

SHOALHAVEN CITY COUNCIL
ORDINARY MEETING

To be held on Tuesday, 26 July, 2016
Commencing at 4.00 pm

20 July, 2016

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers, City Administrative Centre, Bridge Road, Nowra on Tuesday, 26 July, 2016 commencing at 4.00 pm** for consideration of the following business.

R D Pigg
General Manager

Membership
All Councillors

BUSINESS OF MEETING

1. **Opening Prayer** – Lieut. Matthew Sutcliff – Nowra Salvation Army
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**
5. **Confirmation of Minutes**
Ordinary Meeting – 28 June, 2016
6. **Declarations of Interest**
7. **Petitions and Presentations**
8. **Mayoral Minute**
9. **Deputations**
10. **Report of the General Manager – Committees Report**
Report of the Development Committee – 18 July, 2016
Report of the Strategy and Assets Committee – 19 July, 2016
11. **Report of the Shoalhaven Traffic Committee – 12 July, 2016**
12. **Report of the General Manager**
Corporate and Community Services
Assets and Works
13. **Notices of Motion and Questions on Notice**
14. **Addendum Reports**
15. **Confidential Report of the General Manager**
Report of the Strategy and Assets Committee - 19 July, 2016
Assets and Works

Note: If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Mayoral Minutes.

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.

Wording for Acknowledgement of Traditional Owners

“It is customary to acknowledge country and I do so by paying our respects to elders past and present and acknowledge the unique role Aboriginal people have, and still do play, in the life of Australia today, and to all peoples who have made Australia this great country we live in.”

Australian National Anthem

“Advance Australia Fair”

Australians all let us rejoice
For we are young and free
We’ve golden soil and wealth for toil,
Our home is girt by sea:
Our land abounds in nature’s gifts
Of beauty rich and rare,
In history’s page let every stage
Advance Australia fair,
In joyful strains then let us sing
Advance Australia fair.

Beneath our radiant Southern Cross,
We’ll toil with hearts and hands,
To make this Commonwealth of ours
Renowned of all the lands,
For those who’ve come across the seas
We’ve boundless plains to share,
With courage let us all combine
To Advance Australia fair.
In joyful strains then let us sing,
Advance Australia fair.

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MAYORAL MINUTE
ORDINARY MEETING
TUESDAY, 26 JULY 2016

1. **Congratulations on re-election Mrs Ann Sudmalis MP, Member for Gilmore**
File 1829E, 50252E
-

RECOMMENDED that Council receive this report for information and send the Federal Member a congratulatory letter.

DETAILS

Congratulations to Mrs Ann Sudmalis on being re-elected as the Federal Member for Gilmore. Council looks forward to the promises made for the Gilmore Electorate of which Shoalhaven Council is a major recipient.

2. **Oyster Industry** **File 4543E, 50252E**
-

RECOMMENDED that Council receive the report for information and review for discussion.

DETAILS

It is important that Council understands that this industry has potentially been wiped out – what can Council do to assist?

During the major storm event in early June when the East Coast Low caused substantial rainfall and flooding of the Shoalhaven / Crookhaven estuaries and when combined with the extreme high tides, the assets of the oyster farmers in the lower estuary were severely damaged with stock losses almost 100%. This event followed on from an earlier environmental stressor (most probably heat) in January/February 2016 which killed most of the mature oyster stock.

In conjunction with the declaration of disaster for Shoalhaven, the NSW Department of Primary Industries (Aquaculture) sought the assistance of Council to address the dire consequences being faced by the oyster farmers both in the Shoalhaven / Crookhaven and the Clyde estuaries.

The Economic Development Office of Council worked with various agencies and jointly called an initial meeting of oyster farmers on Thursday, 16 June to discuss social / economic welfare options with presentations from Rural Financial Counsellors, Farm Household Support, Red Cross, DPI Aquaculture and DPI Rural Resilience and Council. The industry outlined their plight and identified that business cash flow would be severely impacted for up to three years until juveniles can be purchase from a hatchery and grown

out to a marketable size. Infrastructure such as racks, baskets, processing facilities, boats would all need to be replaced / repaired as well before production could be resumed.

Some of the measures for which the oyster farmers have been made eligible include:

- DPI fee waiver for DPI permits.
- Crown Lease Fees waiver.
- Waiver of part of the NSW Food Authority Shellfish Program fees.
- Disaster relief business assistance through the Rural Assistance Authority.
- Efforts were also underway to support Shoalhaven / Crookhaven farmers access spat (working with local NSW hatchery to condition broodstock, and consideration of a risk assessment to allow stock in from an interstate hatchery).
- Working with State Disaster Management to support additional disaster response arrangements.
- Council also working with industry and growers to support the NSW Shellfish Program.

Confirmation was subsequently received and circulated that oyster business owners and employees had been declared eligible for Centrelink benefits through the Department of Human Services. This issue was raised by Council, DPI and the Disaster Co-ordinator.

A subsequent meeting on Friday, 1 July 2016 was held with NSW Food Authority, Shoalhaven Water, Council's Economic Development Office and representatives of the Shoalhaven / Crookhaven Quality Assurance Program to discuss maintain the QAP to ensure the continuation of the classification of the estuary as a shellfish production estuary. This program costs between \$75,000 and \$90,000 to operate each year and following contributions from Shoalhaven Water and NSW Food Authority, over 50% of this cost has been met by farmer contributions. With the cashflow issues besetting the local farmers and that the QAP needed to be continued, it was agreed that \$20,000 would be forthcoming from the Economic Development budget for each of the next three years (2016/7 to 2018/9) to maintain this QAP.

The local oyster industry has been affected quite severely and measures have been put in place to give the industry support to reinvent itself into the future. Both Council and the NSW Department of Primary Industries (Aquaculture) will continue to liaise with the industry and monitor the recovery.

3. Congratulations – Unspoilt South Coast Campaign

File 33158E, 50252E

RECOMMENDED that Council receive the report for information.

DETAILS

Council would like to congratulate all those involved with the "Unspoilt South Coast" Campaign which has won a Gold Award for Marketing at the recent Pacific Asia Travel Association Awards. This award was entered by Destination NSW (DNSW) on behalf of the South Coast Regional Tourism Organisation (SCRTO).

From DNSW's GM Marketing, Anthony Laver:

This year, more than 70 authorities entered 212 awards into the Secondary Government category (State Government), therefore this is an amazing achievement for the South Coast. The finalists have not been shared however last year Vivid Sydney won this same category, illustrating the level of quality and scale of the submissions. PATA was established in the 1950s and has 43 local chapters in regions including: West Asia, Central Asia, South Asia, Oceania, Mirconesia and the Americas.

This prestigious Award positions the South Coast area as a leader in regional destination marketing and demonstrates the successful partnership between DNSW and SCRTO members over the past four years.

