

SHOALHAVEN CITY COUNCIL

P O L I C Y & R E S O U R C E S C O M M I T T E E

To be held on Tuesday, 14 April, 2015
Commencing at 4.00 pm

8 April, 2015

Councillors,

NOTICE OF MEETING

You are hereby requested to attend a meeting of the Policy and Resources 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, 14 April, 2015 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. **Deputations**
5. **Councillor reports on Conferences**
6. **Report of the General Manager**
 - Corporate and Community Services
 - Assets and Works
 - Planning and Development
 - Shoalhaven Water
7. **Report of the Director Shoalhaven Water**
8. **Notice of Motion**
9. **Addendum Reports**
10. **Confidential Report of the General Manager**
 - Assets and Works
11. **Confidential Report of the Director Shoalhaven Water**

Delegation:

Pursuant to S377 of the LG Act this Committee has delegated authority to determine all matters able to be delegated in respect of its functions.

Functions:

- To make recommendations on the exercise of all powers vested in Council under any Statutes, By-Laws or Regulations in relation to Council's operational functions;
- To consider, formulate and review Policies in relation to Council's operational function and all matters within the Committees responsibilities and recommend to Council;

- To consider and recommend the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the next Operational Plan;
- To consider all matters in relation to the Community Strategic Plan, Delivery Program, Operational Plan and Resourcing Strategy and recommend to Council;
- To monitor, review and develop matters of relevance in respect of the operations and strategic direction of Council's Holiday Haven Tourist Parks Group and
- To recommend to Council on all matters relating to the management and facilities provided on all Crown Reserve Trust Land where Council is the Trust Manager;
- To provide corporate direction for the Shoalhaven Water Group to the exercise of powers vested in Council under any statutes or regulations affecting the construction, alteration or maintenance of water and sewerage works and effluent works and pump out removal;
- To authorise the expenditure funds raised under Section 64 - LG Act within the limits established by Council;
- To recommend Fees and Charges for the Water and Wastewater services provided;
- To develop implement and review strategic policies for water, sewerage and effluent operations;
- Be responsible for policy review and development for matters within the Committee's responsibilities.

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.

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MINUTES OF THE POLICY & RESOURCES COMMITTEE MEETING HELD ON TUESDAY, 10 MARCH, 2015 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4:01 PM

The following members were present;

Clr Wells – Chairperson
Clr Gash
Clr Tribe
Clr Robertson
Clr Baptist
Clr Anstiss
Clr Guile
Clr Watson
Clr McCrudden
Russ Pigg – General Manager

Apologies:

Apologies were received from Clr White, Clr Kearney, Clr Findley and Clr Kitchener.

1. Confirmation of the Minutes of the Resources & Reserves Committee meeting held on Tuesday 10 February 2015 [Index](#)

MOTION:

Moved: Baptist / Second: Anstiss

That the Minutes of the Policy & Resources Committee meeting held on 10 February 2015 be confirmed.

CARRIED

2. Declarations of Interest [Index](#)

Conflict of Interest Declaration - Clr Baptist – Significant non pecuniary interest – Item 10 Request to Waive Development Application and Associated Fees for the Murramarang Mens Shed – Part Lot 5 DP 228311 No.374 Murramarang Road Bawley Point – Clr Baptist is the Public Officer of the Murramrang Men’s Shed Inc, will leave the room.

Conflicts of Interest Declaration – Russ Pigg - Significant non pecuniary interest – Item 13 - Tenders - Minor Mains Replacement Panel - Construction Package 3C, Item 14 - Tender Process – Bewong to Tomerong Alternate Water Main, Item 15 - Tenders - Nowra WwTP Access Road and Confidential - Item 1 Tenders - Minor Mains Replacement Panel - Construction Package 3C, Item 2 Tender Process – Bewong to Tomerong Alternate Water Main, Item 3 Tenders – Nowra WwTP Access Road, as one of Hisway’s employees rents a property he owns – will leave the room.

Note: Clr Gash informed the Committee that she no longer owns a property at Boorawine Street, Callala Bay as of 4 March 2015, therefore will no longer be declaring an interest in relation to functions on Public Reserves in Callala Bay.

3. Deputations [Index](#)

Ms Linda Irwin addressed the Committee in relation to Item 6 - Private Functions on Public Reserves - Policy Review.

Mr Craig Wallace addressed the Committee in relation to Item 6 - Private Functions on Public Reserves - Policy Review

4. Procedural Motion – Bring Item Forward [Index](#)

PROCEDURAL MOTION: Moved: Watson / Second: Guile

That the matter of Item 6 - Private Functions on Public Reserves - Policy Review , Page 19 - be brought forward for consideration.

CARRIED

5. Private Functions on Public Reserves - Policy Review File 8180E, 6320E [Index](#)

MOTION: Moved: Watson / Second: Guile

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

- a) Form a Consultative group comprising of three representatives from the Callala Bay Business Chamber and three residents to consider the Draft Policy and recommend amendments
- b) Provide the General Manager delegated authority to amend the draft policy and place it on Public exhibition following the community consultative process as outlined in point a).
- c) Implement the following public exhibition process to finalise the review of Council's *Private Functions on Public Reserves Policy*:
 - i) Subject to a) and b) adopt the revised draft *Private Functions on Public Reserves Policy* for public exhibition via local newspapers and Council's website for a period of 28 days with the following function fees & bonds applicable:
 - a. Small Function, no fee / no bond
 - b. Medium Function, \$410 fee / up to a maximum of \$1500 bond
 - c. Large Function \$830 fee / up to a maximum of \$3000 bond
 - ii) Write to the following and advise them of the public exhibition of the draft *Private Functions on Public Reserves Policy*:
 - a. All people / groups that have recently made representation to Council regarding its application of the *Private Functions on Public Reserves Policy*,
 - b. All Community Consultative Bodies,
 - c. Hyams Beach Village Association,

-
- d. Bannisters by the Sea Mollymook,
 - e. All Wedding Celebrants and Wedding Planners known to Council that undertake weddings in Council managed public reserves,
 - f. Shoalhaven Tourism Advisory Group,
 - g. All Shoalhaven based Party Hire companies known to Council,
 - h. Shoalhaven Police,
- iii) Specific consultation occurs in each geographical area affected by the policy.
 - iv) Private function bookings taken from the date of this resolution be advised that an amended draft *Private Functions On Public Reserves Policy* and associated fees and charges will be considered when assessing the booking and to assist with transitioning to a revised policy.
 - v) All current private functions on public reserves bookings taken prior to this resolution or bookings taken and occurring prior to finalisation of a revised policy that involve the erection of a marquee for a reception-like function are required to finish by 9.30pm and involve a compliance bond of up to \$3,000.
 - vi) That Council be provided a further report following public exhibition of the revised draft *Private Functions on Public Reserves Policy*.

CARRIED

GENERAL MANAGER

6. Confidential Senior Staff Contractual Matters Committee Meeting Recommendations
File 47757E, 5001E [Index](#)
-

MOTION:

Moved: Baptist / Second: Gash

RECOMMENDED that Council:

- a) Create 1 additional full-time Ranger/Animal Management Officer position;
- b) Create 1 trainee Ranger/ Animal Management Officer position;
- c) Increase the budget amount for "Part-time/casual" staff from the current (2014/15) amount of \$3,615 to \$33,615 by reducing the current "overtime" budget of \$33,695 by \$30,000 and transferring this amount to the "Part-time/Casual" budget in the 2015/16 financial year; and
- d) The necessary budget adjustments are made in the March 2015 Budget Quarterly Review.

CARRIED

CORPORATE AND COMMUNITY SERVICES

7. Naming of Reserve in Terragong Avenue Bawley Point File 5714E, 1977E [Index](#)

MOTION: Moved: Baptist / Second: Gash

RESOLVED, in accordance with the Committee's delegated authority from Council, that the Committee endorse the commencement of naming of the reserve in Terragong Avenue Bawley Point to "Dorothy and Ray Watts Reserve".

CARRIED

8. Fee Waiver Request - Waiver of fees for the hire of Titania Park Greenwell Point - Monthly Markets - 2015/2016 - Marine Rescue NSW - Shoalhaven File 2775E, 32996E [Index](#)

MOTION: Moved: Anstiss / Second: Robertson

RESOLVED, in accordance with the Committee's delegated authority from Council, that Council waive the fee of \$2,760 for the hire of Titania Park, Greenwell Point for Marine Rescue NSW – Shoalhaven, to conduct their monthly markets for 2015/2016 financial year.

CARRIED

9. Local Government Conference - 2015 National General Assembly of Local Government File 1077E [Index](#)

MOTION: Moved: Baptist / Second: Robertson

RESOLVED that the Policy and Resources Committee under its delegated authority:

- a) Notes the details of the Australian Local Government Association National General Assembly scheduled for 14 to 17 June 2015 at the National Convention Centre in Canberra.
- b) Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
- c) Councillor Clr Gash be determined as the Council voting delegate for the conference and Councillor Clr Wells as alternate delegate.
- d) Call for a Councillor Briefing to be convened to consider Notices of Motion for the Australian Local Government Association National General Assembly.

CARRIED

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

Note: This item was considered later in the meeting.

11. Private Functions on Public Reserves - Policy Review File 8180E, 6320E [Index](#)
-

Note: This item was brought forward.

ASSETS AND WORKS

12. Conditions for Opening Footpaths – Public Utilities File 2093E [Index](#)
-

MOTION: Moved: Guile / Second: Gash

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

- a) the report on footpath opening by public authorities be received for information
- b) public utility authorities fully comply with Council's restoration standards, especially for concrete paths and provide adequate reimbursement of costs incurred by Council for reinstatements undertaken or required to make good contractors work
- c) Make representation to State and Federal Members and raise motions at the relevant conferences in support of legislative change enshrining the rights of the asset owners

CARRIED

CORPORATE AND COMMUNITY SERVICES

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

MOTION: Moved: Watson / Second: Tribe

RESOLVED in accordance with the Committee's delegated authority from Council that Council accept the request from the Ulladulla & Districts Blessing of the Fleet Festival Committee, to:

- a) Continue the current arrangement for the contribution of \$10,000 and waiving of the cost of the hire and cleaning fees for the Ulladulla Civic Centre and grounds and the Foreshore Reserve for the 2015 event.
- b) Reimburse the Ulladulla & Districts Blessing of the Fleet Festival Committee \$2,554.28 being additional costs incurred and experienced in 2014, due to the renovations of the Ulladulla Civic Centre.

CARRIED

ASSETS AND WORKS

14. Stormwater Drainage - Malibu Drive Bawley Point (Gannet Beach) File 1850E [Index](#)

MOTION: Moved: Baptist / Second: Gash

RESOLVED, in accordance with the Committee's delegated authority from Council, that the report on the effectiveness of drainage works, from Malibu Drive to Gannet Beach Bawley Point, be received for information.

CARRIED

15. Burrill Lake Lions Park – Public Amenities Funding Acceptance File 5279E, 17405E [Index](#)

MOTION: Moved: Gash / Second: Baptist

RECOMMENDED that Council:

- a) Accept the grant funding offer of \$352,067.53 from RMS for the construction of a new public amenity (toilet) and the decommissioning of the existing public amenity.
- b) Write a letter to thank the RMS for installing a changing facility.

CARRIED

PLANNING AND DEVELOPMENT

16. Request to Waive Development Application and Associated Fees for the Murramarang Mens Shed – Part Lot 5 DP 228311 No.374 Murramarang Road Bawley Point
File DA15/1120 [Index](#)

Conflict of Interest Declaration - Cllr Baptist - significant non-pecuniary interest – Cllr Baptist is the Public Officer of the Murramrang Men's Shed Inc, he left the room and did not take part in discussion or vote.

MOTION: Moved: Tribe / Second: Robertson

RESOLVED, in accordance with the Committee's delegated authority from Council, that the Committee vary policy POL13/109 and waive the development application and associated fees identified in the report in support of for the Murramurang Men's Shed Bawley Point.

CARRIED

17. Tabourie Lake Floodplain Risk Management Study and Plan (FRMSP) File 47572E [Index](#)

Note: Clr Baptist returned to the room.

MOTION:

Moved: Wells / Second: Watson

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

- a) seek a variation to works and funding from the Office of Environment and Heritage (OEH) to complete the Tabourie Lake FRMSP to include recently adopted sea level rise projections and that should the variation not be approved, Council fund 100% of the variation to the approximate value of \$10,000;
- b) Notify the Minister of Environment and Heritage of the request for further funding.

CARRIED

SHOALHAVEN WATER

18. Local Government Conference - Ozwater '15 Water Conference & Exhibition

File 3989E [Index](#)

MOTION:

Moved: Robertson / Second: Anstiss

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

- a) Notes the details of the Ozwater '15 Water Conference and Exhibition, scheduled for 12-14 May 2015, at Adelaide, South Australia.
- 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

DIRECTOR SHOALHAVEN WATER

19. Tenders - Minor Mains Replacement Panel - Construction Package 3C File 50473E [Index](#)

Conflict of Interest Declaration – Russ Pigg - significant non pecuniary interest – as one of Hisway’s employees rents a property he owns – left the room and did not take part in discussion or vote.

MOTION: Moved: Gash / Second: Baptist

RECOMMENDED that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (2003), consider a separate confidential report on this matter.

CARRIED

20. Tender Process – Bewong to Tomerong Alternate Water Main File 50381E [Index](#)

Conflict of Interest Declaration – Russ Pigg - significant non pecuniary interest – as one of Hisway’s employees rents a property he owns – had left the room and did not take part in discussion or vote.

MOTION: Moved: Gash / Second: Baptist

RECOMMENDED that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (2003), consider a separate confidential report on this matter.

CARRIED

21. Tenders - Nowra WwTP Access Road File 50438E [Index](#)

Conflict of Interest Declaration – Russ Pigg - significant non pecuniary interest – as one of Hisway’s employees rents a property he owns – had left the room and did not take part in discussion or vote.

MOTION: Moved: Gash / Second: Baptist

RECOMMENDED that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (2003), consider a separate confidential report on this matter.

CARRIED

ADDENDUM REPORT 1 – PLANNING AND DEVELOPMENT

22. Senior (Development Assessment) Planner – Planning & Development Services
File 47757E [Index](#)
-

Note: Russ Pigg returned to the room.

