate & Community Services Group



The recommended budget changes and revised budget for the Corporate & Community Services Group is summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	99,014	856	99,870
Operating Expenditure	46,088	45	46,133
Capital Expenditure	24,608	-8,859	15,749
Non Operating Income	6,768	190	6,958

The Corporate & Community Services Group has achieved 89.2% of the revised income budget; non-operating income is at 0.0%. Operating expenditure is at 68.6% of the revised budget and revised capital expenditure is currently 75.8% spent. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

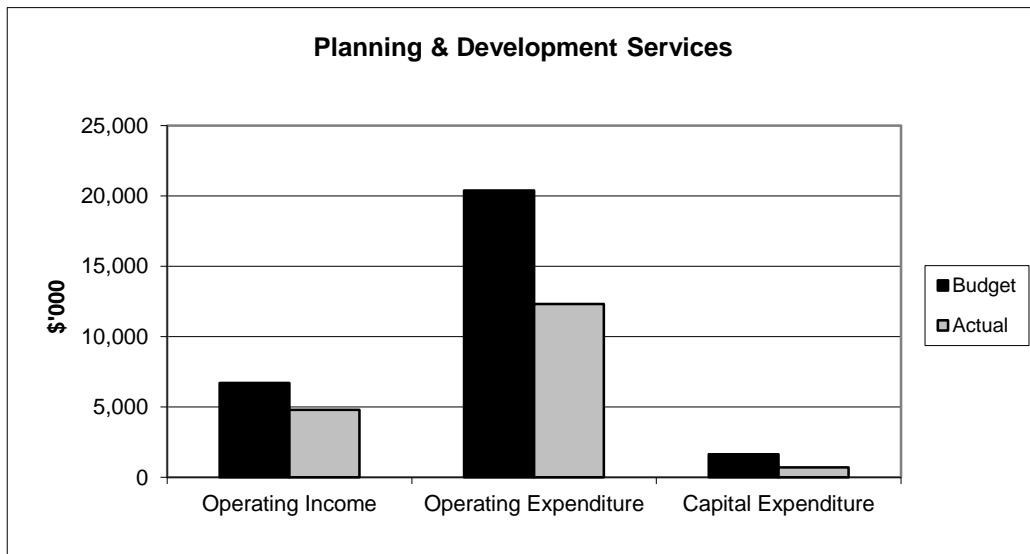
Group Director's Comments:

The major revenue adjustments this quarter for Corporate & Community relates to the receipt of Section 94 monies, due to increased activity in the housing sector. Additional interest income has been realised due to longer term investments being held. \$100K has been put towards the deficit. The non-operating change is due to an increase in proposed borrowings of \$190K for the Bereavement Services area.

A number of capital projects have been cashflowed to 2016/17 financial year, namely the Shoalhaven Indoor Sporting Complex, Nowra Pool & CCTV.

New projects that have entered the budget this quarter are for the Mollymook Access playground and the Jerry Bailey Learn to Ride facility.

Planning & Development Services Group



The recommended budget changes and revised budget for the Planning & Development Services Group is summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	6,415	297	6,712
Operating Expenditure	20,239	142	20,380
Capital Expenditure	1,519	124	1,643

The Planning & Development Services Group has achieved 71.4% of the revised income budget. Operating expenditure is at 60.5% of the revised budget and capital expenditure is currently 43.0% spent. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

Group Director's Comments:

Revenue is tracking slightly above expectations within the Group as the level of development activity remains strong, which is especially noticeable in both the development and subdivisions areas. Expenditure is comfortably within expectations.

Small Lot Rural Subdivision

REZONING INVESTIGATIONS			
Updated 31st March 2016			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	350,000	150,000	200,000
Loan Funded (transferred from Road Design)		12,968	
Special Rates (from construction)		5,213	
Special Rates (from construction) (returned)		-5,213	
Strategic Planning Consultants Budget		25,000	
Previous Contributions (Pre 1996)	0	2,571	0
	350,000	190,539	200,000
Expenditure			
Salaries	157,224	32,614	53,065
Consultants	123,636	157,396	66,013
Other	14,091	1,942	-3,573
Commitments in 2015/16	0	0	0
	294,951	191,952	115,505
Variance	55,049	-1,413	84,495
ROAD DESIGN AND INVESTIGATIONS			
Updated 31st March 2016			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	184,438	50,281	50,281
Transfer to road construction	-114,400	0	-22,800
Transfer to rezoning	0	-12,968	0
	70,038	37,313	27,481
Expenditure			
Salaries	0	0	0
Consultants	12,333	37,313	16,835
Other	3,488	0	0
Commitments in 2015/16	0	0	0
	15,821	37,313	16,835
Variance	54,216	0	10,646

ROAD CONSTRUCTION			
Updated 31st March 2016			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded (from investigations)	114,400	0	22,800
General Fund	0	3,000	0
Strategic Projects (2008/09)	82,020	41,738	11,750
Special Rate Funded	232,640	124,952	71,076
Infrastructure Special Rate (Loan)	4,500,000	0	0
Transfer to Estate Rezoning		-5,213	
Transfer to Estate Rezoning (returned)		5,213	
	4,929,060	169,690	105,626
Expenditure			
Salaries	1,648,870	36,814	111,639
Consultants	1,610,250	3,382	118,645
Other	-1,666,845	143,171	-125,691
Commitments in 2015/16	3,406,787	0	0
	4,999,063	183,368	104,593
Variance	-70,003	-13,678	1,033
Notes:			
Expenditure details will be updated quarterly.			
Upon completion of the rezoning investigations, any excess funding from rezoning investigations will be redirected to road investigations and construction for the relevant Estate at the appropriate time. Options to address any negative variance values will be considered in the future. If necessary, funding may be transferred between the rezoning investigation, road investigation and road construction budgets for each Estate. Funding will not be transferred from one Estate to another.			

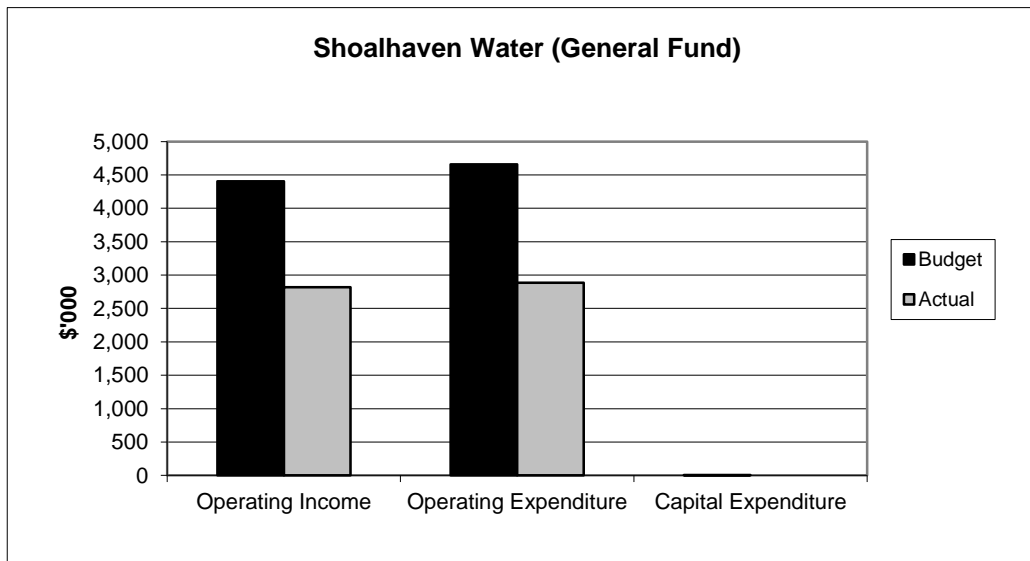
Jerberra Estate: \$55,049 remains for progressing rezoning investigations.

Nebraska Estate: \$84,495 remains for progressing rezoning investigations.

Verons Estate: The \$150,000 borrowed in 2006 to fund the rezoning investigations has been fully spent. A total of \$25,000 has now been transferred from the Strategic Planning Consultants budget, which has been over spent by \$1,413. This will need to be recouped from the landowners at a later date. Further transfer(s) may be necessary to complete the project.

Road investigations and construction: The balance of the roadwork design budgets for Jerberra, Verons and Nebraska Estates for 2015/2016 are \$54,216, \$0 and \$10,646 respectively. The balance of the construction budgets for Jerberra, Verons and Nebraska Estates for 2015/2016 are (\$70,003), (\$13,678) and \$1,033 respectively.

Shoalhaven Water – General Fund Group



The recommended budget changes and revised budget for the Shoalhaven Water General Fund Group is summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	4,403	0	4,403
Operating Expenditure	4,658	0	4,658
Capital Expenditure	7	0	7

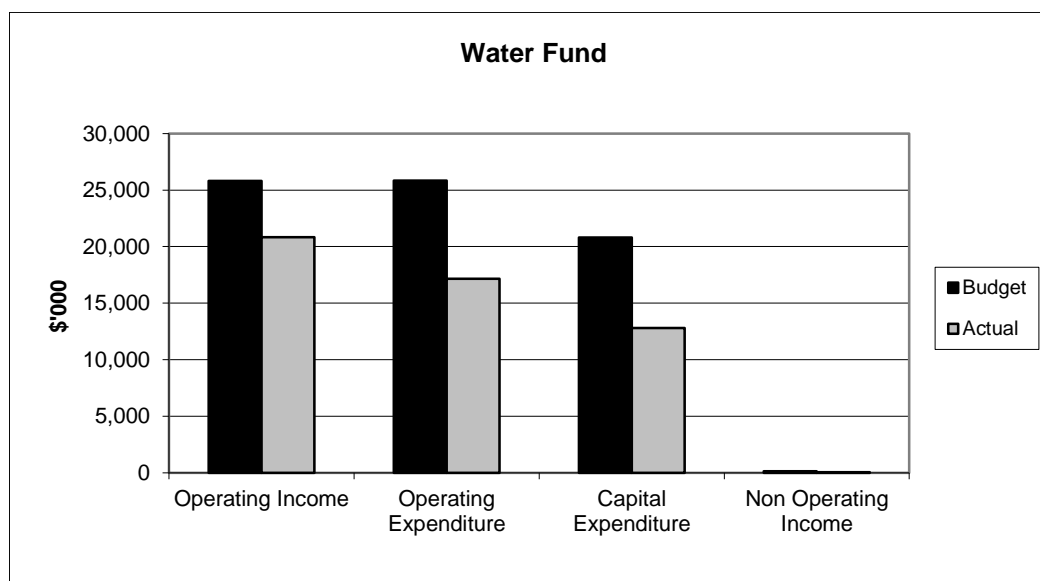
The Shoalhaven Water General Fund Group has achieved 64.0% of the income budget. Operating expenditure is at 61.9% of the revised budget and capital expenditure is currently 0.0% spent. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

Group Director's Comments:

Income & Expenditure

The operating income and expenditure budget for Communications and Electrical requires no adjustments. Minor capital expenditure will be completed in the latter part of the year.

Shoalhaven Water Group
Water Fund:



The recommended budget changes and revised budget for Shoalhaven Water - Water Fund are summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	25,619	193	25,812
Operating Expenditure	25,224	602	25,826
Capital Expenditure	20,675	135	20,810
Non Operating Income	140	0	140

The Water Fund has achieved 80.7% of the revised budgeted income, non-operating revenue is 36.4% of the budget, operating expenditure is 66.4% of the revised budget and capital expenditure is at 61.6% of the revised budget. Details of the adjustments and variances are included in the March Quarterly Budget Review Statement

Group Director's Comments:

Operating Income

The water fund operating income is tracking well to budget and requires an adjustment of \$193k. This increase relates mostly to the reallocation of resources to capital projects and higher than expected meter connection install income.

Expense

Operating

The operating expense budget requires an adjustment of \$602K. This adjustment aligns the admin overhead budget with the updated model

Capital

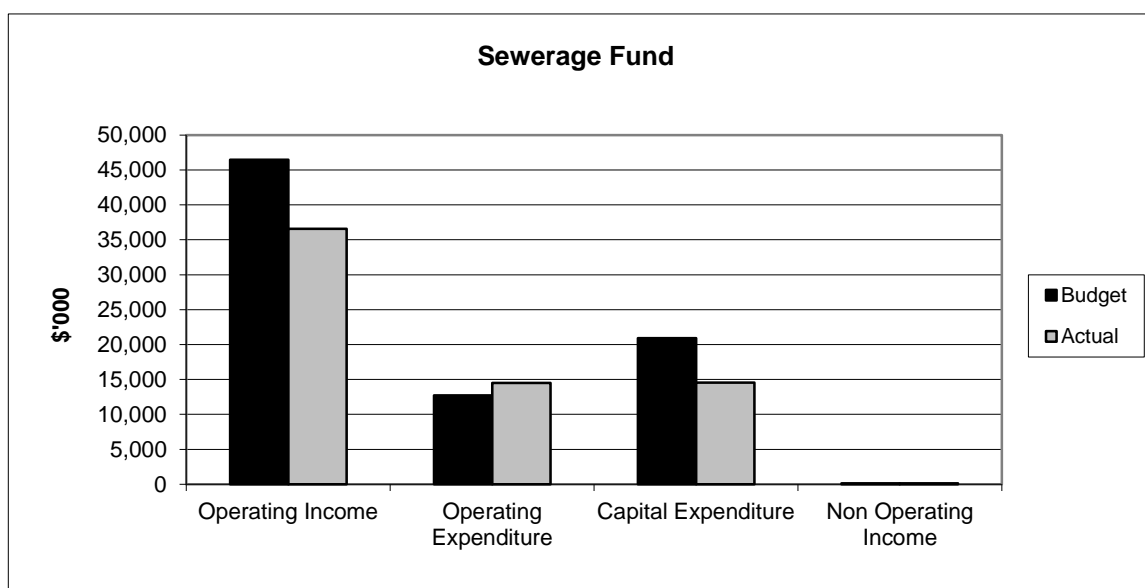
The water fund capital program requires an adjustment of \$135K. This increase relates to the following projects:

1. The mains replacement program (\$200k) - which is progressing ahead of schedule.
2. Brundee pump station pump overhaul (\$60k) - emergency works required.
3. Flooding study (\$30k) – Contribution to data model

Offset by a reduction to:

1. Nth Bendalong / Manyana trunk main 19 replacement (\$50k) – project completed below budget.
2. Various white PVC main replacement (\$73k) – program for this year has been completed below budget.
3. Minor development works (\$30k) – program is developer driven.

Sewerage Fund:



The recommended budget changes and revised budget for Shoalhaven Water – Sewerage Fund are summarised as follows:

	Revised Budget \$'000	Recommended Changes \$'000	Projected year End Result \$'000
Operating Income	46,023	425	46,448
Operating Expenditure	34,148	-426	33,722
Capital Expenditure	28,953	-8,030	20,923
Non Operating Income	120	27	147

The Sewerage Fund has achieved 78.7% of the revised budgeted income, non-operating revenue is 95.9% of the budget, operating expenditure is 114.1% of the revised budget and capital expenditure is at 69.6% of the revised budget. Details of the other adjustments and variances are included in the December Quarterly Budget Review Statement.