In addition to the DNSW-led publicity, PATA will be distributing releases worldwide later this week (outside the embargo period) as well as at the time of the awards in September. A representative of the international office for the DNSW Industry Development and Partnership team will travel to receive this Award (and we will also be using this prestigious Award as an example when engaging with both domestic and international trade).

Furthermore, the PATA awards ceremony in September also coincides with the Travel Mart which attracts more than 1,000 delegates from 60 countries, of which many attend the awards. This provides great exposure for the South Coast, enhancing the reputation and confidence in the quality and professionalism of the region.

Please see attached (Attachment A) media release for further details.

4. Other events attended

File 50252E

RECOMMENDED that Council receive the report for information.

DETAILS

- Launch of NAIDOC Week
- Remembrance Day Service of Western Front
- Drop In Sessions – Draft Huskisson Foreshore Masterplan
- Shoalhaven Heads Public Meeting – East Coast Low
- United Hospital Auxiliaries Milton Ulladulla Branch AGM
- Australian Citizenship Ceremony
- Sussex Inlet Annual Family Fishing Carnival
- South Coast Branch Surf Lifesaving Annual Awards Evening
- Site visit to Riversdale & Bundanon
- Drop In Session – Draft Bomaderry Masterplan
- Illawarra Academy of Sport Reception
- Council Volunteer Groups Morning Tea
- Digger Day

RECOMMENDED that Council receive the report for information.

DETAILS

Owing to conflicting functions, thank you to the following Councillors for attending on my behalf:

Deputy Mayor, Councillor John Wells

- Shoalhaven Junior Representative AFL Carnival
- South Coast Tibetan Inauguration and birthday of Dalai Lama Celebrations
- Swearing in ceremony & Graduation of South Coast Correctional staff
- Illawarra Academy of Sport
- IPJO

Assistant Deputy Mayor, Councillor Allan Baptist

- Milton Ulladulla Rotary Changeover Dinner
- NSW IRB Championships

Councillor Patricia White

- Sussex Inlet Rotary Changeover Dinner
- Local Government NAIDOC Awards

Councillor Jemma Tribe

- Shoalhaven Junior Representative AFL Carnival

Councillor Lynnette Kearney

- Nowra Rotary Changeover Dinner
- Shoalhaven Junior Representative AFL Carnival
- Traditional owner plaque unveiling at Stocklands
- Berry Rotary Changeover Dinner

Councillor Clive Robertson

- Milton Ulladulla Lions Club Changeover Dinner



**Joanna Gash (Mrs)
Mayor**

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 JULY 2016

GENERAL MANAGER – COMMITTEES REPORT

DEVELOPMENT COMMITTEE – MONDAY 18 JULY 2016 (ITEM 1)

Notices of Motion

1. SLEP Amendment – Landscaping Material Supplies – IN1 & IN2 General Industrial Zones
File 33363E (PDR)
-

RECOMMENDED that:

1. That the Shoalhaven Local Environmental Plan 2014 be amended to include the use “Landscaping Material Supplies” as a permissible land use within the IN1 & IN2 General Industrial zones; and
2. That such amendment be included as part of the next Housekeeping Amendment to the LEP that Council undertakes.

STRATEGY AND ASSETS COMMITTEE – TUESDAY 19 JULY 2016 (ITEMS 2 to 13)

Corporate and Community Services

2. Lady Denman Draft Strategic Business and Master Plan File 52288e

RECOMMENDED that Council:

- a) Adopt the Lady Denman Draft Strategic Business and Master Plan (LDDSBMP) with the amendments as attached in the report. (See # Attachment A & A1).
- b) Consider allocating \$50,000 in the 2017/2018 budget to commence costing of detail design and development/implementation of the LDDSBMP.
- c) Advise those who made a submission on the LDDSBMP of the above resolution.

Assets and Works

3. Amendment to Section 88B Instrument - Drainage Easement over Lot 12 DP1022813 File SF7858

RECOMMENDED that Council:

- a) Amend the S. 88B Instrument relating to the easement to drain water over Lot 12 DP1022813 to note Lot 11 DP1022813 as a benefitted Lot, with all costs associated with amendment, including legal fees and LPI registration costs to be paid by the owner of Lot 11 DP1022813; and
- b) Authorise the General Manager to affix the Seal of Council to the LPI Request form and any other documentation associated with the matter to enable this resolution to be enacted.

4. Reclassification of Land File 50767E

RECOMMENDED that Council resolve to reclassify the land described in Schedule A as Community land:

Schedule A

Legal Description	Street	Locality	Reference
Lot 21 DP252581	50 Shoalhaven Heads Road	Shoalhaven Heads	50767E
Lot 12 DP617101	Bolong Road	Coolangatta	50767E
Lot 3 DP597223	Bolong Road	Coolangatta	50767E
Lot 4 DP550354	Island Point Road	St Georges Basin	50767E
Lot 2081 DP216860	Lively Street	Vincentia	50767E

5. Creation of Easement over Council Land Lot 12 DP1022913 File DA03/1477

- a) Approve the creation of the easement to drain water within Council's land known as Lot 12 DP1022913 to benefit Lot X DP164823 and Lot 1 DP514622, with all costs associated with the easement creation, including compensation for market value of the easement, legal fees and LPI registration costs to be paid by the registered proprietor of Lot X DP164823;
- b) Authorise the General Manager to affix the Seal of Council to all relevant documentation associated with the matter to enable this resolution to be enacted; and
- c) Authorise the General Manager to finalise any negotiations as required to enable this resolution to be effected.

6. Additional Grant Funding Variations – 2015/16 Black Spot Program File No 28099E, 5279E

RECOMMENDED that Council accepts the approved variations under the Federal Nation Building Black Spot Program as follows:

- a) Springs Road project, increase the budget from \$220,000 to \$275,000 and revise the funding provision as \$30,000 in 2014/15; \$80,000 in 2015/16; and \$165,000 in 2016/17.
- b) for the Sussex Inlet Road project, increasing the budget from \$650,000 to \$1,055,000 and revising the funding provision as \$30,000 in 2014/15; \$170,000 in 2015/16; and \$855,000 in 2016/17.
- c) for the Lake Conjola Entrance Road project, increasing the budget from \$450,000 to \$675,000 and revising the funding provision as \$30,000 in 2014/15; \$40,000 in 2015/16; and \$605,000 in 2016/17.
- d) for the Illaroo Road project, increasing the budget from \$280,000 to \$380,000 and revising the funding provision as \$30,000 in 2014/15; and \$350,000 in 2015/16.

