

Strategy and Assets Committee

Meeting Date: Tuesday, 15 November, 2016
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: At the conclusion of the Extra Ordinary Meeting (which commences at 4.00pm)

Membership (Quorum - 5)
Clr Andrew Guile - Chairperson
All Councillors
General Manager or nominee

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

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Reports

- CSA16.4 Legal Advice - Dune Vegetation Management at Collingwood Beach - outcomes of public exhibition and petitions
- Local Government Act - Section 10A(2)(g) - Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.*
- CSA16.5 Development Application – Four Storey Residential Flat Building - Island Point Rd, St Georges Basin – Lot 6 DP 1082382
- Local Government Act - Section 10A(2)(g) - Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.*
- 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 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.*
- 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.

Strategy and Assets Committee

Delegation:

THAT pursuant to s377 (1) of the Local Government Act 1993:

- A The Committee is delegated the functions conferred on Council by the Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:
- The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
 - The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
 - The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
 - The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

Schedule:

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

11. Review and make recommendations to Council in relation to:
 - a) The sale prices of land in connection with residential and industrial Council subdivisions;
 - b) The sale of Council property or the purchase or resumption of land;
 - c) The compensation to be offered in respect of land resumed by Council; and
 - d) Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 11 October 2016
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 4.00pm

The following members were present:

Clr Guile- Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr Patricia White
Clr John Wells
Clr John Levett
Clr Nina Cheyne
Clr Mitchell Pakes
Clr Greg Watson
Clr Bob Proudfoot
Mr Russ Pigg - General Manager

Election of Chairperson

RESOLVED (Clr Pakes / Clr Findley) MIN16.764

Mr Russ Pigg – General Manager called for nominations from the floor. Mr Pigg informed the meeting that one nomination had been received for the position of Chairperson of the Strategy and Assets Committee, the nomination being for Clr Guile.

Mr Pigg called for a show of hands and declared Clr Guile the Chairperson of the Strategy and Assets Committee.

That Clr Guile be appointed the Chair of the Strategy and Assets Committee.

CARRIED

Apologies / Leave of Absence

Apologies were received from Clrs Gartner, Kitchener and Alldrick.

Confirmation of the Minutes**RESOLVED** (Clr Wells / Clr White)

MIN16.765

That the Minutes of the Strategy and Assets committee held on Tuesday 9 August 2016 be confirmed.

CARRIED

Declarations of Interest

Clr Findley – SA16.6 - Milton Showground - Second Croquet Court & Expansion Options – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – She attends the Show every year and takes part.

DEPUTATIONS**SA16.6 Milton Showground - Second Croquet Court & Expansion Options**

Jim Mison – President, Milton Showground Management Committee addressed the Committee in relation to this item.

Dee Carington – Milton Ulladulla Croquet Club addressed the Committee in relation to this item.

SA16.4 Berry District Park - Re-exhibition of Master Plan

Stuart Coughlan addressed the Committee in relation to this item.

SA16.7 Application for a Special Rate Variation

Mr John Finkernagel addressed the Committee in relation to this item.

SA16.8 Kayak/Paddle Launching Facility - Dent St Huskisson

Mr John Fergusson, President Jervis Bay Maritime Museum addressed the Committee in relation to this item.

Procedural Motion - Bring Items Forward**RESOLVED** (Clr Wells / Clr White)

MIN16.766

That the following matters be brought forward for consideration:

1. SA16.13 – Verons Estate Special Rate Variation to Upgrade Roads
2. SA16.6 – Milton Showground - Second Croquet Court & Expansion Options
3. SA16.4 – Berry District Park - Re-exhibition of Master Plan
4. SA16.8 – Kayak/Paddle Launching Facility - Dent St Huskisson

CARRIED

SA16.13 Verons Estate Special Rate Variation to Upgrade Roads

**HPERM Ref:
D16/306078**

Recommendation

That

1. Council authorise staff to notify IPART of its intention to prepare a Special Variation application for a \$2.13m loan-funded special rate levy ('Special Rate Variation') so that Council can provide essential road infrastructure in Verons Estate;
2. 17% of the total cost be met by the broader rate base based in recognition of the potential benefit of the road upgrades to the broader community including properties fronting Sussex Inlet Road which have rear access onto Mokau Road.
3. Further details of the proposed funding arrangement be refined in consultation with the affected landowners; and
4. Unless there are substantial changes to the details provided in this report, the Special Rate Variation application to IPART be submitted before the February 2017 deadline.

Recommendation (Clr Wells / Clr Proudfoot)

That

1. Council authorise staff to notify IPART of its intention to prepare a Special Variation application for a \$2.13m loan-funded special rate levy ('Special Rate Variation') so that Council can provide essential road infrastructure in Verons Estate;
2. 17% of the total cost be met by the broader rate base based in recognition of the potential benefit of the road upgrades to the broader community including properties fronting Sussex Inlet Road which have rear access onto Mokau Road.
3. Further details of the proposed funding arrangement be refined in consultation with the affected landowners; and
4. Unless there are substantial changes to the details provided in this report, the Special Rate Variation application to IPART be submitted before the February 2017 deadline.
5. During the notification to IPART Council hold a Public meeting with the land owners and the community.

FOR: Clr Findley, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Guile, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

SA16.6 Milton Showground - Second Croquet Court & Expansion Options

**HPERM Ref:
D16/301979**

Clr Findley – SA16.6 - Milton Showground - Second Croquet Court & Expansion Options – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – She attends the Show every year and takes part.

Recommendation (Item to be determined under delegated authority)

That

1. Council accept the construction status update report for a second croquet court at Milton Showground which is consistent with Council's adopted Milton Showground Plan of Management.
2. Council continue to work with land owners adjacent to Milton Showground to formalise offsite

parking options via a licence agreement for future large events at the Showground.

3. Council adopt the Croquet User Agreement (as outlined in this report) and inform both Milton Ulladulla Croquet Club & Milton Showground Management Committee that they are to abide by this agreement.

MOTION (Clr Wells / Clr Gash)

That

1. Council accept the construction status update report for a second croquet court at Milton Showground which is consistent with Council's adopted Milton Showground Plan of Management.
2. Council continue to work with land owners adjacent to Milton Showground to formalise offsite parking options via a licence agreement for future large events at the Showground.
3. Council adopt the Croquet User Agreement (as outlined in this report) and inform both Milton Ulladulla Croquet Club & Milton Showground Management Committee that they are to abide by this agreement.
4. Council peg out and temporary fence the area of the proposed second Croquet Court at the Milton Showground for the 2017 Milton Show to trial the potential impact of the development of the croquet court on the show which could also demonstrate the impact on similar large events especially in relation to parking.

PROCEDURAL MOTION (Clr Watson / Clr White)

This matter be discussed during the confidential session in accordance with Section 10A(2)(c) of the Local Government Act 1993.

CARRIED

FOR: Clr Gash, Clr White, Clr Wells, Clr Cheyne, Clr Guile, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Findley and Clr Levett

Note: This Item was discussed in Confidential session (a new item was created refer CSA16.3) and a confidential recommendation was made. The Item was also dealt with later in the meeting.

SA16.4 Berry District Park - Re-exhibition of Master Plan

**HPERM Ref:
D16/293099**

Recommendation

That:

1. Council amend and finalise the Berry District Park Master Plan with the following changes:
 - a. Removal of long vehicle parking area on North Street.
 - b. Provision of additional long vehicle parking in the off street car parking area within the Berry District Park (identified as F on the concept plan which was re-exhibited).
 - c. Provision of toilet block at the off street car parking area within Berry District Park (identified as F on the concept plan which was re-exhibited).
 - d. Area identified (hatched I & K on the concept plan which was re-exhibited) for future expansion of proposed adventure playground north of existing site.
 - e. Removal of Mountain Bike & Running Trail (I) to allow for future expansion of proposed

adventure playground north of existing site.

- f. Spacing fitness equipment stations along the walking path within the park.
- g. Remove the criterion track.
2. Council establish and liaise with a dedicated community project reference group (i.e. Rotary Club, Berry Forum, sporting groups, etc.) to assist with advancing detailed design of the site.
3. Council consider allocating \$100,000 in the 2017/18 budget to undertake staged detailed design and development of a Business Case and Plan, and Funding and Procurement Plan to guide future delivery of Berry District Park and ensure it is “shovel ready” for future grant applications.
4. Council work with the future community project reference group involved in progressing the detail design of the park to determine the preferred name for Berry District Park.

Recommendation (Clr Wells / Clr White)

That:

1. Council form a Project Reference Group consisting of all Councillors, relevant staff and members of the Berry Community forum and the Berry Rotary Club.
2. Council work with the community project reference group involved in progressing the finalisation of the masterplan, detailed design and determine the preference of the name of the Berry District Park.
3. Council allocate \$35,000 from the strategic project reserve immediately to undertake staged detailed design and development of a Business Case and Plan, and Funding and Procurement Plan to guide future delivery of Berry District Park and ensure it is “shovel ready” for future grant applications
4. Council reallocate from the Berry Strategic Plan Project \$17,000 to the Berry District Park and \$10,000 to the Berry Trails Project subject to approval by RMS for the reallocation of their grant funding for the Berry Strategic Plan.

CARRIED

CONFIDENTIAL REPORTS

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

Resolved (Clr Findley / Clr Proudfoot)

That the Ordinary Meeting exclude the press and public from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA16.1 Request to Reduce Court Cost Order

Discussion in relation to the personal hardship of a resident or ratepayer. 10(A)(2)(b)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal an individual's personal information or contravene an information protection principle under the Privacy and Personal Information Protection Act 1998 or a Health Privacy Principle under the Health Records and Information Privacy Act 2002.

- CSA16.2 Tenders – Provision of Catering Services for Shoalhaven Entertainment Centre
Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)
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.
- SA16.6 Milton Showground - Second Croquet Court & Expansion Options
Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 10(A)(2)(c)

CARRIED

The meeting moved into confidential the time being 5.50pm.

The meeting moved into open session, the time being 6.22pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the Ordinary Meeting, whilst closed to the public, were made public.

CSA16.3 Milton Showground - Second Croquet Court and Expansion Options	HPERM Ref: D16/318625
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RESOLVED (Clr Watson / Clr Proudfoot) MIN16.767C

That

- The resolution remain confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993.

CARRIED

Note: This concludes the report from confidential session.

SA16.6 Milton Showground - Second Croquet Court & Expansion Options

**HPERM Ref:
D16/301979**

Note – Declaration of Interest Previously declared: Cllr Findley – SA16.6 - Milton Showground - Second Croquet Court & Expansion Options – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – She attends the Show every year and takes part.

Note: This item was discussed earlier in the meeting (no decision was made at that time) and in the confidential session (see resolution from the confidential session above).

Recommendation (Item to be determined under delegated authority)

That

1. Council accept the construction status update report for a second croquet court at Milton Showground which is consistent with Council's adopted Milton Showground Plan of Management.
2. Council continue to work with land owners adjacent to Milton Showground to formalise offsite parking options via a licence agreement for future large events at the Showground.
3. Council adopt the Croquet User Agreement (as outlined in this report) and inform both Milton Ulladulla Croquet Club & Milton Showground Management Committee that they are to abide by this agreement.

Note: Cllr Findley left the meeting at 6.28pm

RESOLVED (Cllr White / Cllr Gash)

MIN16.768

That:

1. Council continue to work with land owners adjacent to Milton Showground to formalise offsite parking options via a licence agreement for future large events at the Showground
2. Council peg out and temporary fence the area of the proposed second Croquet Court at the Milton Showground for the 2017 Milton Show to trial the potential impact of the development of the croquet court on the show which could also demonstrate the impact on similar large events especially in relation to parking.
3. Staff review the impacts on parking and other aspects of the show and seek formal feedback from the Showground Management Committee, The Milton Show Society and the Milton Ulladulla Croquet Club to include in a report to Council after the 2017 Milton Show
4. The croquet club submit a letter to the show management committee and show society requesting to run an event in March 2017.
5. Council undertake a review of the management plan of the Milton Showground.

FOR: Cllr Gash, Cllr White, Cllr Wells, Cllr Levett, Cllr Cheyne, Cllr Guile, Cllr Proudfoot and Russ Pigg

AGAINST: Cllr Pakes and Cllr Watson

CARRIED

SA16.8 Kayak/Paddle Launching Facility - Dent St Huskisson

**HPERM Ref:
D16/290441**

Recommendation (Item to be determined under delegated authority)

That :

1. Council proceed to quotation for construction of a paddlecraft/kayak launching facility in Currumbene Creek at Dent Street Huskisson and associated improvements and
2. Infrastructure upgrades at the end of the Dent Street Road Reserve and landscaping with the connection to the Maritime Museum Reserve be undertaken with remaining funds

RESOLVED (Clr Watson / Clr Proudfoot)

MIN16.769

That :

1. Council proceed to quotation for construction of a paddlecraft/kayak launching facility in Currumbene Creek at Dent Street Huskisson and associated improvements and
2. Infrastructure upgrades at the end of the Dent Street Road Reserve and landscaping with the connection to the Maritime Museum Reserve be undertaken with remaining funds
3. A report be submitted on the cost of a scoping study for the necessary works to open the fish pond to the creek.
4. If funds are available from the balance of the launching facility project these be allocated toward design of the Lady Denman fish ponds. Council consider allocating funds to the fish pond if this balance is inadequate

CARRIED

REPORTS

SA16.1 Community Medical Scholarship

**HPERM Ref:
D16/306961**

Recommendation

That Council determine its policy position on the establishment of a Shoalhaven Community Medical Scholarship and if necessary determine what resources will be allocated.

Recommendation (Clr Wells / Clr Gash)

Council reaffirm that the Mayor call a meeting as resolved in August 2016 and any interested Councillors attend.

CARRIED

SA16.2 Fit for the Future Consultation Paper - Joint Organisations: Getting the boundaries right

**HPERM Ref:
D16/307003**

Recommendation

That Council make response to the consultation paper - *Joint Organisations: Getting the boundaries right* - stating it supports the boundaries encompassing the four councils of Wollongong, Shellharbour, Kiama & Shoalhaven City Council and that Council request the name be changed to Illawarra-Shoalhaven Joint Organisation.

Recommendation (Clr Wells / Clr White)

That Council make response to the consultation paper - *Joint Organisations: Getting the boundaries right* - stating it supports the boundaries encompassing the four councils of Wollongong, Shellharbour, Kiama & Shoalhaven City Council and that Council request the name be changed to Illawarra-Shoalhaven Joint Organisation.

CARRIED

SA16.3 Request for Tender - Catering Services for Shoalhaven Entertainment Centre

HPERM Ref:
D16/292960

Recommendation

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

Recommendation (Clr Wells / Clr White)

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

CARRIED

SA16.4 BERRY DISTRICT PARK - RE-EXHIBITION OF MASTER PLAN

HPERM REF:
D16/293099

Item dealt with earlier in the meeting.

SA16.5 Crime Prevention Plan 2016 - 2021

HPERM Ref:
D16/297347

Recommendation (Item to be determined under delegated authority)

That Council

- a. Endorse the Shoalhaven Crime Prevention Plan 2016-2021
- b. Seek registration of the Shoalhaven Crime Prevention Plan 2016-2021 with the NSW Attorney General as a Crime Compact.

RESOLVED (Clr White / Clr Cheyne)

MIN16.770

That Council:

1. Endorse the Shoalhaven Crime Prevention Plan 2016-2021
2. Seek registration of the Shoalhaven Crime Prevention Plan 2016-2021 with the NSW Attorney General as a Crime Compact.

CARRIED

SA16.6 MILTON SHOWGROUND - SECOND CROQUET COURT & EXPANSION OPTIONS

HPERM REF:
D16/301979

Item dealt with earlier/later in the meeting see MIN16.768

SA16.7 Application for a Special Rate Variation

**HPERM Ref:
D16/301901**

Recommendation

1. That Council authorise staff to notify the IPART of its intention to apply for a Special Rate Variation Application for 2017/18 and 2018/19 at the rate of 23% (11.5% each year) above rate peg over the 2 years in order for Council to financially support the ongoing provision of service levels to the community.
2. That Council proceed with the formal Special Rate Variation Application for 2017/18 and 2018/19 at the rate of 23% (11.5% each year) above rate peg over the 2 years and submit this in line with the timelines set by IPART (expected to be February 2017)

Recommendation (Clr Cheyne / Clr Gash)

That:

1. That Council authorise staff to notify the IPART of its intention to apply for a Special Rate Variation Application for 2017/18 and 2018/19 at the rate of 23% (11.5% each year) above rate peg over the 2 years in order for Council to financially support the ongoing provision of service levels to the community.
2. That Council proceed with the formal Special Rate Variation Application for 2017/18 and 2018/19 at the rate of 23% (11.5% each year) above rate peg over the 2 years and submit this in line with the timelines set by IPART (expected to be February 2017)
3. Council undertake an extensive community engagement program explaining the reason for the rate increase and seek the communities comments.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne and Russ Pigg

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

**SA16.8 KAYAK/PADDLE LAUNCHING FACILITY - DENT ST
HUSKISSON**

**HPERM REF:
D16/290441**

Item dealt with earlier/later in the meeting see MIN16.769

**SA16.9 Huskisson Public Wharves - Commercial Berthing
Encroachment**

**HPERM Ref:
D16/293633**

Recommendation

That

1. Council reconfirm its policy of 2013 that the use of Huskisson Public Wharves continue for the broad community benefit of both recreational and commercial users with priority given for the loading and unloading of passengers and goods
2. Council not support the loss of limited public berthing space for the exclusive benefit of adjacent commercial vessels
3. Wharf owners consent not be provided to allow modification of the Huskisson western public wharf by the adjoining commercial vessel owner

Recommendation (Clr Gash / Clr White)

That

1. Council reconfirm its policy of 2013 that the use of Huskisson Public Wharves continue for the broad community benefit of both recreational and commercial users with priority given for the loading and unloading of passengers and goods;
2. Council not support the loss of limited public berthing space for the exclusive benefit of adjacent commercial vessels;
3. Wharf owners consent not be provided to allow modification of the Huskisson western public wharf by the adjoining commercial vessel owner;
4. Defer the matter to the Ordinary Council meeting 25 October 2016, subject to holding an onsite inspection prior to a decision being made.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Guile and Clr Pakes

CARRIED

**SA16.10 Local Government Road Safety Program (LGRSP) -
2016/17 - RMS Grant Funds**

**HPERM Ref:
D16/291257**

Recommendation

That Council writes to NSW Roads and Maritime Services thanking it for its funding assistance towards the Road Safety Program and accept the grant funding offer of \$12,600 from Roads and Maritime Services (RMS) and vote funds as follows:

1. \$200 for Shoalhaven Youth Log Book Run
2. \$1,200 for Shoalhaven Youth Graduated Licensing Scheme (GLS)
3. \$200 for Fatigue
4. \$4,800 for Motorcycle Safety
5. \$1,200 for Restraints
6. \$5,000 for Shoalhaven Cycles Bike Week
7. Speed Monitoring on Local Roads (paid directly by RMS)

Recommendation (Clr Wells / Clr Gash)

That Council writes to the local Members and NSW Roads and Maritime Services and thanking them for its funding assistance towards the Road Safety Program and accept the grant funding offer of \$12,600 from Roads and Maritime Services (RMS) and vote funds as follows:

1. \$200 for Shoalhaven Youth Log Book Run
2. \$1,200 for Shoalhaven Youth Graduated Licensing Scheme (GLS)
3. \$200 for Fatigue
4. \$4,800 for Motorcycle Safety
5. \$1,200 for Restraints
6. \$5,000 for Shoalhaven Cycles Bike Week
7. Speed Monitoring on Local Roads (paid directly by RMS)

CARRIED

SA16.11 2015 - 2016 Food Regulation Partnership Activity Report

**HPERM Ref:
D16/298687**

Recommendation (Item to be determined under delegated authority)

Recommended that the Strategy & Assets Committee receive this report for information.

RESOLVED (Clr Gash / Clr Pakes)

MIN16.771

That the Strategy & Assets Committee receive this report for information.

CARRIED

**SA16.12 Mollymook Beach and Conjola Bushcare Group Action
Plans - Review**

**HPERM Ref:
D16/299318**

Recommendation (Item to be determined under delegated authority)

That Council adopt the reviewed Mollymook Beach and Conjola Bushcare Group Action Plans (2016).

RESOLVED (Clr Wells / Clr White)

MIN16.772

That Council adopt the reviewed Mollymook Beach and Conjola Bushcare Group Action Plans (2016).

CARRIED

**SA16.13 VERONS ESTATE SPECIAL RATE VARIATION TO
UPGRADE ROADS**

**HPERM REF:
D16/306078**

Item dealt with earlier in the meeting.

Note: A Rescission Motion for SA16.7 - Application for a Special Rate Variation has been received and will be dealt with at the Council meeting 25 October 2016.

There being no further business, the meeting concluded, the time being 8.08pm.

Clr Guile
CHAIRPERSON

SA16.14 Meeting Times for Council & Committees

HPERM Ref: D16/332293

Group: General Manager's Group

Attachments: 1. Proposed meeting schedule - Core - Ordinary - Council Briefings - 2017 [↓](#)

Purpose / Summary

To determine meeting schedule dates for 2017.

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 Monday 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 Tuesdays & Thursdays OR at 4pm on Monday meeting days
4. Schedule the meetings of Advisory Committees & Boards on Tuesday, Wednesday or Thursday to be determined at the 1st meeting of each.

Options

1. As recommended.
2. Retain the existing schedule, i.e. meetings on Tuesdays commencing at 4 p.m.
3. Determine an alternate schedule.

Details

At the Council meeting of 4th October the General Manager was requested to seek input from all Councillors on availability and report back to Council.

Whilst a majority of Councillors were available most days after 4pm, there was a cluster of Councillors with preference for Mondays from 5pm followed by Tuesday to Thursday where in some weeks 1 or 2 Councillors would not be available.

Based on the information from Councillors, the meeting schedule would change to:

- Development Committee - 1st Monday of the month at 5pm (would revert to Tuesday if Public Holiday);
- Strategy & Assets Committee - 2nd Monday of the month at 5pm (would revert to Tuesday if Public Holiday);
- Ordinary Council Meeting - 3rd Monday of the month at 5pm (would revert to Tuesday if Public Holiday);
- Councillor Briefings be scheduled on Tuesdays & Thursdays OR at 4pm on Monday meeting days; and
- Advisory Committees & Boards to be scheduled on Tuesday, Wednesday or Thursday to be determined at the 1st meeting.

The meeting schedule be altered to avoid the 1st two weeks in January and July and also avoid the LGNSW Conference and National General Assembly.

Council's Code of Meeting Practice stipulates that meetings would be adjourned at 8pm to another date.

With a later start time of 5pm sandwiches should be provided and available during the meeting for Councillors and staff attending.

Community Engagement

No consultation has occurred. A different day and start time may be advantageous to some and a disadvantage to others.

Financial Implications

A later start time will result in some additional costs due to:

- Award staff working longer hours;
- Catering;
- More frequent occasions where Councillors would be entitled to evening meals.

Quantum increases are difficult to estimate and would be absorbed into existing budgets wherever possible.

Proposed Schedule of Ordinary Meetings, Core Committee Meetings – 2017

January 2017		
Monday 23	5:00 pm	Development Committee
Tuesday 24	5:00 pm	Strategy & Assets Committee
Monday 30	5:00 pm	Ordinary Meeting
February 2017		
Monday 6	5:00 pm	Development Committee
Monday 13	5:00 pm	Strategy & Assets Committee
Monday 20	5:00 pm	Ordinary Meeting
March 2017		
Monday 6	5:00 pm	Development Committee
Monday 13	5:00 pm	Strategy & Assets Committee
Monday 20	5:00 pm	Ordinary Meeting
April 2017		
Monday 3	5:00 pm	Development Committee
Monday 10	5:00 pm	Strategy & Assets Committee
Tuesday 18	5:00 pm	Ordinary Meeting
May 2017		
Monday 1	5:00 pm	Development Committee
Monday 8	5:00 pm	Strategy & Assets Committee
Monday 15	5:00 pm	Ordinary Meeting
June 2017		
Monday 5	5:00 pm	Development Committee
Tuesday 13	5:00 pm	Strategy & Assets Committee
Monday 26	5:00 pm	Ordinary Meeting
July 2017		
Monday 17	5:00 pm	Development Committee
Monday 24	5:00 pm	Strategy & Assets Committee
Monday 31	5:00 pm	Ordinary Meeting
August 2017		
Monday 7	5:00 pm	Development Committee
Monday 14	5:00 pm	Strategy & Assets Committee
Monday 21	5:00 pm	Ordinary Meeting
September 2017		
Monday 4	5:00 pm	Development Committee
Monday 11	5:00 pm	Strategy & Assets Committee
Monday 18	5:00 pm	Ordinary Meeting
October 2017		
Tuesday 3	5:00 pm	Development Committee
Monday 9	5:00 pm	Strategy & Assets Committee
Monday 16	5:00 pm	Ordinary Meeting

Christmas Break – Monday 26 December 2016 to Sunday 22 January 2017

Australia Day – Thursday 26 January 2017

Easter – Friday 14 April – Monday 17 April 2017

Anzac Day – Tuesday 25 April 2017

Australian Local Government Association National General Assembly – 18-21 June 2017

Queen's Birthday – Monday 12 June 2017

Mid Year Break – Monday 3 July to Friday 14 July 2017

Labour Day – Monday 2 October 2017

Local Government NSW Conference –4 to 6 December 2017

SA16.15 Berry Community Strategic Plan

HPERM Ref: D16/345626

Group: General Manager's Group
Section: Executive Strategy

Attachments: 1. Berry Community Strategic Plan [↓](#)

Purpose / Summary

To provide Council with the Berry Community Strategic Plan, which has been developed by the community, for information and endorsement.

Recommendation (Item to be determined under delegated authority)

That Council endorse the Berry Community Strategic Plan and consider the themes and strategic priorities contained within the plan as part of Council's planning processes.

Options

1. Endorse the Berry Community Strategic Plan

Implications: The community has worked hard to complete this plan. By endorsing the plan it enables Council to consider the strategies and themes within the document and to link the document to Council's existing planning processes. This enables Council to further work in collaboration with the community in achieving their priorities.

2. Not endorse the Berry Community Strategic Plan

Implications: The community has spent significant time and resources on the plan and the preparation of the plan has been funded by Council. By not endorsing the plan it would result in reputational damage to Council and mistrust of the broader community towards the Berry CCB.

Background

The Berry Community Strategic Plan process commenced in late 2015, as a result of discussions between the community, Council and the RMS. There was a desire for the community to undertake a planning process, in preparation for the changes, resulting from the highway upgrade and bypass project.

The plan was completed with funding assistance from Council (\$25,000) and the NSW State Government (RMS) (\$25,000). Staff support was also provided where required.

The creation of the plan was managed through a subcommittee of the Berry CCB. The subcommittee consisted of people from a variety of backgrounds and interests. The preparation of the plan was undertaken by Locale consultants in conjunction with the community. Feedback from the broader community was obtained throughout the process. The resulting document is endorsed by the Berry community, the Berry CCB, Chamber of Commerce and many of the Berry speciality groups such as Rotary.

The project was managed in a number of stages including initial planning, community engagement - ideas generation/ prioritisation and exhibition of the draft plan. The plan outlines that the intent is for *“The “Berry Community Strategic Plan” to provide a foundation for future efforts to maintain and improve the community aspirations in a coordinated and collaborative way.*

“The Plan is based on the collective knowledge of the community, input from one of the town’s biggest assets, tourists, and from the direct input of all those who have participated in various forums.

“The purpose of the Plan is to provide ongoing engagement with the community through the Berry Community Consultative Body (the Berry Forum) and its representative sub-committees, Shoalhaven City Council (Council) and others as required on Berry’s priorities for the future.”

The document is structured into seven key themes these include:

- Theme 1 - Town Centre Improvements
- Theme 2 - Infrastructure and Assets
- Theme 3 - Recreation, Community and Cultural Facilities
- Theme 4 - Town Planning
- Theme 5 – Sustainability
- Theme 6 – Tourism
- Theme 7 - Business and Employment

Each of these themes contains a number of strategic focuses and identifies the priorities for the community.

Community Engagement

The plan has been through a significant community engagement process. This process resulted in total of 540 surveys being completed by residents, businesses and visitors. A community forum was attended by 200 residents to identify the highest priorities for the community.

Policy Implications

The Berry Community Strategic Plan is intended to be considered as part of Council planning processes. Like other community strategic plans, the Berry plan will assist in Council understands community priorities and expectations. The requirements of Council were considered in this process and communicated through the prioritisation process resulting in a final document that should easily fit within our existing planning frameworks. This plan does not take precedent over Council’s planning documents, rather it is intended to inform and assist in the development of Council priorities and actions for the Berry Community.

Financial Implications

The strategic focuses within the plan will require some form of funding however many can be funded through grants, community fund raising options and reprioritisation. The intent of the plan has never been for the strategies to be entirely funded by Council, rather seek a number of funding options.

Berry Community Strategic Plan

The Berry Forum - September 2016



The Berry Forum

Berry Strategic Plan

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All images in this document
are provide by Chris Jallard -
Red Berry Photography

Introduction

Purpose

The “Berry Community Strategic Plan” has been developed by the Berry community and its visitors to provide a foundation for future efforts to maintain and improve the community aspirations in a co-ordinated and collaborative way.

The Plan is based on the collective knowledge of the community, input from one of the town’s biggest assets, tourists, and from the direct input of all those who have participated in various forums.

The purpose of the Plan is to provide ongoing engagement with the community through the Berry Community Consultative Body (the Berry Forum) and its representative sub-committees, Shoalhaven City Council (Council) and others as required on Berry’s priorities for the future.

Plan Preparation Process

The Berry Community Strategic Plan process commenced in late 2015 with initial planning for the project (phase 1 below). The project quickly moved into a phase of engagement around ideas generation (phase 2), with 540 surveys completed by residents, businesses and visitors. Outcomes were organised into seven themes. A community forum attended by 200 identified the highest priorities (phase 3).

This Community Strategic Plan is the outcome of these processes. In reviewing the information gained, a close link has been sought between the core themes presented in this document, and the structure of Council and its Community Strategic Plan from which it sets its own priorities. This should help to facilitate smoother implementation.

The themes that have been established are:

- Town Centre Improvements
- Infrastructure and Assets
- Recreation, Community and Cultural Facilities
- Town Planning
- Sustainability
- Tourism
- Business and Employment

Each of these themes are further detailed later in this document.

Acknowledgements

The Berry Forum acknowledges the assistance of Council and the NSW State Government in providing funding for the project to proceed in a timely and comprehensive way. Thanks also to Chris Jallard from Red Berry Photography for the use of the images used in this document.



Vision Statement

A vision statement has been developed based on the strategic themes and priorities identified by residents and visitors through the strategic planning process. The vision captures the reasons why Berry is seen as a highly desirable place to live and visit. It also sets out how Berry residents aspire the town “to be” and “be perceived” in the future. The purpose of the vision is to act as an overarching direction for the community - a Vision for Berry.

Berry is highly valued by both its residents and its visitors for its location and its heritage village atmosphere. Idyllically situated in a rural landscape, surrounded by rolling hills and with the escarpment as a backdrop, Berry's historic character is enriched by quality retail outlets and eateries, a full calendar of community and cultural events and a diverse offering of recreational activities and experiences.

The Berry Bypass brings a quieter main street, an increase in public spaces and a network of paths and trails. Berry residents can now plan improvements to the amenity of their town, emphasising its importance as the gateway to the Shoalhaven. Future development, infrastructure improvement and growth of tourism will be carefully balanced with a heightened focus on Berry's unique historic charm, rural character and renown as “The Town of Trees”.



Strategic Themes

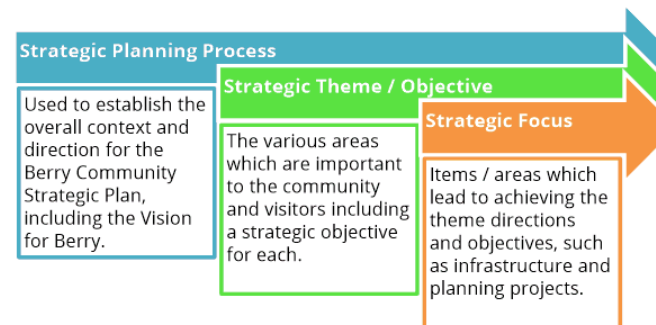
The strategic planning process allowed the community to identify seven "Strategic Themes", each with a stated objective. Further consultation led to the identification and prioritisation of items, listed under Strategic Focus, suggested to accomplish each of these objectives.

Working towards achieving each strategic objective will move the community closer to realising the Vision for Berry.

This section summarises:

- The seven Strategic Themes and the objective for each theme; and
- The six areas of Strategic Focus across all themes that the community identified as "very high priority".

All areas of Strategic Focus for each theme, including those of high and medium priority, are detailed later in this document. Plans are also provided at the end of this document which identify the location of many of the landmarks and project locations identified in this Plan.



Strategic Theme Summaries and Objectives

Theme 1 - Town Centre Improvements

Objective: To develop an inviting town centre that highlights Berry's atmosphere and appeal, providing a pleasurable experience for both residents and visitors.

Improving the town centre is particularly important to the community, being one of the key benefits or outcomes of the by-pass. Preparing a "Town Centre Improvement Plan" was the single highest priority at the community prioritisation event. This project should be undertaken in a way that incorporates other related areas of Strategic Focus across all Strategic Themes. In particular the community has identified as priorities the preserving of the heritage character of Berry and enhancing the concept of the "Town of Trees" by further landscaping and planned planting of trees.



Theme 2 - Infrastructure and Assets

Objective: To provide a high level of well maintained infrastructure appropriate to the needs of both the local community and visitors arriving at the gateway to the Shoalhaven.

Establishing and maintaining an appropriate level of infrastructure is also particularly important to the community. In particular preparing plans for cycle and walking paths in and around Berry and the planting of trees and landscaping are identified as very high priorities. This seems to capture the desire by the community for an accessible town that is well connected for both pedestrians and cyclists. Public car parking and toilets are priorities for many people, especially visitors. Roads, kerbs and guttering and telecommunications and banking are also priorities.



Theme 3 - Recreation, Community and Cultural Facilities

Objective: To build a strong and engaged community through the provision of quality sporting, leisure and cultural facilities and activities.

The importance of recreation, community and cultural facilities is expressed by the community's support of a large range of sporting, health and well-being captured in this Strategic Theme. The design and implementation of the Adventure Playground proposal is one of the very high priorities in the Strategic Plan. The planning of this playground should be incorporated into the planning for the District / North Street Park along with a number of other priorities such as a dog off leash area. Preserving, improving and making better use of existing facilities such as School of Arts, Museum, other public buildings, the Berry Pool and Berry Showground are priorities. Providing facilities and opportunities for Berry's youth and family friendly attractions and activities are seen as important. The provision of facilities such as a theatre, a library and a potential high school and developing the regional equestrian centre are all priorities in this theme.



Theme 4 - Town Planning

Objective: To maintain the history, setting and unique character of the Berry area through careful planning and development.

Town Planning is an important theme for many people. In particular, the preservation of the town's heritage character and "village feel" is one of the very high priorities in the Strategic Plan. This prioritisation of heritage character is echoed by heritage related priorities in other strategic themes. In addition to the built character, the protection of the "village feel", including the context of the town within the surrounding rural landscape, is important to many. Housing affordability was also identified as an important issue.



Theme 5 - Sustainability

Objective: To establish Berry as an environmentally aware community looking to adopt sustainable practices.

The Sustainability theme is important to many people. Advocating for improved recycling and green waste infrastructure is a very high priority for the community. There are a number of priorities such as encouraging and supporting local food production, becoming plastic bag free and encouraging renewable energy that will rely primarily on community support. However priorities such as the improvement of waterways and public transport will require government support.

Theme 6 - Tourism

Objective: To promote Berry as a tourist destination through the planned provision of a broad range of activities, experiences and information.

The town of Berry is very well known as a tourist destination, serving as the gateway to the Shoalhaven. The importance of the Tourism theme is evidenced by the priority given to ensuring that the town and the town entry is well presented. The importance of providing positive and memorable experiences for visitors will be enhanced by encouraging more activities and events as well as providing easy access to up-to-date information for visitors.

Theme 7 - Business and Employment

Objective: To strengthen the local economy by encouraging innovation and growth of the business and industry sector.

Creating successful businesses and employment opportunities is an important theme. It is mostly reliant on those involved to create strong connections between the local community, tourists and businesses. Exploring ideas such as a "Buy Local" card and establishing a creative or entrepreneurs' hub are seen as priorities. Encouraging a more diverse retail offering is also seen as important.



Very High Priority Strategic Focus Items

The following table summarises the six Strategic Focus items across all Strategic Themes that were given a very high priority ranking from the strategic planning process.

Strategic Focus	Description	Theme
Prepare a Town Centre Improvement Plan	<p>Develop options for comprehensive changes to the way the town centre is used. Implementation to consider other Strategic Focus areas, as well as:</p> <ul style="list-style-type: none"> exploring traffic flow and vehicle access options options for increasing pedestrian priority and connections utilising more public art and creating lively spaces opportunities for a town centre green space and/or formal town square locations for additional seating and street furniture tree planting and landscaping potential for planters and heritage lighting 	1 - Town Centre Improvements
Prepare cycle and walking path priority plans	<p>Build a connected and healthy community by planning and constructing cycle and walking paths:</p> <ul style="list-style-type: none"> around the town centre and connecting the town centre to the surrounding residential areas linking the areas close by, but outside the urban area, such as the Sport and Recreation Centre accessing the beach and other areas outside the town, including the “Berry Estate Trails” project 	2 – Infrastructure and Assets
Undertake tree planting in the urban area to emphasise Berry as “The Town of Trees”	<p>Prepare a Street Tree Master Plan to establish agreed street tree locations, species and priorities for implementation of a consistent “The Town of Trees” approach - with a view to marketing this as part of the town’s identity.</p>	2 – Infrastructure and Assets

Strategic Focus	Description	Theme
Design and implement the "Adventure Playground"	Undertake detailed design and implementation of the proposed Adventure Playground located on North Street. Actively promote it as a major lifestyle attraction for both residents and visitors.	3 - Recreation, Community and Cultural Facilities
Preserve the town's heritage character and "village feel"	Ensure that the town's planning controls and any proposed CBD developments retain existing character buildings and reflect the heritage appeal. This is approached from a planning and development consent perspective and should be viewed in addition to directions and actions to preserve heritage buildings (see Strategic Focus 3.2) and character improvements of existing buildings (see Strategic Focus 1.2).	4 - Town Planning
Advocate for improved recycling and green waste infrastructure	Advocate for Council to provide green waste bins as part of kerbside collection and to provide recycle bins in public places, leading to increased reuse and recycling of products rather than waste going to landfill.	5 - Sustainability



Strategic Focus Tables

Theme 1 - Town Centre Improvements

Objective: To develop an inviting town centre that highlights Berry's atmosphere and appeal, providing a pleasurable experience for both residents and visitors.

All strategic focus areas for this theme are outlined in Table 1.

Table 1: Town Centre Improvements

Strategic Focus	Description	Priority
1.1 - Prepare a Town Centre Improvement Plan	Develop options for comprehensive changes to the way the town centre is used. Implementation to consider other Strategic Focus areas, as well as: <ul style="list-style-type: none"> exploring traffic flow and vehicle access options options for increasing pedestrian priority and connections utilising more public art and creating lively spaces opportunities for a town centre green space and/or formal town square locations for additional seating and street furniture potential for planters and heritage lighting 	Very High
1.2 - Build upon Berry's reputation as a heritage town	Reinforce the heritage character of the town, by identifying strategies such as shop-front improvements and consistency in colours and signage. Co-ordinate with Town Planning Theme Strategic Focus 4.1.	High
1.3 - Upgrade Broughton Mall	Upgrade Broughton Mall to make it a more attractive place to gather and linger in addition to its function as a thoroughfare. Ensure co-ordination with Town Centre Improvement Plan (Strategic Focus 1.1)	Medium

Theme 2 - Infrastructure and Assets

Objective: To provide a high level of well maintained infrastructure appropriate to the needs of both the local community and visitors arriving at the gateway to the Shoalhaven

All strategic focus areas for this theme are outlined in Table 2.

Table 2: Infrastructure and Assets

Strategic Focus	Description	Priority
2.1 - Prepare cycle and walking path priority plans	Build a connected and healthy community by planning and constructing cycle and walking paths: <ul style="list-style-type: none"> around the town centre and connecting the town centre to the surrounding residential areas linking the areas close by, but outside the urban area, such as the Sport and Recreation Centre accessing the beach and other areas outside the town, including the “Berry Estate Trails” project 	Very High
2.2 - Undertake tree planting in the urban area to emphasise Berry as “The Town of Trees”	Prepare a Street Tree Master Plan to establish agreed street tree locations, species and priorities for implementation of a consistent “The Town of Trees” approach - with a view to marketing this as part of the town’s identity.	Very High
2.3 - Increase the availability of public car parking	Identify locations for provision of more car parking in and around the town, particularly for visitors, and including a dedicated long vehicle parking area.	High
2.4 - Increase availability of public toilets	Identify sites and provide additional public toilets in and around the town centre to meet the high demand for amenities.	High
2.5 - Roads, including kerb and gutter, asset planning	Establish and prioritise a publicly available database identifying where improvements to footpaths, kerb and guttering, road repair and maintenance are needed. Lobby and work with Council to develop a works program and a timetable for implementation.	High

Strategic Focus	Description	Priority
2.6 - Advocate for improved telecommunications and banking facilities	<p>Identify town priorities for telecommunication and banking facilities and advocate for issues such as:</p> <ul style="list-style-type: none"> Establishing a free Wi-Fi hot spot Improving banking infrastructure Getting access to the National Broadband Network Improved mobile coverage 	High



Theme 3 - Recreation, Community and Cultural Facilities

Objective: To build a strong and engaged community through the provision of quality sporting, leisure and cultural facilities and activities.

All strategic focus areas for this theme are outlined in Table 3.