MOTION: Moved: Anstiss / Second: Gash

RESOLVED that in accordance with the Committee's delegated authority from Council, the Committee support an additional Senior (Development Assessment) Planner position, with costs to be off-set from additional income from Development Application (DA) fees due to ongoing increase in development activities

CARRIED

GENERAL BUSINESS

23. Additional Item – Administration and Casual Administration Staff – Private Functions on Public Reserves
File 8180E, 6320E [Index](#)
-

Clr Anstiss informed Council that Administration staff and Casual Administration Staff be provided with an update on the current issues concerning the bookings of private functions on Public Reserves.

24. Additional Item - Request for Council to Upgrade the Tomerong Community Hall Car Park
File 27107E [Index](#)
-

MOTION: Moved: Baptist / Second: Gash

RECOMMENDED that Council allocate \$12,000 from the existing roads and carparks budget for the purpose of sealing the car park of the Tomerong Community Hall.

CARRIED

25. Additional Item – Last Post – Anzac Day File 8601E [Index](#)
-

Clr Tribe informed Council that the Last Post was played at the Ulladulla Depot as part of Anzac Day Commemorations in 2014. Council staff have approached Clr Tribe to see if it can be incorporated into the Nowra Administration Building Anzac Day Commemorations in 2015.

CONFIDENTIAL REPORT OF THE DIRECTOR SHOALHAVEN WATER

Item	Reason
Tenders - Minor Mains Replacement Panel - Construction Package 3C	<p>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.</p> <p>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.</p>
Tender Process – Bewong to Tomerong Alternate Water Main	<p>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.</p> <p>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.</p>
Tenders – Nowra WwTP Access Road	<p>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.</p> <p>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.</p>

Pursuant to section 10A(4), the public were invited to make representations to the Policy & Resources 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 Policy & Resources Committee exclude the press and public from the Meeting pursuant to section 10A(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 10A(2)(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:

- Tenders - Minor Mains Replacement Panel - Construction Package 3C
- Tender Process – Bewong to Tomerong Alternate Water Main
- Tenders – Nowra WwTP Access Road

CARRIED

The meeting moved into confidential the time being 5:14pm.

The meeting moved into open session, the time being 5:14 pm.

There being no further business, the meeting concluded, the time being 5:15pm.

Clr Wells
CHAIRPERSON

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

COUNCILLOR REPORTS ON CONFERENCES

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

1. **NSW Local Government Tourism Conference**

File 4688E [Index](#)

PURPOSE:

To provide a report from Clr Watson on the NSW Local Government Tourism Conference held in Bathurst on 2-4 March 2015:

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that the report from Clr Watson are received for information.

DETAILS

Report from Clr Watson

I represented Council at the recent tourism conference held in Bathurst, this is the first that I have attended.

In my opinion the most valuable session of the conference was the presentations which targeted visitor information centre staff held on Monday afternoon. Throughout the conference there appeared to be a consistent message coming through regarding the majority of VICs showing falling enquiry numbers. The assumption in respect of this is that there are growing numbers of tourists using Internet resources to obtain their visitor information which highlights the absolute need for us to be really on top of the game in respect of our e promotion activities.

Assuming the numbers of those tourists attending VICs continue to drop it really brings into question the long-term viability of large stand-alone visitor information Centres and is an issue we need to address prior to undertaking the construction of a new centre in the Nowra area or co-locating the existing centre to me SEC.

I've been personally of view of many years that we may be better served with a backroom operation servicing e promotion tourism and commercial sub agents distributed throughout the primary tourist destination locations. Generally speaking the statistics coming from the industry would appear to support this assumption.

Clr Patricia White

PURPOSE:

To provide the Committee with an update on the quarterly meeting of SEATS held on 19 & 20 February at Port Welshpool in Victoria.

RECOMMENDED that the Committee receive the report from the SEATS meeting held in February 2015 and March SEATS newsletter for information.

OPTIONS

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

DETAILS

The meeting was attended by over 40 delegates each day. SEATS members were welcomed by Mayor Cr Jeanette Harding and Mr Tim Tamlin CEO of South Gippsland Shire Council hosts of the meeting. Shoalhaven Council was represented by Greg Pullen and Clr Patricia White.

The Chair expressed sadness at the retirement of the outgoing Executive Officer Chris Vardon after nearly 12 years but was pleased with the appointment of his replacement John Duscher. Chris Vardon retired after nearly twelve years as Executive Officer of SEATS and an emotional farewell was organized for the February 2015 meeting.

Presentations were made by:

- Danny O'Brien MLC
- Gippsland Food Plan – Richard Elkington Chair RDA (Gippsland)
- Agricultural Industry Transformation – Gippsland – Associated Professor Robert Faggian Deakin University

As a result of the presentation a Motion was passed by SEATS to *“investigate with Association Professor Robert Faggian options for further studies regarding Agricultural Industry Transformation”*.

SEATs will ascertain from Assoc Prof Faggian what can be done to further assist involving the entire SEATS region so that a full picture can be painted to enable appropriate infrastructure planning which will benefit the Region.

- Transport Issues in Gippsland and South East Region – Brad Close Victorian Transport Association. Five main areas included:

-
1. National Reform
 2. Doubling of Freight Task
 3. Infrastructure
 4. Fuelling the growth
 5. Challenges for Industry into the future regardless of geographic position (metro or regional/country)
- Gippsland's Safe Freight Network – John Ernst South Gippsland Shire Council
 - VicRoads Report
 - RMS Report

MR 92 Report

The motion approved at the November 2014 meeting was rescinded and the Notice of Motion was withdrawn. The following motion was subsequently put to the meeting and approved after a lengthy discussion.

- (a) *SEATS accept and endorse the "Beyond Nerriga Route Options Study – Corridor Options Report" as submitted to SEATS as a technical document.*
- (b) *SEATS accept and endorse the "Beyond Nerriga Route Options Study – Corridor Options Report" as submitted to SEATS as a technical document.*
- (c) *SEATS continue to work with member Councils and Government Agencies to advance the freight corridor "beyond Nerriga" with emphasis on Stage 1 – Nerriga to Tarago (via Sandy Point)*
- (d) *SEATS encourages member Councils to use the report and further analysis to form partnerships and project proposals to be submitted to SEATS for consideration as "priority projects" and to pursue grants under the various funding programs that may be applicable to improve the transport network,*
- (e) *Seats allocate the unspent funds to be used by the Councils for further analysis tasks.*
- (f) *SEATS thank the participants in the study – Goulburn-Mulwaree, Palerang, Shoalhaven, Upper Lachlan and Yass Valley Councils and Transport for NSW as well as the consultant, GHD.*

Moved: Greg Pullen

Seconded: Cr James Wheelwright

Carried

Palerang Council has submitted the project from Nerriga to Braidwood for recognition as a SEATS Priority Project. This is a recommendation of the GHD MR92 Beyond Nerriga Report.

Members Reports

All members in attendance at the meeting provided an up-date report on SEATS issues in their local area.

Conclusion

- # Attachments provide copies of the Minutes of the Meeting February 2015 and the March Newsletter. The next SEATS meeting will be held 21 & 22 May 2015 in Canberra.

REPORT OF GENERAL MANAGER
POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

CORPORATE AND COMMUNITY SERVICES

ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY

3. **Local Government Conference - 2015 Future of Local Government National Summit**
File 4688E [Index](#)
-

SECTION MANAGER: Melissa McCoy.

PURPOSE:

This report advises of the 2015 Future of Local Government National Summit scheduled for 28 & 29 May 2015 in Melbourne.

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

- a) **Notes the details of the 2015 Future of Local Government National Summit, scheduled for 28 & 29 May 2015, at Melbourne, Victoria.**
- 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:

- 2015 Future of Local Government National Summit
- scheduled for 28 & 29 May 2015
- at Rydges Melbourne, Victoria

-
- # Information regarding the conference has been included in the Councillors' Information Folder.

Costs associated with the conference are estimated as follows:

- registration : \$594.00 (including GST)
- travel, accommodation and out of pocket expenses : not yet determined.

FINANCIAL IMPLICATIONS:

The 2014/15 budget provision for Councillors Training and Development provides funding for attendance at this conference.

ITEMS TO BE REFERRED TO ORDINARY MEETING

4. **Eurobodalla Withdrawal - South Coast Cooperative Library Service File 3934E [Index](#)**

SECTION MANAGER: Jane Lewis.

PURPOSE:

To provide details to Council regarding the options to reduce Library expenditures to offset the loss of revenue contributions received to assist with the cost of operating this service from Eurobodalla Shire Council from 1 July 2015.

RECOMMENDED that Council:

- a) Continue with the South Coast Cooperative Library Service operating on a refined partnership agreement with Kiama Council that will continue to provide a range of benefits to Shoalhaven residents.**
- b) Review the South Coast Cooperative Legal Agreement.**
- c) The General Manager have delegated authority to sign off on the refined South Coast Cooperative Legal Agreement.**

OPTIONS

1. Continue with the South Coast Cooperative Library Service operating on a refined partnership agreement with Kiama Council that will continue to provide a range of benefits to Shoalhaven residents.

Recommended as this is an established partnership that continues to provide economies of scale to Shoalhaven City Council and delivers cost savings through increased purchasing power. It also benefits Shoalhaven Libraries' customers and ratepayers, as it allows sharing of skills and knowledge with a wider library community.

2. The South Coast Cooperative to disband entirely.

Not recommended as this option removes a cost recovery stream to Shoalhaven City Council as well as effecting the benefits and economies of scale that increased purchasing power allows.

3. Actively seek new members to join South Coast Cooperative.

Not recommended currently, but to be investigated for the future. There is the potential for closer ties with surrounding Councils to provide an enhanced service to our customers through increased purchasing power, skills sharing and partnerships.

DETAILS

The South Coast Cooperative Library Service (SCCLS) currently consists of three local government areas working together to provide library services to their communities. These Local Government Areas currently are: Shoalhaven City Council, Eurobodalla Shire Council and Kiama Council.

Under the terms of the South Coast Cooperative Libraries Agreement, Shoalhaven Libraries – Nowra takes primary responsibility for the selection, purchasing and processing of items and is also responsible for the maintenance of the databases and systems administration.

On Thursday 5 June 2014 Kathy Arthur, Division Manager Community, Arts and Recreation from Eurobodalla Shire Council, advised that a report was being submitted to the Ordinary Meeting of Eurobodalla Shire Council on Tuesday 10 June 2014 recommending the withdrawal from membership of the South Coast Cooperative Library Service.

At Tuesday 10 June 2014 Eurobodalla Ordinary Council Meeting the motion was carried that the Council:

1. Withdraw from membership of the South Coast Cooperative
2. Write to its SCCLS partners, Shoalhaven and Kiama Councils, advising them of Council's agreement, and thank them for providing a professional and positive partnership for 30 years
3. Provide a stand-alone library service from 1 July 2015

On 25 June 2014 Amanda Findley, as Chair of the South Coast Cooperative Library Service, received a letter from Catherine Dale, General Manager of Eurobodalla Shire Council advising of Eurobodalla Council's decision to withdraw, and giving 12 months' notice from 30 June 2014, as per the SCCLS agreement.

Eurobodalla's reasons for withdrawing from the Cooperative were:

- To provide more opportunities for Eurobodalla library staff to undertake professional tasks, including selection and collection development.
- To purchase directly from the bookseller and paying for such services Council would be able to spend less on processing, which would mean more funds for new resources, with local staff engaged in selection and ordering activities.

In 2013/14 Shoalhaven City Council invoiced Eurobodalla in total for \$143,009.59 for stock purchases, Library Management System costs, Libraries Australia subscription and processing charges. Of this total amount \$95,897.89 was for stock, Library Management System costs and Libraries Australia subscription. The remainder, \$47,111.70, was for payment for the processing of items, which offset costs incurred by Shoalhaven City Council for staff and materials to deliver this service to the Cooperative partners.

“Fee” Breakdown	Amount
Stock (books, bookdiscs, ...)	\$86,999.17
Processing charges	\$47,111.70
Libero (Library Management System)	\$7,192.60
Libraries Australia subscription	\$1,706.12
TOTAL	\$143,009.59

Shoalhaven Libraries has been actively preparing for Eurobodalla’s withdrawal and will continue to monitor future impact on effected positions. Strategies have already been put in place offset these changes:

- A number of positions will be reviewed and modified as a result of these changes and a vacant full time position which is currently filled on a fixed term basis will be reviewed.
- Technological advancements have allowed several labour and material intensive processes to be streamlined over the past financial year. Reservation notices that used to be sent by letter or phone are now automatically sent by SMS and over the next few months this will be extended to reminder and overdue notices. This will provide savings in labour and material costs.
- A review is currently being undertaken to assess collection services processes. Accessioning, cataloguing and end processing functions are being reviewed to ascertain effectiveness and efficiency. It is anticipated that cost savings will be found by utilising increased technological capabilities to streamline workflows and potentially outsource some tasks.
- A review is also being undertaken of the Mobile Library Service with a view to using two transit vans, rather than one medium rigid truck. Delivery of the service would be improved, and the vans could also be used for delivery between branch libraries, reducing courier and TNT costs.

It is anticipated that the implementation of these measures will offset the anticipated reduction in cost recovery and will allow Shoalhaven Libraries to operate within budget with no adverse net results.

FINANCIAL IMPLICATIONS:

The steps being taken to ensure the impact is cost neutral are:

- Reviewing current staffing positions.
- Utilising technological advancements to streamline processes and services in reservation and overdue notices.

-
- Reviewing the collection services processes - accessioning, cataloguing and end processing functions - to utilise increased technological capabilities to streamline workflows and potentially outsource some tasks.
 - Reviewing the Mobile Library Service to reduce overheads and costs and improve service.

Further, in light of the 'Fit for the Future' report this may be an opportunity for Shoalhaven, Kiama, Shellharbour and Wollongong Library Services, along with other neighbouring Councils, to investigate how resources can be combined to achieve benefits for all involved such as identifying new members which would enable member Councils to take advantage of economies of scale and access to staff at other Councils and the ability to share information, knowledge and skills. However, different Library Management Systems being used at different Councils may present challenges for partnerships and need to be investigated further.

COMMUNITY ENGAGEMENT:

Not applicable at this time.

5. Shoalhaven Equestrian Centre of Excellence – Exhibition of Draft Master Plan – Andersons Lane Berry File 48794E [Index](#)

SECTION MANAGER: Jane Lewis.