Group Director's Comments:

Operating Income

Operating

The sewerage fund operating income budget is tracking well. An adjustment of \$425k is required. This relates mainly to interest income received from the investment of the Rems subsidy received earlier in the year.

Non-Operating Income

The non-operating income budget requires an adjustment of \$27k. This relates to the proceeds from the sale of assets.

Expense

Operating

The operating expenses are generally tracking well to budget. An adjustment of \$426k is required to align the budget with the admin overhead charge.

Capital

The sewerage fund capital program is progressing with an adjustment of \$8,030k required. This reduction relates mainly to the following projects:

1. Electrical cabinets program (\$150k) delayed due to changes in design
2. Nth Nowra surcharge main (\$1ml) delayed due to extended approval process
3. Sth Nowra SPS D (\$350k) deferred to 2018/19
4. Milton/Ulladulla trunk main (\$200k) deferred to 2016/17
5. Emergency storage program (\$200k) delayed due to additional environmental assessments required.
6. REMS 1B sewer scheme (\$6ml) – timing delays due to extended tender period through Christmas. Loans and cash flow to be adjusted to revised program.

FINANCIAL IMPLICATIONS:

Adjustments made in the third quarter budget review have resulted in a projected deficit budget. Council will need to be mindful of the situation and not introduce new works or services unless a funding source is clearly identified

COMMUNITY ENGAGEMENT:

The review of Council's budget is a requirement under Regulation 203 of the Local Government (General) Regulation (2005).

SECTION MANAGER: Pamela Gokgur.

PURPOSE:

The investment policy is required to be reviewed annually with amendments being approved by a resolution of Council.

Investment Policy – Policy POL15/51 (see attached)

RECOMMENDED that the amended Investment Policy – Policy POL15/51 be adopted.

OPTIONS

1. To adopt the recommendation in the report.
2. Not adopt the recommendation and to make an alternative resolution.

DETAILS

Council should ensure that there is an appropriate investment policy that guides the investment of the surplus funds in compliance with its charter. This policy has been reviewed taking into account the guidelines issued by the Office of Local Government and recommendations from our Investment Advisors along with feedback from Treasury Corporation.

Changes to the policy are detailed below.

Risk Management

The definition of diversification has been amended to provide a clearer understanding of the term.

Prohibited Investments

Mortgage of land has been added to the list of prohibited investments to bring the policy in line with legislative requirements.

T-Corp Hourglass investment trust facilities have been exempted from prohibited investments as these investments are permitted by the Ministerial Order.

Liquidity and Maturity

The wording in relation to cash levels has been altered to include estimated requirements.

Credit Quality Limits

The wording around selecting between comparable interest rates now includes a review of the credit rating before a decision is made.

The maximum portfolio limit for BBB rated investments was reduced from 40% to 30% while maximum unrated category investments has been reduced from 20% to 10% of the total portfolio. This was in line with recommendations from T-Corp and CPG Research & Advisory Pty Ltd to reduce potential exposure to investment losses as Council's portfolio grows.

Additional guidance is provided for the assessment of financial institution credit quality as well as counterparty limitations placed on government guaranteed investments. Minimum limits for terms to maturity have been removed to reflect the flexible nature of council's cash flow requirements.

Third party Suppliers and Dealers

Third party supplier and dealer responsibilities have been clarified to ensure that Council maintains ownership of investments at all times for transactions facilitated by third parties to ensure adherence to the Ministerial Order.

Performance Benchmark

Investments must now be measured against performance benchmarks net of fees and expenses to reflect the true return on investment. The performance benchmark for investments with a 2-5 year time horizon has be changed to the Bloomberg Ausbond 2-5 year bank bill index as suggested by T-Corp.

FINANCIAL IMPLICATIONS

It is important for Council funds to be invested in line with this policy, to ensure that controls are in place, risks are managed and the best returns possible are attained.

11. **Stronger Communities Program Federal Funding Success** **File 2391E** [Index](#)
-

SECTION MANAGER: Jane Lewis.

PURPOSE:

To advise Council of a successful \$20,000 Stronger Communities federal funding application and for Council to approve to accept the funds.

RECOMMENDED that Council

- a) **Accept the Stronger Communities Federal funding grant of \$20,000 to contribute towards the delivery of a learn to ride facility at Sussex Inlet in partnership with the community.**
- b) **The funds to be placed in a job number 82586 created for the grant.**
- c) **Write to Federal Member Ann Sudmalis and thank the member for her support of the project.**
- d) **Write to the delegate of the Stronger Communities Program and thank the delegate for the funding.**

OPTIONS

1. To accept the recommendation.
2. To reject the recommendation and provide an alternative recommendation.

DETAILS

Ongoing representations, raised by both the Sussex Inlet Community Forum and Thomson Street Sporting Complex Management Committee, called for a Council review of the BMX track at the Thomson Street Sporting Complex, Sussex Inlet.

Upon reviewing the current BMX track, staff acknowledged that the track layout and design is limited and subsequently attracts low usage. The track layout is constrained by separation distances to surrounding vegetation, car parking area, sports field playing area and adjacent school/emergency service properties.

Staff conducted onsite meetings with representatives from the Sussex Inlet Community Forum to examine the need for a BMX track or a Learn To Ride (LTR) facility as well as discussing potential new sites. To maximise usage, these investigations specifically focused on sites that have existing public recreation facilities and avoid/minimise the requirement for vegetation removal.

Consultation also occurred with various stakeholders and user groups. These included the Sussex Inlet Community Forum and groups representing the children who will use such facilities. The result was a highly favoured preference for a LTR facility, located at the Thomson Street Sporting Complex adjacent to the existing skate park.

Council submitted an application to the Stronger Communities Program for a maximum allowable amount of twenty thousand dollars for funds to build a LTR facility in the Sussex Inlet area and was successful with the application.

With the support and approval of the Thomson Street Management Committee it is proposed to construct a LTR facility at the Thomson Street Sporting Complex adjacent to the existing skate park with the Stronger Communities Program Federal Funding. A concept plan is currently being developed. Once developed further community consultation

with the above mentioned stakeholders will take place to inform on the concept. Then costings and detailed design will take place for construction.

FINANCIAL IMPLICATIONS:

Council submitted an application to the Stronger Communities Program for twenty thousand dollars. This application has been successful.

Stronger Communities Program Funding must be matched on a dollar for dollar basis. Matching funds will be sourced from the Passive Recreation Projects budget in the 2016-2017 financial year. This will give the project a budget of forty thousand dollars.

The community would like a LTR facility that is comparable to the Sanctuary Point LTR facility. To construct a LTR facility comparable to the above will require a budget minimum of sixty thousand dollars.

Council staff are liaising with stakeholders and community to raise additional community funds of ten to fifteen thousand dollars. These funds will also be matched by Passive Recreation Projects Funding and allocated from the 2016 – 2017 budget.

If the additional stakeholder and community funds cannot be raised and matched by council to build a LTR comparable with the Sanctuary Point LTR, the proposed Sussex Inlet LTR will be constructed with a forty thousand dollar budget.

COMMUNITY ENGAGEMENT:

Council has consulted with possible users, Sussex Inlet Community Forum, Sussex Inlet Primary school students in years 3-5, Thomson Street Sporting Complex Management Committee and the general community via four community consultation/presentation forums in the Sussex Inlet area.

The community engagement process was consistent with the priorities identified in the Councils Engagement Matrix, being “Local Area Low Impact”.

12. Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees 2016/2017 **File 5141E [Index](#)**

SECTION MANAGER: Melissa McCoy.

PURPOSE:

The purpose of this report is to note and consider the attached determination from the Local Government Remuneration Tribunal and to adopt the fees payable to the Mayor and Councillors for the 2016/2017 financial year.

RECOMMENDED that Council note the Local Government Remuneration Tribunal review of annual fees and agree to adjust councillor and mayoral fees for the 2016/2017 financial year to \$18,840 and \$41,090 respectively.

OPTIONS

1. As recommended
2. Adjust the Councillor and Mayoral fees to a lesser amount.

DETAILS

The Local Government Remuneration Tribunal (the Tribunal) has awarded an annual fee increase of 2.5 per cent, with effect from Friday 1 July 2016. Section 241 of the *Local Government Act 1993* (the Act) requires the Tribunal to determine each year the maximum and minimum amounts of annual fees payable during the following year to mayors and councillors. Sections 248 and 249 of the Act require councils to fix and pay an annual fee based on the Tribunal's determination. Shoalhaven City Council remains in the Regional Rural category.

The Tribunal has advised that should the determination of current NSW Merger proposals create one or more new Councils there will be implications for the categorisation of Councils for the purpose of determining fees. Should this occur, the Minister may direct the Tribunal to make Special Determinations in accordance with Section 242 of the Act.

Councils are to fix councillor and mayoral fees for the 2016/17 financial year based on the Tribunal's Determination. The level of fees paid will depend on what category the council is in. A council cannot fix a fee higher than the maximum amount determined by the Tribunal. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The recommendation outlined in the report reflects the maximum fee payable, as has been the practice of Shoalhaven City Council for a number of years.

The councillor and mayoral fee adoption is distinct and separate to the payment of expenses and provision of facilities to Councillors. The Mayoral Fee is an amount paid to the Mayor in addition to the Councillor Fee.

- # Please see attached 29 March 2016 *Report and Determination of the Local Government Tribunal under Sections 239 and 241 of the Local Government Act 1993* for further information. (Please note that the Tribunal has confirmed an error in the title of the category of Council at page 9 as 'Country Council' (including Shoalhaven), which should read 'Regional Rural'.)

FINANCIAL IMPLICATIONS:

Current 2014/2015 budgeted fees paid to Shoalhaven City Mayor/Chairperson and City Councillors:

CATEGORY	Councillor/Member Annual Fee	Mayor/Chairperson Additional Fee
Regional Rural	\$18,380	\$40,090

Budget 2015/2016: **\$279,030**

Proposed fees to Shoalhaven City Councillors and Mayor 2016/2017 financial year:

2015/2016 Determination – Pursuant to Section 241 of Fees for Councillors and Mayors

CATEGORY	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Regional Rural	\$8,540	\$18,840	\$18,180	\$41,090

The proposed Budget allocation in the Draft 2016/2017 Budget for Councillor/ Mayoral fees is **\$306,798** which is sufficient to cover the maximum fees as recommended in this report.

COMMUNITY ENGAGEMENT:

Council is not required to undertake community consultation in relation to the adoption of the fee amendment determined by the Tribunal. The Tribunal undertakes consultation as part of its fee determination process.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

STRATEGY & ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

ASSETS AND WORKS

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

13. Car Park at 36 Owen Street, Huskisson

File 35143E [Index](#)

SECTION MANAGER: Michael Harben

PURPOSE:

The March meeting of Council considered a report on the subject property when Council resolved to obtain legal advice on whether or not Council could sell it and if it couldn't, why it couldn't.

The legal advice has been received and confirms Council's ability to sell the land provided a Section 54 Certificate is obtained. It is now appropriate to further consider the disposal or otherwise of the Council owned land on the corner of Owen, Sydney and Moreton Streets Huskisson – the Owen Street car park.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that the Committee resolve not to proceed with the disposal of the 36 Owen Street car park at Huskisson until the Huskisson car parking study is complete and the Huskisson Foreshore Precinct Masterplan has been publicly exhibited and reported back to Council.

OPTIONS:

1. Proceed in accordance with the recommendation.
2. Resolve to dispose of the Owen Street car park at Huskisson by way of Expressions of Interest (EOI) generally in accordance with current process P033 which includes public notice of Council's intention to sell the properties prior to a final decision.
3. Propose an alternative and provide further direction to staff.

DETAILS:

The land referred to as the Owen Street car park (Attachment A) is currently comprised of five (5) parcels of land in Council's ownership as follows:

-
- Lot 1 DP 7169 acquired 1982/83;
 - Lot 23 DP 7169 acquired 1983;
 - Lot B DP 348180 acquired 1983;
 - Lot A DP 348180 acquired from Huscorp 2012; and
 - Lot C DP 348180 acquired from Huscorp 2012.

The total area of the Council owned land is 4,742.41 square metres with a frontage of 54.91 metres to Owen Street.

The land is zoned Business B2 Local Centre in Shoalhaven LEP 2014. The DCP chapter for Huskisson foreshadows the potential development of the Owen Street car park for a mixed use (commercial/residential) outcome.

The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area;
- To encourage employment opportunities in accessible locations; and
- To maximise public transport patronage and encourage walking and cycling.

Current Use of the Land

The land is currently used for car parking with provision for 76 cars on the sealed section and overflow parking on the unformed Lots A & C. Council is currently undertaking a parking study in Huskisson that will consider the additional off-street parking required for the future development of the village and which will also consider peak seasonal demand. It is not expected that the study will deliver any conclusions which support less parking in this area but it will be important to understand arguments for retention of currently available parking including, potentially, a requirement that there be no net loss of parking on development of the subject land if it is to be sold.

Huskisson Traffic and Car Parking Study

Council has commissioned a study to investigate and/or test the viability of an alternative road around the Huskisson town centre to reduce through traffic in Owen Street, in addition to considering interim options for town centre safety improvements including car parking.

The current study by consultants Bitzios estimates that more than 300 car parking spaces are likely to be required to accommodate future growth predicted for the town centre. This site currently accommodates over 70 car parking spaces.

The Bitzios study also indicates that it is not an option for Council to rely on providing overflow parking within road reserves in Huskisson. In the long term, this will erode available spare capacity on-street and lead to significant encroachment into the adjacent residential area which is not recommended.

Impacting the current stock of available parking is a significant issue to be resolved for the community prior to the parking study completion. It is expected that the parking study will:

-
- qualify the long term need for car parking in the town centre;
 - balance on street and off street parking without encroaching into the adjacent residential areas; and
 - have been the subject of community consultation so that final conclusions and recommendations are supported by the wider community.

Council resolved on 20 May 2014 to negotiate with Lands to utilise Crown lands on Currumbene Street for public car parking however there is now another Aboriginal Land Claim on this site which prohibits the Crown from considering any possible disposal at this time.

Third Party Interest to Acquire 36 Owen Street Car Park

In a report to the Council meeting held 15 March 2016, Council considered an unsolicited proposal for the development of the subject land and an interest in acquiring the land.

Recommendations in the March report which required further legal advice on Council's capacity to sell the Owen Street site have been acted on and Council could proceed to sell this land in accordance with the advice received.

However, if the property is to be sold, Council would need to identify compelling reasons to deal exclusively with any particular party otherwise disposal of the property by way of a competitive process such as auction, tender or expression of interest is preferred to comply with ICAC guidelines.

The recommendation is to defer consideration of disposal at this time.

Huskisson Foreshore Master Plan

Council resolved on 17 March 2015 to prepare a masterplan for the Huskisson Foreshore precinct and investigate preliminary development concepts for that area. The precinct includes 59 Owen Street through to the existing Huskisson Hotel and the foreshore area to the north.

Council engaged SJB Architects in August 2015 to prepare a masterplan for the Precinct and a range of development concepts for 59 Owen Street to guide the future use/development of the area. As part of the process, Council established a Community Reference Group (CRG) made up of representatives from the local Business Chamber, Tourism group, CCB, general public, adjoining land owners and wharf operators.