Table 3: Recreation, Community and Cultural Facilities

Strategic Focus	Description	Priority
3.1 - Design and implement the "Adventure Playground"	Undertake detailed design and implementation of the proposed Adventure Playground located on North Street. Actively promote it as a major lifestyle attraction for both residents and visitors.	Very High
3.2 - Preserve and improve public buildings	Prepare a prioritised plan for preserving, maintaining, improving and making better use of Berry's heritage buildings including the School of Arts, Museum and others.	High
3.3 - Improve swimming pool facilities	Assess the facilities provided at Berry Pool and advocate for improvements. Investigate possible community access to the Sport and Recreation Centre's facilities.	High
3.4 - Provide facilities and opportunities for Berry's youth	Establish a plan to involve and provide for young people in the town, through infrastructure (such as a youth hub/centre), events and employment opportunities.	High
3.5 - Provide a town theatre or cinema	Investigate options and develop business plans to facilitate the introduction of a permanent or seasonal, indoor or outdoor theatre - potentially within the School of Arts or at the Showground.	Medium
3.6 - District Park (North Street) design and implementation	Advocate for Council to finalise the Berry District Park Master Plan (North Street) and to prioritise implementation of detailed design and construction (to be co-ordinated with Strategic Focus 3.1 above).	Medium
3.7 - Provide a suitable dog off leash area	Identify a new area for an appropriately fenced and designed off leash facility, preferably still on North Street, and lobby Council for its construction.	Medium

Strategic Focus	Description	Priority
3.8 - Undertake improvements to the Showground	Encourage greater use and integration of the Showground to the town centre – including playground upgrade, parking, improved maintenance and use for events. Investigate the need to renew and update the Berry Showground Plan of Management, now more than 10 years old.	Medium
3.9 - Promote family friendly attractions and activities	Identify, map and promote to both residents and visitors family friendly areas and activities, updating this information when necessary. Encourage and support additional venues and activities with family appeal.	Medium
3.10 - Investigate feasibility for provision of a high school in Berry	Investigating the feasibility of a high school to be established in the town to provide for the Berry population, as well as surrounding areas such as Shoalhaven Heads, Gerringong and Gerroa.	Medium
3.11- Improve provision of library service within the town	Investigate and advocate for improved services such as the provision of a small library service in conjunction with other town facilities (such as a visitor centre, public building or youth centre) or other more flexible community based arrangement.	Medium
3.12 - Develop the regional equestrian centre	Advocate for the implementation of plans for the regional Equestrian Centre of Excellence at the Schofields/Andersons Lane site and promote it to residents and visitors as a key sporting facility.	Medium

Theme 4 - Town Planning

Objective: To maintain the history, setting and unique character of the Berry area through careful planning and development.

All strategic focus areas for this theme are outlined in Table 4.

Table 4: Town Planning

Strategic Focus	Description	Priority
4.1 - Preserve the town's heritage character and "village feel".	Ensure that the town's planning controls and any proposed CBD developments retain existing character buildings and reflect the heritage appeal. This is approached from a planning and development consent perspective and should be viewed in addition to directions and actions to preserve heritage buildings (Strategic Focus 3.2) and character improvements of existing buildings (Strategic Focus 1.2).	Very High
4.2 - Define the edge of the town	Provide a distinct town edge that retains views to the escarpment to the north and minimises residential subdivisions and housing release at the rural interface.	High
4.3 - Explore ways to improve housing affordability into the future	Examine options for promoting improved housing affordability within the town whilst retaining key attributes of the town in terms of heritage retention (Strategic Focus 4.1) and definition of the town edge (Strategic Focus 4.2).	Medium
4.4 - Update planning controls	To acknowledge changes brought by the bypass and to ensure that the character both within and external to the town is retained and reinforced, review and update relevant planning controls and strategic documents to reflect the desired future of the town.	Medium



Theme 5 - Sustainability

Objective: To establish Berry as an environmentally aware community looking to adopt sustainable practices.

All strategic focus areas for this theme are outlined in Table 5.

Table 5: Sustainability

Strategic Focus	Description	Priority
5.1 - Advocate for improved recycling and green waste infrastructure	Advocate for Council to provide green waste bins as part of kerbside collection and to provide recycle bins in public places, leading to increased reuse and recycling of products rather than waste going to landfill.	Very high
5.2 - Encourage and support local food production	Encourage and promote local food production. Supporting strategies could include street planting of fruit trees, community gardens, farmers markets, a permanent fresh produce store, promotion of wineries and an eat local philosophy, etc.	High
5.3 - Improve waterways and riparian areas	Improve access between the town and its waterways as part of the paths and trails project (Strategic Focus 2.1). Raise awareness of the community's responsibility to these areas, promote and support the work of bush care, land care and park care groups, lobby council for control of weed infestations.	High
5.4 - Advocate for better public transport	Advocate for a range of public transport, such as retention of existing train services, bus or community transport, taxi services and carpooling.	High
5.5 - Become a plastic bag free town	Determine ways to measure the level of support in the community and from business owners for a plastic bag free town. Identify community members to build community support and to develop a plan for implementation.	Medium
5.6 - Encouraging renewable energy	In the short-term, and ultimately as a long-term plan for the town to be "carbon-neutral", take steps to encourage and act on opportunities to reduce the environmental footprint of the town in terms of energy use and carbon production, including for example electric car charging points.	Medium

Theme 6 - Tourism

Objective: To promote Berry as a tourist destination through the planned provision of a broad range of activities, experiences and information.

All strategic focus areas for this theme are outlined in Table 6.

Table 6: Tourism

Strategic Focus	Description	Priority
6.1 - Improve the appearance of the town entry	Working with Council and the Shoalhaven Tourism Board, promote Berry as "The Gateway to the Shoalhaven". Design, construct and landscape entrances to the town that reflect its importance in drawing tourists to Berry and the wider Shoalhaven area.	High
6.2 - Encourage more activities for tourists	Broaden the current focus on the town character, shopping and food by promoting a more diverse offering of activities, such as heritage / estate trails, walking and riding trails, street entertainers and night activities, etc. Encourage longer stays through the promotion of nearby attractions and local excursions.	High
6.3 - Undertake a comprehensive Berry Tourism Plan	Develop a Tourism Plan for the area to identify priorities and co-ordinate actions to ensure long-term success of the sector.	Medium
6.4 - Encourage more events	Centralise and promote a calendar of events on the Shoalhaven and Berry Tourism websites to support planning and to attract new events. Co-ordinate with Strategic Focus areas 6.2 and 6.3.	Medium
6.5 - Develop an improved range of tourist information	Provide quality, up-to-date information that reflects the importance of tourism to the Berry economy and supports sustained growth of the sector. This could include improved signage to and around the town, information boards, a tourist information centre, pamphlets / brochures, websites or applications.	Medium

Theme 7 - Business and Employment

Objective: To strengthen the local economy by encouraging innovation and growth of the business and industry sector.

All strategic focus areas for this theme are outlined in Table 7.

Table 7: Business and Employment

Strategic Focus	Description	Priority
7.1 - Provide for more employment opportunities	Continue to provide for employment for both young and old alike, likely to result from a strong tourism industry, expansion of employment land (along Creamery Lane for example), and through other business support mechanisms.	Medium
7.2 - Establish a "buy local" card	Encourage the local community to support local business, and for local business to recognise the value of the local community through establishing a "buy local" card or similar that promotes local spending and economic benefits within the area.	Medium
7.3 - Establish a creative or entrepreneurs hub	Create a central point for home businesses, entrepreneurs and those looking to build a long-term presence in the town to connect with those that are looking to collaborate, assist in developing new business opportunities and to provide a starting point for new ideas.	Medium
7.4 - Encouraging a more diverse retail offering	Where possible, encourage local business to provide for a greater range of retail offerings, including those aimed at local community.	Medium

Implementation

Interested in being involved?

The Berry Forum is the Community Consultative Body (CCB) that has been nominated by Shoalhaven City Council as its community liaison group. The Berry Forum will establish working groups to implement this Berry Community Strategic Plan and its outcomes. If you would like to be involved, there are many ways that you can help to implement the plans.

In the first instance, contact the Berry Forum - <http://berryforum.org.au/> who will be able to let you know who the key contacts for themes or strategic directions which may be of interest.



SA16.16 Ulladulla Harbour Berthing Facility Project Funding

HPERM Ref: D16/350140

Group: General Manager's Group
Section: Economic Development

Purpose / Summary

To accept a grant offer from the Community Development Grant Programme of the Australian Government for the construction of a small berthing facility within Ulladulla Harbour.

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 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

Options

1. The recommendation be accepted as written.
2. An alternative recommendation be proposed.

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3. Council reject the grant and not proceed with the project.

Background

For many years the Ulladulla community have been seeking to increase the number of berths within Ulladulla Harbour. In Council's consideration for improving berthing facilities across the City, three localities were identified – Shoalhaven River, Jervis Bay and Ulladulla as being targets for some form of berthing facility development.

As part of the National Stronger Regions funding program, Council prepared a funding submission based on a preliminary design for a 21 berth berthing facility within Ulladulla Harbour.

The project consists of two components being:

- Removal of the rock shelf and dredging
- Construction of 21 berths via the installation of a floating pontoon catering for craft 8-12m

The proposal has a mix of designated berth categories:

- Visiting/transient seafarers travelling up/down the east coast of Australia (4 berths)
- Vessels under repair/awaiting slippage (1 berth)
- Commercial operations (6 berths)
- Recreational craft (10 berths)

Project Justification

The unspoilt beauty of the South Coast/Shoalhaven coastline and increases in per capita boat ownership combined with inadequate supply of berths and moorings will make Ulladulla Harbour attractive to visiting vessels.

The berths set aside for visiting craft are expected to be heavily utilised. Marine cruising is becoming increasingly more popular and having a safe refuge adjacent to a major town is seen as a positive tourist attraction. These vessels do currently utilise the Harbour but the berthing facilities are not suited to the smaller non-trailerable recreation/commercial vessels but rather the ocean going trawlers.

At Ulladulla Harbour there are two slipways. The larger facility is operated by the Ulladulla

Fishermens Co-Op and the smaller one operated by Shoalhaven City Council under a s355 Management Committee structure. Both of these facilities are well utilised and it is intended to allow one dedicated berth for craft awaiting slipping or undertaking repairs that do not require slipping.

The commercial berths will be for craft seeking to be chartered for game fishing and general charter fishing. It is known that game fishing boats, that operate in Nth Queensland during the August-December game fishing season, move south during the cyclone season (January-May) each year and operate from NSW ports along the coast (eg Narooma, Bermagui..) Providing berthing facilities will open this market in Ulladulla.

To provide financial sustainability to the project, half of the berths will be available for leasing by "locals" for recreational craft. The demand for these will be strong and widespread – Nowra/Wollongong, Canberra, Batemans Bay.

Project Preparation and Enablement

The construction of berths via the installation of pontoons has been dependent on the NSW Crown.

Lands undertaking rock shelf removal and dredging of a part of the Ulladulla Harbour. Lowering of the rock shelf to allow greater depth for vessels is a key component of this project enabling the construction of new berths.

Shoalhaven City Council has been working with NSW Crown Lands since 2009 to obtain funds under the NSW Dredging Program. In August 2015 the NSW Minister for Lands and Water advised Council, through the Parliamentary Secretary to the Premier - Illawarra and South Coast, that funding had been allocated and that the works would be scheduled for 2016/17.

This announcement and contribution by the NSW Government enables this project, as submitted, to proceed.

Recent studies conducted by Council and NSW Crown Lands include the following.

- Coffey Geotechnics (June 2011) Geotechnical Investigation - Harbour Expansion Works; NSW
- Lands and Property Management Authority Harbour Expansion Works, Ulladulla Working Jetty.
- GHD (March 2012) NSW Department of Primary Industries – report for Ulladulla Harbour Deepening Site Investigation Report.
- Department of Primary Industries – Catchment & Lands (May 2012) Review of Environmental Factors – Proposed Ulladulla Harbour Deepening
- GHD (August 2012) Ulladulla Harbour Deepening – Pontoon Layout Preparation.

The studies listed above demonstrate the collaboration between Shoalhaven City Council and the NSW Crown Lands and their commitment to see this project to fruition. Once the dredging approvals were in place (completed), Council and Crown Lands continued to liaise on design, tenure and operational aspects.

Designs have been undertaken by a consulting engineer in March 2016 and costed for the purposes of advancing the project. These designs will be exhibited and used for stakeholder consultation during the construction approval stage which will take place as soon as funding approval is announced.

Crown Lands have advised that Council will be granted a licence or lease over the area within the Harbour and the adjoining land envelope (for ramps and other bracing structures). This will give Council tenure, a common practice between the Crown and local government, to construct, own and manage the facility.

Council is not in a position to solely fund this asset. The asset operations will be self-funding and this will allow for future refurbishment.

Construction & Operation

Once the funding arrangement has been finalised, Council will proceed to obtain construction approvals by undertaking a Review of Environmental Factors for the structure and in doing so will consult with stakeholders (Ulladulla Fishermens Co-Op, Ulladulla Marine Rescue, Ulladulla Game Fishing Club...), and each are aware of the project.

In parallel with this consultation, tender documentation will be prepared.

Based on the final design and approvals, tenders will be called, assessed by Council and awarded.

Construction and commissioning of the facility will follow.

During the construction timeline, Council will establish operational guidelines and seek Expressions of Interest for the operations of the facility. Following negotiations a facility manager will be appointed as a contractor to administer the operation.

Funding

COSTS	\$
Construct berths in Ulladulla Harbour	\$1,589,742
Total Costs	\$1,589,742
SOURCE OF FUNDS	
Community Development Fund – Grant being offered	\$789,742
Shoalhaven City Council	\$400,000
NSW Government – Dredging Program - commitment	\$400,000
Total source of funds	\$1,589,724

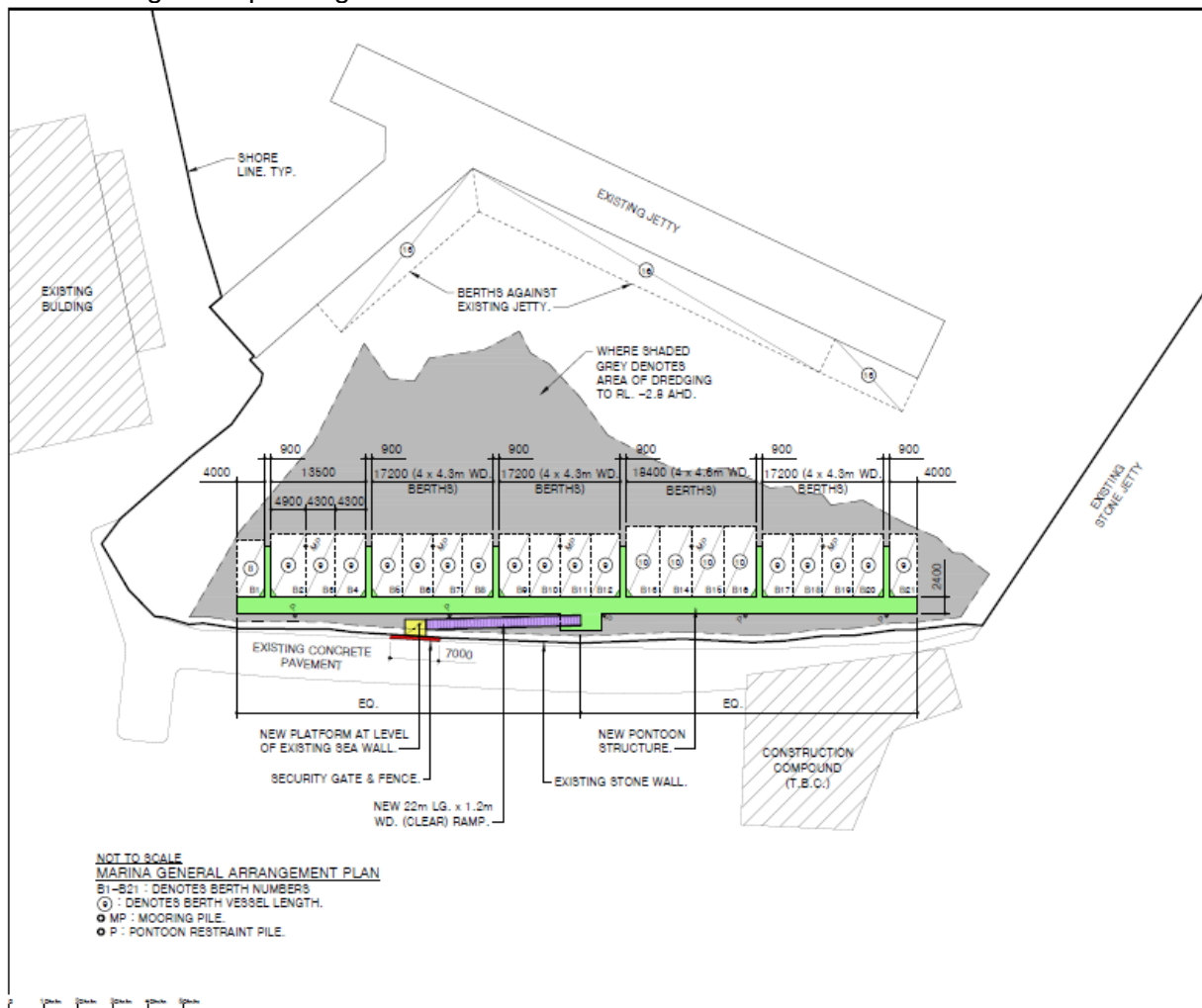
Details of a consultants cost estimate prepared earlier in 2016 is as below.

Project:	ULLADULLA HARBOUR - NEW MARINA
Description:	COST ESTIMATE FOR CONSTRUCTION
Reference	TLB drawing 16053 - SK1

Item	Description	units	rate	qty	\$
1	Construction cost				-
2	Establishment	item	10,000	1	10,000
3	Supply and install floating structure restraint piles	pile	10,000	5	50,000
4	Supply and install mooring piles	pile	12,000	5	60,000
5	Supply and install floating structure ext services	m2	1,000	283	283,000
6	service bollards with lights	bollard	1,250	10	12,500
7	supply and install 22mX1.2m ramp	item	40,000	1	40,000
8	new 3mX3m platform	m2	2,500	9	22,500
9	Security gates and security fence	m	900	7	6,300
10					-
11					-
12					-
13					-
14					-
15	CCTV	item	5,000	1	5,000
16	electrical and water services supply from nearby connection to service bollards	item	50,000	1	50,000
17					-
18	Sub - Total				539,300
19	Contactor's overheads and profit	%	18		97,074
20	Sub Total				636,374
21	Contingency	%	15		95,456
22	Sub- Total				731,830
23	GST	%	10		73,183
24	TOTAL CONSTRUCTION COST				805,013

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The working concept design is included below.



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The project is expected to deliver an equivalent 11 full time employment positions with a flow on effect for a further 6 full time equivalent positions.

Community Engagement

The wider Ulladulla community has been aware of the need and intent to create more marine berths within Ulladulla Harbour. The boating community has been agitating for this for over a decade.

The unfolding of the project comprising aspects of the operation and management of the facility will be subject to expressions of interests as will the calling for boat owners/operators to utilise the facility.

Financial Implications

Council, as part of the application, committed to contribute \$400,000 (25%). It is proposed that these funds will come from the Economic Development Reserve, accumulated by Council for employment generating initiatives.

SA16.17 Adoption Community Infrastructure Strategic Plan

HPERM Ref: D16/323734

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

Attachments: 1. Draft Shoalhaven CISP (under separate cover)⇒
2. CISP Submission Summary table↓ (under separate cover)

Purpose / Summary

To seek Council approval to finalise and adopt the draft Community Infrastructure Strategic Plan (CISP) with amendments as identified in this report and the attached submissions table.

Recommendation (Item to be determined under delegated authority)

1. Council finalise and adopt the draft Community Infrastructure Strategic Plan (including the recommendations in Section 12 and Appendix H) with the following main amendments:-
 - a. the term “rationalisation” be defined further in the plan and understood as explained in this report
 - b. tennis court facilities and netball courts to be included in the plan
 - c. to update provision guidelines for arts, museums and libraries
2. The minor amendments as outlined in the attached submissions table (outlined in Attachment 2) and staff feedback / amendments as identified in the report below also be included in the final version and adopted.
3. Council continue to work with community and sporting groups to develop more accurate information on utilisation rates, times, programs, etc. to better understand future infrastructure needs and facilities that can be utilised for events and marketed
4. Council staff commence exploring ways in which its community infrastructure facilities can be marketed to maximise community knowledge of the facilities and increase utilisation.
5. Council advise those that made submissions related to the draft plan, CCBs, community and sports groups of the resolution of this meeting.
6. Council rescind the *Sportsground Strategic Plan* which is superseded by the Community Infrastructure Strategic Plan:
7. The Community Infrastructure Strategic Plan inform a review of the Council’s Section 94 Plan.

Options

1. Adopt the recommendation.

Implications: This will allow finalisation of the plan and allow staff to focus on delivering the recommendations and have clear strategic directions to work towards.

2. Adopt the recommendation with an amendment.

Implications: This may delay adoption of the plan and delivery of its recommendations. To allow adoption / finalisation of the plan, Council may resolve to remove a particular item from the plan.

3. Not adopt the draft Community Infrastructure Strategic Plan and refer this matter to a councillor workshop to discuss the full implications relating to the recommendations with a further report to council following the workshop.

Implications: This will defer adoption of the Plan and is only suggested if the council requires more detailed discussions at this time.

4. Council not adopt the recommendation and provide direction to staff.

Implications: This will delay adoption of the plan and may potentially affect its strategic directions.

Background

In 2013 Council staff identified the need to develop a strategic plan to guide management of its community facilities and sought quotations for the project. Ross Planning were the successful consultant for the project and commenced community engagement as outlined in the Community Infrastructure Strategic Plan (CISP). The draft CISP can be viewed as Attachment 1 to this report.

In the draft CISP, the communication program undertaken and consultation feedback is outlined in section 6.0 of the draft plan and Appendix C & D. The consultation process sought feedback from all Shoalhaven based Community Consultative Bodies (CCBs), sporting groups, community facility management committees, relevant groups listed on Council's Community Directory and the general public.

Draft CISP purpose / community infrastructure definition / methodology

The draft CISP guides provision and management of all Council's community infrastructure for the next 30 years, therefore it is a comprehensive and strategic document.

A definition of what is Community Infrastructure is outlined in the executive summary of the draft CISP.

The methodology used to develop the plan is identified in the section 1.3 and Appendix A of the draft CISP.

Draft CISP objectives

The draft CISP objectives (as outlined in Section 1.1. of the plan – see Attachment 1) are to:

- *determine the current and future needs of communities within the Shoalhaven*
- *identify a hierarchical model for the delivery of community infrastructure that is consistent with community needs, gaps in provision and operational / maintenance levels*
- *provide an assessment of existing community infrastructure*
- *assess the current minimum standards for the provision of community infrastructure*
- *review Council's recreation and community infrastructure plans, Development Control Plans and Strategic Plans*
- *provide a revised list and methodology of Section 94 community infrastructure projects*
- *review and rationalise assets including the integration, co-location, multipurpose and/or decommissioning of facilities*

- *recommend current and future projects, prioritised by short, medium and long time frames*
- *review and provide various management and delivery options*
- *assess the current minimum standards for the provision of community infrastructure”*

In achieving these objectives, a key outcome of the draft CISP is to provide where possible “cluster & connection” facilities where co-usage and economies of scale are achieved.

Recent Council resolution

Council at its Strategy and Assets Committee meeting on 12 April 2016 resolved that:

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

Draft CISP recommendations

The draft CISP outlines future recommendations for Council staff to prioritise and action. Section 12 of the draft CISP outlines these recommendations which are based on research, consultation and analysis with Council, community and key stakeholders when developing the plan.

Section 12.1 of the draft CISP outlines 39 recommendations related to the whole Shoalhaven Local Government Area and cover the following matters:

- Activation of community infrastructure.
- Diversify income streams of community infrastructure to make user groups become less reliant on Council funding.
- Improve communications internal and external.
- Improve awareness of community infrastructure to encourage greater use and awareness of existing infrastructure.
- Effective and efficient management of community infrastructure.
- Appropriately designed community buildings that provide for multiple users and are financially sustainable.
- Community groups development, education and training.
- Planning for future community infrastructure.
- Undertake relevant monitoring and review to ensure community infrastructure meets the community’s needs and regularly used.
- Development of partnerships and funding opportunities to embellish existing community infrastructure and increase usage.
- Community infrastructure specific.

The above matters would be achieved by a number of actions which for example could be: improved booking systems, promotion (websites, brochures, advertising communication etc.), development of strategies (access, signage sponsorship increased usage etc.), policy reviews, etc.

Section 12.2 of the draft CISP refers to 67 area specific recommendations which are grouped into Council’s planning areas. Appendix H of the draft plan then (visually) maps these recommendations. A summary of these area specific recommendations follows:

- 34 recommendations refer to ‘upgrades’ of community infrastructure (i.e: Edwards Avenue Reserve upgrade to district recreation park, Bicentennial park addition of exercise equipment, Sussex Inlet Community Centre, Ulladulla Sports Park – netball courts & internal paths).
- 3 recommendations refer to ‘master plan’ sites for community infrastructure (i.e. Vincentia Sportsground, Paringa Park, Marriott and Harry Sawkins).
- 3 recommendations refer to ‘decommission’ of community infrastructure (i.e. Davis Park remove toilets, Blackett Park relocate toilets, Sampson Cres remove play equipment develop as dog park).
- 1 recommendation refers to ‘construct’ community infrastructure (i.e. Bay & Basin Community Hub).
- 1 recommendation refers to ‘investigate’ community infrastructure (i.e. develop Milton Community Buildings Study).
- 2 recommendations refer to ‘implement’ community infrastructure outcomes (i.e. Voyager Park Master Plan and Lady Denman Reserve Strategic Business and Master Plan).
- 23 recommendations refer to ‘rationalise’ community infrastructure (i.e. Eldeberry Avenue, Arunta Close and Liberty park remove play equipment at end of life (in line with Council endorsed playground strategy), former Culburra Scout Hall if current occupier leaves, Willunga Crescent Reserve (lacks casual surveillance)).

Of these 23 ‘rationalise recommendations’, 5 reference sale of land which this Council report is recommending to remove text related to sale of land and to undertake the rationalise process for relevant sites.

Public exhibition period

The draft CISP was placed on public exhibition from 4 May to 18 June 2016 and a workshop was held on 8th June 2016 for community (i.e. CCBs) and sporting groups. Councillor, internal staff and Shoalhaven Sports Board briefings were undertaken during the exhibition period.

Public Submission Feedback / Amendments

Council received thirty seven (37) submissions as shown in the submissions table (see Attachment 2). The submissions table outlines the feedback received during the exhibition process and provides comment from Ross Planning and Council staff. The submissions table also recommends amendments to the final plan. The main amendments are:

- I. The term “rationalisation” be defined further in the plan as explained in this report (see below).
- II. Tennis court facilities and netball courts to be included in the plan.
- III. The need for more accurate information from sporting users / associations and community facility users to better understand infrastructure needs.
- IV. To update provision guidelines for arts, museums and libraries.
- V. Remove reference to ‘sell’ any facilities/land and replace with ‘rationalise’ (the rationalisation process is outlined below in this report).

Staff Feedback / Amendments

The following staff feedback, identified the following amendments to the draft Plan.

Social & Infrastructure Planning

- Identified inclusion of tennis, netball and equestrian facilities.
- Identified mapping changes which included the addition of a small number of parks / reserves which were not noted in the plan and removal of some areas that were natural areas with no community infrastructure.

- Changes of classification colours in plan maps that were identified as being incorrect.
- Changes regarding some high, medium, low and ongoing priorities to reflect community needs.
- Deletion of “*develop a new contribution for inclusion in the contributions plan for active and passive recreation and community building projects based on the estimated cost of replicating existing standards for each planning area.*” (page 70, CISP)

Library

- Identified library categories as incorrect for Sanctuary Point and Milton which are local libraries not district.
- Identified changes to the library categories that will ensure they are correctly reflected in the document.
- Identified changes to the provision standards that will ensure clearer direction and ensure flexibility and alignment with State Libraries into the future.

Arts

- Identified that the provision standards based on population was not an industry supported methodology and the following changes should be incorporated in the plan.

Regional Gallery / Museum is where audiences can be expected to travel between 60-90min for a regional gallery.

District Gallery / Museum is where audiences can be expected to travel between 45-60min for a district gallery.

Local Gallery / Museum is where audiences can be expected to travel up to 30min for a local gallery.

Term rationalisation / further definition

As outlined in the draft CISP, the term rationalisation highlights a need for investigation of community infrastructure in regards to its low use, aging condition, appropriateness of location and potential for future uses, maintenance embellishment, etc. This investigation includes engagement consultation and evaluation of the facility with the community.

Through undertaking public exhibition of the draft CISP, the term rationalisation has been the most prominent item raised in community feedback with concerns raised related to:

- Council is going to get rid of a facility that they use
- Council is going to sell the facility that they use
- Council is changing the status quo and therefore forcing change

In acknowledging and understanding these concerns, the term rationalisation is recommended to be better explained and defined in the plan. The term rationalisation is about a process which exhausts a sequence of options to make community infrastructure relevant, sustainable and affordable for the community. The process involves the following steps:

1. Identification of low use
2. Attempts to increase usage
3. Attempts to minimise maintenance / running costs
4. Identification of nearby infrastructure that can meet existing needs
5. Ongoing consultation with the community

Possible outcomes of the above process would consider the following options:

- Increased marketing and improvements in utilisation

- Alternate use of land i.e. conversion of open space to community building or environmental protection area, developing a multipurpose infrastructure, creating additional uses for a facility.
- Lease of land i.e. to retain land in Council ownership whilst earning rental income for the permissible use of the land.
- Community trustee, giving the halls operation/maintenance and management to a community group (similar to a lease/licence), this would release council from the ongoing financial responsibilities of maintaining the facility.
- Sale of land for commercial or residential purposes (this would require reclassification/rezoning which will always require community consultation and a formal decision of Council).

Should sale of land be considered by the community and/or Council, the income generated from this process is recommended to be reinvested in the relevant network i.e. open space or community buildings and increase the capacity of existing space or community buildings. In addition, it must be acknowledge that not all land identified will have the potential for sale due to site constraints or other infrastructure needs identified (i.e. land may contain utility services).

Resistance to change

Many of the submissions received from exhibition of the draft CISP also have a theme of resistance to any change and this is a normal response. In recognition of this point, Council must understand the need to include the community in its decision making process and to ensure that any change is discussed, understood and potentially aligned with any future community needs.

The draft plan identifies changes for future community infrastructure supply/provision (which could be co-location, multipurpose use, etc.) and prior to any of these changes being undertaken there will be community consultation and evaluation to identify clear and common objectives to move forward.

Some of the key themes emerging from the submission feedback was the communities desire to have quality facilities rather than quantity and the preparedness to travel 30 minutes or more for quality facilities.

Section 94 Plan

The final CISP will be a valuable tool in undertaking future reviews of Council's Section 94 Plan and to identify future community infrastructure needs and potentially assist with the re-direction of associated Section 94 funds. It is anticipate that amendments to the current Section 94 Pan for community infrastructure will be undertaken after finalisation of the CISP. In commissioning this strategic plan a key objective was to use the information to review the Section 94 Plan with regard to Active and Passive Open Space and Community Facilities.

Strategies / plans superseded by CISP

This document will supersede Councils current Sportsground Strategic Plan.

Community Engagement

Development of the draft CISP, and subsequent public exhibition of the draft plan, has involved significant and extensive community involvement which is outlined in the following sections of the plan (see Attachment 1):

- Program of engagement identified in Appendix C
- Consultation feedback identified in Section 6.0
- Consultation notes identified in Appendix D

Once finalised the CISP will provide strategic direction regarding delivery and management of community infrastructure into the future. The plan is recommended to be reviewed every 5 years to ensure that it remains relevant and reflects our community needs.

Policy Implications

The CISP will be the overarching strategic document to guide Council's Social and Infrastructure Planning and therefore will assist in associated policy development for Council.

Financial Implications

At its Ordinary Meeting held on 28 October 2014, Council considered a financial sustainability report. This report highlighted Council's current financial position, upcoming future financial demands, and the financial advantages of asset rationalisation. Rationalisation of community infrastructure is also consistent with achieving Council's Fit for the Future outcomes.

SA16.18 Paringa Park - Non motorised Water Sports Hub - Draft Master Plan

HPERM Ref: D16/329306

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

Attachments: 1. Draft Paringa Park non motorised water sports master plan October 2016 [↓](#)

Purpose / Summary

To inform Council of the progress to date on the development of a master plan to provide a non-motorised water sports hub in Paringa Park and seek endorsement to publicly exhibit the draft plan.

To inform Council of the need to consider funding the project to advance detailed design so it can be 'shovel ready' for grant funding / project delivery in the future.

Recommendation (Item to be determined under delegated authority)

1. Council endorse public exhibition of the draft master plan for a non-motorised water sports hub in Paringa Park for a period of 28 days.
2. Council continue to work with Nowra Sea Scouts, Nowra Community Sailing Club, Nowra Water Dragons, Nowra Rowing Club and other relevant stakeholders during and after the exhibition period to engage with the broader community on this initiative.
3. Council receive a further report after public exhibition of the draft master plan for a non-motorised water sports hub in Paringa Park.
4. Council consider an allocation of \$80,000 in the 2017/18 budget to undertake the detailed design of the key elements of the master plan for a non-motorised water sports hub in Paringa Park in order that the project is shovel ready for possible grant applications.

Options

1. Adopt the recommendation

Implications: This will allow the community the opportunity to comment on the draft plan and Council to proceed to detail design so that funding (including grants) can be sourced for the delivery of the project.

2. Adopt the recommendation with an amendment.

Implications: This may delay the process and the delivery of the project.

3. Council not adopt the recommendation and provide direction to staff

Implications: This may delay the project.

Background

Shoalhaven River non-motorised water craft

A number of non-motorised water craft user groups currently access the Shoalhaven River (at Nowra) and utilise existing areas such as Paringa Park and Riverside Park. These users have multiple storage facilities to facilitate their water sport needs and have common needs (i.e. close water access, separation from motor craft, etc.).

To facilitate a better and consolidated facility for these groups Council in conjunction with these users has been investigating the development of a multipurpose storage building in close proximity to the river. In addition the provision of consolidated facilities would include supporting facilities such as pontoons, ramps, access path, parking, lighting etc.

To coordinate site planning and best utilisation of resources, a draft master plan has been prepared to ensure Paringa Park can cater to a wide range of user groups and becomes a key recreational and sporting hub on the river.

Draft Master Plan preparation

Council in conjunction with the key users has developed a draft master plan for Paringa Park to become a non-motorised water sports hub for users of the Shoalhaven River. Through developing the draft plan Council staff have consulted with the following main non-motorised water sporting groups:

- Nowra Sea Scouts
- Nowra Sailing Club
- Nowra Water Dragons
- Nowra Rowing Club

In follow up to Council staff meeting with the above groups, a list of their 'needs', both essential and desirable, have been considered, and where appropriate have been incorporated into the draft plan.

Presentations to all above user groups outlining the initial master plan were made on 13 April 2016 and in December 2015. In response to these presentations, there is now general agreement from these users with the draft master plan (see Attachment 1).

The user groups are working together to seek avenues for grant funding to implement the project. To date there is a high level of support and collaboration between the various user groups and an effective working relationship with Council making this a positive project.

Paringa Park also has significant site constraints related to site flooding and a drainage pipe transecting the park from the above street to the river which Council has sought engineering advice. In addition structural assessment of the existing Scouts building has been taken into consideration when developing the draft plan.

Councillor Briefing

A Councillor Briefing was held in December 2015 to discuss the future use of the Nowra Sailing Club which included the option of using Paringa Park. This briefing identified that planning for the riverfront precinct is underway at Paringa Park.

Related Council Recommendation

Council at its Ordinary Council meeting of 24 May 2016 considered a report related to 'Future use Nowra Sailing Club (MIN16.392) and the report recommended that Council:

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

In relation to (1) of the resolution of Council no funds were allocated to proceed to detail design.

Community Engagement

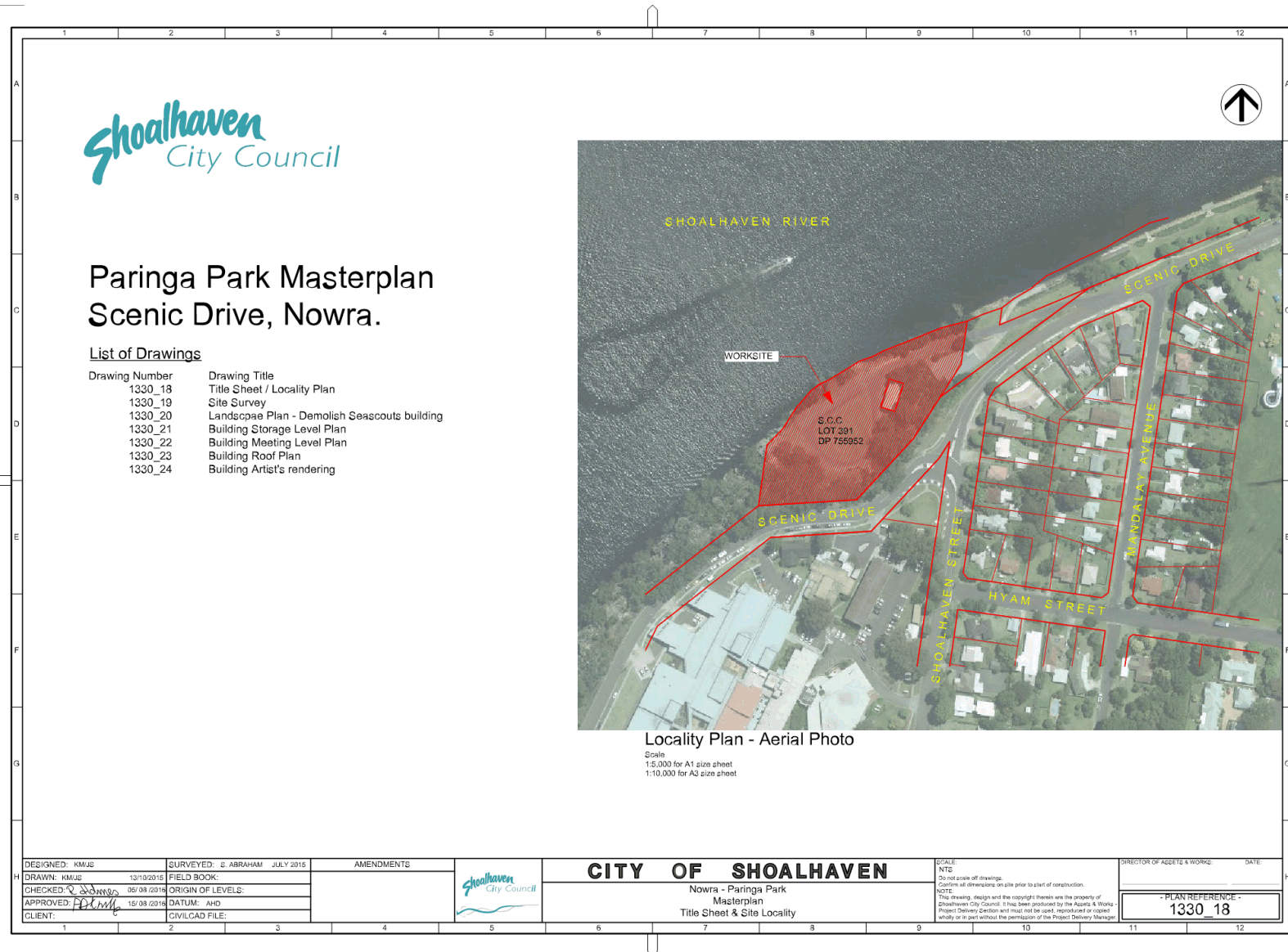
Council has been in ongoing consultation with the current and potential user groups of the Paringa Park in developing a draft master plan for the site. Initially this process has involved consulting stakeholders with their various future needs and requirements to be considered in the draft plan.

The collaboration between the user groups has indicated a strong desire to progress this project, and to work in partnership to apply for grant funding to bring this project to fruition.

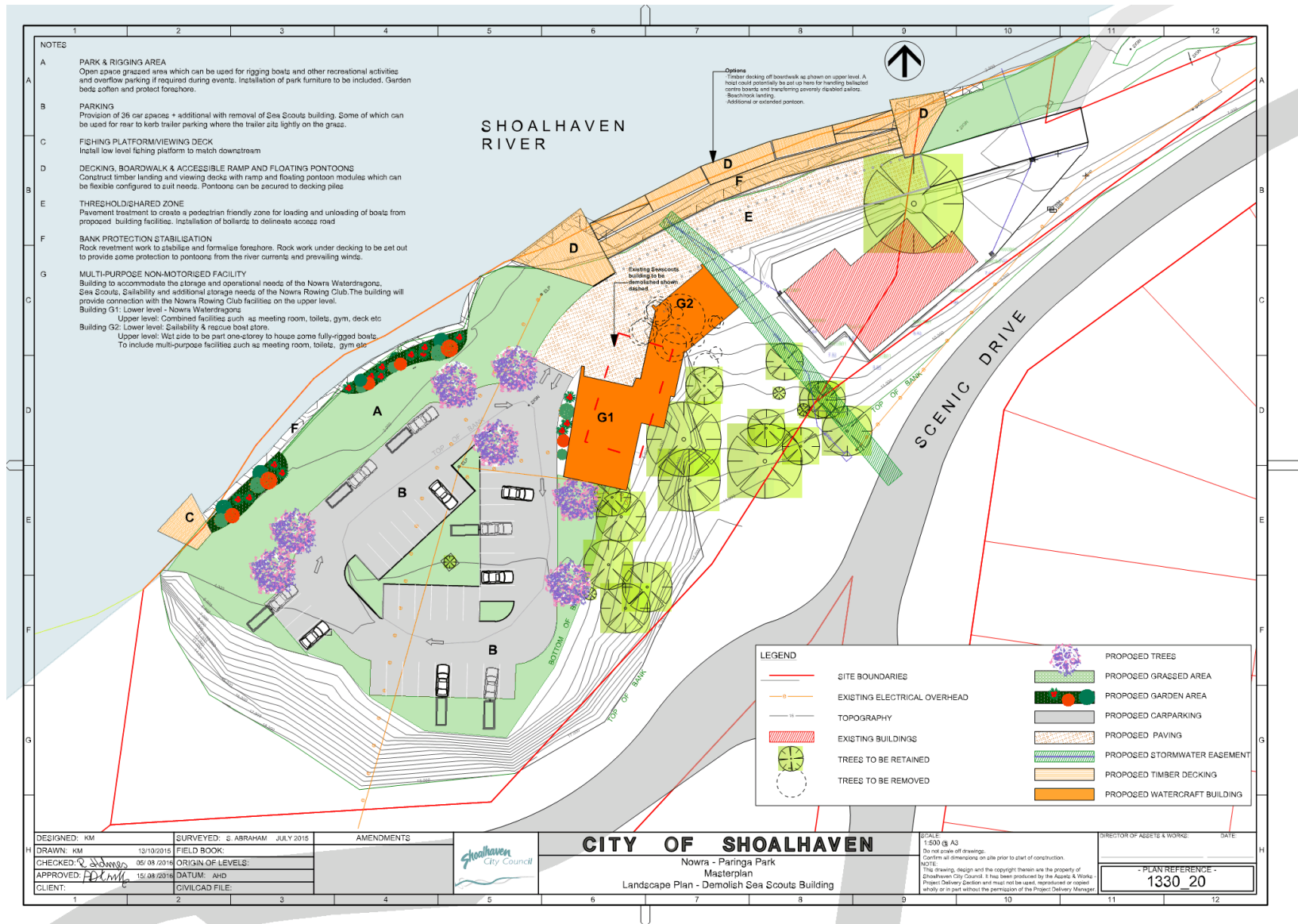
The next stage of this project is to seek broader community consultation with a public exhibition of 28 days.