PURPOSE:

To seek Council endorsement to place the Shoalhaven Equestrian Centre of Excellence – draft Master Plan on Public Exhibition for wider community input.

RECOMMENDED that,

- a) **Council endorse public exhibition of the Shoalhaven Equestrian Centre of Excellence (Schofield & Andersons Lane Berry) draft Master Plan subject to the following process being undertaken:**

Public exhibition for a period of a minimum of 28 days and the draft Master Plan be placed on Council's website.

Advertised in local papers and the Berry Town Crier

Notification sent to key stakeholders being:

Berry Riding Club

Shoalhaven Dressage Club

Eventing NSW

Equestrian Australia

Equestrian NSW

Berry Alliance

Berry Chamber of Commerce and Tourism

Worrigee Equestrian Common

- b) A post exhibition report for the Shoalhaven Equestrian Centre of Excellence be presented to a future Policy and Resources committee meeting.**
- c) Council to retain the current classification of the land which forms the Andersons Lane site as “Community Land”.**
- d) Council commence the process to enter into a lease/ licence agreement with the Berry Riding Club for future use of part of the land which forms the Anderson Lane site.**
- e) Council allocated \$200,000 to develop the business and operational plans and planning documents from the strategic projects reserve in 2015/16 (Section 4 of the draft Master Plan).**

OPTIONS

1. Council adopt the recommendation and continue progressing the master plan project.
2. Council not adopt the recommendation and provide an alternative option regarding the future of the project.

DETAILS

Background

With the recent land transfers between the NSW Roads and Maritime Service (RMS) and Council in late 2014 regarding the Berry Bypass project, funds were allocated by RMS to relocate the Berry Riding Club from their original site on North Street Berry which has been impacted from the Bypass construction. RMS has provided \$462,000 for the infrastructure costs associated with a “like for like” transfer for the Berry Riding Club to a similar facility / site.

Council has identified the opportunity to use Council owned land in Andersons Lane, Berry (Lot 6 DP 1188080) for the development of an Equestrian Centre of Excellence which will also accommodate the Berry Riding Club. The Andersons Lane site is Council owned land classified as “Community” land and is categorised as “General Community Use” under the Local Government Act 1993. In 2010, Council sought to consider reclassifying the land from “community” to “operational”.

Support for a facility has been identified the Regional Development Australian Equine Industry Scoping Study (2013) which estimates the overall equine industry was worth in excess of \$56 Million to the region.

Council resolved on Tuesday 18th November (MIN14.868) that:

- a) Council proceed immediately with the development of the Master Plan for the Andersons Lane property as an Equine Centre of Excellence incorporating the Berry Riding Club and other users.
- b) Council allocate \$35,000 from the Economic Development Projects Reserve for the Master Plan.
- c) That the relocation of the Berry Riding Club to this site be the first stage of the Master Plan once adopted.

The report pertaining to this resolution can be viewed at:

<http://doc.shoalhaven.nsw.gov.au/displaydoc.aspx?record=D14/296467>

Draft Master Plan

The draft Master Plan has been prepared for the Andersons Lane site to accommodate a future Equestrian Centre of Excellence. The draft was developed through consultation in the form of a Planning Charrette held in December 2014 with representatives from:

- Berry Riding Club
- Shoalhaven Dressage Club
- Eventing NSW
- Equestrian Australia
- Equestrian NSW
- Shoalhaven City Councillors

Representatives from Regional Development Australia Far South Coast, RMS, TAFE Illawarra, Shoalhaven City Turf Club, Shoalhaven City Council staff and other local equestrian facility users also provided input towards the development of the draft plan.

The draft Master Plan (contained in the Councillors Information Folder) considers the geographical and environmental features of the site, access and services and LEP zoning and permitted uses.

As outlined in the draft Master Plan, the core elements of the Plan include:

- Equestrian Competition areas
- Competitor supporting facilities
- Core operational infrastructure
- Other ancillary and overflow parking areas

Stage 1 Draft Master Plan Implementation

The draft Master Plan is proposed to be implemented in a staged process with the first stage being the “like for like” relocation of the Berry Riding Club. As per Appendix B in the draft plan, Stage 1 is estimated at \$450,000. The total estimated cost to deliver the whole plan is \$4,630,297.

Prior to delivery of Stage 1 physical works, detailed design and project administration and finalising lease/licence arrangements will need to be undertaken. These “soft costs” estimated to cost \$25,000 (5%) has been included in the Stage 1.

As detailed in the draft Master Plan (see Action Plan), Stage 1 works includes physical works related to the following:

- Main entry area
- Grass multipurpose arena
- Parking / camping area
- Equipment storage shed

Stage 2 Draft Master Plan Implementation

Prior to delivering physical works related to Stage 2 additional detailed planning and design investigations outlined in the recommendations of this draft Plan (Section 4) are estimated at \$200,000. These investigations include:

- Funding Plan for delivery of Design Plans and Infrastructure for the entire facility
- Business / Feasibility Plan to demonstrate ongoing financial sustainability of the facility
- Environmental Management Plan incorporating rehabilitation requirements and ongoing maintenance
- Operational Plan to demonstrate how the facility would operate under different circumstances and to outline the preferred governance arrangements
- Development Application / Review of Environmental Factors / Supporting Plans and like documents required for development approval
- The preparation of an infrastructure plan to give more detailed costings associated with infrastructure design and construction

Andersons Lane Land Tenure

The Andersons Lane site is Council owned land classified as “Community” land and is categorised as “General Community Use” under the Local Government Act 1993. In 2010, Council sought to consider reclassifying the land from “community” to “operational”.

As mentioned above, the Andersons Lane site is “Community Land”. Since 2010 further consultation and discussions have not progressed since an options paper on the future strategic purpose of the site was provided to the Property Steering Committee on 2 March 2011. Further to this, a letter outlining the acquisition process from Department of Lands to Council on 7 March 1997 (See Attachment “A”) has found that the offer was accepted on the basis that the land was classified as “Community Land”. Prior to the land transfer occurring, the Department of Primary Industry proposed residential use of the site which Council refused.

The uses identified for the proposed facility in the draft Master Plan are consistent with the “General Community Use” categorisation. However, reclassification to operational land would result in a more flexible approach to encourage commercial use of the land.

The reclassification process from community to operational land would involve preparing a planning proposal for submission to the Department of Planning and Environment and would be difficult to justify based on the conditions of land transfer from the State Government.

To meet requirements of the Local Government Act, the process would also involve Consultation and Public Hearing with the community.

Recognising that the Master Plan is draft and to continue to progress the relocation of the Berry Riding Club as a matter of priority, it is recommended that the Anderson Lane site remain as "Community Land".

Future Management of Andersons Lane Site Management

Stage 1 primarily provides for the Berry Riding Club to use part of the site and therefore a lease or licence arrangement between the Club and Council is recommended. With further development of the Equestrian Centre of Excellence the lease or licence arrangement will need to be reviewed with sub leasing/licencing provisions necessary to achieve commercial outcomes.

FINANCIAL IMPLICATIONS:

As identified above, the estimated cost to fully delivery the draft Master Plan is in excess of \$4.8 million. Funding of \$450,000 is available to initiate development of Stage 1 of the Plan which includes \$25,000 for detailed design and project administration.

Completion of the project in its entirety is not funded and will need to be considered for long term delivery through capital works budget bids, riding club funds and grant funding sources. Any Council funding will need to be considered in the context of Council's *Fit for the Future* report which is aiming at ensuring the organisation's long term financial sustainability.

The inclusion of commercial activities on the site will be essential to achieve employment outcomes necessary for any State or Federal Government funding application.

As mentioned above, additional planning and operational investigations which are estimated to cost \$200,000 are needed to address project requirements such as Funding Plan, Business/Feasibility Plan, Operational Plan, etc. These investigations will need to be undertaken prior to seeking grant funding and physical works for Stage 2 of the Master Plan.

COMMUNITY ENGAGEMENT:

Initial community engagement for the project commenced through the Planning Charrette with key stakeholders held prior to the draft Master Plan being prepared. Also, recognising the potential of the draft Plan, input will also be sought from the Worrigeer Equestrian Common. The community engagement process identified in the above resolution will be consistent with Councils Engagement Matrix Citywide Low Impact

including public exhibition for a period of 28 days, advertised in local print media, the Berry Town Crier and Council's website.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2014

ASSETS AND WORKS

ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY

6. Better Boating Now Funding

File 50287E & 43319E [Index](#)

SECTION MANAGER: Martin Upitis.

PURPOSE:

To report on proposed timing and scope of works for projects that have received funding from the “NSW Boating Now” funding program (Shoalhaven-Illawarra Regional Boating Plan).

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

- a) Council accepts the grant funds and adopts the proposed works program for delivery of “NSW Boating Now” projects with funding in 2015/16 and 16/17 as detailed in this report.
- b) includes in the scope of works for Sussex Inlet, the reconstruction of the South Sussex Lions Park boat launching ramp carpark and that upgrading of the Jacob’s Drive jetty to include a pontoon be identified as a priority for the next round of funding in 2017
- c) supports in principle, the upgrading of the Admiralty Crescent Huskisson jetty to facilitate permanent berthing by Marine Rescue Association (MRA) and Roads and Maritime Services (RMS) vessels with improved access to the public for passive watercraft subject to:
 - a) the project being funded 100% by RMS
 - b) A property tenure agreement being entered into with MRA and/or RMS
- d) Community consultation feedback for all projects be reported back to Council

OPTIONS

- 1. Adopt the recommendation
- 2. Nominate an alternative time frame/scope for the projects

DETAILS

Since the “NSW Boating Now” funding announcement was reported via a Mayoral Minute on the 17 February 2015 and to the Business and Employment Development Committee on 26 February 2015, Council staff have met with representatives from Transport for NSW and RMS to discuss funding arrangements and proposed scope of works for each of the funded projects.

Selection of projects for inclusion in the Shoalhaven - Illawarra Regional Boating Plan was influenced by submissions from Council, community groups and individuals. Specific project details need to be finalised with the Department of Transport by 15 April 2015 and therefore the proposed scope of works and project status for each project is reported as follows:

Shoalhaven River

North Nowra – (Greys Beach): This project is partly driven by the need to improve boat launching capacity on the Shoalhaven River as previous investigations into a new launching site upstream of Nowra (Bamarang) were not supported by the community and Council in 2012. This project will include: (a) investigation into the feasibility of a new site on the south side of the River (East of the bridge) and (b) consideration of an additional heavy duty pontoon/jetty that will be suitable for use by both recreational and Shoalhaven River cruise vessels as well as improvements to parking. Formalising of the existing ramp into a three lane boat launching ramp will also be investigated.

Crookhaven River

Greenwell Point – Investigation into the provision of an effluent pumpout facility. A funding amount has not been nominated at this stage. However Council has already contacted the Greenwell Point Wharf Management Committee seeking their comment on the concrete wharf (owned by the Crown) as being the preferred site. If a suitable site is obtained, it is expected that the project will be 100% funded.

Jervis Bay

- a) Huskisson Wharves: Detailed design and community consultation has been completed and previously reported to Council. The project has strong support from the Huskisson Wharf Management Committee and will be ready following the REF and Dredging REF finalisation. This project received the highest amount of funding for any individual boating project in NSW and it is important to note that funding is conditional on the wharf redevelopment benefiting recreational boating.
- b) Woollamia Regional Boat Launching Ramp: The first step in this project will be to prepare a precinct masterplan for the site including adjacent Council controlled lands. Existing identified issues include the need for improvements to access (pontoon), maintenance, storage and berthing facilities (water, power and fuel) as well as improvement to parking. Preparation of the masterplan will require extensive consultation with numerous user groups that have an active interest in this site and identify opportunities for staging of works. Construction of access improvements will be part of these funded works.

-
- d) Admiralty Crescent Jetty: This jetty is currently occupied by the Marine Rescue Association (MRA) on a monthly licence arrangement with Council. A funding offer has not been received by Council for this project. However, RMS has reached agreement with MRA to berth an on-water vessel at this location subject to upgrading of the facility to benefit both parties. Upgrading works would be fully funded by RMS (as the funding recipient) with design and project management undertaken by Council. Works are likely to include air lift facilities for both the RMS and MRA on-water vessels. The benefit to Council is that funded works may include improvement to pedestrian access, access for passive watercraft (such as stand up paddle board's (SUP) and kayaks), limited parking and possibly the ability for dinghy storage.
- e) Dent Street Huskisson: This project (adjacent to the Jervis Bay Maritime Museum) will involve the upgrading of the existing informal parking area at the interface with Currumbene Creek and provision of facilities for launching of passive watercraft such as kayaks, SUPs and dinghies.

In 2013, a Currumbene Creek Infrastructure Strategy discussion paper was prepared and advertised for community comment. Community comment received is attached and gives strong supports for improvements to boating facilities noting that further detailed investigation, design and consultation is required for each of the specific projects (Attachment A).

On this basis, it is recommended that design and community consultation be undertaken concurrently with the Currumbene Creek waterways infrastructure projects noting that consultation has already been completed for the Huskisson Wharf Redevelopment project.

St Georges Basin

Sanctuary Point (John Williams Reserve): Detailed design and community consultation was completed in 2012 for this project that will upgrade the existing boat launching ramp from a one lane to a two lane launching ramp with provision of a low level jetty and improvements to parking. This project has strong community support.

Sussex Inlet

Options include:

- a) Lions Park Boat Ramp Carpark (Recommended): A preliminary estimate has been obtained from Council's Southern Works Unit to reconstruct, grade, drain and line-mark the boat launching carpark at Lions Park South Sussex inlet. The cost of this work matches the funding offer

OR

- b) Jacobs Drive jetty Upgrade/Pontoon :

Council at its meeting on 24 October resolved that:

"Council reports on the upgrade of the public wharf at the end of Jacobs Drive Sussex Inlet and provide and install steps from the beach to the top of the revetment wall between the wharf and the Sussex Inlet Marine Centre and nominate sources of funding"

- *Report on constructing a lower level platform to the existing wharf structure that allows easy access to the shore and for comparative reasons to report on the costs of providing a floating pontoon for the same purpose.*
- *Report on installing steps from the beach to the top of the revetment wall to allow kayakers, paddle boards and other watercraft easy access to the shore and the facilities of the town centre.”*

These works could be done within the funding allocated noting that a low level landing would cost about \$30,000 and a pontoon in the vicinity of \$100,000 (depending upon the size).

c) Other waterways infrastructure improvements works in Sussex Inlet

Lake Conjola

Funding is proposed for:

- Investigation and design (not construction) for a new boat launching facility on unreserved Crown Land off Havilland Street West Conjola. This project has been identified for some time in Council’s Waterways Infrastructure Asset Management Plan and funding will allow for the project to be designed, costed and “shovel ready” in advance of the next round of funding proposed for 2017.
- Upgrading of the natural ramp to a concrete launching ramp at the Aney Street Facility
- Provision of a floating pontoon(s) near the Holiday Haven Park near the Lake Entrance Launching Facility. This project will be partnered and part funded by Holiday Haven.