The draft Masterplan has now been completed and presents a vision and principles for the precinct, a wider town centre concept plan and four development concepts for 59 Owen Street, the adjoining road reserve and the Club Jervis Bay site. The development concepts were informed by the key design principles developed with the CRG and represent different potential development outcomes and densities for 59 Owen Street (and adjoining road reserve) and 2 Currumbene Street (Club Jervis Bay). Each option contains different access arrangements and open space treatments to show a range of options of the precinct. This was outlined in the Development Committee report on Tuesday 3 May 2016 (item 7).

The Council resolution of 17 March 2015 indicated that as part of the master planning process that there was also a need to “engage in broad community consultation on the preferred options adopted by Council”. Thus the draft Masterplan and development concepts will be publicly exhibited for a minimum period of 40 days, most likely commencing in the coming months.

CONCLUSION

Any consideration to dispose of this property (36 Owen Street) should be deferred until the car parking study and the foreshore precinct masterplan have been completed and community consultation undertaken.

The results of these studies will confirm the need for future car parking requirements in the town centre and inform the proposals for disposal of the Owen Street site.

14. Civic Centre Site, Bridge Road, Nowra

File 52522E [Index](#)

SECTION MANAGER: Michael Harben

PURPOSE:

To consider the future of the Civic Centre Site, Bridge Road, Nowra.

RECOMMENDED, in accordance with the Committee’s delegated authority from Council, that the Committee:

- a) **Defer consideration of the sale of the Civic Centre Site until finalisation of the:**
 - i) **Design options for the additional river crossing over the Shoalhaven River by RMS; and**
 - ii) **Nowra Riverfront Precinct planning review by Council.**
- b) **Subject to the outcomes of a) Council receive a further report outlining the impacts on the site inclusive of recommendations if any on its sale.**

OPTIONS

- 1. Adopt the recommendation as written.
- 2. Proceed to sale of the Civic Centre Site by Expression of Interest or auction (to be determined by Council) following public advertising seeking community comment and no adverse comment received.
- 3. Provide further direction to staff and propose an alternative.

DETAILS

The property referred to as the Civic Centre Site is all of the land comprised in a number of lots in the area bounded by Bridge Road, the Princes Highway and the car park north of the Shoalhaven Entertainment Centre and the Council's Administration building.

The properties which make up the Civic Centre Site are described as follows:

- Lots 5 and 6 DP 813461;
- Lot 1 DP 194884;
- Lots A and B DP 158942; and
- Lot 5 DP 1112482.

The property has a total combined area of 6,424 square metres with a frontage to Bridge Street of 105 metre and 130 metres to the Princess Highway.

Current Planning Controls

The site is currently zoned "B4 Mixed Use" under the Shoalhaven Local Environmental Plan 2014 (LEP2014). The objectives and permissible land uses are as follows:

1. Objectives of the zone:

- a. To provide a mixture of compatible land uses; and
- b. To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2. Permitted without consent:

Nil.

3. Permitted with consent:

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hotel or motel accommodation; Information and education facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4.

4. Prohibited:

Agriculture; Air transport facilities; Airstrips; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties;

Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Wharf or boating facilities.

Special Design Considerations contained in the LEP2014

1. Building heights:

- i. Lots 5 & 6 DP 813461 and Lot 1 DP 194884 – 28 metres;
- ii. Lot 5 DP 112482 – 25 metres; and
- iii. Lots A & B DP 158942 – 16 metres.

2. Earthworks:

The site maybe subject to excessive hard rock area that limits subsurface construction works.

3. Site specific Development Control Plan – “Chapter N7: Nowra Hotel Site and Civic Precinct”.

DCP2014 – Chapter N7 – Nowra Hotel Site and Civic Centre

Shoalhaven DCP2014 and in particular Chapter N7’s purpose is to deliver a specific outcome on the site namely hotel style accommodation, permanent residential and serviced apartment buildings and other forms of visitor amenity. In particular:

- a) **Clause 5.1** – Built form and Height: looks for a development that makes a gateway statement by proposing building heights and bulk to create differing streetscapes and form with an inner landscaped courtyard.
- b) **Clause 5.2** – Character, Siting, Setbacks and Building Separation: looks at varying setbacks along the Princess Highway of between 3.8 to 5.25 metres with zero setback to Bridge Street.
- c) **Clause 5.3** – Landscape: needs to be capable of being integrated with buffer zones and vehicle access.

-
- d) **Clause 5.11** – *Traffic, Transport and Access: This and DCP Chapter 21 Car Parking requires the provision of parking of large rigid buses and collection and set down taxi ranks along with the provision of car parking associated with the various types of premises and usage. Car parking could be as many as 350 spaces.*
- e) **Clause 5.13** – *Access, Traffic Management and Parking: The prominent access off Bridge Street should be a high quality entry for the proposed Hotel. All other access is to be integrated with the existing Council Administration Building and Entertainment Centre.*

Nowra Riverfront Precinct - Planning

Land in this broader precinct on both sides of the Shoalhaven River Bridge has existing development related zones under Shoalhaven LEP 2014, namely B4 Mixed Use & SP3 Tourist. However, the current LEP and supporting Shoalhaven DCP 2014 do not contain detailed planning controls for the precinct (except for the Civic Centre Site), such as maximum building heights. The remaining land in the precinct is also currently zoned RE1 Public Recreation and R3 Medium Density Development.

Following consideration of a report on the draft Nowra CBD Urban Design Controls proceeding to exhibition by the Development Committee, it was resolved (under delegation) on 3rd November 2015 as follows:

“Proceed to prepare detailed urban design controls for the northern Riverfront/Gateway precinct and report back to Council on the steps required to enable redevelopment of this important precinct.”

As such consultants, Studio GL Pty Ltd have been engaged (as an extension of the Nowra CBD Urban Design Controls work) to undertake the resolved project for the following precinct. This project will be undertaken by the consultants in 4 phases.

Thus this work will look in detail at the Riverfront and Civic area and consider building height and other urban design issues. Once this important strategic step is completed it will inform future development in the locality and the outcomes from this work will be incorporated into the LEP and/or DCP. This could result in zoning changes or adjustments, setting of building height controls, establishment of detailed urban design controls etc.

As such it may be desirable that the future of Council property in the broader precinct be considered once this work is completed.

The Nowra Bridge Project

As previously reported to Council, recent announcements by the NSW State Government and others including Gareth Ward MP, Member for Kiama and senior RMS officers have confirmed a proposal to construct an additional Shoalhaven River crossing.

Although there has been considerable speculation as to the design elements of this project, there has been no indication from RMS as to the impacts on property of any final or preferred design options. Clearly, the Civic Centre Site is likely to be included in discussions about design options and it remains to be seen what impact, those designs will have.

Subsequent to recent formal meetings with RMS officers to advance the views of RMS and Council respectively on design options it is apparent that a consensus on any final design is not on the short term horizon.

Council has expressed its views on a number of design parameters including grade separated intersections and there is a view that any action taken to dispose of the Civic Centre Site before the river crossing designs are finalised may prejudice design outcomes.

CONCLUSION:

Consideration of action to dispose of this property should be deferred for the following reasons:

- a. Impact on DCP2014 Chapter N7 and associated masterplan – This DCP sets out some clear and concise objectives and planning provisions to facilitate a high quality designed mixed use development. The real risk of these provisions being severely altered, constrained or negated by the:
 - i. The Nowra Riverfront Precinct planning review which will inform future development in this area; and
 - ii. Additional Shoalhaven River crossing.

will cause developers to hesitate with any offer for the land.
- b. Without knowing the full extent of encroachment into the Civic Centre Site by RMS for the additional Shoalhaven River crossing it is impossible to determine which if any “Permitted Uses” will be impractical to develop.
- c. The future of access and egress to Bridge Road from the Princes Highway is unknown.

15. Holiday Haven Tourist Parks Management Contract – Shoalhaven Heads Holiday Park **File 38265E** [Index](#)

SECTION MANAGER: Michael Harben

PURPOSE:

To consider the two (2) year ‘optional’ contract extension for the management and operation of Shoalhaven Heads Holiday Park from 15 July 2016 until 15 July 2018 as provided under the current contract.

The Contract for the Shoalhaven Heads Holiday Park is for a three (3) year contract period with a two (2) year optional extension. It is the two (2) year option that Councillors are now asked to consider.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that the Committee grant the extension to Davann Pty Ltd as set out in the report, for the management and operation of Shoalhaven Heads Holiday Park for a period of two (2) years from 15 July 2016 until 15 July 2018 at the current contract percentage.

OPTIONS

1. Council grant the contract extension for a period of two (2) years from the end of the current contract, at the current contract percentage.
2. Council not agree to the contract extension for a period of two (2) years from the end of the current contract.
3. Provide further direction to staff and propose an alternative.

DETAILS

The current management contractor operating Shoalhaven Heads Holiday Park has expressed their interest in exercising the option available under their management contract to extend their contract with Council for a further two (2) years.

Existing contracts provide for Council to grant the two (2) year extension, without going to tender, following the completion of the first three years of the awarded contract.

At the end of the two (2) year extension period in 2018 the management of the property will again be put to public tender.

Shoalhaven Heads Tourist Park under the current management team has increased in total revenue in the recent financial years by an average factor of 6.5% per year. Occupancy of cabins and sites has increased by an average of 10% over the previous three years. Expenditure continues to be contained within budgeted estimates.

FINANCIAL IMPLICATIONS:

Council has a forward business plan that provides measured investment in Shoalhaven Heads Tourist Park. This investment is designed to improve facilities and provide the type of activities that attract families and repeat business and includes new pool facilities, amenity renovations more powered camping sites and the extension of the existing sewer infrastructure. Projected capital works for the next two (2) years will be in excess of \$600,000 consisting of additional ensuite sites, additional motel style cabins and some cabin replacements.

A management team maintaining a viable business themselves remains an important part of the operation of the business of the Tourist Park into the future.

COMMUNITY ENGAGEMENT:

All of the Tourist Park properties with the Holiday Haven group are actively involved in industry schemes to improve the economic and environmental sustainability of the businesses in a socially responsible manner. In managing Shoalhaven Heads Tourist Park, the current management contractor, Davann Pty Ltd have brought their operations into line with Council's and industry guidelines in regard to landscaping, water management, trade waste, recycling and energy conservation. These initiatives have brought about a reduction in the environmental footprint of the operation while working towards saving gains in energy and waste costs.

16. Hyams Beach Rural Fire Station - Future Use

File 15975 [Index](#)

SECTION MANAGER: Martin Uptis

PURPOSE:

To advise Council on the current situation with the building at Hyams Beach, previously used by the Rural Fire Service (RFS), and to consider options for the building's future use.

RECOMMENDED, in accordance with the Committee's delegated authority from Council that the report on the future use of the building at Hyams Beach, previously used by the Rural Fire Service, be received for information.

OPTIONS

1. Receive the report for information (recommended).
2. Demolish the building at Hyams Beach (recommended).

Implications

- Loss of potential community space that locally is considered a building with which they have strong links.
 - Savings of operating costs in line with Council's "Fit for the Future" and Community Strategic Plan strategy of assessing and rationalising Council's property portfolio to ensure that all properties held in Council's ownership are suitable and necessary for community needs.
 - Removal of a potential risk to public safety as the building is clad in asbestos-containing material
3. Refurbish the building to meet current building compliance requirements (not recommended)

Implications

- A community space would be created.
- Additional on-going operational and maintenance costs would be incurred.
- The capital cost of improvements is currently unfunded.
- Provision of an additional community space would be contrary to the principles in the draft Community Infrastructure Strategic Plan

-
- The building cannot be extended as Crown Lands objects to any change to the existing footprint
 - A development application will be required for its 'change of use'. Development consent conditions may include requirements for car parking; accessibility; exit/ingress; fire safety; an asset protection zone; ventilation; etc.

DETAILS

Council resolved at its meeting on 27 January 2016 (Minute MIN16.71) that

- a) The General Manager provide a status report for the old Hyams Beach Fire Station. Such report to include the costs required to make the building useable.*
- b) The Status Report detail other steps that may be necessary to enable rental or use by community groups.*
- c) All reports be provided to Council at an appropriate meeting in order that Councillors might determine whether further discussions with the HBVA is worthwhile."*

History

Hyams Beach Bush Fire Brigade was officially formed on 2nd April, 1965 with a fibro shed erected for the use of the Brigade in 1968. In later years an annexe to the fire shed was built. The total building area is 120.7m². The building has been unoccupied for the last two years. The local community invested in the creation of this building and has strong ties and a view that it should be available for ongoing use.

Heritage Statement of Significance

The building is listed as a heritage item of Local Significance with the description *Post-war bushfire building - Functional utilitarian building of social significance arising from the need to protect the community from fear of bush fires.*

Land Tenure and Zoning

The property is under Crown Lands Reserve 96492, which is a reserve for Bush Fire Brigade Purposes. Council is Reserve Trust Manager. The total land size is 330 m². There are two Aboriginal Land Claims lodged, in 2005, over this property.

Crown Lands has stated the footprint of the building on the land is not to be altered or extended in any way. The current zoning is SP2 Infrastructure – *Emergency Services Facility*. The position of the building is surrounded by heavy vegetation and adjoins the Jervis Bay National Park.

Condition of the building

The building was in poor condition when the RFS volunteers vacated it two years ago. The cost to make the building useable as an 'Emergency Services Facility' is estimated at \$10,000 which includes general maintenance such as cleaning; ensuring window and door operation; electrical testing; balustrade repairs and water line repairs. The current SP2

Infrastructure zoning generally precludes other uses, however as the building is heritage-listed other uses may be allowable subject to a heritage impact assessment. Alternatively, a change of zoning may be possible but this is likely to be a lengthy process with no certainty, at present, whether this would be successful.

The minimum estimated cost to make the building useable for other community activities is \$115,000. This amount does not include any development consent conditions which may be imposed such as additional car parking and accessibility requirements.

Costs in the next 12 months would include

• Main water line needs replacement to building	\$10,000
• Replace on all broken windows, doors and flyscreens	\$ 5,000
• Remove all asbestos from building	\$30,000
• Re-line with internal plasterboard	\$15,000
• Re-line with external cladding	\$20,000
• Patch & Paint throughout internally	\$ 4,000
• Replace roof sheeting	\$20,000
• Clearing the asset protection zone	\$ 5,000
• Replace non-complaint electrical switchboard	\$ 3,000
• Rewire	\$ 3,000
	Total \$115,000

Community Space Alternatives

The Hyams Beach Villagers Association currently meets at the Erowal Bay hall. This is a trip of 5km, taking about 5 minutes.

Planning is underway for a community hub in the Bay and Basin Leisure precinct. When completed, this will be 6km from Hyams Beach, or a 6 minute drive.

FINANCIAL IMPLICATIONS

Option 1 – Receive report - No financial implications

Option 2 – Demolish building – Costs are estimated at \$30,000 and could be funded in 2016/17 from the Buildings Program. No further operating costs would be incurred.