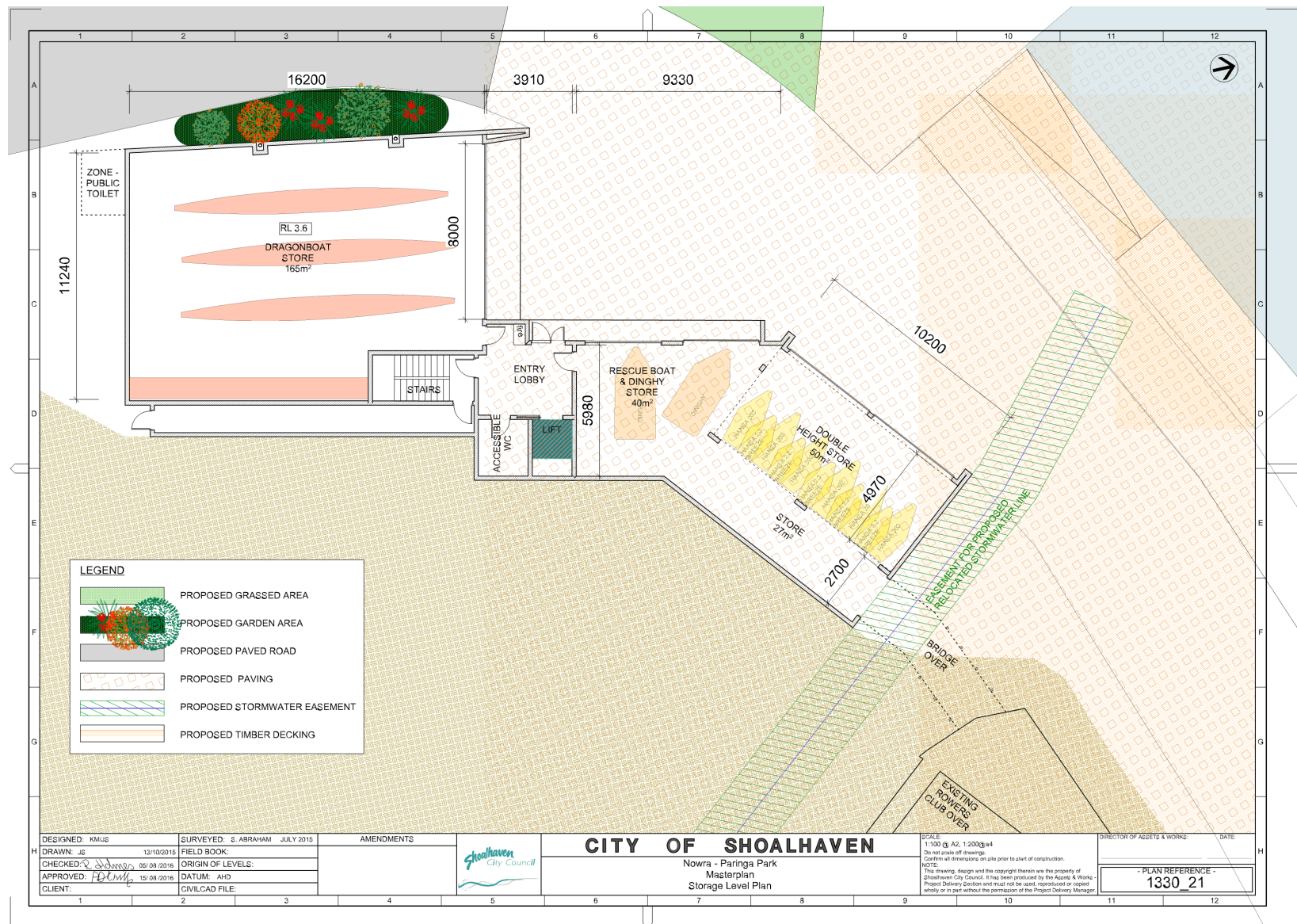
Financial Implications

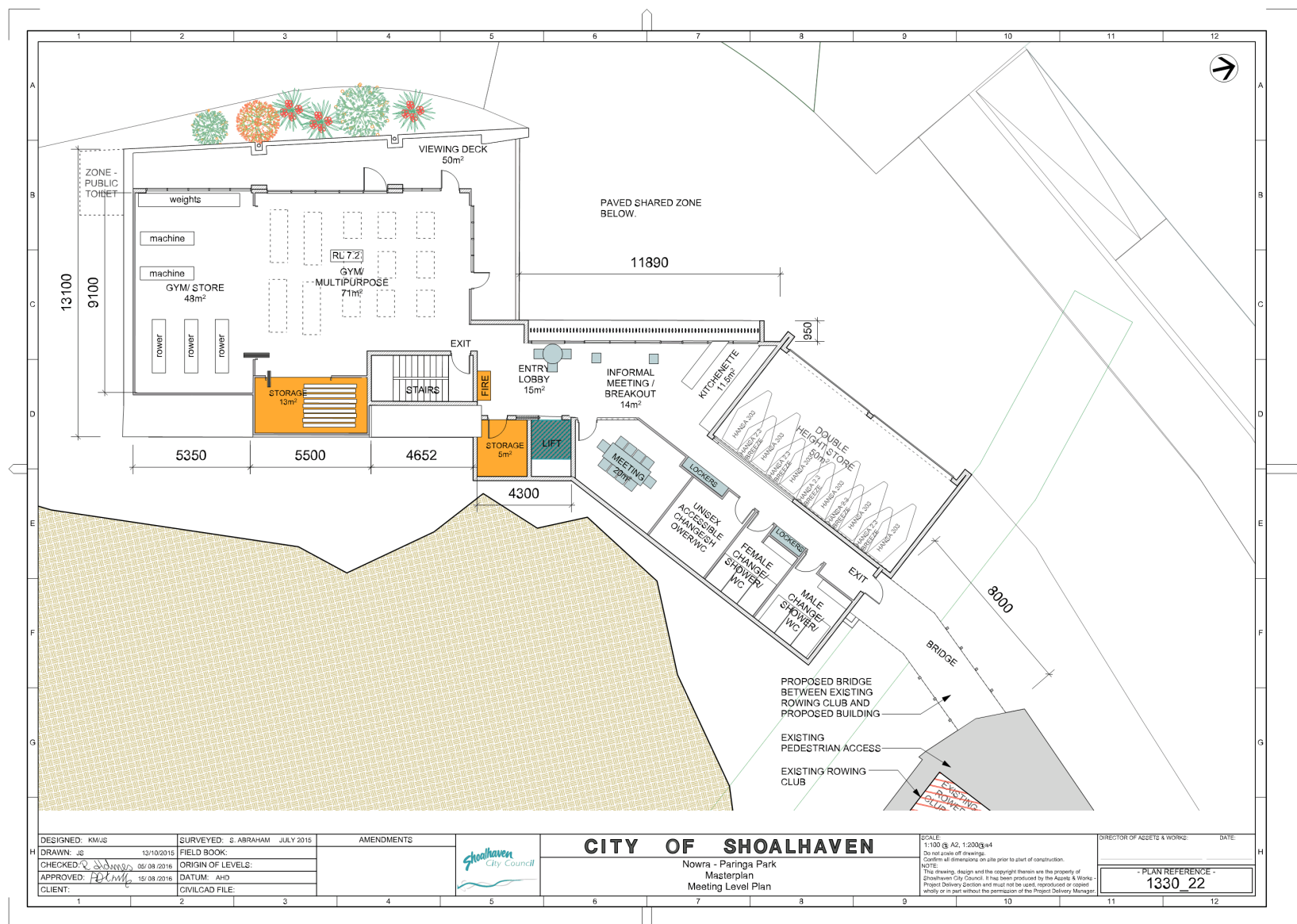
To continue advancement of the detailed design so the project can be shovel ready for grant funding / project delivery in the future requires consideration to allocate \$80,000 in the 2017/18 financial year. This amount has been increased \$20,000 from the May 2016 Council resolution (above) to include design of the pontoon area and foreshore construction which was not included in the previous design estimate.

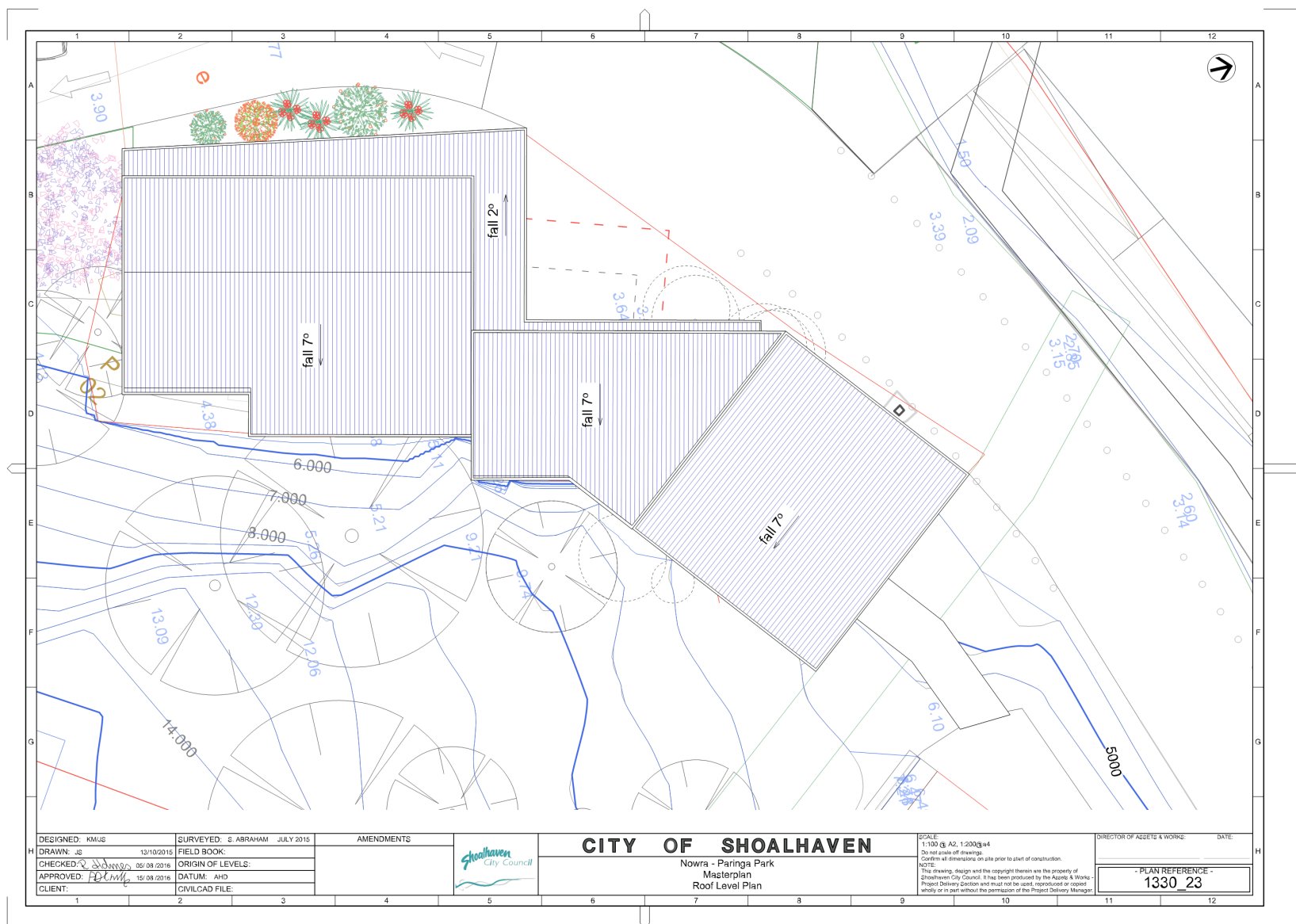


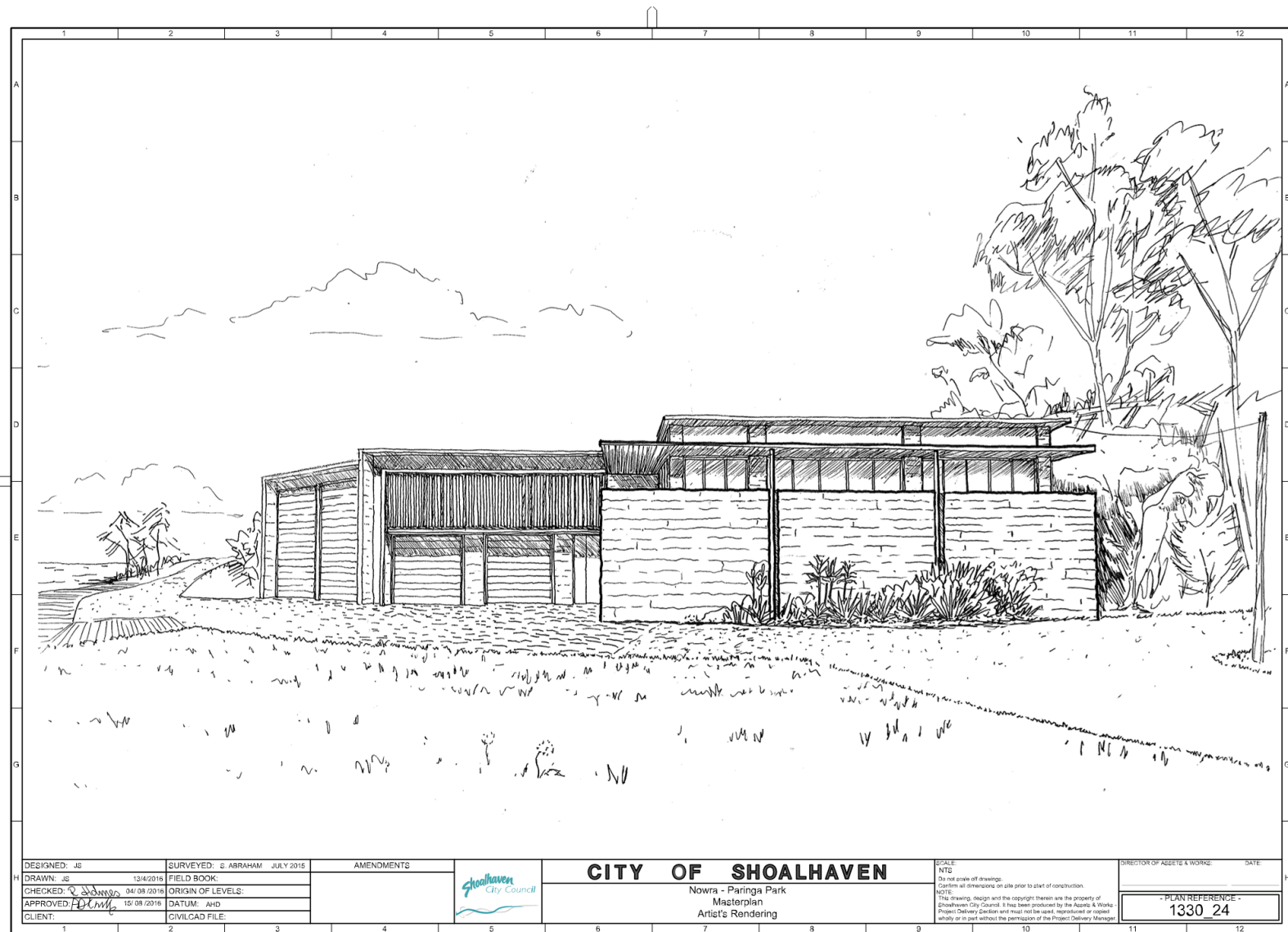












SA16.19 Acceptance of Grant Funding - Veolia Mulwaree Trust - \$25,000 -Plantation Point Exercise Equipment

HPERM Ref: D16/339363

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

Purpose / Summary

Seek Councils approval to accept \$25,000 (inclusive of GST) from Veolia Mulwaree Trust for the delivery of exercise equipment at Plantation Point Vincentia.

Recommendation

1. That Council 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. The committee under delegation nominate the Mayor or a Councillor to accompany a staff member to the Veolia Mulwaree Trust Grant Presentation on Thursday 24 November in Goulburn.

Options

1. That Council accept \$25,000 (inclusive of GST) from Veolia Mulwaree Trust for the delivery of exercise equipment at Planation Point Vincentia.

Implications: This will allow the acceptance of monies to assist with the delivery of exercise equipment.

2. Adopt the recommendation with an amendment.

Implications: This may put at risk securing the offer of grant funding and / or delay delivery and installation of the exercise equipment.

3. Council not adopt the recommendation and provide alternate direction to staff.

Implications: If the grant funding is not accepted then the project will not be delivered and Council will have to decline the grant funding from Veolia Mulwaree Trust.

Background

The Bendigo Community Bank – Sanctuary Point Branch wrote to Council regarding a community supported project for installation of exercise equipment at Planation Point Reserve in Vincentia. Bendigo Bank have \$20,000 seed funding to assist with the delivery of this project.

Council applied to Veolia Mulwaree Trust for an additional \$25,000 (inclusive of GST) to enhance the Bendigo Banks offer and a further \$20,000 from Councils Parks Minor Works Budget was identified if the grant application was successful to deliver exercise equipment at Planation point to the value of \$65,000. Council has quotations for the purchase and

installation of exercise equipment at Plantation Point for \$65,000. These quotations would deliver six (6) or more pieces of exercise equipment including the necessary soft fall surround.

With the successful grant application to the Veolia Mulwaree Trust Council can continue to progress this project in conjunction with Bendigo Bank.

Council staff have undertaken preliminary site investigations to determine the most appropriate site and to ensure that it is in line with the endorsed Plan of Management and Landscaping Plans for Plantation Point Reserve. With the acceptance of the grant monies Council along with Bendigo Bank and the community will finalise a site locations and proceed to engage a contractor to deliver the project.

Council has been invited to nominate two (2) representatives to attend the Veolia Mulwaree Trust Grant Presentation on Thursday 24 November, 12.30pm at the Goulburn Workers Club to receive the funding and talk about the project and how it will assist the community. It is proposed that a Councillor may wish to accompany a member of staff to this presentation event.

Community Engagement

Bendigo Bank have been in consultation with the community of Vincentia and have letters of support from the CCBs.

Policy Implications

This project will be delivered in line with the existing Council endorsed Plan of Management and Landscaping Plans for Plantation Point Reserve.

Financial Implications

This project has identified funds from Councils Minor Works Budget, Bendigo Bank Seed funding and the Veolia Mulwaree Trust to deliver the installation of exercise equipment at Plantation Point

SA16.20 Councillor Conference - Community Energy Congress

HPERM Ref: D16/338473

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

Purpose / Summary

To consider Councillor attendance at the Community Energy Congress scheduled for 27 & 28 February 2017 in Melbourne, Victoria.

Recommendation (Item to be determined under delegated authority)

That the Committee

1. Notes the details of the Community Energy Congress and Masterclass scheduled for 27 February 2017 to 2 March 2017 in Melbourne, Victoria.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

Options

1. As per the recommendation.
2. That Council limit the number of Councillors attending the Conference and such attendance be deemed Council Business.
3. That Council not approve Councillor attendance at the Conference as Council Business.

Background

Information in relation to the Community Energy Congress can be found on the conference website <http://c4ce.net.au/congress/>.

Of specific interest to Councillors is a masterclass to be held on Wednesday 1 March 2017 titled "Opportunities for Local Governments in Community Renewable Energy". The masterclass will outline:

- Different roles local governments can play to support their citizens to participate in and benefit from renewable energy
- Benefits local governments can derive from collaborating with their communities
- Steps that can be taken to engage your local community in renewable energy deployment.

Costs associated with the conference are estimated as follows:

- Registration : 2 days - \$780 (Early Bird registration available until 24 December 2016)
- Council Masterclass – no fee for Congress attendees or \$200 for Masterclass only attendance.
- Travel, accommodation and out of pocket expenses not yet determined.

An option available to Council is to define the number of Councillors attending the conference and for Council to determine the appropriate Councillors authorised to attend. This option is presented having regard to the increase in Councillor expenses in recent years, so that Council may pro-actively control this area of expenses when appropriate.

The Conference commences at 8.00 am on Monday 27 February 2017 and concludes at 5.00 pm on Tuesday 28 February 2017.

Policy Implications

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

Financial Implications:

Funds are available for Councillors to attend this conference.

SA16.21 Construction of Roundabout - Paradise Beach Rd & Kerry St Sanctuary Point

HPERM Ref: D16/324847

Group: Assets & Works Group

Section: Asset Management

Attachments: 1. TRAF 2016/83 - Proposed Roundabout - Intersection Kerry St & Paradise Beach Rd, Sanctuary Point [↓](#)
2. Crash Diagram - Intersection Kerry St and Paradise Beach Rd [↓](#)

Purpose / Summary

To consider a report on the proposed roundabout at the intersection of Paradise Beach Road and Kerry Street, Sanctuary Point.

Recommendation (Item to be determined under delegated authority)

That the report on the proposed roundabout at the intersection of Paradise Beach Road and Kerry Street, Sanctuary Point, be received for information

Options

1. Receive the report for information. (Recommended)

Implications: The Roundabout works will be undertaken in May 2017. Council will advise affected businesses and motorists of the potential impacts of changed traffic movements and the construction as part of the project advice,

2. Make some other recommendation

Implications: Not applicable

Background

Council resolved at its meeting on 4 October 2016 (Minute MIN16.749) that:

a report be prepared for Council regarding the much needed construction of a roundabout at the intersection of Paradise Beach Road and Kerry Street, Sanctuary Point. The report needs to include the following:

1. *The likely start of construction.*
2. *The estimated cost of the project and the sources of funding.*
3. *The criteria used in preparation for an application for State or Federal funding.*
4. *The likely conclusion of the project.*

The start of construction of the roundabout (refer to Attachment 1) is expected in May 2017 and completion scheduled for June 2017.

The estimated cost is \$285,000, funded under the Federal Nation Building Black Spot Program, as reported to and accepted by Council (Minute MIN16.580) at its meeting on 26 July 2016.

Attachment 2 shows the accident data which forms the basis of the Black Spot Program submission. These data are converted to quantifiable 'benefits and costs' so that a 'Benefit to Cost ratio (BCR)' can be calculated. The BCR for the project exceeded the minimum threshold set for the Black Spot Program and so the project was subsequently funded.

Community Engagement

There has been regular updates provided to the community via the radio and local newsletter further information on construction impacts will be provided ahead of site works. This roundabout has had significant support from the community.

Policy Implications

Council will continue to seek funding under the Federal blackspot program for similar locations.

Financial Implications

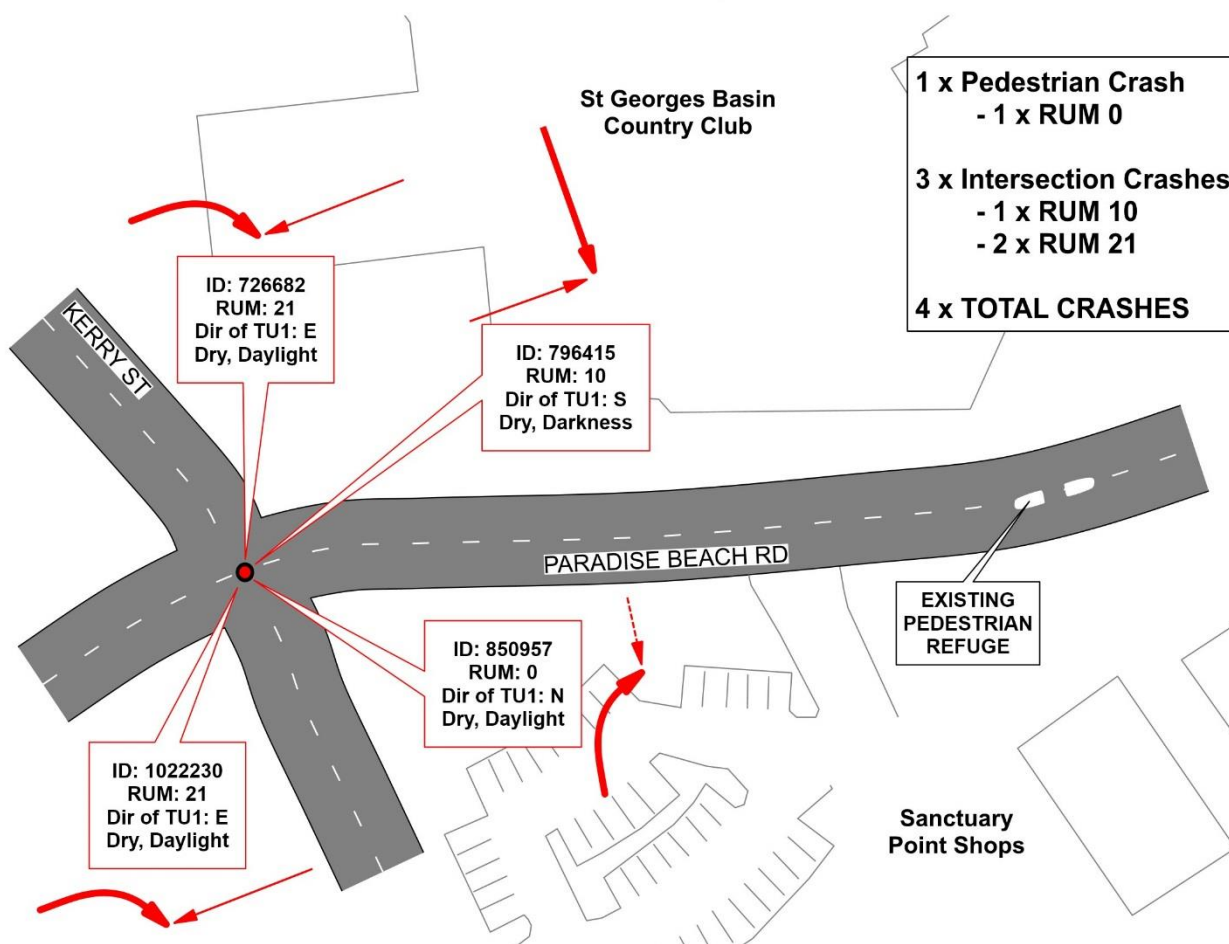
The project is 100% funded by the Federal Nation Building Black Spot Program.

Risk Implications

Not applicable in this case.



Intersection of Paradise Beach Road & Kerry Street (SANCTUARY POINT) Crash Diagram



SA16.21 - Attachment 2

	<p>Date: 22/07/2015 Author: B Williams Project: Crash Diagram - Intersection of Paradise Beach Road & Kerry Street</p> <p>Comments: Crash Diagram for the intersection of Paradise Beach Road & Kerry Street, Sanctuary Point</p> <p>Project Proposal for 2016/17 NSW Road Safety Program</p>
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SA16.22 Integrated Emergency Management Centre Master Plan and Electrical Supply at Albatross Road - IEMC

HPERM Ref: D16/290450

Group: Assets & Works Group
Section: Asset Management

Attachments: 1. IEMC Master Plan [↓](#)

Purpose / Summary

To consider the adoption of the Master Plan for the Integrated Emergency Management Centre at 92 Albatross Road South Nowra.

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

Options

- 1) Adopt the Master Plan (recommended).

Implications: This supports the future development of the site and identifies allocations of space to meet the requirements of Emergency Services. It will also allow for the power supply to meet current and future demands at Albatross Road South Nowra. The plan will provide an opportunity for seek funding for improvements to the site. It will also support through improved facilities the fantastic volunteers based at South Nowra.

- 2) Not adopt the Master Plan.

Implications: This will prevent the establishment of a plan that is fundamental to the future operation of the facility and allocation of responsibilities and tenure. The power supply capacity will be restrictive to operations.

Background

The masterplan for the Integrated Emergency Management Centre (IEMC) is being presented to council for adoption to identify the spatial allocation of the current and future development of the site at Albatross Road.

Council resolved at its Policy and Resources Committee meeting on 9 June 2015 that:

- a) The status report on the Integrated Emergency Management Centre (IEMC) Master Plan be received for information and
- b) The spatial allocation for future buildings shown on the draft Master Plan is endorsed and included in the final plan.

Edmiston Jones was subsequently engaged to develop the final Master Plan for the IEMC (Attachment 1).

The development of the Master Plan has involved all relevant stakeholders and consensus has been reached on its content.

West Nowra Rural Fire Station

Recently completed at the Albatross Road site is the new Rural Fire Station which includes 5 vehicle bays, training / multi-purpose room, office, CABA store, general store rooms, locker room, kitchen and amenities, hard stand area, water tanks and filling station.

The West Nowra Fire station requires an upgraded power supply and sub-station at the Albatross Road site to use all facilities including air-conditioning. The power supply has been designed to have capacity for the future development of the entire centre.

Also related to the West Nowra Fire Station the access through Dog Track road to the Emergency Management Centre is being formalised with Crown Lands.

Fire Control Centre Operations and Garage extensions

The construction works extending the Fire Control Centre, RFS Garage, Emergency Operations Centre and SES administration were all completed prior to July 2017 and there will be an opening event on Saturday the 19th of November.

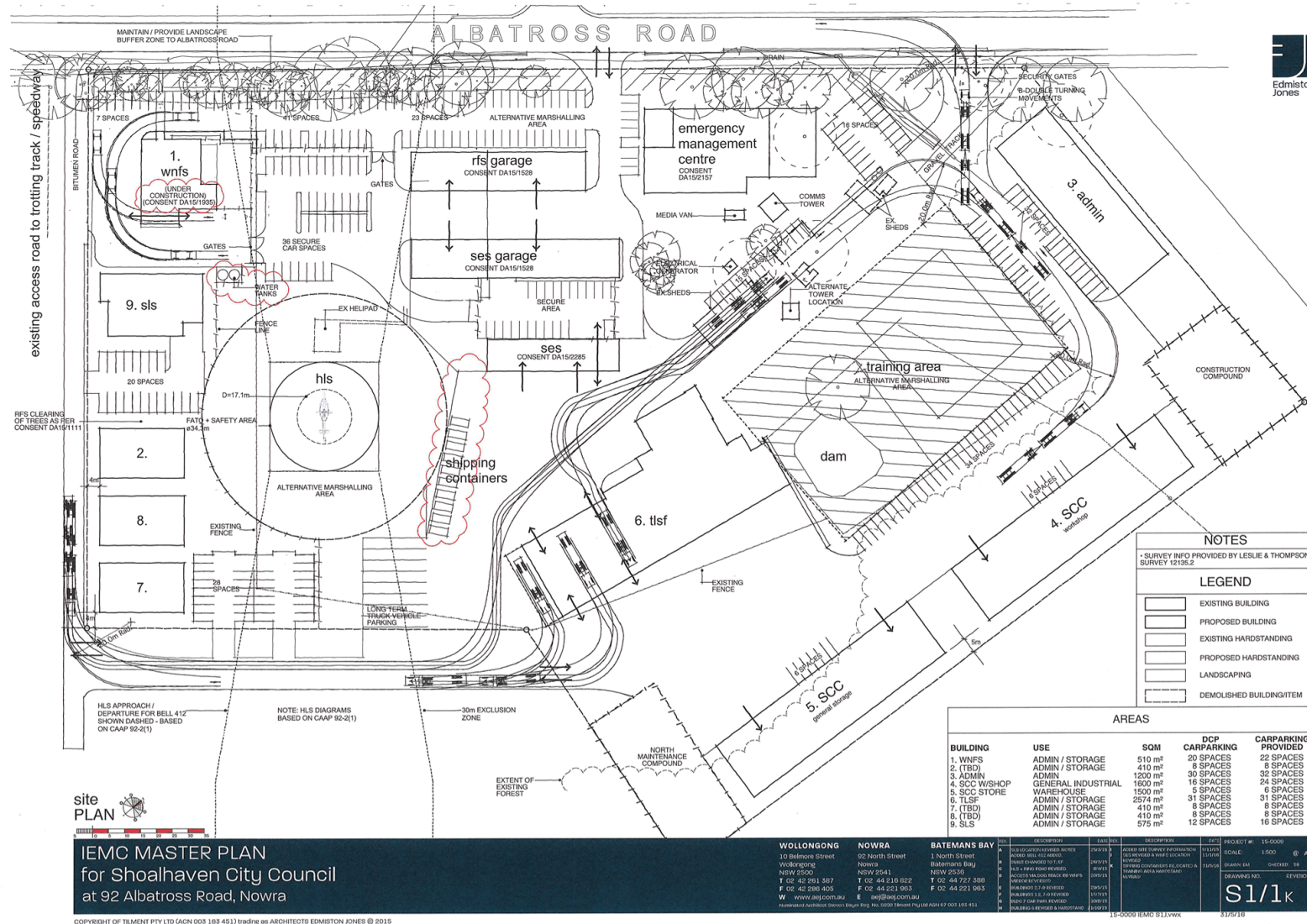
Financial Implications

RFS through their Rural Fire Fighting Fund have committed significant funds towards their projects and Council continues to budget for the Emergency Services contributions for Fire and Rescue, SES and RFS. Council has also allocated capital funding to recent construction works at Albatross Road such as the Emergency Operations Centre upgrade and the new SES shed.

The recent upgrades at the IEMC at Albatross Road has led to increased demand on the electrical supply. The electricity supply was reviewed last year and has now been designed and identified the precinct has reached capacity therefore an additional substation is required. RFS have recently allocated \$165000 from the Rural Fire Fighting Fund towards the electrical substation.

This report requests that Council provide the balance of funds of approximately \$135000 for conduits, switching building and substation. The recommendation is funding the balance of costs for the electrical substation and associated infrastructure for the upgrade from the Strategic Projects Reserve.

Council will be in future under a Memorandum of Understanding administering the NSW Government Emergency Services Property Levy.



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

HPERM Ref: D16/315000

Group: Assets & Works Group

Section: Asset Management

Purpose / Summary

To accept grant funding offers from NSW Roads and Maritime Services (RMS) for projects approved under the 2016/17 NSW Government Safer Roads Program.

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)
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)

Options

1. Council accepts the grant funding offers. This will allow the proposed safety improvements to be completed using NSW Government funding (Recommended)
2. Council does not accept the grant funding offers (Not recommended)

Implications: Not accepting the grant funding is likely to lead to ongoing safety issues at the subject locations.

Background

The recommended projects were unsuccessful under the Federal Government's National Building Blackspot program however, have been funded under the NSW Government's Safer Roads Program.

All of the projects include removal of roadside hazards, shoulder widening and sealing, and other associated safety improvement works.

Community Engagement

Initial community consultations (with directly affected owners) were undertaken for all of the projects to firstly advise of the projects that were nominated.

A further update is proposed to advise of the project approval, and further consultations will be also undertaken as a part of the ultimate delivery of the projects.

Culburra Road improvements are planned to be undertaken early in 2017 outside the holiday periods, this matching funding will now allow the full scope of works to be undertaken.

Financial Implications

The NSW Government Safer Roads Program is 100% funded by the NSW Government

SA16.24 Electric Vehicle Charging Points

HPERM Ref: D16/290510

Group: Assets & Works Group
Section: Asset Management

Purpose / Summary

To report on the installation of electric car charging points within Shoalhaven City.

Recommendation (Item to be determined under delegated authority)

That community engagement be undertaken on the installation of electric vehicle charging points in central business districts and a report be provided to Council on demand and business interest

Options

1. Undertake community engagement to determine the demand for charging points through a survey and the business chambers (Recommended)

Implications: This would provide information to Council in relation to demand on charging points, interest from Business chambers in supporting the Council initiative and formulate a strategy for the installation of charging points. This may also form the basis of support for funding applications.

2. Receive the report for information.

Implications: The opportunity to install a charger and support and promote electric vehicles is deferred until funding is available.

3. Install a fast charger (Level 3) in a CBD and request funding from State and Federal governments; Endeavour Energy; and electric car manufacturers. (Not recommended)

Implications: It would provide an opportunity to promote the City as a supporter of electric vehicles use and renewable energy. This facility is currently not funded and with demand not defined and consultation is still to identify preferred locations and any displaced parking space(s).

4. Install a slow charger (Level 2) in a CBD and fund the installation from existing budgets. (Not recommended)

Implications: It would provide an opportunity to promote the City as a supporter of electric vehicles use and renewable energy. This facility would need to be funded and with demand not defined and consultation is still to identify preferred locations and any displaced parking space(s).

Background

Council resolved at its meeting on 26 July 2016 (Minute MIN16.603) that:

The General Manager report back to Council on how Council can promote the installation of electric vehicle charging points throughout the city, particularly in its major carparks in town centres or near visitor centres / libraries. A costing be provided to Council and provision be made to fund the project from this current year's budget or the following year. The report should also seek to have 3rd party providers

encouraged to include such infrastructure should they about public open spaces within our CBD. The charging points should be accompanied by appropriately marked parking spaces that prioritise electric vehicles.

The challenge in the installation of electric vehicle charging points is the initial cost of the infrastructure required to provide a convenient charging duration. Fast chargers (Level 3 Commercial DC chargers) are necessary in locations such as Nowra CBD as they can recharge batteries generally within 30 minutes. An alternative is Level 2 commercial chargers which extend the recharging duration to 4-6 hours, which typically would not suit most users.

However, fast chargers have been installed in other local government areas by:

- direct approach from an electric car manufacturer, as is the case with Goulburn-Mulwaree Council,
- an approach by an electricity supplier, as is the case in Byron Bay or
- State or Federal government funding such as the Victorian Department of Transport for Moreland City Council

Following a fast charger installation there are opportunities to promote the facility and the City as a leader in renewable energy and often councils and businesses provide free charging to establish community interest.

The average cost to install a fast charger is about \$55,000. This amount could increase depending on site-specific requirements. Typically, the main 'hardware' costs are associated with the charger and appurtenances; the size of an electrical transformer, if necessary; and the length of electrical cabling to the site. Associated computer-controlled systems; software and maintenance agreements are also cost components. This type of charger may be of interest in CBD areas for commuters or shoppers. However prior to investing in this infrastructure it would be appropriate for Council to consult with business chambers and undertake an online survey to determine support and demand for the initiative.

The cost to install a dual port Level 2 charger (4-6 hour charging duration) is about \$20,000 again depending on site requirements. This type of charger may be installed at all-day parking areas or for businesses with fleet vehicles which can be parked for this charging duration. However, as the majority of all-day parking is used by commuters, studies have shown that about 90% of electric car owners will recharge their batteries at home. Consequently, installing Level 2 chargers in public areas is unlikely to be effective.

Community Engagement

Option 3, above, could form the basis for community engagement.

Current locations of charging facilities within Shoalhaven City area are related to commercial businesses such as those in Merroo Meadow and Mollymook. Owners of Electric Vehicles charge vehicles at home, but this limits the range of vehicle use.

Policy Implications

Council currently has not included electric charging points and associated parking in a strategy or development control plan to encourage developers or '3rd party providers' to install charging points. However as advised there are a number of businesses that have invested in charging points. In CBD areas, developers provide the required number of parking spaces in conjunction with their developments, changes would be required to planning documents to include either additional 'charging point' parking or to reduce the number of regular parking spaces and substitute ones with charging points. Consultation with the businesses is key to the success of initiatives such as the installation of electric charging points.

Financial Implications

The cost of installing charging points has not been included in the 2016/17 Operational Plan budget and no other funding source has yet been recognised. The community engagement aspect can be undertaken under existing resources and funding can be considered for the installations when the report on demand and interest returns to Council.

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

HPERM Ref: D16/309588

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To seek Council's approval to enter into a new lease agreement with Dorothy Curnow for the continued use and occupation of the property at 11 Lamonds Lane, Nowra (FI 3/868373) for an initial term of three (3) years with a further option to renew of three (3) years.

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.

Options

1. Resolve as recommended.

Implications: The granting of a new lease as recommended will ensure a continued income to Council by way of the payment of a current market rent. The lessee has been in occupation of the property since March 2010 without incident. A property inspection has been completed and the property has been maintained to a very high standard.

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

Background

Dorothy Curnow has been in occupation of the property at 11 Lamonds Lane, Nowra since March 2010. Her current lease expired 9 March 2016 and she continues to occupy the premises under the holding over provisions of the agreement.

Mrs Curnow operates a pilates business from within the premises and works mainly on the rehabilitation of older persons who have suffered injuries. At the commencement of her occupation Mrs Curnow spent a total of \$43,000 on the refurbishment of the property which included levelling of the concrete floor, replacing the solar tint glass and installation of air conditioning units.

Mrs Curnow has been a remarkably good tenant and any proposal for her to continue to occupy the premises under a new agreement is strongly supported.

The agreement terms are outlined in the table below:

Lessee	Dorothy Curnow
Property	11 Lamonds Lane, Nowra and 4 car parking spaces
Term	3 years with a further 3 year option
Initial Rent	\$19,219.43 per annum plus GST
Outgoings	100% of all expenses relating to the operation of the leased premises
Permitted Use	Rehabilitation / exercise studio, consulting room and ancillary facilities

Community Engagement

This is considered a local area low impact issue with no community engagement required.

Policy Implications

The granting of a new lease agreement on the above terms is in accordance with Council's Occupation of Council Owned or Managed Land Policy. The rent is in accordance with current market value with annual increases in accordance with CPI.

Financial Implications

The income generated through the payment of rent will increase Council's revenue.

The lessee is to be responsible for the payment of all outgoings associated with the operation of the leased premises.

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

HPERM Ref: D16/318684

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Plan - Nirimba Ave, Sanctuary Point [↓](#)

Purpose / Summary

To seek Council approval to formalise an existing Easement for Drainage 1.83 metres wide over Lot 2407 DP216525 at 19 Nirimba Ave Sanctuary Point, from Lorraine Barron.

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.

Options

1. Resolve as recommended.

Implications: Acquisition of the easement is required to formalise legal access for drainage and maintenance purposes.

2. Not resolve as recommended and provide further direction to staff.

Implications: Council will not have guaranteed access to maintain drainage infrastructure.

Background

The original drainage easement is shown on Deposited Plan 216525 (circa 1963), however, it was not formally registered by way of transfer. This acquisition formalises the intent of the original Deposited Plan with respect to the easement. The ground levels at the front boundary have been altered slightly to facilitate overland flow of water in a severe weather event redirecting stormwater across the subject land.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd has assessed compensation for the easement at \$18,000 (excluding GST). A conditional offer was made at that amount, plus reasonable legal costs. Ms Barrons solicitor has advised the offer is acceptable.