7. 2016/17 Federal Nation Building Black Spot Program File No 28099E, 5279E

RECOMMENDED that Council

- a) Accepts the grant funding offers under the Federal Nation Building Black Spot Program as follows:
 - i) \$660,000 for the safety improvements along Bendalong Road, Conjola.
 - ii) \$285,000 for the roundabout at the Paradise Beach Road and Kerry Street intersection (Sanctuary Point).
 - iii) \$210,000 for the roundabout at the St Vincent Street and Church Street intersection (Ulladulla).
 - iv) \$140,000 for the roundabout at the Deering Street and Jubilee Street intersection (Ulladulla).
 - v) \$420,000 for the safety improvements along Bolong Road, Bolong.

-
- vi) \$510,000 for the safety improvements along Woodburn Road, Morton.
 - vii) \$240,000 for the safety improvements at the Forest Road and Callala Beach Road intersection (Wollumboola).
- b) Council writes to the Local Members of Federal Parliament and the Federal Government thanking it for its funding assistance as part of the 2016/17 Black Spot program.

8. 2016/17 NSW Active Transport Program

File No 5279E

RECOMMENDED that Council:

- a) accepts the grant funding offers under the NSW Active Transport Program as follows:
 - i) \$10,500 for the installation of new bike racks
 - ii) \$65,000 for the extension of the shared path network along Mitchell Parade, Mollymook
 - iii) \$160,000 for the extension of the shared path network along Matron Porter Drive (Milton/Mollymook)
 - iv) \$70,000 for the construction of a pedestrian refuge at the West Birriley Street / North Tarawal Street intersection (Bomaderry)
 - v) \$30,000 for the construction of a pedestrian crossing treatment on Tallwood Avenue, Mollymook Beach
- b) Council writes to the Local Members of New South Wales Parliament and the State Government thanking it for its funding assistance as part of the 2016/17 NSW Active Transport program.

9. Tender – Supply of Construction Materials - Concrete Supply Tender

File 53054E

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

Shoalhaven Water

10. Tender Process - REMS 1B Works

File 52079E

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.

11. Extinguishment of Easements - 31 Vidler Road Falls Creek

File 52908E

RECOMMENDED that:

- a) Council resolve to extinguish the Easements for Water Supply 3.05 wide over Lot 421 DP789734 at Falls Creek, as shown by hatching on copy of that deposited plan marked 'Attachment A'.

-
- b) Costs to extinguish the easements are to be met from Council's Water Fund.
 - c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

12. Expressions of Interest Process - Minor Projects Survey and Design File 52348E

RECOMMENDED that the Committee consider the separate confidential report.

Planning and Development / Assets and Works / Corporate and Community Services

13. June 2016 East Coast Low Impacts File 30596e & 53449e

RECOMMENDED that as an interim measure, the Council

- a) Re-allocate \$500,000 in the 2016/17 budget as follows:
 - \$100,000 from Parks & Reserves Operating Budget – Mollymook Beach Accessible Playgrounds;
 - \$150,000 from Capital Expenditure - Tourist Parks Development; and
 - \$250,000 from Capital Expenditure – Yarramunmun Creek Bridge Renewal (Noting that bridge funds are available in 2017/18 to be allocated to this project.)
- b) Of the above \$500,000, \$350,000 be allocated for coastal management priority works that match the objectives & priorities of the NSW Coastal & Estuaries grants program and \$150,000 be allocated for restoration works in the immediate vicinity of adjoining Holiday Haven Tourist Parks.

R.D Pigg
GENERAL MANAGER

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12 JULY 2016

ORDINARY MEETING

TUESDAY, 26 JULY 2016

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

The Shoalhaven Traffic Committee is not a committee of Council under the Local Government Act 1993. The Committee operates under authority conferred to Council by the Roads and Maritime Services (RMS) under the Transport Administration Act 1988 (Section 50).

Council has been delegated certain powers, from the RMS, with regard to traffic matters upon its local roads. A condition of this delegation is that Council must take into account the Traffic Committee recommendations.

IMPORTANT NOTE:

The Council can only:

1. Adopt the Traffic Committee recommendation
2. Not Adopt the Traffic Committee recommendation
3. Request the Traffic Committee reconsider the issue.

Council cannot amend a Traffic Committee recommendation, but can raise other issues as Additional Business at the Ordinary Meeting.

14. Existing Bus Bay Linemarking – Meroo Road, Bomaderry (PN 1211) File 3995E

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to install edge (E1) line marking and continuity (C1) line marking at the bus bay opposite the Emerald Drive and Meroo Road intersection, Bomaderry as detailed in TRAF 2016/48

15. No Parking Zone - HMAS Albatross, Braidwood Road, Nowra Hill (PN 3309) File 2641E

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to install No Parking restrictions along the fence line of HMAS Albatross on Braidwood Road (From Albatross Road Ch. 0 – 2.5 km), Albatross Road (From Braidwood Road Ch. 0 – 0.1 km), BTU Road (From Albatross Road Ch. 0.1 – 0.24 km) as detailed in TRAF 2016/49.

16. Regulatory Signage - Kerry Street Carpark, Sanctuary Point (PN 3310) File 3238E

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of the following regulatory signage and associated line marking at the exit to the carpark located in Kerry Street, Sanctuary Point as detailed in TRAF 2016/50:

-
- a) A Give Way (R1-2A) sign and associated TB hold line marking at the exit from the Kerry Street carpark
 - b) A No Entry sign (R2-4A-RTA) on the back of the proposed Give Way sign.

17. No Stopping - Colyer Avenue, Nowra (PN 3313) File 2636E

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone for a distance of approximately 38m on the western side of Colyer Avenue, north of North Street, Nowra as detailed in TRAF 2016/51.

18. Regulatory Keep Left Signage - Rannoch Drive, West Nowra (PN 3314) File 49729E

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of keep left (R2-3AA) signs at both ends of the three existing traffic islands on Rannoch Drive, West Nowra, adjacent to property No's 29, 36, 50, 62 & 68 as detailed in TRAF 2016/52.

Michael Strachan
ACTING CONVENOR

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 JULY 2016

CORPORATE AND COMMUNITY SERVICES

19. Appointment - New member to the Shoalhaven Tourism Advisory Group File 1490E

SECTION MANAGER: Coralie Bell.

PURPOSE:

To formally appoint the new members to the Shoalhaven Tourism Advisory Group (STAG) in accordance with the Terms of Reference.

RECOMMENDED that Council appoint Jo Thomas to the Shoalhaven Tourism Advisory Group.

OPTIONS

1. As recommended

DETAILS

Council at its meeting held on Tuesday 19 April 2016 recommended the appointment of Catherine Shields, Annie Cochrane and Matthew Forbes to the Shoalhaven Tourism Advisory Group MIN16.306.

These appointments still left one vacancy on the Committee.

Following a further interview held on Wednesday 22 June 2016 it is the recommendation of the interview panel that Jo Thomas be invited to join the STAG Committee.