Option 3 – Refurbish building – A summary of costs are:

• Urgent and General maintenance	\$ 10,000
• Refurbishment costs	\$115,000
• Potential development consent costs(up to)	\$100,000
	Total \$225,000
• Annualised operating and maintenance costs	\$6,000
• Annual depreciation cost (on \$215,000 over 50 years)	\$4,300
• Estimated annual income (two casual hires)	(\$100)

COMMUNITY ENGAGEMENT:

The consideration of the future use of the building would be classified as a 'Local Area – Low impact' activity under the Community Engagement Policy.

Consultation on this matter has occurred with Rural Fire Services NSW and Hyams Beach Villagers Association. Staff have also discussed the Asset related issue with members of the public making representations on behalf of the Mens Shed.

ITEMS TO BE REFERRED TO ORDINARY MEETING

17. Draft Policy for Adoption – Management of Mobile Food Vending Vehicles

File 52631E [Index](#)

SECTION MANAGER: Michael Harben

PURPOSE:

To obtain Council's direction in relation to adopting the draft Local Approval Policy – Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (including Roads), with amendments.

RECOMMENDED that MIN16.280 be reaffirmed from Council's meeting of 19th April 2016 and adopt the draft Policy – Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (including roads), with amendments.

OPTIONS

1. Council accept the recommendation as presented.
2. Provide further direction to staff and propose an alternative.

DETAILS

At the Council's meeting of 19th April 2016 (MIN16.280) it was resolved that:

- "a) *This item be deferred until the next meeting of Strategy & Assets Committee; and*
- b) *That the Draft Policy be amended to:*
 - i) *Remove specific locations, with any proposed locations to be assessed on merit*
 - ii) *Extend trading restrictions to locations 1km from the nearest shop selling similar products."*

In accordance with the above:

- The draft Policy does not include the specific nominated sites;
- The draft Policy has been amended to show the 1km trading restriction from the nearest shop selling similar products.

FINANCIAL IMPLICATIONS:

An annual permit fee of \$1,000 will apply (Mobile Food Van Category 2) as resolved at Council's meeting of 15th December 2015 (MIN15.787). The current Administration Fee of \$260 and Environmental Inspection Fee of \$115 will remain and be charge in conjunction with the annual permit fee.

COMMUNITY ENGAGEMENT:

This matter is considered to be a Local Area Low Impact issue as detailed in Council's Community Engagement Policy and Handbook with community engagement commencing with the public exhibition of this draft Policy in local papers and libraries and distributed to local CCB's.

18. Emergency Operations Centre Application for Funding

File 4537E [Index](#)

SECTION MANAGER: Martin Uptis

PURPOSE:

To report on the progress of seeking external funding to fund the fit out of the Emergency Operations Centre located at the Integrated Emergency Management Centre (IEMC) 92 Albatross Road, Nowra and to request a funding commitment from Council.

RECOMMENDED that Council allocates \$50,000, from the Building Maintenance budget, as a co-contribution to partial funding of the fit out of the Emergency Operations Centre and support the application for funding to the Veolia Mulwaree Trust

OPTIONS

1. The recommendation be accepted as written
2. Council seeks funding for the EOC fit-out from the State Government as a special grant.
3. Council makes an alternative decision.

DETAILS

Background

Funding is required for the fit out of the newly constructed Shoalhaven Emergency Operations Centre located at the Integrated Emergency Management Centre, 92 Albatross Road Nowra.

The Integrated Emergency Management Centre houses the State Emergency Service (SES) and the Rural Fire Service (RFS). This centre has recently been expanded due to the operational needs of both agencies. During this expansion a dedicated Emergency Operations Centre has been created. The expansion thus far has been funded by RFS and Shoalhaven City Council at a cost of \$1,231,300. The RFS via the Rural Fire Fighting Fund contributed \$1,169,300 to which Council contributes its 11.7% share. A further \$62,000 direct Council contribution was allocated from the Capital Works budget.

An Emergency Operations Centre is a facility from which emergency services with a controller can ensure the timely provision of support to affected communities by either:

- a) Planning for an impending event in the pre-impact phase
- b) Monitoring an operation
- c) Coordinating support to a Combat Agency or
- d) Controlling an emergency operation (where there is no combat agency or at the combat agency's request or when directed by the NSW Minister for Emergency Services)

The Emergency Operations Centre is not continuously used but in the case of communities threatened by fire, flood, pandemic, biosecurity threat, earthquake, building collapse, severe storm or other unfortunate events the centre becomes the strategic planning and response core for the Shoalhaven.

The Emergency Operations Centre is managed in accordance with the *State Emergency and Rescue Management Act 1989* (SERM Act) Section 32 (1). Under the SERM Act Councils are responsible for the provision of executive support facilities for the Local Emergency Management Committee and the Local Emergency Operations Controller in its area. The Centre is controlled by the Local Emergency Management Controller which is a local police officer with experience in emergency management and responsible for providing a significant and coordinated response.

The Local Emergency Management Controller will coordinate efforts from a number of local emergency services and other agencies. The actual mix of representation will vary and will be dependent on the nature of the actual emergency. The mix of representation could include representatives from any or all of the following agencies:

- *Ambulance*
- *NSW Police*
- *NSW Health*
- *NSW Fire and Rescue*
- *NSW Roads and Maritime*
- *RFS*

- SES
- Australian Defence Force
- Communications – Shoalhaven City Council and Telstra
- Endeavour Energy
- Shoalhaven Water
- Jemena Eastern Gas Pipeline
- ZNX Group – Nowra Gas Networks
- Department of Primary Industries
- NSW State Rail
- Welfare services e.g. Red Cross, Smith Family, St Vincent de Paul etc
- Surf Life Saving
- Marine Rescue
- Jervis Bay Territory
- Booderee National Park
- National Parks and Wildlife
- Jervis Bay Marine Park
- Australian Federal Police
- Shoalhaven City Council - Traffic, engineering, environmental etc
- South Coast Correctional Centre
- Forests NSW
- Local Land Services

It is clear from the list above that coordination of a wide variety of agencies in response to a wide array of emergencies is a complex undertaking. Technology, in particular connectivity, has grown to be one of the most operationally critical components of the Emergency Operations Centre. The creation of a dedicated Emergency Operations Centre, with purpose built communication technologies means that Shoalhaven agencies will be better able to assist and support Shoalhaven communities in times of crisis.

Currently the Emergency Operations Centre requires a fit out which will include state of the art communication and coordination electronic equipment. The fit out will cost in the vicinity of \$100,000 as outlined in detail below.

Item - furniture	Quantity	Cost per unit	Total Cost
Tables flip up with lockable castors for ease of moving	30	\$ 309	\$ 9,270
Chairs	50	\$ 189	\$ 9,450
Workstations/Desks	2	\$ 366	\$ 732
Workstation computer chairs	2	\$ 253	\$ 506
Small round table for office to suit 4 chairs	1	\$ 215	\$ 215
Height adjustable desks for mapping. Manual lift	2	\$ 575	\$ 1,150
Item - furniture	Quantity	Cost per unit	Total Cost
Two door lockable filing cabinet	1	\$ 220	\$ 220
Double sided moveable whiteboard	2	\$ 478	\$ 956

Magnetic White board with accessory/pen tray 1500 x 1100	4	\$ 390	\$ 1,560
Magnetic White board with accessory/pen tray 2000 x 1200	3	\$ 644	\$ 1,932
Magnetic White board with accessory/pen tray 1800 x 1200	2	\$ 660	\$ 1,320
Plan hanging frame on wheels	1	\$ 328	\$ 328
Total			\$ 27,639
Item - communications and coordination			
Extron Matrix Box	1	\$ 32,118	\$ 32,118
900" COMBOX 4K UHD Classic Wall Mount Bundle	1	\$ 14,825	\$ 14,825
Barco Clickshare Classic	1	\$ 4,995	\$ 4,995
TV - 55 in	4	\$ 5,189	\$ 20,756
50 in TV	1	\$ 1,600	\$ 1,600
Total			\$ 74,294
Grand Total			\$ 101,933

The Local Emergency Management Officer has been tasked by the Local Emergency Management Committee with sourcing the funding for the fit out of the Centre.

Many grants do not support applications for fixtures and furnishings. Of those that do, the funding bodies require a co-contribution of at least 50% within a grant application. The Local Emergency Management Officer has identified an eligible grant – the Veolia Mulwaree Trust. It is requested that the Shoalhaven City Council allocate \$50,000 toward matching funding for appropriate grants.

FINANCIAL IMPLICATIONS:

It is requested that \$50,000 be allocated from the existing Operational Plan budgets as a co-contribution to the fit out of the Emergency Operations Centre. Shoalhaven City Council would be the owner of the assets and would need to allocate additional maintenance funding and insurance.

SECTION MANAGER: Mike Harben

PURPOSE:

To determine the Classification of the land described in Schedule A as Operational Land.

Section 31(2) of the Local Government Act, 1993 (LGA93) provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two Classifications available:

- Operational Land – land which Council owns as a business entity and upon which it conducts Council business, and
- Community Land – Land in Council’s ownership which is held for and on behalf of the Community – subject to the Community Land provisions of the LGA93.

A resolution of Council, within the time frame prescribed in the LGA93, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land.

RECOMMENDED that Council resolve to classify the land described in Schedule A as Operational land:

Schedule A

Legal Description	Locality	Purpose	Council resolution to acquire	Trim reference
Lot 1 DP1214540 (Pt Lot 4 DP705589)	Terara	Nowra Sewerage Treatment Plant	MIN15.664	49630E
Lot 1 DP1208870 (Pt Lot 7300 DP1128666)	Huskisson	Sewer Mains	MIN15.475	2444E

Note: Copy of Council minutes MIN15.664 (Attachment A) and MIN15.475 (Attachment B) attached.

In accordance with Section 34 of the LGA93, public notice of Council’s intention to classify the land described in Schedule A was placed in the local press inviting written submissions. No submissions have been received.

SECTION MANAGER: Michael Harben

PURPOSE:

To inform Council of the outcome of the sale of land at Chisholm St Callala Bay, proposed Lots 1-5, Lot 23 & 24 Sec 5A DP9063.

RECOMMENDED that Council receive the Report of the General Manager (Assets & Works) for information.

OPTIONS

1. Adopt the recommendation as written.
2. Provide further direction to staff and propose an alternative.

DETAILS

Council resolved at its meeting of 15 December 2015 (MIN15.788) that:

- a) Council authorise the sale of five (5) lots in the proposed plan of subdivision of Lots 23 & 24 Sec 5A DP9063 (SF10418), Chisholm St Callala Bay.*
- b) Council authorise the General Manager to determine the most appropriate method of sale, to set the sale price (based on valuation advice), and to finalise the terms of the sale within 10% of either the reserve in the case of the auction or the list price in the case of a private treaty sale;*
- c) All costs associated with these sales be funded from Job Number 88796 and the net income be placed in the Property Acquisition Reserve to fund future property projects; and*
- d) Authority be granted to affix the Common Seal of the Council to any documents require to be sealed.”*

In addition to the subdivision works, the project has undertaken significant road improvements including road widening from 9m to 10.4m and construction of a new footpath on the western side linking the existing footpath at both ends.

Outcome of Sale

The auction for the sale of the five (5) lots was held Saturday 23rd April 2016, conducted by Callala First National and all five (5) lots were sold “under the hammer”. Sale proceeds amounted to \$1,413,000 gross.

A summary of the individual sales are listed below:

Lot Number	Sale Price
1	\$270,000
2	\$278,000
3	\$280,000
4	\$275,000
5	\$310,000
Total	\$1,413,000

Profit/Loss

Table 1 below outlines the development costs:

Table 1:

Development Costs	Fee (incl. GST)	\$Total
Consultancy		\$85,093
Development Fees	\$5,631	\$31,329
Water & Sewer (s64)	\$17,113	
Contributions (s96)	\$8,585	
Site Clearing		\$37,950
Construction (Road, Drainage, Sewer & Water)		\$216,628
Total Development Cost		\$371,000

Table 2 below outlines the nett profit resulting from the sale of five (5) lots is outlined below:

Table 2:

Gross Realisation	\$1,413,000
Less Selling costs (Legal/Agents Fees/Valuation)	\$39,236
Less Development Costs	\$371,409
*Estimate Nett Profit (<i>excluding Non-Subdivision costs</i>)	\$1,002,355

*An additional \$287,000 was spent on non-subdivision works (1.4m Road widening, including extension of new footpath and upgrade of existing pavement) and was funded by Council's Assets, Drainage and Roads Program. This was a broader public benefit due to Council's Subdivision.

*Estimate nett profit subject to final variations pending at the time of writing.

FINANCIAL IMPLICATIONS:

The income generated for Council from the sale will be placed in the Property Acquisition Reserve to fund future strategic property projects.

COMMUNITY ENGAGEMENT:

This matter is considered to be a Local Area Low Impact issue as detailed in Council's Community Engagement Policy and Handbook and up until the sale of land community consultation has been undertaken including consultation with the Callala Bay Progress Association and ongoing communication with local residents advising of proposed construction works.

B. Stewart
DIRECTOR, ASSETS & WORKS

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
STRATEGY AND ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

PLANNING AND DEVELOPMENT

ITEMS TO BE DEALT WITH UNDER DELEGATION OF COUNCIL

21. Collingwood Beach Dune Vegetation Management

File 9929E [Index](#)

SECTION MANAGER: Kelie Lowe

PURPOSE:

To progress the finalisation of the draft Collingwood Beach Dune Vegetation Management Plan by recommending public exhibition of the revised draft Dune Vegetation Management plan for Collingwood Beach. In addition, comment is also provided on resident presentations made to Council.

RECOMMENDED that, in accordance with the Committee's delegated authority from Council, the Committee:

- a) Place the draft Collingwood Beach Dune Vegetation Management Plan on public exhibition for a period of six (6) weeks and report back to Council the outcome of the public exhibition.**
- b) Establish a demonstration site at the end of Susan Street, Vincentia prior to the exhibition period to facilitate the understanding and visualisation of the proposed management zone for this area.**
- c) Investigate and report back on sustainable ways of funding the subject dune vegetation management plan activities – options could include special rate levy (noting that IPART approval would be necessary if this was in addition to the rate peg limit), funding of works by private properties fronting the dune, utilisation of volunteers and other options.**

OPTIONS

1. Adopt the recommendation of this report.
2. Propose an alternate recommendation.

DETAILS

At its meeting on Thursday 25 February 2016, the Collingwood Beach Dune Vegetation Management Plan Committee resolved (D16/76055) that:

- a) *An onsite briefing in the afternoon be held to discuss and further evaluate the zones and mentioned methods outlined by the consultants; and*
- b) *A report be submitted back to Council outlining the findings and the General Manager's (Director Planning and Development Services) investigations of the comments by Mr Kruk in relation to past promises.*

Response to part a) of Council resolution

A site visit took place on 21 March 2016 and was attended by Councillors, Dave Maynard from NGH Environmental (NGH), and coastal hazards expert Lex Nielson from Advisian.

One of the key outcomes of the site visit was that Councillors present considered it was necessary to provide for views of Jervis Bay for vehicles (passangers within) utilising Elizabeth Drive.