Ulladulla Harbour

This project aims to provide a more user friendly facility on the north side of the harbour to reduce demand at the boat launching facility on the south side of the harbour that has limited parking. Investigations to date indicate that the wave climate for the north side of the harbour will not support a floating pontoon during severe storm events and therefore a possible design outcome could be an ocean friendly low level walkway similar to that recently completed at Currarong.

FINANCIAL IMPLICATIONS:

Proposed timing of expenditure and delivery of projects is as follows:

Project	Activity	Proposed Time Frame/Budget*			Council contribution \$
		2015/16	2016/17	2017/18	
Shoalhaven River/ North Nowra	Design/Consultation	30,000			
	Construction		270,000		5,000

Crookhaven/ effluent pump out facility	Design/consultation/ construction	TBA			0
Jervis Bay/Huskisson Wharves	Construction	1,230,000			30,000
Jervis Bay/Woollamia Regional Boat Ramp	Design/Consultation	50,000			
	Construction		450,000		10,000
Jervis Bay/Huskisson (Admilitary Crescent) **	Design/consultation	TBA			NIL
	Construction		TBA		
Jervis Bay/Huskisson (Dent St)	Design/Consultation	15,000			
	Construction		135,000		2,000
SGB/ Sanctuary Point	Construction	620,000			20,000
Sussex Inlet	Construction	150,000			2000
Lake Conjola					
Havilland Street	Design/consultation		70,000		5,000
Aney Street	Ramp Construction	25,000			
Pontoon (s) ***	Design/Consultation	25,000			
	construction		80,000		
Ulladulla Harbour	Design/Consultation	35,000			
	Construction		315,000		5,000
Total		2,180,000	1,320,000		79,000

Note:

*All projects are required to be completed by December 2017

**Time frame for delivery of the Huskisson Admilitary Crescent facility is subject to further discussions with RMS who will be the funding recipient from NSW Transport

*** Project will be partnered with Holiday Haven that is expected to contribute additional funding

COMMUNITY ENGAGEMENT:

Community engagement has been undertaken and strong user support obtained for the Huskisson and Sanctuary Point boating projects.

All other projects require community consultation in accordance with Council's Community Engagement Policy.

ITEMS TO BE REFERRED TO ORDINARY MEETING

7. **TAFE - NSW – Manufacture & Supply of Cabins & Ensuites** File 24382E [Index](#)
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ACTING SECTION MANAGER: Michael Harben

PURPOSE:

To advise Council of the situation in regard to the supply of small cabins and ensuites from TAFE NSW and seek approval for the negotiation for purchase of these units in limited numbers.

In accordance s10A(2)(g) 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, affect advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege".

RECOMMENDED that Council receive the Report of the General Manager (Assets & Works) concerning the manufacture and supply of cabins and ensuites by TAFE NSW for information.

OPTIONS

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

DETAILS

Shoalhaven City Council and NSW TAFE signed Memorandum of Undertaking (MOU) in December 2010. Under the MOU it was agreed that Holiday Haven would endeavour to source some of its requirements for cabins and ensuite units from NSW TAFE in support of TAFE pre-apprenticeships and other building courses.

FINANCIAL IMPLICATIONS:

The supply of a limited number of small cabins and ensuites from NSW TAFE has no perceived financial implications for Shoalhaven City Council.

COMMUNITY ENGAGEMENT:

The purchase of a limited number of small cabins and ensuites from TAFE NSW is in line with the agreed MOU and provides a direct opportunity for work experience on real buildings for the building apprentices and students involved in the work.

8. Holiday Haven Tourist Parks Tenders for the Management & Operation of the Bendalong Point Tourist Park **File 50332E [Index](#)**

ACTING SECTION MANAGER: Michael Harben

PURPOSE:

To inform Council of the tender process for the Management & Operation of Bendalong Point Tourist Park.

In accordance with s10A(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 may impact on the ability of Council to attract competitive tenderers in the future.

RECOMMENDED that Council receive the Report of the General Manager (Assets & Works) concerning the Holiday Haven Tourist Parks tenders for the management and operation of the Bendalong Point Tourist Park for information.

OPTIONS

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

DETAILS

Bendalong Point Tourist Park has been managed for the past fifteen (15) years by Huckel Developments Pty Ltd and the property has been managed to Council's requirements.

The Tender for the Management and Operation of Bendalong Point Tourist Park was advertised on 24 January 2015 and closed on 17 February 2015.

At the tender closing date four (4) valid tenders had been received, as below. Tenders were assessed by Council staff for compliance and fulfilment of the stated selection criteria.

Tenders - Bendalong Point Tourist Park

Huckel Developments Pty Ltd
Krueger Pty Ltd
Malomar Pty Ltd
Ben & Hayley Siegersma

Tenderers were evaluated and subsequently interviewed on the basis of supporting documentation validating the required selection criteria.

Further details are contained in the separate confidential report.

The current management team appointed by Council have now completed three x 5 years of their present contracts and the opportunity has gone to tender in line with the requirements of the Local Government Act. The current contractor has fulfilled the duties required under the contract and the tourist park property is in good condition with business steady.

FINANCIAL IMPLICATIONS:

Financial aspects of the management contracts for Council's commercially operated Tourist Parks ensure a prudent level of staffing and equipment to effectively operate these complex properties and to obtain the best value for money. Shoalhaven City Council considers the cost of operating these properties carefully in order to maintain an adequate business benefit to Council and a return to the Contractor that ensures the properties are operated and maintained for Council to the required industry standards.

COMMUNITY ENGAGEMENT:

The Tender process for the appointment of a management contractor to Bendalong Point Tourist Park has been followed within the requirements of the provisions of the Local Government Act.

9. Jetty Licence Fee – Canal Estates

File 48599E [Index](#)

SECTION MANAGER: Martin Upitis / Mike Harben.

PURPOSE:

To report on funding options for maintenance of Council's canal estates.

RECOMMENDED that Council review the Jetty Licence fees and:

- a) **Endorse the fee for jetties occupying Council owned waterfront land within canal estates to match the minimum administration fee of \$275 per annum set by NSW Crown Lands for jetties occupying crown land in the Shoalhaven, commencing in 2016/17;**
- b) **Support a pricing policy of full cost recovery for the cost of canal maintenance across all canal estates in the Shoalhaven commencing in 2016/17, and**
- c) **Support that commercial rent not be charged.**

OPTIONS

- 1. That Council adopt the above mentioned recommendations.
- 2. Council consider an alternative funding structure including inclusion of a commercial rental component irrespective of maintenance funding requirements

DETAILS

Council at its Policy and Resources meeting of 9 December 2014 adopted a Canal Management Plan and resolved that:

“funding levels be committed after receiving detailed costings and design from dredging investigation consultants in March 2015 for the 2015/16 budget.”

As identified by the Canal Management Plan, maintenance works are currently only required at Riviera Keys in Sussex Inlet. Council’s dredging consultant has completed the draft methodology for essential maintenance works and undertaken costings. The Review of Environmental Factors (REF) for the works is currently on public exhibition.

The preliminary cost for undertaking essential maintenance work at Riviera Keys is over \$203,000. This initial major maintenance is to be funded from the Drainage Program in 2015/16. Placement of additional sand beyond Council’s identified maintenance obligation will be at the cost to the resident/owner.

The only current source of funding for regular maintenance work going forward is revenue obtained from Council’s Wharves and Jetty Charges which are \$175 for a two year licenced period (equivalent to \$87.50 per annum). This generated income of \$31,920 for the 2014/15 year of which \$12,731 was used to pay for jetty public liability insurance leaving a balance of \$19,189. On this basis, this fee structure is not sustainable to fund projected maintenance requirements.

NSW Trade and Investment (Crown Lands) is the owner of tidal Crown land in the Shoalhaven and charges rental for domestic waterfront occupancies. Crown land charges are based on recommendations from the Independent Pricing and Regulatory Tribunal (IPART). The current administration fee is \$275 (See Attachment A).

There is currently a significant difference in rent paid for jetties on Council waterfront land and Crown Waterfront land in Sussex Inlet. All Crown domestic waterfront occupancies have a two-part tariff, comprising an annual administration fee and an annual rental charge. The administration fee applies to all tenures and is increased each financial year by the NSW government annual cap on NSW public sector wages.

If Council was to introduce a fee to match the minimum administration fee set by Crown Lands, a sufficient level of funding would be available to undertake projected maintenance requirements.

As part of the fee review, consideration could include:

1. Rent – adopt a formula that adequately reflects the adjoining market value (similar to Crown Lands) or precinct area.
2. Administration – account for time resourcing of new licence applications when properties are sold.

FINANCIAL IMPLICATIONS:

Based upon 307 wharves and jetty licences amongst Council owned Canal estates at Sussex Inlet., St Georges Basin and Lake Conjola*, funding options are summarised below.

	Annual Fee \$	Annual revenue \$	Less Public Insurance Costs \$	Net funding available for future maintenance & administration \$
Current charge (\$175/two years)	87.50	31,920	12,731	19,189
Recommended Charge	275	84,425	12,731	71,694

Note: Some properties at Conjola are still to be licenced as they have not received development consent

COMMUNITY ENGAGEMENT:

Consultation in relation to the draft Canal Management Plan was opposed to any increase in fees and charges. Concern was expressed that previous fees should have been allocated into a reserve to fund future maintenance.

SECTION MANAGER: Tony Fraser.

PURPOSE:

To report on the status of the Resource Recovery Park planned for West Nowra and the Expression of Interest into waste processing technologies to process domestic and other waste for the Shoalhaven.

RECOMMENDED that Council:

- a) **Endorse the extension of the landfill and location of the Resource Recovery Park on the animal shelter site and the withdrawal of the current DA after the SEARS are issued.**
- b) **Confirm the MIN14.133A resolution.**
- c) **Invite tenders after receiving approvals from State Planning Department for the facility to progress.**
- d) **Write to the successful EOI applicants to confirm the process.**

OPTIONS

1. As recommended (preferred option).
Implications: Council will have certainty that tenders are able to be invited from the EOI shortlisted companies and the tenders will be able to be more specific once approvals have been issued
2. Retain b) as recommended and change a) to: Reject the EOI shortlist and commence the EOI process again (not recommended).
Implications: This may affect tenders and delay the project.
3. Retain a) as recommended and change b) to: Invite tenders before receiving development approvals from State Planning (not recommended).
Implications: This may affect tenders.

DETAILS

Background

Council, at its meeting of 26 March 2013, resolved that (refer to MIN 13.270) Council call for an Expression of Interest (EOI), in accordance with Section 168 of the Local Government (General) Regulations, 2005, from waste technology providers to process domestic waste, with the intention to invite tenders from suitable providers.

Expressions of Interest (EOIs) were advertised for technology service providers to undertake the processing of domestic (and other) waste in the Shoalhaven. A major

focus of this EOI is to consider alternatives that will significantly improve landfill diversion to extend the life of the landfill at West Nowra. This focus is in addition to the need to achieve the State Government's resource recovery targets, with the primary aim of recovering more than 70% of Council's Municipal Solid Waste (MSW) by 2021.

Following the extensive EOI process, Council resolved in Min 14.133 on 18 February 2014 to:

- a) *Invite selective tenders to construct a facility and process domestic waste from the following Expression of Interest applicants:*
 - AnaeCo Limited;*
 - Global Renewables Australia Pty Limited; and*
 - Soilco Pt Ltd.*
- b) *Write to unsuccessful applicants thanking them for the submissions of Expressions of Interest*

Regulatory Changes

In mid-2014 the Office of Environment and Heritage introduced a change in the Offset Guidelines for Major projects. This change would effectively provide an opportunity for Council to utilise the parcel of sterilised land that is allocated as an ecological offset in the current AWT development application. The outcome in developing the RRP as a major project is the potential to extend of the landfill life at West Nowra by up to 50 years. As a result of this change, and following a Councillor briefing in September 2014, the Development Application for the Resource Recovery Park (RRP) and Alternative Waste Technology (AWT) proposal is being re-evaluated.

In order to take advantage of this regulatory change various alternative options for the location for the RRP site have been reviewed. The most beneficial identified option is to relocate the AWT site across the road at the current Animal Shelter site which is Council owned (as shown in the Figure attached). While this change requires a new Development Application to be submitted, the facility is considered to be in the same approximate location as the previously proposed facility, so advice has been received that it does not compromise the expression of interest that has been completed. However, it is considered to be prudent to put a hold on inviting tenders until such time as the approvals for use of the land have been granted, or the application assessment well advanced.

Program

The change naturally slows the process for completion of the RRP facility. A program has been put together which is summarised in the table below, with detail provided in the table attached. A key component of the program is to identify an alternative and suitable site for the Animal Shelter.

Project Key Dates

Activity	Date	Comments
RRP		
Submission of State Significant Development (SSD) project proposal	20 March 2015	Expect SEARs (Secretary's Environmental Assessment Requirements) to be issued by mid to end April.
Withdrawal of existing Development Application	May 2015	Retains "current" DA for the RRP – withdrawn once Secretary's Environmental Assessment Requirements (SEARs) are issued
New SSD DA approved for RRP	Oct 2015	
Appoint BOOT (Build, Own, Operate, Transfer) contractor	May 2016	
Construction of RCC complete	Oct 2017	
Animal Shelter		
Identify preferred project site	March/April 2015	Site assessment process commenced with Strategic Planning / Property / Rangers
Prepare specification and advertise for or direct seek quotes from design consultants	April 2015	Shelter specification being prepared / Procurement process identified
Appoint Design consultant for new animal shelter	Jun 2015	
Approved DA for new animal shelter	Nov 2015	
Construction of new animal shelter commence	Feb 2016	
Construction of new animal shelter complete	Oct 2016	

FINANCIAL IMPLICATIONS:

The cost of the project will be similar to the current proposal which is allocated in the long term Waste Services budget and funded through the Waste Reserve. An additional estimated \$1million will be used for the relocation of the animal shelter.