The full committee will be:

Clr Joanna Gash, Mayor
Clr John Wells, Deputy Mayor
Clr Lynnette Kearney
Clr Mark Kitchener
Clr Jemma Tribe
Clr Greg Watson
Mr David Goodman (Sports Board Rep)
Mr Stephen Bartlett
Ms Michelle Bishop
Ms Annie Cochrane

Mr Matt Cross
Ms Lynn Locke
Ms Melissa McManus
Ms Catherine Shields
Mr Matthew Forbes
Ms Jo Thomas

COMMUNITY ENGAGEMENT:

The Shoalhaven Tourism Advisory Group plays an important role in the development of tourism related strategic plans and activities and provides critical input through industry representatives in this process.

20. Local Government NSW Annual Conference 2016

File 51050E

SECTION MANAGER: Melissa McCoy.

PURPOSE:

To advise Council of the Local Government NSW Annual Conference 2016 to be held at the WIN Entertainment Centre, Wollongong, NSW on Sunday 16 October 2016 to Tuesday 18 October 2016.

RECOMMENDED that Council:

- a) **Notes the details of the forthcoming Local Government NSW Annual Conference 2016, scheduled for Sunday 16 October 2016 to Tuesday 18 October 2016, at Wollongong.**
- 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) **Propose motions to be put forward for consideration at the conference.**
- e) **Receive a further report in after appointment of the new Council in September 2016 to determine the appointment of Delegates to the Conference.**

OPTIONS:

1. As per the recommendation.

DETAILS:

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

- Local Government NSW Annual Conference 2016
- Scheduled for Sunday 16 October 2016 to Tuesday 18 October 2016
- At WIN Entertainment Centre, Wollongong, NSW

Information regarding the conference is attached for information.

Costs associated with the conference are estimated as follows:

- Registration : \$999 (Earl Bird \$899 by 31 August 2016)
- Official functions (optional): Partners / Extra guests – Opening Reception \$77, Gala Dinner \$154, NSW Reconciliation Council Breakfast \$55, ALGWA Breakfast \$55
- Travel, accommodation and out of pocket expenses: not yet determined.

Shoalhaven City Council is entitled to appoint four (4) voting delegates to the conference. It is suggested that the appointment of those delegates should be made by the newly elected Council after the September 2016 Council Elections, and prior to the close of delegate registration on 30 September 2016.

Submission of Motions

Local Government NSW (LG NSW) has called for the submission of Motions and Councils are encouraged to formulate motions submitted in terms of the current policy statements.

LG NSW have requested that motions are submitted by 22 August 2016 with closing date for the submissions being 18 September 2016.

All motions must be adopted by Council before submission.

A Councillor Briefing session to discuss motions to be submitted will be held on Thursday 8 August 2016.

Categories of Motions

Motions will be grouped into the following five categories:

- Industrial relations and Employment
- Economic
- Social Policy
- Environmental
- Governance/Civic Leadership (e.g. legislative and regulatory setting, elections, participation, reform)

SECTION MANAGER: Pamela Gokgur.**PURPOSE:**

Under Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation it is a requirement to provide a written report to Council on a monthly basis setting out details of all money that Council has invested.

RECOMMENDED that the Report of the General Manager (Corporate Services and Community Services Group) on the Record of Investments for the period to 30th June 2016 be received for information.

OPTIONS

1. The report on the Record of Investments for the period to 30th June 2016 be received for information
2. Further information regarding the Record of Investments for the period to 30th June 2016 be requested
3. The report on the Record of Investments for the period to 30th June 2016 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 31st July 2016

DETAILS

Please refer to the attached monthly report provided by Council's Investment Adviser – CPG Research and Advisory Pty Ltd.

Further comparisons and budget review is found below:

The interest earned for the month of June was \$441,263.29 which was \$89,730.69 above budget. The budget assumed an interest rate of 3.25%, the attached CPG report shows our current investment portfolio earning a return of 3.36%.

**RECORD OF INVESTMENTS
Cash and Investment Balances**

	June 2016	May 2016
Cash And Investments Held		
Cash at Bank - Consolidated Account	\$3,590,671	\$8,559,739
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$28,780	\$28,230
Total Investments	\$160,908,024	\$149,886,294
	\$164,528,715	\$158,475,503

Fair Value Adjustment	-\$70,839	-\$52,874
Bank Reconciliation	\$756,201	\$263,758
	<u>\$685,362</u>	<u>\$210,885</u>
Book Value of Cash and Investments	<u>\$165,214,077</u>	<u>\$158,686,388</u>
Less Cash & Investments Held In Relation To Restricted Assets		
Leave Entitlements & Workers Compensation Liability	\$10,224,645	\$10,138,719
Land Decontamination	\$1,642,541	\$1,659,479
Critical Asset Compliance	\$1,984,517	\$1,985,128
North Nowra Link Road	\$661,292	\$657,635
Other Internal Reserves	\$7,559,124	\$7,375,940
Section 94 Matching Funds	\$544,602	\$545,563
Strategic Projects General	\$5,477,157	\$3,127,850
Industrial Land Development Reserve	\$2,726,598	\$2,439,513
Plant Replacement	\$189,783	\$189,783
S94 Recoupment	\$1,481,884	\$1,622,101
Commitment To Capital Works	\$6,093,485	\$6,210,563
Strategic Property Acquisitions	\$2,236,712	\$2,678,798
Total Internally Restricted	<u>\$40,822,339</u>	<u>\$38,631,072</u>
Loans - General Fund	\$8,214,550	\$0
Financial Assistance Grant	\$0	\$0
Grant reserve	\$9,562,479	\$5,056,671
Section 94	\$26,501,599	\$24,870,362
Storm Water Levy	\$492,714	\$580,168
Trust - Mayors Relief Fund	\$100,408	\$97,355
Trust - General Trust	\$2,886,451	\$2,951,226
Waste Disposal	\$8,402,276	\$8,946,023
Section 64 Sewer	\$0	\$0
Sewer Compensation	\$6,568	\$6,568
Sewer Fund	\$22,627,266	\$22,637,464
Sewer Plant Fund	\$634,624	\$624,425
Section 64 Water	\$13,433,880	\$13,176,540
Water Fund	\$22,702,111	\$22,813,843
Water Communication Towers	\$973,780	\$982,219
Water Plant Fund	\$597,015	\$734,183
Total Externally Restricted	<u>\$117,135,720</u>	<u>\$103,477,049</u>
Total Restricted	<u>\$157,958,059</u>	<u>\$142,108,121</u>
Unrestricted Cash And Investments		
General	\$5,256,018	\$14,578,267
Water	\$1,000,000	\$1,000,000
Waste Water	\$1,000,000	\$1,000,000
Total Unrestricted	<u>\$7,256,018</u>	<u>\$16,578,267</u>

Loan reserve increased as a result of borrowings in June. Grant funds received in June led to an increase in the grant reserve. The 2014/15 Shoalhaven Water dividend contributed towards an increase in the strategic projects reserve. Lehman Brothers investment compensation payments were distributed during June, increasing the section 94 reserve.