The draft plan that was presented to Councillors at the meeting of the Collingwood Beach Dune Vegetation Management Plan Committee, had proposed to maintain existing vegetation at the ends of the streets leading down to the beach up to 100% foliage cover. As this vegetation does not impede views from residences, provides greater protection in these more vulnerable areas (main beach access ways, stormwater outlets and wind corridors created by the roads) and reduced the area under active management. However, it was discussed onsite that all of these areas could be actively managed to provide for views and that additional measures could be implemented to compensate for the loss of vegetation in these more vulnerable locations.

- # A record of the onsite meeting is contained in **Attachment A**.

The draft Dune Vegetation Management Plan was revised by NGH to reflect this key outcome, changes include:

- Modification of management zone at the end of streets, from Zone 1 (up to 100% tree/tall shrub cover) to Zone 4 (under pruning of mature trees and removal of tall shrubs) and Zone 2 (up to 70% tree/tall shrub cover); and
- Inclusion of a recommendation to plant tall Eucalypt trees, not on the dune but along the road reserve ends of the streets where they do not impede bay views from residences. This would provide for a degree of compensation for the active management of the foredune vegetation in these more vulnerable areas which include beach access ways, stormwater outlets and focal points for wind created by the streets that run perpendicular to the beach. The establishment of tall Eucalypts in these areas would ultimately act as hind dune vegetation. It would assist in lifting the wind field off the dune surface, reducing the risk of wind erosion and blowouts. Suitable locations for the planting of these trees are indicated on the detailed mapping in Attachment **B** of the draft plan.

-
- Some minor modifications to zones was also undertaken following input from Councillors.

A copy of the revised draft plan is attached to this report at **Attachment B**.

Another key outcome of the site visit was a general agreement for the creation of a demonstration site near Susan Street to show the public what implementation of the plan would create. This demonstration site would be approximately 50m in length and the works estimated at a cost of approximately \$5,000.

Councillors requested that the proposed management zones be marked along the path, during the exhibition period, so that people could better understand the draft plan.

Response to part b) of Council resolution

A review of Council's records was undertaken to establish whether there was any specific past promises or commitments to maintain or establish views of Jervis Bay from dwellings adjoining the foreshore reserve and dune. The history of dune restoration works, as can be determined from Council records, is described below.

History of dune vegetation and council commitments following the 1970s storms:

The dune rehabilitation works following the 1970s storms were undertaken by Soil Conservation Services (SCS).

- # The best account of the works and community participation is included in a paper written by P.T. Davies (District Soil Conservationist at SCS, Nowra) published in the Journal of the Soil Conservation Service of NSW in 1982 (refer to **Attachment C**). Davies states that restoration works were not completed after the 1974-75 storms until 1978 in response to a request from residents to SCS to rehabilitate the dune due to continual sand drift that became "*a continual problem for beachfront residents*". As "*most of the dune vegetation had been destroyed by the storms and the pressure of human traffic moving onto the beach. Consequently, there was little vegetation left to arrest the landward drift of wind borne sand*".

The paper refers to initial planting of grasses in May to September 1978 by SCS and Council staff with the help of the Collingwood Beach Progress Association. Following this initial planting, the Progress Association assumed responsibility for maintenance of the project through the creation of a sub-committee of beach front residents.

The paper refers to two subsequent tree plantings at 12 month intervals of respectively, 1500 and 1000 tree seedlings (*Acacia sophorae*, *Leptospermum laevigatum* and *Banksia integrifolia*). Davies (1983) also states that the "*local community interest and involvement in this project has been outstanding*".

- # Ten years following the dune rehabilitation work of the late 1970s, the project was reviewed by Peter Davies (Director, Environment & Research, SCS of NSW) and Noel Kesby (District Soil Conservationist, SCS of NSW, Nowra), who produced a paper that was published in the Australian Journal of Soil and Water Conservation in 1989 (see extract contained in **Attachment D**).

In their paper they state:

'The service considers that the success of a beach management plan is critically dependent of the positive awareness and attitude of the community at large, and particularly that of the local community.'

In August 1986 the beach experienced further storm action. The paper states that "by 1986 the vegetation along the dune crest was well established and this resulted in a lowering of the wind velocity and most of the drift sand was dropped in the front of the dune paddocks" and that "only part of the incipient dune was affected by wave action".

Davies and Kesby also state that:

"community support and awareness of the program was very high". "However, as human nature dictates, time quickly blurred the images of a degraded dune system, its loss of amenity and the threat of destructive storms" and that "the developing dune and tree cover is seen as spoiling the view".

At this time residents continued to care for the dune and a Collingwood Beach Dune Care Group was formed. This group became the first dune care group in NSW.

A report by Council's City Engineer to a meeting of Council's Works Committee on Tuesday 20th October 1987 sought funds for maintenance works of Council's beach improvement works that were managing erosion. This included maintenance fencing and planting of trees, shrubs and grasses at Collingwood Beach and other beaches within the City.

- # Around this time more work was undertaken on the dunes by the Soil Conservation Service (SCS), Collingwood Beach Dune Care Group with the assistance of members of the Vincentia Ratepayers & Residents Group. In September 1990 they distributed a flyer (refer to **Attachment E**) inviting the community to:

'Come along and join in with neighbours in the stabilisation of Collingwood Beach sand dunes. Make it a community effort.'

SCS provided advice on how to plant, the shrubs to be planted, fertiliser and some equipment. The flyer also states:

'The shrubs to be planted are coastal wattle and coastal rosemary which have a growth height of less than two metres. Trees may be planted later in carefully selected positions.'

- # Mr Kruk's presentation specifically referred to a brochure titled 'Are you aware of the importance of sand dunes?' Council records indicate that this brochure was produced in the early 1990's (refer to **Attachment F**). The brochure was produced by the Collingwood Beach Dunecare Group, Vincentia Ratepayers and Residents Association Inc. and the Department of Conservation and Land Management.

Page 2 of the brochure states that "the dunes of Collingwood, Orion and Nelson Beaches are being damaged by the following human activities which are placing these beaches under high erosion threat:

Destruction and removal of trees including cutting branches and poisoning, to obtain a better view or gain easy access to the beach

Page 4 of the brochure states that:

“The shrubs now being planted on the dunes and adjoining areas are low growing varieties which will not obstruct people’s views”

This infrastructure appears to be informing residents and the community that only low growing species were to be planted at that time (the brochure refers to “the shrubs **now** being planted”). The review of the historical articles outlined above suggests that before that time, with the knowledge and support of residents, that trees and shrubs were planted. Given the apparent height and age of some vegetation, it appears that it is these trees that have grown and naturally regenerated that are now impeding people’s views.

Around the time of the construction of the Collingwood Beach Cycleway (2000), a Sand Dune Stabilisation Program was also implemented by Council at Collingwood Beach using state government funding.

- # A flyer was distributed by Council (refer **Attachment G**) outlining the project. The works were contracted to the Department of Land and Water Conservation and included dune fence repair and renewal. Pedestrian beach access repair and renewal, foredune shaping and revegetation, planting of coastal native vegetation and vegetation enrichment (fertiliser application).

CONCLUSION:

The review of the history of the site (based on information available in Council’s records) and community flyers and brochures reveals that grasses, shrubs and trees were planted as part of the dune restoration works as a collaborative approach between SCS, Council and the community. It appears from these records that by 1989 this planted vegetation was well established and some residents were concerned about loss of views. By the early 1990’s, with the passing of time and restoration of the dune, the impact of the 1970’s storms was less evident and some vandalism to vegetation started occurring.

In subsequent years as new residents moved in and the issue of views became more prominent new plantings were carefully chosen to only include low growing species. However, the trees and banksias planted after the 70s storms naturally regenerated and the number of trees and banksias naturally increased in the dune.

In recent years, Council has not been actively planting trees on the dune. The only time trees have been planted is to comply with Council’s Foreshore Reserves Policy which requires replacement of vandalised trees:

“Where Council is required to revegetate foreshore lands following unauthorised removal of vegetation, such revegetation will aim, at a minimum, to restore the former quality of the Reserve – the status quo.”

This is done on a 1:1 ratio. That is, for each tree that has been removed or destroyed, one (1) is planted in its place.

FINANCIAL IMPLICATIONS:

The implementation of the actions in the draft vegetation management plan are unfunded and go well beyond existing budget capacity for the maintenance of natural areas. The existing budget is not sufficient to manage the vegetation to such an extent where all views will be maintained. The cost of implementation is detailed in section 10 of the document. The modification of the management zone at the end of streets, from Zone 1 (up to 100% tree/tall shrub cover) to Zone 4 (under pruning of mature trees and removal of tall shrubs) and Zone 2 (up to 70% tree/tall shrub cover) results in increased cost of implementation.

The initial pruning and felling of vegetation needs to be carried out by specialist contractors due to risk and consideration is estimated at approximately \$190,000. Ongoing pruning and maintenance is estimated up to approximately \$60,000 per year.

It is recommended that long term sustainable funding options be investigated to cover the proposed new activities to manage dune vegetation and preservation of views.

It is acknowledged that residents and residents groups have offered to assist with the implementation of works however the risks associated with the initial vegetation pruning and felling need to be carefully examined. Once the initial major work is completed, maintenance works that do not present risks (such as seedling removal, weed management, planting of grasses) could potentially be done by volunteer groups.

COMMUNITY ENGAGEMENT:

In addition Council place the draft plan on public exhibition for a period a six (6) weeks.

It is recommended that prior to the exhibition period, Council organise a demonstration site at the end of Susan Street, Vincentia to facilitate the understanding and visualisation of proposed management zone for this area.

ITEMS TO BE REFERRED TO ORDINARY MEETING

22. **Request for Refund of Development Application Fees – Masterplan/Staged Development Application for Upgrade of Facilities at Lot 101 DP 751273 (Por 101) 170 Riversdale Road, Lot 227 DP 751273 (Por 227) Bundanon Road and Lot 7315 DP 1166783, Illaroo. Applicant: Locale Consulting Pty Ltd Owner: Bundanon Trust**
File RA15/1002 [Index](#)
-

SECTION MANAGER: Cathy Bern.

PURPOSE:

To consider a request from Bundanon Trust for a refund of paid Development Application (DA) fees. Bundanon Trust has requested a refund for application fees paid for Regional Development Application (RA) 15/1002 – a total of \$26,587.00.

SUBMITTED for consideration.

Note: Should a refund or part refund be approved then it would be sourced from the Donations Vote.

OPTIONS

1. Resolve to reimburse a partial amount of the fees paid or an alternative amount as suggested by Councillors.
2. Resolve to reimburse the full fees paid (\$26,587.00) as requested.
3. Decline the request to reimburse fees paid due to the Unallocated Donations vote being expended.

BACKGROUND

Council's *Policy on Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups* exempts a non-profit organisation (e.g. registered charities, local sporting groups, schools) from the payment of fees associated with a DA so long as the DA does not involve an ongoing commercial venture. Where the sum of all fees exceeds \$1,000, the applicant is required to pay the fee upfront and then, may apply to Council for a reimbursement of the fees outlining the grounds for reimbursement.

- # Council has received a written request from Bundanon Trust for the refund of DA fees paid that are associated with RA15/1002 (refer to **Attachment 'A'**). The request seeks the refund of the total fees paid for the DA (i.e. \$26,587.00).

Council resolved at its meeting on 27 January 2016 (Min16.67) in part to:

“Not approve any further donations for the 2015/2016 financial year.”

DETAILS/COMMENTS

RA15/1002 has been assessed by Council staff and determined by the Southern Joint Regional Planning Panel (JRPP) by way of deferred commencement consent. The development consent issued has given approval for (summary only) a masterplan /staged development application comprising three (3) new buildings, car parking and refurbishment of the existing homestead. The works to be completed in three (3) stages with each stage requiring a new DA to be lodged with Council.

The DA fees that have been paid for the current application are based on the total cost of the proposed development that has now been approved by RA15/1002 (i.e. whole masterplan/three stages – cost of 4 DA's in total). In summary, the DA fees that have been paid cover Council's costs in assessing RA15/1002 **and each of the future DA's required/yet to be lodged.**

The reasons given by Bundanon Trust in their written request for the reimbursement include:

- a) Bundanon Trust is a charity registered with the Australian Charities and Not For Profits Commission;
- b) The development proposed under RA15/1002 does not involve an ongoing commercial venture;
- c) The development proposed is designed to achieve the mission of Bundanon Trust to support arts practice and engagement with the arts through its residency, education, exhibition and performance programs; and
- d) The development proposed will create a safe/defendable gallery for Bundanon's unique art collection, expand opportunities for children and the public to access arts based programs and generate revenue for the future economic sustainability of the Bundanon Trust and Shoalhaven region.

Comments: Noting that the DA fees paid relate to the DA that has already been assessed and determined **as well as DA's that will be required to be lodged for each of the three (3) approved stages** and given the work that will be required by Council staff to undertake this assessment, it is considered reasonable to retain a portion of the DA fees paid to partially cover costs that Council has and will incur as part of a DA's assessment (e.g. administration costs, notification/advertising costs, professional staff's assessment costs, etc). As such, a refund of 40% of the DA fees paid could be considered (i.e. \$10,635.00).

FINANCIAL IMPLICATIONS:

The DA fees that have been paid to Council are \$26,587.00.

The Policy states that any donations by way of whole or partial reimbursement be determined by the Council will be paid out of the “unallocated donations” budget or a source identified in Council’s resolution.

Currently the 2015/2016 “Unallocated Donations” budget has been expended and has a negative balance of \$7667.59.

23. Adoption of Generic Community Lands Plan of Management version 5 & Foreshore Reserves Policy (POL16/38) File 20861E, 51952E, 29352E [Index](#)

SECTION MANAGER: Kelie Lowe

PURPOSE:

To inform Council of the outcome of the public exhibition of amendments to the Generic Community Lands Plan of Management – Natural Areas No 7 (Version 4) & the Foreshore Reserves Policy (POL12/304). To recommend these documents be adopted.

RECOMMENDED that

- a) **In accordance with s40 of the Local Government Act 1993 Council adopt version 5 of the Generic Community Lands Plan of Management – Natural Areas as exhibited.**
- b) **Council adopt amendments to the Foreshore Reserves Policy (POL16/38) as exhibited.**
- c) **Both documents be updated and finalised with the exhibited changes and Council’s website be updated with the new versions of the documents.**
- d) **Chapter G6 of the Citywide DCP be amended to reflect the revised contents of the Generic Community Lands Plan of Management – Natural Areas and Foreshore Reserves Policy as detailed in this report. That the changes to the DCP be included in the scheduled stage 2 Housekeeping Amendment.**

OPTIONS

- 1. Adopt the recommendations of this report.
- 2. Propose an alternate recommendation.

DETAILS

Plans of Management are amended by the making of another Plan of Management. Council exhibited a new Plan of Management (Generic Community Lands Plan of Management – Natural Areas version 5), which amended Section 3.2.6 of version 4 for a period of 28 days as required by s40 of the Local Government Act 1993. The exhibition period was from 23 March until 20 April 2016. An amendment of the Foreshore Reserves Policy (POL16/38) was exhibited concurrently.