COMMUNITY ENGAGEMENT:

The engagement strategy for the expressions of interest included presentations to more than 18 community groups, a phone survey by IRIS and the availability of online and hard copy information.

Further localised community engagement was undertaken during the EIS process for the originally proposed RRP location. This consultation process will be updated together with the new application.

B. Stewart
DIRECTOR, ASSETS & WORKS

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

PLANNING AND DEVELOPMENT

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

11. Lake Wollumboola Flood Study

File 46787E [Index](#)

SECTION MANAGER: Kelie Lowe

PURPOSE:

The purpose of this report is to:

- Inform the Committee of the progress of the Lake Wollumboola Flood Study being conducted as part of the State Government funded Floodplain Management Program; and
- Seek the Committee's concurrence to place the draft document on public exhibition.

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

- a) To place the draft Lake Wollumboola Flood Study on public exhibition; and
- b) That a further report be presented to Council after the public exhibition.

OPTIONS

1. As recommended.

Implications: The draft Lake Wollumboola Flood Study thoroughly investigated the risk of flooding in the Lake Wollumboola catchment area, including the Culburra Beach area. The flood study identifies the flood risk not only from the rising lake, but also provides an assessment of the urban catchment stormwater runoff affecting properties within Culburra Beach. The study also considered council's newly adopted sea level rise (SLR) benchmarks.

2. The Committee could choose to take an alternative resolution for future consideration by Council.

Implications: Depend on direction given.

DETAILS

In June 2013 Council engaged consultants WMAwater to undertake a flood study for the Lake Wollumboola catchment area. The project aims of the Lake Wollumboola Flood Study (included in the Councillors Information Folder) were to identify the flood risk to properties and infrastructure effected by the lake and its tributaries, as well as an assessment of the local catchment stormwater runoff within the Culburra Beach area specifically.

The flood study report is now in its final draft format in preparation for public exhibition. Findings from the report include:

- Parts of the Culburra Beach village are directly affected by the flooding of Lake Wollumboola (in addition to the Crookhaven River), as well as being effected by local catchment stormwater runoff;
- Peak flood levels and depths at key locations within the catchment are presented in Section 6.4 of the draft flood study document;
- Flooding has been assessed under existing (2014) conditions as well as sea level rise increases of 0.23m and 0.36m for the 2050 and 2100 year planning horizons respectively (refer to page 49 of the Report);
- Sea level rise is predicted to have a direct impact on lake flood levels. That is, a sea level rise of 0.23 is expected to result in a 0.23m rise in the lake flood levels. However, this effect diminishes along each of the tributaries;
- Under existing climate conditions, flooding from Lake Wollumboola in the 1% AEP flood event is expected to affect approximately 42 properties in the Culburra Beach village, with a further 56 properties expected to be affected from significant local stormwater runoff; and
- There are approximately 78 properties identified in the provisional 2050 flood planning level, with an additional 15 properties identified in the 2100 flood planning area. Note: properties identified with only stormwater runoff flow paths have not been included in the flood planning area.

FINANCIAL IMPLICATIONS:

Two-thirds of the budget for this project has been funded under the NSW State Assisted Flood Program 2012/13. Council's contribution came from the existing general Floodplain Management Program budget.

COMMUNITY ENGAGEMENT:

Community consultation has been an important aspect of the Lake Wollumboola Flood Study. The community has provided valuable information and data from historical and observed flood events that have been used in the calibration of the flood model.

An information brochure was circulated to the community in September and October 2013 along with a survey form that was available for access via the internet. This survey yielded 143 responses. These responses are outlined in detail in Section 3.2 of the draft flood study document.

A second community brochure/newsletter was distributed to the community in July 2014 advising the progress of the flood study and advertising the community workshop that was held at the Culburra Beach Community Centre on 7 August 2014. The community workshop presented the draft flood study modelling results, which was attended by approximately 28 local residents as well as the consultants (WMAwater), Council staff and representatives from the NSW State Government (OEH). The presentation provided by Council's consultants at the community workshop can be viewed online via Council's YouTube site at <https://www.youtube.com/watch?v=gkzvNTcPBk>.

The final stage of community consultation will be the public exhibition period, which will also feature a second community meeting in Culburra Beach, and end with the collation of any submissions received during the public exhibition period.

CONCLUSION:

The draft Lake Wollumboola Flood Study has been prepared by consultants WMAwater to be placed on public exhibition. The flood study identifies the flood risk in the Lake Wollumboola catchments and has been undertaken in close consultation with the community.

12. Scores on Doors Food Safety Program

File 7467E [Index](#)

SECTION MANAGER: Kelie Lowe

PURPOSE:

The "Scores on Doors" program is a NSW Food Authority initiative aimed at providing a food safety scoring system to retail food businesses. This score can then be put on display for consumers.

This report is to inform Council that Katrina Hodgkinson, former Minister for Primary Industries had previously written to our General Manager and Mayor to seek our support for the ongoing rollout of the "Scores on Doors" program.

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

Committee trial the "Scores on Doors" food safety program for a period of 6-12 months to determine resourcing implications upon Council and the success of the program.

OPTIONS

1. Council conduct a trial of the "Scores on Doors" program for a period of 12 months, beginning from the start of the financial year to enable Council to fully identify what the actual resource constraints will be and to gauge the success of the program to the consumer.

Implications: This option will enable Council to identify any resource constraints and to gauge the success of the program to the consumer.

2. Council could choose not to be involved in the “Scores on Doors” program.

Implications: Not being involved in this program could see the Shoalhaven miss out on an opportunity for food businesses to promote themselves whilst at the same time instilling competition between them to achieve better hygiene standards.

3. Council commences the “Scores on Doors” program in full for an indefinite period of time.

Implications: To introduce the Scores on Doors program without knowing the resourcing implications has the potential to result in less inspections being conducted across the Shoalhaven.

DETAILS

On the 1st of July 2008, the NSW Food Authority (the Authority) together with local councils formed the NSW Food Regulation Partnership. Under the Partnership, local councils have delegated authority to undertake inspections of food retail premises, with the Authority providing advice and training.

In 2013 the “Scores on Doors” program was created as a voluntary program available to all NSW councils. At present the program has been adopted by 31 NSW councils. Within the Illawarra region, Wollongong, Shellharbour and Kiama are not participating in the program at this time. The NSW Government is presently considering strategies to ensure a complete state-wide rollout of the program.

To discuss the rollout and any issues Council had with the program, Ben Lees and Stephen Fenn from the Authority met with the Mayor and staff.

The Authority representatives explained that in its current model the program is only paper-based with food business owners having the option of displaying a paper certificate in the premises’ front window. The certificate has a score displaying either 3 stars (Good), 4 stars (Very Good) or 5 stars (Excellent). The latter score indicates that the food premise is complying with all the requirements of the Food Act and the Food Standards Code. In circumstances where the food premise is unsatisfactory, no certificate (star rating) is issued. The scoring system only relates to food safety standards not food quality or service.

During this meeting Council expressed concern about the potential impact this program could have upon existing resources. In particular the very likely scenario that food business owners may wish to have their food premise re-inspected shortly after the original inspection to gain a better rating. Rather than wait a further 6 or 12 months till the next scheduled inspection.

The other point of concern raised at the meeting was in relation to the promotion of the program to ensure that consumers were not likely to be misled as to the meaning of the score. For example the star rating could be misconstrued as being a measure of the

quality of food served and service generally rather than recognition for a hygienic food premise with good safe food handling practices.

FINANCIAL IMPLICATIONS:

While the exact financial implications are unknown until such time as Council undertakes the trial, it is reasonable to expect that “Scores on Doors” will foster greater competition among local food businesses in the Shoalhaven as the program becomes a key criterion for consumers when deciding where to dine. This in turn could lead to an increase in food premise inspections as businesses seek to upgrade their score accordingly.

COMMUNITY ENGAGEMENT:

Council anticipates this program will increase the community's recognition of safe food preparation and service within Shoalhaven food businesses, with consumers being more informed on their dining choices.

ITEM TO BE REFERRED TO ORDINARY MEETING

- 13. Lake Conjola Boardwalk Reconstruction Funding Options** **File 48353e** [Index](#)
-

SECTION MANAGER: Kelie Lowe/Michael Harben

PURPOSE:

To provide advice to Council of funding options for the reconstruction and maintenance of the Lake Conjola Boardwalk as resolved at Policy & Resources Committee meeting 10 November 2014.

RECOMMENDED that Committee consider the following options and determine an appropriate approach.

OPTIONS:

1. Maintain and enhance the existing structure within the current \$200,000 budget allocation addressing upgrade of passing bays, local foundation failures and enhancement of viewing precincts including education signage. This option only extends the life of the structure by just a few years and has the highest average annual maintenance cost.
2. Council increase the Holiday Haven Capital 100% grant funded (Public Reserves Management Fund Program) works budget to \$550,000 (additional \$350,000 more than the current budget allocation of \$200,000 in 2014/2015) by applying for a 2015-16 Public Reserves Management Fund Program loan or grant in order to proceed to tender construction of a 1.8m wide boardwalk using timber/steel construction. This

option has a high average annual cost when compared to option 3 and 4 and does not meet the preferred community design.

3. Council increase the Holiday Haven Capital 100% grant funded (Public Reserves Management Fund Program) works budget to \$740,000 (additional \$540,000 more than the current budget allocation of \$200,000 in 2014/2015) by applying for a Crown Reserve loan or grant in order to proceed to tender construction of a 1.8m wide boardwalk using Wagner/Replas construction to a modified design (reduced length/essential handrails only). This option provides the best value for money when assessing whole-of-life maintenance costs and meets most of the community design criteria.
4. Council increase the Holiday Haven Capital 100% grant funded (Public Reserves Management Fund Program) works budget to \$840,000 by applying for a 2015-16 Public Reserves Management Fund Program grant funding (additional \$640,000 more than the current budget allocation of \$200,000 in 2014/2015) using Wagner/Replas construction for the full length of the boardwalk and to meet all of the community preferred design criteria. This option has similar whole-of-life maintenance costs to option 3 and meets all of the design requirements identified by the community working group.
5. Alternative option as determined by the Committee.

DETAILS:

The Policy and Resources Committee resolved at its meeting on 10 November 2014, in accordance with its delegated authority from Council that Council:

- a) *Receive the report regarding the Lake Conjola boardwalk replacement: Progress Report 1 for information.*
- b) *A further report be submitted to the next Policy & Resources Committee meeting in relation to funding options for the entire project.*

This report provides Council with funding options for the reconstruction and maintenance of the Lake Conjola Boardwalk (boardwalk).

Background – Federal Government Labour Market funding was provided in 1996 (\$250,000) to build a tourism destination, providing an alternative recreational accessible structure for locals and visitors, while providing valuable skills training for long term unemployed participants (Green Army of the 1990's).

The boardwalk has successfully provided this destination for over 25 years and the community would like Council to maintain and improve the structure for predicted increasing use.

Governance – Council had little or no input into the original structural design at the construction phase with design failures causing premature asset failure. The asset was not incorporated into any of Council's asset management programs and the community is asking Council to improve this situation with a strategic funding injection.

Estuary Management – During the mid-1990's the lake was closed for extended periods and intense community concern regarding the lake's deteriorating water quality prevailed. The boardwalk represented a key recreational asset for times of extended lake closure due to lake colouration and perceived health concerns and an increased demand for beach swimming, walking and sightseeing.

Government commitment – Significant State funding was levered during the 1990's acknowledging the value of access to our estuaries and beaches. This included the design and delivery of the reticulated sewer system and scientific studies of the estuary and entrance processes. These studies led to the development of the Entrance Monitoring System, Estuary Management Plan and Entrance Management Plan. Council has responsibility to review and implement ongoing estuary and flood management commitments identified in the Plans and to manage natural hazards and processes, while attempting to meet community expectations within the complex State and Federal Government Policy and legal boundaries.

Inclusive Tourism and South Coast tourism expansion – Last year Shoalhaven City Council hosted an industry conference promoting this expanding industry opportunity for the City. The boardwalk is a core destination facility for the Lake Conjola Tourist Park patrons, visitors and residents of Lake Conjola as indicated in the results of a community survey undertaken at the boardwalk during the peak summer holiday period on 29 and 30 December 2014 (See **Attachment A**). Tourism based around coastal lakes, beaches and natural areas focused around family camping, caravanning and recreational fishing is continually expanding (Tourism Master Plan 2012-2017 survey).

Lake Entrance processes / Sustainable dredging operations – Moderate January 2015 storms saw waves wrapping into the lake entrance on spring tides and significantly eroding the toe of the dune. This impact reduced the southern shore beach access width substantially and increased the value of the boardwalk for beach access. Dredging operations plan to store sand along this frontage improving access for machinery and pedestrians with engineering controls required to manage siltation of the boat ramp launching area. See **Attachment B** – Dune photos

FINANCIAL IMPLICATIONS:

Council has already allocated \$200,000 for this project. The community has requested Council review budget allocation and seek additional funding to replace the boardwalk using materials that guarantee a minimum lifespan of 50 years and dimensions to cater for increasing use.

The following options consider the whole-of-life costs of different construction methods and designs.

Option 1 – Maintain existing structure

Maintain the existing boardwalk structure utilising the current budget allocation of \$200,000. This should extend the life of the boardwalk by approximately 5 years with an estimated annual maintenance cost of \$50,000.

Cost to council per year = $\frac{(\text{Repair/improvement cost} + \text{total yearly maintenance costs})}{\text{Expected lifespan}}$

$$= \frac{\$200,000 + (\$50,000 \times 5\text{years})}{5 \text{ years}}$$

Total yearly cost = \$90,000

Option 2 – New boardwalk 1.8m wide timber/steel construction

Construct a new 1.8m wide boardwalk using timber/steel construction at a cost of \$550,000. This structure will have a lifespan of approximately 20 years and have an estimated annual cost of \$20,000.