SA16.26

Community Engagement

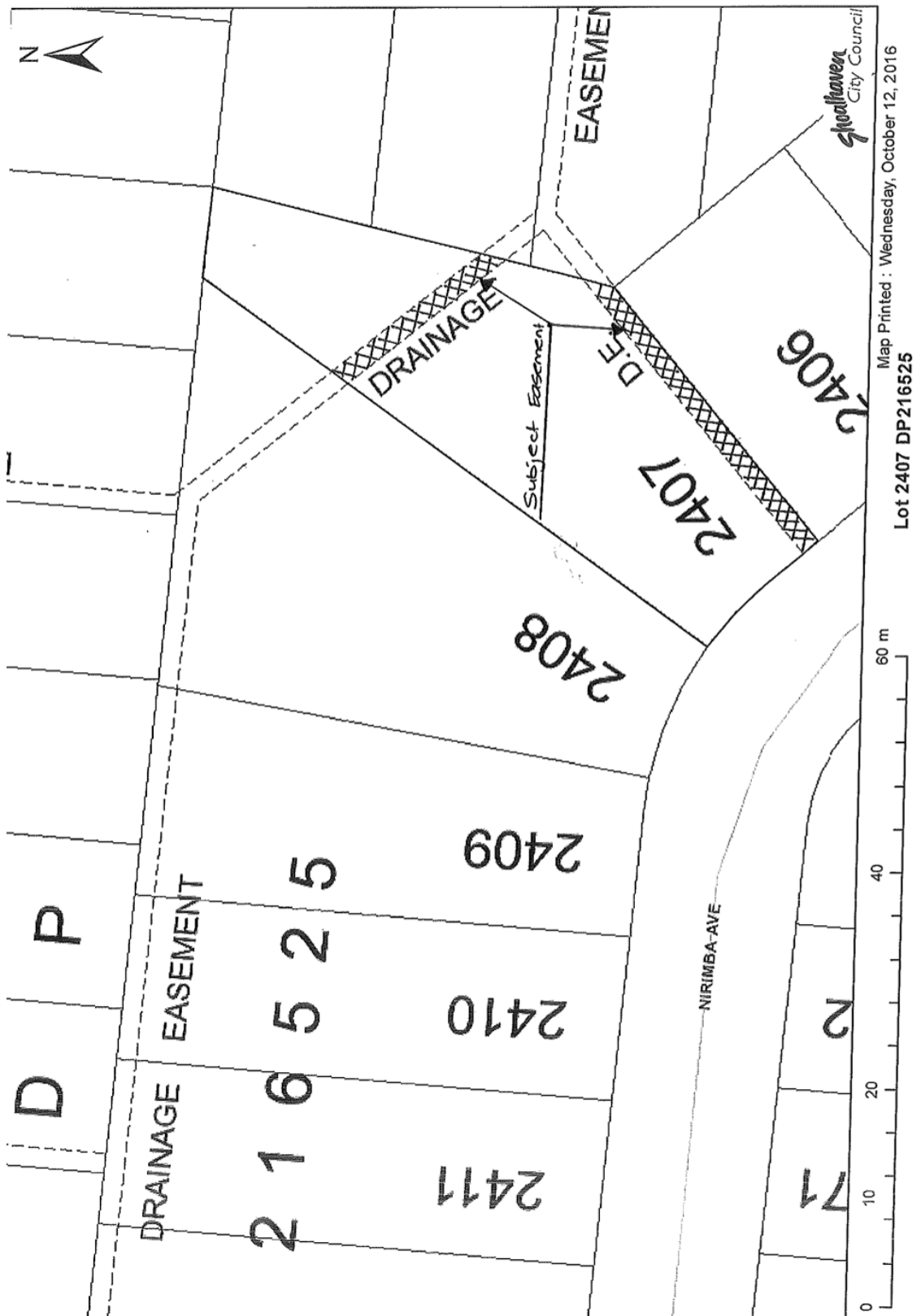
This matter is considered to be a Local Area Low Impact issue as detailed in Council's Community Engagement Policy and Handbook and no community engagement has taken place.

Financial Implications

The compensation and reasonable legal costs incurred associated with the acquisition are to be funded from Job No. 85001.45694.

Risk Implications

Registration of the easement is necessary to secure Council's access for the maintenance of essential public infrastructure and right to drain water through the easement.



SA16.26 - Attachment 1

SA16.27 Proposed Leasing of 81 Osborne Street Nowra

HPERM Ref: D16/320554

Group: Assets & Works Group
Section: Business & Property

Attachments:

1. Formal Proposal - Shoalhaven Neighbourhood Services (under separate cover) [⇒](#)
2. Formal Proposal - Stepping Stones Pre-School (under separate cover) [⇒](#)
3. Shoalhaven Neighbourhood Services - letters of support (under separate cover) [⇒](#)

Purpose / Summary

To seek approval to lease 81 Osborne Street, Nowra to Stepping Stones Preschool for a term of 5 years with a 5 year option at a commencing rental of \$24,225.00 per annum + GST.

Recommendation

1. That Council enter into a lease agreement with Stepping Stones Preschool for the premises at 81 Osborne Street, Nowra for a period of 5 years with a 5 year option at an initial annual rent of \$25,225.00 + GST.
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.

Options

1. Adopt the Recommendation.

Implications: This will lead to the execution of an agreement to occupy the premises at 81 Osborne Street, Nowra which will provide child care places, generate additional income and keep the vacancy period to a minimum. Shoalhaven Neighbourhood Services will continue to occupy the current Council buildings as they have since 1983 but will be dissatisfied.

2. Not adopt the Recommendation and resolve to enter into a lease agreement with Shoalhaven Neighbourhood Services (SNS) for a subsidised rental (90.91%).

Implications: The opportunity for additional child care spaces is not realised and Council will not recover a commercial rent for the premises.

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

Implications: Council will not receive rental income and will continue to be responsible for required maintenance during the time that the building remains vacant.

Background

The Council owned property at 81 Osborne Street, Nowra has two (2) buildings on it: Jumbunna runs a community based child care centre from one building and the other has

been vacant since June 2015 having previously been occupied by Noah's Ark, also a child care service provider.

Council, in late 2015 sought Expressions of Interest to lease the vacant building and subsequently resolved on 8 December 2015 to enter into a commercial lease of the premises with Illawarra Shoalhaven Local Health District at a commencing rental of \$24,225 per annum.

In June 2016 Illawarra Shoalhaven Local Health District withdrew their application to lease the premises.

81 Osborne Street Nowra is classified Operational and may attract a commercial rental and these opportunities in Council buildings are limited.

Shoalhaven Neighbourhood Services

Shoalhaven Neighbourhood Services (SNS) has expressed an interest in the subject premises and had an initial inspection in August 2016.

SNS has occupied 134 Kinghorne Street Nowra since 1983 and also occupies premises at 2/80 Park Road, Nowra (both owned by Council). SNS receives a discount of 90.91% off the market rent for both properties

SNS is a strong community service that delivers a variety of programs to a large community based clientele and has made representations repeatedly to Council about a preference to move into larger premises.

Relocating SNS to the Osborne Street premises will result in increased opportunities for key stakeholders and the great services they offer, to provide additional meeting rooms for hire, kitchen facilities and ease of access to the users of their facilities.

SNS has confirmed that it will vacate the premises at 134 Kinghorne St Nowra if it is able to secure an agreement for the Osborne Street premises. However, the Kinghorne Street property is classified as Community land which restricts Council's ability to obtain a commercial tenant for the premises.

SNS currently occupy two Council buildings at reduced rental amounts as follows:

1. 2/80 Park Road Nowra @ \$784.00 per annum - Operational (Rental Valuation \$25,000)
2. 134 Kinghorne Street Nowra @ \$2279.35 per annum - Community (Rental Valuation \$28,000)

Stepping Stones Preschool

On 14 September 2016, Mrs Rose Donaldson (Stepping Stones Preschool) contacted Council for the purpose of expressing an interest in leasing the Osborne Street premises for use as a preschool. As outlined above this building was previously used by Noahs Ark Child Care Centre, so is considered suitable for this purpose.

Mrs Donaldson has over 20 years experience in this field operating both in Australia and Europe and holds a Diploma in Early Childhood and Education.

Stepping Stones Preschool would provide approximately 22 new places for child care in the Shoalhaven, would be open from 8am – 5pm Monday to Friday and employ 3 staff.

Given the interest being shown in the premises, SNS and Mrs Donaldson were asked to submit formal proposals to lease the property and were given a deadline of 7 October 2016 to do so.

Below are the rental terms offered by each party:

Name	Rent Amount	Responsibilities	Lease Term	Lease Type	Total Income over lease Term (approx)
SNS	\$2279.35 (90.91% Subsidy)	All outgoings and maintenance	5 years	Community	\$14,378.42
Stepping Stones Preschool	\$24,225.00 (Market)	All outgoings and maintenance	5 years	Commercial	\$128,613.81

In the circumstances, Stepping Stones Preschool is the recommended tenant it will provide a service which is needed in the Shoalhaven and it is offering to pay a commercial rental. Preschools within the Shoalhaven have extensive waiting periods and the creation of twenty two (22) new placements will ease the burden and benefit local families.

SNS is a highly regarded community based organisation and it currently occupies Council premises. It has a substantial subsidy for these premises which is supported by Council to assist in it continuing their great work.

A copy of both formal submissions are attached for further reference (SNS asked that its submission be made available to all councillors) (refer Attachments 1 & 2).

Community Engagement

Council advertised for Expressions of Interest in 2015 with an application being accepted. All other applicants who made a submission at that time subsequently withdrew their interest. Due to the withdrawal from the EOI process by the approved applicant Illawarra Shoalhaven Local Health District, the property has again become available but further consultation is not considered warranted in this case. Council have provided an opportunity for both proponents to provide offers to Council.

Financial Implications

The proposal to secure a commercial tenant for these premises means that Council will generate substantial income over the life of the agreement and that the tenant will be required to accept responsibility for all outgoings. Council will continue to be responsible for structural maintenance only. The tenant will be responsible for all general maintenance as well as fit out costs.

SA16.27

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

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Area Map [↓](#)

Purpose / Summary

To obtain a resolution of Council to close and sell part of Piscator Avenue, Currarong to the adjoining owners William and Elaine McLaughlin.

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.

Options

1. Resolve as recommendation.

Implications: The applicant will be able to proceed with the lodgement of a DA application to physically redevelop the land into a public space with improvements.

2. Not resolve as recommended.

Implications: The applicant will not be able to proceed with the lodgement of a DA application to redevelop the land for a public space and maintenance of the space will remain with Council.

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

SA16.28

Background

Details

Council has received an application to close and purchase that part of Piscator Avenue, Currarong shown hatched on Attachment “1” from William & Elaine McLaughlin, the owners of the adjoining land, being Lot 3 DP700672. Representations were made by the community and later by shop owners for Council to improve the area adjacent to the Currarong shops in 2015. Shop owners advised they were willing to assist but with limited tenure they were not able to justify an investment.

In 1982, Council resolved (MIN82.3469) that the land the subject of this report be dedicated as public road when Council considered an application for development consent related to commercial premises on the adjoining land. It is not clear from Council records why this land was required for road purposes; it is not required for road now or is it ever likely to be required for road. The plan for the acquisition for road widening purposes was registered on 6 January 1984.

The Roads Act 1993 provides that the Minister may close a public road provided that Council agrees to such closure (Section 34) and upon successful closure of the road the land remains vested in Council (Section 38).

Key Issues

The part of Piscator Avenue shown by hatching on Attachment “1” is no longer required for road and or road widening and can be closed under the Roads Act 1993 and sold to the owner of the adjoining land.

The proposal to close this section of road has been considered by the various departments of Council and no objection to the closure has been raised.

There is no objection to the closure from any of the service authorities including Endeavour Energy, Jemena Asset Management (Gas) and Telstra.

The market value of the land within the area of the road proposed to be closed has been assessed by Consultant Valuers Walsh & Monaghan at \$23,000 on the basis of the land being consolidated with the adjoining land.

The sale price of \$18,000 (plus GST if applicable) has been negotiated subject to Council approval. It represents an acceptable discount to the market value detailed above, based on the land being developed for a public space as discussed below.

The sale price has been negotiated in good faith and is recommended to Council in recognition of the unique situation where the land is the area of road proposed to be closed can only be purchased by the adjoining owners for consolidation with their land.

Council staff also acknowledge the applicants’ intentions to make use of the space by creating a public plaza, with casual seating for up to 20 people, which is to be designed and constructed to add visual interest as well as improving the amenity for local residents and visitors.

The current presentation and maintenance of this space rests with the Council and on finalisation of this matter, all responsibility will be transferred to the purchasers.

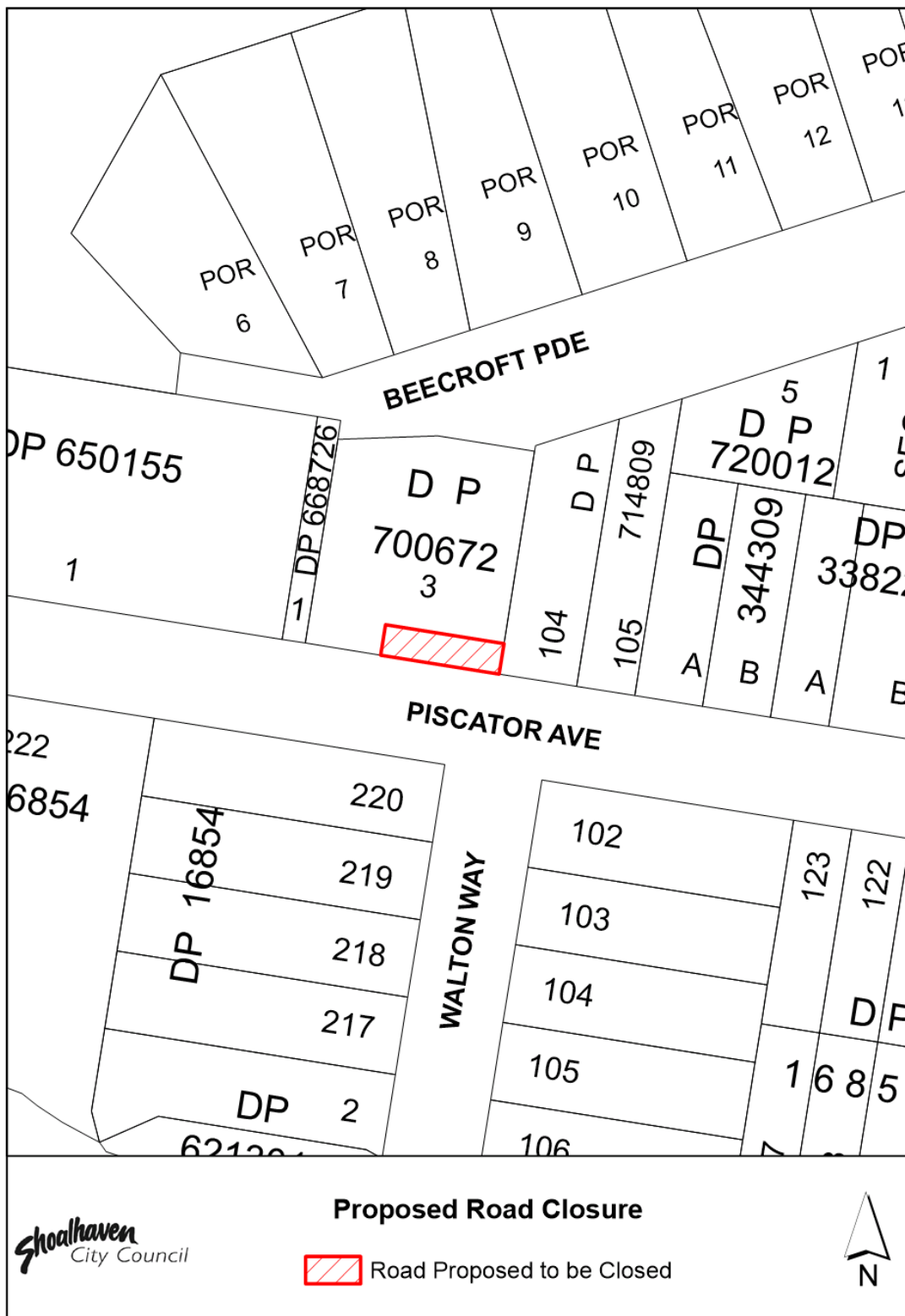
Community Engagement

The road closure process required public notification and advertising calling for submissions on the merits of the proposal by potentially affected landowners. This has been completed with the submission period closing on 16 September 2016, during this time no submissions or objections were received.

Financial Implications

The subject area to be closed is no longer required for road.

If the road is closed and sold to the adjoining owner Council will receive compensation in the amount of \$18,000 excluding GST and all costs associated with this matter are to be met by the owner of the adjoining land being Mr & Mrs McLaughlin. The \$18,000 in sale proceeds will then be transferred to an appropriate reserve for use on future road projects in accordance with Section 43 of the Roads Act 1993.



SA16.29 Acquisition of Land for Matron Porter Drive Pathway - Part Lot 12 DP807589 - 13 Sungrove Lane

HPERM Ref: D16/336966

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To seek Council approval to amend part Minute 16.732 (2) and pay compensation for the acquisition of part of Lot 12 DP807589, known as 13 Sungrove Lane Milton, as agreed with the landowner.

Recommendation

That Council rescind part MIN16.732 (2) and pay compensation of \$62,000 plus GST (based on the area of 2,358m²), 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.

Options

1. Resolve as recommended.

Implications: Council will be able to complete the next stage of the shared user path due to commence this month.

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

Background

Council, at its meeting 4 October 2016, resolved (MIN16.732) that Council:

- “1. Resolve to acquire part of Lot 12 DP807589 (being Lot 2 DP1214563) described as 13 Sungrove Lane, Milton as marked on Attachment 1;
2. Pay compensation of \$61,856 plus GST (based on the area of 2,358m²), 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;
3. 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
4. Following gazettal of the acquisition, the land be dedicated as Public Road pursuant to Section 10 Roads Act 1993.”

The total amount of compensation was assessed at \$61,856 but rounded up to \$62,000 in finalising the negotiation with the property owner. The resolution of Council now needs to reflect that agreement and the recommendation is resubmitted to Council for endorsement.

Financial Implications

In accordance with the Land Acquisition (Just Terms compensation) Act 1991, Council is responsible for the land owner's reasonable legal and ancillary cost associated with the acquisition.

The compensation amount also takes into account the removal of trees affected by the acquisition and an allowance for the inner paddock fence impacted by the relocation of the boundary fence.

Council will be responsible for the replacement of the boundary fence.

SA16.30 Supplementary Report - requirement for a certified Coastal Zone Management Plan or Coastal Management Program

HPERM Ref: D16/340836

Group: Planning & Development Services Group
Section: Environmental Services

Attachments: 1. Report to Ordinary Meeting of Council July 2016 [↓](#)
 2. Resolution of Council - public exhibition of CZMP and seek exemption [↓](#)
 3. Report to Strategy & Assets Committee 2016 - requirement for certified CZMP or CMP [↓](#)
 4. Resolution of Council to seek exemption [↓](#)
 5. Letter to Minister seeking exemption [↓](#)
 6. Response from OEH - letter to Minister of Planning [↓](#)

Purpose / Summary

To update Council on progress to seek an exemption from the Minister for the requirement to have a certified coastal zone management plan or coastal management program.

Recommendation (Item to be determined under delegated authority)

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

1. Submit Council's draft 2012 Coast Zone Management Plan and adopted estuary management plans to the Minister for Planning, The Hon Rob Stokes MP, for certification, to ensure Council is eligible to apply for future grant funding for works under the NSW Government's coast and estuary program, while Council prepares a new Coastal Management Program.

Options

1. As recommended.

Implications: This will ensure that Council is eligible to apply for future grant funding under the state Government's coast and estuary program while it is preparing a coastal management program (CMP).

2. Council not apply to the Minister to certify Council's draft Coast Zone Management Plan (CZMP).

Implications: Council will not be eligible to apply for grant funding under the State Government's coast and estuary grant program in future years until it has a certified CZMP or CMP. Development and certification of a CMP will take longer than 12 months as required Council's resolution in August 2016, as the draft Coastal Management State Environmental Planning Policy (SEPP) and associated maps have not been released for public comment. The SEPP will set the planning requirements for Council in managing the coastal zone. The draft coastal management manual, which sets out the requirements for a CMP, is still in draft form and there is no advice to date as to when it will be finalised. Parts of the coastal management manual toolkit, which contains the

technical information and methodologies on how to prepare the studies and assessments required as part of a CMP have not been released or are still in draft form.

3. Council propose an alternative option

Implications: Unknown.

Background

A report to the Ordinary Meeting of Council on 26 July 2016 (attachment 1) and a report to the Strategy & Assets Committee on 9 August 2016 (attachment 3), explained that Councils are now only eligible to apply for funding under the State Government's coast and estuary program, if they have a certified coastal zone management plan (CZMP) or coastal management program (CMP) or have lodged a CZMP or CMP with the Minister seeking certification, before grant applications closed on 18th August 2016.

This meant that unless Council had a certified CZMP or CMP Council was not eligible to apply for funding to implement works which include:

- management and stabilisation of dune systems
- erosion reduction management and beach nourishment
- actions to reduce future risk from coastal hazards
- works to improve natural resilience to potential impacts from coastal hazards
- actions to reduce the risk to public assets
- actions to reduce the liability in relation to coastal natural disasters
- community/public education programs
- reducing and formalising beach access points to reduce environmental damage
- dredging for environmental benefit
- monitoring of estuary and coastal environments
- works to protect Aboriginal heritage
- stormwater management
- management of salinity and acid sulphate soils
- habitat restoration and conservation

Council's draft 2012 CZMP and adopted estuary management plans have guided the implementation of Council's coast and estuary programs.

Implementation of Council's coast and estuary programs have always relied heavily upon State Government funding and technical support. This funding is critical to delivery of our work programs which include replacement and maintenance of foreshore (erosion) protection structures, beach access ways, fishing platforms, acid sulphate soil management, water quality reporting and improvements and expert studies on coastal process, hazard, management and restoration assessments. This year, coastal erosion remediation works following damages caused by the 2016 east coast low storm event, form the majority of the work program. Council has allocated \$500,000 this financial year to progress and implement works.

At the Ordinary Meeting of Council on 26 July 2016, Council resolved to:

- a) *Advertise the outstanding issues in the plan with the view to reporting back to Council as soon as possible on the potential to adopt the draft plan;*
- b) *Seek urgent representation through Offices of the Parliamentary Secretary of Illawarra and the Hon Shelley Hancock, to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round;*
- c) *Prepare to seek certification and apply for funding with a further report to the Strategy and Assets Committee in August 2016 on progress of this matter.*

The 2012 draft CZMP was developed through extensive community consultation and then placed on public exhibition in 2012. However, it was not adopted at that time because the NSW Government announced the coastal legislation reforms at the time of the public exhibition. These reforms are still in progress. The Coastal Management Act 2016 was assented on 7 June 2016, but will not commence until after public consultation on the draft SEPP. The draft SEPP and maps have not been released for public comment. The proposed Coastal Management SEPP will form part of the broader land-use planning framework in NSW. It will be a key environmental planning instrument for land-use planning in the coastal zone, and will deliver the statutory management objectives for each of the four coastal management areas that make up the coastal zone.

The Coastal Management Act 2016 will not commence until after public consultation on the draft SEPP. When it commences, the new Act will replace the current Coastal Protection Act 1979. At the time of writing this report, it is not known when the draft SEPP will be placed on public exhibition and when the Coastal Protection Act will be repealed. More information may be released at the upcoming NSW Coastal Conference on 11th November when the Minister for Planning is scheduled to attend.

For further information about these reforms visit the NSW Office of Environment & Heritage (OEH) website at <http://www.environment.nsw.gov.au/coasts/coastreforms.htm>

The purpose of a coastal management program is to set the long-term strategy for the co-ordinated management of land within the coastal zone with a focus on achieving the objects of the Coastal Management Act.

The draft 2012 CZMP was developed in accordance with the current Coastal Protection Act 1979 and guidelines for the preparation of CZMP's with technical support and guidance from OEH. Section 55I of this Act allows for the amendment, in whole or in part, of a CZMP.

The new Act requires that a CMP be prepared in accordance the coastal management manual. This manual is still in draft form. The coastal management manual toolkit, which sets out the technical requirements and methodologies for completing the assessments and studies required as part of the CMP, are in draft form or have yet to be released for comment. Therefore, without these documents being completed Council is not in a position to be able to commence preparation of a CMP.

Under the transitional provisions of the new Act, a draft CZMP that is lodged with the Minister prior to the repeal of the Coastal Protection Act and is certified, is considered as a CMP under the new Act until December 2021. Council may at any time, amend in whole or in part, or replace its certified CMP under section 18 of the new Act. A certified CZMP can also be amended, in whole or part, under the existing Act.

Implementation of Council's July 2016 resolution

The draft 2012 CZMP and studies completed since 2012, see attachment 2, were placed on public exhibition from 28 July 2016 to 8 August 2016. Council received 19 submissions, 13 submissions were clearly opposed to Council adopting the draft CZMP or submitting it to the Minister. Only 2 submission supported the submission of the draft CZMP to the Minister and 4 submissions raised comments and concerns on the content of the plan and asked for some sections to be revised or included and additional areas considered.

A summary of the submissions are shown below.

Community Group Submissions:

- Currarong Progress Association - support document being forwarded to the Minister.
- Collingwood Beach Progress Association - Council cannot adopt the draft CZMP. technical flaws, SLR, Bruun rule.
- Save Collingwood Beach - congratulates Council for its intention to submit plan.
- Lake Wollumboola Protection Association - we have concerns that should be considered and addressed prior to submission of the Plan for approval and funding, particularly given the overall policy direction of the new Coastal Zone Management Act passed in May 2016.
- Birdlife Shoalhaven – representation of birdlife inadequate and not recognised in the community engagement. Suggested changes.
- Safe Navigation Action Group - need to include Sussex Inlet and St George Basin

Individual submissions:

- Strongly opposed to Council adopting the draft CZMP.
- Council must not adopt the draft CZMP. Only 10 days for comments extensive information.
- Opposed to adopting the CZMP. staff incompetent, consultant incompetent, timeframe to provide comments too short
- Opposed to adopting the CZMP. issue with SLR, technical flaws, need a strategic approach
- I strongly object to Shoalhaven City Council adopting the draft Coastal Zone Management Plan. Technical flaw, SLR not up to date.
- The draft Coastal Zone Management Plan (CZMP) Shoalhaven City Council (SCC) intends to submit to the NSW State Government is a deeply flawed document which disadvantages citizens of the Shoalhaven who own beachfront property. technical flaws, SLR, Bruun rule
- Do not support the Draft Shoalhaven Coastal Zone Management Plan and am concerned at Council's ability to adopt and then readopt positions at whim.
- Better plan is needed, flows with SMEc report, SLR assumptions
- Concerned, Bruun rule, SLR. The basic & fundamental flaws presented by Council where Council is still applying the invalid/superseded Bruun Rule for the calculation of Collingwood Beach erosion and future sea levels.
- Strongly object to the Shoalhaven City Council view in regards to the Draft Coastal Zone Management Plan (CZMP).

- Document too long and fails to recognise provisions of the Community Engagement Policy. Suggested changes.
- Inadequate consultation-SLR
- Need to include Hyams Beach

Representations were made through Offices of the Parliamentary Secretary of Illawarra and the Hon Shelley Hancock, to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding. A meeting with the Minister was also sought.

Four grant funding applications were prepared in accordance with grant application guidelines.

A progress report was prepared for Council's Strategy and Assets Committee meeting in August (refer to attachment 3)

At the meeting of the Strategy and Assets Committee on 9 August 2016, the Committee (MIN16.622 – refer to attachment 4) resolved that in accordance with the Committee's delegated authority from Council, the Committee:

- Continue to seek representation to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round.*
- Endorse the development of a new Coastal Management Program in line with the new Coastal Management Act, such new program to include the revision of relevant studies and strategies to address Council's adopted sea level projections. In addition, the public exhibition and subsequent resolution of coastal erosion policy matters, as well as other issues raised by the community be resolved in 12 months.*

Implementation of Council's August 2016 resolution

An exemption from the Minister was sought and grant applications were lodged, see attachment 5.

Council's General Manager also sought a meeting with the Minister to discuss Council's request for exemption. The meeting request was denied as there was a clear directive that no funding would be provided without a certified CZMP and no exemptions would be allowed.

No exemption has been granted.

At a recent meeting with the Member for South Coast, The Hon. Shelley Hancock MP, it was confirmed that the Government is very unlikely to change its position that a certified CZMP or CMP is required for eligibility to grant funding.

The General Manager also wrote to the NSW Premier regarding financial implications for Council following natural disaster events. Mr Kevin Anderson MP, Parliamentary Secretary to the Deputy Premier and for Regional Roads and Rail responded on behalf of the Premier and indicated that Council should seek funding through the coast and estuary grant program for erosion restoration works.

The General Manager also wrote to the Hon Niall Blair MLC, Minister for Primary Industries and Minister for Lands and Water, seeking assistance to fund priority foreshore restoration works as a result of the east coast low storm events. The Deputy Director General, Department of Industry – Lands, Alison Stone, replied on behalf of the Minister, advising that Council could apply for funding in 2017 through the Public Reserves Management Funding (PRMF) Program. However, Council was advised that this funding was very competitive with more than 840 applications received for the 2016/17 funding round – *"a total value of over 336 per cent of the available funds"*.

Representations were also made to NSW Road and Maritime Services (RMS), seeking financial contribution to the erosion restoration works adjacent to the Princes Highway at Ulladulla Harbour. No financial contribution was provided.

Advice from NSW Office of Environment and Heritage (OEH)

The General Manager wrote to the Minister for Planning concerning correspondence Council received from Mr George Kruk regarding the certification of Council's draft CZMP. The letter was referred to OEH to respond. A copy of the letter to Council and Mr George Kruk are contained in attachment 6.

In its letter OEH advised Council, that "as Shoalhaven City Council has worked closely with OEH and its community in drafting its CZMP, it is timely to reiterate prior advice by OEH and the Minister of Planning that Council is well placed to submit its draft CZMP to the Minister for certification. This would ensure that Council can apply for grant funding to implement actions from the CZMP while it prepares its Coastal Management Program (CMP). At present OEH and Council staff estimate that a CMP is likely to take more than a year to complete and certify."

As outlined above, advice from government agencies confirms that the NSW Government's coast and estuary grant program is the main source of financial funding for the implementation of works.

Community Engagement

The Draft 2012 Shoalhaven Coastal Zone Management Plan was on public exhibition from 10 October 2012 to 7 December 2012. Further public exhibition of the draft CZMP occurred from 28 July 2016 to 8 August 2016.

Council's draft CZMP and adopted estuary management plans guide implementation of Council's coast and estuary programs. The implementation of the programs is overseen by Council's Natural Resources and Floodplain Committee and the Council. Targeted community consultation prior to the implementation of individual projects identified within the plans is carried out.

Policy Implications

Timing to lodge CZMP for certification

Council must lodge its draft CZMP to the Minister for certification prior to the repeal of the existing Coastal Protection Act. Previous advice from OEH was that Councils would only have until December 2016 to do this. However, as the draft SEPP is still to be placed on public exhibition prior to the commencement of the new Act, this deadline may be extended.

Coastal hazard assessment:

If certified, the CZMP could be amended with the revised coastal hazard assessment that is currently being undertaken to incorporate Council's sea level rise policy, as required by Council resolution (MIN14.750).

Council can amend the certified CZMP under the provisions of section 55I of the existing Coastal Protection Act or section 18 of the new Coastal Management Act, as outlined above.

Once the CZMP is amended, Council can then amend the Shoalhaven Local Environmental Plan (LEP) and Shoalhaven Development Control Plan (SDCP) 2014 if necessary to reflect the reviewed assessment.

Financial Implications

Once Council has a certified CZMP or CMP it is eligible to apply for state government coast and estuary funding. The government funds matching contributions (50:50). Without this funding Council would need to budget for all of the costs of the coast and estuary program or decide which parts of the program not to deliver.

Council can apply for funding from OEH to convert an existing CZMP to a CMP. Council can apply for this funding at any time during this financial year. \$40,000 of Council's 2016/17 coastal budget allocation could be allocated to progressing a CMP. However, as previously discussed, the relevant guiding coastal management SEPP, manual and toolkit which a CMP must comply with, are yet to be finalised.

The benefit of certifying Council's draft CZMP, is that Council will be eligible for funding, that it may otherwise miss out on for a number of years, while it transitions to a CMP.

Risk Implications

Council has until the commencement of the new Coastal Management Act to seek certification of the draft 2012 CZMP. The timeline for commencement of the Coastal Management Act, draft Coastal Management SEPP, coastal management manual and toolkit is unknown. Council has the opportunity to seek certification of its draft 2012 CZMP, which was developed with the community over a number of years and formally placed on public exhibition, and adopted estuary management plans. These documents, together with studies completed since 2012, are being and have been guiding Council's coast and estuary program. The program is implemented in consultation with the community, Council's Natural Resource & Floodplain management Committee and the elected Council. This will not change if the CZMP is certified.

The risk is that, if the CZMP is not lodged with the Minister prior to commencement of the new Act, Council may not be eligible for coast and estuary grant funding next year and future funding in years to come. As there remains uncertainty as to when the Government's coastal reforms will be completed, there is also uncertainty as to when a CMP could be prepared and how long this would take.

The added benefit of a having a certified CZMP is that the government will fund the transition of a CZMP to a CMP. Without eligibility to apply for grant funding, Council will need to continue to prioritise coastal erosion restoration works and delivery of our coast and estuary program within the constraints of the available Council budget.

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 JULY 2016

PLANNING AND DEVELOPMENT

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

1.

SECTION MANAGER: KELIE LOWE.

PURPOSE:

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

RECOMMENDED that Council

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

OPTIONS

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

DETAILS

Applications are open to apply for grant funding under the State Government coast and estuary program. Council received a letter from the Minister with the grant application guidelines, stating

that grants for works will not be eligible if Council does not have a certified Coastal Zone Management Plan (CZMP) or Coastal Management Program (CMP).

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

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

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

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

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

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

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

Council developed a draft CZMP in 2012 which was placed on public exhibition and reported to Council. However, the plan was never submitted to the Minister for certification because the Government announced the Coastal Reforms. Council has been using this draft plan since that time to guide our coast, estuary and flood management activities.

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

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

The NSW Government has commenced stage 2 of the Coastal Reforms are starting to be implemented now and include a new Coastal Management Act and a Coastal Management State

Environmental Planning Policy (SEPP) which are due to come into effect later this year. The Government is due to release the draft SEPP for public exhibition.

You can find an overview of the Coastal Reforms on OEH's website by following this link - <http://www.environment.nsw.gov.au/coasts/coastreforms.htm>

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

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

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

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

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

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

CONCLUSION:

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

Tim Fletcher
DIRECTOR PLANNING & DEVELOPMENT SERVICES

R.D Pigg
GENERAL MANAGER

ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 26 JULY 2016

572. Coast and estuary grant program 2016/17 – requirement for a certified CZMP or coastal management program File 48579E, 30596E
-

MOTION:

Moved: Findley

That Council

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

LAPSED for want of a seconder

FURTHER MOTION:

Moved: Watson / Second: Guile

That Council:

- a) **Advertise the outstanding issues in the plan with the view to reporting back to Council as soon as possible on the potential to adopt the draft plan;**
- b) **Seek urgent representation through Offices of the Parliamentary Secretary of Illawarra and the Hon Shelley Hancock, to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round;**
- c) **Prepare to seek certification and apply for funding with a further report to the Strategy and Assets Committee in August 2016 on progress of this matter.**

FURTHER MOTION CARRIED

ADDENDUM REPORT OF GENERAL MANAGER**STRATEGY AND ASSETS COMMITTEE****TUESDAY, 9TH AUGUST 2016****PLANNING AND DEVELOPMENT*****ITEM TO BE DEALT WITH UNDER DELEGATED AUTHORITY***

1. **Coast and Estuary grant program 2016/17 requirement for a certified CZMP or Coastal Management Program** **File 30596E**

SECTION MANAGER: Kelie Lowe**PURPOSE:**

To provide Council with an update and further information on the requirement to have a certified Coastal Zone Management Plan (CZMP) or Coastal Management Program (CMP) lodged with the Minister seeking certification, before grant applications close on 18 August 2016 in order to be eligible to apply for the 2016/17 coast and estuary and grant program.

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

- a) Continue to seek representation to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round.
- b) If exemption is not granted by 18 August 2016, Council submit the draft 2012 CZMP, including additional reports as listed in this report and adopted Council Estuary Management Plans for certification by the Minister.
- c) Endorse the development of a new Coastal Management Program in line with the new Coastal Management Act, such new program to include the revision of relevant studies and strategies to address Council's adopted sea level projections. In addition, the public exhibition and subsequent resolution of coastal erosion policy matters, as well as other issues raised by the community.

OPTIONS

1. As recommended. This affords Council the best opportunity to apply for 2016/17 coast and estuary grants.
2. Council not apply to the Minister for Planning, The Hon Rob Stokes MP to certify Council's draft Coast Zone Management Plan and Council not apply for grant funding under the NSW Government 2016/17 Coast and Estuary program.
3. Council propose an alternate option.

DETAILS

Council at its meeting on 26 July 2016 considered a report on this matter and resolved to (Min 16.572):

- a) *Advertise the outstanding issues in the plan with the view to reporting back to Council as soon as possible on the potential to adopt the draft plan;*
- b) *Seek urgent representation through Offices of the Parliamentary Secretary of Illawarra and the Hon Shelley Hancock, to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round;*
- c) *Prepare to seek certification and apply for funding with a further report to the Strategy and Assets Committee in August 2016 on progress of this matter.*

In regard to part a) of the resolution above, a media release was issued on 28 July 2016 informing of further consultation on the draft Coastal Zone Management Plan (refer **Attachment A**). In addition an email was sent directly to all CCBs, community groups and individuals that were consulted during the Our Coast Our Lifestyle community engagement project on coastal management on 2 August 2016. The exhibition was also advertised on Council's website on the home page Council notice board so that it was in a prominent location (refer **Attachment B**).

The draft CZMP 2012 update as well as additional coastal management reports listed below will be available for public exhibition until 8 August 2016.

- **July 2014:** Shoalhaven Coastal Erosion Remediation - [Adaptive Work Strategy](#)
- **June 2014:** Shoalhaven Authorised Locations, Coastal Erosion Remedial Options - [Collingwood Beach](#)
- **May 2013:** Management of Shoreline Erosion and Beach Access - [Callala Bay Design Review](#)
- **May 2013:** Shoalhaven Authorised Locations, Coastal Erosion Remedial Options – [Mollymook Beach](#)
- **May 2013:** Shoalhaven Authorised Locations, Coastal Erosion Remedial Options – [Callala Beach](#)

At the time of writing this report it is not possible to provide an overview of submissions received, however a full copy of all submissions received will be provided in the Councillors room on 9 August 2016 from 10.00am and outlined at the Committee meeting.

In regard to part b), the General Manager and Mayor have sought an urgent meeting with the Minister, at the time of writing this report the meeting had not been held or scheduled.

In regard to part c), Council staff wrote to Office of Environment & Heritage (OEH) to seek further advice. It is understood that Council could request the Minister to certify its draft Coastal Zone Management Plan so that it can apply for funding for implementing works and then transition to a Coastal Management Program so that the updated hazard mapping in view of Council's adopted SLR projections (currently in progress) and the outcomes of Our Coast Our Lifestyle citywide community engagement project (nearing completion) can be included. That is, the existing draft CZMP can effectively be amended to include updated studies and community input by transitioning to a new coastal management program. Advice received from OEH is that Council cannot seek certification of sections or parts of the plan that directly relate to grant applications. This is because the documents submitted would then not comply with the guidelines for the preparation of CZMP's called up by the Coastal Protection Act.

FINANCIAL IMPLICATIONS:

\$40,000 of Council 2016/17 coastal budget allocation could be allocated to progressing a Coastal Management Program.

COMMUNITY ENGAGEMENT:

The Draft 2012 Shoalhaven Coastal Zone Management Plan was on public exhibition from 10 October 2012 to 7 December 2012. Further public exhibition of the draft CZMP occurred from 28 July 2016 to 8 August 2016.

Strategy & Assets Committee - Addendum Report 1 - Item 1 Attachment A

From: Alison Turner
Sent: Friday, 29 July 2016 8:26 AM
Subject: Media Release - Consultation on Draft Coastal Management Plan



Media Release

28 July 2016

Further consultation to be undertaken on the Draft Coastal Zone Management Plan

Shoalhaven City Council is inviting the community to provide further comment on the draft Coastal Zone Management Plan and supporting documents.

The draft Coastal Zone Management Plan has previously been provided to the community for comment and has been used by staff since its creation as a guide to the management of the City's coast, estuary and flood management activities. Additional comment is sought from the community prior to submitting the document to the State Government.

Mayor Joanna Gash said, "Shoalhaven City Council is bordered by one of the most picturesque and pristine coastlines on the entire eastern seaboard covering 109 beaches. Living on the coast brings about unique challenges and opportunities which the plan addresses."

"As part of the State Government Coastal reforms, Councils must provide a Coastal Zone Management Plan to the Minister for Planning, to enable Council to apply for grant funding."

"This funding is essential for Council to undertake works that protect these environments and our community."

"It is important that local residents take the opportunity to read the draft plan and have their say on the proposal" said Cllr Gash.

The plan will be available on the council's website www.shoalhaven.nsw.gov.au together with a number of Coastal Management supporting documents. Documents can be viewed until Monday, 8 August 2016.

Comments can be made in writing to the General Manager, PO Box 42, Nowra NSW 2541 or by emailing council@shoalhaven.nsw.gov.au by the close of business on Monday, 8 August 2016.

Strategy & Assets Committee - Addendum Report 1 - Item 1 Attachment A
** End **

CONTACT: Isabelle Ghetti, Manager Natural Resources and Floodplain Tel: 4429 3300

Alison Turner
Media Co-Ordinator
Shoalhaven City Council

02 4429 3595
Bridge Rd (PO Box 42) Nowra NSW 2541
Alison.Turner@shoalhaven.nsw.gov.au
www.shoalhaven.nsw.gov.au



Strategy & Assets Committee - Addendum Report 1 - Item 1

ATTACHMENT B

The screenshot shows the Shoalhaven City Council website in an Internet Explorer browser window. The address bar displays 'http://www.shoalhaven.nsw.gov.au/'. The website features a prominent banner for 'Local Government Elections YOUR VOTE September 10th 2016' with an illustration of a hand dropping a ballot into a box. Below the banner is a navigation menu with links: Home, Discover Shoalhaven, My Property, My Community, For Business, My Council, Environment, and Planning & Building. The main content area is divided into three columns. The left column contains 'Council Notifications' (Documents on exhibition, Development Applications advertised, Redevelopment: Egans Lane Precinct, Current Projects, Careers at Council, Media Releases, Tenders, Quotations and EOI's, Fit for the Future) and 'Quick links' (Report a Problem, Maintenance Request, Change of Address, Payment Options, National Broadband Network, Agendas & minutes, Road Maintenance & Projects Info, Local Government Reform, Community strategic plan). The middle column is the 'Council notice board' with three articles: 'Further consultation to be undertaken on the Draft Coastal Zone Management Plan' (July 28, 2016), 'Nominations open for the 2016 Building Design Awards' (July 15, 2016), and 'Immunisation Clinics - changes to service & survey' (June 15, 2016). The right column is 'Community engagement' with links to 'Council on-line' (Contact Us at Council, Visit us on Facebook, See us on Twitter, Connect with us at Linked In, The Shoalhaven Video Tour, See us on Flickr) and various services (Development Application (DA) tracking, Library catalogue, Library eBook Service, Payment - tax invoice, Payment - rates, Payment - water account, Documents on exhibition, Maps online).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE MEETING HELD ON TUESDAY, 9 AUGUST 2016 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.04 PM

1. Addendum Item 1 Coast and Estuary grant program 2016/17 requirement for a certified CZMP or Coastal Management Program File 30596E
-

MOTION:

Moved: Findley / Second: Baptist

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

- a) Continue to seek representation to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round.
- b) If exemption is not granted by 18 August 2016, Council submit the draft 2012 CZMP, including additional reports as listed in this report and adopted Council Estuary Management Plans for certification by the Minister.
- c) Endorse the development of a new Coastal Management Program in line with the new Coastal Management Act, such new program to include the revision of relevant studies and strategies to address Council's adopted sea level projections. In addition, the public exhibition and subsequent resolution of coastal erosion policy matters, as well as other issues raised by the community be resolved in 12 months.