-
- # The exhibited proposed amendments were to approve an appropriate pathway to allow provision for stormwater collected from private properties to be directed through community lands. This action is consistent with the recommendations of a previous report (refer **Attachment A**) and the subsequent resolution of Council on 8 March 2016 Min 16.149 (refer **Attachment B**).
 - # Submissions received during public exhibition are detailed in **Attachment C**. The attachment outlines each submission, Council's response and required actions (if any). None of the submissions related to the proposed amendments so do not need to be addressed in the new versions of the documents.

Once these documents are adopted, final versions will be prepared and replace existing documents on Council's website.

The changes to the documents were to allow provision for stormwater collected from private properties to be directed through natural areas. For these changes to take effect in practice, it is necessary to amend Chapter G6 of the Shoalhaven DCP 2014 where it applies to *Areas of cliff/slope Instability (5.1.2)* or *'other areas of potential coastal instability' (s 5.1.3)* identified in Chapter G6 in the Shoalhaven DCP 2014. The amendments to the DCP need to reflect the revised contents of the Generic Community Lands Plan of Management – Natural Areas and Foreshore Reserves Policy, being:

- *Stormwater from adjoining residences should be managed via inter-allotment drainage and discharged directly into a stormwater facility of Council (pit, drain, channel, pipe etc.).*

High impact solutions will be considered in circumstances where:

- The site is within *Areas of cliff/slope instability (5.1.2)* or *'other areas of potential coastal instability' (s 5.1.3)* identified in Chapter G6 in the Shoalhaven DCP 2014;
- The proposed development does not result in an increase in impervious surfaces on the development lot;
- Other options for stormwater disposal have been exhausted (e.g. charged system, use of stormwater pump) and;
- The proponent is able to demonstrate that the discharge of collected stormwater from their property through the community land will meet the core objectives of the plan of management applying to the land.

FINANCIAL IMPLICATIONS:

Nil.

COMMUNITY ENGAGEMENT:

Council exhibited the Generic Community Lands Plan of Management – Natural Areas (version 4) with proposed amendments for a period of 28 days. The exhibition period was

from 23 March until the 20 April 2016. An amendment to the Foreshore Reserves Policy (POL16/38) was exhibited concurrently.

Three submissions were received during the exhibition. One submission, from a Callala Bay resident commented on the inappropriateness of storage of dinghies on the foreshore. The other two submissions, both from residents of Lake Tabourie, included comments regarding the definition of “*appropriate distance*” that related to mowing on the foreshore and comments relating to the omission of certain lands from the Foreshore Reserves Policy. All three submissions were not relevant to the amendments.

Advertisements were placed in the Milton Ulladulla Times & South Coast Register advising of the exhibition of documents on 23 and 30 March 2016 and 6 and 13 April 2016.

24. **Five (5) Bushcare Group Action Plans - Review**

File 51838E [Index](#)

SECTION MANAGER: Kelie Lowe

PURPOSE:

The purpose of the report is adopt the five (5) Bushcare Group Action Plans following the recent resolution to defer the matter to a Councillor Briefing.

RECOMMENDED that Council adopt the five (5) reviewed Bushcare Group Action Plans (2016) as follows:

- a) **Kioloa Bushcare Action Plan – Review 2016**
- b) **Bens Walk Bushcare Action Plan – Review 2016**
- c) **Moeyan Hill Bushcare Action Plan – Review 2016**
- d) **Milton Rainforest Bushcare Action Plan – Review 2016**
- e) **Barfleur Beach, Plantation Point & Stuart King Reserve Bushcare Action Plan – Review 2016**

OPTIONS

1. Adopt the five (5) reviewed Bushcare Group Action Plans

The five (5) Bushcare Group Action Plans have been reviewed by Council’s Planning and Development officers and State Government agencies staff from NSW Crown Lands. All plans have been sent to Council Consultative Bodies (CCBs) and all residents and ratepayers within 200 metres of the reserve affected by the five (5) Beach Action Plans. This is in accordance with Council’s Bushcare/Parkcare Policy and Procedures 2009, and Council’s Community Engagement Policy.

2. Adopt some of the reviewed Bushcare Group Action Plans and seek a review or make changes to the others

Implications: The positive or negative implications of choosing this option would depend on the proposed changes.

3. Not adopt any of reviewed Bushcare Group Action Plans

Implications: This decision would significantly affect volunteer's morale and result in a loss of volunteer participation in Council's Bushcare program.

DETAILS

Council at its Ordinary meeting of 19 April 2016 resolved:

That prior to the councils consideration of the following five (5) reviewed Bushcare Group Action Plans (2016) staff provide Council with a Clr Briefing:

- a) *Kioloa Bushcare Action Plan – Review 2016*
- b) *Bens Walk Bushcare Action Plan – Review 2016*
- c) *Moeyan Hill Bushcare Action Plan – Review 2016*
- d) *Milton Rainforest Bushcare Action Plan – Review 2016*
- e) *Barfleur Beach, Plantation Point and Stuart King Reserve Bushcare Action Plan – Review 2016*

The Councillor Briefing on the Bushcare Action Plans was held on Thursday 28 April 2016.

The five Bushcare Action Plans were due for review and a copy of the report submitted to the Council Bushcare Action Plan is attached (**Attachment A**).

FINANCIAL IMPLICATIONS:

The cost of implementing the actions within the five (5) reviewed plans over three years, including voluntary labour, will be a total cost of \$141,220. These costs will be funded through Council's existing Bushcare program budget and voluntary labour, as follows:

- \$22,720 (accommodated through existing budgets) materials/equipment and direct support from casual Bushcare Field Officer staff;
- \$22,500 in existing salaried staff time; and
- In-kind volunteer contribution \$96,000.

COMMUNITY ENGAGEMENT:

CCBs and 448 residents and ratepayers were informed of the opportunity to comment on all five (5) reviewed Bushcare Action Plans via the post or email. 488 letters were sent out to all residents and ratepayers within 200 metres of the reserves where Bushcare actions are proposed or will continue.

Residents/Ratepayers were able to view the draft Bushcare Action Plans via a “**Documents on Exhibition**” web link on Council website and were given 28 days to make a submission. People without internet access were able to contact Council and request a hard copy of the plan and make a submission via mail. This community engagement is in line with Council Community Engagement Policy for low impact local projects.

Summary of submissions

- Barfleur Beach, Plantation Point & Stuart King Reserve Bushcare Action Plan Review – 14 submissions received from 14 individuals. The submissions raised the following points:
 - 4 provide stability to dunes whilst maintaining view for pathway users.
 - 5 in support.
 - 5 opposed new action 4 – regarding mulching and planting.
 - 4 opposed new action 2 – closure of vehicle access to prevent rubbish dumping and illegal camping.
- Kioloa Bushcare Group Action Plan Review – 1 submission received from 1 individual. The submission raised the following point:
 - Rehabilitation of unauthorised walking track.
- Milton Rainforest Regeneration Bushcare Group Action Plan Review - 1 submission received from 1 individual. The submission raised the following points:
 - Continuation of support with Bushcare Field Officer.
 - Support for use of monitoring.
 - Concerns on who provides maintenance for the Community Prayer Wheel.

A detailed summary of the submissions, documenting the changes made to the plans as a result, can be found in Attachment A.

Tim Fletcher
DIRECTOR PLANNING & DEVELOPMENT SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

STRATEGY & ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

SHOALHAVEN WATER

ITEMS TO BE REFERRED TO ORDINARY MEETING

25. Payment of Dividends from Shoalhaven Water 2014-15

File 32701E [Index](#)

SECTION MANAGER: Tony Holmes.

PURPOSE:

The purpose of this report is to enable Council to pay a dividend from the water and sewer funds to the General Fund. The intention to pay a dividend was forecast within Council's Delivery Program and Operational Plan 2014-2015. Any dividend payable is subject to continued compliance with the NSW Government Best Practice Management of Water Supply and Sewerage guidelines. This report is submitted as required by those guidelines and on the basis that Council seeks to pay a dividend.

RECOMMENDED that Council determines that "substantial compliance" of the criteria in the Best Practice Management of Water Supply and Sewerage Guidelines has been achieved and a dividend will be paid from the Water and Sewer Funds to the General Fund for the 2014/2015 budget year.

OPTIONS

1. Council could choose not to pay a dividend from either the Water or Sewer funds or both funds.
2. Council could choose to pay an amount which is less than the full dividend.
3. Council could choose to pay a full dividend from either or both funds.

It should be noted that the Best Practice Management Guidelines state that Local Government Water Utilities facing major capital expenditure for new and/or replacement infrastructure should defer paying a "significant" dividend from their surplus. Such capital expenditure in any financial year is defined as that which exceeds 3% of the current replacement cost. The current replacement cost of Council's sewer assets is approximately \$699m. Capital works expenditure in the 2014/15 water and sewer funds is not greater than the prescribed 3%.

DETAILS

If a dividend is to be taken from the Water and Sewer Funds, Council must provide an independent audit report and resolve in a Council meeting open to the public that it has achieved “**substantial compliance**” with each criterion of the Best Practice Management of Water Supply and Sewerage Guidelines – August 2007.

This report outlines those matters relating to the independent audit of the Best Practice Management Guidelines and provides a resolution that it has achieved “substantial compliance” if a dividend was to be taken.

Since Council resolved at its meeting of 1 September 2003 to adopt the Best Practice Management Guidelines, substantial compliance has been achieved each year to enable a dividend to be paid as applicable. If Council intends to again pay a dividend for 2014/15, the Shoalhaven Water business will have paid \$30,187,494 in Dividends and Tax Equivalents from the water and sewer funds since 2003.

- # There is six criteria as shown in the attached information (Attachment 1) for compliance with Best Practice Management of Water Supply and Sewerage Guidelines. The criteria are supported by a large number of checklists as a “road map” to address the issues to achieve compliance.

An audit was undertaken by the NSW Government Public Works which was completed in December 2015. The audit concluded that:

*“Based on findings of our audit we conclude that Shoalhaven Water has demonstrated ‘**substantial compliance**’ with **Best Practice Management of Water Supply and Sewerage** in line with the DPI Water Guidelines as applicable for year ended 30 June 2015.”*

- # A summary of the full audit findings are contained in Attachment 2.

FINANCIAL IMPLICATIONS:

The intention to pay a dividend from the Water and Sewer funds was forecast within Council’s Delivery Program and Operational Plan. The dividends payable from both funds on the basis of Option 3 will require budget adjustments in the third quarter review.

- # A copy of the calculation within the Annual Financial Statement – 30 June 2015, on the basis of a full dividend being taken in the amount (\$1,442,682 plus Tax Equivalents of \$100,398 - Water Fund and \$1,275,804 plus Tax Equivalents of \$141,756 - Sewer Fund), is contained in the Attachment 3.

COMMUNITY ENGAGEMENT:

By implementing and undertaking independent audit of the requirements of the Best Practice Management Guidelines, Council demonstrates that it has effective and sustainable water supply and sewerage businesses and will comply with National Competition Policy and the National Water Initiative. The Guidelines also adopt a Triple

Bottom Line (TBL) performance and benchmarking reporting tool to promote continuous improvement in respect of social, environmental and economic issues related to water supply and sewerage services.

26. Tender Process - Milton-Ulladulla Sewer Trunk Main

File 52945E [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

The purpose of this report is to inform Council of the tender process in relation to the Milton-Ulladulla Sewer Trunk Main.

In accordance with the Department of Local Government's "Tendering Guidelines for NSW Local Government 2009" and Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. Such information has been considered in this separate confidential report.

It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

RECOMMENDED that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (1993), consider a separate confidential report on this matter.

OPTIONS

- 1: Council accept the recommendation as presented (preferred option). Further details are provided in the confidential report.
- 2: Council amend the recommendation.
- 3: Council not accept the recommendation, giving reasons, and propose an alternative resolution.

DETAILS

Introduction:

Council, at its Ordinary Meeting on 16 December 2014, resolved to appoint a panel of contractors for mains construction works. The Panel comprises the following contractors:

- i. Comdain Civil Construction Pty Ltd
- ii. Murphy McCarthy & Associates Pty Ltd
- iii. EL Civil Engineering Pty Ltd
- iv. Ledonne Constructions Pty Ltd
- v. Interflow Pty Ltd

-
- vi. Hisway Pty Ltd
 - vii. Select Civil Pty Ltd, and
 - viii. Lynch Civil Contractors Pty Ltd.

The Panel was formed following an Expressions of Interest (EOI) process. The philosophy behind this approach was to identify suitably qualified contractors (based on a non-price assessment) to bid on a number of mains replacement packages over the next few years. This would enable a simplified assessment procedure whereby only price and assessment of project specific resourcing and construction methodology would need to be considered for the award of future works packages.

Background:

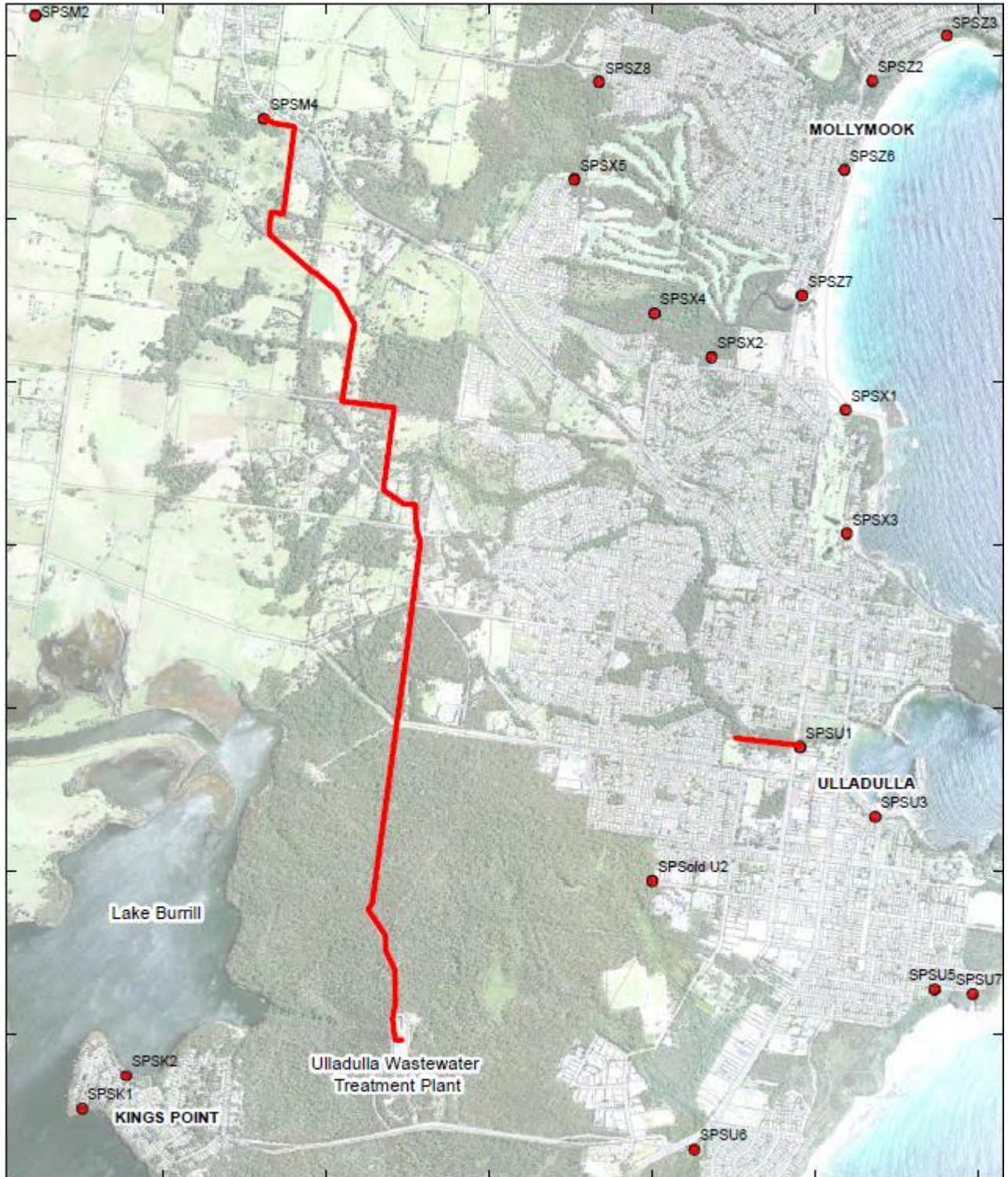
Sewerage services are currently provided to the Milton-Ulladulla area through a network of reticulation and trunk sewer mains. A significant component of this network is the transfer main running from Milton to Ulladulla. Sewerage from Milton is collected at Sewage Pumping Station (SPS) M4 and pumped to the top of the rise south of Milton before gravitating downhill into Ulladulla. This main initially follows the alignment of the Princess Highway before diverting to follow the alignment of Millards Creek into the centre of Ulladulla and eventually discharging in SPSU1 adjacent to the Ulladulla Bowling Club.

