

## Ordinary Meeting

**Meeting Date:** Tuesday, 22 November, 2016  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 4.00pm

**Membership** (Quorum - 7)  
All Councillors

**Please note:** Council's Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

## Agenda

1. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
  - Ordinary Meeting - 25 October 2016
  - Extra Ordinary Meeting - 15 November 2016
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
  - Presentation of the 2015/2016 Annual Financial Statement and Audit Report
10. **Notices of Motion / Questions on Notice**

CL16.73	Notice of Motion - Traffic Calming Devices - Larmer Avenue, Sanctuary Point.....	1
CL16.74	Notice of Motion - Righthand Turn Lane - Tomerong - Turpentine Road / Princes Highway intersection.....	3
CL16.75	Notice of Motion - Nowra CBD Revitalisation Strategy Committee .....	4
CL16.76	Notice of Motion - Homelessness - Nowra Area .....	5
CL16.77	Notice of Motion - Shoalhaven Access Advisory Committee - Catering .....	6
CL16.78	Notice of Motion - Wheelchair Access - Beaches .....	7

CL16.79	Notice of Motion - Road Safety - Jervis Bay Road.....	8
CL16.80	Notice of Motion - Saltmarsh Re-establishment around Waterways .....	9
CL16.81	Notice of Motion - Homelessness - Nowra Area .....	10
CL16.82	Notice of Motion - Public Transport - Shoalhaven Area .....	13
CL16.83	Notice of Motion - Biodiversity Conservation Bill - Local Land Services Amendment Bill .....	14

## 11. Committee Reports

<u>CL16.84</u>	<u>Report of the Strategy &amp; Assets Committee - 15 November 2016 .....</u>	<u>15</u>
SA16.14	Meeting Times for Council & Committees	
SA16.16	Ulladulla Harbour Berthing Facility Project Funding	
SA16.19	Acceptance of Grant Funding - Veolia Mulwaree Trust - \$25,000 - Plantation Point Exercise Equipment	
SA16.22	Integrated Emergency Management Centre Master Plan and Electrical Supply at Albatross Road - IEMC	
SA16.23	NSW Government Safer Roads Program - Approved Projects 2016/17	
SA16.25	Property Lease - 11 Lamonds Lane, Nowra - Lot 3 DP868373	
SA16.26	Acquisition of Easement for Drainage - 19 Nirimba Ave Sanctuary Point	
SA16.27	Proposed Leasing of 81 Osborne Street Nowra	
SA16.28	Proposed Road Closure of Part of Piscator Ave Currarong and sale to William & Elaine McLaughlin and consolidation with Lot 3 DP700672	
SA16.29	Acquisition of Land for Matron Porter Drive Pathway - Part Lot 12 DP807589 - 13 Sungrove Lane	
SA16.34	Tenders - Water Meter Reading Services	
SA16.35	Tenders - Vincentia Tower Redevelopment	
SA16.38	Acquisition of Easement for Water Supply at Terara	
SA16.39	Extinguishment of Water Supply Easement - 6 Mount Vista Close Falls Creek	
SA16.40	Acquisition of Easements for Water Supply at Wason Street Ulladulla	
SA16.41	Research Grant Proposal - University of Wollongong	
<u>CL16.85</u>	<u>Report of the Shoalhaven Arts Board - 16 November 2016 .....</u>	<u>21</u>
AB16.2	Shoalhaven Arts Board Grants 2016/17	
<u>CL16.86</u>	<u>Report of the Youth Advisory Committee - 16 November 2016 .....</u>	<u>22</u>
YA16.3	Youth Advisory Committee Terms of Reference	
YA16.4	Additional Item from Minutes - International Youth Awards	

## 12. Reports

CL16.87	Code of Conduct Complaints - Annual Statistics Report - 1 September 2015 - 31 August 2016.....	25
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CL16.88	Negotiations - Provision of the Management & Operations of the Ulladulla Civic Centre 2016/19 .....	29
CL16.89	Acceptance of Grant Funding - Copyright Agency Cultural Fund & Museums & Galleries of NSW - \$11,250 - Artist or Curator Residency Grant.....	31
CL16.90	Quarterly Budget Review as at 30 September 2016.....	33
CL16.91	Investment Report - October 2016 .....	48
CL16.92	Presentation of the Financial Statements 30 June 2016.....	51
CL16.93	Release of Indemnity Guarantee .....	61
CL16.94	Ratepayer Advance - 209 - 221 Walmer Ave Sanctuary Point .....	62
CL16.95	Feasibility & Cost - Traffic Control Pedestrian Crossing - Christmas Period - Tallwood Ave Mollymook .....	64
CL16.96	Worrige Street Nowra - Footpath Renewal - Private Works .....	68
CL16.97	NBN Asset Relocation - Intersection Flinders Road and Albatross Road, South Nowra.....	72
CL16.98	Tenders - Jerberra Estate Pavement Completion.....	74
CL16.99	Classification of Land at Yerriyong .....	76
CL16.100	Proposed Licence - Milton Ulladulla Mens Shed - Camden St, South Ulladulla .....	78
CL16.101	Expression of Interest for the Sale of the Visitor Information Centre Site and Graham Lodge .....	81

### 13. Confidential Reports

#### Committee Reports

#### CCL16.20 Report of the Strategy & Assets Committee - 15 November 2016

##### CSA16.6 Tenders – Water Meter Reading Services

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

##### CSA16.7 Tenders - Vincentia Tower Redevelopment

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any*

*person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CSA16.8 Tenders – Purchase of New 24,000lt Vacuum Tanker Trailer

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

Reports

CCL16.21 Negotiations - Provision of Management & Operations of the Ulladulla Civic Centre 2016/19

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CCL16.22 Shoalhaven Family Day Care

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CCL16.23 Tenders – Confidential - Jerberra Estate Pavement Completion

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CCL16.24 Expression of Interest for the Sale of the Visitor Information Centre Site and Graham Lodge

*Local Government Act - 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.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence information and diminish the competitive commercial value of the information of the proponents and prejudice their commercial interests.*

## **CL16.73 Notice of Motion - Traffic Calming Devices - Larmer Avenue, Sanctuary Point**

**HPERM Ref:** D16/338377

**Submitted by:** Cllr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That Council report on the possible installation of traffic calming measures on the southern side of the Cockrow Creek bridge near the Park Drive intersections, Larmer Avenue, Sanctuary Point.

### **Background**

The area in question is at the commencement of the 50km/hr limit coming from 70km/hr north of the bridge, and has been a bone of contention for some years now. It has been mentioned at meetings with our police and most recently at the public meeting on 24/10/16, St Georges Basin.

### **Note by the General Manager**

- Traffic calming devices are usually only approved to prevent through traffic or to maintain acceptable conditions on lower order roads or in more built up areas. Larmer Avenue is a designated regional road, and one of the main collector roads linking Sanctuary Point to Jervis Bay. Accordingly, traditional traffic calming devices are unlikely to be approved on Larmer Avenue.
- A roundabout may be considered at one of the Park Drive intersections, however because these are Tee-Junctions, and because of the close proximity to adjacent properties, deflection at a roundabout (and accordingly associated significant speed reduction) would be limited
- There is also very limited room in the current road reserve to consider any other form of traffic calming (other than a roundabout) at either of the Park Drive intersections.
- Given funding constraints it is unlikely a roundabout would be grant funded unless it would meet blackspot criteria (there is currently no crash history at either of the Park Drive intersections).
- Sight distance is restricted due to vegetation on the western side of Cockrow Creek. Traffic Unit will investigate selected vegetation removal to enhance sight distance (which will improve safety)
- As the current 50/70 speed zone change is a significant distance from the intersection unfortunately there is currently no visual cues to support the speed zone change and this may be contributing to poor compliance. Traffic Unit may raise with the RMS about better

CL16.73

positioning of the speed zone change to achieve greater effect where it is required (ie closer to Park Drive)

- There is currently no 50/70 pavement markings at the existing speed zone change, and this also lessens the effectiveness of the speed zone change. Action has been taken to install these markings.
- Placement of a traffic counter on Larmer Avenue in the vicinity of Cockrow Creek is already in the traffic counting program for 2016-17. Traffic Unit will ensure this is positioned on the Park Drive side of Cockrow Creek to record speeds as well as traffic volume, and this information will be analysed to determine the extent of the speeding problem at this location. Traffic Unit will also liaise with NSW Police to request enforcement of the existing 50kph speed zone and request a focus at this particular location.

## **CL16.74 Notice of Motion - Righthand Turn Lane - Tomerong - Turpentine Road / Princes Highway intersection**

**HPERM Ref:** D16/338398

**Submitted by:** Cllr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That Council liaise with the R.M.S regarding the future installation of a dedicated righthand turn lane for vehicles exiting Turpentine Road, Tomerong on the Princes Highway.

### **Note by the General Manager**

The Council has recently written to RMS to request advice on the long term planning on the Princes Highway south of Nowra and staff will follow up in relation to any plans for a right turn lane along to the highway on this section of road.

CL16.74



## **CL16.75 Notice of Motion - Nowra CBD Revitalisation Strategy Committee**

**HPERM Ref:** D16/338445

**Submitted by:** Cllr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That Council staff report on the progress being made by the Nowra C.B.D Committee on the Nowra C.B.D Revitalisation Strategy.

CL16.75

## **CL16.76 Notice of Motion - Homelessness - Nowra Area**

**HPERM Ref:** D16/349941

**Submitted by:** Cllr Joanna Gash

### **Purpose / Summary**

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

### **Recommendation**

That the Mayor be asked to give an update on where the homeless situation is at and the result of the community meeting held with residents living in the vicinity of the Showground, police and other participants.

### **Background**

A number of residents and community members have asked where this is at. Concern has been expressed at the growing number of tents and increase of those now residing at the Showground.

### **Note by the General Manager**

See details attached to Item CL16.81

CL16.76

## CL16.77 Notice of Motion - Shoalhaven Access Advisory Committee - Catering

**HPERM Ref:** D16/350426

**Submitted by:** Cllr Bob Proudfoot

### Purpose / Summary

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

### Recommendation

That the Shoalhaven Access Advisory Committee of Shoalhaven City Council be provided with coffee, tea and biscuits for each of the four meetings in 2017.

### Note by the General Manager

The catering currently provided is shown in the table below

Name of Committee/Board	Standard of Catering
Business & Employment Development Committee	Nil
Children's Services Reference Group	Nil
Council Bushcare Representative Group	Nil
Nowra CBD revitalisation Strategy Committee	Nil
Regional Development Committee	Nil
Risk & Audit Committee	Nil
Senior Staff Contractual Matters Committee	Nil
Shoalhaven Arts Board	Nil
Shoalhaven City Mayor's Relief Fund	Nil
Shoalhaven Heads Estuary Taskforce	Nil
Shoalhaven Natural Resources & Floodplain Management Committee	Nil
Shoalhaven Sports Board	Nil
Shoalhaven Tourism Advisory Group	Nil
Aboriginal Advisory Committee	Tea, Coffee & Biscuits
Development Committee	Tea, Coffee & Biscuits
Ordinary Meeting	Tea, Coffee & Biscuits
Rural Fire Service Strategic Planning Committee	Tea, Coffee, Orange Juice, Sandwiches, Biscuits, Cheese & Fruit platter
Shoalhaven Access Advisory Committee	Tea, Coffee & Biscuits
Strategy & Assets Committee	Tea, Coffee & Biscuits
Youth Advisory Committee	Tea, Coffee & Biscuits

CL16.77

## **CL16.78 Notice of Motion - Wheelchair Access - Beaches**

**HPERM Ref:** D16/350433

**Submitted by:** Cllr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That Council actively seek funding from both the Federal and State governments for the installation of wheelchair access to all patrolled beaches in our local government area. This is consistent with our goal to fully embrace "inclusion tourism".

### **Note by the General Manager**

This topic was an item of business at the recent Access Advisory Committee meeting of 8th November. The minutes of this meeting record that staff are preparing a funding application to submit through Fundability for the purchase of 10 beach wheelchairs for both children & adults. Staff are liaising with the local Surf Life Saving Clubs to assist in the management of the wheelchairs if successful. Staff support the initiative to seek funding from both State & Federal Governments whenever possible.

CL16.78

## CL16.79 Notice of Motion - Road Safety - Jervis Bay Road

HPERM Ref: D16/356063

Submitted by: Cllr Bob Proudfoot

### Purpose / Summary

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

### Recommendation

That Council attend to the following matters on Jervis Bay Road

1. An assessment of the danger of overhanging tree branches and the capacity to have them lopped.
2. When trees are cut down along side the road their stumps are often not removed, and this appears to present a danger
3. An assessment of the apparent slippery nature of the road surface between Duck Creek and Moona Creek, which has led to a number of cars "spinning out".

### Note by the General Manager

1. An assessment of trees will be undertaken as part of the broader project in Naval College Road and Jervis Bay Road.
2. There was recent tree removal to remove hazards on Naval College Road in the 3-4km stretch south of Pine Forest Road, these stumps will be removed as part of the upcoming road works (approved Federal Blackspot works to be undertaken on Naval College Road). The concerns about road safety on the section of Naval College Road will be addressed through the \$2 million Federal Blackspot project with road works commencing after the busy summer period in 2017. The works will include road widening and resealing including a higher friction seal on the most critical areas.
3. This is likely to be related to the section of Naval College Road in the 3-4km stretch south of Pine Forest Road which is a recognised blackspot, and is subject of a \$2M blackspot project approval with road works commencing in early 2017. The works will include road widening and resealing including a higher friction seal on the most critical areas where motorists are slipping on the current pavement in wet conditions. Appropriate warning signs will be placed if necessary.

CL16.79

## **CL16.80 Notice of Motion - Saltmarsh Re-establishment around Waterways**

**HPERM Ref:** D16/356918

**Submitted by:** Cllr Bob Proudfoot

### **Purpose / Summary**

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

### **Recommendation**

That Council seek greater clarification from the Department of Fisheries regarding the re-establishment of saltmarshes around our waterways. The report needs to address, but should not be restricted to, the following

1. What survey is undertaken to accurately map the area?
2. What is the role of the astronomical water-mark or the mean high-tide water-mark?
3. How can the the invasion of the saltmarsh by pines, grasses or other exotics be arrested?

### **Background**

These issues and others were raised by the community at King's Point on Friday 11/11/16, during the course of an on-site meeting.

CL16.80

## CL16.81 Notice of Motion - Homelessness - Nowra Area

HPERM Ref: D16/356950

Submitted by: Cllr Greg Watson  
Cllr Andrew Guile

### Purpose / Summary

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

### Recommendation

That

1. Council form a Committee comprising three Nowra residents, two members from the Nowra Show Committee, a representative from the Homeless Hub, Nowra Police, two representatives of other Nowra Show Ground users (football and Cricket) and a representative of the Lands Department.
2. The committee objective is to make recommendations to council on how to deal with the issues being caused the casual uncontrolled camping

### Note by the General Manager

The Mayor's Homeless Taskforce is already established - outlined below are the outcomes along with clarifying information and current management arrangements.

#### **Taskforce Members:**

Representatives from

Council (Mayor/ Rangers/ Community Development/ Strategic Planning/ Directors)  
Social housing providers  
Police  
Residents  
Church groups ( food relief & outreach vans)  
Mental health providers  
Supported Accommodation providers

#### **Voucher**

A voucher has been prepared for use by the Homeless service providers. This is a 14 day voucher that shows a person is registered with a homelessness service and seeking sustainable housing. The voucher has some camping conditions on the back. The logo of both the service provider issuing the card and Council are on the front. It is the size of a business card. The first vouchers have been issued.

Those without a voucher who state they are homeless and not paying the camping fee are to be asked to register with a service.

The voucher provides some allowance for the circumstances of a homeless person and permits them to stay longer than the usual 14 days but still is capped at 50 days max in a 12 month period.

CL16.81

The voucher also lists some conditions of camping; eg no fires etc

Non registered people are asked to attend the SEC and pay the camping fee. If they do not register with a service and obtain a voucher or pay the fee are asked to relocate.

Those without a voucher who have paid a fee can stay for a 14 day period before they need to relocate.

### ***How long can someone camp at the showground?***

The Nowra Showground is classified as a primitive camping ground. This approval is subject to the conditions in clause 73 of the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Point (d) of the clause states: “a person is not permitted to stay in a moveable dwelling in a primitive camping ground for a total of more than 50 days in a 12 month period.”

Council is supportive of the needs of a person who finds themselves homeless however, Council is bound by the regulation and a person should not stay at the Showground for longer than 50 days.

### ***Email to residents***

A regular email is to be sent to residents who are members of the taskforce as per the discussion at the taskforce meeting. This commenced several weeks ago.

### ***Fires***

The lighting of fires is not permitted in the Nowra Showground. Rangers are enforcing this regulation. Those who light fires are at risk of being asked to relocate from the showground.

### ***Security Patrols***

There is now an additional security patrol drive through of the area past midnight.

### ***Nowra Show***

The Nowra Show Society require control of the showground from 27 January to 19 February 2017 inclusive. During this time there can be no camping at the showground.”

### ***Homelessness Protocol***

- The protocol exists to ensure people who are homeless in a public place are not discriminated against due to their homeless status i.e. they are given the same respect as any other member of the community;
- The protocol does not restrict Council enforcing any regulation
- The aim of the Protocol is to ensure that homeless people are treated respectfully and appropriately and are not discriminated against on the basis of their homeless status. The Protocol is not law and does not override or in any way affect any existing laws.
- The Protocol does not override existing laws nor does it reduce the powers of organisations or their authority to enforce laws or regulations. The Protocol exists to provide guidance for public officials when interacting with homeless persons in public places.
- The Protocol does not apply so that a homeless person is exempt from paying any fees within a Council owned camping facility or is exempt from any regulations regarding maximum stay periods in camping areas. In these circumstances it would be within Council's right to exercise its usual power or function if the person in question was not considered a homeless person.
- If a homeless person were lighting fires in areas where fires were prohibited or in a manner that posed a health and safety risk to the homeless person, other persons or property, Council would be within their right to take any appropriate action and that action would be the same action as they would take if the person were a non-homeless person.



***The Rangers***

The Rangers visit the showground every day in pairs, sometimes twice a day. The rangers have collected information from those that are staying there, to be able to demonstrate actual need

At present, we rely on the Rangers implementing the camping and other enforcement rules. The police are assisting with after-hours matters if required.

Rangers are liaising every day with police and as recently as this Wednesday they spoke with Inspector Cockram at Nowra regarding who was still there, who had moved and were packing up ready to move by Friday. Our Rangers attended at 9am and recorded all present and spoke to most people there. The continued interaction was reinforcing the need to seek alternative accommodation through the homeless hub, as all camping would be stopped later in the year due to the impending holiday season and Nowra show. An unattended inflatable pool was emptied and has been removed from the camp site by rangers.

***Federal and State Politicians***

The local federal and state members attend the Mayoral homelessness task force. The recent federal govt. homelessness reforms have seen the amount of funding in the Shoalhaven LGA reduced for services and beds for young people, men, women and children. Overall funding has actually increased, however this funding has been awarded to Illawarra services to deliver, so the Shoalhaven suffer with a reduction in the area of actual on the ground bed and service. Funding for supported accommodation is desperately needed from state & federal governments to reduce homelessness.