Certification – Responsible Accounting Officer:

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy number POL14/60.

Pamela Gokgur
Chief Financial Officer

FINANCIAL IMPLICATIONS:

It is important for Council to be informed in regard to its investment on a regular basis. Revenue from interest on investments forms a vital part of Council's revenue stream.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 JULY 2016

ASSETS AND WORKS

22. Tender Update – Lake Conjola Boardwalk Replacement

File 52995E

SECTION MANAGER: Peter Knill

PURPOSE:

To inform Council of the Tender process for the Lake Conjola Boardwalk replacement project.

In accordance with 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, and will be considered under a separate confidential report to this Committee. 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 in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

OPTIONS

1. Council accept the recommendation as presented.
2. Council amend the recommendation.
3. Council not accept the recommendation, giving reasons and propose an alternative resolution.

DETAILS

Council called tenders for the Lake Conjola Boardwalk replacement on 17 May 2016. Tenders closed on 14 June 2016, with ten (10) tenders received in the tender box/portal at the close of tenders, as shown below in alphabetical order.

Tenderer	Location
Agtrans Services	Foster, Victoria
Beeton Pty Ltd	Marden, SA
Beeton Pty Ltd - Alternative	Marden, SA
Brefni Excavation and Earthworks Pty Ltd	Picton
Civil Logic	Sussex Inlet
GC Civil Pty Ltd	Unanderra
SMC Marine Pty Ltd	Glebe
Wardrope & Carroll Engineering (WACE)	Caringbah
Wardrope & Carroll Engineering – Alternative	Caringbah
Zauner Construction Pty Ltd	Ulladulla

Tenders were evaluated in accordance with Council's Tender Evaluation Policy with Evaluation Criteria established in the Tender Evaluation Plan, as follows:

- Total Cost to Council, including the Local Preference Policy
- Experience and expertise in nature of work.
- Management ability, regarding programming, WHS, Environmental, Quality Systems and Technical skills.
- Responses to clarifications of the tender.

Further details on the Tender Evaluation are contained in the confidential report.

FINANCIAL IMPLICATIONS:

The tender evaluation process followed the agreed Tender Evaluation Plan. The Recommended Tender Amount represents best value for money and is budgeted for in 2016/17.

COMMUNITY ENGAGEMENT:

Council is presently working through Aboriginal Heritage issues and Due Diligence process which may require changes to the proposed boardwalk to respect a known burial site. There may also be delays and this will be outlined in further detail in a briefing to Council and the CCB will be informed.

The residential community will be informed and are expected to also be respectful of this change and the consequential delay.

23. **Tender – Design & Construction of Aquatic Splash Pad at Culburra Beach Holiday Park** **File 53385E**

SECTION MANAGER: Michael Harben

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 some information should remain confidential and will be considered as part of a separate confidential report to Council. It is not in the public interest to disclose this information as it contains “commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it”.

PURPOSE:

To seek Council's approval to accept a tender for the Design & Construction of Aquatic Splash Pad at Culburra Beach Holiday Park.

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 from the Tender Evaluation Report.
2. Council not accept the recommendation as presented and give reasons for non-acceptance.
3. Provide further direction to staff and propose an alternative.

DETAILS

Tenders have recently closed for the Design & Construction of an Aquatic Splash Pad at Culburra Beach Holiday Park. Tenders have been evaluated and Council is requested to consider the award of a contract.

The works under this Contract consist of design, construction, manufacture, supply, installation, commissioning, certification and approval of all works associated with the Culburra Beach Holiday Park Aquatic Playground/ Splash Pad. The area of the Aquatic Splash Pad will be less than 250 sq m including overspray zones and consist of a concrete structure, water quality management system (WQMS), control system and interactive control panel, aquatic features and all plant & equipment designed and required for efficient operation.

Tenders were invited through Tender link and advertised in the South Coast Register, Illawarra Mercury and Sydney Morning Herald. Tenders closed on Tuesday the 5th July 2016. Three Tenders were received via Tender link before the closing date and one late Tender was received through the Council Records Section. After the closing date tenders

were evaluated against selection criteria that would provide the best value for money to Council.

Tenders were received from the following companies:

- a) Parkequip Pty Ltd, Smithfield NSW;
- b) Playrope Pty Ltd, Kenthurst NSW;
- c) Farley Pools Australia, West Kangaroo Flat Victoria; and
- d) Beau Corp Projects, Currumbin QLD (Late Tender).

Tenders were assessed by Council staff from Holiday Haven Tourist Parks, Project Delivery section and an external consultant, for compliance and the ability to supply the Project as specified in the tender documents.

The confidential report will give a breakdown of the tenders received and the subsequent assessment following the tender evaluation.

FINANCIAL IMPLICATIONS:

The successful tenderer must be able to provide a completed Aquatic Splash Pad in 14 weeks, as any delays to the construction will cause interruptions to the operation of the Holiday Park. It is anticipated the installation will generate additional income through the increase marketing and visitation to this property.

COMMUNITY ENGAGEMENT:

The Tender process for the Design & Construction of the Aquatic Splash Pad at Culburra Beach Holiday Park has been followed within the requirements of the provisions of the Local Government Act.

24. Holiday Haven Tourist Parks – Management Contract Extension – Ulladulla Headland Holiday Park File 47789E

SECTION MANAGER: Michael Harben

PURPOSE:

To inform Council of the contract option for the Management & Operation of Ulladulla Headland Holiday Park.

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

OPTIONS

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

DETAILS

Ulladulla Headland Holiday Park has been managed for the past three (3) years by C&C Hall & Family Pty Ltd. The current management contractor operating Ulladulla Headland 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 years.

Existing contracts provide for Council to grant the two year extension, without going to tender, following the completion of the first three years of the awarded contract. At the end of the two year extension period in 2018 the management of the property will again be put to public tender.

Ulladulla Headland Holiday Park under the current management team, has increased in total revenue in the recent financial years and occupancy of cabins and sites has also increased. Expenditure continues to be contained within budgeted estimates.

FINANCIAL IMPLICATIONS:

Council has a forward business plan that provides measured investment in Ulladulla Headland Holiday 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.

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 no community engagement has taken place.

25. Road Transport Access Improvement Measures - North Nowra Link Road

File 5253E

SECTION MANAGER: Martin Uptis

PURPOSE:

To report progress on improving road transport access to the North Nowra area.

RECOMMENDED that the report of the General Manager (Director Assets and Works) be received for information.

OPTIONS

1. Adopt the recommendation
2. Not accept the recommendation and give direction to staff.

DETAILS

Council resolved at its meeting on 28 June 2016 (Minute MIN16.525) that

“the General Manager report to the next Ordinary Meeting of Council regarding the progress on measures to improve road transport access to the North Nowra area since the Planning Assessment Commission determined the Link Road route in 2012.”