In the Shoalhaven Water Wastewater Servicing Strategy 2013 it was identified that the current transfer main from Milton to Ulladulla is approaching its hydraulic capacity (particularly the lower south-eastern section as it approaches SPSU1) and will not be able to cope with the predicted increased flows modelled out to the 2041 design horizon. The Wastewater Servicing Strategy identified Three Options for upgrading the network between SPSM4 and SPSU1.

In May 2013 GHD produced a Concept Options Report that identified which of the Three Options from the Wastewater Strategy was the preferred option. The preferred option was identified as constructing a new sewer rising main, to the west of Ulladulla, which would divert all flows from Milton directly to the Ulladulla STP (incorporating future capacity to eventually divert all flows from Narrawallee and Mollymook into this new rising main was also recommended). This would reduce the flows in the gravity portion of the existing sewer transfer main by (eventually) limiting it to Ulladulla only. However the modelling still showed that even with these diversions in place the final 250m of the existing gravity transfer main would be under capacity for the predicted increased flows and this section of the network would still require upgrading.

In September 2015 GHD produced a Review of Environmental Factors (REF) for the preferred alignment of the pipeline route. At the Strategy and Assets Committee meeting held on 20 October 2015 the Committee, under delegated authority from Council, resolved to adopt the proposed mitigation and control measures identified in the REF and proceed to tender. (D15/313917)

Tenders have been called and the award of a contract for the construction of the Milton Ulladulla Sewer Trunk Main is now being presented to Council for determination.



Alignment of Milton-Ulladulla Sewer Trunk Main and Millards Creek Gravity Main Upgrade

Tender Process:

Tenders were invited from all contractors on the Panel on 14th March 2016 for the construction of the Milton Ulladulla Sewer Trunk Main pipeline with a mandatory pre-tender site meeting on 17th March 2015.

A Tender Evaluation Committee (TEC) was formed and a Tender Evaluation Plan (TEP) was developed for the tender analysis.

Tenders closed at 10am on 16th April 2016 with a total of five (5) tenders received by the deadline. The tenderers were:

- Comdain Civil Constructions Pty Ltd
- Hisway Pty Ltd
- Ledonne Constructions Pty Ltd
- Select Civil Pty Ltd
- Murphy McCarthy & Associates Pty Ltd

The tenders were evaluated in accordance with the TEP, which comprised mandatory, price and non-price criteria.

Summary of the Evaluation Process:

1. Assessment of Mandatory Criteria and Compliance

Five tenders were received through the Tenderlink Tender Portal.

The tenders were initially examined for compliance with the mandatory criteria in the conditions of tendering in the TEP.

The TEC considered all submissions to be sufficient for further assessment.

2. Assessment of Price Criteria

The five tenders had their price components assessed as per the formula given in Clause 5.5 of the TEP.

Reductions in the assessed tender price were given to those tenderers who included local contractors and suppliers as per the Local Preference Policy capped at \$15,000.

3. Assessment of Non-Price Criteria

The TEC assessed the tenders for non-price criteria as detailed in the methodology for Non-Price Ratings contained within the Tender Evaluation Plan (Sections 5.6).

Tenders were assessed by the TEC as a group. Following discussions a consensus score was reached for each assessment criteria for each of the tender submissions. Tenders were assessed following the guidelines for scoring Non-Price Criteria described in Attachment B of the TEP.

4. Selection of Preferred Tenderer

The final score for each tenderer was obtained by adding together the normalised total non-price score with the normalised total price score. The Tenderer with the highest total combined score was identified as the Preferred Tenderer.

FINANCIAL IMPLICATIONS:

Sufficient funds have been allocated in the Sewer fund capital budgets for 2016/17 and 2017/18. Contract management will be done in conjunction with GHD through the PPME partnership Shoalhaven Water has with GHD. Daily site inspections to be undertaken by Shoalhaven Water nominated construction inspectors.

It is proposed to start construction of the project in June 2016 with completion expected by the end of the 2016 calendar year.

COMMUNITY ENGAGEMENT:

Shoalhaven Water has conducted extensive community consultation with landowners who will be directly affected by the installation of the sewer main and has successfully negotiated the purchasing of easements through these lands. Property owners whose lands the pipeline will pass through include:

- Meadows of Milton
- Roads and Maritime Services
- Milton Meats
- Shoalhaven City Council
- Crown Lands
- Ulladulla Aboriginal Land Council

Shoalhaven Water has also consulted with the owners of 133 Slaughterhouse Rd and 14 Turnbull La. These properties are adjacent to Crown Roads that the sewer main will be constructed within, however due to the way the boundary fences have been built it appears that the Crown Road is part of their property.

It is a requirement of the tender to provide ongoing community consultation with regard to property owners along Slaughterhouse Road whose driveways and property access will be impacted by the construction works as well as pedestrians/cyclists who use the shared pathway adjacent to the Geoffrey St gravity sewer component of the works.

The recommended environmental control measures from the REF have been incorporated into the tender specifications.

Conclusion:

Shoalhaven Water have undertaken a comprehensive tender evaluation in accordance with the approved tender evaluation plan and it is appropriate for Council to consider the recommendations of the confidential report

C Krogh
DIRECTOR SHOALHAVEN WATER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
STRATEGY AND ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

CORPORATE AND COMMUNITY SERVICES / GENERAL MANAGER

ITEMS TO BE REFERRED TO ORDINARY MEETING

27. Shoalhaven River - Riverfront Infrastructure

File 52289E [Index](#)

SECTION MANAGER: Craig Milburn / Greg Pullen.

PURPOSE:

To inform Council of the continuing requests for basic infrastructure at the Shoalhaven River riverfront. This report relates to two specific areas:-

1. Electricity
2. Marina/pontoon

RECOMMENDED that

- a) **Up to \$200,000 be allocated from the Southern Phones Dividend to fund the electricity and pontoon infrastructure initiative outlined below in this report on the basis of the economic benefits it will bring to the city.**
- b) **Staff seek possible grants to assist with funding.**
- c) **\$10,000 be allocated annually for future maintenance of this infrastructure.**

OPTIONS

1. Support the recommendation as set out
2. Not support the recommendation and continue to provide ad hoc support for riverfront activities

DETAILS

The issue of having basic infrastructure at the Shoalhaven River riverfront has come up time and again. This report relates to two specific areas:-

1. Electricity
2. Marina/pontoon

There are a considerable number of events and opportunities that could benefit from the installation of these two basic pieces of infrastructure. The list below provides a basic idea of the number of areas, events and opportunities that would benefit if this infrastructure was provided. This list is not exhaustive.

- Annual River Festival

- Numerous sailing regattas
- Dragon Boat events
- Annual Duck Dash
- Proposed Lantern festival
- Scenic flight operators
- River Cruises
- Dolphin Wild/Watch cruises
- Triathlons
- Fun runs
- Colour Run
- Markets

FINANCIAL IMPLICATIONS

The costs associated with the provision of this infrastructure is estimated below:-

- \$40,000 - for electrical supply including 3 phase (3 locations) and single phase (9 – 12 locations) and possible data conduits/cable west of the Bridge
- \$160,000- Marina/Pontoon
- \$200,000 - Total costs and annual maintenance of \$5,000 to \$10,000

There is a clear economic benefit to the wider community from the activities listed above. Additionally several of these existing events need to put in place temporary infrastructure to meet their requirements. For example the cost of providing generators for the River Festival is \$ 4000 - \$5,000 and the hire of the marina is around \$20,000 per year.

It is being recommended that the funds to provide this infrastructure be sourced from the Economic Development budget from the Southern Phones Dividend and possible grant sources. This would see these funds used as a direct long term strategy to assist in the economic development of the region through the provision of key infrastructure that supported events and functions along the foreshore. This initiative would also tie in with the overall Nowra Alive and Revitalisation strategies and efforts to activate the foreshore.

Possible program of events and economic impact

Event	Number participants	Local/out of area split	% overnight	Economic benefit
Annual River Festival	15,000	80/20	10%	\$1,515,000 7 Jobs
6 sailing regattas	500 per event	20/80	80%	\$396,000 1-2 jobs
2 Dragon Boat events	500 per event	20/80	60%	\$106,000 0 jobs
Annual Duck Dash	7500	80/20	10%	\$250,000 1 Job
Possible Lantern festival	7500	50/50	15%	\$515,000 2 Jobs

Scenic flight operators	500 participants annually	20/80	60%	\$53,000 0 jobs
River Cruises	2,000 participants annually	20/80	60%	\$212,000 1 Job
1 x Triathlon	2,000	20/80	60%	\$212,000 1 Job
2 x Fun runs	500 per event	80/20	10%	\$300,000 1 Job
1 x Colour Run	500	80/20	10%	\$100,000 0 jobs
Markets x 4	7,000	50/50	15%	\$2,060,000 8 Jobs

Summary economic impact results of \$5,719,000 annually and 2.2 FTE jobs. This would see a significant return on investment from this project. (ROI = 28:1)

COMMUNITY ENGAGEMENT

Consultation has taken place with the River Festival Organising Committee and internally with relevant staff.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

STRATEGY & ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

CORPORATE AND COMMUNITY SERVICES / ASSETS AND WORKS

ITEM TO BE REFERRED TO ORDINARY MEETING

28. Future Use - Nowra Sailing Club Building

File4237E [Index](#)

SECTION MANAGER: Jane Lewis and Martin Upitis

PURPOSE:

To consider feedback from the Nowra Sailing Club Incorporated (NSC), in relation to Wharf Road, Nowra and to consider funding the detailed design of the Paringa Park Master Plan

RECOMMENDED that Council:

- a) **Considers allocating \$60,000 in the 2016/17 Operations Plan budget to undertake a detailed design of the Paringa Park Master Plan, and**
- b) **A decision on the 'Nowra Sailing Club' building be deferred pending detailed design of the precinct and consideration, after public consultation, of representation of its historic values.**

OPTIONS

1. Defer demolition of the NSC building; annually assess its structural integrity; and allocate funds for the Paringa Park Master Plan (recommended)
2. Relocate the NSC building (not recommended)
3. Receive the report for information

DETAILS

Council resolved at its Strategy and Assets Committee meeting on 10 November 2015 that

This matter be deferred pending a Councillor Briefing and the Master Planning process in relation to Nowra Sailing Club and other water activities.

A report (Attachment A) was presented to the November 2015 Assets and Strategy Committee which outlined the options and costs for the NSC building. Much of the information in the attachment is included in this report.

A Councillor Briefing was held in December 2015. Planning for the riverfront precinct is also underway and the Paringa Park masterplan will provide a detailed plan for booking facilities.

- # Presentations to all stakeholders of the proposed Paringa Park non-motorised boating facilities precinct were made on 13 April 2016 and in December 2015. Further correspondence has occurred with the stakeholders especially the Nowra Community Sailing Club on its short term needs. The Nowra Community Sailing Club has written to Council (Attachment B) advising its current strategies as well as acknowledging the limitations in replacing the Nowra Sailing club building.
- # There is now general stakeholder agreement with the concept Master Plan (Attachment C). However, proceeding to detailed design is currently unfunded. It would be desirable to finalise a detailed design for any future grant funding applications.

FINANCIAL IMPLICATIONS

Cost estimate summaries for the various options are shown below (as reproduced from Attachment A):

Funding sources have not been recognised for any of the options. However, Council's adopted option could be considered when formulating the 2016/17 Operational Plan budget.

However, Council will need to allocate \$60,000 the project for detailed design and this additional budget will need to be funded. Only the concept design development is currently funded from existing budgets.

COMMUNITY ENGAGEMENT

Council has been undertaking community engagement with all non-motorised water based sporting groups.

The most recent meeting in relation to the Paringa Park Master Plan was held on Wednesday 13 April 2016 with a previous meeting held on Monday 2 November 2015 and the NSC attended both the meetings. A Councillor briefing was presented in December 2015.

Council officers have spoken to members of the NSC executive to advise of the current situation and plan to have future meetings.

C. Milburn
DIRECTOR, CORPORATE & COMMUNITY SERVICES

B. Stewart
DIRECTOR, ASSETS & WORKS

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
STRATEGY & ASSETS COMMITTEE

TUESDAY, 10 MAY 2016

ASSETS AND WORKS / GENERAL MANAGER

ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY

29. Draft Princes Highway Corridor Strategy

File 6825E [Index](#)

SECTION MANAGER: Greg Pullen and Martin Uptis

PURPOSE:

To provide feedback on the Draft Princes Highway Corridor Strategy.

RECOMMENDED, in accordance with the Committee's delegated authority from Council that the following comments on the Draft Princes Highway Corridor Strategy be forwarded to Roads and Maritime Services:

- a) Thank the RMS for the Study and the many positive infrastructure improvement projects identified as short, medium and long-term priorities however point out the need to:
 - i) recognise the Western Services Corridor (bypass of Nowra) in the Strategy
 - ii) recognise the Highway and intersection capacity constraints south of Bridge Road Nowra owing to increased development and traffic growth along the corridor and east of the Highway
 - iii) acknowledge the major manufacturing nodes of Nowra and Bega and the associated freight and employment traffic generated
 - iv) reference the 'last mile' intersections to industrial precincts and other major developments and the implications on freight and commuters
 - v) mention the traffic generator effects of construction activities within or close to the corridor
 - vi) recognise the interrelationship with Victoria for the freight task; the bus connections south of Bega; and the desire to travel west from the Princes Highway along other State highway corridors
 - vii) recognise the 'origin-destination' of the freight task and commuters within main centres rather than just the 'through traffic'
- b) Provide a copy of Council's comments on the Strategy to the Member for Kiama, Parliamentary Secretary to the Premier, Illawarra & South Coast, MP Gareth Ward and Member for South Coast, Shelley Hancock.