***Increasing crime incidents in nearby streets.***

The local Police have been made aware of the nearby residents concerns. The Police are also aware and concerned at the apparent attraction of the Nowra Showground for some persons from outside the Shoalhaven region. Rangers have experienced some issues/confrontation with a person suffering serious mental health issues however it was not necessarily their homelessness that caused the confrontation.

Many departments of council and council resources are working together for short, medium and long term solutions. Short term is all of the above. Medium and long term include the start of developing an affordable housing strategy & investigating a Tiny Homes project. Continuous housing of homeless persons within the Showground precinct is not considered a medium-long term solution. Council is in a good position to advocate to both state and federal governments on this issue. Residents support in this matter could also reinforce the need for more services and funding in the Shoalhaven LGA.

## **CL16.82 Notice of Motion - Public Transport - Shoalhaven Area**

**HPERM Ref:** D16/356965

**Submitted by:** Cllr John Levett

### **Purpose / Summary**

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

### **Recommendation**

That the General Manager provide a report on the availability of any Shoalhaven wide public transport strategy that would integrate present and future cycle ways, bus routes and train arrivals and departures. And also report on the availability of State Government funding to assist with the establishment of such a network.

### **Note by the General Manager**

Council has an Integrated Transport Strategy that was launched 24 August 2000, as well as PAMP and Bike Plan strategies that have further evolved and are also currently being integrated.

CL16.82

## **CL16.83 Notice of Motion - Biodiversity Conservation Bill - Local Land Services Amendment Bill**

**HPERM Ref:** D16/357022

**Submitted by:** Cllr John Levett

### **Purpose / Summary**

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

### **Recommendation**

That Council

1. Notes that the NSW Govt has now introduced its Biodiversity Conservation Bill and its Local Land Services Amendment Bill to the New South Wales Parliament together with information about proposed land clearing codes.
2. Urges the Government to delay these Bills pending a reassessment of their intention and urges the Legislative Council to instigate an inquiry into land use in NSW with a view to developing biodiversity laws that are science based and follow the principles of generational equity. The Council also urges the Members for South Coast and Kiama to support their colleague, Bruce Notley-Smith in his opposition to the legislation.

### **Background**

This Council considers these laws to be a backward step as they wind back many long held environmental protections in NSW. These law changes will lead to increases in land clearing with a consequent reduction in habitat for native flora and fauna. The Local Land Services Amendment Bill replaces the Native Vegetation Act but its provisions are less stringent and evidence based which is likely to result in a significant increase in land clearing in NSW. This gives rise to concerns about land stability, erosion, water quality and carbon emissions.

The proposed scheme relies heavily on "offsetting" biodiversity impacts rather than preventing them and the legal requirement to "improve or maintain biodiversity values" is being removed. There is no recognition of climate implications and the Bills do not meet the stated aims of the Biodiversity Legislation Review. The role of the Environment Minister is reduced and there is a lack of detail in the legislation with regard to monitoring, compliance and enforcement and the role that local government may play in this. The new laws contradict existing policy and conservation efforts, don't satisfy the broader public interest, and fail to take into account the Federal Environment Protection and Biodiversity Conservation Act and the need for landholders to comply with that Act.

The Council notes that in spite of recent claims by the Baird Government that the Bills are based on sound scientific principles, they have been condemned on scientific grounds by the Royal Zoological Society of NSW and the Wentworth Group of Concerned Scientists. Recently the eminent scientist Dr Hugh Possingham resigned from the Biodiversity Legislation Review Panel in protest at the inadequacies of the proposed legislation. Bruce Notley-Smith, the member for Coogee in the Baird Government has written to the Premier expressing his concern that "these reforms could lead to further irreversible land degradation and endangerment of native wildlife habitat".

## CL16.84 Report of the Strategy & Assets Committee - 15 November 2016

HPERM Ref: D16/359978

### SA16.14 Meeting Times for Council & Committees

HPERM Ref:  
D16/332293

#### Recommendation

That Council

1. Adopt a schedule of meeting dates as per the attached schedule providing:
  - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:
    - i. Week 1 – Development Committee;
    - ii. Week 2 – Strategy and Assets Committee;
    - iii. Week 3 – Ordinary Meeting.
  - b. Meetings and briefings not being held during the following periods:
    - i. Christmas break, including the first Two (2) weeks of January 2017
    - ii. Easter break;
    - iii. Australian Local Government Association General Assembly - 18 to 21 June 2017;
    - iv. The first Two (2) weeks of July 2017
    - v. Local Government Association Conference - 4 to 6 December 2017.
2. Determine the start time for Council and Committee meetings to be generally at 5.00 pm.
3. Schedule Councillor Briefings on Mondays & Thursdays OR at 4pm on Tuesday meeting days
4. Schedule the meetings of Advisory Committees & Boards on Monday, Wednesday or Thursday to be determined at the 1<sup>st</sup> meeting of each.

### SA16.16 Ulladulla Harbour Berthing Facility Project Funding

HPERM Ref:  
D16/350140

#### Recommendation

That

1. Council accept the offer of a grant from the Community Development Grant Programme operated by the Australian Department of Infrastructure and Regional Development for the sum of \$789,742 towards the establishment of a small berthing facility within Ulladulla Harbour and the General Manager be authorised to enter into the necessary contracts to receive the grant
2. Council thank the Member for Gilmore for her assistance in obtaining the grant
3. Council vote the grant monies received for the construction of the berthing facility within Ulladulla Harbour
4. Council thank NSW Crown Lands and the NSW Minister for Primary Industries for

CL16.84

- making available \$400,000 towards the project for deepening of the rock shelf within the Harbour
5. Council staff commence negotiations to prepare an agreement with Crown Lands to secure tenure over the area within Ulladulla Harbour for the purposes of developing the berthing facility; and authorise the General Manager to sign any documentation required to give effect to this resolution.
  6. Council vote an additional \$400,000 from the Economic Development Reserve towards the construction of the berthing facility
  7. Council staff commence preparation of an operations and management agreement and advertise by way of an Expression of Interest for an operator to manage the facility on behalf of Council and a separate report be presented to Council following closure of the EOI
  8. Council staff establish a fee structure for berths and seek expressions of interest from persons wishing to “lease” a berth, when available and a separate report be submitted to Council following closure of the EOI.

**SA16.19 Acceptance of Grant Funding - Veolia Mulwaree Trust - \$25,000 -Plantation Point Exercise Equipment**

**HPERM Ref: D16/339363**

**Recommendation**

That Council

1. Thank the Veolia Mulwaree Trust and accept the grant of \$25,000 (inclusive of GST) for the delivery of exercise equipment at Plantation Point Vincentia.
2. Nominate the Mayor or a Councillor to accompany a staff member to the Veolia Mulwaree Trust Grant Presentation on Thursday 24 November in Goulburn.

**SA16.22 Integrated Emergency Management Centre Master Plan and Electrical Supply at Albatross Road - IEMC**

**HPERM Ref: D16/290450**

**Recommendation**

That Council

1. Adopt the Integrated Emergency Management Centre Master Plan (reference number S1/1k); and
2. Allocate a budget of \$135,000 funded from the Strategic Projects Reserve for the balance of costs for a new electrical substation and associated works.

**SA16.23 NSW Government Safer Roads Program - Approved Projects 2016/17**

**HPERM Ref: D16/315000**

**Recommendation**

That Council thanks the Minister for Roads and writes a letter of thanks to RMS and accepts the grant funding offers as follows:

1. \$340,000 for construction of safety improvements on Culburra Road (from CH0.00-1.03km east of Coonemia Road) including shoulder widening and sealing, guardrail, signage and delineation improvements
2. \$5,000 for survey and design investigations for safety improvements on Bolong Road (from east of Broughton Creek to south of Askeaton Park)

CL16.84

3. \$5,000 for survey and design investigations for safety improvements on Bolong Road (from north of the Coolangatta Road intersection to north of the Bolong Road/Gerroa Road intersection)
4. \$5,000 for survey and design investigations for safety improvements on Currarong Road (from CH 7.7-11.5km, including the intersection of Currarong Road and Lighthouse Road)

**SA16.25 Property Lease - 11 Lamonds Lane, Nowra - Lot 3 DP868373**

**HPERM Ref: D16/309588**

**Recommendation**

That Council:

1. Approve the grant of a new lease agreement with Dorothy Curnow for a term of three (3) years with a further option of three (3) years for the continued use and occupation of 11 Lamonds Lane, Nowra (Lot 3 DP868373) at an initial annual rental of \$19,219.43 plus GST, increased annually by CPI with a review to market at the commencement of the option period.
2. Authorise the General Manager to execute the lease agreement and affix the Seal of the Council of the City of Shoalhaven to any documentation requiring to be sealed.

**SA16.26 Acquisition of Easement for Drainage - 19 Nirimba Ave Sanctuary Point**

**HPERM Ref: D16/318684**

**Recommendation**

That

1. In accordance with the Local Government Act 1993 and Land Acquisition (Just Terms Compensation) Act 1991, Council resolve to acquire an Easement for Drainage 1.83m wide including swale drain over Lot 2407 DP216525 at Sanctuary Point, as shown by hatching on the copy of DP216525 marked Attachment 1.
2. Council pay compensation of \$18,000, excluding GST, and reasonable legal costs associated with the acquisition from Job No 85001.45694
3. The Mayor and General Manager be authorised to execute any documents that require execution and affix The Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed.

**SA16.27 Proposed Leasing of 81 Osborne Street Nowra**

**HPERM Ref: D16/320554**

**Recommendation**

1. That Council resolve to enter into a lease agreement with Shoalhaven Neighbourhood Services (SNS) for a subsidised rental (90.91%) for a period of 5 years with a 5 year option
2. That the General Manager be authorised to finalise the lease terms that may or may not yet be determined and to sign any documentation necessary to give effect to this Resolution.

CL16.84

**SA16.28 Proposed Road Closure of Part of Piscator Ave  
Currarong and sale to William & Elaine McLaughlin  
and consolidation with Lot 3 DP700672****HPERM Ref:  
D16/332622****Recommendation**

That:

1. Council resolves to make an application to the Minister administering the Roads Act 1993, for the part of Piscator Avenue, Currarong shown by hatching on Attachment "1" to be closed and sold to the owners of the adjoining Lot 3 DP700672, William and Elaine McLaughlin.
2. Upon closure, the land within the closed road is to be consolidated with the adjoining land being Lot 3 DP700672;
3. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution;
4. Council authorise the sale of the closed road to William and Elaine McLaughlin for \$18,000 (plus GST if applicable); and
5. All costs associated with the road closure are to be met by William and Elaine McLaughlin.

**SA16.29 Acquisition of Land for Matron Porter Drive Pathway  
- Part Lot 12 DP807589 - 13 Sungrove Lane****HPERM Ref:  
D16/336966****Recommendation**

That Council rescind part MIN16.732 (2) and pay compensation of \$62,000 plus GST (based on the area of 2,358m<sup>2</sup>), legal and valuation costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 from Matron Porter Drive SUP budget job number 85583.

**SA16.34 Tenders - Water Meter Reading Services****HPERM Ref:  
D16/327570****Recommendation**

That the Committee consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993

**SA16.35 Tenders - Vincentia Tower Redevelopment****HPERM Ref:  
D16/346001**

Clr White - pecuniary interest declaration – left the room and took no part in discussion or voting.

**Recommendation**

That the Committee consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CL16.84

**SA16.38 Acquisition of Easement for Water Supply at Terara**

**HPERM Ref:  
D16/319958**

**Recommendation**

That Council

1. Acquire an Easement for Water Supply 3 wide over Lot 1 DP579451 at Millbank Rd, Terara, as shown by hatching on plan marked Attachment '1';
2. Council extinguish an existing Easement for Water Supply marked 'D' as shown on DP579451 that has been made redundant, as shown on plan marked Attachment '2';
3. Council pay compensation of \$8,500 (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 Water Fund;
4. If necessary, the compensation be adjusted in accordance with the area of the easement to be acquired determined by final survey;
5. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

**SA16.39 Extinguishment of Water Supply Easement - 6  
Mount Vista Close Falls Creek**

**HPERM Ref:  
D16/325611**

**Recommendation**

That Council

1. Extinguish the Easement for Water Supply 4.57 wide over Lot 17 DP258913 at Berry, as shown by hatching on extract of that deposited plan marked 'Attachment A'.
2. Costs to extinguish the easements are to be met from Shoalhaven Water's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

**SA16.40 Acquisition of Easements for Water Supply at  
Wason Street Ulladulla**

**HPERM Ref:  
D16/336427**

**Recommendation**

That

1. Council resolve to acquire the following easements at Ulladulla:
  - a. An Easement for Water Supply variable width over Lot 22 DP576042 from Antonio Capogreco as designated (A) on copy of plan marked Attachment '1', and
  - b. An Easement for Water Supply 0.1 wide over Lot 11 DP856300 from Antonio Capogreco and Rosa Capogreco designated (B) on copy of plan marked Attachment '1'.

The acquisitions to be undertaken under the Local Government Act 1993.

2. Council pay compensation of \$2,000 for each easement, total \$4,000, 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 Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CL16.84



**SA16.41 Research Grant Proposal - University of Wollongong****HPERM Ref:  
D16/346129****Recommendation**

That Council agree to partner (through Shoalhaven Water) with the University of Wollongong on the ARC Linkage Grant proposal for an integrated data concentration system for sewerage reticulation networks.

CL16.84

## **CL16.85     Report of the Shoalhaven Arts Board - 16 November 2016**

**HPERM Ref:**     D16/359440

**AB16.2     Shoalhaven Arts Board Grants 2016/17**

**HPERM Ref:**  
**D16/345438**

### **Recommendation**

That the following Shoalhaven Arts Board grants be awarded:

1.    \$7,000 to the Callala Bay Progress Association for their public art project 'Traditional Log Installation'
2.    \$5,000 grants to the following applicants :
  - a.    Dos Enos for the production of a music video called 'Far Meadow Blues'.
  - b.    Jervis Bay and Basin Arts for their 'Shared Pathways project.

CL16.85

## CL16.86 Report of the Youth Advisory Committee - 16 November 2016

HPERM Ref: D16/359807

Attachments: 1. Draft Terms of Reference [↓](#)

### YA16.3 Youth Advisory Committee Terms of Reference

HPERM Ref:  
D16/343804

#### Recommendation

That the Youth Advisory Committee endorse the final version of the Terms of Reference and recommend to Council for adoption.

### YA16.4 Additional Item from Minutes - International Youth Awards

HPERM Ref:  
D16/358669

#### Recommendation

That the Committee highly recommends that Council consider:

1. Hosting the International Youth Day Awards via the Youth Advisory Committee on 12 August 2017 with the same award categories and same format (stand-up cocktail)
2. That a budget of \$3,600 be considered in the next Quarterly Review for this event.

#### Note by the General Manager:

*The budget of \$3,600 needs to be included in the 2017/18 Budget.*

CL16.86



**City Administrative Centre**  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

**Southern District Office**  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Website: [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

For more information contact the Corporate & Community Services Group

## Policy - Terms of Reference - Youth Advisory Committee

**Policy Number:** POL16/64 • **Adopted:** *[Click here to enter date]* • **Minute Number:** *[Click here to enter Minute number]* • **File:** 1506E • **Produced By:** Corporate & Community Services Group • **Review Date:**

### 1. STATEMENT

Shoalhaven City Council has a Youth Advisory Committee whose objective is to represent the interests and views of young people to Council and the Community.

### 2. PURPOSE

- a) To represent the interests and views of young people to Council and the Community
- b) To provide an opportunity for young people to discuss issues of concern to young people
- c) To provide a mechanism for young people to make representations to organisations and various spheres of Government requesting appropriate action to improve facilities and services available to young people
- d) To give young people experience in Local Government and community affairs
- e) To create greater awareness and appreciation within the general community of the needs and talents of young people
- f) To provide a mechanism for young people to address youth issues themselves.

### 3. TERMS OF REFERENCE

#### 3.1 Relationship to council

The Youth Advisory Committee is an Advisory Committee with delegated authority.

#### 3.2 Delegated Authorities

Act within adopted budgets aligning with council's strategic plans and documents to deliver youth programs and activities that meet the needs of local young people.

#### 3.3 Membership

- a) A maximum of 26 youth members, comprising 18 students aged 15yrs and over from local high schools, be appointed as members;
- b) A maximum of 5 students may be elected from each local high school, however only a maximum of 2 students from each school may attend and vote at any meeting;

*Shoalhaven City Council – Title*

- c) A maximum of 8 young people, aged between 15 and 24yrs, from the community and/or Youth Services be appointed as members;
- d) Councillors of Shoalhaven City Council are members of Youth Advisory Committee and therefore can vote; other interested people may attend as support and observers but are not able to vote on motions. The Youth Advisory Committee may also call on other people to attend the meetings as required.

**3.4 Quorum**

The quorum to be 6 members

**3.5 Meetings**

- a) The Youth Advisory Committee meet quarterly and convene additional meetings when required;
- b) Meetings to be held on a week day during school terms between 10 am - 12 pm;
- c) A Guest Speaker be invited to attend Committee meetings; and
- d) Set agendas & minutes of the meetings will be undertaken by Executive Support staff, but will not necessarily have a business paper, unless there are Council issues to report to Youth Advisory Committee etc.

**3.6 Code of Conduct**

Meetings be conducted in an informal manner, but still within Council's "Code of Meeting Practice" Policy.

**4 REVIEW**

To be conducted annually at the Youth Advisory Committee Planning Day.

## CL16.87 Code of Conduct Complaints - Annual Statistics Report - 1 September 2015 - 31 August 2016

HPERM Ref: D16/356168

**Group:** Corporate & Community Services Group  
**Section:** Human Resources, Governance & Customer Service

### Purpose / Summary

This report is submitted in accordance with Clause 12.1 of the *Procedures for the Administration of the Code of Conduct* which requires that statistics concerning complaints made about Councillors and the General Manager be reported to Council within 3 months of the end of September each year.

### Recommendation

That the report of the General Manager concerning complaints under the Code of Conduct for the period 1 September 2015 to 31 August 2016, be received for information

### Options

1. That the Report be received for information as recommended.

Implications: This would meet the requirements under the Local Government Act.

2. The report be accepted in accordance with the Code of Conduct Procedures and additional recommendations made.

Implications: Any further recommendations would need to be in accordance with the provisions of the Local Government Act and the Procedures for the Administration of Code of Conduct Complaints.

### Background

One (1) complaint under the Code of Conduct in relation to the conduct of One (1) Councillor was received for the period 1 September 2015 to 31 August 2016. That matter was referred to a Conduct Review and remains unresolved at the conclusion at the statistical period.