MOTION LOST

FOR: Tribe, Robertson, Findley, Baptist and Russ Pigg

AGAINST: Kearney, White, Guile, Gash, Watson, Wells

FORESHADOWED MOTION:

Moved: Guile / Second: White

(MIN16.622) RESOLVED that in accordance with the Committee's delegated authority from Council, the Committee

- a) **Continue to seek representation to the Minister to seek an exemption from the requirement of a certified CZMP to qualify for funding in the first round.**
- b) **Endorse the development of a new Coastal Management Program in line with the new Coastal Management Act, such new program to include the revision of relevant studies and strategies to address Council's adopted sea level projections. In addition, the public exhibition and subsequent resolution of coastal erosion policy matters, as well as other issues raised by the community be resolved in 12 months.**

CARRIED

FOR: Tribe, Robertson, Kearney, White, Gash, Baptist, Guile, Watson, Wells and Russ Pigg

AGAINST: Findley



Bridge Rd, Nowra NSW 2541 02 4429 3111

Deering St, Ulladulla NSW 2539 02 4429 8999

Address all correspondence to

The General Manager, PO Box 42, Nowra NSW 2541 Australia

DX5323 Nowra Fax 02 4422 1816

Council Reference: 30596E (D16/256375)

The Hon. Rob Stokes, MP
Minister for Planning
GPO Box 5341
SYDNEY NSW 2001


Dear Minister Stokes

**Coast & Estuary Grant Program 2016/17 - Shoalhaven City Council
Seeking exemption from requirement to have a certified
Coastal Zone Management Plan (CZMP) or Coastal Management Program (CMP)**

Shoalhaven City Council recently received notification of the latest round of funding being made available under the NSW Coast and Estuary Management Program. We have been very fortunate over the years in having support from the NSW Government to prepare and later deliver actions under this program.

We are disappointed to learn that this funding may not be available to our Council on the basis that Council's estuary management plans and draft coastal zone management plan are not certified. There are still many outstanding actions within these plans that will deliver positive outcomes for our local communities and the environment if Council was able to gain funding from the coast and estuary program.

These plans were prepared in good faith prior to the commencement of the current round of coastal reforms in NSW. Had Council been given more notice to have our plans reviewed and adopted for certification, we may have been more prepared to take advantage of the current round of funding available. It was our understanding that, in future, coastal management programs would need to be certified to be eligible for funding. It was never made clear that existing estuary management plans and draft CZMPs, many of which only propose environmental protection and restoration works, would require certification prior to this year's round of funding offers.

A year of transition for funding eligibility would have been a more strategic approach to facilitating positive on-ground environmental protection works while councils prepared existing plans to meet the requirements of the new Coastal Management Act and associated manual.

At the time when Council's draft CZMP was on its final public exhibition period in 2012, the NSW government announced the coastal reforms and removed its sea level rise benchmark policy. The government advocated for councils to develop their own regional sea level rise projections. At this time, in good faith, Council resolved to pursue a joint project with Eurobodalla Council and Office of Environment & Heritage to develop its own sea level rise (SLR) planning and policy framework. This was a coast & estuary grant funded project.

The draft CZMP was put on hold while this work was completed. As a result Council adopted its own SLR projections on 10 February 2015. These SLR projections have been used in Council's recent floodplain risk management studies and plans and to review Council's coastal hazard mapping and outcomes. It is intended that the revised coastal hazard mapping will inform the Shoalhaven Local Environment Plan (SLEP) and Shoalhaven Development Control Plan (SDCP). The coastal reforms have yet to be finalised so Council did not submit its draft CZMP, but however, continued to undertake studies and assessments, in collaboration with and funded by OEH, to inform a revised CZMP once the coastal reforms were completed and the requirements of a CZMP or other plan were known.

After much deliberation and consideration at recent meetings of Council, Council resolved not to submit the draft CZMP to you for certification because it does not include the revised coastal hazard mapping and outcomes of a recently completed, significant, citywide community engagement program on coastal management ('Our Coast Our Lifestyle'). Council's intention was to update the draft CZMP with this revised mapping, the outcomes of the community engagement, as well as all of the assessment and cost benefit analysis that has been prepared since 2012 to form a CMP for certification in the near future. Council at the same meeting resolved to deliver a CMP within a year.

There was just not sufficient time provided to complete this work and consult with our community, as required by the Coastal Protection Act and the Coastal Management Act.

This was a very difficult decision, as the Shoalhaven coastline suffered significant damage and erosion during the June 2016 and August 2015 storm events. Council is seeking grant funding to remediate some of these damages as they are not eligible for Natural Disaster funding and are not covered by Council's insurance. Council is also seeking funding for estuary health reporting to inform our community and support local tourism and oyster industries which depend on the quality of our estuaries.

Given the outlined significant commitment from Council to deliver a comprehensive CMP and the need to address impacts from recent storms, Council requests that you grant an exemption for the requirement of a certified CZMP to qualify for 2016/17 coast and estuary grant funding.

A copy of the grant applications have been submitted to OEH and are attached for your information. A copy of this letter was also provided with the grant applications.

If you need further information about this matter, please contact Kelie Lowe, Planning & Development Service's Group on (02) 4429 3501. Please quote Council's reference 30596E (D16/256375).

Yours faithfully



Russ Pigg
General Manager
17/08/2016



Office of
Environment
& Heritage

MD16/4037

Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Russ

Dear Mr Pigg

Draft 2012 Coastal Zone Management Plan

I refer to your letter to the Minister for Planning, the Hon Rob Stokes MP, regarding recent correspondence from Mr George Kruk about Shoalhaven City Council's 2012 draft Coastal Zone Management Plan (CZMP). Your letter was referred to the Office of Environment and Heritage (OEH) and I have been asked to reply. Mr Kruk's correspondence was also referred and I have attached a copy of the response for your information (MD16/3463).

As Shoalhaven City Council has worked closely with OEH and its community in drafting its CZMP, it is timely to reiterate prior advice by OEH and the Minister of Planning that Council is well placed to submit its draft CZMP to the Minister for certification. This would ensure that Council can apply for grant funding to implement actions from the CZMP while it prepares its Coastal Management Program (CMP). At present OEH and Council staff estimate that a CMP is likely to take more than a year to complete and certify.

During the current coastal reform process, a request for certification of the draft CZMP can be considered by the Minister for Planning until the *Coastal Protection Act 1979* is replaced by new legislation. Should you wish to reconsider this certification option, please do not hesitate to contact OEH for support.

If you have any further questions about this issue, please contact either John Bucinkas, Acting Senior Team Leader, Water Floodplains & Coasts on 4224 4153 or john.bucinkas@environment.nsw.gov.au.

Yours sincerely

Derek Rutherford
Director South Branch
Regional Operations

11/10/16

PO Box 733 Queanbeyan NSW 2620
11 Farrer Place Queanbeyan NSW 2620
Tel: (02) 6229 7188 Fax: (02) 6229 7001
ABN 30 841 387 271
www.environment.nsw.gov.au

Shoalhaven City Council
Received
18 OCT 2016
File No.
Referred to: I. Ahlert

SA16.30 - Attachment 6



Office of
Environment
& Heritage

COPY

MD16/3463

Mr George Kruk
Managing Director
GKA Management
PO Box 6121
PYMBLE NSW 2073

Dear Mr Kruk

Shoalhaven Coastal Zone Management Plan

I refer to your letter to the Minister for Planning, the Hon Rob Stokes MP, about Shoalhaven Coastal Zone Management Plan (CZMP). Your letter was referred to the Office of Environment and Heritage (OEH) and I have been asked to reply.

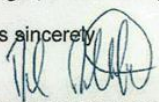
You may be aware that the NSW Government is reforming the coastal management framework. Under the new framework, councils will develop evidence-based Coastal Management Programs (CMP) in consultation with their communities. CMPs will replace CZMPs, although CZMPs that have been certified by the Minister can continue to be implemented. Once a CMP or CZMP is certified by the Minister, actions within the CMP are eligible for funding from the Coastal and/or Estuary Management Programs.

I understand that Shoalhaven City Council's meeting in August 2016 (referred to in your letter) considered whether to seek certification of their draft CZMP or follow the new pathway of preparing a CMP. The council undertook detailed consultation on the draft CZMP from 10 October 2012 until 7 December 2012, which meets the required consultation timeframe. Council has until December 2016 to submit the CZMP for certification, but I understand that at the August 2016 meeting Council resolved to prepare a CMP instead.

OEH worked closely with Council in drafting the CZMP to ensure it met the certification requirements, including in relation to community consultation. In addition to the consultation carried out for the draft CZMP, I note that Council has also completed a community engagement project for its coastline "Our Coast, Our Lifestyle" in 2015/16, demonstrating their ongoing commitment to engaging the community in its coastal management planning processes.

If you have any further questions in relation to this issue, please contact Gabrielle Pietrini, Regional Manager, Illawarra Region on 4224 4159 or gabrielle.pietrini@environment.nsw.gov.au.

Yours sincerely,


DEREK RUTHERFORD
Director South
Regional Operations

14/9/16

PO Box 733 Queanbeyan NSW 2620
11 Farrer Place Queanbeyan NSW 2620
Tel: (02) 6229 7188 Fax: (02) 6229 7001
ABN 30 841 387 271
www.environment.nsw.gov.au

SA16.30 - Attachment 6

SA16.31 Dune vegetation management at Collingwood Beach - outcome of public exhibition and petitions.

HPERM Ref: D16/328027

Group: Planning & Development Services Group
Section: Environmental Services

Attachments:

1. concerns NGH - remove branding [↓](#)
2. Council draft Collingwood DVMP - Overall Map [↓](#)
3. draft Council Plan - Zone 1 description [↓](#)
4. draft Council Plan - Zone 2 description [↓](#)
5. Draft Council Plan - Zone 3 description [↓](#)
6. draft Council Plan - Zone 4 description [↓](#)
7. draft Council Plan - Zone 5 description [↓](#)
8. CBPG alternative approach [↓](#)
9. Crown Land submission [↓](#)
10. Jervis Bay Marine Park submission [↓](#)
11. OEH submission [↓](#)
12. petition change.org 946 signatories [↓](#)
13. petition approximately 1500 signatories coordinated by Vincentia Matters [↓](#)
14. Extract Coastal Management Bill 2016 [↓](#)

SA16.31

Purpose / Summary

To inform the Committee of the outcome of the public exhibition of the draft Council Dune Vegetation Management Plan for Collingwood Beach and alternative approach developed by the Collingwood Beach Preservation Group (CBPG).

Recommendation (Item to be determined under delegated authority)

That

1. Council receive the petitions on this matter for information.
2. Council thank all petitioners and people who made a submissions for their input and careful consideration of this matter.
3. In view of the petitions and submissions received, Council not adopt either of the two plans that were placed on public exhibition.
4. In view of the submissions received and position of relevant Government agencies, Council engage NGH and a coastal expert to review the draft management plan and current approach and to work with and gain endorsement of, key government agencies. The new revised approach should reflect the new Coastal Management Act hierarchy of management objectives establish in section 10.3 of the Act. A further report o council would follow this review.

Options

1. As recommended

Implications: This option recognises the significant opposition received against the draft Council dune vegetation management plan and the CBPG alternative approach that were placed on exhibition. This option recognises that in view of the submissions received from residents, tourists and State Government Agencies, coastal erosion management should be the prime consideration in managing the dune system. However it also recognised that some view enhancement could be incorporated.

2. Adopt Council draft Dune Vegetation Management Plan and develop a review of environmental factors (REF), environmental assessment under Part 5 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act), before proceeding with the works which includes issues outlined in the Jervis Bay Marine Park submission.

Implications: This option is not recommended as it does not take into consideration the large number of submissions opposed to the plan, and OEH submission particularly in relation to not complying with existing legislation and upcoming Coastal Management Act. Given the advice from government agencies, it is likely that an REF developed for this option would conclude that a significant environmental impact is likely to occur should the works proceed and an environmental impact statement (EIS) may be required.

3. Adopt the CBPG alternative approach and develop a review of environmental factors (REF), environmental assessment under Part 5 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act), before proceeding with the works which includes issues outlined in the Jervis Bay Marine Park submission.

Implications: This option is not recommended, as it does not consider the significant opposition to the plan expressed through submissions and petitions. Before this option could be implemented an REF would need to be developed addressing the concerns of the Jervis Bay Marine Park. Given the advice from government agencies, it is likely that an REF developed for this option would conclude that a significant environmental impact is likely to occur should the works proceed and an environmental impact statement (EIS) may be required.

Background

The draft Council Dune Vegetation Management Plan for Collingwood Beach and the Collingwood Beach Preservation Group alternative approach were placed on public exhibition from 21st September to 19th October 2016. Both plans aim at enhancing views from the back of the dune towards the bay in an attempt to curb the number of incidences of vegetation vandalism.

Draft Council Dune Vegetation Management Plan for Collingwood Beach

The draft Council Dune Vegetation Management Plan for Collingwood Beach has been developed over the last two years after extensive community consultation. The plan and its appendices - Appendix A, Appendix B and Appendix C were placed on Council's website and are still accessible from <http://shoalhaven.nsw.gov.au/Environment/Coastal-Landscape/Collingwood-Beach-Dune-Vegetation-Management>

The plan was originally developed by environmental consultants NGH, however NGH raised concerns about modification requested by Council in regard to zone 5 and asked their branding be removed from the modified plan (refer Attachment 1).

The Council draft plan includes a map that identifies management zones along the dune system (refer Attachment 2). The plan applies to the area located between Moona Moona Creek and Susan St. Each management zone has defined objectives and activities. A short explanation of each management zone is provided in attachment 3 to 7.

In order to facilitate the interpretation of the draft Council plan, signage indicating the start and finish points of each zone was placed on site during the public exhibition period. A sign for each management zone was also placed at a location that provides an indicative example of the zone once works would be complete.

The plan was to be implemented on a 5-year trial basis. The monitoring proposed over the 5 years was to inform the development of a longer-term management plan.

The plan aimed to work with the existing vegetation structure to minimise amount of initial disturbance. For example, hedging of trees and tall shrubs is not proposed in areas where there are existing mature banksias and other trees. The length of each management zone is reflective of the feedback received during the consultation process when developing the plan. It will either maintain views where they exist or create and enhance views that are currently obscured. In doing so it was hoped that ongoing vegetation vandalism will cease in the reserve.

Collingwood Beach Preservation Group Alternative approach

An alternative approach developed by the Collingwood Beach Preservation Group (CBPG) was also placed on exhibition during the same period. Enquiries on this alternative approach were directed to the group's generic email address. The 11 point alternative approach is provided in attachment 8 to this report.

Community Engagement

522 submissions were received during the exhibition period.

These submissions include:

- 3 submissions from State Government Agencies- NSW DPI, NSW Lands and NSW OEH (these submissions are reported separately and are not included in the diagrams shown below)
- 1 submission on behalf of people who signed a petition on change.org with 946 signatories opposing strongly any logging of vegetation (refer attachment 12 for full wording of petition)
- 1 submission on behalf of 1500 Vincentia residents and other users of Collingwood Beach requesting Council '*NOT proceed with the Plans currently on exhibition*' (refer Attachment 13 for full wording of petition).
- 7 submissions from Community groups: Birdlife Shoalhaven, National Parks Association (Illawarra branch), Nature Conservation Council of NSW Inc., Lake Wollumboola Protection Association Inc., Collingwood Beach Preservation Group (CBPG), Vincentia Matters Inc. and Save Collingwood Beach. All submissions but one from the CBPG are strongly objecting to Council's draft plan and CBPG alternative approach.
- 511 individual submissions. These include multiple submissions from same family members (the highest number recorded was for a foreshore resident family with 11 submissions). Individual submissions also include postcards produced by the Greens with individual comments
- Multiple submissions received from the same person were counted as one submission.

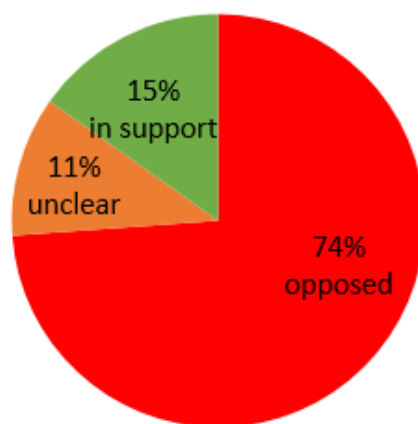
There were 21 submissions received after the close of the public exhibition and they are not included in the diagrams shown below, 18 of these late submissions were clearly objecting to both Council draft plan and the CBPG alternative approach.

There were 2 anonymous submissions that were not considered.

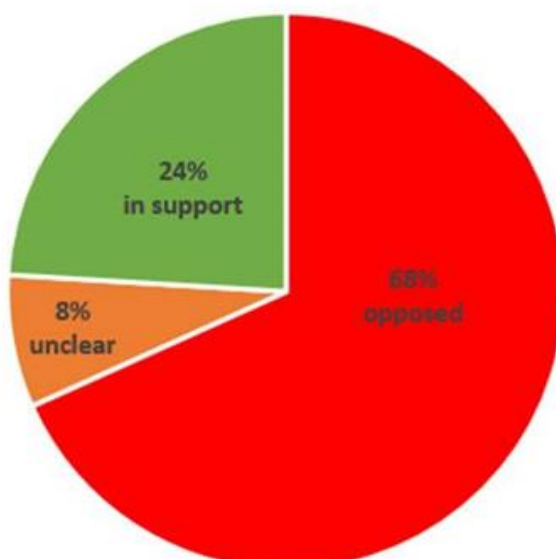
Copies of all submissions received have been placed in the Councillors room.

Most submissions were quite clear and specifically expressed their support or objection for one or both of the draft plans. However, some submissions were unclear and did not clearly express support or objections to the plans, they are reported as such.

Feedback on Council draft Dune Vegetation Management Plan (520 submissions)

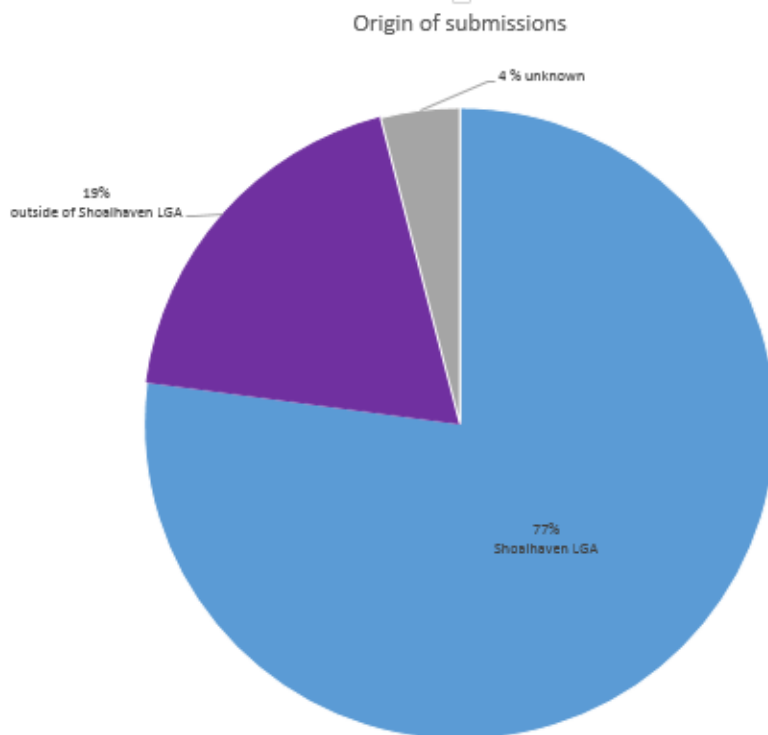


Feedback on CBPG (Collingwood Beach Preservation Group) alternative approach (520 submissions)



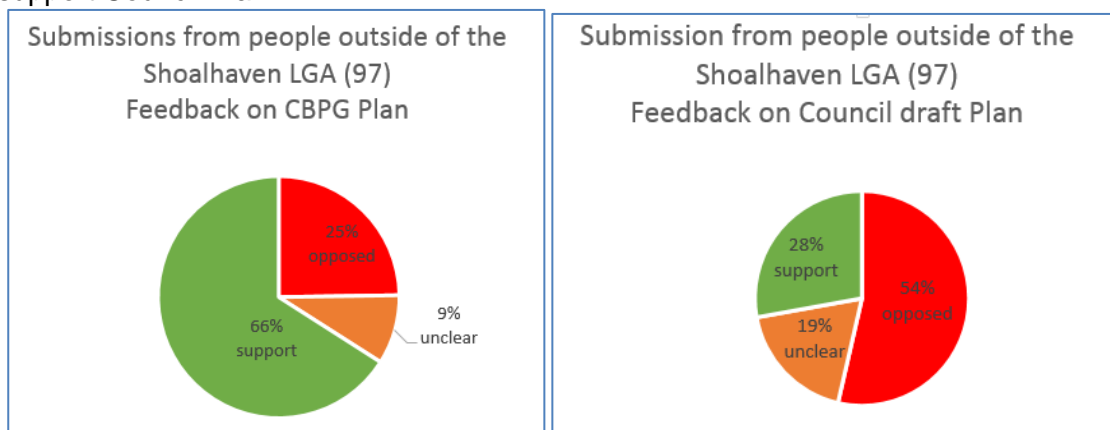
Origin of submissions

The large majority of submissions received, 77%, were from people who gave their address as being in the Shoalhaven LGA.

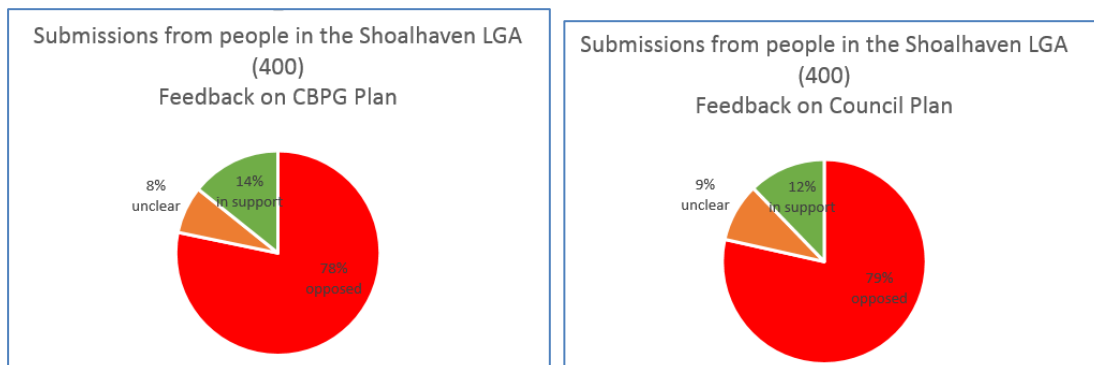


What was the feedback from people outside of the Shoalhaven LGA (97 submissions)?

People from outside the Shoalhaven LGA generally support the CBPG Plan and do not support Council Plan.



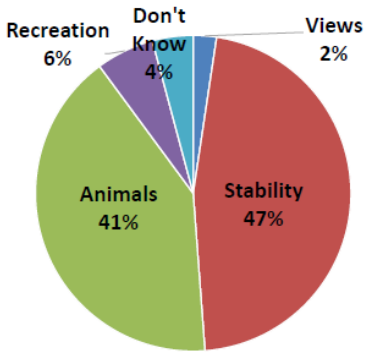
What was the feedback from people from the Shoalhaven LGA (400 submissions)?
People from the Shoalhaven LGA largely oppose the CBPG Plan and Council Plan.



Submissions identified the following key reasons for supporting or not supporting the plans.

Key reasons for supporting Council's draft plan and CBPG alternative approach (20% of submissions)	Key reasons for objecting to Council's draft Plan and CBPG alternative approach (71% of submissions)	Council staff comments
Residents have a right to a view, beachfront owners pay higher taxes which entitle them to a view. Bought their properties in the 70s when there was a view.	There is no right to a view. People can go on the beach to have waterviews.	Legal advice confirms that 'there is no legal right to a view in that situation'.
Low shrubs and grasses are enough to manage erosion. This statement is based on sound research and science, and Coastal Works Manual from Tasmanian government	There needs to be a mix of grasses, shrubs (low and tall) and trees to manage erosion, this is confirmed by the NSW Coastal dune vegetation manual and expert advice. Dune is the first line of defence against erosion and requires tall and healthy vegetation. Without a healthy and resilient dune it is likely that a seawall will be required in future. This will impact on amenity and impose significant cost to ratepayers.	A co-author of the Tasmanian Coastal Works Manual provided the following statement (extract): <i>'The extract from the Works Manual you refer to appears to be taken out of context. The statement refers to taking action to stabilise a moving dune (or repair a blow-out) and is only appropriate as the initial repair work, or for the area known as the primary dunes and foredunes where wind-blown sand is transported up the foreshore and trapped by grasses to build up and stabilise the dunes...There are numerous other references in the Works Manual that describe planting of trees and shrubs behind the primary dune face'.</i> OEH submission includes coastal expert advice and observations during the June 2016 storm, where areas of sparse or low lying vegetation experienced higher wave runup penetration and overtopping than areas with denser and higher vegetation.

		Staff professional advice is that low shrubs and grasses alone do not provide the same degree of resilience to coastal storms than a well vegetated dune with a mix of low, medium and tall vegetation species. This is supported by the NSW Coastal Dune Vegetation Manual and the literature provided in section 7 of the draft Council plan
Banksias are weeds and non-native to the area and are now forming a monoculture.		Banksias are native to the area. A ecological survey undertaken by Macquarie university students (April 2016) confirm sections of Collingwood beach that are undisturbed have a species richness (15) similar to Myola spit which is relatively pristine, the disturbed areas of Collingwood have a slightly lower species richness (12). This data clearly highlights that banksias are not forming a monoculture.
The tree roots (and in particular banksia tree roots) are causing damage to sewer and footpath and should be removed, trees/tree branches may fall on people as it presents risk to users of the pathway.	Increasing views may present risks to users of the shared path. The path is very busy at times and users should concentrate on the risk of collision with other path users, if users stop to enjoy views or are distracted by views risk of collision is increased. Dedicated viewpoints/rest areas could be provided adjacent to the path to alleviate this risk.	The shared pathway is regularly inspected for risks and hazard. Actions (such as tree branch removal or repair to pathway) implemented when required in accordance with Council's risk management procedures. Council's maintenance crew reports that the major damage from tree roots to the pathway are currently caused by the Norfolk Pines an introduced species.
Removal/under pruning of trees + hedging will provide much needed sun and warmth to users of the footpath.	The trees and high shrubs provide much needed sun and wind protection to users of the footpath.	The concrete path reflects both heat and light for path users particularly in summer months.
Will benefit tourism.	Will negatively impact on tourism. Tourists are coming to Jervis Bay as they appreciate the natural look and bush backdrop when on the beach- don't want to look at houses when on beach. Proposal at odds with 'unspoil' tourism campaign.	A social survey independently designed and conducted by Macquarie university students over 5 days during Easter school holidays 2016 captured the opinion of 168 visitors (including 9 workers that were also visitors). When asked whether the dune vegetation should be managed for dune stability, fauna (animals or views), clearly the majority (about 88%) favoured a dune management for stability and fauna over views (only 2%).

		 <p>A pie chart showing the distribution of responses across five categories. The largest segment is 'Stability' at 47% (red), followed by 'Animals' at 41% (green), 'Recreation' at 6% (purple), 'Don't Know' at 4% (blue), and 'Views' at 2% (light blue).</p>
	Plans do not comply with legislation and Council's policies.	<p>Advice from OEH advises that the plans are inconsistent with the objectives of the Coastal Management Act, and do not meet the objectives of the NSW Coastal Policy.</p> <p>Further they state the plans are at odds with Council's foreshore reserves policy which require installing 'tree vandalism sign' and replacement of vandalised vegetation.</p>
	Create precedent and will spread to other areas of the coast and elsewhere as Council would be supporting the management of vegetation on public land for views.	<p>Council has received enquiries from other areas (Currarong, Mollymook, Bawley Point) asking if similar plans are envisaged at these locations. A number of submissions request that the plans apply to the entire beach and include the reserve south of Susan St.</p>
	Plans undo more than 30 years of dune rehabilitation and flies in the face of Bushcare volunteers.	<p>Many of Council's 854 Bushcare volunteers have raised concerns about the proposal as well as the precedent it creates. If any of the plans are endorsed this would greatly affect volunteer morale and may result in resignation of volunteers.</p>
	Plans will have significant negative impact on fauna and in particular the Yellow-tailed Black Cockatoo (feeds partly on banksias), which is often observed on the dune community and is the symbol of the Shoalhaven	
Will stop vegetation vandalism.	There is no evidence that proposal will stop dune vegetation vandalism, if anything, it may increase it as the plans appear to encourage and reward	<p>Evidence of new instances of vandalism along the dune since the draft plans have been made public is visible.</p>

	vegetation vandalism.	
Works could be implemented by residents.	Cost to ratepayers to implement plan and then remediate impacts of coastal erosion on public and private assets is significant. Can Council and ratepayers afford such costs, money better spent on other priorities?	The nature of the works (especially the initial trimming) is such that the majority of the pruning can't be implemented by volunteers due to risk considerations, specific equipment required and need for arborist knowledge.
	The area is public land and is to be managed for public interest not for the benefit of a few.	The dune is crown land, trust managed by Council under the Crown Lands Act which requires that environmental protection principles be observed, natural resources be conserved wherever possible, public use and enjoyment be encouraged and that crown lands where appropriate should be used and managed in such a way that both the land and its resources are sustained in perpetuity.
	The area should be managed in view of future risk and for future generations. Proposed activities will decrease resilience to sea level rise impacts.	Council coastal hazard studies confirm that the area is vulnerable and the level of risk will increase as sea level rises. Long term negative impacts could require additional needs for coastal erosion management including beach scraping or nourishment and possibly a seawall if severe erosion occurs.

SA16.31

Interestingly 66 submissions (13%) supported both the Council draft dune vegetation management and the CBPG alternative approach often refer to as 'CBPG amendments'. It is important to note the significant differences between Council draft plan and CBPG alternative approach. The CBPG alternative approach cannot reasonably be seen as an amendment to Council plan, it has a very different approach.

Key differences between Council's draft Vegetation Management Plan and CBPG alternative approach:

- Council's draft plan is based on a zoning approach, it includes 5 zones with different vegetation treatments and does include zone 1 (4% of the area) where vegetation is allowed to grow naturally where views are not impeded. The CBPG alternative approach is not based on zoning, the same treatment is proposed throughout the entire dune and does not include areas where vegetation is allowed to grow naturally.
- Zone 5 of Council's draft plan proposed to reduce the height of regrowth trees and large shrubs to a height of 1m-1.5m however, low shrubs could grow in the 1.5 to 2.5 m window as long as their foliage together with existing mature trees to be retained represents 30 to 50% cover. Applying the CBPG alternative approach in this section would require maintenance of all vegetation outside of established mature trees higher than 6m (which are only very rare in zone 5) to a level between 90cm and 1m tall. This will result in a uniform hedge with some very sporadic mature trees (higher than 6 m) under pruned to a minimum height of 5 m. Mature trees that are less than 6 m height would be pruned to between 90cm to 1m tall resulting in their death.

The CBPG alternative approach requires all established mature trees higher than 6 m to be under pruned to at least 5 m in height. This represents significant under pruning that could I

significantly weaken the tree and could lead to death of some trees. The Council draft plan only proposes to under prune trees in specific zones and only in the view window (1.5m to 2.5m). Such heavy pruning or lopping that is not in accordance with the Australian Standard would most likely result in epicormic growth, which could pose a risk to users of the pathway. The CBPG alternative approach requires removal of dead wood or dead trees. Council's draft plan requires all dead material to be felled and coarsely broken up or mulched and remain in situ. This approach retains important habitat and food for wildlife and provides organic matter for vegetation nourishment.

- The CBPG alternative approach includes removal of the native tree *Pittosporum* south of Susan Street. Council's draft plan does not include any activities south of Susan Street.
- The CBPG alternative approach does not include monitoring nor a 5 year trial period. Council's draft plan includes monitoring and a 5 year trial period. The aim of the trial period is to manage potential risks presented by the proposed activities and provide the capacity to implement remediation measures should risk present unacceptable impacts. Council previously resolved on 9 December 2014 (D14/328336) to implement a 5 year trial period for any vegetation management plan developed for Collingwood Beach.

Compromises put forward

A few submissions suggested that dedicated viewpoints/rest areas could be provided adjacent to the shared path and or that light under pruning to open views in selected areas could be acceptable (to some) in order to enhance views, however such actions should be accompanied by a new vegetation vandalism policy and adequate enforcement of this policy.

Submissions by State Government agencies

Crown Land (refer Attachment 9)

Collingwood Beach dune is crown land, trust managed by Council. As such Council is the ultimate decision maker however, Council needs to consider that it is required to manage the land in accordance with the principles of the Crown Land Act 1989, provided in attachment 9.

NSW Department of Primary Industry (DPI) – Jervis Bay Marine Park (refer Attachment 10)

The Marine Estate Management Act 2014 requires Council to consider any advice given by NSW DPI on the impact of the proposed activity on the Marine Park. DPI is concerned that both plans would result in an increased need for managing beach erosion by beach scraping or sand nourishment and in turn could result in a negative impact on the Jervis Bay Marine Park. The submission requires that a detailed assessment on a number of potential impacts be included in the REF under part 5 of the EP&A Act to demonstrate that the likelihood of beach scraping or sand nourishment is not increased by the proposed plans.

NSW Office of Environment and Heritage (OEH) (Refer attachment 11)

OEH does not support either plan. This submission clearly identifies that a more appropriate tool to manage this issue is through a coastal management program that has the dune vegetation management issues interlinked with coastal risks. OEH found that the draft plans in their current form do not comply with State Government coastal legislation or guidelines and implementation of either plan would have implications for coastal hazards. OEH in its submission asks that *'proposed actions should be consistent with the NSW Government's coastal reforms, the objectives of the upcoming Coastal Management Act and principles of the Coastal Management Manual'*.

In that regard, it is interesting to note that the upcoming Coastal Management Act endorses a hierarchy of management objectives when overlapping or inconsistency in management objectives occur. In the case of Collingwood Dune section 10.3 of the upcoming Act establishes the following hierarchy (noting that Coastal wetlands and littoral rainforest does

not apply to Collingwood Beach Dune) –coastal vulnerability area, coastal environment area and coastal use area.

This hierarchy of management objectives reflect the feedback received from the community, where the majority of submissions asked Council to manage Collingwood dune vegetation management system for coastal risks first (coastal vulnerability area), and for its environmental values (coastal environment area) and a minority of submissions asked Council to manage the area for views (coastal use area).

Relevant Extracts of the Coastal Management Bill 2016 (which has been passed by both houses) are provided in attachment 14.

Policy Implications

The proposed plans seek to stop vegetation vandalism on Collingwood Beach by providing improved water views, this is quite a different approach to the one adopted by Council foreshore reserves policy (section 3.4) which recommends regulatory/advisory signage, education and awareness as well as rehabilitation. However, it is recognised that in preparing the draft plan, Council sought to develop a location specific plan to address vegetation vandalism.

<http://doc.shoalhaven.nsw.gov.au/displaydoc.aspx?record=POL16/38>

The draft CBPG plan is also at odds with the foreshore reserves policy and Natural Area Plan of Management which both require all fallen or cut timber to be left in situ as their role in the provision of habitat, shelter or food is recognised.

Financial Implications

The cost of implementing Council's draft plan is evaluated at approximately \$160,000 initially with annual maintenance cost of approximately \$60,000.

The cost of implementing the CBPG alternative approach is evaluated at \$92,000 initially with on-going annual maintenance cost of approximately \$90,000.

The potential decline of Bushcare volunteers who contribute approximately \$256,000 a year of Bushcare work is significant. Currently Council has 3,101 foreshore and bushland reserves to manage, which is 33% of all Council managed land. This amount of land could significantly increase as a result of the current State Government Crown Lands review. Council relies upon Bushcare workers to manage these areas to meet its obligations under the Crown Land Act and Local Government Act.

The cost to manage coastal erosion because of decreased dune resilience due to vegetation management activities could vary depending on the scale of the storm and its associated impacts. Erosion remediation strategies vary and could include beach scraping and revegetation of the dune, estimated cost of \$300,000, escalating up to the possible construction of a seawall structure (worst case scenario) if severe erosion occurred, which has an estimated cost of \$30 million.

Risk Implications

OEH does not support either plan and states that "*Clearing dune vegetation has the potential to increase risks from coastal hazards placing public and private assets at risk, as well as reduce the amenity of Collingwood Beach*" and that Council's draft plan "*would not meet the objectives upcoming Coastal Management Act*". The OEH submission goes on to say that Council's draft plan "*would not meet the objectives of the NSW Coastal Policy*" and that the CBPG plan "*would likely have even greater implications for dune vegetation health and risks from coastal hazards than the Council Plan.*"

The risk to Council if any of the draft plans are adopted and implemented warrants careful consideration as Council would have to demonstrate it has acted in good faith should it adopt either plan because OEHL has advised that the plans do not comply with coastal legislation and the coastal management manual. Therefore, Council should consider carefully the exemption from liability under section 733 of the Local Government Act. A separate confidential report provides more detailed advice on this matter.

Some owners of beach front residences in their submission clearly opposed the removal of vegetation in front of their property and warned Council of potential litigation should their house be impacted by future storms, others of course, have not raised this concern.

Council is aware through its coastal hazard studies that the area is at risk from coastal storms. Excessive clearing of vegetation has the potential to increase the risks to public and private assets from coastal hazards. A significant community engagement program on Coastal Management (Our Coast Our Lifestyle) has recently been completed by Council and a Councillors briefing is scheduled on this matter in the next month. This project identified that the community 'strongly value the natural environment', 'expect Council to take a long-term cost effective approach to managing the risk of coastal erosion, based on scientific evidence and expert advice', 'supports soft protection options, and particularly dune management, over hard options, to protect existing assets except in specific circumstances'

Conclusion

In consideration of all of submissions and petitions and the information above, it is recommended that Council not adopt either the draft Council Dune Vegetation Management Plan for Collingwood Beach or the alternative approach developed by the Collingwood Beach Preservation Group (CBPG).

It is recommended that Council asks NGH to work with OEHL and a recognised coastal expert to review the current approach in view of the nature of the majority of submissions received, as well as the relevant coastal management legislation. The new revised approach should reflect the new Coastal Management Act hierarchy of management objectives establish in section 10.3 of the Act.



2 June 2016

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Dear Kelie,

RE – Draft Collingwood Beach Dune Vegetation Management Plan

Thank you for providing the resolutions adopted at the SCC meeting held on Tuesday 24 May 2016. While we support the proposed variations i) and iii), we cannot support the second variation:

- ii) Zone 5 prune trees and tall shrubs to a height 1m-1.5m

The existing protocol specifies a minimum height of 1.5m. For trees and tall shrubs, we consider this already a very low height. At a lower height than this:

- The risk of tree mortality increases. Additional tree mortality is not desirable.

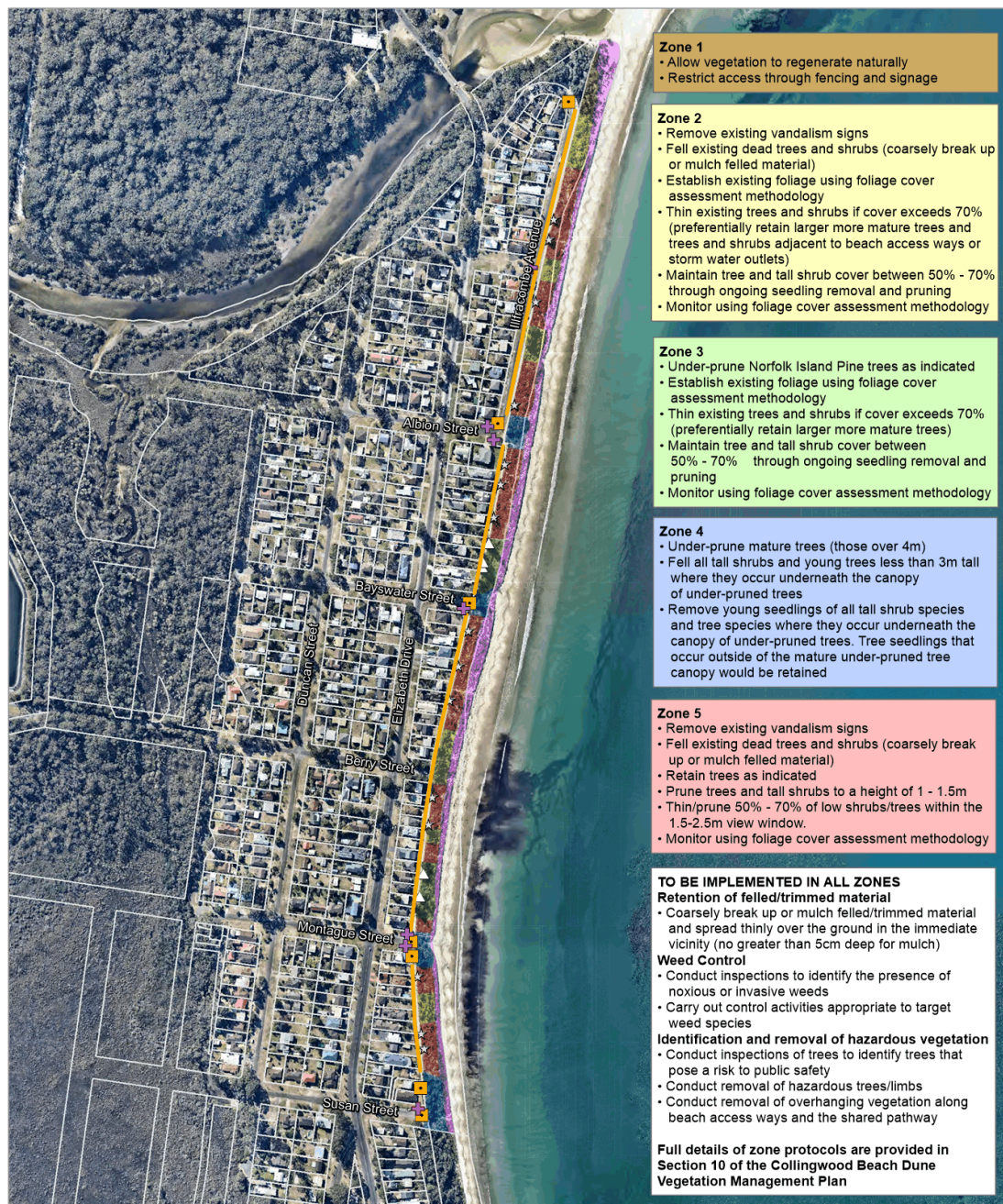
Furthermore, this could further reduce tree root penetration, resulting in less dune stability. In this case, the zone becomes more susceptible to extreme weather conditions that could result in adverse impacts to private and public assets as well as the ecological values of the reserve.