Cost to council per year = $\frac{(\text{cost to build} + \text{total yearly maintenance costs})}{\text{Expected lifespan}}$

$$= \frac{\$550,000 + (\$20,000 \times 20\text{years})}{20 \text{ years}}$$

Total yearly cost = \$47,500

Option 3 – New boardwalk 1.8m wide to a modified design Wagner/REPLAS construction

Construct a new 1.8m wide boardwalk to a modified design using Wagner/REPLAS construction at a cost of \$740,000. This structure will have a lifespan of approximately 50 years with an annual cost of \$5,000. This option relies on the Committee endorsing some compromises to the preferred community design and scope of works to reduce costs.

Cost to council per year = $\frac{(\text{cost to build} + \text{total yearly maintenance costs})}{\text{Expected lifespan}}$

$$= \frac{\$740,000 + (\$5,000 \times 50\text{years})}{50 \text{ years}}$$

Total yearly cost = \$19,800

Option 4 – New boardwalk based on community design Wagner/REPLAS construction

Construct a new boardwalk based on all of the community design and construction criteria using Wagner/REPLAS construction at a cost of \$840,000. This structure will have a lifespan of approximately 50 years with an annual cost of \$5,000.

Cost to council per year = $\frac{(\text{cost to build} + \text{total yearly maintenance costs})}{\text{Expected lifespan}}$

$$= \frac{\$840,000 + (\$5,000 \times 50\text{years})}{50 \text{ years}}$$

Total yearly cost = \$21,800

- # Detailed design and costings were provided in the report to The Policy and Resources Committee on 10 November 2012 in **Attachment C**.

COMMUNITY ENGAGEMENT:

- # A Community working group strongly endorsed Council allocating additional funding to ensure the boardwalk is replaced to a standard that provides for the maximum asset life and acknowledged increasing tourism visitation. The Lake Conjola CCB that has been actively involved in the process of reconstruction design review, also presented a 700 signature petition in support of the value of the boardwalk. They have and continued to advocate for replacement to a projected use and utilising best available material to ensure maximum life as per Council's Asset Management Policy POL 12/293. The community have been requested to reconsider and provide guidance on savings measures. For example, reducing the boardwalk length at the beach face, a saving of \$102,500 could be achieved (Ch 370 = 50m @ \$2050 per linear meter = \$102,500). This compromise position is outlined in Option 3, See **Attachment D** – preferred option design.
- # A community survey was conducted during the last peak summer holiday period on December 29 and 30. The results of the survey are contained in **Attachment A**. Key findings of the survey were:
- 60% of respondents agreed the boardwalk should be replaced with public funding;
 - More than 60% were from outside the Shoalhaven;
 - Most were using the boardwalk for beach access, recreation or because they were staying at the Holiday Haven caravan park (25%);
 - More than 60% used the boardwalk during holiday periods;
 - More than 60% said they would still visit the area if the boardwalk was removed;
 - More than 54% said the boardwalk needs to be improved.
 - Most rated safety and information about the locality as aspects that require improvement.

CONCLUSION:

The boardwalk represents a key asset for the village and aligned with the Holiday Haven business precinct warrants a sustained reinvestment commitment to meet current and future demand.

Tim Fletcher
DIRECTOR PLANNING & DEVELOPMENT SERVICES

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER
POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

SHOALHAVEN WATER

ITEMS TO BE REFERRED TO ORDINARY MEETING

14. Acquisition of Easement for Sewer Rising Main at Worroing Heights File 45237E [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

This report is submitted to seek Council approval to acquire an Easement for Sewer Rising Main 6 metres wide over Lot 1 DP1039691 and Lot 32 DP854370 at The Wool Road Worroing Heights from A & JL Robertson.

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Sewer Rising Main 6 wide over Lot 1 DP1039691 and Lot 32 DP854370 at Worroing Heights, as shown on copy of those plans, marked Attachments 'A' & 'B' respectively.
- b) Council pay compensation of \$7,000 (plus GST if applicable) and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

OPTIONS:

1. Resolve as recommended. The easement is required to formalise tenure over an existing pipeline on the subject property.
2. Not resolve as recommended and provide further directions to staff.

DETAILS:

In 1991 Shoalhaven Water constructed an effluent transfer (REMS) main through the subject property near its The Wool Road frontage. Investigations have revealed that the easement for the pipeline had not been acquired. Easements have now been acquired over all other properties affected by the pipeline.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$6,000. A conditional offer was made at that amount. The owners' Solicitor has advised that an amount of \$7,000 plus payment of legal costs would be acceptable to his clients.

This is a long-outstanding matter and the last easement to be acquired for the project. In the circumstances, the claim is considered to be within reasonable limits and is recommended for payment. Council's valuer concurs with this approach.

The Solicitor is to further advise whether the owners are liable for GST on the transaction.

FINANCIAL IMPLICATIONS:

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Sewer Fund.

COMMUNITY ENGAGEMENT:

Creation of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The proposed action is administrative and has no environmental impact.

15. Acquisition of Easement for Drainage of Sewage at Milton File 49827E [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

This report is submitted to seek Council approval to acquire an Easement for Drainage of Sewage 6 metres wide over Lot 2 DP602695 at 33A Slaughterhouse Road Milton from Milton District Investments Pty Ltd.

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Drainage of Sewage 6 wide over Lot 2 DP602695 at Milton, as shown on copy of sketch plan marked Attachment 'A'.**

-
- b) **Council pay compensation of \$10,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.**
 - c) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.**

OPTIONS

1. Resolve as recommended
2. Not resolve as recommended and provide further directions to staff.

DETAILS

The proposed easement over the subject property is required for construction of a sewer trunk main, from a pump station at Milton to the Ulladulla sewerage treatment plant.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$7,500. A conditional offer was made at that amount, plus GST. The owner submitted a claim of \$15,000 plus GST on the grounds that the acquisition will affect the commercial operation of the property (Milton Meats).

Council's valuer has advised that a relatively minor increase in the compensation to \$10,000 would be reasonable on that basis. A verbal conditional offer at that amount has been accepted by the owner. The compensation is subject to the area of the easement determined by final survey.

FINANCIAL IMPLICATIONS:

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Sewer Fund. The owner Company is liable for GST on the transaction.

COMMUNITY ENGAGEMENT:

Creation of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The proposed action is administrative and has no environmental impact.

SECTION MANAGER: Robert Horner.

PURPOSE:

Delivery Program: 2.4.4.1 Plan for water and sewerage infrastructure to meet the needs of future development areas.

This report is submitted to seek Council approval to acquire an Easement for Water Supply 3 metres wide over Lot 2 DP546670, Wharf Road Berry, from Broughton Mill Pty Ltd.

RECOMMENDED that:

- a) **Council resolve to acquire the Easement for Water Supply 3 metres wide over Lot 2 DP546670 at Berry, as shown by hatching on plan marked Attachment 'A'.**
- b) **Council pay compensation of \$2,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, 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, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.**

OPTIONS

1. Resolve as recommended. The easement is required to formalise tenure over an existing pipeline on the subject property.
2. Not resolve as recommended and provide further directions to staff.

DETAILS

Council recently constructed a water main over the subject property between Albany Street and an unmade Council road (extension of Old Creamery Lane) at Berry. The works were undertaken under a Permit to Enter.

The pipeline is within an Easement for Electricity Purposes and Endeavour Energy provided concurrence to the works.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$2,000, excluding GST. A conditional offer was made at that amount. The Company principal, Mr John Miller, has advised that the amount of \$2,000, plus GST, is acceptable.

FINANCIAL IMPLICATIONS:

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Water Fund. The owner Company is liable for GST on the transaction.

COMMUNITY ENGAGEMENT:

Creation of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The proposed action is administrative and has no environmental impact.

17. Acquisition of Easement for Sewerage Purposes at Culburra Beach [File 50121E](#) [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

Delivery Program: 2.4.4.1 Plan for water and sewerage infrastructure to meet the needs of future development areas.

This report is submitted to seek Council approval to acquire an Easement for Sewerage Purposes 3 metres wide over Lot 1283 DP11893, No.29 Addison Road Culburra Beach, from SN & DA Curtis.

RECOMMENDED that:

- a) **Council resolve to acquire the Easement for Sewerage Purposes 3 wide over Lot 1283 DP11893 at Culburra Beach, as shown on copy of DP645333 marked Attachment 'A'.**
- b) **Council pay compensation of \$6,250 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.**
- c) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.**

OPTIONS:

1. Resolve as recommended. The easement is required to formalise tenure over an existing pipeline on the subject property.
2. Not resolve as recommended and provide further directions to staff.

DETAILS

In 1991 Shoalhaven Water constructed a sewer rising main through the subject property, towards its rear boundary, for the Culburra-Greenwell Sewerage Scheme. Investigations have revealed that the easement for the pipeline has not been acquired.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$6,250. A conditional offer was made at that amount plus legal costs. The owners' Solicitor has advised that the proposal is acceptable to her clients.

The Solicitor also advised that the owners are not liable for GST on the transaction.

FINANCIAL IMPLICATIONS:

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Sewer Fund.

COMMUNITY ENGAGEMENT:

Acquisition of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The proposed action is administrative and has no environmental impact.

18. Acquisition of Easements for Sewerage Purposes at Culburra Beach [File 50122E](#) [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

Delivery Program: 2.4.4.1 Plan for water and sewerage infrastructure to meet the needs of future development areas.

This report is submitted to seek Council approval to acquire an Easement for Sewerage Purposes 3 metres wide over Lot 1371 DP11893, No.81 Addison Road Culburra Beach, from C.K. Andersen.

RECOMMENDED that:

- a) **Council resolve to acquire the Easement for Sewerage Purposes 3 wide over Lot 11371 DP11893 at Culburra Beach, as shown on copy of DP645333 marked Attachment 'A'.**
- b) **Council pay compensation of \$6,700 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.**

-
- c) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.**

OPTIONS

1. Resolve as recommended. The easement is required to formalise tenure over an existing pipeline on the subject property.
2. Not resolve as recommended and provide further directions to staff.

DETAILS

In 1991 Shoalhaven Water constructed a sewer rising main through the subject property, towards its rear boundary, for the Culburra-Greenwell Sewerage Scheme. Investigations have revealed that the easement for the pipeline has not been acquired. Negotiations were held with Mr Andersen at that time without success.

An updated valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$5,000. A conditional offer was made at that amount plus legal costs. The owner's son made a verbal claim of \$7,000 and provided valuation information in support of the claim.

Council's valuer revised the valuation to \$6,100 having regard to the information supplied. Negotiations have resulted in agreement at \$6,700, being within 10% of the revised valuation.

This is a long-outstanding matter and one of only three easements still to be acquired for this large project. A negotiated settlement will also avoid the cost to Council of a valuation being obtained by the owner. In the circumstances, the claim is considered to be within reasonable limits and is recommended for payment.

FINANCIAL IMPLICATIONS:

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Sewer Fund. The owner is not liable for GST on the transaction.

COMMUNITY ENGAGEMENT:

Acquisition of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure.

The proposed action is administrative and has no environmental impact.

19. **REF Determination, REMS 1B Major Works and Procurement Update** File 1398E [Index](#)

SECTION MANAGER: Robert Horner.

PURPOSE:

This report is provided to update Council on the status of the REMS 1B project. It also seeks Council's concurrence to proceed with the REMS 1B project in accordance with the recommendations from the Review of Environmental Factors (REF).

The report also informs council of the upcoming procurement activities relating to the tendering process for the major contract.

RECOMMENDED that:

- a) **After consideration of the REF for the REMS Stage 1B works dated January 2015, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity**
- b) **The proposed mitigation measures and controls outlined in the REF (and summarised in Section 18) be adopted and implemented**

OPTIONS

1. Adopt the recommendation.
2. Council could determine not to proceed with the project or parts of the project as a result of the REF recommendations. This is not recommended as the feedback from government agencies and the community would suggest that the REMS 1B project is generally supported.

DETAILS

Introduction:

Council is requested to consider endorsing the commencement of the construction phase of the REMS 1B project. A Review of Environmental Factors (REF) has been prepared for the major components of the proposed REMS 1B works. These proposed works are summarised below.

- Major upgrades to Nowra and Bomaderry sewage treatment plants (STPs) to meet the demands of ongoing population growth, improve compliance with Environmental Protection Licences and to produce high quality reclaimed water suitable for transfer to the existing REMS network or discharge to receiving waters.
- A pipeline crossing of the Shoalhaven River to deliver tertiary treated reclaimed water from Bomaderry STP to Nowra STP.

-
- A pipeline to deliver combined tertiary treated reclaimed water from Bomaderry and Nowra STP's to the existing REMS network.
 - Retrofitting UV disinfection units at selected REMS 1A plants to improve the level of disinfection to comply with current Australian Water Recycling Guidelines.

The completion of the REMS 1B project will increase the current quantity of reclaimed water available for irrigation on dairy farms, golf courses and sporting grounds. It will also reduce the quantity (and increase the quality) of reclaimed water discharged to the Shoalhaven River.

Background:

Council was provided with an update on the Northern Shoalhaven Reclaimed Water Management Scheme, Stage 1B (REMS 1B) at its Ordinary Meeting in May 2014. In summary that report outlined the following progress:

- The development of an Augmentation Report that investigated a number of augmentation options.
- Progress of the Concept Design.
- Preparation of key project documents such as a Project Delivery Plan, Risk Register, Procurement Plan and Community and Stakeholder Engagement Plan.
- Early consultation with key stakeholders including community and regulators.
- Progress on the Environmental Assessment and geotechnical studies.

A further Report was provided to Council at its Ordinary Meeting in October 2014, which sought Council's concurrence to proceed with the "enabling works" in accordance with the REF prepared specifically for those works. The enabling works are proceeding in accordance with Council's resolution. The report also provided details on the upcoming procurement activities, including the adopted tender approach.

Council then considered an evaluation of Expressions of Interest at its Ordinary Meeting in January 2015. Council resolved to appoint four Contractors to participate in the tendering phase of the REMS 1B project. All four contractors have accepted Council's offer and returned signed Agreements in relation to their participation in an Early Tenderer Involvement (ETI) process of the tender phase.

Review of Environmental Factors (REF):

An environmental assessment of the REMS 1B major works has been undertaken by consultant GHD and an REF has been prepared. Details of the assessment are included in the "REMS Stage 1B – Review of Environmental Factors", January 2015.

A number of factors associated with the implementation of REMS Stage 1B were identified within the REF. Key factors and supporting information is summarised below:

- Soil and water management during construction – adequate construction management will minimise the impacts associated with sediment laden run-off and disturbance of contaminated sites or potential acid sulphate soils during construction activities.