Background

In 2012, the Planning and Assessment Commission (PAC) handed down its decision, which supported the northern route parallel to West Cambewarra Road. This followed the recommendation from Department of Planning & Infrastructure to the PAC supporting either of the northern or southern routes. Council also resolved on 26 October 2012 (Minute MIN12.1188) that

*“Council withdraw support for the Pitt/Narang Link Road option and convene a Councillor Briefing on:
a) the West Cambewarra Road parallel option and
b) how the Illaroo Road/Princes Highway intersection could be improved”*

The councillor briefing was subsequently held where staff presented details of the additional connector road (proposed) linking the Moss Vale Road Urban release area of North Norwra.

A number of factors then delayed the decision on a preferred design and alignment of the construction of the northern route:

- The Northern Option (NO) (**refer to Attachment A**) approved by the PAC was not directly along the West Cambewarra Road alignment, due to adverse noise and amenity impacts, but was offset into natural bushland.
- Under the adopted Nowra-Bomaderry Structure Plan, the Far Northern Collector Road (FNC) (**refer to Attachment B**), also links Illaroo Road to Moss Vale Road. This road is not a replacement for the link road but was determined to be an additional requirement to limit traffic volume growth on Illaroo Road and to directly access new growth areas under the Structure Plan.
- If the FNC was built, Council was advised at the briefing on 5 December 2012 that it is not cost-effective, or necessary to build the NO as well.

-
- If only one of the roads was built (NO or FNC), Council was also advised at the briefing that it should proceed with constructing the FNC due to the need for that road to be built to service new growth areas south and north of Moss Vale Road.

Council then resolved at its meeting on 29 January 2013 (Minute MIN13.42) that

- “a) *The next steps in the planning process to build North Nowra Link Road Option 3 (Northern Option) be deferred until traffic modelling is reviewed and refined with current growth predictions and up-to-date traffic data; and*
- b) *Appropriate preliminary studies for the provision of the Illaroo Road-Moss Vale Road link be commenced and further consultation be undertaken with NSW Roads and Maritime Services (RMS) regarding options for providing traffic relief on the Princes Highway.*
- c) *The General Manager convene a public meeting with local residents, businesses and community groups, when the traffic data and the options for improved traffic movements at the Illaroo Rd and Princes Highway intersection are available, if possible by 30 April 2013. The Public meeting be convened to report on Council’s current policy on the North Nowra Link road; to hear local views and to respond to questions.”*

The public meeting was held on Monday 6 May 2013.

Council’s most current resolution in regards to the North Nowra access improvements was adopted on 19 November 2013 (MIN13.1140)

- “a) *The next steps in the planning process to build North Nowra Link Road Option 3 (Northern Option) and/or the Illaroo Road - Moss Vale Road link (far northern collector road) be deferred until the outcomes of the local planning project control group are more advanced; and*
- b) *Subject to the results of the project control group’s analysis, funding be considered for inclusion in the 2014/2015 Operational Plan budget to commence detailed investigations of a route for the Illaroo Road - Moss Vale Road link (far northern collector road “FNC”).*

The project control group was established by the NSW Department of Planning to oversee the planning process for the Nowra-Bomaderry Structure Plan and related land release areas.

Progress Made since the November 2013 Council Resolution

Since the 19 November 2013 resolution, Council has continued to work (through the project control group) with RMS and Department of Planning regarding infrastructure requirements for the implementation of the Nowra-Bomaderry Structure Plan.

Funding was made available to progress the survey and design of the FNC and preliminary plans were prepared.

Attachment A shows the adopted Nowra Bomaderry Structure Plan preferred road network.

Attachment B shows the preliminary concept design alignment for the FNC.

Because the FNC connects with Moss Vale Road (a classified main road and part of the State Highway network), approval is required from RMS for the design and construction of the road link and intersection.

The RMS originally advised Council that a decision regarding the FNC would not be desirable in isolation but would be best made in the context of the broader infrastructure requirements being considered by the project control group.

Through the project control group, the RMS has also requested more detailed traffic modelling information. Preliminary TRACKS models have been received and final models are currently expected to be available by September 2016. The data analysis then follows from the updated TRACKS models and allows the project control group to conclude its determination of road access requirements.

Nowra-Bomaderry Retail Hierarchy Review

Following the approval of the development application for the Woolworths Supermarket at Bomaderry, Council has commenced a review of the retail hierarchy in the Nowra-Bomaderry area that was reflected in the Nowra-Bomaderry Structure Plan and the resultant LEP. Dependent on the outcome of this review, there may be subsequent amendments to the existing commercial and medium density zones (shown on Attachment A) that make up the proposed longer term centre that is located south of Moss Vale Road to the east of the regional services corridor.

The traffic modelling will need to be adjusted if there are changes to zones after the review. The timing of the construction of the FNC may be impacted if traffic growth is lower than expected, although the FNC would still be required for the urban release areas both north and south of Moss Vale Rd.

FINANCIAL IMPLICATIONS:

Approximately \$35,000 has been revoted to continue planning of the FNC and associated works in 2016/17.

Other funding available for urban release area analysis should be sufficient to fund completion of the required data collection and traffic model development, in the first instance.

The funding available has been used as leverage to attract as much RMS grant funding as possible towards the data collection and traffic modelling updates required.

The current Long Term Financial Plan (LTFP) contains a further \$150,000 allocation from the North Nowra Link Road Reserve to continue investigations and planning of the NNLR in 2017/18. In addition the LTFP has allocations of \$5,300,000 in 2018/19 and \$9,000,000 in 2019/20 for construction.

Beyond 2016/17, there is approximately \$608,000 remaining in the North Nowra Link Road Reserve so the balance for construction would need to be secured from loan funds.

COMMUNITY ENGAGEMENT:

The NNLR and/or FNC construction would be classified as 'Local Area / High Impact' under Council's Engagement Policy so an appropriate engagement strategy should be formulated.

However, the timing of any engagement will depend on outcomes of the project control group process, and Council's subsequent resolutions.

B. Stewart
DIRECTOR, ASSETS & WORKS

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION
ORDINARY MEETING
TUESDAY, 26 JULY, 2016

26. Inquiry into the Regulation of Brothels

File 1379E

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

That the General Manager write to the NSW State Government to express disappointment at its recent response to the recommendations following the Inquiry into the Regulation of Brothels.

Background:

The Government has chosen to ignore the careful findings of a parliamentary inquiry into brothel regulation.

The Inquiry recommended an overhaul to the current regulatory system in order to deliver better outcomes for communities without infringing the rights of sex workers.

However, almost 75% of the Committee's 36 recommendations were rejected, accepting only nine in whole and four in part.

Among the recommendations rejected was a proposal for a new licensing system for brothel owners, designed to improve accountability to existing planning laws and the requirement to provide a safe workplace for sex workers.