Statistics of the complaints received in accordance with Clause 12.1 and provided in the format required by the Office of Local Government are as follows:

#### Model Code of Conduct Complaints Statistics Shoalhaven City Council

Number of Complaints		
1	a The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	1
	b The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	0

CL16.87

Overview of Complaints and Cost			
2	a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	0
	b	The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	0
	c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>	1
	d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
	e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	0
	g	The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>	0
	h	The number of finalised complaints investigated where there was found to be <b>no breach</b>	0
	i	The number of finalised complaints investigated where there was found to be <b>a breach</b>	0
	j	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
	k	The number of complaints being investigated that are <b>not yet finalised</b>	0
	l	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	\$2,543
Preliminary Assessment Statistics			
3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:		
	a	To take no action	0
	b	To resolve the complaint by alternative and appropriate strategies	0
	c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	0
	d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
	e	To investigate the matter	0
	f	To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0
Investigation Statistics			
4	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:		
	a	That the council revise its policies or procedures	0
	b	That a person or persons undertake training or other education	0
5	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:		

a	That the council revise any of its policies or procedures	0
b	That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	0
c	That the subject person be counselled for their conduct	0
d	That the subject person apologise to any person or organisation affected by the breach	0
e	That findings of inappropriate conduct be made public	0
f	In the case of a breach by the GM, that action be taken under the GM's contract for the breach	0
g	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	0
h	In the case of a breach by a councillor, that the matter be referred to the Office for further action	0
6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	0
Categories of misconduct		
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	0
b	Conflict of interest (Part 4)	0
c	Personal benefit (Part 5)	0
d	Relationship between council officials (Part 6)	0
e	Access to information and resources (Part 7)	0
Outcome of determinations		
8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

The total cost of dealing with Code of Conduct complaints received in the reporting period, including staff costs, was approximately \$ 2,543. This includes as required the estimated cost of staff time in dealing with this matter to date and the Conduct Reviewer's costs within the reporting period being \$1,143.

Council is required to provide the statistics as outlined in this report to the Office of Local Government in accordance with clause 12.2 of the Procedures for the Administration of the Code of Conduct.

CL16.87



**Community Engagement**

No specific community engagement is required other than advising the public of Code of Conduct complaints via this annual reporting requirement of the Code of Conduct Procedures. The Office of Local Government publishes the statistics once

**Policy Implications**

Council is required to provide the statistics as outlined in this report to the Office of Local Government in accordance with clause 12.2 of the Procedures for the Administration of the Code of Conduct.

**Financial Implications**

As a general rule, the costs involved with handling complaints involving Councillors which are resolved by the General Manager by alternative means, are estimated at approximately \$900 each, but that can increase if the resolution involves greater complexity or multiple Councillors or if the matter is referred to a Conduct Reviewer.

## CL16.88 Negotiations - Provision of the Management & Operations of the Ulladulla Civic Centre 2016/19

HPERM Ref: D16/343101

**Group:** Corporate & Community Services Group  
**Section:** Recreation Community & Culture

### Purpose / Summary

To inform Council of the outcome of negotiations and to determine the future management arrangements for the operation and management of the Ulladulla Civic Centre following the Councillor Briefin on 20 October 2016, and to seek approval to consider as a confidential business item.

### Recommendation

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

### Options

1. That Council consider this matter as a confidential business item

Implications: That there will be no disclosure of information that could be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

2. That Council decline to consider the matter as confidential business item

Implications: That there may be a disclosure of information that could reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

3. Council provide further direction to staff and propose an alternative.

Implications: These are currently unknown.

### Background

The tender process for the provision of management and operations of the Ulladulla Civic Centre was unsuccessful in finding an acceptable tender.

This was reported to Council on 26th July 2016 and Council adopted MIN16.608.C that:

- a) *In accordance with Section 178(i)a of the Local Government Regulation 2005 Council decline to accept any tender.*
- b) *In accordance with Section 178(3)e delegate authority to the General Manager (Director of Corporate & Community Services) to enter into negotiations with Milton Ulladulla Ex Servos Club Ltd with a view to entering into a contract*

- c) *In accordance with Section 178(4)b Council enters into negotiations in relation to the specific management requirements to achieve best value for Council.*
- d) *In the event that negotiations are not successful Council manage the Centre itself;*
- e) *The recommendation remain confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act (1993), until negotiations are final.*

The Director of Corporate & Community Services and key Council staff met with representatives from the Milton Ulladulla Ex-Servos Club Ltd to negotiate a mutually acceptable and beneficial arrangement for the management of the Ulladulla Civic Centre.

A report on this matter was submitted to Council's Ordinary Meeting on 4<sup>th</sup> October and Council adopted MIN16.712C:

*That the matter of Negotiations - Provision of Management & Operations of the Ulladulla Civic Centre 2016/19 be deferred to a Councillor briefing for further discussion.*

The briefing took place on 20<sup>th</sup> October and this report is now being resubmitted to Council for determination.

Further details are contained in the separate confidential report.

### **Community Engagement**

This matter is considered to be a Local Area Low Impact issue as detailed in Council's Community Engagement Policy and Handbook and no community engagement has taken place.

### **Financial Implications**

Shoalhaven City Council considers the cost of operating the Centre in order to maintain an acceptable business benefit to Council and a return to the Contractor, that ensures the Centre is operated and maintained for Council and the community to the required industry standards.

## **CL16.89 Acceptance of Grant Funding - Copyright Agency Cultural Fund & Museums & Galleries of NSW - \$11,250 - Artist or Curator Residency Grant**

**HPERM Ref:** D16/356612

**Group:** Corporate & Community Services Group  
**Section:** Recreation Community & Culture

### **Purpose / Summary**

Seek Councils approval to accept \$11,250 (excl. GST) from Museums & Galleries of NSW for the delivery of an Artist in Residency Project in 2017.

### **Recommendation**

That Council

1. Accept the grant of \$11,250 (excl GST) for the delivery of the Artist Residency project at the Shoalhaven Regional Gallery
2. Delegate authority to the General Manager, or nominee, to accept the grant funding and acquittal of funds
3. Write and thank the Copyright Agency Cultural Fund and Museums & Galleries of NSW

### **Options**

1. That Council accept the \$11,250 (Excl GST) from Museums and Galleries NSW for the delivery of the Artist in Residency program planned for 2017 with subsequent exhibition in 2018.

Implications: This will allow the Regional Gallery to undertake the proposed residency project which will provide an emerging artist the time and income to develop an artwork specifically for the Shoalhaven Regional Gallery.

2. Council provide an alternate resolution.

Implications: This may put the grant funding at risk and inhibit the ability of the Regional Gallery to deliver the project.

### **Background**

Each year the Copyright Agency Cultural Fund and Museums and Galleries of NSW support up to five (5) Artist or Curator Residency Projects across Australia. Each project is provided with a set amount of \$11,250 (excl. GST) for an artist or curator to work with a regional gallery to develop a project with an exhibition based outcome.

Shoalhaven City Council applied for an artist residency where emerging sound artist, Christopher Fulham would work with the Shoalhaven Regional Gallery to develop an

interactive sound artwork that would be displayed in 2018. The Artist will be in residence at the Shoalhaven Regional Gallery on 6 weekends throughout 2017 undertaking community engagement and workshops to help develop the sound artwork and encourage community awareness of the project.

The work will be developed in such a way that it strongly encourages interaction between visitors to the space as the responsive sound experience will be enhanced by multiple users interacting and working together. The workshops will explore the most common interactions of multiple users and ensure the artwork is programmed to respond to these and will get feedback from workshop participants to further the development of the artwork prior to installation in 2018.

### **Community Engagement**

The project is conceived to be developed through community engagement and interaction. The workshops run by the artist to develop the artwork will ensure the work responds to feedback and recommendations by the community, and that the concept and purpose of the artwork is understood by several members of the community through their engagement in the workshop process. By displaying the final artwork as part of the 2018 exhibition program further community engagement activities will be available through educational workshops with schools, general public programming and visitor interaction with the exhibition.

### **Financial Implications**

The Artist Residency project has been budgeted to fully expend the funding provided through the grant. The exhibition component will require additional funding, but this is fully budgeted for within the annual Arts Centre Projects budget (21585 / 10743) and will be expended in the 2017/18 FY.

As the grant allocation is for a project which carries through a calendar year, the unspent monies from the grant will need to be carried forward from the current Financial year to the 2017/18 Financial year to ensure the successful delivery of all aspects of the project.

## CL16.90 Quarterly Budget Review as at 30 September 2016

**HPERM Ref:** D16/336063

**Group:** Corporate & Community Services Group  
**Section:** Finance

**Attachments:** 1. September 2016 Quarterly Budget Review Statement (under separate cover) [⇒](#)

### Purpose / Summary

In accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to the council a budget review statement after the end of each quarter. This has been carried out for the first quarter of the 2016/17 financial year.

### Recommendation

That the September Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.

### Options

1. Adopt the recommendation

Implications: Nil

2. Not adopt the recommendation and make an alternative resolution

Implications: Nil

### Background

The budget review involves an analysis of Council's annual budget for each Group to determine whether any changes in votes are required for the period. This process has been undertaken for the period to 30<sup>th</sup> September 2016, and any changes have been reported in the Quarterly Budget Review Document. This report also analyses the progress of each group in achieving its financial objectives.

## Council's Funds

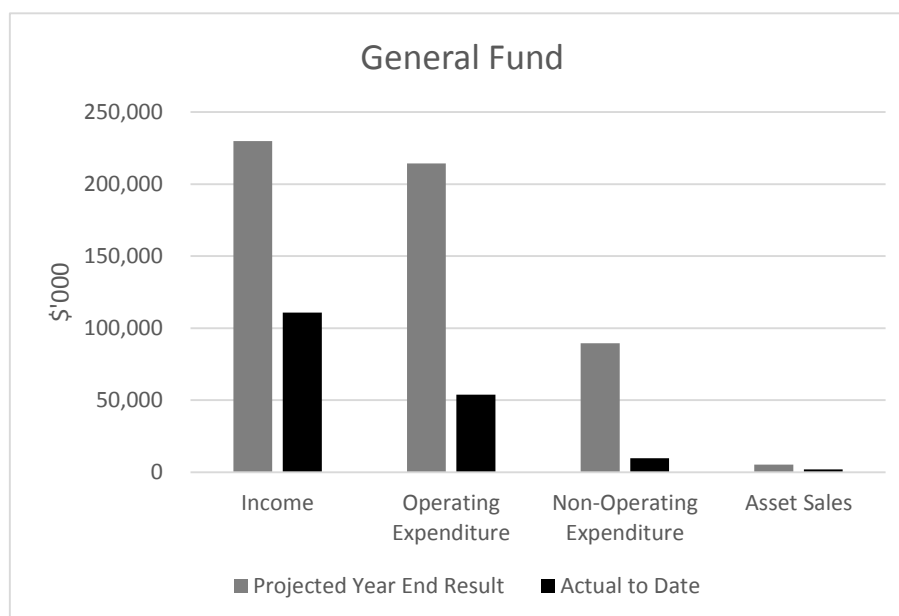
### General Fund

The budget adopted by Council produced an operating profit of \$2.7M after capital grants, an operating loss before Capital Grants and Contributions of \$14M, a reduction in our cash and

investments of \$14M and an unrestricted cash deficit of \$2.8M. The revotes carried forward and adjustments made in this quarterly review have resulted in the following:

	<b>Adopted Budget</b>	<b>Adopted Incl. Revote</b>	<b>Current Budget</b>	<b>Recommended Adjustments</b>	<b>Projected Year End Result</b>
Operating Result	2,766	5,017	7,527	7,908	15,435
Operating Result before Capital Grants and Contributions	(14,003)	(17,181)	(17,612)	6,003	(11,609)
Net Cash Movement	(14,394)	(27,706)	(27,190)	626	(26,564)
Unrestricted Cash Movement	(2,771)	(1,771)	(1,720)	540	(1,180)

The September Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and results to date.



## Income

As at 30<sup>th</sup> September, General Fund has achieved 48% of the revised budget. This is primarily due to the raising of rates revenue in full. Excluding rate income, General Fund has achieved 22.2% of the revised budget. The September Quarterly Budget Review Statement recommends an increase of \$7.5m. The major adjustments in the review are:

- \$1.15M for Fire Protection and Emergency Services – adjustment to approved capital grant income, offset by expenditure
- \$1.3M Grant income for Blackspot projects, offset by expenditure adjustments
- \$1.09M income expected in Waste area, offset by reserve movement
- \$403K income in Tourist Parks following service review
- \$660K income for additional rateable properties
- \$100K Heritage Estate Grant, offset by expenditure
- \$3.6M for Financial Planning – adjustment for Financial Assistance Grant, interest adjustment and Section 94 funds received

## Operating Expenditure

General Fund is on target with operating expenditure at 25% of the revised budget. The September Quarterly Budget Review Statement recommends a decrease of \$387K, made up of:

- \$991K of salary reductions following an analysis of leave patterns
- \$355K depreciation adjustment following revaluations
- \$92K reductions for Electricity usage
- \$50K for insurance reductions
- \$416K increase (net) to Buildings, Local & Regional Roads, Streetlighting and Parks
- \$276K increase in borrowing costs
- \$413K additional budget spread across Parks and Roads

## Non-Operating Expenditure

Capital Expenditure as at 30<sup>th</sup> September is 11% of the revised budget (excluding commitments). The September Quarterly Budget Review Statement recommends a budget increase of \$5.8M. This increase consists of:

- \$2.6M - plant and vehicle purchases, funded from the plant replacement reserve
- \$1.1M – Rural Fire Service buildings construction, funded from capital grants
- \$1.6M – road construction, funded from capital grants

## Asset Sales

Asset sales are at 37% of the revised budget, the recommended adjustment is an increase of \$1.4M for the sale of property.

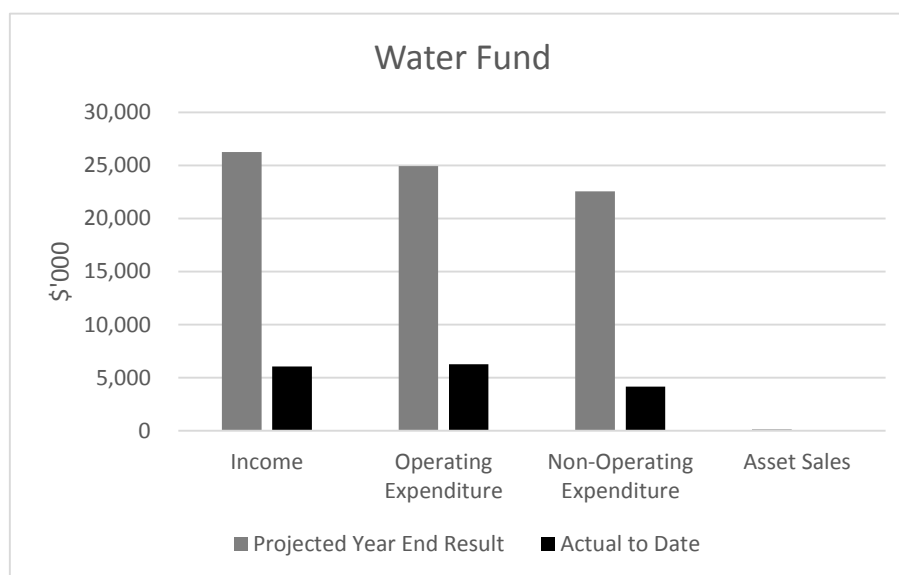
## Water Fund

The budget adopted by Council produced an operating profit of \$1M, an operating profit before Capital Grants and Contributions of \$26K and a reduction in cash and investments of \$13M. The revotes carried forward and adjustments made in this quarterly review have resulted in the following:

	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result
Operating Result	1,027	1,027	1,027	289	1,316
Operating Result before Capital Grants and Contributions	27	27	27	289	316
Net Cash Movement	(12,927)	(12,517)	(12,563)	42	(12,521)

The September Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and results to date.





### Income

As at 30<sup>th</sup> September, Water Fund has achieved 23% of the revised budget, there is an adjustment of \$25K for chargeable works.

### Operating Expenditure

Water Fund is on target with operating expenditure at 25% of the revised budget. The September Quarterly Budget Review Statement recommends a decrease of \$264K, this is a reduction of the proposed depreciation of \$289K, and an increase of \$25K from the income received.

### Non-Operating Expenditure

Capital Expenditure as at 30<sup>th</sup> September is 18% of the revised budget (excluding commitments), there are no adjustments recommended.

### Asset Sales

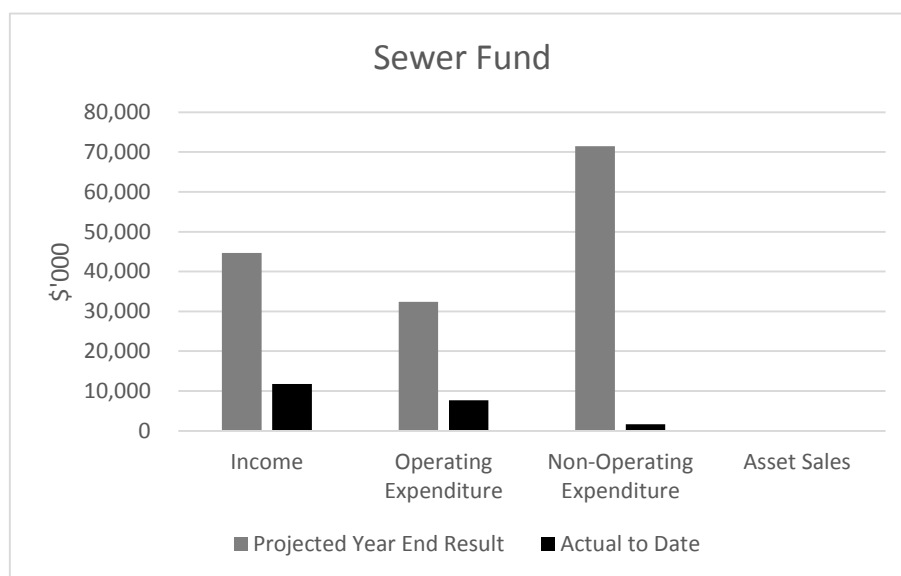
Asset sales is at 49% of the revised budget, there are no adjustments recommended.

### Sewer Fund

The budget adopted by Council produced an operating profit of \$12.2M, an operating profit before Capital Grants and Contributions of \$11.2M and a reduction in cash and investments of \$6M. The revotes carried forward and adjustments made in this quarterly review have resulted in the following:

	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result
Operating Result	12,247	12,247	12,247	62	12,309
Operating Result before Capital Grants and Contributions	11,247	11,247	11,247	62	11,309
Net Cash Movement	(6,484)	(9,500)	(9,500)	38	(9,462)

The September Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and results to date.



### Income

As at 30<sup>th</sup> September, Sewer Fund has achieved 26% of the revised budget, there is an adjustment of \$10K recommended for chargeable private works.

### Operating Expenditure

Sewer Fund is slightly below target with operating expenditure at 24% of the revised budget. The September Quarterly Budget Review Statement recommends a decrease of \$52K in the depreciation budget.