For these reasons we would like to remove our branding (Logo) from the modified report prior to public exhibition so it is clear that the suggest protocol (iii) is not at the suggestion of NGH Environmental.

We would like to further clarify that we consider the current plan to be very much a compromise in terms of accepting some level of risk to dune stability and sustaining ecological function, to ensure that views are maintained and therefore that the plan has local support. We do not recommend further changes that add to the existing level of risk.

Yours sincerely,

Nick Graham-Higgs
Managing Director
Ph 0427 260 819
NGH Environmental



PROPOSED VEGETATION MANAGEMENT

Collingwood Beach Dune Vegetation Management Plan

Proposed management zones

- Zone 1 - Up to 100% cover of trees and tall shrubs
- Zone 2 - Up to 70% cover of trees and tall shrubs
- Zone 3 - Up to 70% cover of trees and tall shrubs and under-prune tall trees
- Zone 4 - Under-prune mature trees and remove tall shrubs
- Zone 5 - Prune trees and tall shrubs to 1 - 1.5m high
- Zone 6 - Protection of incipient foredune vegetation

Lot boundaries

- Foliage cover assessment methodology
- Photopoints (additional to foliage cover assessment)
- Trees to be retained in Zone 5
- Norfolk Island Pines to under-prune in Zone 3
- Recommended Eucalypt planting

0 100 200 Meters

A3 @ 1:5000



Notes:
- Vegetation data digitised by ngevenvironmental
- Aerial imagery sourced from Nearmap
Image date Aug 2014

DRAFT DUNE VEGETATION MANAGEMENT PLAN

ZONE 1

Vegetation will be left to grow and regenerate naturally.

Weed control will occur, as in all zones, but all native vegetation including ground cover, mid-storey and canopy vegetation will be left to develop without active management.

Key management activities include:

- Allow vegetation to regenerate naturally
- Restrict access through fencing and signage
- Weed management



DRAFT DUNE VEGETATION MANAGEMENT PLAN

ZONE 2

Filtered views will be provided between the height of 1.5 – 2.5m (the view window) by:

- Retaining tree and tall shrub foliage cover between 50% - 70%.
- Maintaining tree and tall shrub cover between 50% - 70% through on-going targeted seedling removal and pruning.

All low shrubs and groundcover will be retained.

Key management activities will include:

- Fell existing dead trees and shrubs (retain felled material - coarsely break up and spread to nourish soil).
- Remove young seedlings of tree and tall shrub species that are likely to result in an excess of 70% foliage cover only.
- Retain larger more mature trees and trees and shrubs adjacent to beach access ways or storm water outlets.
- Prune or fell selected trees (preferentially retaining more mature trees) and tall shrubs to maintain 50% - 70% foliage cover between a height of 1.5 – 2.5m.
- Maintain tree and tall shrub cover between 50% - 70% through ongoing pruning.
- Weed management.



DRAFT DUNE VEGETATION MANAGEMENT PLAN

ZONE 3

Filtered views will be provided between the height of 1.5 – 2.5m (the view window) by retaining tree and tall shrub foliage cover between 50% - 70%. All low shrubs and groundcover will be retained.

Removal of lower limbs (under-pruning) of tall Norfolk Island Pines up to a height of 3m will be undertaken. The trees to which this applies are identified on the detailed mapping in Appendix A of the Draft Dune Vegetation Management Plan.

The remaining native vegetation would be managed as per Zone 2. Foliage cover of the Norfolk Island Pines to be taken into consideration when establishing the 50% to 70% foliage cover at levels below 3m.

Key management activities will include:

- Trim the lower limbs of 4m+ Norfolk Island Pine trees up to a maximum height of 3m. This would be a one-off maintenance activity at the commencement of the plan.
- Remove young seedlings of tree and tall shrub species that are likely to result in an excess of 70% foliage cover only.
- Preferentially retain more mature trees and trees and shrubs adjacent to beach access ways or storm water outlets.
- Removal/pruning of select trees (preferentially retaining more mature trees) and tall shrubs to maintain 50% to 70% foliage cover between a height of 1.5 – 2.5m (the view window).
- Maintain tree and tall shrub cover between 50% - 70% through ongoing seedling removal and pruning.
- Coarsely break up or mulch felled/trimmed material and spread over ground.
- Weed management



DRAFT DUNE VEGETATION MANAGEMENT PLAN

ZONE 4

Low level views will be maximised by under-pruning mature trees to a height of 3m and removing tall shrubs and young tree regrowth. Young Banksia trees less than 3m tall will also be felled where they occur underneath the canopy of under-pruned trees. **Banksias that occur in other areas within this zone would be allowed to reach a height of 4m before being under-pruned. All low shrubs and groundcovers would be retained within this zone.**

Key management activities will include:

- Retain all low shrubs and groundcovers
- Under-prune mature trees. Trim lower limbs such that foliage begins at a maximum height of 3m on all trees exceeding 4m.
- Fell all tall shrubs and young trees less than 3m tall **where they occur underneath the canopy of under-pruned trees only.**
- Remove young seedlings of all tall shrub species and tree species where they occur underneath the canopy of under-pruned trees.
- Retain young trees that occur outside of the mature under-pruned tree canopy.
- Coarsely break up or mulch felled/trimmed material and spread over ground.
- Retain tree seedlings that occur outside of the mature under-pruned tree canopy.
- Weed management



DRAFT DUNE VEGETATION MANAGEMENT PLAN

ZONE 5:

The objective of this zone is to reduce the height of regrowth trees and large shrubs to a height of 1m - 1.5m. Retain between 30%-50% foliage cover (ie. prune 50% to 70% low shrubs/trees growth) within the 1.5 – 2.5m view window. Groundcovers will be allowed to grow unrestricted.

Retain specifically identified mature trees. The trees to which this applies are identified on the detailed mapping in Appendix A of the Draft Dune Vegetation Management Plan.

The occasional small tree will be allowed to grow to provide shade and amenity.

Council resolution MIN16.375

- i) Zone 5 – Thin/prune 50%-70% low shrubs/trees within the 1.5m – 2.5m view window
- ii) Zone 5 - Prune trees and tall shrubs to a height 1m-1.5m



**Collingwood Beach Preservation Group
Proposed Amendments to the Collingwood Beach
Draft Dune Vegetation Management Plan**



Collingwood Beach Preservation Group

The Collingwood Beach Preservation Group (CBPG) was established to ensure Collingwood Beach is preserved and enhanced through the application of sound scientific principles to ecologically sustainable development. Ecologically sustainable development includes taking into consideration, in an integrated way, the wider social, economic and environmental implications of decisions and actions without compromising the ability of future generations to meet their own needs. The CBPG is a sub-committee of the Vincentia Residents and Ratepayers Association (VRRRA) which is the Community Consultative Body that represents Vincentia to the Shoalhaven City Council.

Background

From time to time Collingwood Beach experiences storm surges and consequentially wave run-up that affects the beach. The foreshore dune provides the only immediate protection for the beach. However, Collingwood Beach is an accreting beach which means that it recovers naturally from storm erosion over time as sand deposits are gradually replaced.

Collingwood Beach is a key tourist attraction for the area. Tourists in turn support the community so it is in the community's interest to maintain the views across Jervis Bay from the coastal walkway whilst at the same time ensuring the resilience of the foreshore dune.

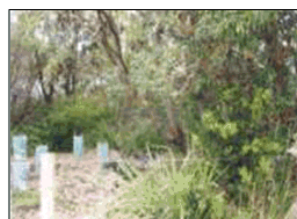
Shoalhaven City Council (SCC) engaged a consultant to produce a Dune Vegetation Management Plan (DVMP). The CBPG was not consulted with regard to the final content of the draft DVMP and maintain that the draft DVMP does not address the primary purpose for which it was produced nor does it address the best interests of the community.

Points at Issue

For many years the community and tourists had unobstructed views over Jervis Bay however those views were progressively blocked by the planting of high growth trees along the coastal walkway. The photos below show the past and current situation in front of 1A Susan Street, Vincentia.



1A Susan Street Vincentia 2001



1A Susan Street Vincentia 2015

The planting of high growth trees has resulted in the beauty of Jervis Bay, and the iconic view of Ppoint Perpendicular, being hidden from the coastal walkway. It has also resulted in vandalism of trees in front of some properties which SCC has not been able to control despite its best endeavours. The draft DVMP works with the existing vegetation structure and thus does nothing to address the issues caused by the planting of the trees.

The draft DVMP outlines a case for the need to maintain trees to assist in the build-up of sand deposits on the foreshore dune. Sections along the foreshore dune consist of some areas that have trees and other areas that do not have trees. There is however no difference between the two areas in relation to sand build-up.

The draft DVMP also outlines a case for the need to maintain trees so that sand can be bound together in the face of wave action during minor storms. There are however no records of trees planted at Collingwood Beach resisting wave action and overseas experience demonstrates that planting trees on foreshore dunes has catastrophic consequences as evidenced from the adjacent photo of Culbin in the northeast of Scotland.



Further, the draft DVMP states that dead trees and shrubs are to be retained and mulch established on the dunes however this will only create a fire load in an urban environment which as evidenced from previous bushfires in the area can lead to loss of dwellings.

The Science

The draft DVMP includes references to a wide variety of literature stated to be in support of the vegetation proposed for the foreshore dune. However, a causal link from the vegetation referenced in the literature is not drawn to the specific circumstances of Collingwood Beach, namely a very narrow dune in an urban area. In that regard it is relevant to note that the NSW Government Department of Land and Water Conservation Coastal Dune Management manual does not identify trees as a suitable for planting on foreshore dunes.

At Collingwood Beach there is no difference in dune build up between areas that have high growth trees and areas that do not. This is consistent with the literature produced by various government authorities such as the Tasmanian Department of Primary Industries, Parks, Water and Environment Coastal Works Manual which states that low-growing plants, such as grasses, are more effective at stabilising sand than trees or shrubs as 90% of wind-borne sand is transported in the 0.5m closest to the ground.

Other literature from government authorities such as publications from the Queensland Environmental Protection Authority and Beach Protection Authority state that tree roots cannot provide protection against significant wave action. This has been endorsed by SCC. The literature presented in the draft DVMP claims that trees are nevertheless needed to reduce the impact of more frequent minor storms.

Some members of the CBPG have owned their properties for over 60 years. Nobody has a recollection of an event where the trees have reduced the impact of a storm and SCC has not produced any records to support such a contention. In fact the erosion from the recent significant storms of May and September 2015 did not even come close to the trees planted along the coastal walkway. Where isolated trees away from the coastal walkway have been exposed to wave action they have provided no resistance as evidenced by the adjacent photo at Collingwood Beach near Moona Moona Creek.



Conclusion

The draft DVMP is complicated and is not consistent across the whole of the dune system. Further, the draft DVMP is not based on scientific facts and does not address the root cause of vandalism. In addition, the draft DVMP incorporates a complicated and expensive monitoring regime.

A Simple 11 Point Plan

The CBPG submits the following proposal for the DVMP:

1. Under pruning of established mature trees to be at a minimum height of 5 metres.
2. Reduction and maintenance of all vegetation outside of mature trees (defined as currently 6 metres in height) to a level of between 90cm and 1 metre tall that enables viewing of Jervis Bay by children and wheelchair users.
3. Existing clusters of banksia trees in Zones 3 and 4 to be reduced in quantity and height to a level that enables wide span views of Jervis Bay.
4. All new growth banksia trees to be removed together with existing seedlings and saplings.
5. Removal of dead wood and dead trees.
6. Removal of vandalism signage.
7. Approval of the request from Collingwood Beach property owners and residents to form a dune care management group to maintain dune vegetation consistent with the agreed DVMP.
8. Removal any trees that are potentially dangerous to pathway users or damaging the pathway with root undulation.
9. All new plantings to be grasses or coastal shrubs which have a mature height and resilient effect that are consistent with the agreed DVMP.
10. Removal of pittosporum from all of Collingwood Beach dunes which includes dunes south of Susan St.
11. The exhibition period be limited to 4 weeks.



Mrs Isabelle Gheti
Manager Natural Resources and Floodplain
Department of Planning and Environment

Contact: Helen Wheeler
Email: Nowra.Crownlands@crowland.nsw.gov.au

by email
isabelle.ghetti@shoalhaven.nsw.gov.au

Doc No: 16/131829
Your Ref: Collingwood Beach DVMP

Dear Isabelle

20 October 2016

**Public Exhibition of Draft Collingwood Beach
Dune Vegetation Management Plan 2016**

Thank you for your email of 19 October 2016 regarding the above Draft DVMP over Crown reserve R64234, managed by SCC as the Vincentia (R64234) Reserve Trust. Additional comments by DoI –lands are provided below.

Lands recognise that Shoalhaven City Council, as trustee of the reserve, has acted in good faith in attempting to manage the Reserve in line with the Principles of Crown Land Management (Table 1); and that due to human interaction this has not been successful.

For example the input by Collingwood Beach Preservation Group shows that despite the educational material provided understanding of beach processes and the interaction of vegetation types is poor. As a result the 11 Point Plan submitted by this group is likely to be less effective at preserving the stability of the dune than the current situation at the same time as being more expensive.

It appears that protection of the ecological function and the stability of the reserve has been placed at odds with the desire by some for views of the water from land behind the beach. Conversely the right to privacy and visual amenity of beach goers does not seem to have been given any weight in the DVMP.

If dunal vegetation is unable to be maintained or improved then SCC may find it is required to expend significant public resources to treat future erosion, protecting the properties of those who would like to see the water without having to go to the beach.

Given the expected level of erosion of this beach over the long term it may a more sound decision for SCC to withdraw its potentially affected infrastructure from the study area, and to allow foreshore property owners the opportunity to take full responsibility for protecting the foundation capacity of their properties.

Ultimately the form of the adopted DVMP is a decision for Council on behalf of all of the rate payers of the City.

Thank you for the opportunity to comment; DoI - Lands looks forward to future versions of the Collingwood beach DVMP.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Helen Wheeler'.

Helen Wheeler
Natural Resources Project Officer
for Manager South Coast Area

Table 1: Sec 11 of the Crown Land Act 1989 – The Principles of Crown land management

For the purposes of this Act, the principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- (c) that public use and enjoyment of appropriate Crown land be encouraged,
- (d) that, where appropriate, multiple use of Crown land be encouraged,
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.



Reference OUT16/38485

General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Russ,

RE: Draft Council Dune Vegetation Management Plan for Collingwood Beach

The responsibilities of the Department of Primary Industries (DPI) in relation to NSW marine parks are to ensure that marine biological diversity and marine habitats are conserved and ecological processes are maintained.

Where a development or activity is proposed to occur in the locality of a marine park, the Department is primarily concerned with ensuring that the activities comply with the requirements of the *Marine Estate Management Act 2014*, *Marine Estate Management 2009* and *Marine Estate (Management Rules) Regulation 1999* and that any associated environmental effects do not adversely impact the marine biodiversity and ecological values of the marine park.

Collingwood Beach is within the locality of Jervis Bay Marine Park, adjacent to an area zoned 'habitat protection' under the Jervis Bay Marine Park Management Plan. S56(3) of the Marine Estate Management Act 2014 (MEM Act) requires Shoalhaven City Council (SCC) as the determining authority for the proposed activity to consider any advice given by DPI Fisheries (on behalf of the relevant Ministers) on the impact of the activity on the marine park.

SCC has identified Collingwood Beach as being at risk of coastal erosion and inundation, and discussed with DPI Fisheries the potential need to beach scrape and sand nourish Collingwood Beach to protect against and mitigate the impacts of storm damage.

Altering dune vegetation has the potential to change the functioning of the dune system, and either directly or indirectly (through the subsequent need to beach scrape and sand nourish) impact on habitat within the marine park. The report highlights the importance of maintaining the integrity of dune vegetation for ensuring the stability of the dune system. DPI Fisheries does not support any option that has the potential to compromise the dune system and increase the likelihood of requiring beach scraping and sand nourishment of Collingwood Beach.

It is noted in the report that the Dune Vegetation Management Plan is likely to require assessment under Part 5 of the EP&A Act, in the form of a Review of Environmental Factors (REF).

In order to provide considered advice to SCC on the impact of the proposed activity on the marine park DPI Fisheries requires the REF to include:

1. an assessment of the potential for changes to dune functioning and stability as a result of the proposed vegetation management regime at all sites in the planning area
2. a description of typical sand movement on Collingwood Beach and the dune system
3. a description of storm impacts on Collingwood Beach and the dune system, and the process of dune recovery including sand drift

Jervis Bay Marine Park
PO Box 89, Huskisson NSW 2540, Australia
Tel: 02 4428 3000 Fax: 02 4441 7556
Email: jervis.bay@dpi.nsw.gov.au Web: www.dpi.nsw.gov.au
ABN: 72 189 919 072

4. an analysis of how (2) and (3) may be altered by the proposed vegetation management regime
5. an assessment of risk to the beach and dune system, particularly in relation to the previously forecast need to take protection and mitigation measures such as beach scraping and sand nourishment.

Please feel free to contact me on 4428 3000 should you wish to discuss any of the above comments.



Matt Carr
Manager, Jervis Bay Marine Park

18.10.2016



**Office of
Environment
& Heritage**

DOC16/528388

Ms Isabelle Ghetti
Manager Natural Resources and Floodplain
Shoalhaven City Council
isabelle.ghetti@shoalhaven.nsw.gov.au

Dear Ms Ghetti

Draft Dune Vegetation Management Plan for Collingwood Beach

Thank you for the opportunity to comment on the draft Dune Vegetation Management Plan (Plan) for Collingwood Beach and the alternative approach developed by the Collingwood Beach Preservation Group.

The Office of Environment and Heritage (OEH) appreciates the complexity of issues faced by councils in identifying suitable management responses in coastal areas. OEH has reviewed the draft Dune Vegetation Management Plan for Collingwood Beach and is not supportive of the proposed dune vegetation clearing works to promote private views. Clearing dune vegetation has the potential to increase risks from coastal hazards placing public and private assets at risk, as well as reduce the environmental amenity of Collingwood Beach. The proposed clearing also does not appear to align with the community's views recently captured by Council's Our Coast, Our Lifestyle community engagement project.

I encourage Council to plan its coastal environment in an integrated way through the draft Coastal Zone Management Plan and future Coastal Management Programs. Proposed actions should be consistent with the NSW Government's coastal reforms, the objectives of the upcoming Coastal Management Act and principles of the Coastal Management Manual. OEH can provide technical and financial support through the Coastal Management Program to support councils in this process.

Detailed comments on the draft Dune Vegetation Management Plan are attached.

Should council have any further queries on this issue, please contact John Bucinskas, A/Senior Team Leader, Water Floodplains & Coast, Illawarra & SE Regions on 4224 4153.

Yours sincerely

GABRIELLE PIETRINI
Regional Manager, Illawarra
Regional Operations Group

PO Box 513 Wollongong NSW 2520
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2500
Tel: (02) 4221 6900 Fax: (02) 4221 6910
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OEH comments on the Draft Dune Vegetation Management Plan for Collingwood Beach (June 2016) and alternative approach proposed by Collingwood Beach Preservation Group (CBPG)

Legislation and Policy

The proposed works in the Draft Dune Vegetation Management Plan for Collingwood Beach (the Plan) are not identified in a certified Coastal Zone Management Plan or Coastal Management Program and would not meet the objectives of the upcoming Coastal Management Act.

The Coastal Management Act will provide management objectives for Coastal Vulnerability Areas (such as Collingwood Beach) under Part 2 Section 7. The proposed works in the Plan would be inconsistent with the following objectives:

- 2(b) to mitigate current and future risk from coastal hazards by taking into account the effects of coastal processes and climate change
- 2(c) to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place
- 2(f) to adopt coastal management strategies that reduce exposure to coastal hazards:
 - o (i) In the first instance and wherever possible, by restoring or enhancing natural defences including coastal dunes, vegetation and wetlands

In addition, the Plan would not meet the objectives of the NSW Coastal Policy, which has ecologically sustainable development as its central focus, particularly given the likely precedence these works will set for other similar areas. Of particular relevance to the issues and actions proposed in the Plan, the NSW Coastal Policy identifies the following objectives:

- To manage the coastline and estuarine environments in the public interest to ensure their health and vitality
- To give the impacts of natural processes and hazards a high priority in the planning and management of coastal areas
- To recognise and consider the potential effects of climate change in the planning and management of coastal development
- To develop adequate formal and informal education and awareness programs addressing coastal management issues
- To ensure Government agencies efficiently and effectively implement the Coastal Policy in a coordinated and collaborative manner
- To ensure local government coastal policy is integrated and involves community participation and information exchange

In addition, the management options will require considerable ongoing funding from Council. Council should be aware that, due to their inconsistency with the objectives of the coastal reforms, many of the activities in the Plan could not be funded under OEHS Coasts and Estuary Program. The 2016-17 grant funding guidelines state that 'vegetation reduction for amenity outcomes' will not be funded.

Implications for Coastal Hazards

Further attention should be given to the implications of the proposed works in regard to likely increased vulnerability to erosion and decreased resilience of the dunes. The proposed actions should consider the current and future predicted hazards by referring to council's latest Coastal Hazard Study.

As mentioned in the Plan, dune vegetation provides benefits such as trapping wind-blown sand and providing dune stability, as well as dissipating wave energy and increasing shear strength of the dune. Recent observations along the south coast, following the coastal storm in early June 2016, highlighted that dunes with sparsely and/or low lying vegetation had higher wave run up penetration and/or overtopping than adjacent dunes with denser and higher vegetation.

It is noted that the draft Collingwood Beach Coastal Hazard Study (SMEC 2006) indicates that the Council pathway and parts of the residential lots are within the zones mapped as at risk from coastal hazards for the present day. The study also indicates that coastal inundation could be an issue at the northern end of the site, with potential to impact properties on Ilfracombe Avenue.

Impacts of pruning on dune vegetation

Pruning of mature vegetation to low heights, as proposed, could lead to the death of these plants. This is likely to result in further issues for council such as dune instability, blowouts and the need to stabilise these areas. The risk of pruning the vegetation to such low heights is clearly acknowledged by the ecological consultants who originally prepared the plan and their request to be dissociated from the current draft.

Precedence for other locations

The proposed dune clearing and pruning works at Collingwood Beach may set a precedent for similar works to be undertaken at other localities in the LGA. This could create unsustainable expectations upon Council.

Similarly, the proposal to retain areas previously vandalised as low level zones rewards inappropriate behaviour and may encourage vandalism to achieve private views elsewhere.

Community values

Council's recent Our Coast Our Lifestyle community engagement project found that the beach and natural features were highly valued by the community and dune enhancement to protect the coast line was considered an acceptable option to protect the existing infrastructure. The dune pruning works will likely reduce resilience of the dunes and change the aesthetics of the area giving a landscaped appearance. This appears to go against the values of the broader Shoalhaven community, surveyed in this recent project.

General comments

The management protocols using the 'view window' are very complicated and will be difficult for council to regulate. The vegetation management protocols include actions such as seedling removal to be carried out by community groups. This could lead to the removal of the wrong species if not supervised closely. OEH notes that the area has a history of illegal clearing of dune vegetation, which creates a range of issues including division within the community. The Plan has not identified how illegal clearing will be effectively managed in the future.

The approach of nominally classifying shrubs as 'tall' or 'low' and removing plants of all heights of these species will result in a loss of biodiversity for no gain in visual amenity (the intention of the works). Several of the species referred to as 'tall' may not reach heights greater than the 'low' shrubs.

An earlier version of the Plan had supporting documents in Appendix 3 outlining the damage to the dunes in the 1974 storm and the restoration work that were undertaken afterwards. These documents provided a good insight into the history of the site and the importance of the dune vegetation, and would provide useful context if included in the final Plan.

Alternative approach by CBPG

OEH does not support the alternative approach proposed by the CBPG, this would likely have even greater implications for dune vegetation health and risks from coastal hazards than the Council Plan. Best practice dune management is to maintain a well vegetated dune system, comprised of a mixture of groundcovers, shrubs and trees, to reduce exposure to coastal hazards. Dune vegetation was reinstated at Collingwood Beach following the erosion of the dunes by the 1974 storm and the on-going management issue of wind-blown sand onto the adjacent road and properties. CBPG state that these works have not helped reduce erosion, however there has not been a coastal storm of this scale at Collingwood Beach since the 1974 event. As mentioned in the Council Plan, vegetation roots would likely increase the shear strength of the sand and thereby increase the time a dune can withstand erosion.

change.org

Recipient: joanna gash, Allan Baptist, Councillor, Andrew Guile, Clive Robertson, Greg Watson, Jemma Tribe, Jim McCrudden, John Wells, Karen Anstiss, Lynne Kearney, Mark Kitchener, Patricia White, Amanda Findley, and Russ Pigg

Letter: Greetings,

Stop Shoalhaven Council's support for vegetation vandals.

We the undersigned do not support Shoalhaven City Council's proposed Collingwood Beach Dune Vegetation Plan. We believe the proposed lopping of vegetation along a 1.5 km stretch of Collingwood Beach sends the wrong message to vegetation vandals and undermines the work of community volunteers who have managed the dune vegetation for the broader community benefit since the early 1980s. We also believe that lopping this dune vegetation will result in the death of many tall shrubs and weaken the dune. This will increase the susceptibility of Collingwood Beach including its foreshore properties and public assets, to extreme weather conditions; reduce the habitat values of the Reserve; and set a dreadful precedent for other parts of the coast where vegetation vandalism is rife.

RECEIVED
19 OCT 2016
COUNTER SERVICES

MAYORAL

Vincentia Matters Inc.
An Association of Vincentia Residents

19th October 2016

To the Mayor and Councillors of the Shoalhaven City Council

Dear Mayor Findley

I write on behalf of 1500 Vincentia residents and other users of Collingwood Beach Vincentia, to petition the Council to NOT proceed with the Plans currently on exhibition for the Management of Vegetation on the Collingwood Beach Dunes.

The Petition was created and circulated by Vincentia Matters Inc.¹. Thanks to the contribution of volunteers and the support of Vincentia and Huskisson retailers the Petition was available to residents in three shopping areas and along the pathway between Susan and Ilfracombe Streets.

The 1500 petitioners whose names and signatures are on the forms attached to this letter are adamant that the proposals on Exhibition are not in the best interests of Vincentia residents and users of Collingwood Beach as they are:

- based on misleading interpretations of the science of beach and dune preservation and sustainability; (Authors of studies selectively quoted claim their work is being misrepresented);
- outside the Council's appointed consultant's recommendations to the extent they have withdrawn their name from the material on display; and
- inconsistent with the recommendations of the Council appointed Community Consultative Committee, which explored and debated many different perspectives held in the community, extensive scientific studies and the outcomes of similar deliberations by other Council's around the Australian coastline, to identify a compromise acceptable to Shoalhaven ratepayers and visitors. Their recommendation of filtered views still remains the only approach that shows understanding of all the perspectives.

The plans to destroy the natural regeneration, if endorsed, can only be seen as the rewarding of willful vandalism. As shown many times, such outcomes encourage vandalism in other sections of our community and perpetuate a cycle of public bullying.

With thanks for your consideration of our petition

Shoalhaven City Council

Received

Sincerely

Bruce McKenzie
Chairman Vincentia Matters Inc.

20 OCT 2016

File No. _____

Referred to: ① i.k. Lowe

② c. crebbins

③ m. cron

¹ Vincentia Matters Inc. is a community organisation dedicated to research, debate and advocacy on matters that affect residents of Vincentia.

SAVE

Collingwood Beach

Bush and Dunes

PETITION

Authorised by Vincentia Matters Inc.

We, the residents of Vincentia and other users of Collingwood Beach, petition the city to reinstate the sand dunes' protective and natural vegetation as a matter of urgency in keeping with the other decisions made about the value of this flora to all citizens on New South Wales South Coast.

Bushland in and around urban areas is of value to the community as part of the natural heritage, for its aesthetic value, and its value as a recreational, educational and community protective resource. Where that bushland meets or is in proximity to waterways, the bushland has added value. Planning has long controlled the carrying out of development in the foreshore zone"

Collingwood beach does not suffer from the kind of wanton vandalism that leaves buildings defaced with graffiti, windows smashed and facilities ruined. On the other hand, the lopping or felling of trees to improve views is in plague proportion, without any legal mitigation. On any part of this stunning beach one can see trees poisoned, diminished or removed to satisfy the selfish desires of those with water-view property without seeking or obtaining approval.

I demand that the Shoalhaven City Council cease all plans to further depreciate the Collingwood sand dunes' vegetation and restore in to its natural state immediately.

Passed by both Houses



New South Wales

Coastal Management Bill 2016

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council
2016

Clerk of the Parliaments



New South Wales

Coastal Management Bill 2016

Act No , 2016

An Act to make provision for the ecologically sustainable management, use and occupation of the New South Wales coast; and for related purposes.

Coastal Management Bill 2016 [NSW]
Part 1 Preliminary

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Coastal Management Act 2016*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Objects of this Act

The objects of this Act are to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State, and in particular:

- (a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and
- (b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and
- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and
- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and
- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and
- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and
- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and
- (m) to support the objects of the *Marine Estate Management Act 2014*.

4 Definitions

(1) In this Act:

beach means an area that is generally composed of sand or pebbles or similar sediment that extends landwards from the lowest astronomical tide to the line of vegetation or bedrock or structure.

beach fluctuation zone means the range of natural locations a beach profile occupies from its fully accreted condition to its fully eroded condition, with:

- (a) a landward limit defined by the escarpment resulting from the erosion associated with a 1% storm event or a more extreme event of record, whichever is the greater landward limit, and
- (b) a seaward limit that is the 40m depth seaward of the highest astronomical tide for the open coast and 10m depth seaward of the highest astronomical tide for estuaries or tidal coastal lakes.

Note. The beach fluctuation zone ambulates as the coastline or estuary or coastal lake foreshore experiences net long-term recession or accretion due to changes in their sediment budgets.

beach system means the processes that produce the beach fluctuation zone and the incipient foredunes and foredunes landward of the relevant beach.

coastal hazard means the following:

- (a) beach erosion,
- (b) shoreline recession,
- (c) coastal lake or watercourse entrance instability,
- (d) coastal inundation,
- (e) coastal cliff or slope instability,
- (f) tidal inundation,
- (g) erosion and inundation of foreshores caused by tidal waters and the action of waves, including the interaction of those waters with catchment floodwaters.

coastal management area means an area of the coastal zone identified in Part 2.

coastal management manual—see section 21.

coastal management program means a coastal management program prepared and adopted under Part 3.

coastal protection works means:

- (a) beach nourishment activities or works, and
- (b) activities or works to reduce the impact of coastal hazards on land adjacent to tidal waters, including (but not limited to) seawalls, revetments and groynes.

coastal sediment compartment means an area of the coast defined by its sediment flows and landforms.

coastal zone—see section 5.

coastal zone emergency action subplan means a part of a coastal management program as referred to in section 15 (3).

Department means the Department of Planning and Environment.

ecologically sustainable development has the same meaning as in section 6 (2) of the *Protection of the Environment Administration Act 1991*.

electricity supply authority means a person or body engaged in the distribution of electricity to the public or in the generation of electricity for supply, directly or indirectly, to the public, whether by statute, franchise agreement or otherwise, and includes:

Coastal Management Bill 2016 [NSW]
Part 1 Preliminary

- (a) an energy services corporation within the meaning of the *Energy Services Corporations Act 1995*, and
- (b) a transmission operator or distributor (in each case within the meaning of the *Electricity Supply Act 1995*), and
- (c) Rail Corporation New South Wales constituted under the *Transport Administration Act 1988*, and
- (d) the Water Administration Ministerial Corporation constituted under the *Water Management Act 2000*.

essential infrastructure includes infrastructure for the following purposes:

- (a) electricity generation, transmission and distribution,
- (b) telecommunications,
- (c) rail,
- (d) roads,
- (e) gas,
- (f) sewerage systems, water supply systems or stormwater management systems,
- (g) airports, ports, shipping and harbours.

estuary means any part of a river, lake, lagoon or coastal creek whose level is periodically or intermittently affected by coastal tides, up to the highest astronomical tide.

foreshore means the area of land between the highest astronomical tide and the lowest astronomical tide.

function includes a power, authority or duty, and **exercise** a function includes perform a duty.

management objectives, for a coastal management area, are the management objectives for the area set out under Part 2.

NSW Coastal Council means the NSW Coastal Council established under Part 4.

public authority means a Minister of the Crown of the State, a State owned corporation, an electricity supply authority, a Public Service agency, a local council and any other public or local authority constituted by or under any Act, and includes any person or body prescribed by the regulations.

surf zone means the area from the line of the outer most breaking waves to the limit of wave run up on the beach.

- (2) Notes included in this Act do not form part of this Act.

Coastal Management Bill 2016 [NSW]
Part 2 Coastal zone and management objectives for coastal management areas

Part 2 Coastal zone and management objectives for coastal management areas

5 Coastal zone

In this Act, the **coastal zone** means the area of land comprised of the following coastal management areas:

- (a) the coastal wetlands and littoral rainforests area,
- (b) the coastal vulnerability area,
- (c) the coastal environment area,
- (d) the coastal use area.

6 Coastal wetlands and littoral rainforests area

- (1) The **coastal wetlands and littoral rainforests area** means the land identified by a State environmental planning policy to be the coastal wetlands and littoral rainforests area for the purposes of this Act, being land which displays the hydrological and floristic characteristics of coastal wetlands or littoral rainforests and land adjoining those features.
- (2) The management objectives for the coastal wetlands and littoral rainforests area are as follows:
 - (a) to protect coastal wetlands and littoral rainforests in their natural state, including their biological diversity and ecosystem integrity,
 - (b) to promote the rehabilitation and restoration of degraded coastal wetlands and littoral rainforests,
 - (c) to improve the resilience of coastal wetlands and littoral rainforests to the impacts of climate change, including opportunities for migration,
 - (d) to support the social and cultural values of coastal wetlands and littoral rainforests,
 - (e) to promote the objectives of State policies and programs for wetlands or littoral rainforest management.

7 Coastal vulnerability area

- (1) The **coastal vulnerability area** means the land identified by a State environmental planning policy to be the coastal vulnerability area for the purposes of this Act, being land subject to coastal hazards.
- (2) The management objectives for the coastal vulnerability area are as follows:
 - (a) to ensure public safety and prevent risks to human life,
 - (b) to mitigate current and future risk from coastal hazards by taking into account the effects of coastal processes and climate change,
 - (c) to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,
 - (d) to maintain public access, amenity and use of beaches and foreshores,
 - (e) to encourage land use that reduces exposure to risks from coastal hazards, including through siting, design, construction and operational decisions,
 - (f) to adopt coastal management strategies that reduce exposure to coastal hazards:
 - (i) in the first instance and wherever possible, by restoring or enhancing natural defences including coastal dunes, vegetation and wetlands, and

Coastal Management Bill 2016 [NSW]
Part 2 Coastal zone and management objectives for coastal management areas

- (ii) if that is not sufficient, by taking other action to reduce exposure to those coastal hazards,
- (g) if taking that other action to reduce exposure to coastal hazards:
 - (i) to avoid significant degradation of biological diversity and ecosystem integrity, and
 - (ii) to avoid significant degradation of or disruption to ecological, biophysical, geological and geomorphological coastal processes, and
 - (iii) to avoid significant degradation of or disruption to beach and foreshore amenity and social and cultural values, and
 - (iv) to avoid adverse impacts on adjoining land, resources or assets, and
 - (v) to provide for the restoration of a beach, or land adjacent to the beach, if any increased erosion of the beach or adjacent land is caused by actions to reduce exposure to coastal hazards,
- (h) to prioritise actions that support the continued functionality of essential infrastructure during and immediately after a coastal hazard emergency,
- (i) to improve the resilience of coastal development and communities by improving adaptive capacity and reducing reliance on emergency responses.

8 Coastal environment area

- (1) The *coastal environment area* means the land identified by a State environmental planning policy to be the coastal environment area for the purposes of this Act, being land containing coastal features such as the coastal waters of the State, estuaries, coastal lakes, coastal lagoons and land adjoining those features, including headlands and rock platforms.
- (2) The management objectives for the coastal environment area are as follows:
 - (a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity,
 - (b) to reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change,
 - (c) to maintain and improve water quality and estuary health,
 - (d) to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons,
 - (e) to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,
 - (f) to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.

9 Coastal use area

- (1) The *coastal use area* means the land identified by a State environmental planning policy to be the coastal use area for the purposes of this Act, being land adjacent to coastal waters, estuaries, coastal lakes and lagoons where development is or may be carried out (at present or in the future).
- (2) The management objectives for the coastal use area are as follows:
 - (a) to protect and enhance the scenic, social and cultural values of the coast by ensuring that:
 - (i) the type, bulk, scale and size of development is appropriate for the location and natural scenic quality of the coast, and

Coastal Management Bill 2016 [NSW]
Part 2 Coastal zone and management objectives for coastal management areas

- (ii) adverse impacts of development on cultural and built environment heritage are avoided or mitigated, and
- (iii) urban design, including water sensitive urban design, is supported and incorporated into development activities, and
- (iv) adequate public open space is provided, including for recreational activities and associated infrastructure, and
- (v) the use of the surf zone is considered,
- (b) to accommodate both urbanised and natural stretches of coastline.

10 Matters relating to identification of coastal management areas

(1) LEPs may amend SEPPs to identify coastal management areas

For the avoidance of doubt, a local environmental plan under the *Environmental Planning and Assessment Act 1979* may amend a State environmental planning policy under that Act to identify a coastal management area (or part of such an area) for the purposes of this Act.

Note. Division 4 (LEPs) of Part 3 (Environmental planning instruments) of the *Environmental Planning and Assessment Act 1979* deals with the making of local environmental plans, including the preparation and submission of planning proposals for the making of local environmental plans by councils and other relevant planning authorities.

(2) Recommendation of Minister required

A provision of an environmental planning instrument under the *Environmental Planning and Assessment Act 1979* that identifies a coastal management area (or part of such an area) for the purposes of this Act must not be made without the recommendation of the Minister administering this Act.

(3) Hierarchy of management objectives if overlapping

A single parcel of land may be identified by a State environmental planning policy as being within different coastal management areas. However, in such a case, if the management objectives of the areas are inconsistent, the management objectives of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:

- (a) the coastal wetlands and littoral rainforests area,
- (b) the coastal vulnerability area,
- (c) the coastal environment area,
- (d) the coastal use area.

SA16.32 Closure of Council's free childhood immunisation service

HPERM Ref: D16/314324

Group: Planning & Development Services Group
Section: Environmental Services

Attachments: 1. Immunisation Clinic Report 15/3/16 - Ordinary Meeting [↓](#)
2. Future of Immunisation Clinics Report 19/7/16 - Strategy and Assets Committee [↓](#)
3. Letter from NSW Minister of Health confirming withdrawal of funding [↓](#)

Purpose / Summary

To inform Council about the withdrawal of financial support by NSW Health for Council's free childhood immunisation clinics and recommend closure of the clinics due to continued decline in the number of children attending.

Recommendation (Item to be determined under delegated authority)

Council close the free childhood immunisation service after the December 2016 clinics; and

1. advertise the closing of clinics and thank the community for their support over the last 50 years; and
2. write to parents who are currently using the clinics to notify them of the closure.

Options

1. As recommended.

Close the free childhood immunisation service after the December 2016 clinics; and

1. Advertise the closing of clinics and thank the community for their support over the last 50 years; and
2. Write to parents who are currently using the clinics to notify them of the closure

Implications: No additional finance required. Attendance at the free childhood immunisation clinics has declined significantly over the past several years. In response to Council's resolution in March 2016, clinics were only held at Sussex Inlet, East Nowra, Culburra Beach, Ulladulla and Sanctuary Point (Bomaderry and Nowra library evening clinics ceased).

3. That Council continue to deliver free childhood immunisation clinics and allocate funding from Councils budget for \$38,900 for the remainder of 2016/17 and \$42,000 + CPI annually thereafter (Job number 12200).

Implications: The requested funds need to be sourced from Council's existing budget. There is currently no budget allocated and NSW Health has withdrawn its financial support for the service due to a declining attendance.

4. Other option as determined by the Committee.

Background

Two reports to Council on 15th March 2016 and 9th July 2016 (Attachments #1 and #2) detailed the substantial decline in attendance at Council's free childhood immunisation clinics and the subsequent withdrawal of funding by NSW Health. Council resolved as follows:

ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 15 MARCH 2016

(MIN16.210) RESOLVED that in accordance with the Committee's delegated authority from Council, that the General Manager:

- a) *Continue the childhood immunisation clinics for two days per month in Sussex Inlet, East Nowra, Culburra Beach, Ulladulla and Sanctuary Point for twelve (12) months and report back to Council after this time.*
- b) *Write to Health NSW and advise that we are streamlining a number of clinics on a trial basis and seek their support with continued funding.*

ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 19 JULY 2016

(MIN16.553) RESOLVED that in accordance with the Committee's delegated authority from Council, that the General Manager:

- a) *Contact the Local State Members to request that they make representations to NSW Health seeking to overturn their decision regarding funding for immunisation services and that it be reinstated.*
- b) *Write to the Federal Member to ensure she is aware of this issue.*

Council's directions were carried out with staff reducing the number of clinics, cancelling the Bomaderry and Nowra library evening service.

Staff appealed directly to NSW Health requesting they continue to financially support the clinics. NSW Health stood by their decision to withdraw funding, citing the reasons of:

- declining attendances at council clinics; and
- operating costs exceeding NSW Health immunisation program funding.

NSW Health did extend the cut off period for funding from July 2016 until September 2016.

Council also wrote to the Federal and State government local members requesting support in having the NSW Health decision to withdraw funding overturned.

A letter from Hon. Jillian Skinner MP, Minister for Health, forwarded to Council from The Hon. Shelley Hancock MP, confirms that the withdrawal of funding and support for the continuation of the clinics is due to the significant decline in attendance at the clinics. A copy of the letter is in attachment 3.

As the position of NSW Health to withdraw funding for Councils immunisation service has not changed, should Council wish to continue to deliver the free childhood immunisation clinics, a budget for this community service needs to be allocated. Additional investment in promotion and advertisement would also be required to try and increase attendance rates.