The proposal of a special unit similar to the Victorian Police Sex Industry Coordination Unit was also rejected, which would have ensured brothel owners were appropriately licensed, complied with planning laws, did not have workers in sexual servitude and did not permit the exploitation of sex workers.

This means that Local Government Councils are still largely responsible for ensuring compliance in the sector, which many are not equipped to manage.

Even if they take action, the evidence is often deemed insufficient, as we saw with the recent landmark case involving Hornsby Council.

My concern is that while no licensing system is in place illegal activity flourishes under the radar to the detriment of women and men working in the industry.

Signed
Clr Tribe

27. 2016 Berry Small Farm Field Day

File 4771E

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

That Council make a donation of \$2500 from the Unallocated Donations Vote to the Berry Rotary Club to help it fund the staging of the 2016 Berry Small Farm Field Days.

Background:

The Berry Rotary Club is presently making preparations to stage the Berry Small Farm Field Day to be held on 9 and 10 September 2016 at the Berry Showgrounds. Council provided financial assistance for this event in 2013, 2014 and 2015 from the unallocated donations budget.

In 2016, Berry Rotary Club has requested Council provide a \$2500 contribution to the Small Farm Field Days.

The Small Farm Field Days are expected to attract 4000 visitors this year who will explore the products and services offered by 45 stallholders including Veterinary services, farm machinery, stockfeed and supplements, farm contracting, weed control, etc. The Days provide informational support and assistance to the increasingly important niche and small farm sector which provide products and employment to the local and wider community.

We commend the motion to Council.

Signed
Clr Wells
Clr Kearney

Note by General Manager: An amount of \$17,993 is available in the 2016/17 Unallocated Donations vote.

28. Public Wharf/Jetty in Wilson Corlis Reserve

File 48599E

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

Recommended that Council:

- a) **Accept the petition from residences/community members in respect of the reinstatement of the public wharf/jetty previously located in Wilson Corlis Reserve (off Sandpiper Way) Sussex Inlet.**
- b) **Give consideration to investigating the reinstatement of the public wharf/jetty**
- c) **Apply for funding from the Better Boating grants program for any investigations and future approved reinstatement works.**

Background:

Request has been received from residents and community members for the re-construction of the public wharf/jetty in the location it once was previously in Wilson Corlis Reserve (directly behind No 20 Ellmoos Avenue, Sussex Inlet).

The public wharf/jetty was provided in the Reserve area for community public access to the waterways of the Keys Canal Estate. The wharf/jetty was used by many residents of Sussex Inlet for fishing and boating.

Council removed the facility in 2015 due to maintenance and safety issues as the wharf/jetty was in "poor state of repair". At this time public consultation was undertaken by Council as part of the Canal Estates Management Plan File 48599E and a few (approx. 5) submissions were received.

Residents living in Ellmoos Street were unaware of the public consultation regarding the public wharf/jetty and did not provide submissions. When Council removed the old structure, the residents became aware of the previous reports to Council and have now requested that Council give consideration to the reinstatement of the facility for public use.

Funding for any investigations and reinstatement should be provided by applications to the NSW Better Boating grants program.

Signed
Clr White

Note by General Manager: The current Better Boating Now funding program has determined projects for the 2015/16 and 2016/17 financial years. Transport for NSW is likely to invite new applications for new projects during 2017. Proposals already being considered for the future program include: a pontoon adjacent to the end of Jacobs Drive, Sussex Inlet; upgrade of the boat ramp at Berringer Lake; and the rebuilding of the jetty at Greenwell Point. Given the growing list of potential projects for funding applications the council will be consulted at the time of the next "application round" to determine its priority for each project.

29. Electric Vehicle Charging Points

File 1746E

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

The General Manager report back to Council on how Council can promote the installation of electric vehicle charging points throughout the city, particularly in its major carparks in town centres or near visitor centres / libraries. A costing be provided to Council and provision be made to fund the project from this current year's budget or the following year. The report should also seek to have 3rd party providers encouraged to include such infrastructure should they abut public open spaces within our CBD. The charging points should be accompanied by appropriately marked parking spaces that prioritise electric vehicles.

Background:

There is a growing number of electric vehicles (EV's) available in the Australian market place, with Tesla hoping to release a more budget version of their EV's. EV's have a varying range on a full battery bank, cars like the Tesla have a range of up to 400 klms. The installation of EV charging points will encourage EV owners to visit the South Coast without the risk of 'running out of fuel'. For vehicles with smaller ranges public charging points are very important in the motorists willingness to travel longer distances. In the not so distant future there is an expectation that Council will look at its parking in the Nowra CBD through a number of different developments and these should incorporate an EV charging point/s. Council also needs to note that EV points should be located near useful infrastructure that encourage the EV driver to plug in and stay as even a rapid top up at the moment needs time. Council could also provide a charge point in the carparks around the entertainment centre which might encourage EV use by staff. There are a number of companies that can manage and provide EV charge points.

<http://www.sydneymedia.com.au/5342-city-leads-the-charge-for-zero-emission-cars/>

Signed
Clr Findley

30. South Coast Milk Cooperative

File 4092E

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

The General Manager instigate a purchasing policy that supports the South Coast Milk Cooperative for Council's dairy needs. The General Manager should also expect this in any contracts that it lets for catering for events.

Background:

With the success of the South Coast Milk Cooperative and the building of its new facilities Council needs to be supportive of the business particularly as Council currently has a positive bias for local contractors.

Signed
Clr Findley

Note by General Manager: The intent of this policy direction, if adopted by Council, can be substantially implemented within the existing procurement contracts & arrangements and for events catering in most circumstances.

CONFIDENTIAL BUSINESS PAPER AGENDA

GENERAL MANAGER – COMMITTEES REPORT

STRATEGY AND ASSETS COMMITTEE – TUESDAY 19 JULY 2016

1. Tenders – Provision of Management & Operations of the Ulladulla Civic Centre 2016/19

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.

2. Release Agreement Lehman Brothers Special Financing Inc (LBSF) Lehman Brothers Holding Inc (LBHI), Lehman Brothers Australia Limited (LBA), ANZ and Shoalhaven City Council AND Deed of Release with ANZ and Shoalhaven City Council – Signing of Agreements

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 finalise legal proceedings.

3. Tender – Supply of Construction Materials - Concrete Supply Tender

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.

4. Tender Process - REMS 1B Works

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.

5. Expressions of Interest Process - Minor Projects Survey and Design

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.

ASSETS AND WORKS

6. Tender – Lake Conjola Boardwalk Replacement

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.

7. Tender – Design & Construction of Aquatic Splash Pad at Culburra Beach Holiday Park

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.

8. Holiday Haven Tourist Parks – Management Contract Extension – Ulladulla Headland Holiday Park

Reason

Section 10A(2)(c) - Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

It is not in the public interest to disclose this information as it may prejudice the commercial position of the proponent who supplied it.