### Non-Operating Expenditure

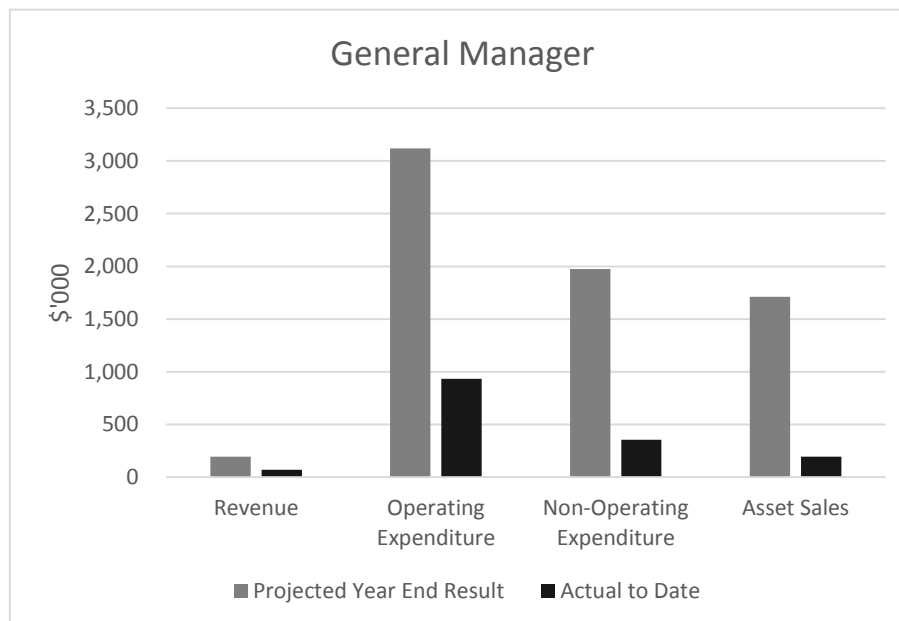
Capital Expenditure as at 30<sup>th</sup> September is 2% of the revised budget (excluding commitments). This is due to the contract for the significant REMS project being awarded in September and expenditure on the project is yet to occur.

### Asset Sales

Asset sales is at 53% of the revised budget, there are no adjustments recommended.

## Council's Groups

### General Manager's Group



The recommended budget changes, revised budget and result to date for the General Manager's Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

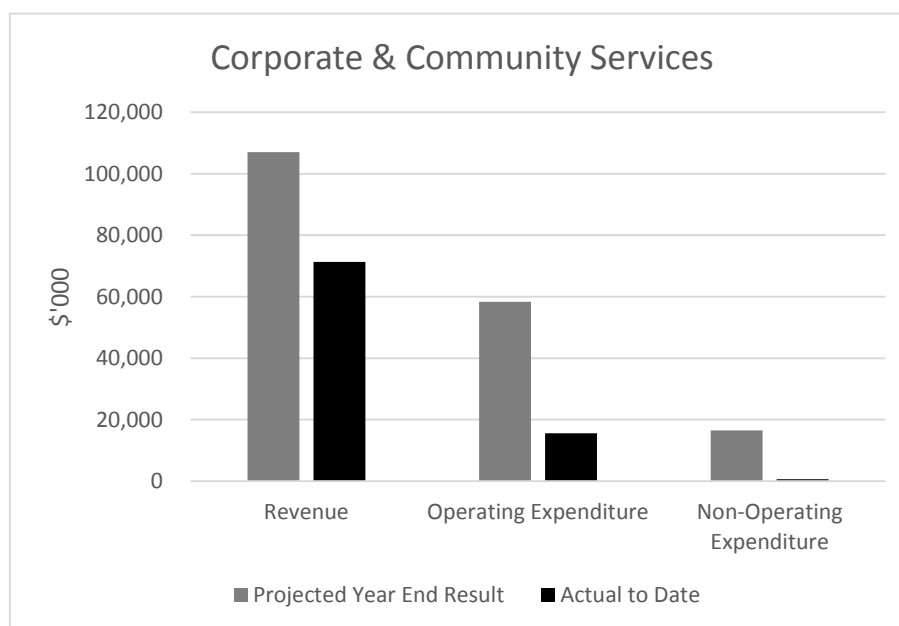
	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result	Actual to Date	%
Revenue	453	453	453	(259)	194	69	36%
Operating Expenditure	2,859	3,190	3,190	(70)	3,120	934	30%
Non-Operating Expenditure	2,220	2,220	2,220	(245)	1,975	356	18%
Asset Sales	1,710	1,710	1,710	0	1,710	194	11%

### **General Manager's Comments:**

There are no budget issues of concern to raise at the 1<sup>st</sup> quarter.

CL16.90

### Corporate and Community Services



The recommended budget changes, revised budget and result to date for the Corporate and Community Services Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result	Actual to Date	%
Revenue	103,090	103,090	103,173	3,844	107,017	71,308	67%
Operating Expenditure	55,736	56,800	56,790	1,513	58,303	15,581	27%
Non-Operating Expenditure	12,367	15,966	15,924	566	16,490	638	4%

#### **Group Director's Comments:**

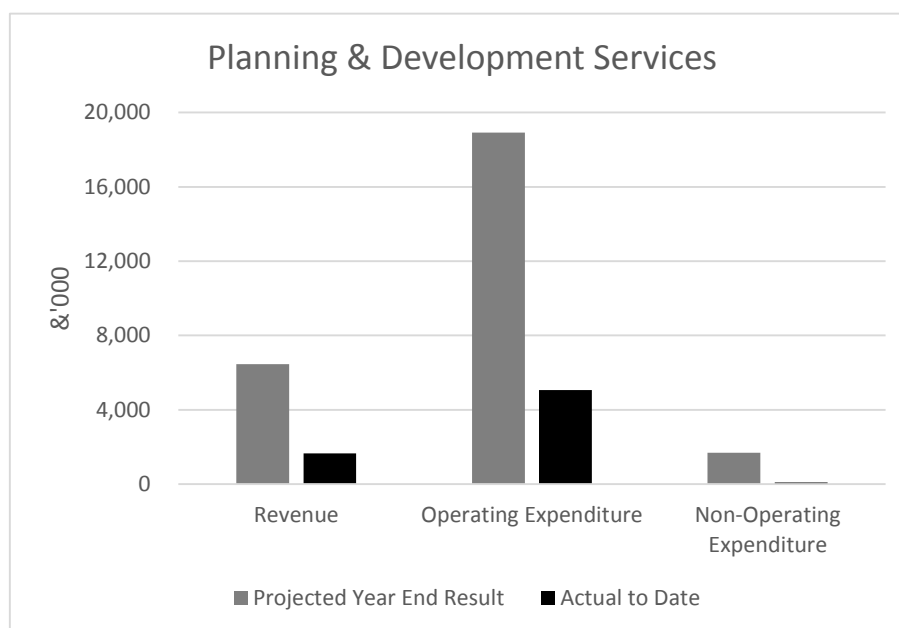
The group's income has changed due to a variety of factors. Additional rates revenue from the increase in rateable properties, \$74K adjustment to the Financial Assistance Grant as well as additional Section 94 received. There has also been an internal adjustment in Parks for works done for other Council business units. The internal income has been offset by expenses.

The group's expenditure has changed due to a reduction in salaries, stemming from a focus on encouraging staff to reduce their leave balances; changes to the depreciation rates following revaluations, increase to the parks budget following service review with roads and redefining roles under the asset custodian / service provider model. Budgeted loans & loan interest have been amended. Borrowings for Jerberra Estate which were partly budgeted for draw down in 16/17 financial year were drawn down early, as well as additional borrowings of \$100K recommended in this review for a Generator at the Crematorium, and MIN16.640 approving \$100K loan borrowings for carparking in the CBD.

The capital expenditure is low due to delays with the Shoalhaven Indoor Sporting Complex. The timing of the spend will be revisited during the December Quarterly Budget Review.

CL16.90

**Planning and Development Services**



The recommended budget changes, revised budget and result to date for the Planning and Development Services Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result	Actual to Date	%
Revenue	6,165	6,209	6,227	227	6,454	1,660	26%
Operating Expenditure	16,696	18,420	18,992	(74)	18,918	5,058	27%
Non-Operating Expenditure	901	1,390	1,833	(148)	1,685	101	6%

**Group Director's Comments:**

Revenue is tracking slightly above expectations, which is reflective of continued strong development activity. Expenditure is slightly lower than anticipated as a number of vacant positions are currently being recruited. Capital expenditure is on track.

CL16.90

Small Lot Rural Subdivision

<b>REZONING INVESTIGATIONS</b> <b>Updated 30th September 2016</b>			
	<b>Jerberra</b>	<b>Verons</b>	<b>Nebraska</b>
<b>Funding</b>			
Loan Funded	350,000	150,000	200,000
Loan Funded (transferred from Road Design)		12,968	
Special Rates (from construction)		5,213	
Special Rates (from construction) (returned)		-5,213	
Strategic Planning Consultants Budget		25,000	
Previous Contributions (Pre 1996)	0	2,571	0
Transfer to Road Construction	-55,049		
	<b>294,951</b>	<b>190,539</b>	<b>200,000</b>
<b>Expenditure</b>			
Salaries	157,224	32,614	48,929
Consultants	123,636	157,396	61,876
Other	14,091	1,942	4,700
<b>Commitments in 2016/17</b>	0	0	0
	<b>294,951</b>	<b>191,952</b>	<b>115,505</b>
<b>Variance</b>	<b>0</b>	<b>-1,413</b>	<b>84,495</b>

CL16.90

<b>ROAD DESIGN AND INVESTIGATIONS</b>			
<b>Updated 30th September 2016</b>			
	<b>Jerberra</b>	<b>Verons</b>	<b>Nebraska</b>
<b>Funding</b>			
Loan Funded	184,438	50,281	50,281
Transfer to road construction	-168,616	0	-22,800
Transfer to rezoning	0	-12,968	0
	<b>15,822</b>	<b>37,313</b>	<b>27,481</b>
<b>Expenditure</b>			
Salaries	0	0	0
Consultants	12,333	37,313	16,835
Other	3,488	0	0
<b>Commitments in 2016/17</b>	0	0	0
	<b>15,821</b>	<b>37,313</b>	<b>16,835</b>
<b>Variance</b>	<b>0</b>	<b>0</b>	<b>10,646</b>
<b>ROAD CONSTRUCTION</b>			
<b>Updated 30th September 2016</b>			
	<b>Jerberra</b>	<b>Verons</b>	<b>Nebraska</b>
<b>Funding</b>			
Loan Funded (from investigations)	168,616	0	22,800
General Fund	0	3,000	0
Strategic Projects (2008/09)	82,020	41,738	11,750
Special Rate Funded	232,640	124,952	71,076
Infrastructure Special Rate (Loan)	7,200,000	0	0
Transfer to Estate Rezoning		-5,213	
Transfer to Estate Rezoning (returned)		5,213	
Transfer from Estate Rezoning	55,049		
	<b>7,738,325</b>	<b>169,690</b>	<b>105,626</b>
<b>Expenditure</b>			
Salaries	50,282	33,432	5,569
Consultants	11,662	0	12,575
Other	329,031	146,554	79,996
<b>Commitments in 2016/17</b>	3,196,892	0	0
	<b>3,587,868</b>	<b>179,986</b>	<b>98,139</b>
<b>Variance</b>	<b>4,150,457</b>	<b>-10,296</b>	<b>7,487</b>

CL16.90

**Notes:**

Expenditure details will be updated quarterly.

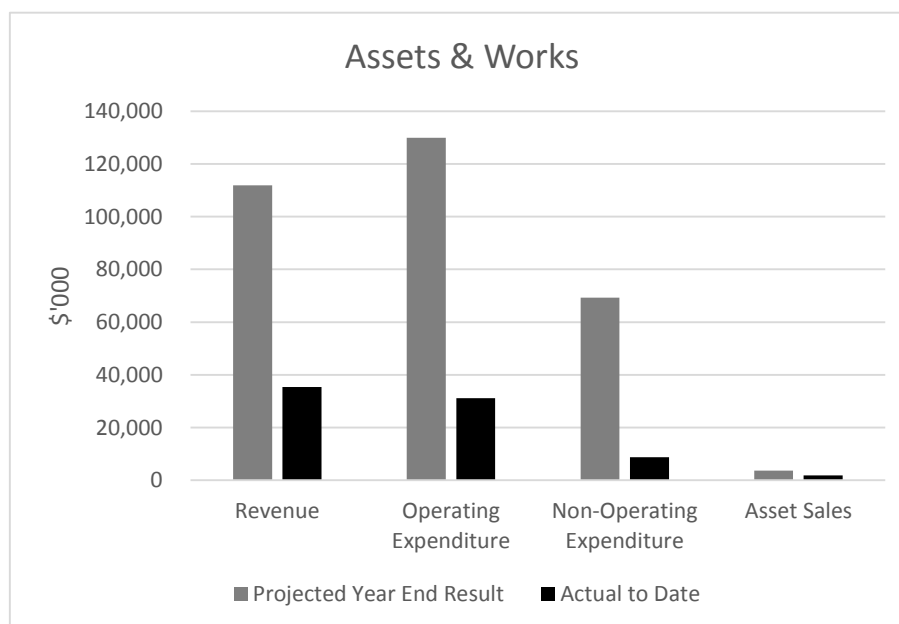
Upon completion of the rezoning investigations, any excess funding from rezoning investigations will be redirected to road investigations and construction for the relevant Estate at the appropriate time. Options to address any negative variance values will be considered in the future. If necessary, funding may be transferred between the rezoning investigation, road investigation and road construction budgets for each Estate. Funding will not be transferred from one Estate to another.

Nebraska Estate: \$69,333 remains for progressing rezoning investigations.

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

Road investigations and construction: The balance of the roadwork design budget for Nebraska Estate for 2016/2017 is \$10,646. The balance of the construction budgets for Jerberra, Verons and Nebraska Estates for 2016/2017 are \$6.2M, (\$10,296) and \$13,519 respectively. The overspend in Verons will need to be recouped from the landowners at a later date.

**Assets and Works**



The recommended budget changes, revised budget and result to date for the Assets and Works Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.



	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result	Actual to Date	%
Revenue	100,107	105,572	108,467	3,494	111,961	35,322	32%
Operating Expenditure	131,492	131,635	131,635	(1,628)	130,007	31,187	24%
Non-Operating Expenditure	44,902	61,472	63,646	5,633	69,279	8,746	13%
Asset Sales	2,246	2,246	2,246	1,379	3,625	1,789	49%

#### Group Director's Comments:

Each Section of the Assets and Works Group operated close to budget within the 1<sup>st</sup> Quarter, with operational expenditure being on target at 24%. A number of large capital projects that were grant funded are on track for delivery including Turpentine Road and Flinders to Browns Road that was recently opened. A key project in the program is the upgrade of the Flinders Road and substantial changes to underground services and design reviews have led to delays in the commencement of road works. Another key project is the Shoalhaven Indoor Sports Centre which is currently being progressed with the redesign of the car park for bus movements and detailed work is underway to seek a construction certificate. The current risk to time and budget on the Sports Centre going forward is multiple packages of work that are to be co-ordinated as part of the construction management methodology, previously awarded to Zauner construction.

Bereavement Services, in terms of income, are performing ahead of expectations at the 1<sup>st</sup> Quarter Budget Review with income over budget. Additional funding of \$100K has been identified to be loan funded through the Quarterly review in order to provide a generator for back-up power supply for the Worrigee site.

Claims were submitted last year under the Natural Disaster Relief Recovery arrangements for costs incurred in the August 2015 rainfall and flood event. The incurred costs and restoration works have now been approved on the 27<sup>th</sup> of October with an additional offer of \$1.3million, in addition to the \$2.1million towards repairing Councils roads which was received in April.

#### Stormwater Levy

Spending against the Stormwater Levy is 15% of budget.

CL16.90

### Stormwater Levy Progress 2016/17

	Stormwater Levy Budget					Actual	Budget Remaining	% Spent
	2015/16 unspent	2016/17	Adjustment	Adjustment Notes	Current			
<b>Drainage Program</b>								
St Andrews Way Coolangatta Stage 2	\$123,345	\$0	\$0		\$123,345	\$0	\$123,345	0%
Katela Avenue Bomaderry	\$39,350	\$0	\$0		\$39,350	\$70,619	\$0	100%
Canal Improvements Sussex Inlt	\$115,841	\$0	\$0		\$115,841	\$6,106	\$109,736	5%
Mollymook Creek Stage 1 Mollymook	\$20,625	\$0	\$0		\$20,625	\$11,460	\$9,165	56%
Bannisters Head Rd Mollymook	\$21,384	\$0	-\$17,156	1	\$4,228	\$912	\$3,316	22%
Burrill St North Ulladulla	\$22,054	\$0	\$17,156	1	\$39,210	\$58,909	\$0	100%
Penguins Head Rd Culburra Bch	\$0	\$90,000	\$0		\$90,000	\$19,269	\$70,731	21%
The Park Dr Sanctuary Point	\$0	\$150,000	\$0		\$150,000	\$13,573	\$136,427	9%
Dowling St Ulladulla	\$22,781	\$0	\$0		\$22,781	\$0	\$22,781	0%
Wayfarer Dr Sussex Inlet	\$0	\$40,000	\$0		\$40,000	\$0	\$40,000	0%
Lackersteen St Callala Bay	\$0	\$100,000	\$0		\$100,000	\$4,711	\$95,289	5%
Orient Ave Orient Point	\$0	\$100,000	\$0		\$100,000	\$9,880	\$90,120	10%
James Cres Kings Point	\$0	\$150,000	\$0		\$150,000	\$14,313	\$135,687	10%
Old Berrara Rd Sussex Inlet	\$3,264	\$0	\$0		\$3,264	\$2,896	\$368	89%
Dacres St Vincentia Drainage	\$0	\$70,000	\$0		\$70,000	\$1,032	\$68,968	1%
Sussex Inlet Rd Sussex Inlet	\$0	\$75,000	\$0		\$75,000	\$0	\$75,000	0%
Central Ave South Nowra Drainage	\$0	\$245,000	\$0		\$245,000	\$0	\$245,000	0%
Greville Ave Sanctuary Point	\$8,000	\$0	\$0		\$8,000	\$0	\$8,000	0%
Sunset Strip Manyana	\$0	\$40,000	\$0		\$40,000	\$1,823	\$38,177	5%
River Rd Sussex Inlet Drainage	\$0	\$30,000	\$0		\$30,000	\$0	\$30,000	0%
<b>Total Stormwater Levy</b>	<b>\$376,645</b>	<b>\$1,090,000</b>	<b>\$0</b>		<b>\$1,466,645</b>	<b>\$215,502</b>	<b>\$1,302,111</b>	<b>15%</b>

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

1. Transfer from Bannisters Head Rd to Burrill Street.

### Group Director's Comments:

Katela Avenue, Bomaderry works are now complete and the Sussex Inlet Canal improvements have also recently been completed and funds are fully committed. Mollymook Creek works are nearing completion and the flooding has reduced. Burrill Steet North has also recently been completed with significant erosion issues addressed.

Works have also commenced in Orient Avenue, Orient Point to address concerns from overland flow from the neighbouring reserve.