Community Engagement

In April 2016 staff began surveying the community to determine what impacts closing the clinics would have and identify ways in which the community felt the service could improve should they continue. The survey was distributed by social media, at immunisation clinics and was available on Council's website.

Despite the survey being widely promoted only 23 surveys were completed, 14 surveys were completed online and 19 completed by clinic attendees.

In summary, clients said that they had access to other services, but Council's service was more convenient.

When Council commenced delivering free childhood immunisation clinics in partnership with the NSW Department of Health in the early 1960's, this was the main delivery method of the state childhood vaccination program. Local Council's across the state held clinics at community centres or town halls with a local doctor and later immunisation nurses, administering the vaccinations to groups of children.

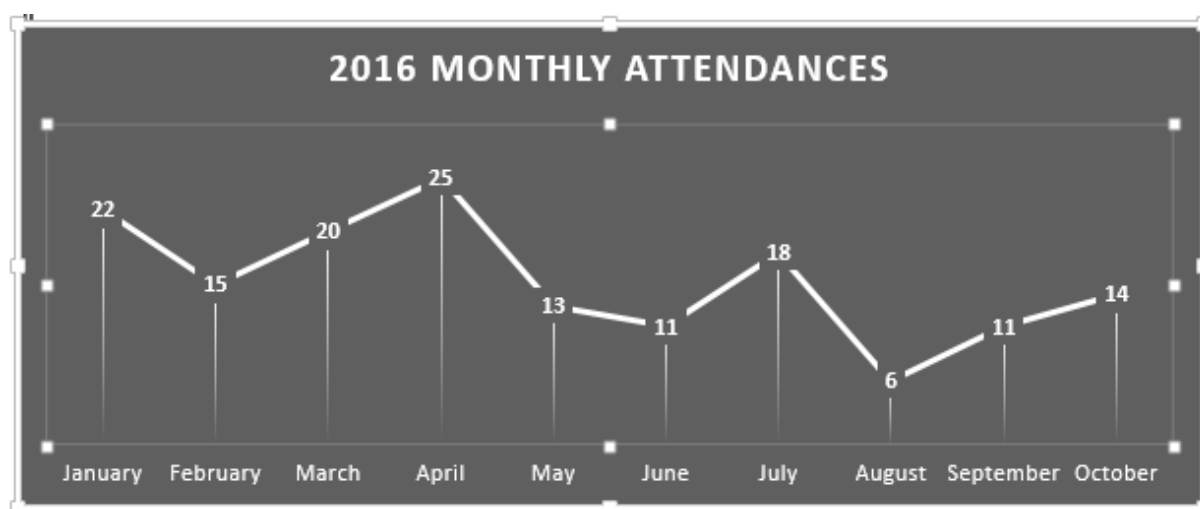
Shoalhaven City Council is one of the few remaining Council's to continue delivering this service. Our community has not always had easy access to Doctors or medical centres across the City and in the past clinics were well attended.

In recent years more and more medical centres have opened, many with their own nurses that administer vaccinations. Most parents now choose to take their children to their local Doctor or medical centre for immunisation, as it is more convenient and they can attend at a time of their choosing at a location close to home or work.

The option of closing the immunisation clinics was also reported to the Council's staff consultative committee on 9 March 2016 for information. The casual staff affected have been consulted and aware of the option of the possible closure of the clinic. The permanent administration staff will not be affected.

Should Council continue to deliver this service, a budget needs to be allocated to promote and advertise the clinics widely in an effort to significantly increase attendance rates and therefore improve productivity and community benefit.

Currently there is a low community benefit compared to the resources and cost required to deliver the clinics. At the clinics in October 14 children were immunised over the 2 days.



Overall since the timetable was changed on the 1st May 2016, there has been a 60% decline in attendances from an average of 20 children per month to 12, mainly due to the closure of the Bomaderry and Nowra library evening clinics.

Financial Implications

The immunisation clinics have historically been funded by NSW Health with this funding paying for the cost of nurse wages, training and marketing. Council supplements the program by providing administration support, equipment, vehicle and venue hire.

Financial Year	NSW Health	Council	Total
2015/16	\$16,686	\$13,165	\$29,851
2016/17	\$3,237	\$28,900	\$32,137

Therefore, the budget required for Council to continue the immunisation clinics, including reinstating clinics at the Nowra library, will be \$28,900 for the remainder of 2016/17 and then \$32,000 + CPI annually thereafter.

It is also recommended that if Council continues the immunisation clinics that a minimum \$10,000 per annum be provided for advertising and marketing to promote the service and increase attendance, which increases the total budget required to \$42,000 + CPI annually.

REPORT OF GENERAL MANAGER**ORDINARY MEETING****TUESDAY, 15 MARCH 2016****PLANNING AND DEVELOPMENT**

-
- | | | |
|----|---|-------------------|
| 1. | Future of Shoalhaven Council's Immunisation Clinic | File 1869e |
|----|---|-------------------|
-

SECTION MANAGER: Kelie Lowe**PURPOSE:**

To inform the Council of the declining attendances at Council's childhood immunisation clinics and determine the direction of future clinics.

RECOMMENDED that Council

- a) Close the free childhood immunisation clinics run by Council as of 1st July 2016 due to lack of attendance;
- b) Council write to NSW Health thanking them for the financial support provided to Council in delivering the clinics to the community;
- c) Advertise the closing the clinic and thank the community for supporting the clinics over the last 50 years; and
- d) Write to parents, actively utilising the clinics to immunise their children, to notify them of the clinic closure.

OPTIONS

- 1. As recommended
- 2. Consult with the community by way of surveying parents who have previously used the clinics to find out why they are not attending and if they object to the closure of the clinics. Report the findings back to Council for further direction on the future of the clinics.
- 3. Continue the clinics but rationalise the number and locations.
- 4. Council continue to deliver the clinics with the current arrangement of setting up in seven locations across the City.
- 5. Other option as determined by the Committee.

DETAILS

The Shoalhaven City Councils free childhood immunisation clinics have been providing free vaccination for children under the age of 5 since the 1960's. This service currently provides vaccination for 13 preventable diseases including: poliomyelitis (polio), diphtheria, haemophilus influenza type b, pertussis (whooping cough), meningococcal C, pneumococcal disease, measles, mumps, rubella (German measles), tetanus, hepatitis B, rotavirus and varicella (chicken pox).

- # The immunisation clinic runs on the first Tuesday, Wednesday and Thursday of each month at 7 locations: Sussex Inlet, Ulladulla, Sanctuary Point, Bomaderry, Culburra, East Nowra and Nowra. The clinic schedule is shown in **Attachment A**.

Over the last 10 years attendance rates at clinics has steadily declined from an average of 60 children per month to 20 per month. In the last 6 months numbers have dropped as low as 11 children being vaccinated over the 3 days. Figure 1 shows the decline in total annual attendance since 2008.

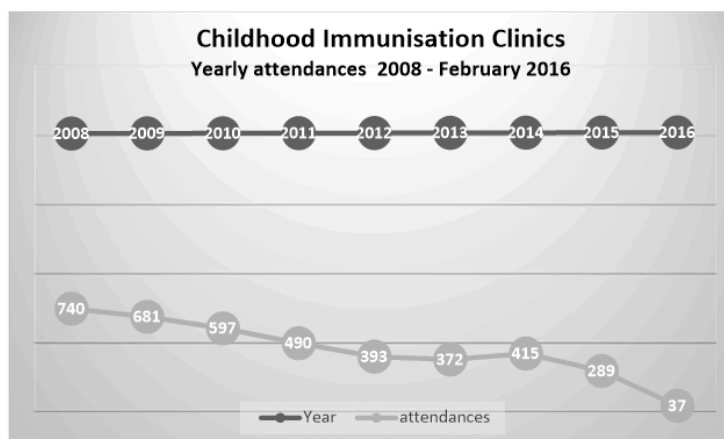


Figure 1: Annual attendance rates

Council has continued to advertise the immunisation clinics using different media targeting newspapers, hospitals and health clinics throughout the Shoalhaven. Council also has begun using social media to advertise the clinic times in an effort to increase numbers.

According to the NSW Annual Immunisation Coverage Report 2013 more than 90% of Children are fully immunised at the age of 5 years of age nationally. The Shoalhaven local government area has the highest percentage of immunised children in all but one age category within the Illawarra Shoalhaven Local Health District. Statistics provided by the Immunisation Coordinator – Illawarra Shoalhaven Public Health Unit show that 94% coverage for the age groups under 5 years of age.

Why have the attendances fallen?

Whilst our region continues to have excellent immunisation coverage it is felt that the declining use of Councils free childhood immunisation clinics is mainly due to the increase in the number of medical centres throughout the Shoalhaven's towns and villages.

Many of these centres have early childhood nurses that perform health checks as well as providing vaccinations. Parents also have the ability to access services for themselves whilst at the medical centre at a time that suits their needs. A majority of medical centres also bulk bill making the medical centres both affordable and convenient.

Where to for the future?

At the end of 2015 the declining attendances at Councils immunisation clinics was raised with the Immunisation Coordinator NSW Public Health Unit. The following issues were discussed:

- Increased marketing of the clinics - as the immunisation rates in the Shoalhaven are already very high it was unlikely to result in an increase in number that would make the clinics more viable.
- Rationalising the number of locations - it is difficult to know the impact of this upon the community. Providing two centralised locations for longer periods of time throughout the day may be an option to allow more flexibility for parents to attend at a convenient time.
- Closure of Councils childhood immunisation clinic – it was agreed that due to the continuing decline in attendances the clinic is not sustainable and consideration needs to be given to closing the Council immunisation clinics.

In this regard correspondence from NSW Health was received 19th February 2016. (**Attachment B**).

Therefore, it is recommended that Council not continue delivery of this service.

FINANCIAL IMPLICATIONS:

The immunisation service is mostly funded by NSW Health where the expense incurred by Council for the employment of nurses is refunded on a monthly basis. Immunisation training for nurses is also provided by NSW Health. Council also receives a payment of \$6 per vaccination from Medicare.

The costs to Council associated with providing the service include:

- Administration support (sending reminder letters, record keeping, answering enquires and administrative assistance at clinics);
- Laptop computer;
- Vehicle and fuel to transport nurses to each clinic;
- Equipment such as fridges for vaccine storage, needles, and medical equipment; and

-
- Hiring of clinic venues.

Council also pays for advertising and brochures supplied to local hospitals and health care clinics.

In recent months the Australian Commonwealth Immunisation Register (ACIR) are now requesting that immunisation providers to enter vaccination data into the ACIR register directly. Currently Council administration officers only had to forward paperwork to ACIR to enter themselves. This will further impact on Council resources in providing this additional service.

COMMUNITY CONSULTATION:

The intention to close the childhood immunisation clinics has been reported to the consultative committee 9th March 2016 for information. The casual staff affected have been consulted and aware of the possible closure. The permanent administration staff will not be affected.

It is recommended that Council continue to operate the free childhood immunisation clinics until the end of the 2015/2016 financial year (30 June 2016) to allow Council to inform the community about the closure of the clinics.

Tim Fletcher
DIRECTOR, PLANNING AND DEVELOPMENT SERVICES

R.D Pigg
GENERAL MANAGER

Ordinary Meeting 15 March 2016 - Item 37 [ATTACHMENT A](#)



Free Immunisation Clinics

for Children 0 - 5yrs


Planning & Development Services Group

CLINICS will be held at the following locations every month at the nominated times.

FIRST TUESDAY of the month	FIRST WEDNESDAY of the month	FIRST THURSDAY of the month
SUSSEX INLET Neighbourhood Centre Time: 10.00 am – 11.00 am ULLADULLA Civic Centre (81B Princes Hwy) Time: 11.45 am – 1.15 pm SANCTUARY POINT Bay & Basin Youth & Community Centre Time: 2.30 pm – 4.00 pm	BOMADERRY St Stephens Anglican Church Time: 9.30 am – 11.00 am CULBURRA Community Health Time: 12.00 pm – 1.00 pm EAST NOWRA Neighbourhood Centre (Park Rd.) Time: 1.45 pm – 2.30 pm NOWRA Library Ground Fir Meeting Room Time: 4.00 pm – 5.00 pm	NOWRA Library Ground Floor Meeting Room Time: 5.00 pm – 7.00 pm Parents and Children are requested to remain at the Clinic for 15 minutes after immunisation. FOR ENQUIRIES CONTACT: Environmental Services Section of Shoalhaven City Council, Phone 4429 3453.

Last appointment is 15 minutes before clinic closes

1780/12/15



Free Immunisation Clinics

for Children 0 - 5yrs

Planning & Development Services Group

CLINICS will be held at the following locations every month at the nominated times.

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Last appointment is 15 minutes before clinic closes

1780/12/15

Ordinary Meeting 15 March 2016 - Item 37

ATTACHMENT B



Health
Illawarra Shoalhaven
Local Health District
Public Health Unit

Mr Russ Pigg,
The General Manager
PO Box 42
Nowra NSW 2541

Shoalhaven City Council
Received

Attention: Shane Pickering - Environmental Health Unit Manager

18 FEB 2016

12 February 2016

File No.

1869E

Referred to:

D. Rigoni

Shoalhaven Immunisation Clinic

The Shoalhaven Immunisation Clinics have been running for many years and providing free vaccinations to children under 5 years in the Shoalhaven Local Government Area. Vaccination of children remains a priority and the clinics have been a successful collaboration between Shoalhaven City Council and Illawarra Shoalhaven Local Health District.

However, as parents and guardians are increasingly using the services of their local General Practitioner and the availability of bulk-billing services, the number of people attending the clinics has fallen significantly. This has reduced the cost effectiveness of the clinics and in consultation between Shoalhaven City Council and the Public Health Unit, Illawarra Shoalhaven Local Health District, it has been agreed to close the clinics as of 30 June 2016.

As the immunisation clinics were only serving a small portion of the population, 261 children throughout the whole of 2015, access to immunisation in the Shoalhaven would not be affected, which is supported by the high rate of vaccination, at around 93%, in the region. The Public Health Unit will continue to work to provide suitable services to vulnerable populations in the community.

I would like to acknowledge the important role of Shoalhaven City Council in promoting and increasing vaccinations rates in Shoalhaven Region over the years, and would also like to thank all the staff involved for their hard work and commitment.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Gregory".

Curtis Gregory

Director

Illawarra and Shoalhaven Public Health Unit

REPORT OF GENERAL MANAGER
STRATEGY AND ASSETS COMMITTEE
TUESDAY, 19 JULY 2016

PLANNING AND DEVELOPMENT

ITEMS TO BE DEALT WITH UNDER DELEGATED AUTHORITY

1. **Shoalhaven Council's Immunisation Clinic - Future** **File 1869e**

SECTION MANAGER: Kelie Lowe

PURPOSE:

Inform Council of the withdrawal of funding by the NSW Health and determine the future direction of Council's childhood immunisation clinics as a result.

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

- a) **Close the free childhood immunisation clinics run by Council at the end of the September 2016 clinics;**
- b) **Advertise the closing of clinics and thank the community for their support over the last 50 years; and**
- c) **Write to parents who are currently actively using the clinics to notify them of the closures.**

OPTIONS

- 1. As recommended
- 2. Continue the clinics as they are currently operating – this will require the allocation of funding in Councils budget (\$40,000)
- 3. Continue the clinics and reinstate the after hours service at the Nowra library – this will require the allocation of funding in Councils budget (\$45,000).
- 4. Other option as determined by the Committee

DETAILS

Further to the previous report dated Tuesday 15 March 2016 (**Attachment A**) and the resulting resolution that:

-
- a) *Continue the childhood immunisation clinics for two days per month in Sussex Inlet, East Nowra, Culburra Beach, Ulladulla and Sanctuary Point for twelve (12) months and report back to Council after this time.*
 - b) *Write to Health NSW and advise that we are streamlining a number of clinics on a trial basis and seek their support with continued funding.*

NSW Health were advised of the resolution and replied on 24 June 2016 (**Attachment B**) stating that they were unable to continue to support the clinics due to the:

- continuing decline in attendances, as well as
- operating costs exceeding the program funding

FINANCIAL IMPLICATIONS:

This immunisation clinics have been substantially funded by NSW Health and the expenses incurred by Council for the employment of the two (2) nurses was refunded on a monthly basis. Immunisation training for the nurses has also been provided by NSW Health. In the 2015/16 financial year Council was reimbursed \$16,686 by NSW Health. NSW Health also provides a coordinating and technical support role for this service.

Council also receives a payment of \$6 per vaccination from Medicare which for the 2015/2016 financial year totalled \$1380 for the 220 children who were immunised. However this income is expected to drop to approximately \$850 due to the closure of the Nowra library and Bomaderry clinics, which has further decreased attendances.

Council's costs associated with providing the service include:

- Administration support (sending reminder letters, record keeping, answering enquires and administrative assistance at clinics);
- Laptop computer;
- Vehicle and fuel to transport nurses to each clinic;
- Equipment such as fridges for vaccine storage, needles, and medical equipment; and
- Hiring of clinic venues.
- brochures supplied to local hospitals and health care clinics.

The Australian Commonwealth Immunisation Register (ACIR) are now requesting that immunisation providers also enter vaccination data directly into the ACIR register. Previously Council forwarded paperwork to ACIR to enter themselves. This will further impact on Council resources in accommodating this additional requirement.

Council contributed \$13,165 to this service in the 2015/2016 financial year to assist with operating expenses including administration support.

Therefore the budget required for Council to continue to fund the immunisation clinics is \$30,000 per annum, not including a budget for marketing. It is recommended that if Council decides to continue the immunisation clinics that \$10,000 per annum also be provided for advertising which increases the total budget required to \$40,000.

COMMUNITY CONSULTATION:

The intention to close the childhood immunisation clinics was reported to the Consultative Committee on 9 March 2016 for information given the likely impacts on staff.

In April 2016 staff began surveying the community to determine the impacts that closing the clinics would have and also find ways in which the community felt the service could improve. The survey was distributed by social media, at immunisation clinics and is available on Councils website.

Despite the survey being widely promoted only 23 surveys were completed, 14 surveys were completed online and 19 completed by clinic attendees. The survey results are summarised below.

Results

- 76% have used doctors for childhood vaccinations in the past.
- 82% are likely to keep using the Council service.
- 70% said they had access to other service providers.
- Clients choose to use the immunisation service because:
 - No cost – 15%
 - Convenient – 51%
 - After hours service (note: this clinic is now closed) – 9%
 - Recommended to them – 6%
- Council can improve this service by:
 - Good the way it is – 29%
 - Advertise it more – 21%
 - Provide more clinics or longer clinics – 12%
 - Reinstating the after-hours service – 12%
 - Just keep them open – 12%

1. Future of Shoalhaven Council's Immunisation Clinic **File 1869e****SECTION MANAGER: Kelie Lowe****PURPOSE:**

To inform the Council of the declining attendances at Council's childhood immunisation clinics and determine the direction of future clinics.

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

- a) Close the free childhood immunisation clinics run by Council as of 1st July 2016 due to lack of attendance;
- b) Council write to NSW Health thanking them for the financial support provided to Council in delivering the clinics to the community;
- c) Advertise the closing the clinic and thank the community for supporting the clinics over the last 50 years; and
- d) Write to parents, actively utilising the clinics to immunisation their children, to notify them of the clinic closure.

OPTIONS

1. As recommended
2. Consult with the community by way of surveying parents who have previously used the clinics to find out why they are not attending and if they object to the closure of the clinics. Report the findings back to Council for further direction on the future of the clinics.
3. Continue the clinics but rationalise the number and locations.
4. Council continue to deliver the clinics with the current arrangement of setting up in seven locations across the City.
5. Other option as determined by the Committee.

DETAILS

The Shoalhaven City Councils free childhood immunisation clinics have been providing free vaccination for children under the age of 5 since the 1960's. This service currently provides vaccination for 13 preventable diseases including: poliomyelitis (polio), diphtheria, haemophilus influenza type b, pertussis (whooping cough), meningococcal C, pneumococcal disease, measles, mumps, rubella (German measles), tetanus, hepatitis B, rotavirus and varicella (chicken pox).

- # The immunisation clinic runs on the first Tuesday, Wednesday and Thursday of each month at 7 locations: Sussex Inlet, Ulladulla, Sanctuary Point, Bomaderry, Culburra, East Nowra and Nowra. The clinic schedule is shown in **Attachment A**.

Over the last 10 years attendance rates at clinics has steadily declined from an average of 60 children per month to 20 per month. In the last 6 months numbers have dropped as low as 11 children being vaccinated over the 3 days. Figure 1 shows the decline in total annual attendance since 2008.

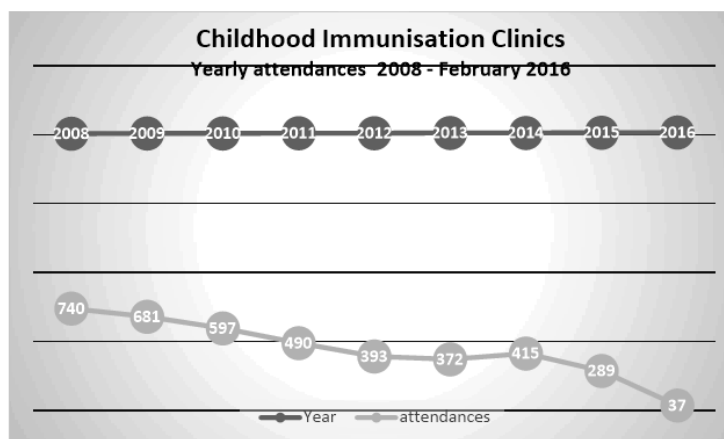


Figure 1: Annual attendance rates

Council has continued to advertise the immunisation clinics using different media targeting newspapers, hospitals and health clinics throughout the Shoalhaven. Council also has begun using social media to advertise the clinic times in an effort to increase numbers.

According to the NSW Annual Immunisation Coverage Report 2013 more than 90% of Children are fully immunised at the age of 5 years of age nationally. The Shoalhaven local government area has the highest percentage of immunised children in all but one age category within the Illawarra Shoalhaven Local Health District. Statistics provided by the Immunisation Coordinator – Illawarra Shoalhaven Public Health Unit show that 94% coverage for the age groups under 5 years of age.

Why have the attendances fallen?

Whilst our region continues to have excellent immunisation coverage it is felt that the declining use of Councils free childhood immunisation clinics is mainly due to the increase in the number of medical centres throughout the Shoalhaven's towns and villages.

Many of these centres have early childhood nurses that perform health checks as well as providing vaccinations. Parents also have the ability to access services for themselves whilst at the medical centre at a time that suits their needs. A majority of medical centres also bulk bill making the medical centres both affordable and convenient.

Where to for the future?

At the end of 2015 the declining attendances at Councils immunisation clinics was raised with the Immunisation Coordinator NSW Public Health Unit. The following issues were discussed:

- Increased marketing of the clinics - as the immunisation rates in the Shoalhaven are already very high it was unlikely to result in an increase in number that would make the clinics more viable.
- Rationalising the number of locations - it is difficult to know the impact of this upon the community. Providing two centralised locations for longer periods of time throughout the day may be an option to allow more flexibility for parents to attend at a convenient time.
- Closure of Councils childhood immunisation clinic – it was agreed that due to the continuing decline in attendances the clinic is not sustainable and consideration needs to be given to closing the Council immunisation clinics.

Therefore, it is recommended that Council not continue delivery of this service.

FINANCIAL IMPLICATIONS:

The immunisation service is mostly funded by NSW Health where the expense incurred by Council for the employment of nurses is refunded on a monthly basis. Immunisation training for nurses is also provided by NSW Health. Council also receives a payment of \$6 per vaccination from Medicare.

The costs to Council associated with providing the service include:

- Administration support (sending reminder letters, record keeping, answering enquires and administrative assistance at clinics);
- Laptop computer;
- Vehicle and fuel to transport nurses to each clinic;
- Equipment such as fridges for vaccine storage, needles, and medical equipment; and
- Hiring of clinic venues.

Council also pays for advertising and brochures supplied to local hospitals and health care clinics.

In recent months the Australian Commonwealth Immunisation Register (ACIR) are now requesting that immunisation providers to enter vaccination data into the ACIR register directly. Currently Council administration officers only had to forward paperwork to ACIR to enter themselves. This will further impact on Council resources in providing this additional service.

COMMUNITY CONSULTATION:

The intention to close the childhood immunisation clinics has been reported to the consultative committee 9th March 2016 for information. The casual staff affected have been consulted and aware of the possible closure. The permanent administration staff will not be affected.

Strategy & Assets Committee 19 July 2016 - Item 20 Attachment A

It is recommended that Council continue to operate the free childhood immunisation clinics until the end of the 2015/2016 financial year (30 June 2016) to allow Council to inform the community about the closure of the clinics.

Strategy & Assets Committee 19 July 2016 - Item 20

Attachment B



Health
Illawarra Shoalhaven
Local Health District
Public Health Unit

Shoalhaven City Council

Received

26 JUN 2016

File No.

1869E

Referred to:

SP

The General Manager
PO Box 42
Nowra NSW 2541

Attention: Shane Pickering - Environmental Health Unit Manager

24 June 2016

Shoalhaven Immunisation Clinic: Council Ref. 1869E (D16/84737)

Reference is made to your letter of 23 March 2016 regarding the continued operation of the Shoalhaven City Council Immunisation Clinics.

It is anticipated that the current trend of the community accessing these clinics will continue to decline which will further reduce the cost effectiveness of service provision, due to factors such as increasing use of General Practitioners and the availability of bulk billing services. The operating costs for the clinics have been in excess of the program funding and have been supplemented by other immunisation funding, which is not sustainable.

These factors have contributed to the Public Health Unit being unable to continue to support the Shoalhaven Immunisation clinics as per our original correspondence.

As previously indicated the Public Health Unit will work to ensure that vulnerable populations have appropriate access to vaccinations. The vaccination rate for children 5 years and under across the region remains good at 93.9% and even stronger in the 12 month age bracket at 95.95%.

The efforts and commitment of Shoalhaven City Council in promoting and their staff involved in the clinics are appreciated. If you have any further enquires please contact our office on 4221 6700 and request the Acting Immunisation Coordinator.

Yours Sincerely,

Curtis Gregory
Director

Illawarra and Shoalhaven Public Health Unit



The Hon Jillian Skinner MP
Minister for Health

~ 3 NOV 2016

M16/5289
Your ref: SH/la

The Hon Shelley Hancock MP
Speaker of the NSW Legislative Assembly
Member for South Coast
PO Box 1436
NOWRA NSW 2541

28 OCT 2016

Dear Madam Speaker

Thank you for your representations on behalf of Mrs Ann Sudmalis MP, Federal Member for Gilmore, who has received correspondence from Mr Tim Fletcher, Director, Planning and Development Services, Shoalhaven City Council, regarding childhood immunisation clinics in the Shoalhaven.

The efforts and involvement of Shoalhaven City Council and its staff in the running of these clinics for over 50 years are acknowledged, and I thank Council for its ongoing commitment to providing vaccination services to the community.

Ms Carolyn Cooper, Acting Chief Executive, Illawarra Shoalhaven Local Health District, has advised that in recent times, attendance at these clinics has declined significantly, with a 54 per cent drop in attendance from 2010 to 2015. Additionally for the 2015-16 financial year, 16 per cent of clinics had no attendees. Attendance has continued to decline despite the Commonwealth's *No Jab No Pay* program, introduced to increase compliance with the childhood vaccination schedule.

Ms Cooper has also advised that the Illawarra Shoalhaven Public Health Unit consulted extensively with Council's Environmental Health Unit around the falling attendance at the clinics and their possible closure. Subsequently, the Public Health Unit agreed to extend the funding until the end of September 2016 to allow for the clinics to be phased out and residents to be notified of their closure.

The Public Health Unit will continue to target at-risk and vulnerable communities and populations to reduce the risk from vaccine preventable disease. The closure of the clinics will allow the resources to be better focused and targeted on a needs basis.

I understand vaccination rates for children aged five and under remain strong in the Shoalhaven region at around 95 per cent, and it is anticipated that the closure of the clinics will not affect vaccination rates in the area.

Thank you again for bringing this matter to my attention. For further information, Mr Curtis Gregory, Director, Public Health Unit, Illawarra Shoalhaven Local Health District, is available on 4221 6718.

Yours sincerely

Jillian Skinner MP

SA16.33 Funding of Sewer Services to St Andrew's Way Coolangatta

HPERM Ref: D16/346590

Group: Shoalhaven Water Group

Attachments: 1. St Andrews Way & Berry Bay Sewerage Scheme Maps [↓](#)

Purpose / Summary

In accordance with Council resolution MIN 16.281, this report provides funding options for the provision of sewerage services to the existing subdivision of St Andrew's Way, Coolangatta.

Recommendation (Item to be determined under delegated authority)

That Council support "in principle", the provision of sewerage to residential lots in St Andrew's Way, and Berry's Bay, Coolangatta to allow Council staff to further consult with the affected owners in regards to timing, scope, extent of services, and the proposal that properties benefiting meet 100% of the associated works.

Options

1. Council support the principle that those properties in St Andrews Way and Bolong Rd (Berry's Bay) that will be provided with a pressure sewer system will have a special rate applied that accounts for 100% of the cost of the scheme implementation.

Implications: Detailed consultation with both Berry's Bay and St Andrew's Way landowners would need to be carried out. Council's environment section will need to develop a strategy and process to communicate this to the relevant property owners. Given existing workloads this may require external assistance for facilitation.

2. Council support the principle that those properties in St Andrews Way and Bolong Rd (Berry's Bay) that will be provided with a pressure sewer system will be subsidised by all other sewer account customers and this will be funded by additional loans in the 2019/20 financial year.

Implications: This work will need to be included in the forward sewer works program and the forward financial model adjusted for new loans. In addition, Council's environment section will need to manage the issues arising from the management of the existing site systems until the sewerage system is constructed.

3. Council support the principle that those properties in St Andrews Way and Bolong Rd (Berry's Bay) that will be provided with a pressure sewer system will have a special rate applied that accounts for X% of the cost of the scheme implementation, where X is determined by Council based on the proportion of cross-subsidy to be allocated to all other sewer fund customers.

Implications: Detailed consultation with both Berry's Bay and St Andrew's Way landowners would need to be carried out. Council's environment section will need to develop a strategy and process to communicate this to the relevant property owners.

Background

In 2003, Council approved a development application for a 23 lot subdivision, now known as St Andrews Way, Coolangatta and 99 Edward Wollstonecraft Lane, Coolangatta (the estate). The parcel of land is a Special Rural Lifestyle Area No.4 with allotment sizes ranging from 1,380 m² - 3,100 m². Nineteen of the approved lot sizes are now less than the minimum lot size of 2500 m² presently required by Council in Shoalhaven Development Control Plan 2014 for the subdivision of unsewered properties.

As part of the original assessment of the subdivision Council received and considered a report from an environmental consultant dealing with the collection and disposal of effluent on each of the sites within the subdivision. Further reports from environmental consultants were also received and considered by Council as part of the assessment of individual dwellings in the estate, leading to approvals.

Despite the positive assessments provided by the environmental consultants, problems have been encountered within the estate with on-site sewage management systems not working as they were designed. In 2011, the NSW Food Authority, in conjunction with Shoalhaven City Council, undertook water quality testing in order to verify pollution sources impacting on the Berry's Bay oyster harvest area downslope of the St Andrews Way development. The results of this study revealed that there was evidence of human faecal contamination downstream of the development and evidence of effluent from the development reaching the outlet of the Berry's Bay catchment to the Shoalhaven River.

In addition to the problematic nature of the St Andrew's Way subdivision, the operation of on-site sewage systems at 11 properties located immediately adjacent to Berry's Bay has also been identified as being at a potentially high risk to public health and the environment. These properties are No.'s 1260 – 1280 Bolong Rd, Coolangatta. These lots are potentially at a higher risk due to their relatively smaller size (1,051 m² – 1,644 m²), close proximity to Berry's Bay oyster lease area (less than 50 m to some properties) and the potential for future development (e.g. extensions, dual occupancy). There are presently a number of smaller, older houses on properties. The impact of new development may mean larger houses which have a larger footprint that may impact on available area for effluent disposal and a larger effluent disposal area may be required to support the development.

The poor and constrained site characteristics and the close proximity to the Berry's Bay oyster lease area have led Council to seek alternative long term management options to deal with the wastewater/effluent generated from the St Andrews Way subdivision and the Berry's Bay properties.

Council considered a report in April this year and resolved the following:

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

Community Engagement

Residents of St Andrews Way (and 99 Edward Wollstonecraft Lane which was part of this subdivision) were provided with an opportunity to make a submission on whether they are in favour of connecting to sewer and whether or not they are opposed to providing funding towards such a scheme. As a result, 20 of the 23 property owners were in favour of

connection to sewer but were not willing to financially contribute. One property owner was not in favour of connecting to sewer and two residential developments were still under construction at the time.

At this time, residents of No.'s 1260 – 1280 Bolong Rd, Coolangatta have not been provided with an opportunity to comment on the potential to connect to reticulated sewer.

Two maps are attached showing preliminary layouts of pressure sewer systems with and without Bolong Road connected.

Policy Implications

This situation highlights the risks associated with developments that have on-site sewage management systems. Owners have bought blocks in good faith that the original determination of on-site systems would be sustainable in the long term.

The view could also be taken that the provision of a reticulated sewerage system will add value to the current allotments and therefore those that benefit from this should bear the cost of the scheme.

Financial Implications

Three funding options are available to Council:

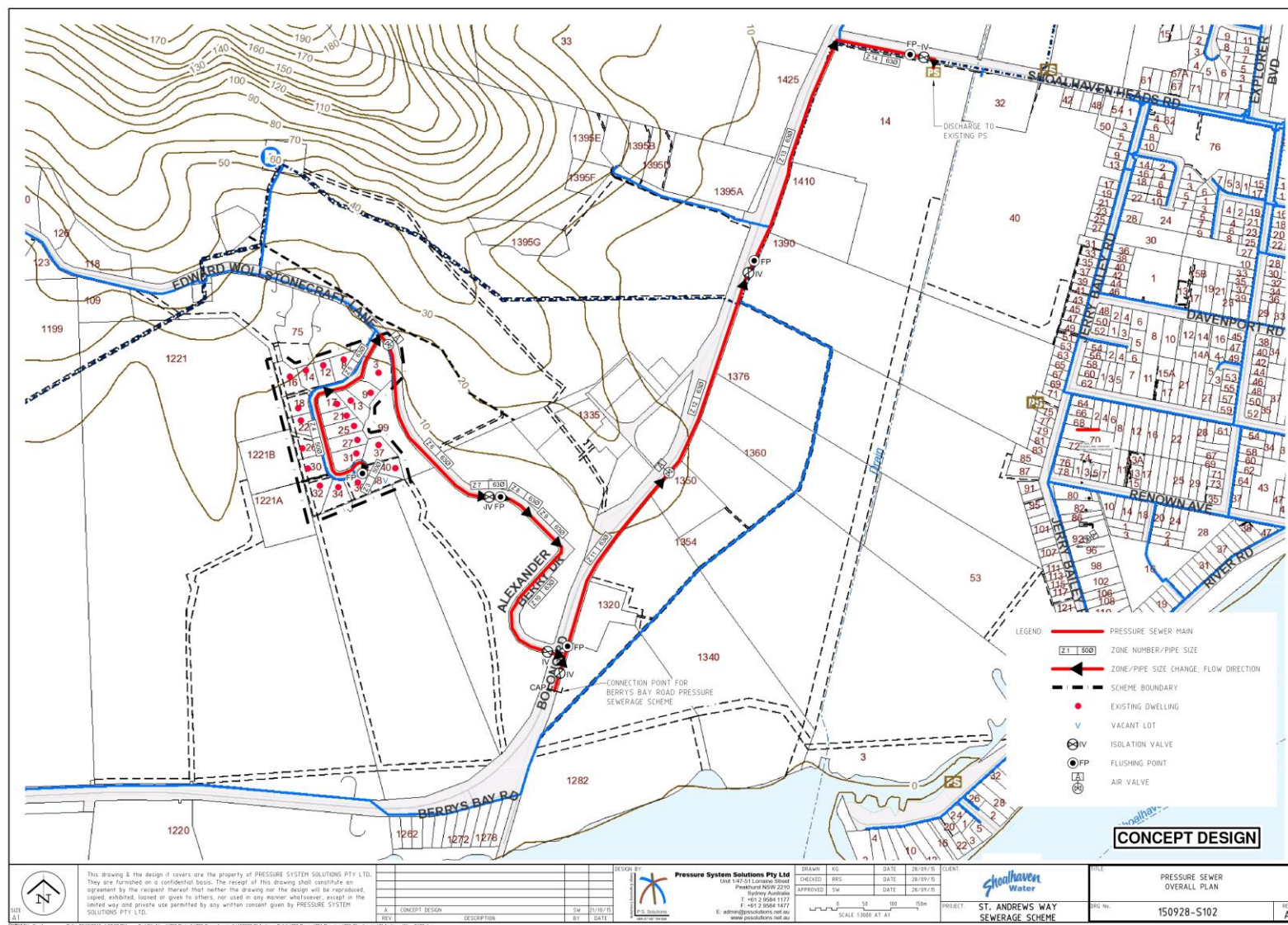
Option	Comments/Constraints
Council funded scheme - Requires Council to seek additional loan funds and would also require the cost of the scheme to be spread across all sewer customers in the City	Due to the current program, and in particular the REMS1B project, the sewer fund is fully committed for the next 3 years, with significant loans being taken up at this time. It is unlikely that additional loans could be taken up before the 2019/20 financial year. No budget is currently available in the sewer fund that could apply to the implementation of sewerage facilities to St Andrews Way or the Coolangatta area.
Property owner funded scheme– Council could levy a special rate to build a reserve to fund the scheme	Under Section 495 of the LG Act a council may make a special rate for or towards meeting the cost of any works, services, facilities or activities provided or undertaken, or proposed to be provided or undertaken, by the Council within the whole or any part of the Council's area, other than domestic waste management services. The special rate is to be levied on such rateable land in the Council's area as, in the Council's opinion: <ul style="list-style-type: none"> (a) benefits or will benefit from the works, services, facilities or activities, or (b) contributes or will contribute to the need for the works, services, facilities or activities, or (c) has or will have access to the works, services, facilities or activities.
Part Council / part property owner funded scheme	Council could apply a percentage of the scheme costs to be levied on the affected properties.

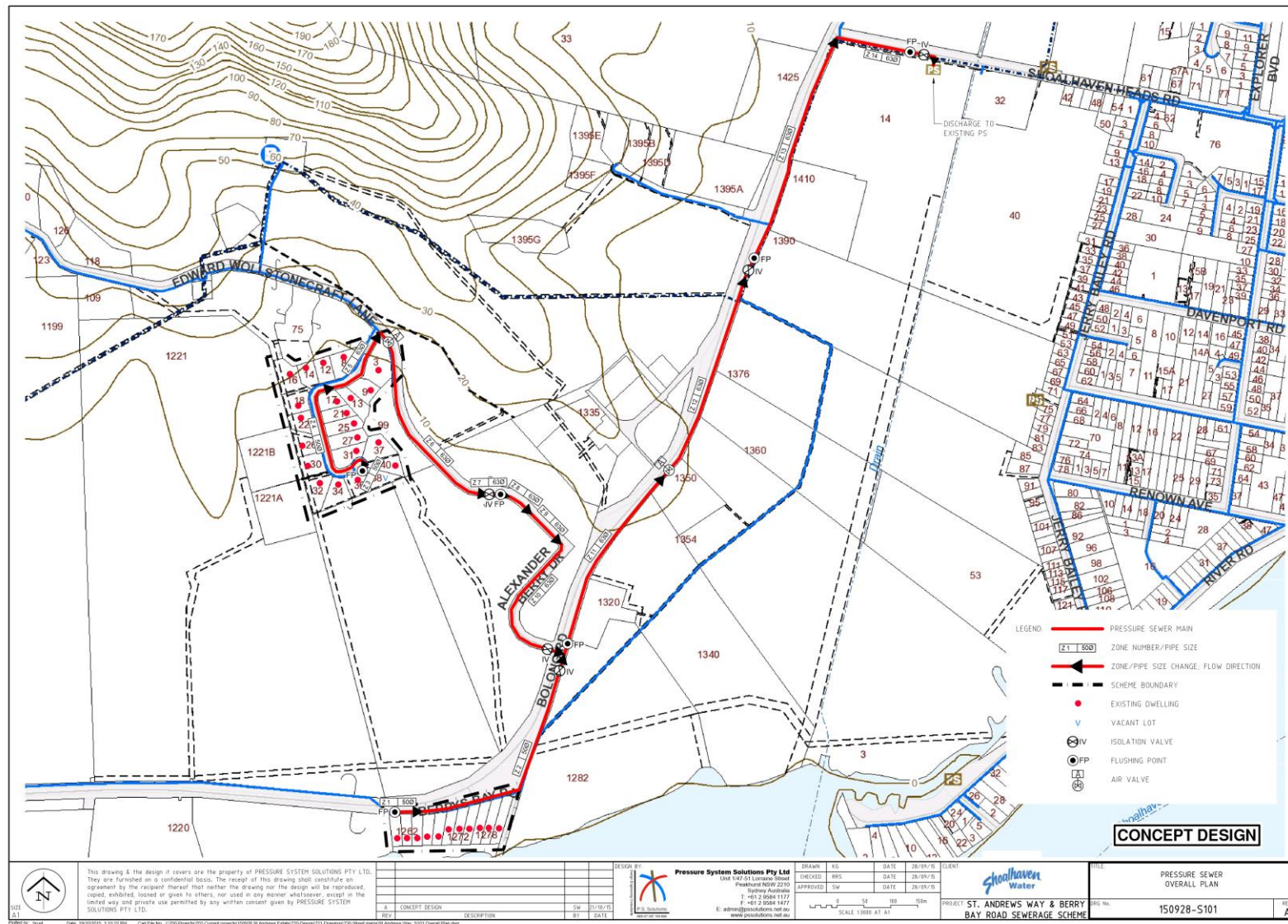
The following table summarises the current cost estimates and 3 possible scenarios for funding of this work:

Estimate	Number properties	Capital Cost/Property	15 Year Loan (based on \$1M) Annual Payment	Comments
\$930,600	23	\$40,460.87	\$3,997.16	Allows only for St Andrews Way properties
\$1,090,100	34	\$32,061.76	\$2,703.96	Includes Berry's Bay properties
	48,000	\$19.39	\$1.92	All sewer fund customers

Risk Implications

As noted above, only those property owners affected by the effluent discharge issues emanating from the St Andrews Way subdivision have been consulted over this matter, and they have expressed opposition to any cost being imposed on them for a sewerage service. Consultation with the Berry's Bay landowners would need to be initiated before any final decision is made by Council on the total value of any cost attribution. Although Council has determined that the provision of sewerage services is the only long term solution to address the environmental problems that have been identified, the equity implications of any means of funding needs to be determined.





SA16.34 Tenders - Water Meter Reading Services

HPERM Ref: D16/327570

Group: Shoalhaven Water Group
Section: Water Customer & Business Services

Purpose / Summary

To inform Council of the tender process for the water meter reading services.