CONFIDENTIAL ADDENDUM REPORT 1 – GENERAL MANAGER

1. Contract Issues

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.

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.

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 JULY 2016

PLANNING AND DEVELOPMENT

1. **Coast and estuary grant program 2016/17 – requirement for a certified CZMP or coastal management program** **File 2498Ee**
-

SECTION MANAGER: KELIE LOWE.

PURPOSE:

To advise Council that applications are open to apply for grant funding under the State Governments 2016/17 Coast and Estuary program. Councils are now only eligible to apply for funding if they have a certified coastal zone management plan (CZMP) or coastal management program (CMP) or have lodged a CZMP or CMP with the Minister seeking certification, before grant applications close on 18th August 2016.

RECOMMENDED that Council

- a) **Seek certification from the Minister for Planning, The Hon Rob Stokes MP of Council's draft Coast Zone Management Plan and adopted estuary management plans, before the grant applications close on 18 August 2016, to ensure Council is eligible to apply for grant funding for works under the NSW Government's 2016/17 Coast and Estuary Program; and**
- b) **Council apply funding under the NSW Government's 2016/17 coast and estuary program for the four (4) projects detailed in this report; and**
- c) **Council also write to the Minister for Planning, The Hon Rob Stokes MP seeking a one year exemption from the requirement of a certified Coastal Zone Management Plan or a Coastal Management Program, as previously resolved by Council.**

OPTIONS

1. Council not apply to the Minister for Planning, The Hon Rob Stokes MP to certify Council's draft Coast Zone Management Plan and Council not apply for grant funding under the NSW Government 2016/17 Coast and Estuary program.
2. Coastal write to the Minister for Planning, The Hon Rob Stokes MP seeking a one year exemption from the requirement for a coastal management program and not apply for funding under the NSW Government 2016/17 Coast and Estuary program.
3. Council propose an alternate option.

DETAILS

Applications are open to apply for grant funding under the State Government coast and estuary program. Council received a letter from the Minister with the grant application guidelines, stating that grants for works will not be eligible if Council does not have a certified Coastal Zone Management Plan (CZMP) or Coastal Management Program (CMP).

Councils can still apply for funding if their plan is being finalised for certification but funding will not be provided until the plan is certified.

This information was confirmed by NSW Office of Environment & Heritage (OEH) regional office during a meeting on 21st July with Council staff.

Grant applications close on the 18 August 2016. This means that Council would need to **lodge its draft CZMP with the Minister for certification prior to the 18 August 2016** to be eligible to apply for any grants.

Council previously resolved to apply to the Minister for a 1 year exemption from the requirement to have a certified plan, however it is highly unlikely that this exemption would be granted before the grant applications are due on 18 August 2016. Council could therefore not be eligible to apply for grant funding for works, if the exemption request is not successful.

It is therefore recommended that Council requests the Minister to certify its draft CZMP together with its adopted Estuary Management Plans as soon as possible and before the 18 August 2016, so that Council can be eligible for grant funding for works identified in these documents.

It is also recommended that Council applies for grant funding to develop a CMP commensurate with the new Coastal Management Act in the next year. Funding applications for the development of a CMP are open to Councils throughout the year. The development of a CMP will allow Council to include the review of the coastal hazard risk mapping which considers Council's adopted sea level rise projections (work in progress and to be completed by September 2016), as well as the outcomes of the 'Our Coast Our Lifestyle' community engagement project on coastal management. The CMP can be developed using draft CZMP but it is likely that there will also be additional information that will need to be gathered to comply with the new Act. The CMP will also combine and summarise priority actions identified in the draft CZMP and estuary management plans for each estuary or section of the coast.

Alternatively, Council could choose not to apply for any grant funding for works this financial year and apply for funding to develop a CMP, considering that there is no guarantee that Council would be awarded grant funding. However, this would mean that Council would not be able to proceed with the projects listed below, unless Council determined to fund the entire costs through re-allocation of existing budgets.

Council developed a draft CZMP in 2012 which was placed on public exhibition and reported to Council. However, the plan was never submitted to the Minister for certification because the Government announced the Coastal Reforms. Council has been

using this draft plan since that time to guide our coast, estuary and flood management activities.

Council also has a number of other supporting documents that would need to be sent to the Minister as part of a CZMP package, appendices to the draft plan, such as the recent flood studies that include Council's adopted sea level rise projections.

The draft CZMP is available on Council's website –
<http://projects.umwelt.com.au/shoalhaven-coastline/index.php>

The NSW Government has commenced stage 2 of the Coastal Reforms are starting to be implemented now and include a new Coastal Management Act and a Coastal Management State Environmental Planning Policy (SEPP) which are due to come into effect later this year. The Government is due to release the draft SEPP for public exhibition.

You can find an overview of the Coastal Reforms on OEH's website by following this link

<http://www.environment.nsw.gov.au/coasts/coastreforms.htm>

The following grant applications that would meet the requirements of the grant guidelines and are identified in the draft CZMP and Estuary Management Plans are:

- Mollymook Foreshore south – detailed design for replacement of existing gabion structure, including community consultation and REF, probability risk analysis and cost benefit analysis (project value estimated at \$200,000). (this project is required to justify the significant investment at Mollymook south to protect foreshore approx. \$1.3million)
- Currarong beach erosion– detailed design, community consultation, REF and works – project value estimated at \$400,000
- Shoalhaven Heads, River Road erosion – detailed design and works (project value estimated at \$400,000)
- Estuary Health report cards- water quality and estuary health monitoring and reporting (project value estimate \$140,000 over 2 years)

These projects have been selected on a priority basis, Council's capacity to deliver the projects as well as available funding within existing budgets, since Council must contribute at least 50% of the project costs.

Advice from OEH officers is that Council should lodge all of the relevant documents that form part of the draft CZMP. This is because Council cannot apply for funding for a particular project unless it forms part of or is referenced in a certified CZMP or CMP in accordance with the grant guidelines.

FINANCIAL IMPLICATIONS:

Council would not be eligible to apply for grant funding under this year's coast and estuary program unless it lodges its draft CZMP with the Minister for certification.

Council could not apply for future grant funding until it has a certified CZMP or CMP. Council has been advised that it only has until December 2016 to lodge its draft CZMP for certification.

COMMUNITY ENGAGEMENT:

Council's draft CZMP was placed on public exhibition and reported to Council in 2012. The estuary management plans and flood risk studies and plans that are part of the draft plan have also been through a community consultation process and reported to Council for adoption.

CONCLUSION:

Requesting an exemption from the State Government from the requirement of a certified plan, as resolved at Council's Strategy and Assets meeting on 19 July 2016 as well as lodging the draft plan for certification should place Council in the best position to be eligible to apply for grant funding.

Tim Fletcher

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R.D Pigg

GENERAL MANAGER