### Special Rate Variation

Spending against the Special Rate Variation is 4% of budget.

CL16.90

### Special Rate Variation Progress 2016/17

	Special Rate Variation Budget					Actual	Budget Remaining	% Spent
	2015/16 unspent	2016/17	Adjustment	Adjustment Notes	Current			
<b>Drainage Program</b>								
Agars Lane Sealing	\$0	\$300,000	\$0		\$300,000	\$0	\$300,000	0%
Mollymook Beach Reserve Cycleway - Mitchell Pde	\$0	\$65,000	\$0		\$65,000	\$0	\$65,000	0%
Matron Porter Drive Shared User Path	\$32,293	\$160,000	\$0		\$192,293	\$4,478	\$187,815	2%
Coolangatta Road	\$0	\$1,200,000	\$0		\$1,200,000	\$5,749	\$1,194,251	0%
Jacobs Dr, Sussex Inlet	\$0	\$401,614	\$0		\$401,614	\$13,370	\$388,244	3%
Round The Bay Walk Callala Bay	\$130,888	\$0	\$0		\$130,888	\$398	\$130,491	0%
Orion Beach Walk	\$17,806	\$0	\$0		\$17,806	\$17,806	\$0	100%
Naval College Road	\$74,482	\$340,000	\$0		\$414,482	\$57,551	\$356,931	14%
<b>Total Special Rate Levy</b>	<b>\$255,470</b>	<b>\$2,466,614</b>	<b>\$0</b>		<b>\$2,722,084</b>	<b>\$99,352</b>	<b>\$2,622,731</b>	<b>4%</b>

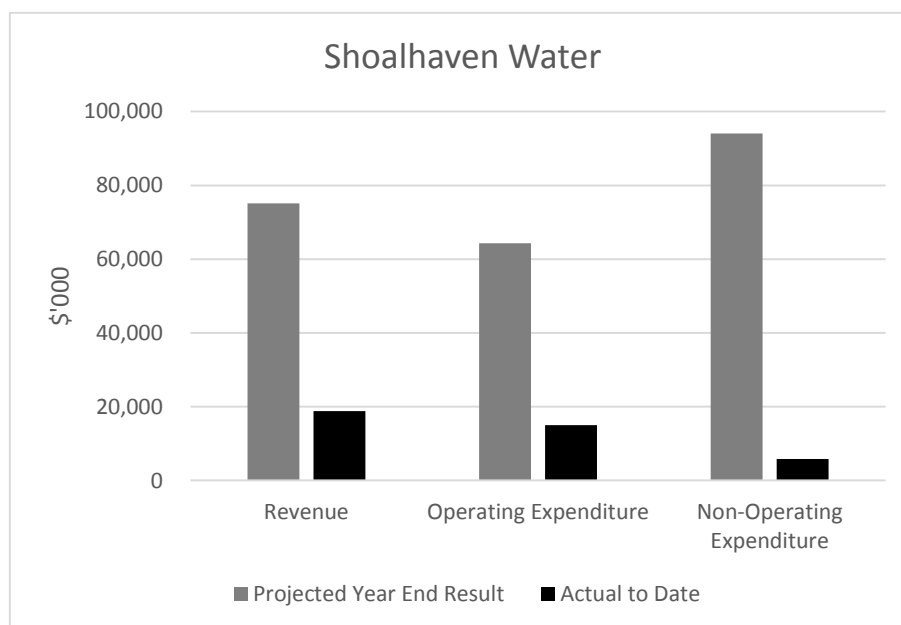
Note: - The projects may have other additional funding, but only the Special Rate Levy is included in this table

### Group Director's Comments:

Matron Porter Drive shared user path works continue, Naval College Road works have also been finalised by the contractor.

Jacobs Drive streetscape renewal Stage 1 has been designed and presented to the community and business chamber and it was well supported but the full scope including the second stage closer to the main channel is currently not funded.

### Shoalhaven Water



The recommended budget changes, revised budget and result to date for the Shoalhaven Water Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

	Adopted Budget	Adopted Incl. Revote	Current Budget	Recommended Adjustments	Projected Year End Result	Actual to Date	%
Revenue	74,885	74,885	74,885	250	75,135	18,780	25%
Operating Expenditure	64,771	64,771	64,771	(447)	64,324	14,981	23%
Non-Operating Expenditure	90,224	93,995	94,045	0	94,045	5,838	6%
Asset Sales	260	260	260	0	260	132	51%

#### Group Director's Comments:

The first quarter results are considered to be satisfactory. The revenue adjustment primarily relates to an adjustment in tower revenue and the operating expenditure reduction is largely attributed to adjustment in depreciation.

#### Financial Implications

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

CL16.90

## CL16.91 Investment Report - October 2016

**HPERM Ref:** D16/354227

**Group:** Corporate & Community Services Group  
**Section:** Finance

**Attachments:** 1. October 2016 Investment Report (under separate cover) [↗](#)

### Purpose / Summary

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

### Recommendation

That the Report of the General Manager (Corporate Services and Community Services Group) on the Record of Investments for the period to 31<sup>st</sup> October 2016 be received for information

### Options

1. The report on the Record of Investments for the period to 31<sup>st</sup> October 2016 be received for information

Implications: Nill

2. Further information regarding the Record of Investments for the period to 31<sup>st</sup> October 2016 be requested

Implications: Staff will need to prepare a further report to provide any information that is required.

3. The report on the Record of Investments for the period to 31<sup>st</sup> October 2016 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 30<sup>th</sup> November 2016.

Implications: Nill

### Background

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

Further comparisons and budget review is found below:

The interest earned for the month of October was \$571,760 which was \$380,334 above budget. The budget assumed an interest rate of 2.75%, the attached CPG report shows our current investment portfolio earning a return of 3.21%. This additional interest is also due to Council having a higher cash balance than was budgeted. The September Quarterly Budget Review recommends an increase in interest income of \$2,788,499 for General Fund.

## RECORD OF INVESTMENTS Cash and Investment Balances

	October 2016	September 2016
<b>Cash And Investments Held</b>		
Cash at Bank - Consolidated Account	\$7,396,514	\$10,742,424
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$43,190	\$28,470
Total Investments	<u>\$161,040,576</u>	<u>\$164,026,598</u>
	<b>\$168,481,520</b>	<b>\$174,798,731</b>
Fair Value Adjustment	\$82,384	\$81,395
Bank Reconciliation	<u>\$74,110</u>	<u>\$61,688</u>
	\$156,494	\$143,083
<b>Book Value of Cash and Investments</b>	<u><b>\$168,638,014</b></u>	<u><b>\$174,941,814</b></u>
<b>Less Cash &amp; Investments Held In Relation To Restricted Assets</b>		
Leave Entitlements & Workers Compensation Liability	\$9,699,179	\$9,656,010
Land Decontamination	\$1,578,176	\$1,584,484
Critical Asset Compliance	\$2,412,520	\$2,412,520
North Nowra Link Road	\$666,386	\$660,344
Other Internal Reserves	\$2,491,381	\$2,677,211
Section 94 Matching Funds	\$543,984	\$543,988
Strategic Projects General	\$6,111,892	\$5,951,611
Industrial Land Development Reserve	\$2,724,981	\$2,501,234
Plant Replacement	\$5,020,470	\$5,244,096
S94 Recoupment	\$2,339,552	\$2,339,647
Commitment To Capital Works	\$7,094,199	\$6,974,115
Strategic Property Acquisitions	<u>\$2,193,096</u>	<u>\$2,193,096</u>
<b>Total Internally Restricted</b>	<b>\$42,875,816</b>	<b>\$42,738,358</b>
Loans - General Fund	\$6,819,033	\$7,762,600
Grant reserve	\$1,364,736	\$4,370,613
Section 94	\$26,469,591	\$26,241,813
Storm Water Levy	\$244,704	\$458,761
Trust - Mayors Relief Fund	\$99,808	\$99,808
Trust - General Trust	\$2,896,965	\$2,901,635
Waste Disposal	\$9,652,503	\$10,674,826
Section 64 Sewer	\$0	\$0
Sewer Fund	\$29,450,565	\$31,884,671
Sewer Plant Fund	\$1,168,173	\$1,022,380
Section 64 Water	\$14,086,312	\$14,029,360
Water Fund	\$20,576,064	\$22,057,169
Water Communication Towers	\$1,013,983	\$1,013,983
Water Plant Fund	<u>\$756,397</u>	<u>\$705,617</u>
<b>Total Externally Restricted</b>	<b>\$114,598,833</b>	<b>\$121,223,234</b>
<b>Total Restricted</b>	<u><b>\$157,474,650</b></u>	<u><b>\$163,961,591</b></u>
<b>Unrestricted Cash And Investments</b>		
General Fund	\$11,163,364	\$8,980,223

CL16.91

There was a reduction in cash of \$6m, this was used to pay for expenditures on water, sewer, roads grant funded projects, waste management and loan funded projects.

**Certification – Responsible Accounting Officer:**

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



Pamela Gokgur  
Chief Financial Officer

**Financial Implications**

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

CL16.91

## CL16.92 Presentation of the Financial Statements 30 June 2016

**HPERM Ref:** D16/354695

**Group:** Corporate & Community Services Group  
**Section:** Finance

**Attachments:** 1. Annual Financial Statements 2015-16 (under separate cover) [⇒](#)

### Purpose / Summary

Council must present its audited financial reports, together with the auditor's reports, at a meeting of the council not more than five weeks after receiving the auditor's report.

### Recommendation

That the audited Financial Statements for the year ended 30th June 2016, together with the Auditor's Report, be presented to the public at the Ordinary Meeting of Council on 22<sup>nd</sup> November 2016.

### Options

1. The audited Financial Statements for the year ended 30th June 2016 are presented to the public

Implications: Nil

2. Further information regarding the Financial Statements be requested.

Implications: Staff will need to prepare a further report to provide any information that is required.

### Background

Council resolved on the 25th October 2016, that the audited Financial Statements and the Auditor's Report be presented to the public at this Council meeting. Public Notice of the presentation of the audited Financial Statements at this meeting was given in The South Coast Register on 9th November 2016. The public notice was in accordance with Section 418 of the Local Government Act 1993. Copies of the audited Financial Statements are available for inspection by members of the public at Council's Administration Buildings in Nowra and Ulladulla, at Council's Library Branches in Nowra and Sanctuary Point and available on Council's website. Any person can make written submissions to The General Manager with respect to the Statements within the next seven day period.

The audit reports were received on the 31st October 2016 from Council Auditors, Pitcher Partners. Council is required to present its Financial Statements to the public within five weeks of receiving the Audit Reports.

Council's auditor's, Pitcher Partners, have audited the financial statements for the financial year ending 30th June 2016 and have provided the Audit Reports and the Audit Conduct Report, these have been included in the Financial Statements. The Conduct of the Audit Report states that "Our audit of the financial reports for the year ended 30th June 2016 resulted in unqualified independent audit reports for Council's General Purpose and Special

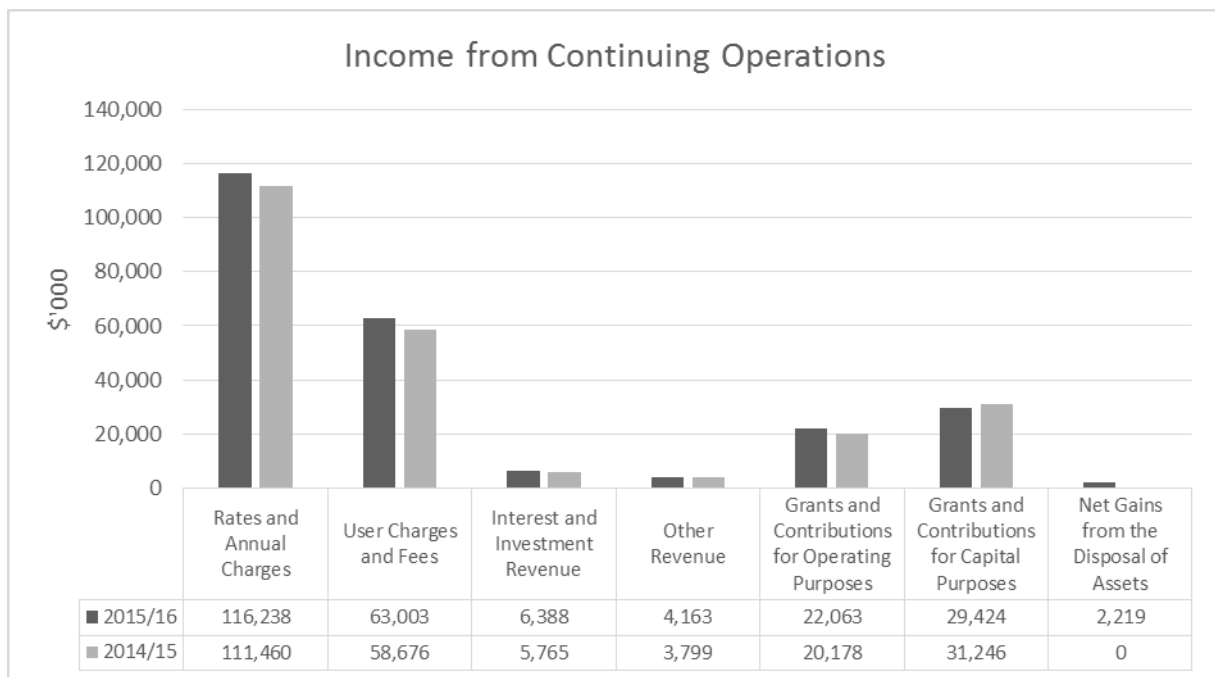


Purpose Financial Statements". The report also states that "Council has complied with all statutory reporting requirements relating to Division 2 of Chapter 12 of the Local Government Act 1993, the Code of Accounting Practice and Financial Reporting (Update 23), and other legislatively prescribed standards".

## Key Financial Results

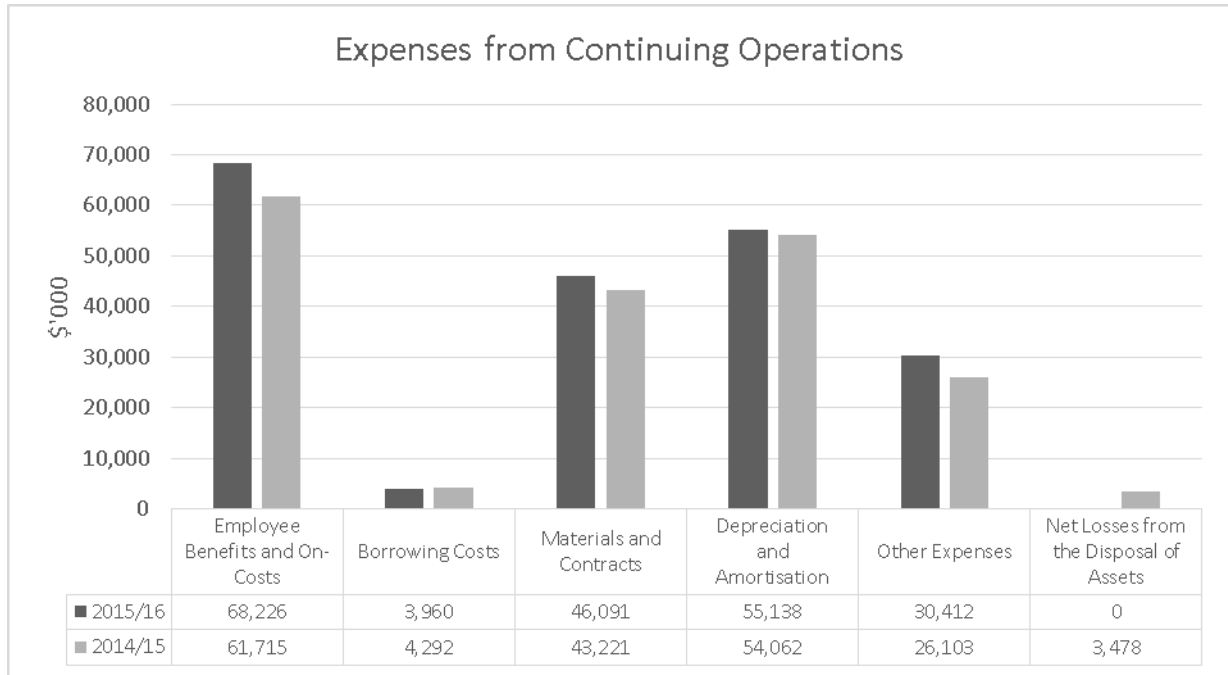
### General Purpose Financial Statements

#### Income Statement

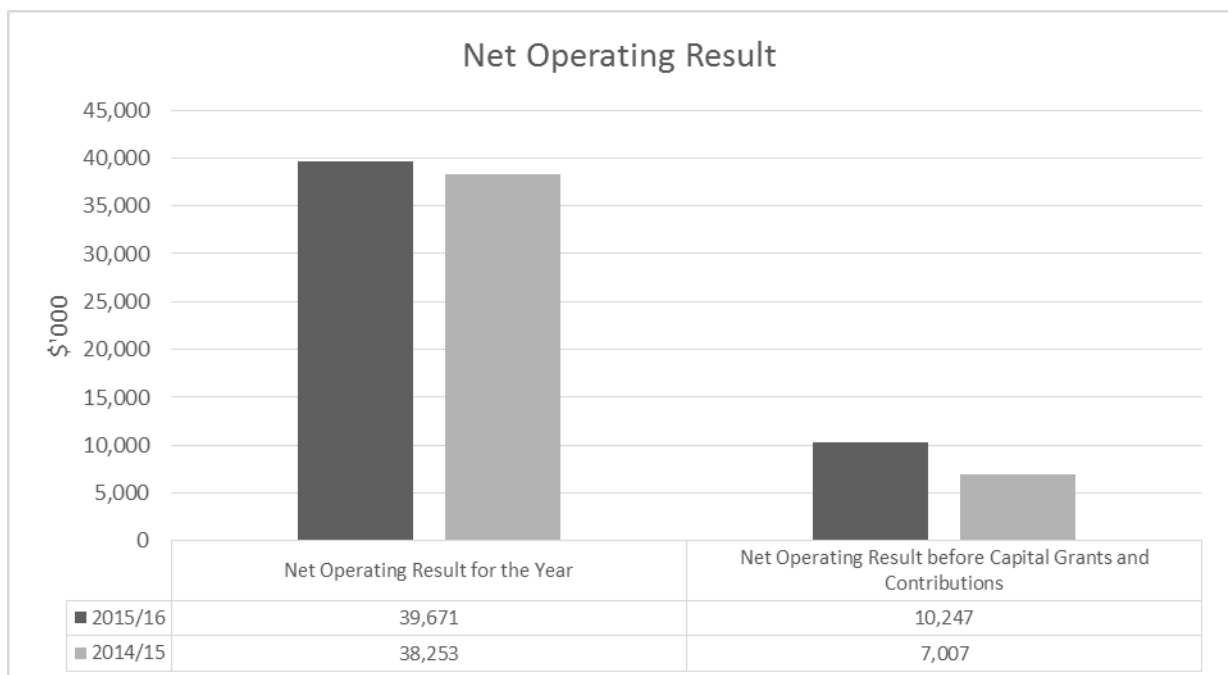


CL16.92

Council's revenue increased by \$12 million, \$5 million from rates and annual charges, \$4 million from user charges and fees and \$2.2 million from gains on disposals of assets. This includes a gain from receiving funds of \$4.2 million for the Grange Securities CDOs that had a previously reported market value of \$0, along with losses on property and plant of \$2.8 million plus a gain of \$0.7 million from real estate assets sold.