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.

Recommendation

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

Options

1. Council accept the recommendation as presented.

2. Council amend the recommendation.

Implications: Council may diminish the competitive commercial values of the tenders received or prejudice the tenderers legitimate interests if these matters are discussed non-confidentially.

3. Council not accept the recommendation.

Implications: Council propose an alternative resolution. Depending on that resolution Council may not be able to deliberate on the tender process for the water meter reading services while giving consideration to all the available information.

Details

Introduction

The reading of water meters is an integral operation for Shoalhaven Water. The timeliness and accuracy of data from the water meter readings is of strategic and financial importance for both the water and sewer funds whilst ensuring positive customer services are maintained for performance reporting under the National Water initiative.

The information received through the provision of this service has a direct bearing on the production and levy of water accounts and therefore the contract requirements must be undertaken efficiently and effectively. The service is also a core business activity of

companies who focus their efforts on this function; and it is not considered to be an activity that Council should undertake “in-house” at this point of time. Consequently a request for tender was issued as the current contract expires on 31 December 2016.

Background

Approximately 200,000 water meter readings are undertaken each year. The current contract was commenced in 2011 and no further extension option was exercised in accordance with the terms of the contract.

Consistent with Council policy and the Local Government Tendering Regulations, a formal request for tender was compiled and this sought tenders based on a term of 3 years to commence 1 January 2017. Included in the tender is the option for Council to extend the contract for a further term of up to two years.

In accordance with Council guidelines, tenders were invited by national newspaper advertising and in accordance with the Local Government Act a 21 day period was provided for the submission of responses.

Tenders Received

Only one tender was received as follows:

Tenderer	Location
Skilltech Consulting Services Pty Ltd	Tenderlink Portal

Details relating to the evaluation of the tender is contained in the confidential report.

Community Engagement:

There has been no community engagement in the process of seeking tenders for this service nor was it considered necessary. It is acknowledged within the adopted Shoalhaven Water Customer Service Plan that the provision of timely meter reading services is critical to ensure that customers receive accurate and timely information concerning water usage. The pattern of water consumption is obtained from properties approximately every 90 days and on a cyclic basis throughout the year. A delay in obtaining information through this tendered service can have significant financial impacts for customers and the tender objectives and targets are clear on this requirement.

Financial Implications:

Sufficient budget has been allocated in the water fund for the service.

SA16.35 Tenders - Vincentia Tower Redevelopment

HPERM Ref: D16/346001

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Purpose / Summary

To inform Council of the tender process for the design and construction of a new Vincentia Telecommunications Tower, to replace the existing monopole tower located at the Vincentia water reservoir site.

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.

Recommendation

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

Options

1. As recommended.

Implications: The confidential report will be considered.

2. Propose an alternative process for consideration of the issue.

Implications: This is not recommended as an extensive tender evaluation process has been undertaken comprising of price and non price criteria in accordance with the Tender Evaluation and Probity Plan.

Details

Council at its Ordinary meeting on 18 March 2014 endorsed the construction of a new tower adjacent to the existing compound at Vincentia Reservoir, including the transfer of equipment, and removal of the old tower.

The Tower at Vincentia was built by Vodaphone in 1997 with the ownership transferred to Council for a 20 year rent free lease. Over the past 19 years the tower and foundations have been enhanced numerous times to provide capacity for additional loading, however the tower has now reached its ultimate capacity.

The existing site is located within the Vincentia Reservoir compound owned by Council, and consists of the 30m monopole, with antennae and dishes attached, and four ground level communications huts.

The existing monopole provides telecommunications and emergency communications services to the area, as well as used by Shoalhaven Water and Shoalhaven City Council communications. It is also used for transmitting the community radio station, Bay & Basin FM, as well as communications for other government and non-government users to service the local area. Use of telecommunications is growing, along with mobile data, and the current pole is not able to support the additional infrastructure necessary to accommodate the anticipated growth.

Council has recently declined requests from Telstra, Optus and other telecommunication providers to install additional equipment onto the tower due to the lack of capacity. Optus have delayed a site development at Vincentia STP due to the inability to install equipment on Vincentia tower to provide a link to the new site. The lack of capacity is also hindering Council's ability to enhance it's equipment on the tower.

In order to provide capacity for existing user enhancements and new future users, it was determined that Council would build a new 52m high three legged lattice type tower. Existing users equipment would be transferred to the new tower and then the existing monopole tower demolished and removed from the site. The project will be in 2 phases. Phase 1 will consist of design and construction of the new tower. Then once all licenees have moved phase 2 will consist of demolition of the existing monopole.

Council's Strategy and Assets Committee (under delegation) endorsed a Review of Environmental Factors at its meeting on 20 October 2015.

Tenders Received

Tenders were received from the following:

Tenderer	Location
DTE Management Group Pty Ltd	Yagoona NSW
Australian Radio Towers	Murwillmbah South NSW
Future Engineering & Communications Pty Ltd	Cockburn Central WA

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

Community Engagement:

Shoalhaven Water commissioned a Review of Environmental Factors (REF) which was completed in June 2015. The completed REF was then placed on public exhibition between 15 June 2015 to 3 July 2015.

In addition to the public exhibition 66 local land holders/stakeholders were advised by mail of the exhibited REF and were encouraged to view the document and provide a written submission to Council in relation to the proposal.

Three responses to the REF were received from Office of Environment and Heritage/NSWNP, The Department of Defence and a local resident.

No negative responses were received as part of the public exhibition or as a result of the direct mail out.

Council's Strategy and Assets Committee (under delegation) endorsed the REF at its meeting on 20 October 2015.

Consultation has been ongoing with licence holders/stakeholders on the site and Shoalhaven Water has provided draft antenna locations and timetables to all current tower occupants. The current licence holders have all been given notice that the tower will be removed after April 2017.

The 3 main telecommunications providers (Telstra, Optus and Vodafone) all have licence agreements that expire on the 31/3/2017. To assist with the transition draft licence agreements have been sent to all occupants.

Vodafone and Telstra have both engaged contractors for the transfer process. Shoalhaven Water has been in discussion with Optus Operations Manager and engineers however they are yet to appoint a contractor to manage the transfer process.

For the smaller occupants it is expected Shoalhaven Water's technicians will manage the transfer process.

Ongoing community consultation will be as per the Community and Stakeholder Engagement Plan prepared for the construction phase.

Policy Implications

Purchasing Policy – POL16/103

The tender for this project has been undertaken and in accordance with Council's Purchasing Policy. The recommendations for this report are consistent with the provision of Council's Purchasing Policy.

Financial Implications:

Sufficient funds have been allocated in the Towers budget for the 2016/17 financial year. Contract management will be done in conjunction with GHD through the PPME partnership Shoalhaven Water has with GHD. Site inspections are to be undertaken by Shoalhaven Water's nominated construction inspectors and communications technicians.

It is proposed to start construction of the project in March 2017 with design and preconstruction works to commence late November 2016. Completion of the project is subject to licence holders relocating to the new tower and is proposed for June 2017.

Conclusion

Shoalhaven Water have undertaken a comprehensive tender evaluation in accordance with the approved tender evaluation & probity plan. It is recommended that a contract be awarded in accordance with the details included in the separate confidential report.

SA16.36 Tenders - Purchase of new 24,000lt Vacuum Tanker Trailer

HPERM Ref: D16/346690

Group: Shoalhaven Water Group
Section: Shoalwater Operations & Maintenance

Purpose / Summary

To inform Council of the tender process for the Supply of One New 24000lt Vacuum Tanker Trailer.

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.

Recommendation (Item to be determined under delegated authority)

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

Options

1. Council accept the recommendation as presented (preferred option).

Implications: The confidential report will be considered. Further details are provided in the confidential report.

2. Propose an alternative process for consideration of the issue.

Implications: This is not recommended as an extensive tender evaluation process has been undertaken in accordance with the tender evaluation plan.

Details

Introduction:

Tenders recently closed for the supply of one new 24,000L Vacuum Tanker Trailer. . The tenders have been evaluated and Council is requested to consider (in Confidence) the tender process and award a contract.

Background:

Shoalhaven Water regularly utilises tankers for maintenance and emergencies relating to the sewage system. The increased workload of the existing 18,000L tanker both in the northern and southern areas has revealed the need for a second tanker that can be stationed

primarily in the northern area to ensure that in the event of emergencies (such as power outages), there are sufficient resources available to maintain the sewage system and prevent overflows.

Key Issues:

Tenders were called on 3rd August 2016 and closed on the 31st August 2016. A Tender Evaluation Committee (TEC) was formed and a Tender Evaluation Plan (TEP) developed for the tender analysis.

Tenders were received from the following:

Tenderer
Vaclift
Chassis Line

The tenders were evaluated strictly in accordance with the TEP, which comprised mandatory price and non-price criteria. Tenders had to pass the mandatory criteria in order for them to be considered further. Other criteria assessed (under price and non-price components) included:

- Tendered price (including loadings such as Local Preference Policy)
- Reliability, including industry experience
- Compliance with the specification.
- Warranty period, after sales service
- Delivery timeframe

The aim of this evaluation methodology was to identify the best value for money while targeting suppliers with high level experience and performance with similar projects.

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

Community Impact:

The proposed new tanker will allow Shoalhaven Water to provide a reduction in response time when responding in an emergency. This will reduce the likelihood of sewer discharges which could impact on community land or recreational areas.

Financial Implications:

Funding for the purchase of the 24,000L Vacuum Tanker Trailer is included in the Shoalhaven Water plant replacement budget.

Conclusion:

The tender process for the supply of one new 24,000L Vacuum Tanker Trailer has been carried out in accordance with Council's requirements and it is appropriate for Council to consider the recommendation in this confidential report.

SA16.37 BOM National Performance Report Audit

HPERM Ref: D16/315191

Group: Shoalhaven Water Group

Section: Water Customer & Business Services Manager

Purpose / Summary

This report is submitted to advise Council of the results of the independent audit conducted on Shoalhaven Water relating to the submission of water and sewerage data to be used in the Bureau of Meteorology (BOM), National Performance Report 2015-16. The National Performance Report for water utilities is a requirement of the National Water Initiative Agreement.

Recommendation (Item to be determined under delegated authority)

That Council note the successful outcome of the 2015-16 independent audit of the National Performance Indicators for Shoalhaven Water.

Options

1. Council could seek additional information on the detail of this audit.

Background

This report provides an overview of the results of the recent independent audit conducted on Shoalhaven Water data that will be included in the annual BOM National Performance Report and which will be published mid-2017. The National Water Commission (NWC) Benchmarking Report is used widely by the Industry, media and general public to compare the performance of utilities across the nation.

The independent audit is carried out every three years and its success is integral to ensure that Shoalhaven Water's performance is able to be benchmarked for comparison each year. The audit must find each indicator to be fully or substantially compliant in order for results to appear within the NWC publication. The independent audit provides political representatives, government agencies and the community with a level of confidence in the accuracy of the results submitted each year by water utilities across the 150 performance indicators.

Detail

In April 2006 all states became parties to the National Water Initiative (NWI) and agreed to report independently, publicly and on an annual basis the benchmarking results of pricing and service quality for urban water utilities. Under the terms of the NWI all water utilities with greater than 10,000 connections who provide urban water services are required to submit audited data for a range of performance indicators (in 2014-15 there were 80 water utilities and 7 bulk water suppliers servicing over 20 million people). The report is designed to;

- Outline water consumption trends, resource and services across the urban water industry,

- Provide a nationally consistent definition and approaches which enable comparisons to be made,
- Inform customers about the level of service they are receiving,
- Build community confidence and improve the water literacy of the community,
- Inform the decision making processes of government, regulatory agencies and water businesses, and
- Encourage greater transparency in the way water is managed.

The indicators used by the NWC are contained within 7 broad headings as follows;

- Water Resources
- Assets
- Customers
- Pricing
- Environmental
- Finance, and
- Health

The last independent audit of the National Performance Indicators for NSW Local Government Water Utilities was conducted in 2013. A summary of the audit findings for Shoalhaven at that time were;

- 37 indicators subject to audit,
- 32 indicators found to be fully compliant,
- 5 indicators found to be substantially compliant, and
- Nil indicators found to be non-compliant.

Audit Result 2015/16

For the 2015/16 audit, compilation of data commenced following the end of the financial year and details were submitted within a set timeframe (September each year) in order for Shoalhaven Water to comply with the NSW Government Best Practice Management framework. The independent audit was then carried out on a range of nationally selected indicators across the broad heading groups as shown below;

- 33 indicators subject to audit
 - Water Resources (9 indicators)
 - Assets (6 indicators)
 - Customers (10 indicators)
 - Environmental (6 indicators)
 - Health (2 indicators)

A summary of the audit result revealed;

- 29 indicators found to be fully compliant,
- 4 indicators found to be substantially compliant, and
- Nil indicators found to be non-compliant.

The successful outcome of this audit will result in Shoalhaven Water's performance being fully reported over the next 3 years. Council will be advised further of the data results for Shoalhaven Water and the subsequent benchmarking of the information once it is available. It is important to note that the results will be an accurate and true reflection of the performance of Shoalhaven Water in all of the NWC auditable indicators, against its

contemporaries throughout Australia for the provision of Water and Sewerage services to the community.

Community Engagement

Performance reporting for water supply and sewerage must be relevant, useful and provide meaningful comparisons of key issues affecting water utilities and their customers. A transparent and consistent approach to the process of collecting and reporting data is required and therefore an independent, rigorous and comparable audit is necessary to ensure that the information is a true reflection of the services provided against similar sized water utilities. This information is used to provide information to the Shoalhaven community regarding the performance of its local water utility.

SA16.38 Acquisition of Easement for Water Supply at Terara

HPERM Ref: D16/319958

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Sketch Plan - Proposed Water Supply Easement [↓](#)
2. Plan - Existing Easement to be extinguished [↓](#)

Purpose / Summary

This report is submitted to seek Council approval to acquire an Easement for Water Supply 3 metres wide over Lot 1 DP579451 at Millbank Rd, Terara from Derek Glenn and extinguish an existing water supply easement.

Recommendation

That Council resolve to

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.

Options

1. Resolve as recommended. The work was required to provide improved water supply services.
2. Not resolve as recommended and provide further directions to staff.

Background

As part of the minor watermain renewal program works have been undertaken on the above property. The pipeline works have been completed and the acquisition plan will be completed upon final survey of the pipeline route.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation at \$8,500, excluding GST. A conditional offer was made at that amount, plus reasonable legal costs. The property owner, Mr Glenn has advised that the offer is acceptable.

The compensation has been based on an estimated easement area of 1,880 square metres. If necessary, the compensation is to be adjusted in accordance with the area determined by the final survey.

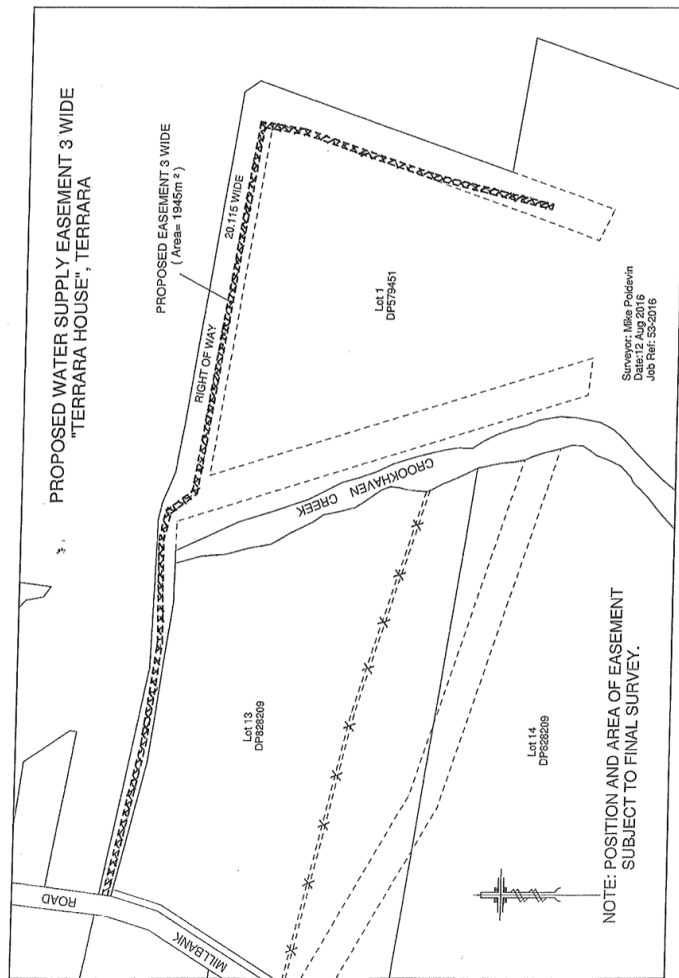
The existing easement identified as redundant will be extinguished concurrently on the creation and registration of the new easement.

Financial Implications

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

Risk Implications

Creation of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure. The proposed action is administrative and has no environmental impact.





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

HPERM Ref: D16/325611

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Easement Plan - Mount Vista Close [↓](#)

Purpose / Summary

This report is submitted to seek Council approval to extinguish an obsolete Easement for Water Supply over Lot 17 DP258913, Property No. 6 Mount Vista Close owned by MJ & AM Lans.

Recommendation

That Council resolve to

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.

Options

1. Resolve as recommended. The easement is no longer required by Council
2. Not resolve as recommended and provide further directions to staff.

Background

The subject property is a large residential home site improved with a dwelling. It is substantially affected by an easement across the land. The owners have requested that the easement be removed from their title as they wish to undertake an extension to the dwelling over the position of the easement.

The easement is obsolete. Shoalhaven Water Operations has advised that the easement was associated with the early Berry/Shoalhaven Heads Water Supply system, has not been required for many years and there is no need to use it again. There are no pipes within the easement recorded on Council's GIS.

Whilst there are no pipes recorded on Council's GIS, it is expected that an abandoned cast iron pipe is located within the easement. The landowner has agreed to take responsibility for the pipe after the easement is extinguished.

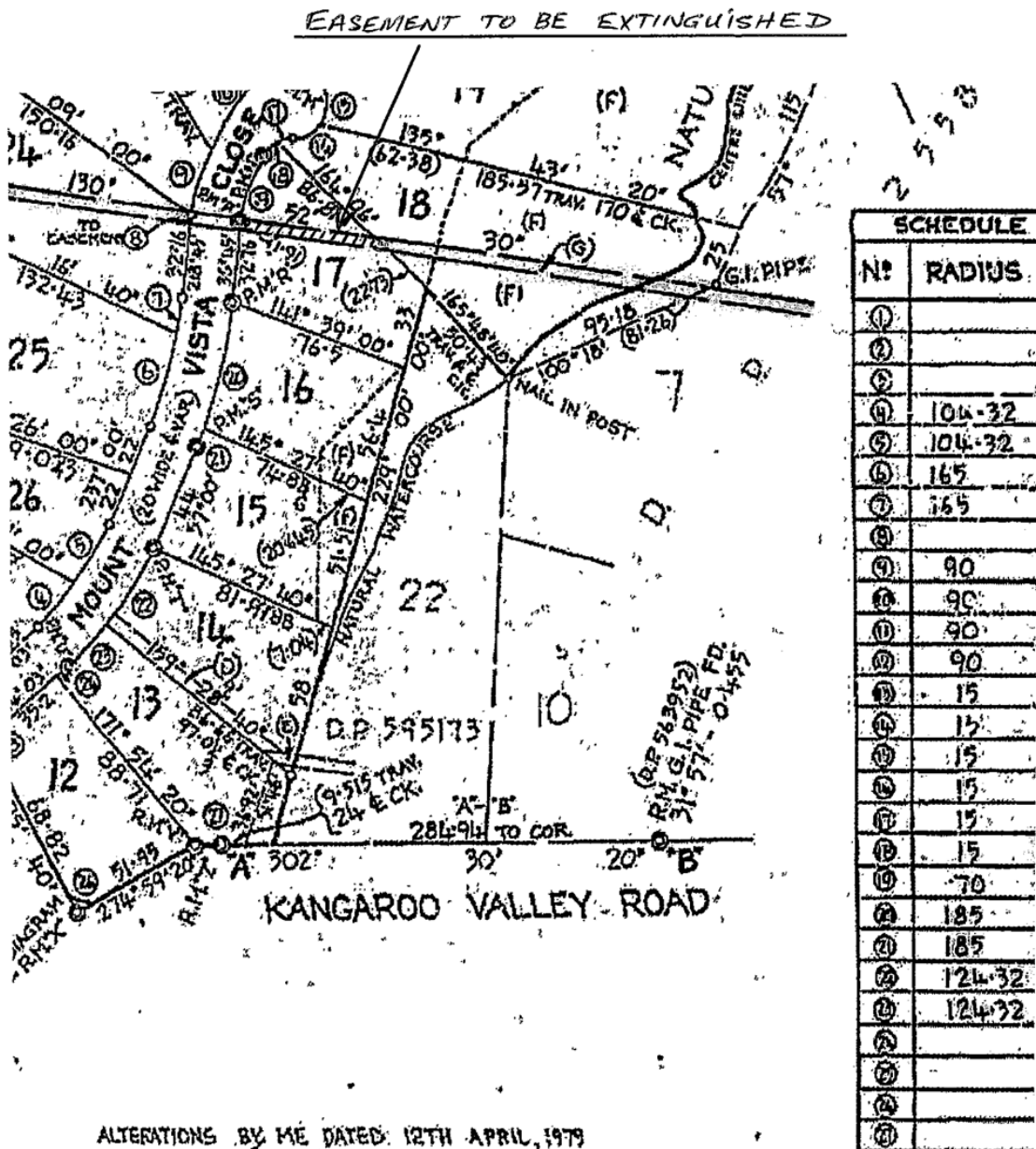
Financial Implications

Council is to meet costs to extinguish the easement from Shoalhaven Water's Water Fund.

Risk Implications

The proposed action is administrative and has no environmental impact.

ATTACHMENT 'A' – EASEMENT PLAN



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

HPERM Ref: D16/336427

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Plan of easements to be acquired [↓](#)

Purpose / Summary

This report is submitted to seek Council endorsement to acquire:

- An Easement for Water Supply variable width over Lot 22 DP576042 at 20 Wason Street Ulladulla from Antonio Capogreco for compensation of \$2,000, and
- An Easement for Water Supply 0.1 wide over Lot 11 DP856300 at 2/18 Wason Street Ulladulla from Antonio Capogreco and Rosa Capogreco for compensation of \$2,000.

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.

Options

1. Resolve as recommended. Acquisition of the easements is required to formalise a water supply line to an adjoining property.
2. Not resolve as recommended and provide further directions to staff.

Background

Property No 18 Wason Street has been subdivided into Lots 10 and 11 DP 856300 (Nos 1/18 & 2/18 respectively) in separate ownerships. The water connection to Lot 10 is at the rear of the property and cannot be connected at the street frontage of that lot as a substantial commercial building occupies the whole site.

The water service from Wason Street to Lot 10 now runs through a narrow gap between the buildings on Lots 22 and 11 (both owned by the Capogreco family) and then attached to a

rear wall on Lot 11. A new water meter has been installed at the Wason Street boundary of Lots 22 and 11.

The easements are required to formalise the water supply to Lot 10 from Wason Street over the adjoining properties. Agreement has been reached with the Capogreco family to pay compensation of nominal \$2,000, plus GST if applicable and reasonable legal costs, for each of the easements over Lot 22 DP576042 and Lot 11 DP856300.

Financial Implications

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

Risk Implications

Creation of the easement is necessary to secure Shoalhaven Water's legal access for the supply of essential public infrastructure. The proposed action is administrative and has no environmental impact.



SA16.41 Research Grant Proposal - University of Wollongong

HPERM Ref: D16/346129

Group: Shoalhaven Water Group
Section: Shoalwater Operations & Maintenance

Purpose / Summary

The purpose of this report is to seek Council approval to enter a collaborative partnership between Council and the University of Wollongong based on an Australian Research Council (ARC) Linkage Grant proposal for the development of an integrated data concentration system for sewerage reticulation networks. This system will enable real time reporting of gravity sewerage system performance. The innovative approach will assist with developing mitigation strategies to reduce sewer overflows to the environment. The project will also develop a greater understanding of system performance and allow prioritisation of inflow and infiltration investigations.

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.

Options

1. Council agree to the recommendation as presented.
2. Council do not agree to the recommendation.
3. Council could seek further details on the proposal.

Background

Since 2010, Shoalhaven Water has been undertaking a program whereby a number of undergraduate engineers from the University of Wollongong have been employed as trainee engineers during university holidays and at other times as their schedules allowed. This has been a successful program whereby local undergraduates have had the benefit of gaining real work experience and Shoalhaven Water has gained the benefit of different thinking and paradigms. A former Shoalhaven Water trainee (who is now studying for her PhD at the University of Wollongong) acts as a liaison and mentor for the current trainees.

For the last 18 months 3 trainee engineers have been employed within Shoalhaven Water, one of whom is finishing her degree this year. Her final year thesis focussed on the development of a performance measuring device for improved monitoring of sewer pump stations, and was based on trials that she undertook on Shoalhaven Water assets. This is one example of how mutually beneficial outcomes have been achieved in the program.

Due to this ongoing successful relationship with the University of Wollongong, Shoalhaven Water have been exploring ways in which further innovation and research could be applied. The University has now approached Shoalhaven Water with a research proposal involving an

integrated wireless radar sensor network that reports in real time on water levels across the Shoalhaven Water network. In addition to real time reporting, modelling would be performed that will predict overflow events and inform mitigation strategies that will result in significant savings in both manpower and associated costs with such overflow events. This proposal has been initiated due to the capability and research potential of another trainee engineer currently engaged with Shoalhaven Water.

The proposal suggests a collaboration between the University of Wollongong and Shoalhaven Water on an Australian Research Council (ARC) Linkage Grant.

The Australian Research Council's Linkage funding schemes aim to encourage and extend cooperative approaches to research and improve the use of research outcomes by strengthening links within Australia's innovation system and with innovation systems internationally. Linkage promotes national and international research partnerships between researchers and business, industry, community organisations and other publicly funded research agencies.

The UOW qualifies under Federal government priority for soil and water and environmental change. This particular project would fit under the Engineering and Technology research discipline inside the ARC. Research projects are funded up to a maximum of 5 years. Under recent new rules there is no deadline for applications and a fast 8 week turnaround time.

The University of Wollongong has been involved in a number of ARC linkage grants with industry and the state government sector. This proposal seeks a cash and in-kind contribution (\$33k cash and \$100k in-kind for 3 years). The IP agreement would be a 50-50 split in IP rights. Shoalhaven Water staff have been carrying out an ongoing program of infiltration and inflow investigation and remediation and has an ongoing budget committed to these activities and this would be the source of funds and resources should we be successful with this proposal. The ongoing management of aging gravity sewer systems is a major challenge that has far reaching cost implications into the future. This proposal attempts to bring an innovative and cost-effective approach to future strategies.

Financial Implications

Shoalhaven Water staff have been carrying out an ongoing program of infiltration and inflow investigation and remediation and has an ongoing budget committed to these activities and this would be the source of funds and resources should we be successful with this proposal.

SA16.42 Notice of Motion - Huskisson Sewerage Scheme - Woollamia Village Extension

HPERM Ref: D16/338343

Submitted by: Cllr Greg Watson
Cllr Kaye Gartner
Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That Council

1. Make an application to the NSW state Government for a subsidy under the new subsidy scheme to assist with the extension of sewer to Woollamia Village area
2. Carry out a scoping study and detailed design
3. should there be a significant delay in the receipt of the subsidy this be the trigger for another report from the General manager to enable Council to consider fully funding the extension itself.

Background

The connection of town sewer to Woollamia Village is paramount and should be completed as soon as possible. Residents have waited far too long and can no longer tolerate the unhealthy seep-away systems or expensive pump-out systems. All systems emit an unpleasant odour constantly. Following heavy rainfall some homes are being flooded with raw effluent and this of course ends up in storm water drains which then flow into Currumbene Creek Jervis Bay. A young family have to resort to taking their young children to the boat ramp toilet block or into Huskisson (for several days) as their toilet is inoperable during heavy downpours. During winter they had effluent floating in their yard. Not a healthy environment for children. These conditions are almost third world! One elderly resident called Woollamia the "forgotten village" as it seems most Shoalhaven townships have sewer connected but Woollamia does not.

Note by the General Manager

Previous funding applications under the NSW Government's Country Towns Water Supply and Sewer Program for the provision of sewerage to Woollamia were not successful. This Program is due to end in June 2017 and no other projects can be added to the current list. No formal advice has been forthcoming from the state government regarding any potential scheme funding after June 2017, but it is understood that some discussions about a new program may have been initiated within the state government.

Preliminary work on a concept for Woollamia has already been carried out – such a scheme would involve the provision of pressure sewer to approximately 110 existing lots at a cost of approximately \$2.5 million.

Council's sewer fund is fully committed for the next 3 years with both extensive loans and works program. Modelling of the inclusion of Woollamia in a 5 year program can be carried out to estimate the impact on sewer charges for the city.

SA16.43 Notice of Motion - Marriott Park - All Day Car Park Proposal

HPERM Ref: D16/342616

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 (Item to be determined under delegated authority)

That Council abandon its plan to develop an all-day car park within the grounds of Marriott Park.

Background

I believe Council has plans to develop part of the Marriott Park area as an all-day car park. If this was to happen it would be an absolute tragedy in terms of the historical and social fabric of Nowra. The Girl Guides Hall, the Rotunda, and Gateway, as well as the Park are significant historical items. If my memory serves me correctly I believe the Gateway was funded by a bequest from the Marriott family. Both the Guides Hall and Rotunda are significant historical items.

Marriott Park itself was the first formalised passive recreational park developed for the people of Nowra and has always been favoured by families with young children. The need for the preservation of this open space in the middle of Nowra is even more important following the adoption of the new local environment plan which zoned significant parts of the adjacent streets for higher density development.

Over the years Council has endeavoured to acquire additional properties to increase the available open space within the park area. One of those acquisitions was the house currently being used as a neighbourhood centre. The neighbourhood centre was only intended as an interim use with the ultimate intention of demolition of the house to add additional open space to the park itself. On occasions Council can lose sight of the original objectives and intentions with some of these acquisitions and plan to resell or redevelop them for community purposes, these are very important strategic additions to our open space portfolio.

When the East Street deviation was developed in the early 1980s a significant slice of land was taken off the eastern side of the park reducing its overall area, this acquisition by the roads authority also required the relocation of the historic Gateway entrance. Within the next 10 years unfortunately there will be another slice taken off the eastern side of the park to facilitate the construction of an additional traffic lane. This just highlights how precious and important the remaining land is for the future passive recreational requirements of present and future residents who will live in that precinct.

Note by the General Manager

Council resolved at its Strategy & Assets Committee meeting on 8 December 2015 that:

“Consultation and the planning process be commenced for all short-term parking options (in the Nowra CBD Car Parking Study).”

The edge of Marriot Park, adjacent to the Church car park and in line with the existing car parking off Douglas Street was one of the short-term parking options and many other sites such as McGrath Avenue parking adjacent to Harry Sawkins was also proposed to be extended.

Planning and community consultation has not commenced so the desirability of this location and the extent for parking has not yet been assessed or determined.

There is no plan to impact the Rotunda, Girl Guides Hall or gateway and the intension was to identify a strip of land on the edge adjacent to the existing car park.

The Council report at the time advised that Marriot Park needed additional consideration beyond that of the consultant’s advice and alternative options may be brought forward such as McGrath Avenue. This is now the priority as reported to Council on 16 August 2016 and is undergoing design.

Eliminating the Marriot Park option before final concept design and proper community consultation will reduce the potential car parking options to meet all day demands for the broader CBD precinct during the working week and also reduce potential for better parking & access for community wishing to use the Park on weekends.

SA16.44 Notice of Motion - Marriott Park - All Day Car Park Proposal

HPERM Ref: D16/344459

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 (Item to be determined under delegated authority)

That the Director of Assets and Works explain to council what the proposal was for Marriott Park.

Background

It has been publicly stated that the former council was going to turn Marriott Park into a car park. It is important that the community hears the real facts behind this blatant lie and so stop the continuing release of misinformation.

Note by the General Manager

Council resolved at its Strategy & Assets Committee meeting on 8 December 2015 that:

“Consultation and the planning process be commenced for all short-term parking options (in the Nowra CBD Car Parking Study).”

Planning and community consultation has not commenced, so the desirability of this location and the extent for parking has not yet been assessed.

SA16.45 Notice of Motion - Long Term Parking Facility Proposal - Bomaderry Railway Station

HPERM Ref: D16/342832

Submitted by: Cllr Nina Cheyne

Purpose / Summary

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

Recommendation

That a report come to Council on the availability of land in the vicinity of the Bomaderry Railway station to be used for all day/night parking and, if available, the feasibility of creating all-day/all-night parking, with disabled access included.

Background

The existing parking areas are often used by local workers and long-term travellers, causing lack of parking for rail day-trippers. Safe parking for train passengers is needed. This issue was raised at the Pride of Bomaderry meeting on the 26th October 2016

Note by the General Manager

In March this year following representations by Shoalhaven City Council, the Minister for Transport and Infrastructure advised that the NSW Government's Transport Access Program will provide funds for accessibility upgrades around transport interchanges and that long term parking at Bomaderry Station will be considered when stations across the network are being assessed to see which projects come next. However, no advice has been received that parking at Bomaderry has any priority for funding.

Although the NSW Government could develop further car parking on its land in Bomaderry, this may be unlikely. There is currently only one vacant property close to the Bomaderry railway station which may be suitable for the development of a car park.

The property is currently privately-owned. The feasibility of developing a car park on this site would depend on:

- The owner's willingness to sell the property
- The proposal meeting all development controls
- Council's acceptance of a car park being developed in a prominent location in the centre of the Bomaderry shopping centre and
- Council securing funding of up to \$800,000 to acquire the property and build a car park

The focus of Council in recent years has been providing car parking in Huskisson, Berry and Nowra CBD.

SA16.46 Notice of Motion - Public Toilet Block - North Nowra

HPERM Ref: D16/344303

Submitted by: Cllr Nina Cheyne

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That a report come to Council on the feasibility of building public toilets in the vicinity of the North Nowra (shopping centre?) precinct, especially for the convenience of the elderly people walking in the area.

Background

There are no public toilets in the vicinity. Toilets in the gym are not available to the public and the toilets at the garage are inappropriate for public use.

Note by the General Manager

Overview of Toilets in the Shoalhaven

The request has previously been raised and is already on the [list of 34 requested locations for a public toilet](#).

Shoalhaven City Council has **119 public toilets** which are provided in areas of high demand associated with the use of other services such as:

- commercial/shopping centres
- parks or
- waterway facilities

There are many other toilets provided at sporting facilities, 12 of which are opened for public use and others for use by patrons during events.

Overview of toilets in Shoalhaven CBD areas

There are **49 Towns/ localities in the Shoalhaven** of these

- 6 have toilets in the CBD
- 19 have toilets available on the fringe of the CBD within a 500 metre walk of the post office and have combined usage with another service (e.g. Park or waterway).
- 7 have toilets provided by a large shopping centre (**such as North Nowra**)
- 17 have no public toilets in the centre of town and rely on commercial businesses.

Overview of toilets in North Nowra CBD

- North Nowra Shopping Precinct is on privately owned land zoned Business B1.

- The Development Consent would usually require toilets for use by patrons
- Council owns land
 - to the west of the shopping centre which houses the North Nowra Community Centre that provides toilets for patrons
 - further to the west - Sharman Park which is sporting precinct.
- Businesses such as the Gym, Tavern and Service station provided toilets for patrons.
- Based on Council not owning land consisting of either a carpark, park or reserve in the Shopping Precinct it is difficult to justify against other priorities.

Financial implications

The cost to build a simple design single unisex toilet and service is estimated at \$55,000, plus services (water, sewer & electricity).

Annual operating costs are estimated to be \$5,340 per annum as follows:

- maintenance costs (\$1,000),
- cleaning with regular visits (\$3640) and
- insurance (\$100)
- electricity (\$400).
- sewer & water (\$200)

The whole-of-life cost for a 50 year design life at 3% inflation and allowing for programmed painting and renewal is over \$500,000.

Councils current commitment is to fund renewal of existing public toilets, such as at Bendalong Boat ramp and Ulladulla sea pool, in public areas and to make these fully accessible compliant.

SA16.47 Notice of Motion - Bomaderry Railway Station to Nowra CBD - Bus Services

HPERM Ref: D16/344426

Submitted by: Cllr Nina Cheyne

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That a report come to Council on the feasibility of either:

1. subsidising a shuttle bus service from Bomaderry Railway station to the Nowra CBD; or
2. facilitating a process whereby the current bus companies agree on a suitable time-table system to provide timely bus services between the station and the CBD and beyond, if appropriate.

Background

There is currently no public transport between the station and the town area of Nowra that is coordinated with train timetables, often leaving arriving train passengers stranded.

Note by the General Manager

Following a review of timetables it appears bus companies currently provide services which meet every scheduled train, between 7am and 7pm Mondays to Fridays, and between 8am and 1pm on Saturdays. It is unlikely that bus companies will extend their services into the low demand periods on weekends.

The annual cost to run a shuttle bus service on Saturday afternoons and Sundays could be over \$50,000.

SA16.48 Notice of Motion - Climate Change Action Committee

HPERM Ref: D16/349553

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That the SCC reinstate the Climate Change Action committee.

Background

A fund of \$500 million has just been announced to fund research and responses to climate change. SCC needs to be in a position to access these funds for initiatives that will protect our coastal resources, and increase resilience throughout our community in the face of predictable and unpredictable impacts of the climate change. Further, the Shoalhaven must be in a position to support the Australian Federal Government as it aims to reach its commitments to the Paris Climate Treaty just signed.

Note by the General Manager

It is suggested that the formation of a "Working Party" rather than a formal Committee may impact less on available staff resources but still be an effective forum where councillors & staff can consider the key issues & priorities.

SA16.49 Notice of Motion - Community Solar Conference

HPERM Ref: D16/349555

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That Council include the Community Energy Congress in its allowable conferences for council and staff attendance.

Background

Community Solar is a growing arm of the renewable energy movement which generates revenue in local communities from local energy production. This congress has a workshop (contained in the side events program) for councillors on the agenda in 2017 which could be invaluable for SCC councillors and staff as we progress to energy solutions that contribute to reduction in greenhouse gases and reduce our dependence on fossil fuel, in line with the Paris Agreement.

Note by the General Manager

The Community Energy Congress is being held in the Melbourne Town Hall, Melbourne Victoria on 27-28 February (with side events on Sunday 26 February & Wednesday 1 March 2017).

Costs associated with the congress are estimated as follows:

- registration : 1 Day - \$580 (early bird \$480 – available until Christmas Eve)
2 Day - \$880 (early bird \$780 – available until Christmas Eve)
- travel, accommodation and out of pocket expenses : not yet determined.

For further information relating to the congress follow this link <http://c4ce.net.au/congress/>

Suggested alternate recommendation

That Council

1. *Notes the details of the Community Energy Congress scheduled for 27-28 February (with side events on Sunday 26 February & Wednesday 1 March 2017) in the Melbourne Town Hall, Melbourne Victoria.*
2. *Authorises available Councillors to attend the conference and such attendance be deemed Council Business.*
3. *Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.*
4. *Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.*

SA16.50 Notice of Motion - Australian Coastal Councils Management Committee

HPERM Ref: D16/349560

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That the council nominate Councillor Kaye Gartner for the current vacancy on the Australian Coastal Councils Management Committee.

Background

The ACCA (formerly The Seachange Taskforce) is calling for nominations to the National Management committee. As above, this role would engage SCC in the national debate on response to climate change.

SA16.50

SA16.51 Notice of Motion - Moona Moona Creek, Huskisson - Pedestrian Walkway

HPERM Ref: D16/349972

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 (Item to be determined under delegated authority)

That the Director of Assets and Works please advise where stage 2 for Moona Moona Creek is at in regards to the widening of the pedestrian walkway.

Note by the General Manager

A design has been completed of the proposed shared path bridge over Moona Moona Creek, and opportunities are currently being investigated for grant funding for construction. The State Government unfortunately changed the guidelines under the active transport program this year, such that shared path bridges were no longer allowed to be submitted. This was later corrected by the State Government however this was after Council had already lodged applications for the 17/18 year.

If shared path bridges are allowed to be submitted under the active transport program in 2017, this can be considered, however Council will have to provide matching funding. The works for standalone bridges at Moona Moona Creek are estimated to cost \$800,000 and similarly Chris Creek \$600,000 (combined \$1.4M) of which Council would have to fund \$700,000 (if approved).

There is a risk of nominating projects this high in cost that may not be approved (given the limited funding under the Active Transport program), and this could also place at risk all other nominations city wide. Accordingly other sources of funding may need to be found (other than through the NSW Active Transport program). These make ideal projects for future (State or Federal) funding.

Council have nominated the projects below for funding by the State under the 2017/18 Walking and Cycling Programs (Council will be required to match funds in some cases):

Cycling

1. Bike Racks – 7 locations citywide
2. SUP Deering St, Ulladulla extension to lighthouse (Stage 1)
3. SUP Vincent/Twyford Sts, Vincentia (missing link)

Walking

4. Kerb Ramps – 5 locations citywide (9 ramps in total)
5. Kerb Blister – intersection of Alexandra St and Albert St, Berry
6. Raised Pedestrian Crossing – Meroo St, Bomaderry
7. Pedestrian Crossings (x3) – Owen St and Currambene St, Huskisson.

SA16.52 Notice of Motion - Bus Shelter - Owen Street, Huskisson

HPERM Ref: D16/349991

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 (Item to be determined under delegated authority)

That the Director Assets & Works investigate the costing and feasibility of provision for a shelter over the bus stop, seat on Owen Street Sth.

Background

This seat is used all year mainly by elderly /senior citizens. They are not confident in coming down quickly from the only available shelter that is available under the shop awnings on the higher level.

Note by the General Manager

This bus shelter was not in the CPTIGS application and will not be in this year's budget. However, the cost for a new shelter is \$8000 and then any other ancillary items and installation will add \$2000.

SA16.52

SA16.53 Notice of Motion - Road Maintenance - Jervis Bay Road / Huskisson Road intersection

HPERM Ref: D16/350014

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 (Item to be determined under delegated authority)

That the Director Assets & Works give an update on where council is at on the proposed work to be carried out on the Huskisson turnoff on the Jervis Bay Road entrance into Huskisson.

Background

Some months ago the Huskisson chamber of commerce handed council a cheque for \$20,000 towards the cost of this work, yet no details as to when the work will commence.

Note by the General Manager

Design of signage was agreed with business chamber in May. Following this, a structural design, landscaping and lighting design was completed by July. Sign fabrication had commenced and a meeting was then held updating the Business Chamber. The Chamber have now been advised that a lighting and landscape contractor and stone mason have been engaged and are commencing on site on the 15th of December. Unfortunately the limited availability of stone masons will see the works commence later than the Huskisson Chamber of Commerce envisaged.

SA16.53

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.