OPTIONS

1. Provide comments, as recommended
2. Make some other recommendations.

DETAILS

Roads and Maritime Services (RMS) and Transport for NSW have put onto public exhibition their Draft Princes Highway Corridor Strategy. The submission period closes on 20 May 2016 so this is the last opportunity for Council to formally provide comments on the draft.

The Draft can be viewed at the following link: <http://www.rms.nsw.gov.au/documents/projects/south-coast/corridor-strategies/princes-highway-draft-corridor-strategy-2016-03.pdf>. (The information below is from RMS's website.)

What is a corridor strategy?

Corridor strategies set out the government's 20 year plan for our road networks to manage and guide improvements to safety, traffic efficiency and sustainability.

They are a method of managing our road networks and maximising benefits for customers by:

- *Identifying existing and anticipated performance of our roads*
- *Developing a long term vision for the road network and corridors*
- *Determining priorities for the road network*
- *Developing strategies to address these over the longer term.*

The Princes Highway draft corridor strategy sets out the objectives, current performance and challenges in managing the corridor over the long term. It aims to provide transparency and certainty for future investment priorities.

Corridor strategies do not provide solutions to all challenges but they make planning and investment decisions transparent to the community, councils and other government agencies.

For more information on network and corridor strategies, please visit [Transport for NSW](#).

Why are corridor strategies important?

Corridor strategies support the NSW Government's capacity to manage the road network. They:

- *Help to meet and manage customer expectations*
- *Apply consistency along our corridors*
- *Assist in prioritising investments over the short, medium and long term*

-
- *Demonstrate a robust planning framework needed to break down complexities in transport decision making*
 - *Coordinate various programs to ensure the optimum benefits for safety and efficiency. Programs include development, safety, asset and traffic.*

It is important that we develop corridor strategies that tie all of our state wide and regional strategies together, to integrate transport planning and create localised priorities.

Corridor strategies are developed to align with:

- *The NSW Long Term Transport Master Plan*
- *Regional Transport Plans*
- *Freight and Ports Strategy*
- *Road Safety Strategy.*

We will target a review of each corridor strategy every five years to ensure the information is current.

Key challenges

Many of the Princes Highway corridor challenges are known and others are expected to emerge as a result of future changes and transport demands.

Key corridor challenges include:

- *Maintaining safe and stable traffic flow in urban centres along the corridor and managing the effects of seasonal peak traffic*
- *Providing access for High Productivity Vehicles (HPV) to the entire corridor, particularly 26 metre B-Doubles which are currently restricted to the northern and southern extremities of the corridor*
- *Confirming the sections of the Highway, particularly towards the southern end of the corridor have road alignment, lane width and pavement issues*
- *Minimising the risk of road closures and extensive delays as a result of flooding, closure of bridges or major incidents on the highway*
- *Balancing the demand of local and through traffic with urban needs in pedestrian and vehicle conflict areas at Nowra, Milton-Ulladulla, Narooma and Eden*
- *Improving road safety in both the urban and rural sections of the corridor.*

The strategy sets out short (0-5 years), medium (5-10 years) and long term (10-20 years) priorities along the corridor for managing the Princes Highway.

COMMENTS ON DRAFT

The more important aspects of the Draft relate to the proposed short-, medium- and long-term priorities.

The priority actions are shown in the extract of the Executive Summary (Attachment A).

One of the Short Term Priorities is to “undertake a route safety study between Jervis Bay Road and Milton to identify specific intersection improvements to address crashes”. This priority directly deals with Council’s Minute MIN16.144 b) which stated “Council approach RMS to request they develop a medium to longer term project plan to address issues of safety and efficiency of the Princes Highway south of Jervis Bay Road;

The short term priorities also includes a Potential Overtaking Lane Study South of Jervis Bay Road and to complete planning and commence construction of a new Shoalhaven River crossing.

The Short Term Priorities however appear to have omitted some important matters.

These include:

- recognition of the planned Western Services Corridor (bypass) around Nowra. The Draft, however, includes an action to “continue to preserve the existing LEP corridor through Milton and Ulladulla and manage the traffic through the urban centres.” The Western Services Corridor around Nowra-Bomaderry was identified in the State Government-endorsed Structure Plan and is protected by way of a clause in our new LEP. It would be desirable to protect it from inappropriate development so that it is available in the longer term, if needed. The bypass corridor is essential in future land use planning so should be included in the final Strategy.
- recognition of the Highway capacity constraints south of Bridge Road. There is no mention of the impacts of developments on intersection capacities, for instance, around the Stockland precinct and at Kalandar Street. Both of these affect the development of the East Nowra Sub-arterial (ENSA) road, which would be clearly within the Highway corridor.

The medium term priority of replacement or upgrading of the northbound bridge over Currumbene Creek should be supported as this will improve transport efficiency for industries in the Shoalhaven.

The long term priorities tend to be more general in their descriptions but again there is no recognition of a western bypass of Nowra whereas a reference to a bypass of Milton and Ulladulla is retained.

The description and understanding of the economy of the region serviced by this Princes Highway Strategy seems rather simplistic in that it continually refers to the “agricultural” economic factors and seems to ignore the major manufacturing nodes of Nowra and Bega and the freight and employment traffic that this generates. The “last mile” intersections and links are not given any reference and the implications that these have on freight and commuters. The impact of continual construction activity, both for residential and non-residential, lacks little mention as a traffic generator.

On the positive side, the major Illawarra escarpment corridors are mentioned within the strategy and Main Road 92 is included in these.

On the residential front the easterly links to towns and villages, and the intersection treatments also lack emphasis and affirmative actions to address emerging safety issues.

There are some fundamental omissions and oversights within the report. The factual errors will be pointed out to RMS. From a regional perspective the existence of Victoria and its interrelationship to matters such as the freight task and the bus routes operated into Bega/Eden by V-Line. The recognition that both freight and passenger traffic have a desire to use the corridor in part to connect with links to travel west to the other national highway corridors is also omitted.

The origin-destination of the freight task seems to be ignored but rather the concentration on the through traffic nature of the entire length of the Highway. Clusters of freight/commuter traffic, especially in and around Nowra seems to be overlooked, especially the congestion implications of this growth over time, with the exception of the Shoalhaven River crossing.

In summary, as a tool to identify future upgrading projects for funding and alternative ways to addressing future congestion/safety pressure points, the Strategy would appear to not be “punchy” enough.

FINANCIAL IMPLICATIONS:

There are no direct financial implications at present.

COMMUNITY ENGAGEMENT:

RMS has advertised and exhibited the Draft for community consultation. The period for submissions on the Draft closes on 20 May 2016.

B. Stewart
ASSETS & WORKS

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION
STRATEGY AND ASSETS COMMITTEE
TUESDAY, 10 MAY, 2016

30. Proposed Sale of 'Future Park' Ulladulla

File 35345E [Index](#)

The following Notice of Motion of which due notice has been given, is submitted for Council's consideration:

Recommended that the General Manager develop a report to Council considering the proposed sale of Council owned land known as 'Future Park' on Camden St West Ulladulla.

Background:

It is proposed that Council consider disposal via sale of the sizable lot of Council owned land that exists in West Ulladulla and locally known as The Future Park.

The land formerly served as the sewerage treatment plant for Ulladulla and has not been in use since Council decommissioned the plant at least 20 years ago. The land has several large concrete tanks and some small buildings.

About 8 years ago an incorporated community committee was formed to develop a precinct plan and seek funding to create a renewal and activation project for future use.

The concept, titled 'future park' took many shapes including re-establishing the parkland setting for community gardens and markets while potentially using some tanks for algae research and fish production and revamping other tanks into buildings to house research, museums, cultural, tourism and educational aspects.

The incorporated community organisation has dissolved and over time Councils interest in a reuse concept has waned.

The land adjoins the West Ulladulla Sports Fields, crown land, Industrial sites, the Ulladulla SES and the Dunn Lewis Centre. The Dunn Lewis Centre management is considering future cultural and community developments next to their site.

The report to Council should consider whether the land should be retained or disposed of through sale. It might also take into consideration how the proceeds of such a sale might be used in support of current or proposed key projects of a cultural or recreational nature in Ulladulla.

The report should also include aspects of Community information and consultation.

Signed
Clr Baptist
Clr White

Note by General Manager:

The Future Park proposal was for a demonstration aquaculture centre to provide educational facilities for industry, community and schools. The proposal intended to reuse much of the infrastructure from the former Treatment Plant. A concept application (DA11/1550) was lodged in 2011 with Council, but did not progress due to a lack of interest by investors. A request will be made to the applicant to withdraw it.

It is agreed the future of the site needs to be revisited with an assessment of development potential undertaken given the light industrial zoning and the distinct scarcity of industrial land available in the Ulladulla area.

The land was also considered as an option for additional recreation fields at one time.

Staff will provide a separate report to Council on the findings of the assessment coupled with recommendations on future dealing with the land. It should be noted that land contamination is also an issue to resolve.

31. Proposed Sale of 'The Old Bakery' Sussex Inlet

File 46484E [Index](#)

The following Notice of Motion of which due notice has been given, is submitted for Council's consideration:

Recommended that the General Manager develop a report to Council considering the proposed sale of Council owned land known as 'The Old Bakery' on Jacobs Drive Sussex Inlet.

Background:

It is proposed that Council consider disposal by sale of the lot of Council owned land that exists on Jacob's Drive Sussex Inlet and locally known as The Old Bakery.

The land was purchased by Council in 2010/2011 with the support of the Sussex Inlet Community Forum .The buildings formally served as a bakery in Sussex Inlet for many years. The buildings are currently in poor condition and have not been in use since Council's purchase.

The community had aspirations to convert the building space into a visitor information centre, computer technology centre (CTC), part time library, museum and a rented space for use by 'meals on wheels' organisation. The proposed management was to be overseen by the CTC group.

The community formed a steering committee to work with council staff to develop the building conversion project. However, following Council staff cost estimates and building assessments, it was realised that over \$800,000 was needed to make the building accessible and usable, compliant with the building code with parking, toilets and amenities, free of asbestos and workable for all intended uses.

The committee realised the problem and agreed that the project was not viable and considered either demolition and rebuild or selling the land and using the proceeds to develop a small Visitor Information kiosk style building in 'Peace Park' in the town Centre.

The report to Council should consider whether the land should be retained or disposed of through sale. It might also take into consideration how the proceeds of such a sale might be used in support of the kiosk projects or other needs of a cultural or recreational nature in Sussex Inlet.

The report should also consider a proposed process and schedule and Community information and consultation.

Signed
Clr Baptist
Clr White

Note by General Manager:

The Old Bakery, known as 124-126 Jacobs Dr, Sussex Inlet is made up of two allotments of land, being lots 97 & 98 DP 21038. Lot 98, the corner lot to Sandpiper Way has the old bakery contained thereon. Lot 97 is vacant bar a concrete hardstand area and a driveway.

The property is zoned R2 – Low Density Residential having a total combined area of 1,903 sqm.

It is thought the bakery commenced operation back in the 1930's with the first DA for a bakery lodged in 1942. The still in situ oven was originally oil fired before being converted to electric about 1975.

The building has suffered many non-standard non-conforming alterations over the period of its life and is now in need of expensive refurbishment that most certainly outweighs the buildings economic value. This and the fact the property has never been occupied since Council's purchase are good arguments for its disposal.

Reports relating to condition, structural, pest, geotech and environmental issues were prepared in 2009 as part of the due-diligence in Council purchasing the property in 2010/11. The environmental report at that time made note of the contamination levels being above residential usage limits but within commercial/industrial limits.

A report will be prepared for the June Strategy & Assets Committee meeting that expands on the environmental issue, its impact on future residential development in accordance with the zoning and recommendations on retention/disposal.

The following Notice of Motion of which due notice has been given, is submitted for Council's consideration:

Recommended in accordance with the Committee's delegated authority from Council, that the Committee support:-

- a) A new style production of the Children's Services Directory**
- b) The inclusion of all non-profit and profit Childcare Services (0-5 years), and educational facilities (public & private) in the Shoalhaven in the new Directory.**
- c) The inclusion of paid advertisement and sponsorship from "child & youth" related businesses in the Shoalhaven in the new Directory**
- d) Changes to the existing Council policy for the Children's Services Directory to include (b) & (c) above.**

Background:

It is widely recognised that the early years of a child's life are critical to their development into healthy and responsible adults. Access to child care, health services, education facilities, and quality built and natural environments, coupled with supportive, caring relationships are essential to children's health and wellbeing. Children help us to think and care about the future.

Children are a big part of the community of the Shoalhaven. Shoalhaven is known as an area that is popular with families and as a good place to bring up children.

The Children's Reference Committee is keen to explore how Shoalhaven can continue to be, and improve on, its place as a child friendly city. To this end, the Committee has been discussing a new style of Council's current Children's Services Directory/Guide for families, parents, carers and visitors to the area.

Current Council policy does not allow for profit organisations and paid advertisements to be included in the Guide. The new format that the Committee is requesting will provide an opportunity for all childcare services (non-profit & profit) in the Shoalhaven to be included in the Directory. It has become very evident that there is becoming an increasing need for childcare places and parents and carers should be provided with all information relating to childcare and educational facilities in the Shoalhaven as part of the Council directory/guide.

Additionally, there is a cost for the brochure and members of the Committee have recommended that paid advertisements and sponsorship, limited to child & youth related businesses, would be a way to fund the new brochure. This would be similar to Council's Tourism brochures. The advertisements would be limited in size and a new set of fees and charges would need to be developed for the brochure. This work would be done by the Committee who are professionals in the childcare industry.

It is important to recognise that creating a child friendly city involves a wide range of stakeholders including children and families, community organisations and services, child care providers, schools and businesses whether non-profit or profit organisations.

It is recognised that Shoalhaven Council can play an important leadership and coordination role ensuring information on Council's own services, facilities and infrastructure, childcare and educational services, health services and other businesses are provided in this new style Directory/guide.

Signed
Clr White

Note by General Manager:

There is no problem with investigating and developing a new style of directory.

The Child Care sector comprises a range of public and private Childcare services (0-5). These will all be included in future directories.

Paid advertising is also a possibility. Approaches can be made to all providers scoping interest in paid advertising. The main consideration in following this line of enquiry is in balancing the cost of producing the directories with the resource allocation required to gain advertising.

There is no established Council policy in regards to directories. This has been an established practice not to promote individual businesses in directories. If all services, profit and non-profit, are included this will over ride this concern.

CONFIDENTIAL BUSINESS PAPER AGENDA

PLANNING AND DEVELOPMENT

1. Terara Levee - Rectification Options

Reason

Section 10A(2)(g) - Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

It is not in the public interest to disclose this information as it may impact on the ability of Council to conduct appropriate legal proceedings.

SHOALHAVEN WATER

2. Milton-Ulladulla Sewer Trunk Main Tender Process

Reason

Section 10A(2)(d)(i) - Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

Pursuant to Section 10A(4) the public will be invited to make representation to the Council meeting, before any part of the meeting is closed, as to whether that part of the meeting should be closed.