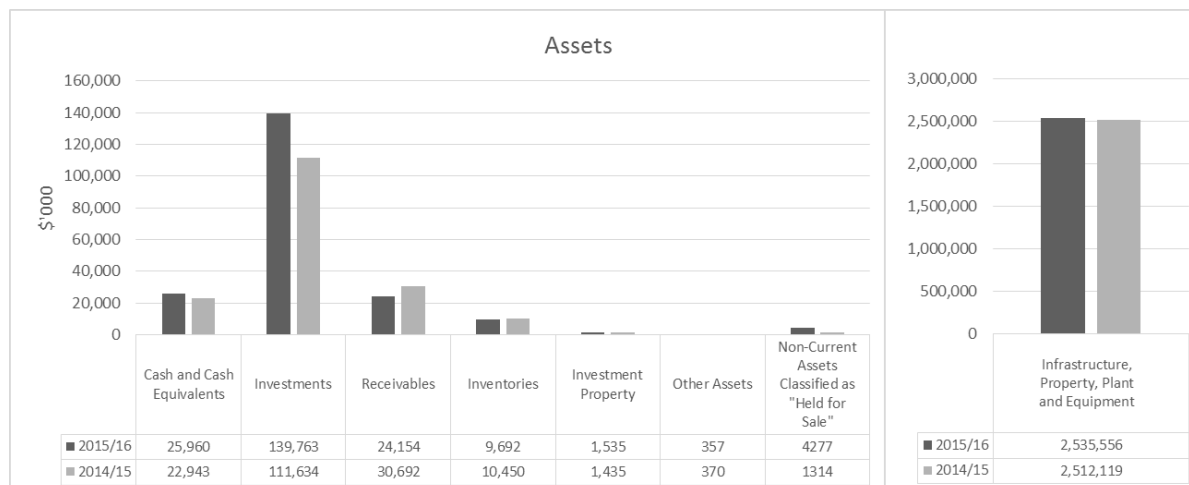


Council's Operating Expenditure increased by \$11 million, the largest movements being an increase in employee benefits and oncosts (\$6.5 million), with \$1.7 million from the discounting of the future employee leave entitlement, \$1.5 million for the award wage increase, \$1.5 million difference in the self insurance leave provision adjustment, \$500,000 for the wage increase for leave balances and \$400,000 increase in training and conference expense, predominately in water and waste areas. There has also been an increase of \$4.3 million in other expenses, with \$2.2 million being an increase in the EPA Waste Levy (this is recovered by the gate fees at the waste depots and the domestic waste charge).

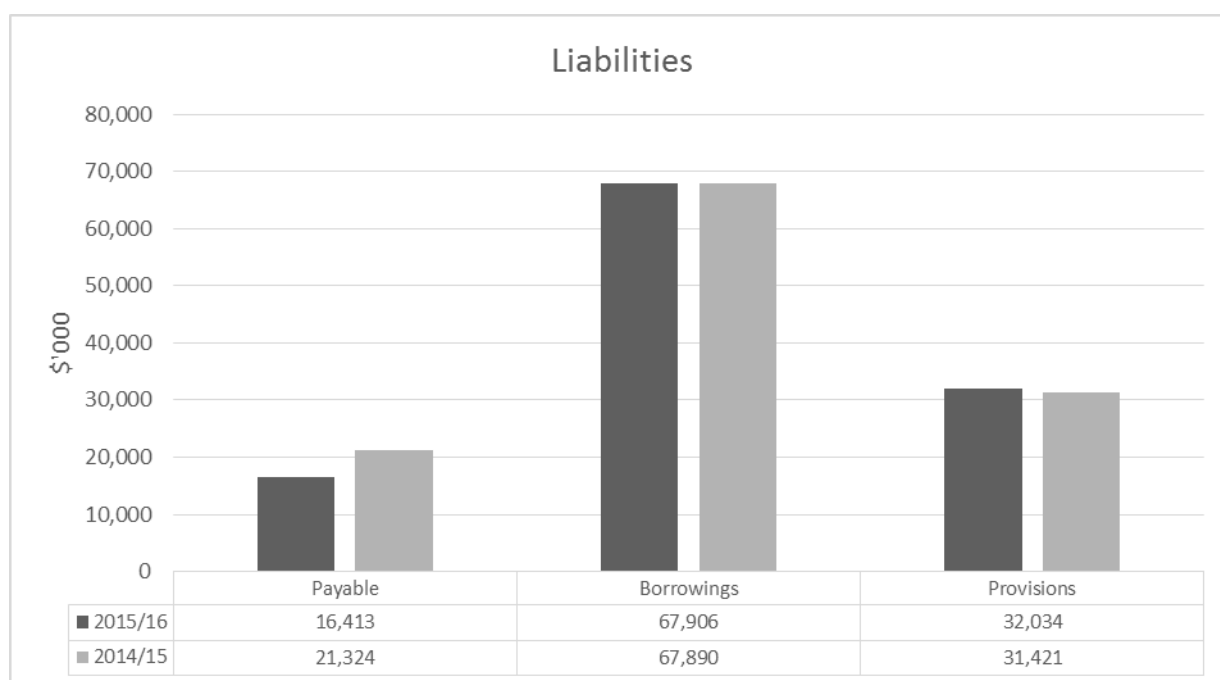


Council's Net Operating Result has improved slightly in 2015/16, if the funds received for the CDOs were not received the Net Operating Result would be less than the previous year's.

### Statement of Financial Position

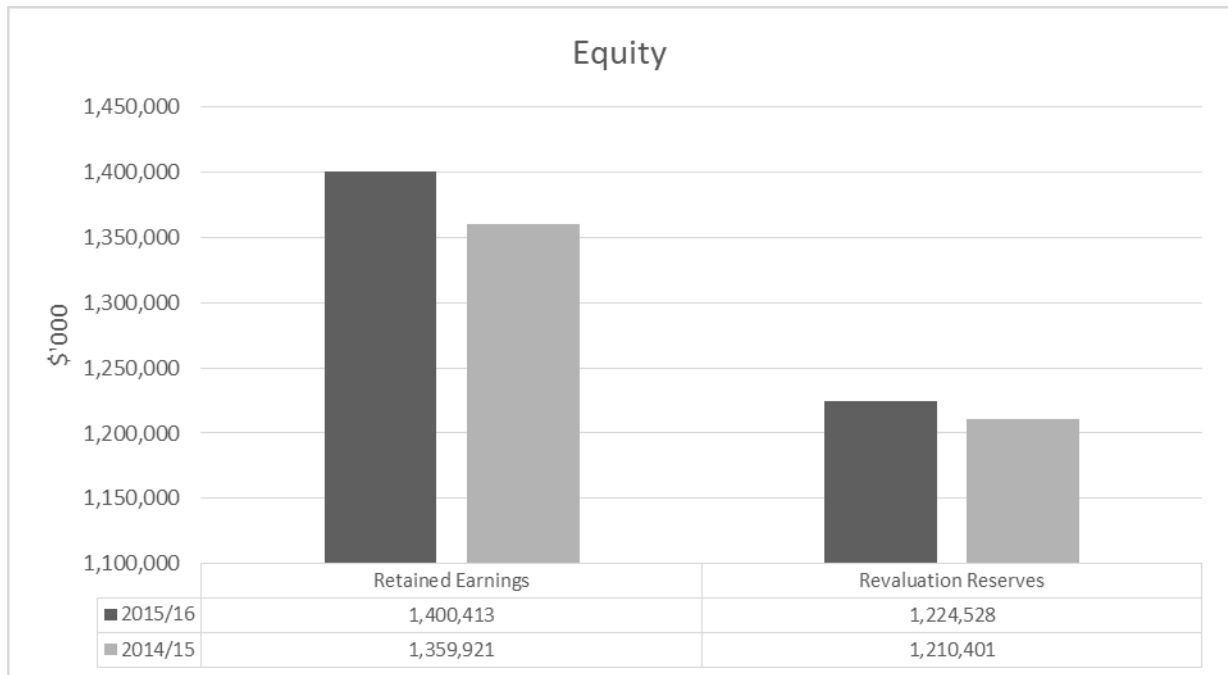


Council's assets increased by \$50 million, \$14 million is due to the revaluation of Council's other infrastructure assets. Cash and investments increased by \$31 million, this is made up of an increase in the externally restricted reserves of \$29 million (\$18 million sewer services, \$6.4M - developer contributions, \$4.5M - Unexpended Loans) and an increase in the internally restricted reserves of \$4M (\$2M – Industrial land development, \$1M – Plant Replacement Reserve). Receivables decreased by \$6.5 million, largely due a reduction in Grants due to Council.



CL16.92

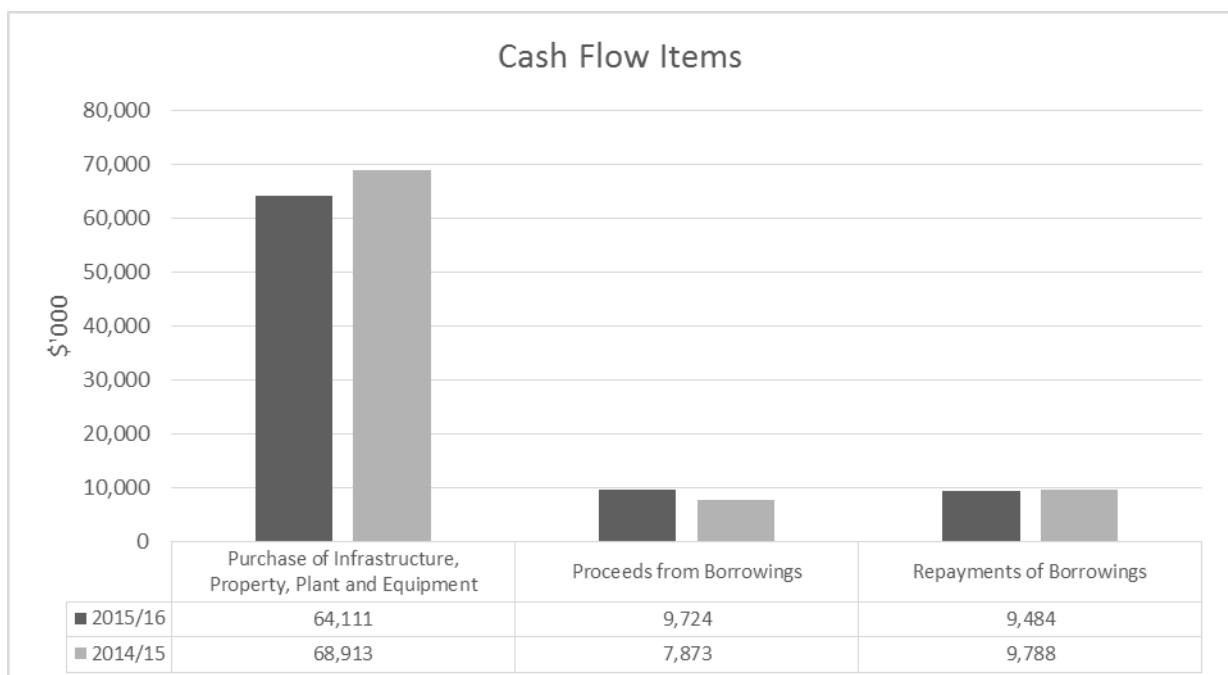
Council's Liabilities have decreased by \$4.3 million, this is due to a reduction in creditor payables with outstanding loan repayments and provisions remaining constant.



CL16.92

Council's equity increased by \$54.6 million, retained earnings increased by the consolidated profit made during the year (\$40.5 million) and the revaluation reserves increased by \$14.1 million.

### Statement of Cash Flows



The above items in the Statement of Cashflows include a decrease of \$4.8 million in the purchase of Infrastructure, Property, Plant and Equipment, an increase of \$1.85 million in new borrowings and a decrease in the repayment of borrowings of \$304,000.

### Note 13 - Statement of Performance Measures

Indicator	Benchmark		Consolidated	General Fund	Water Fund	Sewer Fund
Operating Performance Ratio	Greater than 0%	2015/16	3.8%	-5.1%	18.7%	25.8%
		2014/15	5.2%	-1.8%	18.5%	25.1%
Own Source Revenue	Greater than 60%	2015/16	78.7%	76.1%	92.6%	87.6%
		2014/15	77.8%	80.2%	84.2%	73.4%
Unrestricted Current Ratio	Greater than 1.5x	2015/16	2.1	1.9	21.3	4.4
		2014/15	1.7	1.7	10.3	2.6
Debt Service Ratio	Greater than 2.0x	2015/16	5.0	3.9	69.2	3.3
		2014/15	4.9	4.5	41.5	2.7
Rates, Annual Charges, Interest and Extra Charges	Less than 5%	2015/16	7.5%	5.0%	14.6%	11.4%
		2014/15	7.3%	5.6%	13.1%	9.9%
Cash Expense Cover Ratio	Greater than 3 months	2015/16	8.9 months	6.8 months	28.45 months	9.4 months
		2014/15	9.2 months	8.1 months	34.21 months	3.0 months

#### General Fund

Operating Performance Ratio - there was a worsening in this ratio with a result of -5.1%, this is below the benchmark of 0%.

Own Source Revenue - there is a decrease in this ratio due to additional grants received, the result of 76.1% is still above the benchmark of 60%.

Unrestricted Current Ratio - there was an improvement in this ratio to 1.9%, it is still above the benchmark of 1.5.

Debt Service Cover Ratio - this ratio decreased from 4.5 to 3.9 and is above the benchmark of 2. General Fund has sufficient operating funds to cover the cost of borrowing.

Rates, Annual Charges, Interest and Extra Charges Outstanding - the ratio has improved and has now reached the benchmark of 5%, this can be attributed to Council's policy on pensioner debt recovery, which has only recently been changed.

Cash Expense Cover Ratio - this has reduced to 6.8 months but is still above the minimum benchmark of 3 months, General Fund has enough cash to fund 6.8 months of operating expenditure.

#### Water Fund

Operating Performance Ratio - there was a slight improvement with a result of 18.7%, this is a strong positive result.

Own Source Revenue - there is an improvement in this ratio (result 92.6%) due a reduction in capital contributions and is still above the benchmark of 60%.

CL16.92

Unrestricted Current Ratio - there was an increase from 10.3 to 21.3, this was due to a decrease at year end of the current payables and loan balance. The result is above the benchmark of 1.5.

Debt Service Cover Ratio - this ratio improved from 41.5 to 69.2 and is above the benchmark of 2. Water fund's loan repayments are decreasing each year, with 2016/17 being the final year for repayments of their existing loans.

Rates, Annual Charges, Interest and Extra Charges Outstanding - the ratio is unfavourably above the benchmark of 5%. The reason for this unfavourable result is due to the timing of the invoicing, the accounts invoiced in June are outstanding but not due as at the 30<sup>th</sup> June. If this ratio was on overdue rates, the result will be 5.85% instead of 14.6%.

Cash Expense Cover Ratio - this has reduced slightly and is above the minimum benchmark of 3 months, Water Fund has enough cash to fund 28.5 months of operating expenditure.

### Sewer Fund

Operating Performance Ratio - there was a slight improvement with a result of 25.8%. This is a strong result, being above the minimum of 0%.

Own Source Revenue - there is an increase in this ratio (result 87.6%) due to a grant recognised for REMS the previous year. This is above the target.

Unrestricted Current Ratio - there was an improvement in this ratio (result 4.4) due to the increase in cash and investments.

Debt Service Cover Ratio - this ratio improved slightly from 2.7 to 3.3 and is above the benchmark of 2. This increase is due to some older loans finishing and no new borrowings in 2015/16.

Rates, Annual Charges, Interest and Extra Charges Outstanding - the ratio has reduced slightly but is still unfavourably above the benchmark of 5%. If the ratio was on overdue rates the result would be 4.58% rather than 11.44%.

Cash Expense Cover Ratio - this has improved and is still above the minimum benchmark of 3 months, Sewer Fund has enough cash to fund 9.4 months of operating expenditure.

Note 21 - Financial Result and Financial Position by Fund

Income Statement \$'000		General Fund	Water Fund	Sewer Fund
Income from Continuing Operations	2015/16	184,067	26,987	48,868
	2014/15	165,010	27,395	54,381
Expenses from Continuing Operations	2015/16	167,701	20,866	31,684
	2014/15	154,651	19,840	32,178
Net Operating Result	2015/16	16,366	6,121	17,184
	2014/15	10,359	7,555	22,203
Net Operating Result before Capital Grants and Contributions	2015/16	-6,103	4,663	11,687
	2014/15	-3,204	3,789	8,286

Balance Sheet \$'000		General Fund	Water Fund	Sewer Fund
Assets	2015/16	1,819,953	424,333	506,939
	2014/15	1,791,152	417,291	491,477
Liabilities	2015/16	90,416	1,188	34,680
	2014/15	87,067	2,766	40,240
Equity	2015/16	1,729,537	423,145	472,259
	2014/15	1,704,085	414,525	451,237

Council's Water and Sewer Funds resulted in a positive operating result before capital grants and contributions, the General Fund is still negative and the result declined from the previous year.

The balance sheets for all three funds are healthy with sufficient assets to cover the liabilities.

CL16.92

## Special Schedules

### Special Schedule 7 - Report on Infrastructure Assets - Performance Indicators

Indicator	Benchmark		Consolidated	General Fund	Water Fund	Sewer Fund
Building and Infrastructure Renewals Ratio	Greater than 100%	2015/16	59.4%	53.0%	110.5%	44.2%
		2014/15	55.5%	65.4%	42.2%	22.1%
Infrastructure Backlog Ratio	Less than 2%	2015/16	1.9%	3.1%	0.0%	0.0%
		2014/15	1.6%	2.6%	0.0%	0.0%
Asset Maintenance Ratio	Greater than 1x	2015/16	0.9	0.8	0.9	1.0
		2014/15	0.9	0.9	1.0	0.9

Building and infrastructure Renewals Ratio - there has been an improvement in this ratio overall, however for General Fund there has been a reduction in the measure. Council is committed to asset renewal and this ratio is expected to improve in future years, if funding is made available through rating.

Infrastructure Backlog Ratio - there has been a decline in this ratio, particularly with regard to General Fund.

Asset Maintenance Ratio – this ratio has remained the same at 0.9 for the consolidated accounts, but there has been a deterioration in General Fund and it is still below the benchmark of 1.

### Fit for the Future

Each year, the Office of Local Government requires information from the Financial Statements to be sent to them on their Financial Data Return. Additional information requested in the Financial Data Return included the calculation of the Fit for the Future measures including the actual results from 2015/16. Below is a summary table of what was originally submitted and what was sent on the Financial Data Return. Please note that the Fit for the Future measures are for Council's General Fund.

CL16.92



Indicator	Benchmark		2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Operating Performance Ratio	Greater than 0% over a three year period	Original Submission	-5.40%	-6.30%	-7.40%	-6.00%	-4.10%	-1.70%	0.10%
		Including 2014/15 & 2015/16 results	-5.40%	-4.20%	-5.20%	-3.80%	-3.80%	-1.70%	0.10%
Own Source Revenue	Greater than 60% over a three year period	Original Submission	81.90%	81.00%	79.40%	80.20%	82.60%	82.60%	97.30%
		Including 2014/15 & 2015/16 results	81.90%	81.20%	79.10%	80.00%	82.10%	86.00%	87.30%
Building and Infrastructure Asset Renewal Ratio	Greater than 100% over a three year period	Original Submission	61.60%	64.90%	70.60%	56.30%	58.90%	62.40%	55.60%
		Including 2014/15 & 2015/16 results	61.60%	68.60%	72.70%	58.60%	57.80%	62.40%	66.50%
Infrastructure Backlog Ratio	Less than 2%	Original Submission	3.60%	0.90%	0.90%	0.90%	0.90%	0.90%	1.00%
		Including 2014/15 & 2015/16 results	3.60%	2.60%	3.10%	3.20%	3.30%	3.40%	3.40%
Asset Maintenance Ratio	Greater than 100% over a three year period	Original Submission	91.00%	95.80%	78.90%	80.40%	79.70%	82.00%	73.70%
		Including 2014/15 & 2015/16 results	91.00%	98.40%	80.70%	81.90%	80.30%	81.40%	83.10%
Debt Service Ratio	Between 0% and 20% over a three year period	Original Submission	5.70%	6.00%	5.50%	6.30%	5.90%	5.70%	4.80%
		Including 2014/15 & 2015/16 results	5.70%	6.00%	5.50%	6.20%	5.90%	5.70%	4.80%
Real Operating Expenditure per Capita	A decrease in Real Operating Expenditure per capita over time	Original Submission	1,434	1,469	1,452	1,428	1,422	1,417	1,400
		Including 2014/15 & 2015/16 results	1,434	1,404	1,461	1,428	1,422	1,417	1,400

The results from 2015/16 are generally less favourable than the 2014/15 financial year results but are similar to what was originally projected.

## Community Engagement

The presentation of the Financial Statements has been advertised, inviting the community to attend and write a submission.

## Financial Implications

The 2015/16 financial year has seen mixed outcomes in the financial results, position and performance measures, there are both improvements and declines across Council.

CL16.92

## CL16.93 Release of Indemnity Guarantee

HPERM Ref: D16/341412

**Group:** Corporate & Community Services Group  
**Section:** Finance

### Purpose / Summary

To gain approval for the Mayor and Deputy Mayor to sign and seal a Release of Indemnity Guarantee from ANZ Banking Group in relation to a previously cancelled guarantee, which was never acted on by the bank.

### Recommendation

That the Mayor and Deputy Mayor sign under Council seal the Release of Indemnity Guarantee from ANZ Banking Group in favour of Northview Pty Ltd.

### Options

1. The Mayor and Deputy Mayor sign under Council seal the Release of Indemnity Guarantee from ANZ Banking Group Limited in favour of Northview Pty Ltd.

Implications: The Bank Guarantee **can** be released to Northview Pty Ltd

2. The Mayor and Deputy Mayor do not sign the Release of Indemnity from ANZ Banking Group Limited

Implications: The Bank Guarantee **cannot** be released to Northview Pty Ltd.

### Background

In December 2010 Northview Pty Ltd entered into a Bank Guarantee in favour of Shoalhaven City Council in relation to a bond for incomplete works on a Pathway in Gordon Street, Milton for the amount of \$33,657.80. Council cancelled this Bank Guarantee in December 2012 with ANZ Banking Group Limited. Recent communication with Ramsey Health has revealed that the cancellation of the Bank Guarantee was never received by the bank and therefore was not cancelled as requested. The only way to resolve this matter is to sign and seal a Release of Indemnity Guarantee from ANZ Banking Group.

## CL16.94 Ratepayer Advance - 209 - 221 Walmer Ave Sanctuary Point

**HPERM Ref:** D16/337547

**Group:** Assets & Works Group  
**Section:** Works & Services

### Purpose / Summary

The purpose of this report is to advise and gain Council's approval for the amount of contribution to be recovered, from the owner of land adjoining a public road, towards the costs incurred by Council in constructing kerb and guttering along a public road adjacent to the land, in accordance with Section 217 of the Roads Act 1993. (POL12/240).

### Recommendation

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. FR & PR Elphinstone of 209 Walmer Ave, Sanctuary Point in respect of Kerb and Gutter construction to the value of \$7,344.36 (advance) of which \$ 2515.56 (Including \$22 GST) is the contribution, \$4,828.80 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$ 6,036.00.
2. Lynda Wild of 211 Walmer Ave, Sanctuary Point in respect of Kerb and Gutter construction to the value of \$7,344.36 (advance) of which \$ 2515.56 (Including \$22 GST) is the contribution, \$4,828.80 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$ 6,036.00.
3. Deren Pty Ltd of PO Box 266, Cronulla (213 Walmer Ave) in respect of Kerb and Gutter construction to the value of \$5,568.77 (advance) of which \$1,947.17 (Including \$22 GST) is the contribution, \$3,621.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,527.00.
4. TJ & LC Marlow of 215 Walmer Ave, Sanctuary Point in respect of Kerb and Gutter construction to the value of \$5,326.77(advance) of which \$1,705.17 is the contribution, \$3,621.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,527.00.
5. Evertje Zwart of 217 Walmer Ave, Sanctuary Point in respect of Kerb and Gutter construction to the value of \$5,326.77 (advance) of which \$1,705.17 is the contribution, \$3,621.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,527.00.
6. G P Downie of 268/15 Old Glenhaven Rd, Glenhaven (219 Walmer Ave) in respect of Kerb and Gutter construction to the value of \$5,568.77 (advance) of which \$1,947.17 (Including \$22 GST) is the contribution, \$3,621.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,527.00.
7. Anthony & Janice Burke of 4 Riverview Ave, Woollooware (221 Walmer Ave) in respect of Kerb and Gutter construction to the value of \$7,344.36 (advance) of which \$2,515.56 (Including \$22 GST) is the contribution, \$4,828.80 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$6,036.00.

## Options

1. Council accept the recommendation as presented.

Implications: Council will repay contributions plus interest as per the Policy. The ratepayers and Council will benefit from the proactive efforts of ratepayers to improve drainage, appearance and access to properties and it may minimise erosion of the existing road verge.

2. Council not accept the recommendation, giving reasons and propose an alternative resolution.

Implications: Residents will be without kerb & gutter infrastructure. Council is unable to provide this infrastructure without support from the residents.

## Background

Council has in place a program whereby Ratepayers can pay the full cost of the provision of kerb and gutter along a public road adjacent to their land, where the work is not identified in Council's Capital Works program. This Policy accommodates ratepayers who wish to have kerb and gutter ahead of Council's planned program. Under the program Council enters into a formal agreement with the ratepayer, for them to advance to Council the full cost of the work and for Council to repay Council's component of the cost, after a period of 5 years. Those ratepayers listed above in Walmer Avenue have opted to be involved in the scheme.

## **CL16.95 Feasibility & Cost - Traffic Control Pedestrian Crossing - Christmas Period - Tallwood Ave Mollymook**

**HPERM Ref:** D16/324790

**Group:** Assets & Works Group  
**Section:** Asset Management

**Attachments:** 1. Concept Plan - Raised Pedestrian Crossing - Tallwood Ave MOLLYMOOK [↓](#)

### **Purpose / Summary**

To report on the feasibility and costs to provide a manned traffic control station at the intersection of Tallwood Ave and Mitchell Parade Mollymook from 24 December 2016 to 2 January 2017.

### **Recommendation (Item to be determined under delegated authority)**

That the report on the feasibility and costs to provide a manned traffic control station at Tallwood Ave, Mollymook, be received for information and 'pedestrian ahead' warning signage be installed in Tallwod Avenue for the summer holiday period.

### **Options**

1. Receive the report for information. (Recommended)

Implications: No specific traffic control is provided at Tallwood Ave. Signage be installed to provide warning to motorists

2. Provide a manned traffic control station at the intersection of Tallwood Ave and Mitchell Parade (Not recommended)

Implications: Traffic control is not funded. This type of traffic control hasn't been undertaken previously at this location.

3. Provide a manned traffic control station in Tallwood Ave at the shopping centre. (Not recommended)

Implications: Traffic control is not funded. This type of traffic control hasn't been undertaken previously at this location.

### **Background**

Council resolved at its meeting on 4 October 2016 (Minute MIN16.757) that

*The General Manager report back to Council urgently on the feasibility and costs to provide an interim safety measure, such as a 'lollypop person', at the intersection of*

CL16.95

*Tallwood Ave and Mitchell Parade Mollymook from December 24 2016 to January 2, 2017.*

The key issue raised by the community with staff was that the project was urgent, and was taking longer than expected. This may have resulted from the expectation of the community that it was shovel ready, however without funding it was only identified as a priority project to seek funding under the Active Transport scheme and was not ready for construction. It wasn't until the end of July 2016 that matching funding was provided by the State Government to allow design and consultation.

#### Feasibility

The establishment of any 'interim safety measure' or other temporary traffic control scheme must be in accordance with the Roads and Maritime Services's manual "Traffic Control at Work Sites".

A complying traffic control plan for the intersection of Mitchell Parade and Tallwood Ave would require a traffic controller ('lollypop person') to be stationed on each leg of the intersection. A sequence of temporary advance warning signs would also be required for each leg.

Alternatively, a traffic control plan for the Tallwood Ave shopping centre would only require two traffic controllers and associated warning signs. The concept design for the permanent pedestrian crossing in Tallwood Ave is at Attachment 1.

Both of these schemes are feasible to implement.

#### Effectiveness

It is acknowledged that there is more traffic, both vehicular and pedestrian, around the Tallwood Ave shopping centre during holiday periods. However, there are no records which suggest that there are higher accident rates in this precinct during holiday periods.

Pedestrian accidents occurring may be lower under a traffic control plan, there is also however potential of vehicle accidents on Mitchell Parade should a traffic control plan be implemented there. A concern is that a southbound vehicle may 'rear end' a vehicle already stopped as the road slopes downward, approaching the intersection, and sight distance is limited by a left-hand curve.

However, to manage the risk over the busy holiday period, 'pedestrian ahead' warning signs will be erected on Tallwood Ave and Mitchell Parade.

### **Community Engagement**

The community has been concerned about pedestrian safety in Tallwood Ave for quite some time and after Council secured NSW Active Transport Program funding, a crossing could now be designed and installed.

The community has been widely consulted on this new permanent pedestrian crossing with letters sent to adjoining landowners and business operators as well as the Ulladulla and Districts Community Forum and Milton 2538 community consultative bodies.

Staff discussed the crossing at the Ulladulla and Districts Community Forum meeting on 7 November 2016 and there was no request for traffic control over the holiday period. There were no objections raised to the design, those present supported the proposal, although it is acknowledged it is still on exhibition until Friday 18<sup>th</sup> November. There was only one comment made requesting Council build the crossing and have it opened for Christmas. Staff explained that wouldn't be possible, but Council are looking at every opportunity to bring forward the delivery.

Feedback in writing to this point from the most recent community consultation has supported the installation of the pedestrian crossing, is outlined below, as can be seen there hasn't

been additional requests for temporary traffic control at Tallood Avenue to date, other than those on Social media previously.

**1. Tallwood Ave proposed raised pedestrian crossing.**

Community Consultation letter sent on 25 October 2016 and closes Friday 18 November 2016.

1 - response received in support

1 - response was silent on the crossing, however suggested that the bus zone needs to be located closer to the crossing.

The plan will be tabled at the December 2016 Traffic Committee meeting and then referred to Council for adoption.

**2. Mitchell Pde proposed path and pedestrian refuges**

Community consultation on proposed pedestrian refuges and wider Mollymook/Narrawallee shared path strategy were sent out on the 20 September 2016 and closed 28 October 2016.

884 letters sent and letters that specifically addressed the refuge proposals:

22 x support

3 x had alternate suggestions

1 x did not support

The plan will be tabled at the December 2016 Traffic Committee meeting and then referred to Council for adoption.

**Financial Implications**

The estimated cost to provide traffic control at the Mitchell Parade/Tallwood Ave intersection for 10 days (24 December 2016 to 2 January 2017 inclusive) is \$17,000.

The estimated cost for the Tallwood Ave shopping centre for the same period is \$12,000.

These amounts have not been recognised in any budgets.





## CL16.96 Worrigee Street Nowra - Footpath Renewal - Private Works

**HPERM Ref:** D16/341780

**Group:** Assets & Works Group

**Section:** Asset Management

**Attachments:** 1. Design - Footpath Renewal - Worrigee St [↓](#)

### Purpose / Summary

To seek additional funding to complete footpath renewal of the southern side of Worrigee Street, from Kinghorne Street towards Lawrence Avenue.

### Recommendation

That

1. The works proceed and allocate the balance of funds of up to \$191,500 for the renewal and streetscape works in Worrigee Street voting budget from the Strategic Projects Reserve
2. \$339,000 for footpath renewal be funded from: the Nowra CBD Revitalisation Strategy Committee budget (\$200,000); Footpath Replacement budget (\$54,000); and existing Worrigee St footpath budget (\$85,000)
3. The footpath renewal works within the adjacent private properties is undertaken at a reduced fee
4. The fee for undertaking private works in accordance with Section 67 of the Local Government Act on Worrigee Street is determined as \$69,500 for properties

### Options

1. Fund footpath renewal works, on public and private property in Worrigee St, from the Strategic Projects Reserve; existing budget allocations; and contributions from landowners (Recommended)

Implications: This will allow the full replacement of the most degraded section of the footpath in Worrigee Street with a high quality finish in accordance with draft Streetscape Technical Manual including an avenue of trees, garden beds, new kerb and drainage, seats and honed concrete.

However, this is the most expensive option for path renewal.

2. Undertake footpath renewal to the value of the currently available funds of \$409,000

Implications: Approximately two thirds of the intended project could be completed, leaving a section of old path to be replaced at some future date. Plain concrete without the landscaping may be implemented but considering a significant effort and cost is in demolition and traffic control the opportunity will be missed to undertake a major

improvement in streetscaping both matching recent streetscape works and enhancing the entrance to Nowra via Worrigee Street.

3. Commence the project at the end of the 2016/17 financial year and fund the additional \$208,000 in the 2017/18 budget.

Implications: This approach does not require funds from the Strategic Projects Reserve but the project is delayed by six months and other capital renewals identified in the 2017/18 may need to be deferred.

## Background

In recent years, the footpaths along sections of Berry Street; North Street; and Kinghorne Street in Nowra, have been renewed. The specifications for these projects are contained in the draft Streetscape Technical Manual which prescribes future design controls under *Chapter G18: Streetscape Design for Town Centres* of the Shoalhaven Development Control Plan (SDCP).

According to the Manual, a specification of materials and design elements, similar to the North Street renewal, is required for Worrigee Street. This specification creates a path with more aesthetic merit than replacing the existing with a 'like for like' plain concrete path. Consequently, the cost of this upgraded specification is significantly more than the 'like for like' replacement. The plain concrete replacement estimated at \$85000 from the kerb to the private property boundaries without any streetscaping or replacement of failed kerb, stairs, trees and other elements would resolve the NBN damage that was originally identified and highlighted this section of pavement as in need of renewal but it will be a missed opportunity and could result in a disappointing streetscape finish.

The estimated cost for two stages shown in Attachment 1 is \$600,000. Landowners have agreed to contribute about \$69,500 towards the cost of renewing the path which is on private property and resolution is still being sought with one owner to seek further funds for private works. This represents over 75% of the estimated cost of works on private property. If Council accepts this contribution and intends to charge landowners less than the full estimated amount, then in accordance with Section 67(2)(b) of the Local Government Act, it must firstly decide to carry out the work and also determine the actual 'fee' to be charged "by resolution of the council at an open meeting before the work is carried out."

The Nowra CBD Revitalisation Strategy Committee resolved at its meeting on 27 October 2016 that

*The Nowra CBD Revitalisation Strategy Committee commit to one third of the cost of the Worrigee Street upgrade, up to a maximum of \$200,000, and the budget be updated to reflect this.*

*Council be encouraged to consider funding the balance and undertaking the full scope of works, in consideration of the private works contribution of landowners is approximately \$70,000.*

## Community Engagement

Members of the Nowra CBD Revitalisation Strategy Committee have consulted relevant stakeholders on this matter. The works may be tendered to allow delivery in the timeframe outside of peak shopping periods Councils construction crew will be undertaking works in Stewart place.

**Policy Implications**

Not applicable

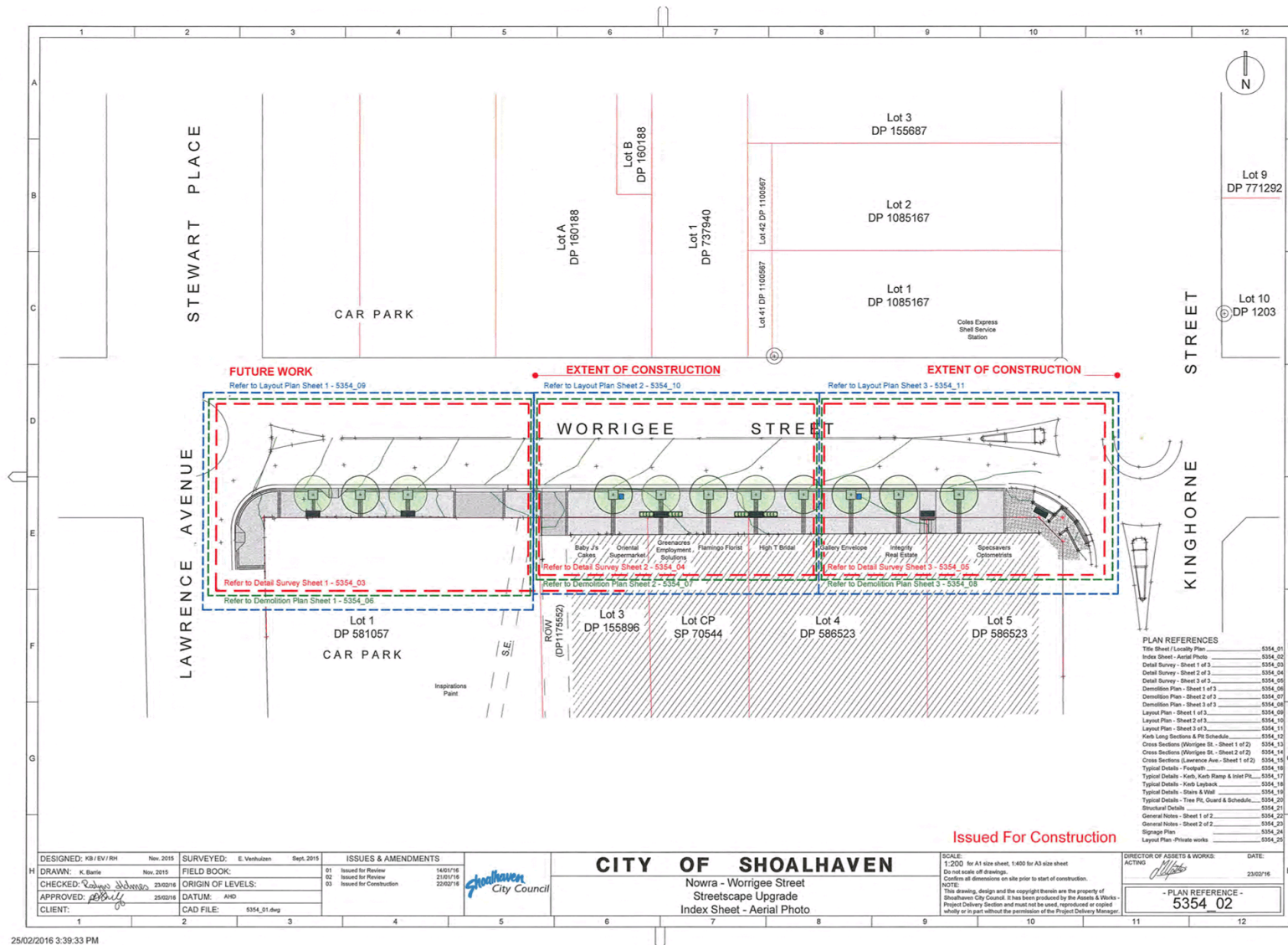
**Financial Implications**

The total estimated cost of the renewal project that aligns with the masterplan including demolition, service relocation, drainage, stairs, disabled access, large trees, honed concrete is \$600,000. If Council outsource the works in a competitive market a contractor may identify savings and the works may be priced lower than the estimate, however the shop owners have shown concern about the impact on their business operations and advised they were satisfied with council staff considerations in other recent works. The Council works crews are now committed to grant funded projects to be delivered in 2016/17 and this may delay the project if in-house resources are used.