-
- Effluent discharges to the Shoalhaven River during wet weather – the scheme has been designed to maximise reuse and to improve the quality and consistency of discharges during wet weather.
 - Flooding – the Bomaderry and Nowra STPs are located within the flood storage area on the Shoalhaven River floodplain and the implementation of the proposal is anticipated to have negligible impacts on flood behaviour or surrounding land use.
 - Odour – the design of the STPs has incorporated odour control systems for key process units resulting in a considerable reduction in odour emissions despite increasing the flow volume through the STP. Elevated odour concentrations will now be restricted to a limited buffer in the vicinity of each site during worse case dispersion conditions.
 - Noise – Appropriate construction site management is required to minimise impacts of construction noise upon nearby residential properties. Overall, the continued operation of REMS Stage 1B is anticipated to have minimal potential to impact upon the local acoustic environment.

The REF was placed on public exhibition from 2 February 2015 to 20 February 2015, during which time Council sought and accepted submissions. The document was available for viewing at Council's offices or by download from Council's website.

Key stakeholders were notified of the REF exhibition by mail and email while relevant government agencies were forwarded copies of the REF for their review.

A copy of the REF Executive Summary is attached. A full copy of the REF and a Submissions Report is available for viewing in the Level 3 Councillors Room.

Council received no responses from the general community and received 5 responses from government authorities, including two late submissions (that were given full consideration). All submissions were generally supportive of the proposal however some supplementary investigation works were recommended and undertaken. These submissions were considered in a separate REF Submissions Report. A summary of submissions and responses are summarised below:

- Environment Protection Authority (EPA) – Supportive of the project and the proposed mitigation measures and control measures. Noted that Environmental Protection Licences for Nowra and Bomaderry STP's will need to be varied. Requested Council prepare conservative protocols for precautionary discharges. All requested actions are in hand
- Office of Environment and Heritage (OEH) - Recommended further Aboriginal heritage survey be undertaken on the transfer pipeline alignment from Nowra STP to the existing REMS network due to change in alignment. This survey has now been completed and confirmed the findings of the due diligence assessment. Noted that REF should be assessed for consistency with DCP – Development in Flood Plain. This requirement is applicable for development requiring consent, REMS 1B is proceeding without requirement for consent (Part 5 EPA Act) however extensive flooding studies were undertaken and revealed that the proposal would have negligible effect upon flood behaviour. No further action required at this stage.

-
- Shoalhaven City Council Environmental Services – Queried the potential for dispersion or destabilisation of sediment as a result of directional drilling (HDD) activities. Significant geotechnical studies have been undertaken and the specialist contractor will require specific work method statements in relation to drilling. If the HDD does proceed it will be in excess of 20 metres under Shoalhaven River. Noted that Fisheries support the HDD approach. Noted that acid sulphate soils will need to be managed, this will be required as part of the contractor environmental management plan. Stated there was no discussion in relation to remediation measures required to accommodate increased agricultural reuse volumes. While REMS 1B will provide additional reclaimed water, land managers will still be required to irrigate under current practices in accordance with “User Agreements”.
 - Fisheries NSW – Requested the development of a comprehensive water quality monitoring program. Council is committed to the development of an environmental monitoring program in liaison with EPA to meet EPL requirements.
 - NSW Marine Parks – Supportive of the project. No specific comments in relation to REMS 1B.

The REF concludes:

“It is considered that, with the implementation of the measures outlined in this document (mitigation measures and controls are summarised in Section 18), the proposed works will not have a significant adverse impact on the environment (and therefore an Environmental Impact Statement is not required). The works will result in positive long-term effects but will not result in the degradation of the quality of the environment, and will not pose any risk to the safety of the environment.”

It is therefore recommended that Council proceed with the REMS 1B works in accordance with the mitigation measures and controls outlined in the REF and Submissions Report.

Ongoing Procurement Activities:

As noted above Council resolved to appoint four Contractors to participate in the tender process for the project. All four contractors have accepted Council’s offer via the signing of an Early Tenderer Involvement (ETI) Agreement.

The detailed design for the major works has reached 80% completion and staff have reviewed the designs by way of review workshops held on 11 -12 March 2015 and 17 – 18 March 2015. The workshops comprised Shoalhaven Water electrical, scada and civil engineers, coordinators and operators. Council’s representative designer, GHD also had staff on hand to provide assistance through the process. GHD has received a comments register for review and response following the workshops.

The next step in the tender process is to embark on the ETI phase. The objective of the ETI process is to assist both the Council and the future Contractor in the delivery of the REMS 1B project. The intent of the process is to engage with the appointed Contractors prior to design completion to obtain their collective input into the constructability of the works and examine efficiency opportunities. Whilst Council will be contracting with a well-developed design, it will be looking for Contractors’ ideas and innovation on how to enhance the contract.

The ETI process will be conducted in accordance with a protocol document that has been issued to each Contractor. The process essentially includes two interactive workshops.

Prior to the first workshop (scheduled for 16 – 17 April 2015) each contractor will be issued with a set of project documentation (including design plans, design report and other relevant investigation reports). Day one will comprise a project overview and site investigations and day two will include 2 hour sessions with individual contractors separately. The contractors are expected to contribute to the individual sessions by identifying design and construction risks and sharing ideas on constructability and construction techniques.

Prior to the second workshop (scheduled for 3 – 4 June 2015) each contractor will be issued with a revised set of project documentation. Each contractor will be allocated a 4 hour timeslot over the two day period to present their feedback on the revised project documentation. Any matters which may be commercial in confidence will be discussed at these sessions.

After the completion of the second workshop all documentation will be finalised ready for the “Request for Tender” phase (scheduled to commence from 15 June 2015).

The participation of an ETI Contractor in the ETI process will be considered by Council in the evaluation and assessment of any tender submitted in response to the Phase 3 Request For Tender (RFT).

The ETI Protocol document also outlines the communication protocol between the parties, including the format required for contractor submissions.

FINANCIAL IMPLICATIONS:

Sufficient funds have been allocated in the current financial year and subsequent years within the Wastewater Fund Capital Works Budget to proceed with the planning and implementation of the project.

COMMUNITY ENGAGEMENT:

Shoalhaven Water have engaged with key stakeholders and the general community throughout the Environmental Assessment and design phases of the project. Engagement has been by way of face to face with key land owners and regulators, web site updates, media articles and public exhibition of the REF. Feedback from the REF exhibition demonstrated general support for the project.

As reported above, one of the reasons for the REMS 1B project proceeding is Council's inconsistent compliance with its EPA licence conditions. It should be noted that, through negotiation with NSW EPA, Council has been issued with a licence variation notice with regards to its Nowra and Bomaderry Schemes. The licences now include Pollution Reduction Programs that require Council to achieve certain milestones in order to avoid potential prosecution for breach of its licence conditions.

Council was previously advised at its Ordinary Meeting in May 2014 that a Community and Stakeholder Engagement Plan had been prepared and implemented for the design and environmental assessment phases of the project. The plan is being further developed as the project moves into the construction phases.

Conclusion:

Shoalhaven Water staff seek resolution from Council to proceed with the construction of the REMS 1B project in accordance with mitigation and control measures identified in the REF for these works.

C Krogh
DIRECTOR SHOALHAVEN WATER

R.D Pigg
GENERAL MANAGER

REPORT OF DIRECTOR SHOALHAVEN WATER

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

SHOALHAVEN WATER

ITEM TO BE REFERRED TO ORDINARY MEETING

20. **Tender Process - Walsh Crescent and Hewlett Avenue Water Main Replacement**
File 50599E [Index](#)
-

SECTION MANAGER: Robert Horner.

PURPOSE:

The purpose of this report is to inform Council of the tender process in relation to the Walsh Crescent and Hewlett Avenue Water Main Replacement.

The General Manager has declared a significant non-pecuniary interest in this matter, as one of Hisway's employees rents a property owned by the General Manager. The General Manager has consulted with the Mayor and determined that the Director, Shoalhaven Water needs to deal with this matter.

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 2003, 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 the separate confidential report.

It is not in the public interest to disclose the 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 (2003), consider a separate confidential report on this matter.

OPTIONS:

- 1: Award the contract as recommended.
- 2: Council could choose not to accept the recommendation, and select a different contractor, giving reasons. This is not recommended as an extensive tender evaluation, comprising price and non-price criteria, has been undertaken in accordance with a Tender Evaluation Plan.
- 3: Council could elect to accept no tender and negotiate with any other person. This is not recommended as an extensive tender evaluation, comprising price and non-price criteria, has been undertaken in accordance with a Tender Evaluation Plan.

-
- 4: Council could elect not to proceed with the replacement of the water main in Walsh Crescent and Hewlett Avenue. This is not recommended as the current water main is in poor condition and frequently breaks inconveniencing the local residents and increasing maintenance costs.

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:

Potable Water is currently supplied around Walsh Crescent and Hewlett Avenue through a DN100 AC pipe. Since it was installed in the early 1960's streetscape beautification trees have become established in the verge where the pipeline was laid. Roots from these trees have continually caused breakages to the pipeline over recent years and in some cases restricted water pressure delivered to some residents. It is proposed to replace this pipeline with an equivalent sized polyethylene pipe which, since it is welded together, is much less susceptible to invasion by tree roots.

A Review of Environmental Factors (REF) was undertaken and at the Ordinary Meeting of Council on the 27th January it was determined that works could proceed on the water main subject to the mitigation measures contained with the REF.

Tenders have been called and the award of a contract for the construction of the Walsh Crescent and Hewlett Avenue Water Main Replacement is now being presented to Council for determination.

Tender Process:

Tenders were called from all contractors on the Panel on 27 February 2015 for the construction of the Walsh Crescent and Hewlett Avenue Water Main Replacement pipeline with a mandatory pre-tender site meeting on 6th 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 25th March 2015 with a total of three (3) tenders received by the deadline from the following companies.

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

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

- Total cost of tenderers bid, including application of Local Preference Policy
- Construction methodology and program
- Experience and suitability of subcontractors
- Skills and experience of proposed personnel
- Availability of key personnel

In order to identify the best value for money while ensuring a suitable balance between the three main criteria of price, experience and understanding the site conditions it was determined to use a 45% price to 55% non-price ratio for the tender assessment.

A Tender Evaluation Report (TER) was prepared and is included in the Confidential Attachment folder.

Summary of the Evaluation Process:

1. Assessment of Mandatory Criteria and Compliance

All three tenders were received through the Tenderlink Tender Portal within the nominated closing time and were assessed as formal.

The tenders were initially examined for compliance with the mandatory criteria in the conditions of tendering in the TEP. One tender was not a compliant tender and merely a cover letter advising that the tenderer was not submitting a tender for this project.

The remaining two tenders were reviewed and had met all the criteria outlined in Section 5 of the TEP including:

- Submission of signed Tender Forms with details of company name and ABN.
- All Tender Schedules were submitted, completed, arithmetically correct, signed and dated

All tenderers had sent a representative to the mandatory pre-tender site meeting.

Therefore all tenders received were assessed as compliant.

2. Assessment of Price Criteria

The two remaining 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.

Evaluation of Schedule 2: Schedules of Prices for each tender revealed that the quantity used in Item 3.8 Removal and Disposal of existing pipeline (AC) was not the same for both tenders. Therefore in calculating the assessed price adjustments were made so that the same length of pipe was being removed in both tenders.

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.

As the preferred tenderer was more than 20% lower than the PTE, Section 6 of the TEP requires the TEC to justify the recommendation for acceptance of a significantly lower priced tender.

The PTE was reviewed and compared to the preferred tender amount to assist in gauging accuracy. Most items in the PTE were comparable with the costs of the preferred tenderer. However a few items were not directly comparable and needed to be taken into account. If these items are accounted for the preferred tenderer sum is only 1% below the PTE.

Based on this assessment the TEC was satisfied that the preferred tenderers pricing is an accurate reflection of the value of the works.

An interview with the preferred tenderer was conducted on the 31st March so that the TEC could ensure that the tenderer was fully aware of the scope of works and discuss proposed construction methodologies for the various aspects of the scope of works.

Based on outcome of this meeting the TEC was satisfied that the preferred tender reflects value for money and has an acceptable understanding of the scope of works and requirements under the Contract.

FINANCIAL IMPLICATIONS:

Sufficient funds have been allocated in the Water fund capital budgets for 2014/15 and 2015/16. Contract management will be done by Shoalhaven Water employees. Daily site inspections to be undertaken by Shoalhaven Water nominated construction inspectors.

It is proposed to start construction of the project in 2014/15 financial year with completion expected by the end of third quarter of the 2015 calendar year.

COMMUNITY ENGAGEMENT:

As previously described in REF report determined by Council at the Ordinary Meeting on 27th January 2015 the main replacement will be constructed on Council land and would not have a significant impact upon any environmental aspect. Consultation with additional government agencies and stakeholders has not been deemed necessary.

Shoalhaven Water will consult with private landowners whose driveways and access are likely to be impacted through road closures and/or private property impacts prior to the commencement of construction. Reinstatement strategies would be discussed and confirmed with the landowner. The replacement/upgrade works will require disruptions to local water services. All affected residents would be informed at least 48 hours prior to any disruptions.

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

It is a further requirement of the tender to provide ongoing community consultation as required during the construction of the works.

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

NOTICES OF MOTION

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL, 2015

21. Maintenance & Repair – Jervis Street Public Wharf Greenwell Point File 8406E [Index](#)

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

That Council undertake urgent repairs to the Jervis Street public wharf at Greenwell Point.

Background:

In the late 1960s early 70s Council adopted a policy of not approving any more private jetties (this policy has since been repealed) but instead decided to progressively locate strategically located jetties for public use on waterways throughout the Shoalhaven. The wharf at Jervis Street Greenwell point is just one of those that was acquired in the early 70s and repaired for public use. Not long after the acquisition of the PO Shoalhaven Marine Rescue ask if they could be given exclusive use of the wharf facilities support their rescue activities. Council agreed to this request and the wharf was occupied by Marine rescue until several years ago at a peppercorn rent. Throughout this occupation and until the recent closure of the wharf individuals with locally moored craft user wharf for provisioning and refuelling their boats. Additionally the wharf has been continually used as a fishing platform by locals. It is my understanding that the wharf could be made safe at a relatively low cost by replacing the landing at the end of the wharf.