There is a potential budget shortfall after the commitments made above are taken into account. Council voted \$85,000 for the project in September 2015 and the 2016/17 allocation for general Footpath Replacement of \$54,000 could be used for this project. \$69,500 will be funded from Private owners and \$200,000 from the revitalisation committee. The overall shortfall is therefore up to \$191,500. This amount could be funded from the Strategic Projects Reserve, if the works cost less than the estimate any savings would be returned to the Reserve.

**Risk Implications**

All CBD works have an element of risk for safety of workers and cost implications, due to underground services and the level of work required to safely install the new infrastructure requires careful consideration.



25/02/2016 3:39:33 PM

## CL16.97 NBN Asset Relocation - Intersection Flinders Road and Albatross Road, South Nowra

**HPERM Ref:** D16/341973

**Group:** Assets & Works Group  
**Section:** Project Delivery & Contract

### Purpose / Summary

To approve the engagement of NBN to relocate telecommunications assets in the Flinders Road Reserve outside of purchasing policy (POL 11/12) provisions and over \$150,000 therefore above the threshold for the Local Government Act for the requirements of a tender.

### Recommendation

That

1. Council accepts the quotation received from NBN for the relocation of telecommunications assets at the intersection of Flinders Road and Albatross Road (Service Road) in South Nowra for \$205,000.00 inclusive of GST.
2. In accordance with Section 55(3) of the Local Government Act, Council resolves not to invite tenders for this work due to their being no other supplier able to provide this service.
3. Authorise the General Manager, (Director Assets & Works) to finalise and execute the contract with NBN on behalf of Council.
4. Authorise the General Manager, (Director Assets & Works) to adjust the contract for variations under the contract.

### Options

1. Council accept the recommendation as presented.

Implications: This will ensure that the Flinders Road upgrade work can continue in accordance with the project plan and grant funding milestones.

2. Council amend the recommendation.

Implications: This is not recommended as NBN is the only supplier able to carry out the relocation of services ahead of the Flinders Road upgrade.

3. Council not accept the recommendation, giving reasons and propose an alternative resolution.

Implications: This could delay the next stage of works and impact the grant funded works as specific milestones need to be met.

### Details

A quotation has been received from NBN in the upper limiting amount of \$205,000 inclusive of GST to undertake the relocation works of NBN assets at the intersection of Flinders Road

and Albatross Road (Service Road) in South Nowra. The works form part of the proposed roundabout construction project at that same location for the approved Federal Blackspot, Heavy Vehicle Safety & Productivity and Rural & Regional Roads programs and follow the Telstra relocation works awarded by Council in October 2016.

Planning is well in advance for the commencement of this project and the relocation of the existing NBN assets impacted by the works is necessary.

Council's Purchasing Policy states that "Except where excluded under section 55(3) of the Local Government Act 1993, the purchase of goods and services above \$150,000 must be by open tender or expressions of interest. This process must comply with Section 55(3) of the NSW Local Government Act 1993 and the Local Government (General) Regulations 2005".

Section 55(3) permits a Council to enter into a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

In this case no other supplier can provide these works on the NBN asset network and therefore no other tenders can be sought.

#### **Community Engagement:**

Consultation is occurring on an ongoing basis with businesses and transport companies operating in the Flinders Industrial Estate for this project. In June 2016 a drop-in session was held at the Shoalhaven Water Depot on Flinders Road, where draft plans of the project were tabled and feedback received from those who attended.

The proposed NBN relocation are preliminary works before construction can start. When the plans are finalised, further information will be disseminated to the community about the project

#### **Policy Implications**

The relocation of NBN services is a significant cost and impacts many of the road and drainage works throughout the city

#### **Financial Implications:**

There is currently an amount of \$6,750,000 allocated to the Flinders Roundabout and Road Widening projects for this financial year allocated from a combination of funding sources including the Federal Blackspot Program, the Federal Government Heavy Safety & Productivity Program and the NSW Government Rural & Regional Roads Fund (see MIN16.494.

## CL16.98 Tenders - Jerberra Estate Pavement Completion

HPERM Ref: D16/353737

**Group:** Assets & Works Group  
**Section:** Project Delivery & Contract

### Purpose / Summary

To inform Council of the tender process for Jerberra Estate Pavement Completion.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests. This information will be considered under a separate confidential report.

This report is submitted directly to the Ordinary Council Meeting pursuant to Clause 3 of Council's "Acceptance of Tenders – Reports to Council" Policy.

### Recommendation

That Ordinary Meeting consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

### Options

1. Consider the separate confidential report.
2. Council could propose an alternative.

### Details

#### Tenders Received

Council called tenders for the Jerberra Estate Pavement Completion on 18 October 2016 which closed at 10:00am on 8 November 2016. Five (5) tenders were received at the time of closing and are shown in the table below:

Tenders were received from the following:

Tenderer	Location
J Bostock Services Pty Ltd	Albion Park NSW 2527
Hisway Pty Ltd	Nowra NSW 2541
JBG Contractors (NSW) Pty Ltd	Albion Park Rail NSW 2527
Select Civil Pty Ltd	Kembla Grange NSW 2526
Stefanutti Construction Pty Ltd	Unanderra NSW 2526

Details relating the evaluation of the tenders are contained in the confidential report.

CL16.98

**Community Engagement:**

The landowners within Jerberra Estate have been advised of progress in writing and signage on site provides contact numbers for the Site Manager and the Project Manager. The predominant feedback from landowners has been a desire to have the work completed as cost effectively as possible.

**Financial Implications:**

This work is funded by the Jerberra Estate Special Rate Variation. The construction of road and services infrastructure was initially contracted to Hawkins Civil Constructions (HCC) in September 2015 however after significant issues with HCC, Council exercised the terms of contract that allowed Council to take the remaining works off HCC.



## CL16.99 Classification of Land at Yerriyong

**HPERM Ref:** D16/356166

**Group:** Assets & Works Group

**Section:** Business & Property

**Attachments:** 1. Approval to acquisition of Lot 5 DP48574 [↓](#)

### Purpose / Summary

To classify Council land, Lot 5 DP48574 at Yerriyong, as Operational Land.

### Recommendation

That Council resolve to classify Lot 5 DP48574 at Braidwood Road Yerriyong as Operational Land under Section 31(2) of the Local Government Act 1993.

### Options

1. Proceed as recommended

Implications:

The land was compulsorily acquired for aircraft taxiway widening and utility services corridor attached to the AATP subdivision and hence it is an imperative to classify the land as Operational Land

2. Not resolve to classify the land as Operational

Implications:

The classification of the land will default to Community Land without a resolution specifying that the land is to be classified 'Operational' and limit the activities on the land.

### Background

Council resolved to acquire the subject land from the Crown by Minute 15.370 (Attachment 1). The approval included a condition that the land be classified as 'Operational' in accordance with Section 31(2) of the Local Government Act, 1993.

Operational Land is land which Council owns as a business entity and upon which it conducts Council business. The Local Government Act provides that Council may resolve to classify land within three months after it is acquired.

The land was compulsorily acquired for aircraft taxiway widening and utility services corridor by notice published in the Government Gazette on 26 August 2016. Consequently, classification of the land is required by 26 November 2016, being three months from acquisition.

### Risk Implications

If the land is not classified 'Operational' the land could not be used for its intended purpose without going through a re-classification.

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ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 23 JUNE 2015 - RECONVENED 24  
JUNE 2015

370. (Item 45, Pg 22) Acquisition of Crown land at Yerriyong File 1468E

MOTION:

Moved: Wells / Second: Baptist

That:

- a) Council resolve to compulsorily acquire from the Crown Lots 5 and 6 DP48574 at Yerriyong, as shown by hatching on the attached copy of DP48574 marked Attachment 'A';
- b) Council pay compensation and costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Economic Development Industrial Land budget;
- c) The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993;
- d) 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; and
- e) The acquired land to be classified 'Operational' in accordance with Section 31(2) of the Local Government Act, 1993.

CARRIED

CL16.99 - Attachment 1

## CL16.100 Proposed Licence - Milton Ulladulla Mens Shed - Camden St, South Ulladulla

HPERM Ref: D16/357333

Group: Assets & Works Group  
Section: Business & Property

### Purpose / Summary

To seek approval to licence part of the former Ulladulla STP, off Camden Street, South Ulladulla to the Milton Ulladulla Men's Shed for a term of 5 years at an annual rental of \$472.00 + GST.

### Recommendation

1. That Council enter into a five (5) year Licence agreement with the Milton Ulladulla Men's Shed Inc for the occupation of Part Lot 1 DP 1137716, (part of the former Ulladulla STP), Camden Street, South Ulladulla at an annual rental of \$472.00 + GST, for the purpose of constructing a Men's Shed facility; and
2. The General Manager be authorised to finalise the Licence terms that may or may not yet be determined and to sign any documentation necessary to give effect to this resolution

### Options

1. Adopt the recommendation.

Implications: A Licence granted at this location will enable the previously granted Licence at Frog's Holla to be terminated, with the Men's Shed able to request Government funding for the new location.

2. Not adopt the Recommendation, provide further direction to staff and propose an alternative.

Implications: The current Licence for Frog's Holla is retained, notwithstanding the Community resistance and the Development Application for the site be determined by Council.

### Background

Council at the Property Steering Committee meeting dated 1<sup>st</sup> September 2015 resolved to:

- a) Enter into a five (5) year Licence agreement with the Milton Ulladulla Men's Shed Inc. for the occupation of Part Lot 1 DP 625058, 375 Matron Porter Drive, Milton (Frogs'Holla) at an annual rental of \$464.00 + GST, for the purpose of constructing a Men's Shed facility; and
- b) Authorise the General Manager to be the delegated authority to finalise the Licence terms that may not yet be determined and to sign any documentation necessary to give effect to this resolution.

CL16.100

Council at the Strategy & Assets Committee meeting dated 9<sup>th</sup> February 2016 resolved to waive the development and construction fees applicable to the below development application.

Subsequent to the above the Milton Ulladulla Men's Shed Inc lodged a Development Application (DA16/1371) on the 31<sup>st</sup> March 2016 that entailed the construction of two colourbond sheds linked by a covered walkway.

Since lodging the development application a number of issues have arisen.

Council at the Development Committee Meeting dated 7<sup>th</sup> June 2016 resolved to call in for determination the above development application and it is likely that this will be listed for consideration at the December 2016 Development Committee meeting if the resolution of the October meeting below are actioned. Should this new licence at Camden Street, South Ulladulla be granted the development application for Frogs Holla may be withdrawn.

### **Current Proposal**

At the Ordinary Meeting dated 25<sup>th</sup> October 2016 it was resolved that:

- 1. Council allocate a portion of the land to be used for activities associated with the Milton/Ulladulla Men's Shed in the proximity of the Ulladulla SES off Camden Street, South Ulladulla;*
- 2. Council staff, Councillors and representatives of the Milton Ulladulla Men's Shed hold an onsite meeting at the former Ulladulla Sewer Treatment Plant to discuss options for the site;*
- 3. Any Section 64/94 Development Application fees or contributions to be paid by the Milton/Ulladulla Men's Shed for the relocation to the former Ulladulla Sewer Treatment plant site be waived by Council;*
- 4. Council defer the consideration of the current Development Application for the Men's Shed at Frogs Holla until this motion has been dealt with.*

A site meeting was held on Monday 14<sup>th</sup> November at the proposed site, attended by Councillors, staff and members of the Men's Shed. During the meeting attendees were informed of a number of impediments that will need to be worked through prior to future occupation that includes:

- Access to utilities, namely water, power and sewer;
- Potential contamination and the need for further investigations;
- Physical access v legal access to the proposed site within the former STP; and
- Areas of environmentally sensitive vegetation;
- An abandoned underground sewer feed in pipe within close (if not within) proximity of the proposed area.

### **Community Engagement**

The Mens Shed are very active in the community and there is wide knowledge of the difficulties with securing a site. As the former Ulladulla STP in Camden Street, South Ulladulla is "Operational" land there is no requirement for Council to advertise its intent to licence the land. Notwithstanding this, the registered proprietor(s) of surrounding properties, the majority of which are industrial in nature, will be notified as part of a new development application. There has been coverage in the local media of options under consideration by the Mens Shed.

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**Financial Implications**

Additional costs will be incurred by the Milton Ulladulla Men's Shed in having to undertake the necessary building re-design and associated investigations and reports required to lodge a new Development Application.

The financial implication for Council, other than the waiving of Development Application fees, is the potential loss of an industrial allotment should the development feasibility prove an industrial subdivision is the preferred option for the development of the former STP site.

**Risk Implications**

The siting of the Men's Shed on the former Ulladulla STP will be considered in light of:

- Potential future expansion of the adjoining SES building so as to not constrain expansion if needed in the future; and
- The development feasibility currently underway for the former STP that is looking at the options of developing the land into either an industrial estate (for disposal) or retaining the site for development into a sports field.

## CL16.101 Expression of Interest for the Sale of the Visitor Information Centre Site and Graham Lodge

**HPERM Ref:** D16/352276

**Group:** Assets & Works Group  
**Officer:** Trudi Robinson - Property Officer

Strategy & Assets Committee at its meeting on 15 November 2016 resolved that the matter be referred to the Ordinary Meeting meeting to be held on 22 November 2016.

### Purpose / Summary

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 contains “commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it”.

To inform Council of the initial stage of the Expression of Interest (EOI) process to the disposal of Lot 1 DP1010062 Pleasant Way, Nowra and to seek Council approval to shortlist selected respondents.

### Recommendation (Item to be determined under delegated authority)

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

### Options

1. Council accept the recommendation as presented.

Implications: Consider a separate confidential report which recommends applicants for shortlisting.

2. Provide further direction to staff and propose an alternative.

### Background

On 24 May 2016 Council resolved (MIN16.412) to sell Lot 1 DP1010062, 10 Pleasant Way, Nowra (the Visitor Information Centre site including Graham Lodge) via an Expression of Interest (EOI) process. Council did this to ensure that Council retained some control over the development proposed for the site. The EOI required responses outlining the vision and concept for this important gateway location including the VIC site and Graham Lodge with a more detailed concept to be provided at the next stage.

The initial development concept forms part of the control over the development and will be included in the conditional contract for sale of land, this provides that the purchaser is to develop the property in accordance with the submission and within Council's planning framework.

Council is seeking a Respondent which will assist Council meet its objectives for the site, and which has:

- A shared aspiration for the Gateway Site;
- The capability to deliver Council's vision;
- The financial capacity;
- Proven experience and access to the necessary resources; and
- Suitable timeframes for development of the site.

This sale is being completed through a staged Expression of Interest process and the purpose of the confidential report is to seek approval to proceed to the next stage of the process following the submission of responses relating to the proposed development (first step). There were 6 responses provided to call for the Expression of Interest.

A brief summary of the process is outlined below:

- Call for EOIs
- Upon closure, assess/score EOIs on an individual basis
- The Evaluation Panel considered mandatory participation criteria which was clearly outlined on the EOI response form.
- Report to Council on shortlist to proceed to the next stage of EOI (*We are here*)
- Submission of price and risk analysis as the next stages
- Finalise evaluation of EOI and report to Council
- Council makes a determination

### ***Helicopter***

The property was listed for sale via Expression of Interest on 18 August 2016 in accordance with Council resolution MIN16.412. This resolution was made prior to Council resolving on 4 October 2016 to exclude the helicopter and a reasonable curtilage from the sale. Accordingly, respondents were not aware of this resolution when providing their response. The helicopter will be considered during the second stage of the EOI process.

### ***Graham Lodge***

As previously advised, Graham Lodge is included in the sale of the subject property. Graham Lodge currently is protected by a State Heritage Listing which ensures that any development on the immediate surrounds and the building itself is carried out in accordance with strict heritage guidelines. Graham Lodge has a current and comprehensive Conservation Management Plan relating to the property which was made available to all interested parties at the time the sale was advertised.

### **Community Engagement**

Council advertised its intention to sell the subject property in the local print media and on Council's website in accordance with the current Development and/or Disposal of Council Lands Policy (POL12/275). Council did not receive any submissions in relation to the disposal from the adjoining landowner and Council resolved to proceed with the sale of the property.

CL16.101

The property was listed on the open market for sale via Expression of Interest. This process is designed to ensure a fair, open and transparent process.

**Policy Implications**

All requirements outlined within the aforementioned Development and/or Disposal of Council Lands Policy (POL12/275) have been adhered to.

**Financial Implications**

Proceeds from the sale are to be placed in the Strategic Property Acquisition Reserve to be used for future property acquisitions. A proportion of the sale proceeds are to be used to pay the fees relating to the sale of the property such as agent fees and legal costs.

The proponents have recognised the value of Graham Lodge and opportunities provided to restore and utilise the facility as part of their proposals.



## LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

### Chapter 3, Section 8A Guiding principles for councils

#### (1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

#### (2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

#### (3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

### Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services

**Chapter 3, 8C Integrated planning and reporting principles that apply to councils**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.