Signed
Clr Watson

Note by General Manager:

- # A structural timber pile at the end of the public jetty in Jervis Street Greenwell Point failed two week's ago necessitating access to the jetty to be temporarily closed. A comprehensive review of the structure has since been undertaken and confirmed that the majority of jetty piles need replacing and the structure is approaching the end of its asset life.

In 2003 a Greenwell Point Waterways Facility needs assessments was undertaken that did not identify the need for any improvements to be undertaken at this facility/location. Since 2003, significant waterways improvements to facilitate boat launching and fishing have been undertaken on the main and north foreshore public reserves. The existing structure on the South side of Greenwell Point provides minimal public boating benefit but it is recognised that it is a popular structure for fishing off.

It is proposed to repair the one broken pile at a cost of \$5,850 from maintenance funds to allow for continued access for fishing however renewal of the asset is likely to cost in excess of \$60,000 and will need to be considered against other priorities.

CONFIDENTIAL BUSINESS PAPER AGENDA

ASSETS AND WORKS

1. TAFE – NSW – Manufacture & Supply of Cabins & Ensuites

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 attract competitive tenders in the future.

2. Holiday Haven Tourist Parks – Tender for the Management & Operation of the Bendalong Point Tourist 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 tenderers in the future.

DIRECTOR SHOALHAVEN WATER

3. Tender Process - Walsh Crescent and Hewlett Avenue Water Main 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 tenderers 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.

ADDENDUM REPORT OF GENERAL MANAGER

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

CORPORATE AND COMMUNITY SERVICES

ITEM TO BE REFERRED TO ORDINARY MEETING

1. Shoalhaven Indoor Sports Centre – Project Update File 34855E, 47296E, RA12/1000

SECTION MANAGER: Jane Lewis

PURPOSE:

To update Council on the status of current design and construction findings for the Shoalhaven Indoor Sports Centre.

RECOMMENDED that Council:

- a) **Revise the scope of the Northern Shoalhaven Indoor Sports Centre in accordance with the contract to provide 4 additional indoor sports courts to complement the existing 2 indoor sports courts in Cambewarra Road, Bomaderry (identified as Scheme D in this report).**
- b) **Defer further design investigations for the current Shoalhaven Indoor Sports Centre (as per Development Approval RA12/1000 until the outcome of part (a) of the resolution is determined).**
- c) **Commence consulting with existing Artie Smith Oval sportsground users to minimise any associated impacts from the provision of 4 additional indoor sports courts to complement the existing 2 indoor sports courts in Cambewarra Road, Bomaderry (identified as Scheme D in this report).**
- d) **Seek grant funding or contributions from sporting groups for the SISC.**

OPTIONS

1. Council adopt the recommendation and continue progressing delivery of this project and master planning of the whole sporting precinct in Cambewarra Road.
2. Council not adopt the recommendation and provide an alternative option regarding the future of the project.

DETAILS

Background

Development Approval

Council has for many years has been investigating the delivery of the SISC. Development Approval for Northern Shoalhaven Indoor Sports Centre was given by the Joint Regional Planning Panel in June 2012 (Development Approval RA12/1000).

- # In November 2013, Council (see Min13.1129 - Attachment A) resolved to undertake a different methodology for delivering the indoor sports centre and reconfirmed a total project budget of \$9 million.

Since approval was given design and construction investigations have been undertaken to deliver the project within a budget of \$9 million.

Indoor Sport Provision

The purpose of the SISC is to provide a facility for all mainstream indoor sport disciplines. Therefore, whilst the SISC will be built on the existing Bomaderry Basketball Stadium site, the project outcome will result in an indoor sports centre for all Shoalhaven sport and not just basketball. In making this point, it should be recognised that other sports currently do use the existing Stadium, and Basketball's significant contribution in providing the existing Stadium.

Through provision of a multipurpose indoor sports centre for all sport will ensure its viability and long term use by the community. Due to the variety of choice in sport, promotion and the influence of large events (i.e. World Cups, etc.), participation numbers in sport will vary and be related to national or state trends. Therefore, it is strongly recommended that the SISC be designed for the widest possible indoor sport use and this be encouraged through its future management arrangement.

Status of Current Design and Construction Findings

- # The following information provides a brief overview of current design and construction findings for the SISC which has been presented via briefings to elected Councillors and the stakeholder groups involved in the project. Information available to Councillors only can be viewed on the Councillor's electronic shared point. Supporting information is shown in Attachment B.

Delivery of SISC DA (Scheme A)

As per current DA (4 indoor sports courts)

Internal area = 5,106m²

External hard works = 7,435m² (212 sealed car parks)

External landscape = 4,730m²

Estimated construction budget = \$11,932,400

Delivery of SISC DA (Scheme A) with reduction of materials (shown in bold)

As per current DA (4 indoor sports courts)

Internal area = 5,106m²

External hard works = **5,200m² (100 sealed car parks)**

External landscape = **0m² (no landscaping provided)**

Estimated construction budget = \$11,354,400

Staged delivery of SISC DA (Scheme B)

As per current DA (4 indoor sports courts) and results in stage 1 delivering:

80% reduction in hardscape

Reduction in 2 courts

Reduction in internal amenities space

Estimated construction budget = \$8,604,400

The cost of delivering Stage 2 has not been estimated but is expected to be greater than not staging the works (due to the economic efficiency of resourcing all works at once).

Modified SISC (Scheme C)

Delivery of this facility, unlike Schemes A & B, does not require demolition of existing indoor stadium and proposes 1 outdoor sports court to provide 4 additional sports courts.

Internal area = 5,106m²

External hard works = 7,435m² (212 sealed car parks)

External landscape = 4,730m²

Estimated construction budget = \$8,516,238

Modified SISC (Scheme D)

Delivery of this facility, unlike Schemes A & B does not require demolition of existing indoor stadium and proposes to provide 4 additional indoor sports courts.

Internal area = 5,106m²

External hard works = 7,435m² (212 sealed car parks)

External landscape = 4,730m²

Estimated construction budget = \$8,948,600

Recommended SISC Scheme / DA Implications

Based on analysis of both the function and construction costs of the SISC Schemes, it is recommended that Council defer design investigations for the current Shoalhaven Indoor Sports Centre (as per Development Approval RA12/1000) and undertake to investigate modification of the approval, design and construction to provide 4 additional indoor sports courts to complement the existing 2 indoor sports courts in Cambewarra Road, Bomaderry (identified as Scheme D).

As identified above, Scheme D would be a variation to or modification of the development consent and will require the preparation and submission of a new application to the Joint Regional Planning Panel. A new application will result in additional project administration costs and related time delays however, the time delays may be more of an implication if the project was already fully funded to deliver the whole (i.e. not staged) project.

SISC Stakeholder Feedback

As indicated above, the SISC Stakeholder Group that Council established (made of sporting representatives from Basketball, Volleyball, Futsal and other users have reviewed the above Scheme as indicated in their support for Scheme D.

Artie Smith Oval Master Plan Implications

The Artie Smith Oval Master Plan (see Attachment C) adopted by Council in January 2013 incorporates and builds on the delivery of the current SISC DA (Scheme A). Delivery of an alternate SISC (i.e. Scheme C & D) results in an immediate need to review the Artie Smith Oval Master Plan to resolve:

- Possible impacts to existing users of Artie Smith Oval.
- Provision of adequate parking areas.
- Future use options of the south corner of Artie Smith Oval.

In addition to the impact on the current Master Plan, the sporting precinct on the opposite side of Cambewarra Road has not been considered. This area contains a small park area, market area, aquatics centre, croquet courts tennis courts and sportsground fields. The inclusion of this area would result in a holistic review of sporting facilities in this location and identify synergies for wider sporting benefits for the City.

Artie Smith Oval Sportsground User input

At the time of writing this report, no consultation has occurred with the existing Artie Smith Oval sportsground users to discuss possible impacts from provision of 4 additional indoor sports courts to complement the existing 2 indoor sports courts in Cambewarra Road. This consultation has not occurred due to Council staff having no previous direction from the elected Council to and undertake investigations for an alternative building design. Therefore, it is recommended that Council staff commence consulting with existing Artie Smith Oval sportsground users should the preferred option be for Council to deliver the above Scheme D.

FINANCIAL IMPLICATIONS:

Should Council seek to commence delivery any of the above Schemes, with the exception of Scheme B, an additional allocation of either Council funding or grant funding is needed in the future.

COMMUNITY ENGAGEMENT:

The outcomes identified in the above recommendations will require feedback from existing Artie Smith Oval sportsground users regarding the provision of 4 additional indoor sports courts to complement the existing 2 indoor sports courts in Cambewarra Road, Bomaderry (identified as Scheme D in this report).

The community engagement will be consistent with Councils Engagement Matrix Citywide High Impact.

Criag Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

CORPORATE AND COMMUNITY SERVICES

ITEM TO BE REFERRED TO ORDINARY MEETING

1. **ClubGrants Application - Nowra Aquatic Centre
- Meeting Room / Changing Places Amenity / Club Space** **File 30050e, 48598e**
-

SECTION MANAGER: Jane Lewis.

PURPOSE:

To advise Committee on progress of the Category 3 Funding Application under the NSW Office of Liquor Gaming and Racing ClubGrants Program to the value of \$500,000 for construction of the Meeting Room / Changing Places Amenity / Club Space at Nowra Aquatic Centre.

RECOMMENDED that:

- a) **Accept the NSW Office of Liquor Gaming and Racing ClubGrants Program grant funding to the value of \$500,000 for construction of the Meeting Room / Changing Places Amenity / Club Space at Nowra Aquatic Centre.**
- b) **Delegate authority to the General Manager, or nominee, to accept the grant funding and acquittal of funds.**
- c) **Write to the Minister for Liquor Gaming and Racing thanking him and accepting the grant offer.**

OPTIONS

1. Council adopt the recommendation as printed.
2. Council reject the recommendation and provide an alternate.

DETAILS

In early 2015, Council made a grant application for \$500,000 grant funding under the ClubGrants Program – Office of Liquor Gaming and Racing for the Meeting Room / Changing Places Amenity / Club Space at Nowra Aquatic Centre.

Council has been successful in receiving \$500,000 for this project and now requires to finalise arrangements to accept these funds.

ADDENDUM REPORT OF GENERAL MANAGER

POLICY AND RESOURCES COMMITTEE

TUESDAY, 14 APRIL 2015

CORPORATE AND COMMUNITY SERVICES

ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY

1. **Local Government Conference – Local Government South East Councils Leadership Forum** **File 4688E**
-

SECTION MANAGER: Melissa McCoy.

PURPOSE:

This report advises of the 2015 Local Government South East Councils Leadership Forum scheduled for 28 & 29 May 2015 in Pambula / Merimbula.

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

- a) **Notes the details of the 2015 Local Government South East Councils Leadership Forum scheduled for 28 & 29 May 2015 in Pambula / Merimbula.**
- 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:

- 2015 Local Government South East Councils Leadership Forum
- scheduled for 28 & 29 May 2015
- in Pambula / Merimbula

Please note that the 2015 Future of Local Government National Summit (refer Item 3 of the Business paper) is also scheduled for 28 & 29 May 2015.

- # Information regarding the conference has been included in the Councillors' Information Folder.

Costs associated with the conference are estimated as follows:

- Forum registration (Club Sapphire, Merimbula) : \$230.00 (including GST)
- Dinner (Oaklands Conference Centre, Pambula) : \$70.00 (including GST)
- travel, accommodation and out of pocket expenses : not yet determined.

FINANCIAL IMPLICATIONS:

The 2014/15 budget provision for Councillors Training and Development provides funding for attendance at this conference.

2. Local Government Conference – 2015 National General Assembly of Local Government – Notice of Motion File 1007E

SECTION MANAGER: Melissa McCoy.

PURPOSE:

This report details Council Notice of Motion to be submitted to the Australian Local Government Association – 2015 National General Assembly scheduled for 14-17 June 2015 at the National Convention Centre in Canberra. Notices of Motion are required to be submitted by 17 April 2015.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that Council endorse the Notice of Motion as detailed in this report for submission to the Australian Local Government Association – 2015 National Assembly.

OPTIONS

1. As per the recommendation
2. Alternate suggested Notices of Motion be presented for consideration

DETAILS

A report was submitted to Council's Policy and Resources Committee on 10 March 2015 which recommended in part *d) Call for a Councillor Briefing to be convened to consider Notices of Motion for the Australian Local Government Association National General Assembly.*

A Councillor Briefing was proposed for Monday 2 April 2015 to discuss draft Motions for submission. There were no recommended notices proposed at that meeting. However there was a motion arising from the following resolution of the Property and Steering Committee under delegated Authority on 10 March 2015 which was identified for submission. That motion related to the “Conditions for Opening Footpaths – Public Utilities” and was as follows:

- a) *Make representation to State and Federal Members and raise motions at the relevant conferences in support of legislative change enshrining the rights of the asset owners”*

The motion proposed for submission arising from that resolution is as follows:

Motion

That the Australian Local Government Association calls on the Federal Government to implement legislative change to ensure protection and reinstatement of Local Government assets to minimise impacts or damage by public utilities.

Why is this a national issue and why should it be debated at the Assembly?

This issue applies to the council managed land and road reserves of all Local Government Areas. The current limited legislative framework does not provide sufficient protection or requirement of reinstatement of assets impacted upon by public utility work to levels suitable to Councils. This creates a significant cost burden to Councils, particularly with the rollout of the NBN and work by numerous telecommunication providers.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

At its Ordinary meeting held on 16 September 2014, Council made the following resolution (Min14.660 - part):

- "c) *Council authorise a contract variation with Zauner Constructions P/L to undertake the Option 1 renewal of the amenities building and construction of a meeting room at the Nowra Pool.*
 - i) *Council resolves not to tender these works pursuant to Section 55(3) of the Local Government Act due to extenuating circumstances stated in the footnote to the report*
- "d) *The variation be funded and the funds voted from operational revenue to an amount of one million, one hundred and fifty thousand dollars and be reimbursed as far possible from operational savings identified in 2014/2015 quarterly financial reviews, and*
- "e) *Should insufficient funds be available from the operational savings, any residual funding requirement be sourced from 2015/2016 General Fund budget allocations or loan funding."*

FINANCIAL IMPLICATIONS:

The project is currently resourced in the 2014 / 15 financial year. The funding received will assist with current project delivery. The grant funding will be received in accordance with set milestones.

Craig Milburn
CORPORATE & COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER