

Ordinary Meeting

Meeting Date: Tuesday, 23 May, 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:00pm

Membership (Quorum - 7)
All Councillors

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

Agenda

1. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting - 26 April 2017
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
10. **Notices of Motion / Questions on Notice**

CL17.122	Notice of Motion - Pedestrian Access - Mollymook Beach - Mitchell Parade	1
CL17.123	Notice of Motion - Development Applications - Lodgement & Processing	3
CL17.124	Notice of Motion - Pedestrian safety - North Nowra and Havenlee School Communities	5
CL17.125	Notice of Motion - Residents Rates Guarantee	7
CL17.126	Notice of Motion - Council Contribution - Plastic Free July	12

11. Committee Reports

CL17.127	Report of the Strategy & Assets Committee - 16 May 2017.....	13
SA17.119	Proposal to commence Part Year Rating	
SA17.120	March 2017 Quarterly Budget Review	
SA17.123	Grant Funding - Sanctuary Point Shop CCTV additional cameras	
SA17.124	Shoalhaven Tourism Advisory Group - Quorum and Membership	
SA17.126	Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees, and the Categorisation of Councils 2017/18	
SA17.129	Outdoor dining on public footpaths - Review of fee waiver	
SA17.132	Surrender of Lease - Reflections Cafe - Slice of Life	
SA17.133	Old Bakery - Disposal of property 124 -126 Jacobs Drive, Sussex Inlet	
SA17.138	Extinguishment of Water Supply Easement - 55 Meroo Road Bomaderry	
CL17.128	Report of the Shoalhaven Traffic Committee - 9 May 2017	16
TC17.20	Centre Line Marking and No Stopping Extension - Tallwood Avenue, Mollymook Beach (PN 3341)	
TC17.21	Crossing Upgrades - Cambewarra Rd, Bomaderry, Moss St, Osborne St and North St, Nowra, Emmett St, Callala Bay, Hawken Rd, Tomerong and Green St, Ulladulla (PN 3362)	
TC17.22	No Stopping Zone - Intersection Princes Highway and Crescent Street, Ulladulla (PN 3380)	
TC17.23	Double Barrier Centre Line Marking - Sanctuary Point Rd, Sanctuary Point (PN 3381)	
TC17.24	No Stopping Zone - Duncan Street, Vincentia (PN 3382)	
TC17.25	Centre Line Marking & Warning Signage - Donlan Road & Garside Road, Mollymook Beach (PN 3383)	
TC17.26	Car & Trailer Combination Only Parking - Boat Harbour, Bendalong (PN 3384)	
TC17.27	Parking Restrictions - Red Point Road, Bendalong (PN 3385)	
TC17.28	No Stopping Zone - Lister Court, Hyams Beach (PN 3390)	
TC17.29	Disabled Parking Space - Crookhaven Heads Boat Ramp, Culburra Beach (PN 3391)	
TC17.30	Disabled Parking Space - Parkes Crescent, Callala Beach (PN 3392)	
TC17.31	Road Weight Restriction - Upper Kangaroo River Road, Barrengarry (PN 3393)	
TC17.32	Raised Pedestrian Crossing - West Birriley Street and North Tarawal Street, Bomaderry (PN 3351)	

12. Reports

CL17.129	Performance Audits.....	39
----------	-------------------------	----

CL17.130	Sale of Council Employment Land - Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW	40
CL17.131	Sale of Council Employment Land - Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW	42
CL17.132	Investment Report April 2017	44
CL17.133	Corporate Business System & Services - Evaluation & Recommendation Tender Report	47
CL17.134	Proposal for the Development of an Aged Care Facility on Crown Land at Shoalhaven Heads	49
CL17.135	Proposed Affordable Housing Project at North Nowra	55
CL17.136	Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia	57
CL17.137	Proposed Licence to Council of 'Waratah Park' 49 Meroo St, Bomaderry	58
CL17.138	Acquisition of 109, 111, 111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct	63
CL17.139	Tenders - Bendalong Road Conjola - Blackspot Road Work and Shoulder Widening	64
CL17.140	Tenders - Report Woollamia Boat Ramp and Pontoons Construction	66
CL17.141	Construction of New Waste Transfer Station - West Nowra	68
CL17.142	Management & Operation of Comerong Island Ferry Service Tender	70
CL17.143	Progress Report - Nowra CBD Revitalisation Committee - Strategy Implementation	72
CL17.144	Australian Coastal Councils Conference	83

13. Confidential Reports

Committee Reports

CCL17.21 Report of the Strategy & Assets Committee - 16 May 2017

CSA17.9 Renewal Agreement - Illuminated Street Name Signs - Claude Outdoor Pty Ltd

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.

CSA17.10 Proposed Deed of Agreement with adjoining owner - Lot 25A DP5996 Bryces Road, Far Meadow

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

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.

Reports

CCL17.22 Code of Conduct Complaint - Report by Conduct Reviewer

Local Government Act - Section 10A(2)(i) - Alleged contraventions of any code of conduct requirements applicable under section 440.

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions and/or found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided.

CCL17.23 Code of Conduct Complaint - Report by Conduct Reviewer

Local Government Act - Section 10A(2)(i) - Alleged contraventions of any code of conduct requirements applicable under section 440.

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions and/or found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided.

CCL17.24 Corporate Business System & Services - Evaluation & Recommendation Tender Report

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.

CCL17.25 Proposed Affordable Housing Project at North Nowra

Local Government Act - Section 10A(2)(d)(ii) - Information that would, if disclosed, confer a commercial advantage on a competitor of the council.

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to undermine competitive neutrality in connection with any functions of an agency in respect of which it competes with any person or otherwise place an agency at a competitive advantage or disadvantage in any market.

- CCL17.26 Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia

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.

- CCL17.27 Proposed Acquisition of land required for the Far North Collector Road

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.

- CCL17.28 Acquisition of 109,111,111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct

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

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.

- CCL17.29 Tenders - Bendalong Road Conjola - Blackspot road work and Shoulder Widening

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.

CCL17.30 Tenders - Woollamia Boat Ramp and Pontoon Construction

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.

CCL17.31 Tenders – Construction of New Waste Transfer Station - West Nowra

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.

CCL17.32 Management & Operation of Comerong Island Ferry Service Tender

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.

CL17.122 Notice of Motion - Pedestrian Access - Mollymook Beach - Mitchell Parade

HPERM Ref: D17/154969

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That Council provide pedestrian access at the rear of foreshore properties along Mitchell Pde, Mollymook Beach. A passage-way needs to be cleared behind the homes at 14-20 and 88-92 Mitchell Pde by clearing a small amount of scrub to allow people to walk comfortably. In addition, an inspection of "private property" or "no trespassing" signs appears to be required in order to determine whether they are appropriately located.

Note by the General Manager

It is recommended that Council defer a decision on this matter to allow further investigation, a councillor inspection and/or councillor briefing to discuss all implications, including costs, impact on dune & vegetation and whether a practical solution is feasible.. It is understood that some encroachments also need to be addressed.

This issue was raised in 2015 and again in 2016 when Council (previous term) was undertaking beach nourishment works in front of the houses along Mitchell Parade. The Ulladulla & District Community Forum also recently requested the installation of the track in April this year. The request was not supported for the reasons outlined below, which was explained to the CCB and followed up in writing.

It is appreciated that some members of the community may have utilised this area for a walk in times past, however, no formal track has been developed at this location in the past. A new track has not been developed in this location due to the following reasons:

- Coastal hazard impacts this location is identified within the immediate risk zone. Recent nourishment of dune and installation of the Blackwater Creek training wall to protect private and public assets, at a cost of approximately \$700,000, is evidence of risk management measures already required.
- Vegetation disturbance likely to increase coastal hazard risk along reserve and to adjoining properties. Council's coastal hazard report recommended the reduction of pedestrian access along this area to reduce pressures on dune vegetation to enhance the resilience of dune landforms.
- Minimal width of Council reserve at some locations – approx. 7m max. only.
- Funding and maintenance costs for an additional walking track – currently minimal budget at present for existing 35km of walking tracks.

CL17.122

- Availability of walking opportunities in immediate area – along beach within 30m of reserve OR shared path within 40 m of reserve OR other local formalised walking tracks listed below.

Opening up the dune vegetation to develop a track would significantly contribute to the coastal hazard risks already identified for Mollymook Beach and particularly at this location of the beach. The sand removed from the dredging operation at Lake Conjola was relocated onto the toe of the dune to ensure no damage occurred to the existing natural dune vegetation. This additional sand was then vegetation in consultation with property owners, to increase its resilience to storms and encourage further sand build-up. This project was a significant community investment aimed at protecting private and public assets in this location.

The decision not to install a formalised track in this location is based on maximising protection and preservation of the dune that contributes directly to the protection of the private properties and public assets at the site.

There are a number of existing formal walking tracks/shared paths around Mollymook/Ulladulla area. Council's current budget allocation for walking track does not provide sufficient funding to adequately manage the existing walking track assets and budget bids over the past several years requesting an increase to manage these assets have not been supported by Council.

CL17.123 Notice of Motion - Development Applications - Lodgement & Processing

HPERM Ref: D17/154983

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That a report be prepared for Council which includes a range of options to streamline and modernise the lodgement and processing of development applications. The report should include but not be restricted to innovations from other councils and the greater use of technology and on-line possibilities which are available.

Note by the General Manager

Planning, Environment and Development would welcome the opportunity to update Councillors on their efforts to streamline the lodgement and processing of development applications. The teams have been working in this space for the last 12-18 months and many significant changes have already been implemented including:

- The standardisation of naming protocols for documents submitted for seamless upload to TRIM
- Acceptance of applications on disk or USB (active since 01/07/2016)
- Use of TRIM as the electronic record (no paper files) and the creation of sub-folders to assist with locating documents, assessments, submissions, amendments, etc
- Electronic checklists have been overhauled and updated incorporating LEP and DCP requirements in drop-box format so nothing is missed.
- Updated electronic referrals for internal and external agencies
- Updated standardised conditions of approvals (nearing completion)
- Electronic stamping of plans and documents
- Development assessment officers are preparing electronic consents with electronic signatures.
- Approvals are now being released to the cloud for clients pick-up

The one missing part to the puzzle is the front end submission and the associated payment of fees. It is envisaged that clients will soon be able to lodge their applications from the comfort of their office or home. Testing of the electronic submission of applications via email drop-box was completed in February to May 2017. This was based on the model used by Inner West Council (the recently amalgamated Ashfield, Marrickville and Leichhardt Councils). The process worked well but it identified a need for extra resourcing and training of staff in the vetting of applications because this took quite some time to complete.

CL17.123

Clients generally liked the new electronic submission system including the heads up on what big ticket items needed to be addressed with their application. If an application was to be accepted, a tax invoice would be issued and upon payment it was registered and became active. A benefit to Council is that the vetting is done before the application goes live. This significantly improves the overall turnaround times.

With the completion of the conditions of approval and the ironing out of the front end issues, Shoalhaven will be able to go fully electronic from “Hatch to Dispatch”. This has been quite a journey and the staff should be congratulated on their fine efforts.

As well as the work being done internally the Department of Planning is pushing ahead with the establishment of a NSW Planning Portal to enable planning information for every Council to be available online and the digital submission of development applications. We are positioning ourselves to be able to take advantage of this opportunity and part of that will come with the proposals for the update of Council’s software systems generally which should facilitate integration with the planning portal.

CL17.124 Notice of Motion - Pedestrian safety - North Nowra and Havenlee School Communities

HPERM Ref: D17/157128

Submitted by: Cllr Andrew Guile

Purpose / Summary

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

Recommendation

That Council urgently address the construction of a footpath on the northern side of Page Ave from Pitt Street in the west to Judith Drive to the east where currently there is a well-worn goat track, which has trees growing across it which at times forces pedestrians onto the road or into private properties.

Background

Staff at the schools have been working with the school community, Council Rangers and police to increase safety and smoother traffic flow for the arrival and departure of students each day. They have recently had a number of near misses on bikes and with children running out between cars in the Judith Drive area near the big Kiss and drop round about on the school property. The situation has become more difficult with increase bus movements at Havenlee due to changes in the student transport scheme forcing more parents with disabled children to drive their child to and from school.

To support this work health and safety situation a rule was implemented at the school that no bikes, scooters or skateboards could depart through Judith Drive entrance and had to go to the Page Ave entrance. Unfortunately this action has not been entirely effective because students are unable to use the footpath due to its uneven nature of it to ride. Consequently students are having to ride on the road. This has meant a number of families are ignoring the direction and continuing to use the Judith Drive entrance until there is a safe footpath for their children to use.

Another action that was taken was to encourage more families to walk to and from school by implementing a recognition program at morning assemblies for those students who walked to support the initiative of having more families use the Page Ave entrance to depart the school. Many families have suggested that this is very positive and despite the increased distances they are now walking, they are enjoying more exercise and family time. However they too are saying that the footpath issue is a hindrance and danger to their walking intentions.

Last financial year Council allocated funding to construct footpaths around the North Nowra Public School precinct. Council carried out designs for footpaths around the school precinct, including Page Ave and consulted with the school on the highest priorities. It was identified that the path fronting the school in Judith Drive linking into Gumnut Way was the highest priority, and this path was constructed last year.

A design was carried out for a path on the northern side of Page Ave from Judith Drive to Pitt Street, however there was insufficient funding to complete this path.

The proposed path in Page Ave, and a path in Pitt St are identified in Council's Pedestrian Access and Mobility Plan (PAMP) strategy, however are currently unfunded.

Given the limited scope of works that would mitigate significant health and safety issues, this notice of motion is to accelerate the priority of this work for funding.

Note by the General Manager

The draft 2017/18 Operational Plan budget allocations for new path projects, only provide Council's matching funds for RMS grants. A 2m wide concrete path in Page Avenue, from Judith Drive to Pitt St, is estimated to cost \$150,000 which is not funded. This project has a high priority in the PAMP. If council wishes to change priorities it will need to consider whether priorities in the exhibited program of works (draft DP/OP) could be changed.

	2017/18	2018/19	2019/20	2020/21
Pedestrian Facilities				
Pedestrian Facilities				
Bicycle Racks	10,000	10,200	10,400	10,600
Cycleways - community projects	110,000	110,000	110,000	110,000
Footpath Forward Investigation	0	13,300	13,600	13,900
Footpaths - Replace	306,000	57,100	58,200	59,400
Footpaths/Cycleways - New	0	164,000	167,300	170,600
Huskisson Town Centre Pedestrian Crossing Improvement	184,000	0	0	0
Kerb Ramps	10,000	10,200	10,400	10,600
Pedestrian Infrastructure Around Schools	270,000	0	0	0
Provision of Pedestrian Crossings	20,000	20,400	20,800	21,200
Shared User Path Deering St Stage 1 - Ulladulla	300,000	0	0	0
Shared User Path Vincent/Tyrford Sts Vincentia	380,000	0	0	0
Various Pathway Upgrades	150,000	0	0	0

CL17.124

CL17.125 Notice of Motion - Residents Rates Guarantee

HPERM Ref: D17/157412

Submitted by: Cllr Andrew Guile

Purpose / Summary

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

Recommendation

That Council undertake not to impose any special rating variation above a dollar limit of \$150 and that no residential ratepayer pays more than a 13.2% increase based on 2016 residential rates.

Background

This motion is based on the assumption that Council resolves to impose the full IPART special rate variation and is in that case a fallback position that seeks to protect rate payers from unaffordable increases.

Note by the General Manager

The proposal from the Notice of Motion is quite legally complex and a major variation to the draft Revenue & Rating Policy already on public exhibition. Such a significant change requires more than one working day for staff to fully assess and requires a more comprehensive report back to council for it to understand the implications. One implication is that population centres that have experienced substantial growth in property valuations (well above the average increase for the City e.g. Berry) would be rated at a lower ad valorem rate than other population centres. The proposal, if adopted by council would in any case require a further 28 day public exhibition period once council considered a further report. Some of the relevant legislative provisions to consider would include:

Residential Rate Categorisation

LG Act

493 Categories of ordinary rates and categories of land

(1) There are 4 categories of an ordinary rate and 4 categories of rateable land:

- farmland
- residential
- mining
- business.

(2) These categories may, at a council's discretion, be divided into sub-categories in accordance with section 529.

494 Ordinary rates must be made and levied annually

CL17.125

(1) A council must make and levy an ordinary rate for each year on all rateable land in its area.

(2) Each category or subcategory of ordinary rate is to apply only to land of the same category or subcategory.

499 The base amount

(1) A council may, in a resolution making a rate, specify a base amount of the rate, or a base amount for a category or sub-category of an ordinary rate.

(2) The base amounts so specified may be the same or different amounts.

(3) The appropriate base amount so specified is to form part of the rate levied on each separate parcel of rateable land subject to the rate.

(4) A base amount specified for a parcel of land may not differ from a base amount specified for any other parcel of land within the same category or subcategory unless:

(a) the land values of the parcels were last determined by reference to different base dates, and

(b) the Minister approves the different base amounts.

516 Categorisation as residential

(1) Land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and:

(a) its dominant use is for residential accommodation (otherwise than as a hotel, motel, guest-house, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or

(b) in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or

(c) it is rural residential land.

(1A) For the purposes of this section, a boarding house or a lodging house means a building wholly or partly let as lodging in which each letting provides the tariff-paying occupant with a principal place of residence and in which:

(a) each tariff charged does not exceed the maximum tariff for boarding houses or lodging houses for the time being determined by the Minister by order published in the Gazette for the purposes of this subsection, and

(b) there are at least 3 tariff-paying occupants who have resided there for the last 3 consecutive months, or any period totalling 3 months during the last year,

and includes a vacant building that was so let immediately before becoming vacant, but does not include a residential flat building, licensed premises, a private hotel, a building containing serviced apartments or a backpacker hostel or other tourist establishment.

(2) The regulations may prescribe circumstances in which land is or is not to be categorised as residential.

528 Rate may be the same or different for different categories

(1) The ad valorem amount (the amount in the dollar) of the ordinary rate may be the same for all categories of land or it may be different for different categories.

529 Rate may be the same or different within a category

(1) Before making an ordinary rate, a council may determine a sub-category or sub-categories for one or more categories of rateable land in its area.

(2) A sub-category may be determined:

- (a) for the category “farmland”—according to the intensity of land use, the irrigability of the land or economic factors affecting the land, or
- (b) for the category “residential”—according to whether the land is rural residential land or is within a centre of population, or
- (c) for the category “mining”—according to the kind of mining involved, or
- (d) for the category “business”—according to a centre of activity.

Note. In relation to the category “business”, a centre of activity might comprise a business centre, an industrial estate or some other concentration of like activities.

(3) The ad valorem amount (the amount in the dollar) of the ordinary rate may be the same for all land within a category or it may be different for different sub-categories.

(4) Land may be taken to be irrigable for the purposes of subsection (2) (a) if, and only if, it is the subject of a water right within the meaning of the Valuation of Land Act 1916.

601 Hardship resulting from certain valuation changes

(1) A ratepayer who, as a consequence of the making and levying of a rate on a valuation having a later base date than any valuation previously used by a council for the making and levying of a rate, suffers substantial hardship, may apply to the council for relief under this section.

(2) The council has a discretion to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as it thinks fit.

(3) An applicant who is dissatisfied with a council’s decision under this section may request the council to review its decision and the council, at its discretion, may do so.

Dictionary

rural residential land means land that:

- (a) is the site of a dwelling, and
- (b) is not less than 2 hectares and not more than 40 hectares in area, and
- (c) is either:
 - (i) not zoned or otherwise designated for use under an environmental planning instrument, or
 - (ii) zoned or otherwise designated for use under such an instrument for non-urban purposes, and
- (d) does not have a significant and substantial commercial purpose or character.

OLG Council Rating and Revenue Raising Manual

6.4 Sub-categories of the residential category of the ordinary rate

Before making the ordinary rate, council may determine a sub-category or sub-categories for the “residential” category: section 529(1).

By virtue of section 529(2)(b) of the Act, a sub-category for the “residential” category may be determined according to whether the land is rural residential land or within a centre of population.

It is emphasised that section 529(2)(b) does not permit council to determine sub-categories solely or predominantly on the basis of land value, whether on a property-by-property basis or otherwise. In that regard, if council wishes to minimise the effect of land valuations on total rates payable, the use of base amounts would help to achieve this while not disturbing the land valuation relativities between parcels of land. Determination of sub-categories must be conducted according to the factors set out in section 529(2). Section 601 may be utilised to ameliorate substantial hardship in the case of individual ratepayers.

While section 529(2)(b) does not permit council to determine sub-categories solely or predominantly on the basis of land value, sub-categories can be determined to facilitate large fluctuations in land value in a certain part of a council's area, as long as the sub-categories are determined in accordance with section 529(2)(b).

In the view of the Department, the words centre of population as they occur in section 529(2)(b) of the Act have their ordinary Dictionary meaning.

It is for council to consider the definition when making decisions about sub-categories for the purpose of residential rating.

Nevertheless the following guidelines are provided for councils:

- Separate towns or villages may be regarded as discrete centres of population.
- Wherever contiguous urban development exists the criteria that should be present in order to constitute a centre of population are:
 - o that there is a discernible community of interest amongst the residents which differs from those living outside that part of the area; and,
 - o that part of the council area is independently serviced by infrastructure which reflects the focus of that part of the area as a centre of population.
- A centre of population should not be a device intended to enable rating variations within an homogeneous suburb or suburbs, or by street, or by any special feature such as proximity to water.

It is clear that sub-categorisation on the basis of centres of population may have limited application within the suburbs of the main urban centres.

As to the expression rural residential land, see the definition in the Dictionary at the end of the Act. If a council sub-categorises an ordinary residential rate to apply to "rural residential land" that rate must be applied to all land throughout the area that qualifies under that definition. There is no authority for the council to apply the sub-categorised rate to some parcels of rural residential land and not others.

6.5 Rural residential land sub-categorisation is not mandatory.

Some councils have interpreted the Act as requiring the mandatory automatic sub-categorisation of land as "rural residential land" if it meets the criteria contained in that definition regardless that the councils concerned had no intention of differentiating the ordinary rate proposed to be levied in respect of land categorised as "residential" within their areas.

The correct position is that it is only in cases where the council is intending to establish a "rural residential land" ordinary rate sub-category within its ordinary "residential" rating structure that it will need to assess whether a parcel of land will qualify in terms of the "rural residential land" definition.

Moreover, it is not always a pre-requisite that councils sub-categorise "rural residential land" in order to confer a lower ordinary residential rate for "residential" land situated in rural areas in comparison to the "residential" ordinary rate that will apply to "residential" land within towns and villages etc.

Councils are cautioned that if it is their intention to provide a sub-categorised residential ordinary rate to all residential land outside towns and villages, relying on the use of "rural residential land" sub-categorisation would result in failure to achieve that policy objective. This is because the rural residential land ordinary rate can only be applied to land which fits that definition. All land used for residential purposes outside the towns and villages (which is not farmland) and is less than 2 or greater than 40 hectares in area must fail to qualify for the "rural residential land" ordinary rate as it is not "rural residential land".

The simple and correct method to implement a residential ordinary rate intended to apply to all residential land outside towns and villages is for the council to resolve to make a "residential" ordinary rate that will apply to all land categorised "residential" throughout the whole of its area excepting that land categorised "residential" situated within a designated centre (or centres) of population which can either be some or all of the towns, villages, or portions of the council's area (whose boundaries are defined by acceptable means). The council's resolution then can proceed to attribute a higher residential sub-category ordinary rate to the latter land.

CL17.126 Notice of Motion - Council Contribution - Plastic Free July

HPERM Ref: D17/157562

Submitted by: Cllr John Levett

Purpose / Summary

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

Recommendation

That Council make a contribution of \$1,500 to offset costs in a community led initiative "Plastic Free July" to reduce the amount of plastic in the waste stream and in particular single use plastic bags.

Background

This motion follows on from Motion CL 17.30 at the 28 February Ordinary Meeting which resolved to urge the NSW Environment Minister, Ms Gabrielle Upton, to act on banning single use plastic bags in NSW. Part Three of the Motion reiterated Council's firm desire to transform the Shoalhaven into a "plastic shopping bag free zone." At the February Ordinary Meeting, Judy Deane of Shoalhaven Transition, delivered a well researched and powerful speech on the dangers that plastics represent in the environment, particularly to marine and bird life. Through hard work and persistence, Judy has managed to get the permission of the management of Vincentia Marketplace and possibly Coles Vincentia to erect signs at the entrance of each centre reminding shoppers to be "plastic wise" and to bring a reusable bag. The support of both centre managers is conditional on Council confirming their support for the initiative. Should Council approve the funding assistance it would need to be available in a timely manner so that signs and promotion can be organised well before the July launch.

Note by the General Manager

The Waste Services team is actively working with communities with waste reduction initiatives that focus on litter reduction and minimising the use of single-use plastic bags. Examples include 'Take 3 for the Sea', 'picitup' and Boomerang Bags.

Community champions are the key to achieving success around sustainability and Waste Services staff are identifying and collaborating with these enthusiastic and passionate local individuals to realise their "sustainable town" objective.

Council may choose to support the *Plastic Free July* initiative with a \$1,500 allocation from the Waste Fund.

CL17.126

CL17.127 Report of the Strategy & Assets Committee - 16 May 2017

HPERM Ref: D17/159253

SA17.119 Proposal to commence Part Year Rating

HPERM Ref:
D17/130565

Recommendation

That Council commence Part Year Rating from the 2017/18 Rating Year and approve the creation of a new full-time Rates Officer position.

SA17.120 March 2017 Quarterly Budget Review

HPERM Ref:
D17/130938

Recommendation

That Council:

1. Adopt the March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement;
2. Fund the Sussex Inlet Streetscape improvements for the full scope of works, which will cost Council an additional \$500K. Council has identified \$500,000 in the draft 2017/18 DP/OP & budget documents for "Streetscape renewals" funded by the SRV. This could be allocated to Sussex Inlet Stage 2 if council decides to adopt the 13.2% rate increase approved by IPART.

SA17.123 Grant Funding - Sanctuary Point Shop CCTV additional cameras

HPERM Ref:
D17/133195

Recommendation

That Council accept the Safer Communities Funding to the value of \$31,000 to enable the installation of two additional CCTV units at the rear of the Sanctuary Point Shops and vote the funds for the works.

SA17.124 Shoalhaven Tourism Advisory Group - Quorum and Membership

HPERM Ref:
D17/137336

That:

1. The Terms of Reference for Shoalhaven Tourism Advisory Group (STAG) be amended as follows;
 - a. The membership shall comprise of the following delegates:
 - b. A maximum of 9 skills based Industry Representatives, each position holding one membership vote each
 - c. All Councillors to be recognized as official members, with membership vote limited to two positions, voting Councillors to be nominated to STAG by Council.
 - d. Chairperson of the Shoalhaven Sports Board

CL17.127

- e. A representative of National Parks and Wildlife (NPWS) as nominated by NPWS, holding one membership vote
- f. The Mayor
2. The quorum be set to 7 members.
3. Council delegate to the STAG the following powers
 - a. To endorse the Tourism Promotions budget
 - b. To review the Tourism Promotions budget on a quarterly basis
 - c. To expend the funds from the Tourism promotions budget

SA17.126 Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees, and the Categorisation of Councils 2017/18

**HPERM Ref:
D17/143049**

Recommendation

That Council note the Local Government Remuneration Tribunal review of annual fees and agree to adjust Councillor and Mayoral fees for the 2017/18 financial year to \$19,310 and \$42,120 respectively.

SA17.129 Outdoor dining on public footpaths - Review of fee waiver

**HPERM Ref:
D17/122659**

Recommendation

That:

1. The report be received for information;
2. The waiving of the flat rate continue and outdoor dining fees be reviewed within 12 months;
3. The application fee of \$161.20 commence 1st July 2017.

SA17.132 Surrender of Lease - Reflections Cafe - Slice of Life

**HPERM Ref:
D17/137786**

Clr Gash – SA17.132 - Surrender of Lease - Reflections Café - Slice of Life – less than significant non pecuniary interest declaration – remained in the room and took part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election.

Recommendation

That Council, in its capacity as the Worrigea (R97869) Reserve Trust agrees to the surrender by Slice of Life Australia of the Reflections Café lease as at 31 May 2017.

SA17.133 Old Bakery - Disposal of property 124 -126 Jacobs Drive, Sussex Inlet

**HPERM Ref:
D17/139588**

Recommendation

That Council:

CL17.127

1. Advertise its intention to dispose of the Old Sussex Inlet Bakery in accordance with Policy 16/256 and if no objections are received, authorise the sale by public auction of the property located at 124-126 Jacobs Drive, Sussex Inlet comprised in Lots 97 & 98 DP 21038
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction.
3. Fund all costs associated with the sale from job 88818 and the net income be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

**SA17.138 Extinguishment of Water Supply Easement - 55
Meroo Road Bomaderry****HPERM Ref:
D17/147203****Recommendation**

That

1. Council resolve to extinguish the Easement for Water Supply 3.048 wide over Lot 1 DP249217 at Bomaderry, as shown by hatching on copy of DP249217 marked 'Attachment 1'.
2. Council's costs to extinguish the easement 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.

CL17.127

CL17.128 Report of the Shoalhaven Traffic Committee - 9 May 2017

HPERM Ref: D17/149312

- Attachments:**
1. TRAF 2017/20 [↓](#)
 2. TRAF 2017/21a [↓](#)
 3. TRAF 2017/21b [↓](#)
 4. TRAF 2017/21c [↓](#)
 5. TRAF 2017/21d [↓](#)
 6. TRAF 2017/21e [↓](#)
 7. TRAF 2017/21f [↓](#)
 8. TRAF 2017/21g [↓](#)
 9. TRAF 2017-22 [↓](#)
 10. TRAF 2017-23 [↓](#)
 11. TRAF 2017-24 [↓](#)
 12. TRAF 2017-25 [↓](#)
 13. TRAF 2017-26 [↓](#)
 14. TRAF 2017-27 [↓](#)
 15. TRAF 2017-28 [↓](#)
 16. TRAF 2017-29 [↓](#)
 17. TRAF 2017-30 [↓](#)
 18. TRAF 2017-31 [↓](#)
 19. TRAF 2017/32 [↓](#)

CL17.128

The Shoalhaven Traffic Committee is a technical review committee not a committee of Council under the Local Government Act, 1993.

The Roads and Maritime Services has delegated certain powers to Council under the Transport Administration Act 1988 (Section 50). A condition of this delegation is that Council must take into account the Traffic Committee recommendations.

IMPORTANT NOTE:

Council cannot amend a Traffic Committee recommendation. The Council can only:

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

Other issues can be raised Additional Business at the Ordinary Meeting.

The full guide to the delegation to Council's for the regulation of traffic can be viewed at:
[RMS Website](#)

TC17.20 Centre Line Marking and No Stopping Extension - Tallwood Avenue, Mollymook Beach (PN 3341)

HPERM Ref: D17/133442

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed centre line marking and the No Stopping zone extension in Tallwood Avenue, Mollymook Beach, as detailed in TRAF 2017/20, which includes:

1. extension of the existing double barrier (BB) centre line marking along Tallwood Avenue, from its intersection with Mitchell Parade to its intersection with Jones Avenue.

2. extension of the existing No Stopping zone approximately 35m on the northern side of Tallwood Avenue from the frontage of 88 Tallwood Avenue to the boundary of 86 Tallwood Avenue and 56 Jones Avenue.

TC17.21 Crossing Upgrades - Cambewarra Rd, Bomaderry, Moss St, Osborne St and North St, Nowra, Emmett St, Callala Bay, Hawken Rd, Tomerong and Green St, Ulladulla (PN 3362)

**HPERM Ref:
D17/133450**

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the upgrade the existing crossings to raised thresholds adjacent to the following schools; Bomaderry Public School, Cambewarra Road, Bomaderry; Tomerong Public School, Hawken Road, Tomerong; St Michaels Catholic Primary School, North Street & Osborne Street, Nowra; Callala Bay Public School, Emmett Street, Callala Bay and Ulladulla Public School, Green Street, Ulladulla and the upgrade of the kerb extensions adjacent to Nowra High School, Moss Street, Nowra to a pedestrian crossing, as detailed in plan TRAF 2017/21 a, b, c, d, e, f and g.

TC17.22 No Stopping Zone - Intersection Princes Highway and Crescent Street, Ulladulla (PN 3380)

**HPERM Ref:
D17/133462**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone on the eastern side of Princes Highway for a distance of 20m immediately south of its intersection with Crescent Street, Ulladulla, as detailed in TRAF 2017/22.

TC17.23 Double Barrier Centre Line Marking - Sanctuary Point Rd, Sanctuary Point (PN 3381)

**HPERM Ref:
D17/133493**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of double barrier centre line marking along Sanctuary Point Road for a distance 60m north and 75m south of Edmund Street intersection, Sanctuary Point, as detailed in TRAF 2017/23.

TC17.24 No Stopping Zone - Duncan Street, Vincentia (PN 3382)

**HPERM Ref:
D17/133496**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 10m No Stopping zone in the hammer head (turning area) opposite property number 90 & 92 Duncan Street, Vincentia, as detailed in TRAF 2017/24.

TC17.25 Centre Line Marking & Warning Signage - Donlan Road & Garside Road, Mollymook Beach (PN 3383)

**HPERM Ref:
D17/133506**

Recommendation:

CL17.128

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following line marking and signage, at the intersection of Donlan Road and Garside Road, Mollymook Beach, as detailed in TRAF 2017/25:

1. 60m of double barrier line marking along Donlan Road, centred across its intersection with Garside Road, ensuring a 10m break at the intersection.
2. a T-intersection warning sign on the minor approach to the intersection of Garside Road and Donlan Road.

TC17.26 Car & Trailer Combination Only Parking - Boat Harbour, Bendalong (PN 3384)

HPERM Ref: D17/133515

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following line marking and signage changes at the Boat Harbour Beach Boat Ramp Area, Bendalong, as detailed in TRAF 2017/26:

1. two (2) marked 'CAR / TRAILER COMBINATION ONLY' parking spaces between the two existing boat ramps at boat harbour beach. As a trial to be reviewed after the 2017/2018 summer period.
2. a 23m 'CAR / TRAILER COMBINATION ONLY' zone, on the southern side of the 'headland overflow' parking.

TC17.27 Parking Restrictions - Red Point Road, Bendalong (PN 3385)

HPERM Ref: D17/133526

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 140m (approx.) No Stopping zone on the western side of Red Point Road from its intersection with Boronia Street to its intersection with Waratah Street, Bendalong, as detailed in TRAF 2017/27.

TC17.28 No Stopping Zone - Lister Court, Hyams Beach (PN 3390)

HPERM Ref: D17/133527

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 30m (approx.) No Stopping zone on the southern side of Lister Court adjacent to the access to 6 Lister Court, Hyams Beach, as detailed in TRAF 2017/28.

TC17.29 Disabled Parking Space - Crookhaven Heads Boat Ramp, Culburra Beach (PN 3391)

HPERM Ref: D17/133535

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a disabled parking space at the Crookhaven Boat Ramp, Culburra Beach, as detailed in TRAF 2017/29.

CL17.128

TC17.30 Disabled Parking Space - Parkes Crescent, Callala Beach (PN 3392)**HPERM Ref:
D17/133541****Recommendation:**

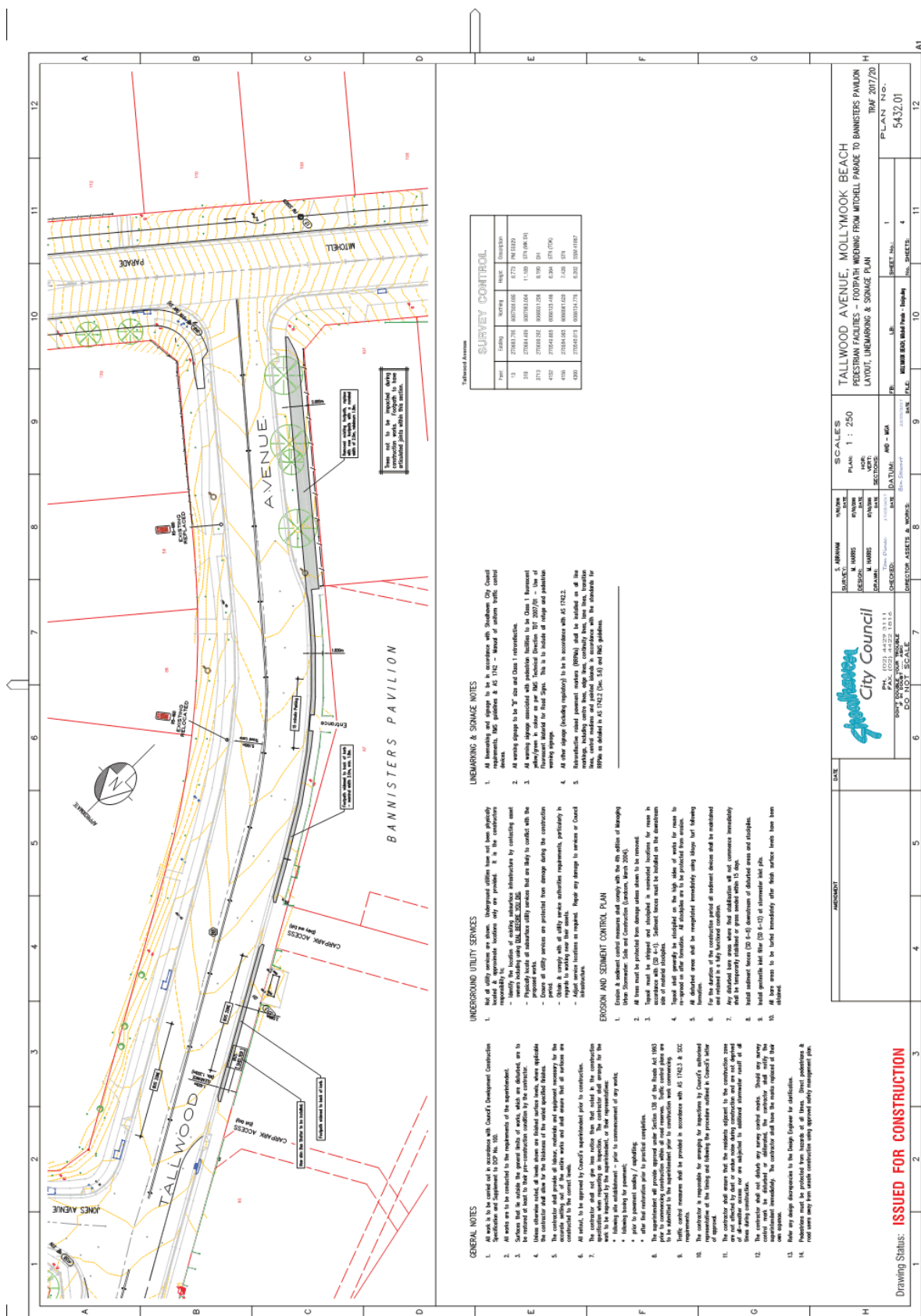
That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the previously installed disabled parking space and associated shared zone in Parkes Crescent, Callala Beach adjacent to Parkes Crescent Park as detailed in TRAF 2017/30.

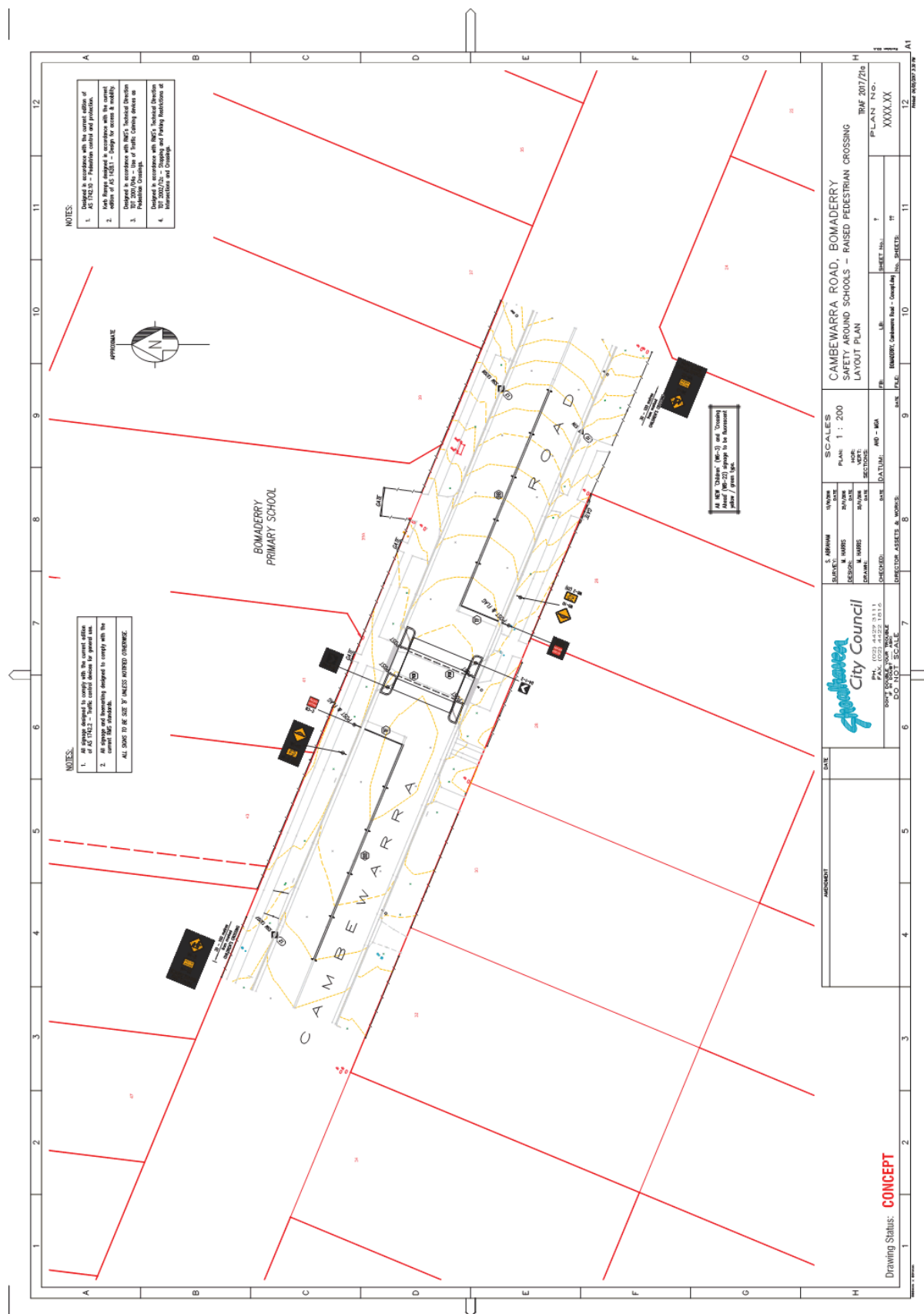
TC17.31 Road Weight Restriction - Upper Kangaroo River Road, Barrengarry (PN 3393)**HPERM Ref:
D17/133549****Recommendation:**

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 'no trucks' R6-10-2B and 'gross load limit 10t' R6-4B signage at the Council gate located on Upper Kangaroo River Road, Barrengarry, 12km from the intersection of Moss Vale Road, as detailed in TRAF 2017/31.

TC17.32 Raised Pedestrian Crossing - West Birriley Street and North Tarawal Street, Bomaderry (PN 3351)**HPERM Ref:
D17/142524****Recommendation:**

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a raised pedestrian crossing at the curve on West Birriley Street and North Tarawal Street, Bomaderry as detailed in TRAF 2017/32.





CL17.128 - Attachment 2

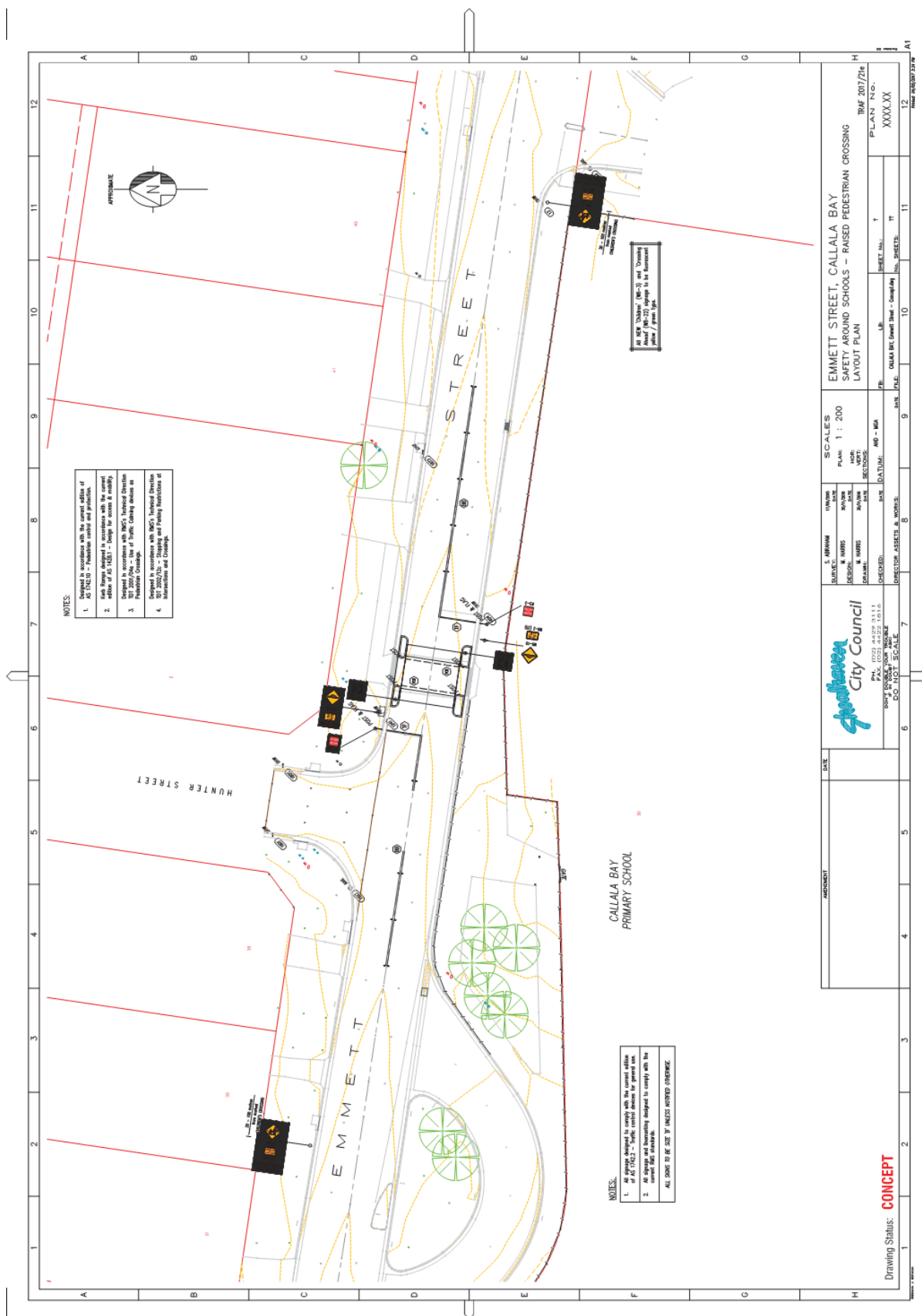


Concept Only
TRAF 2016 / <number>

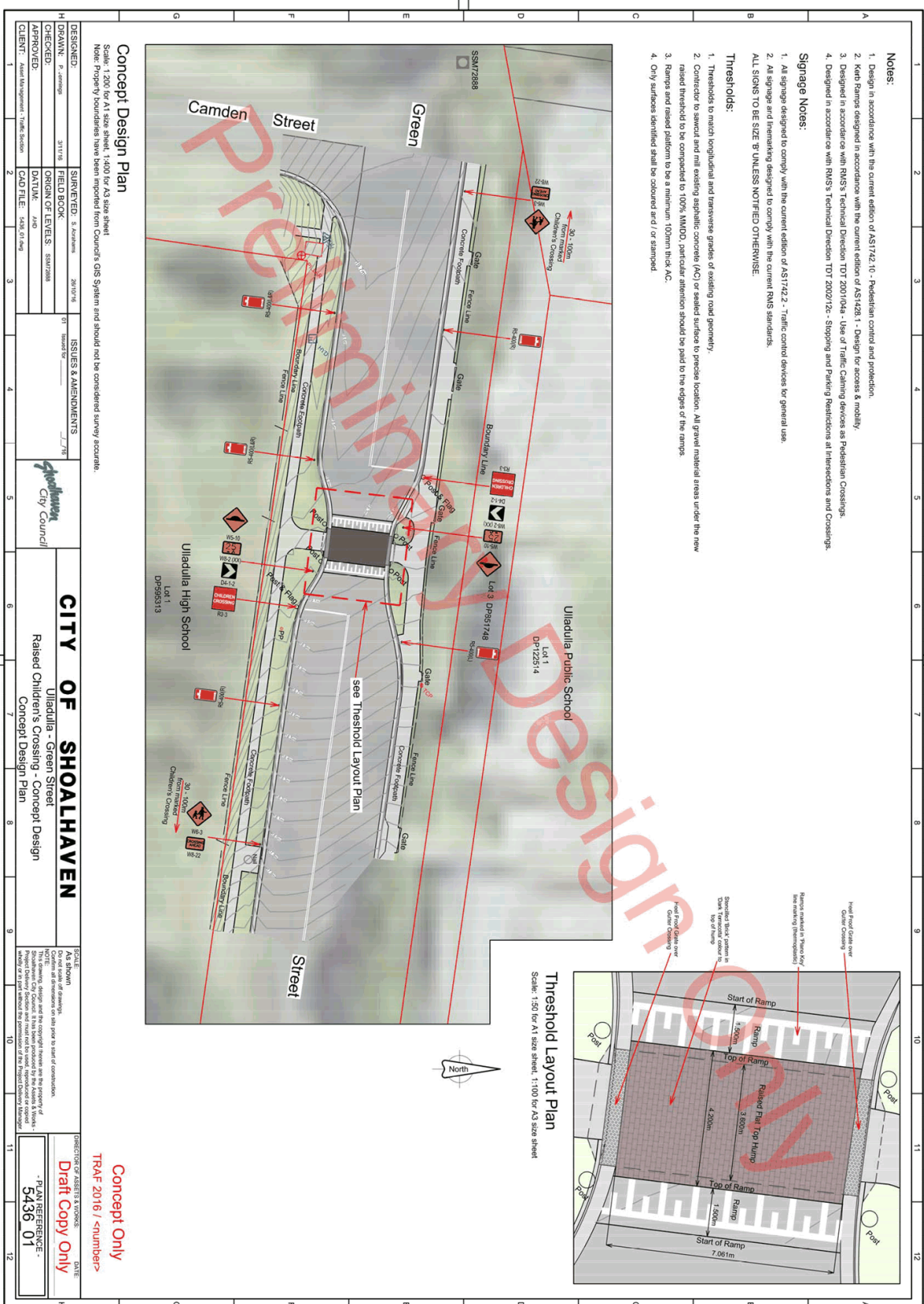
Draft Copy Only







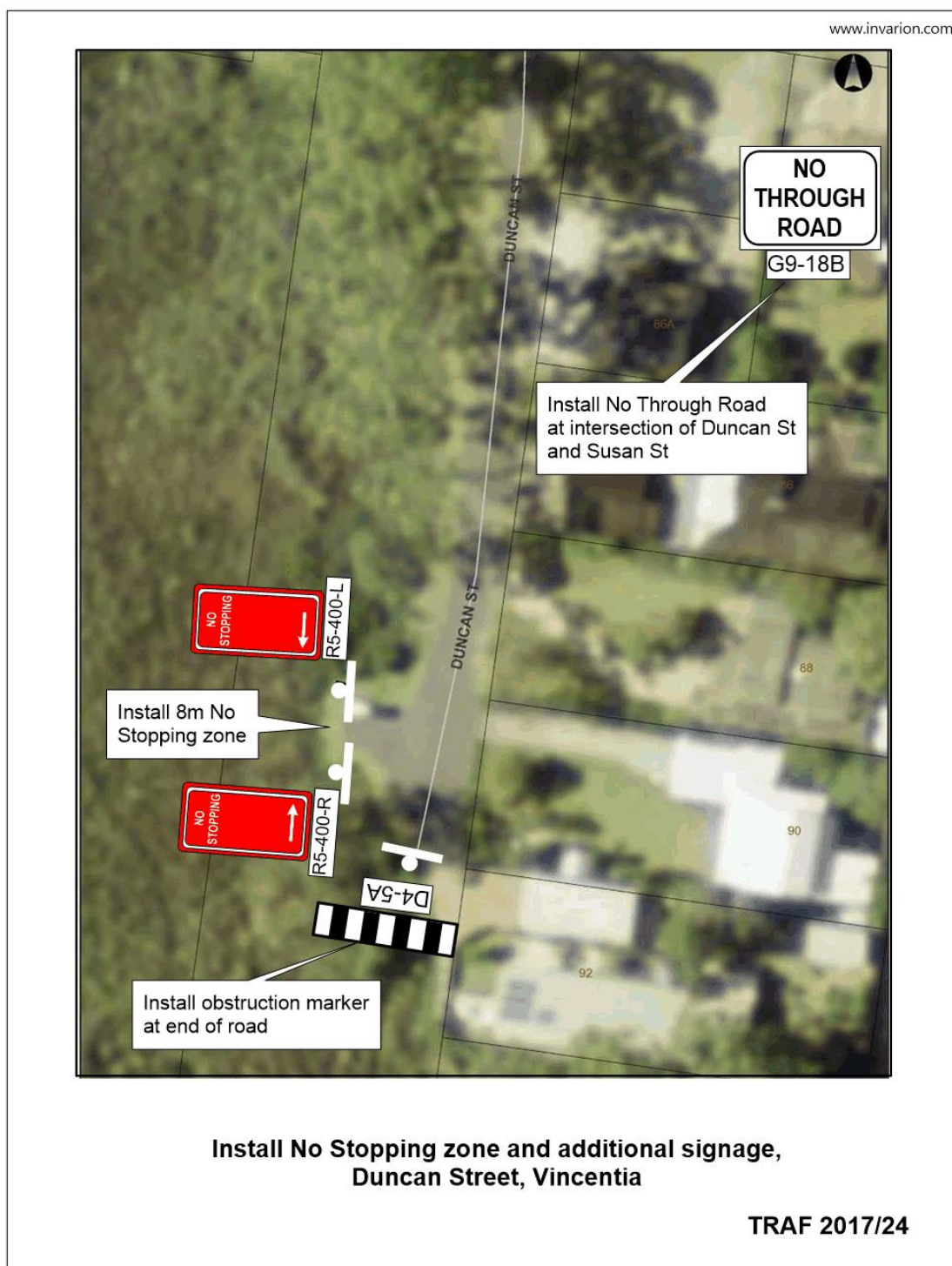
CL17.128 - Attachment 2

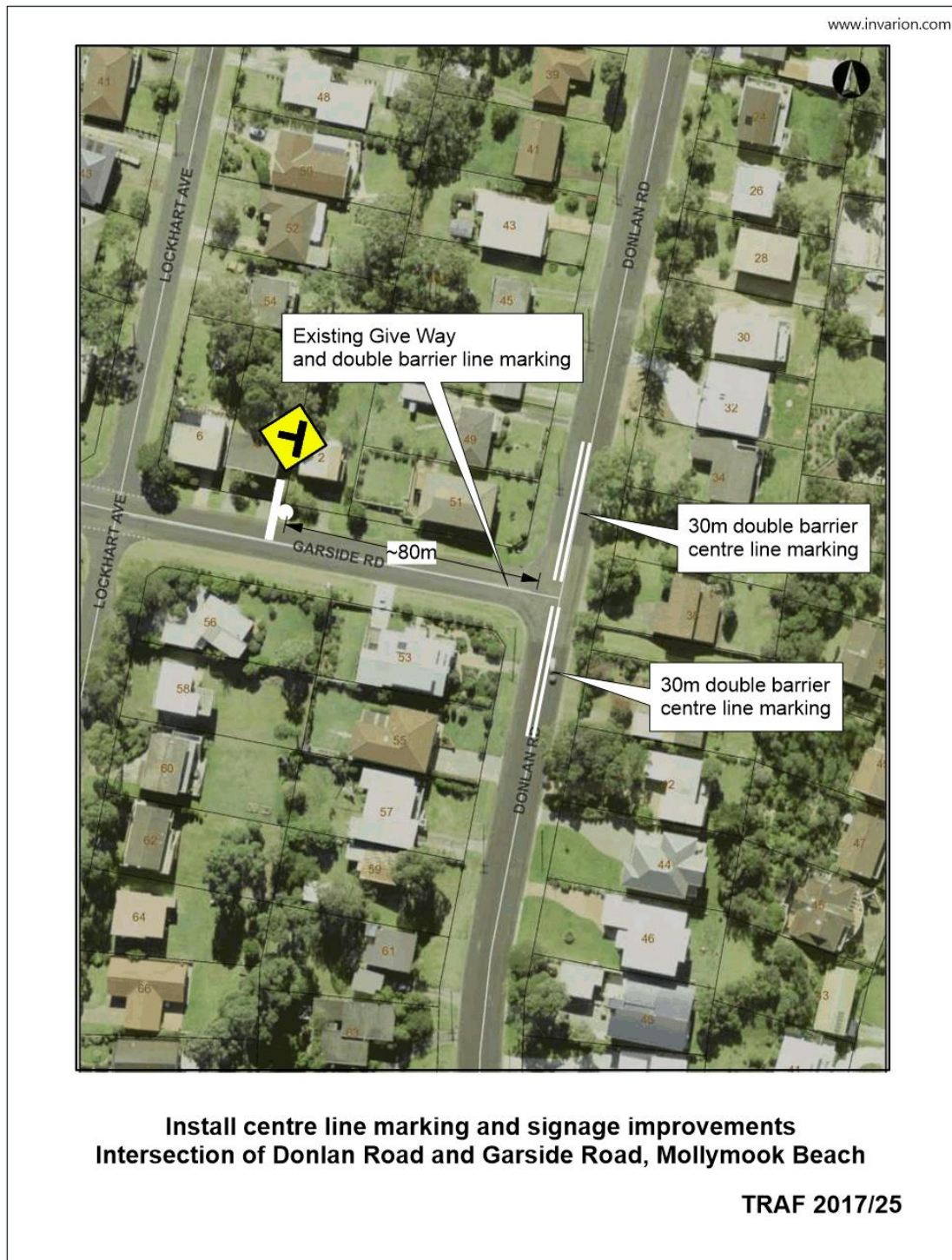


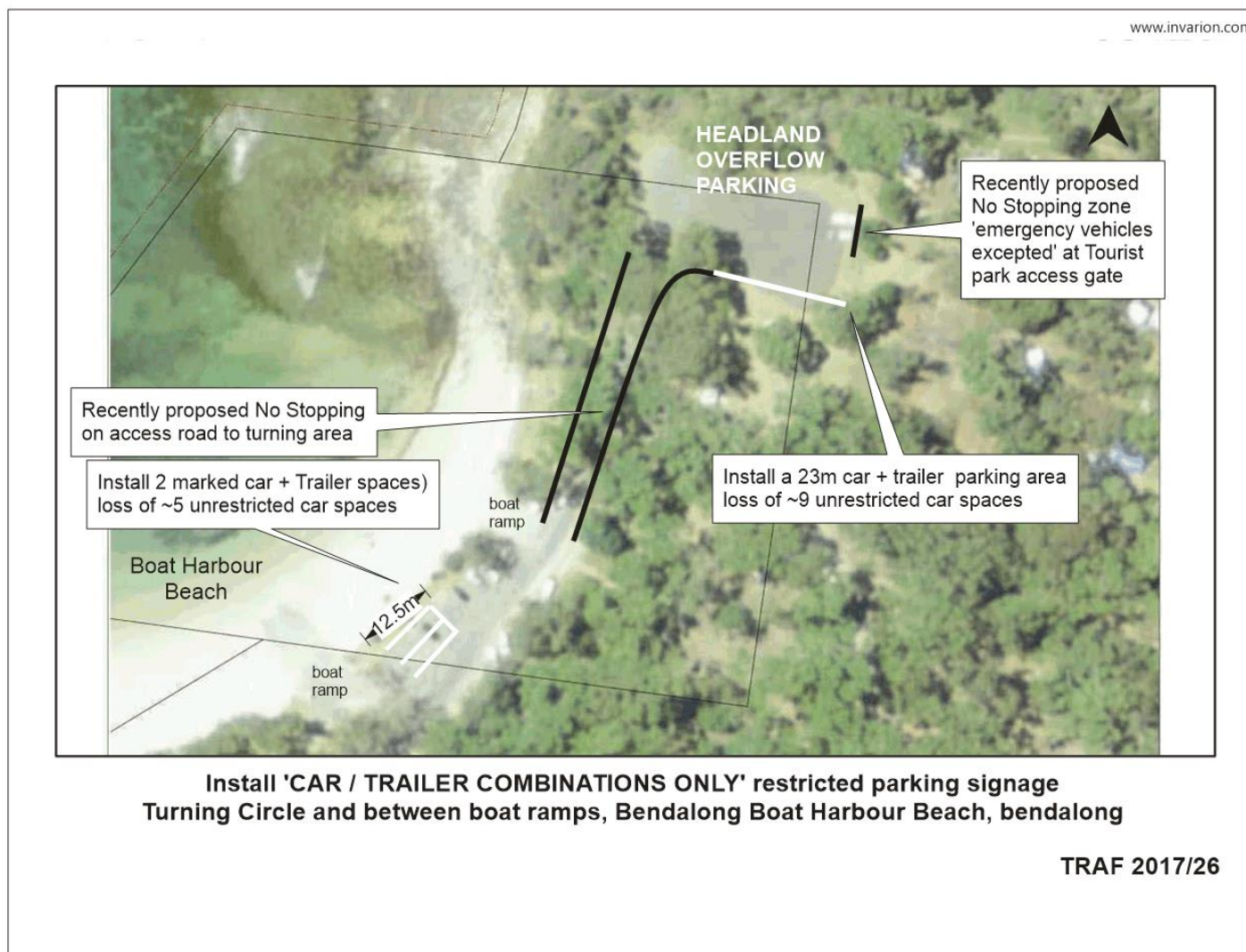






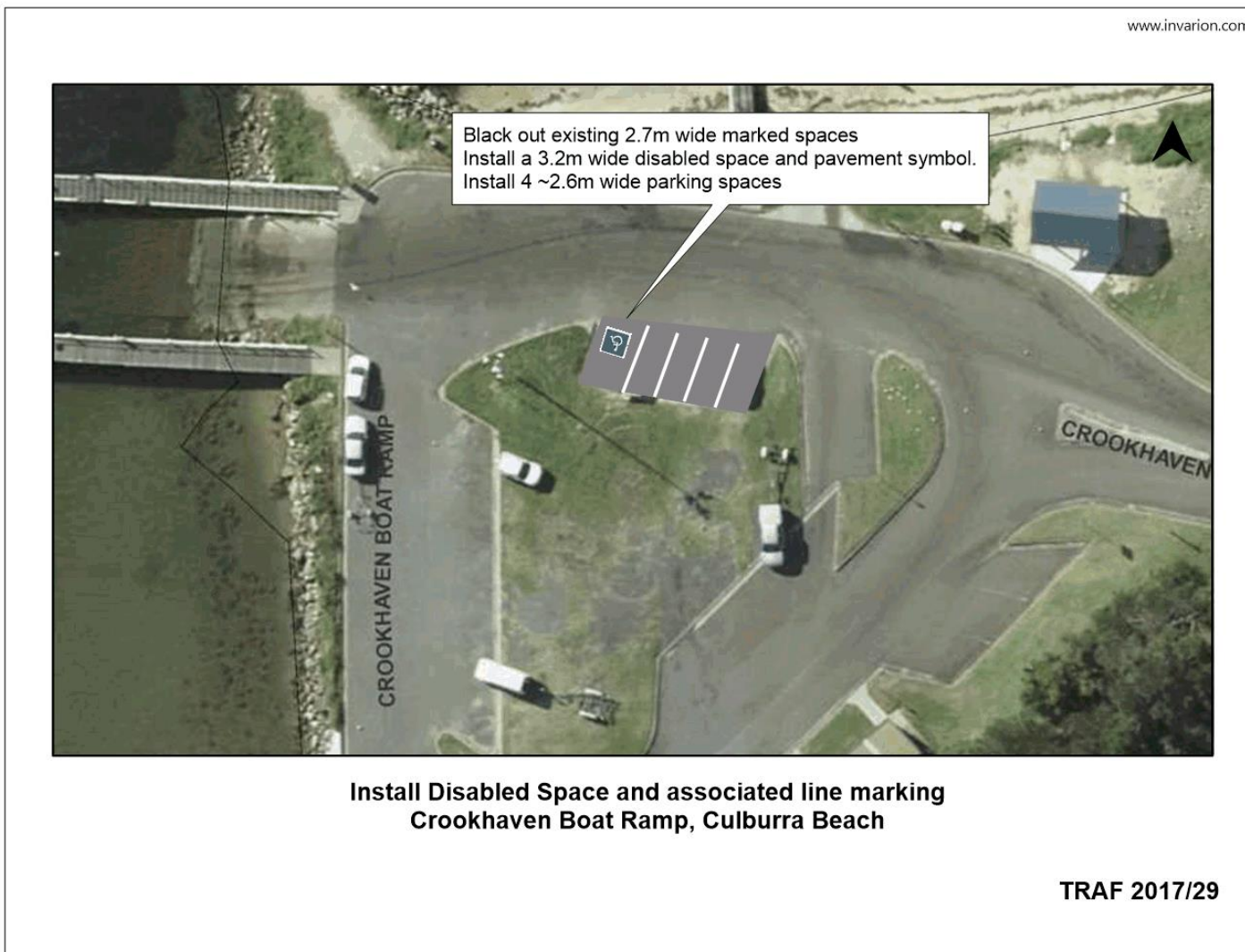


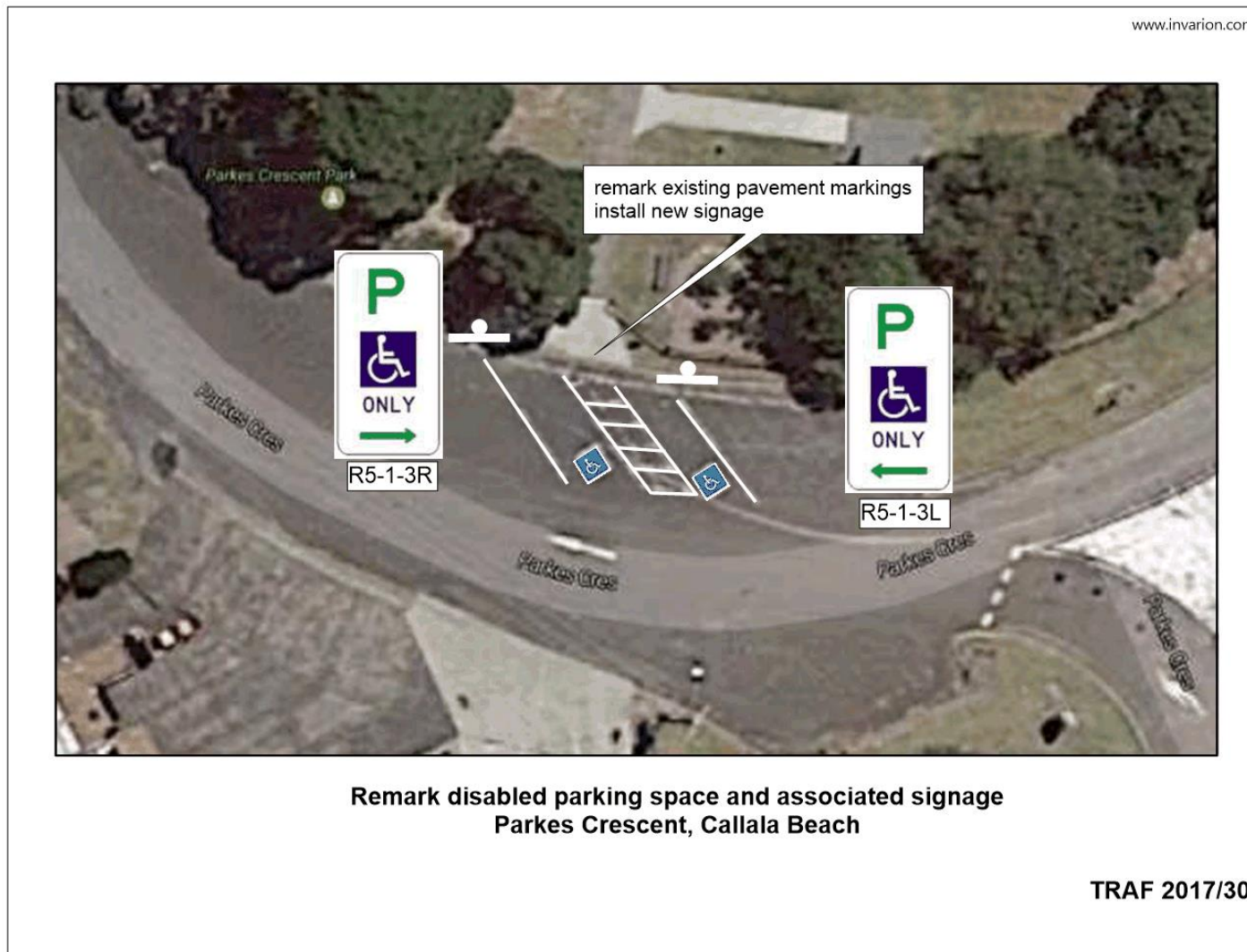


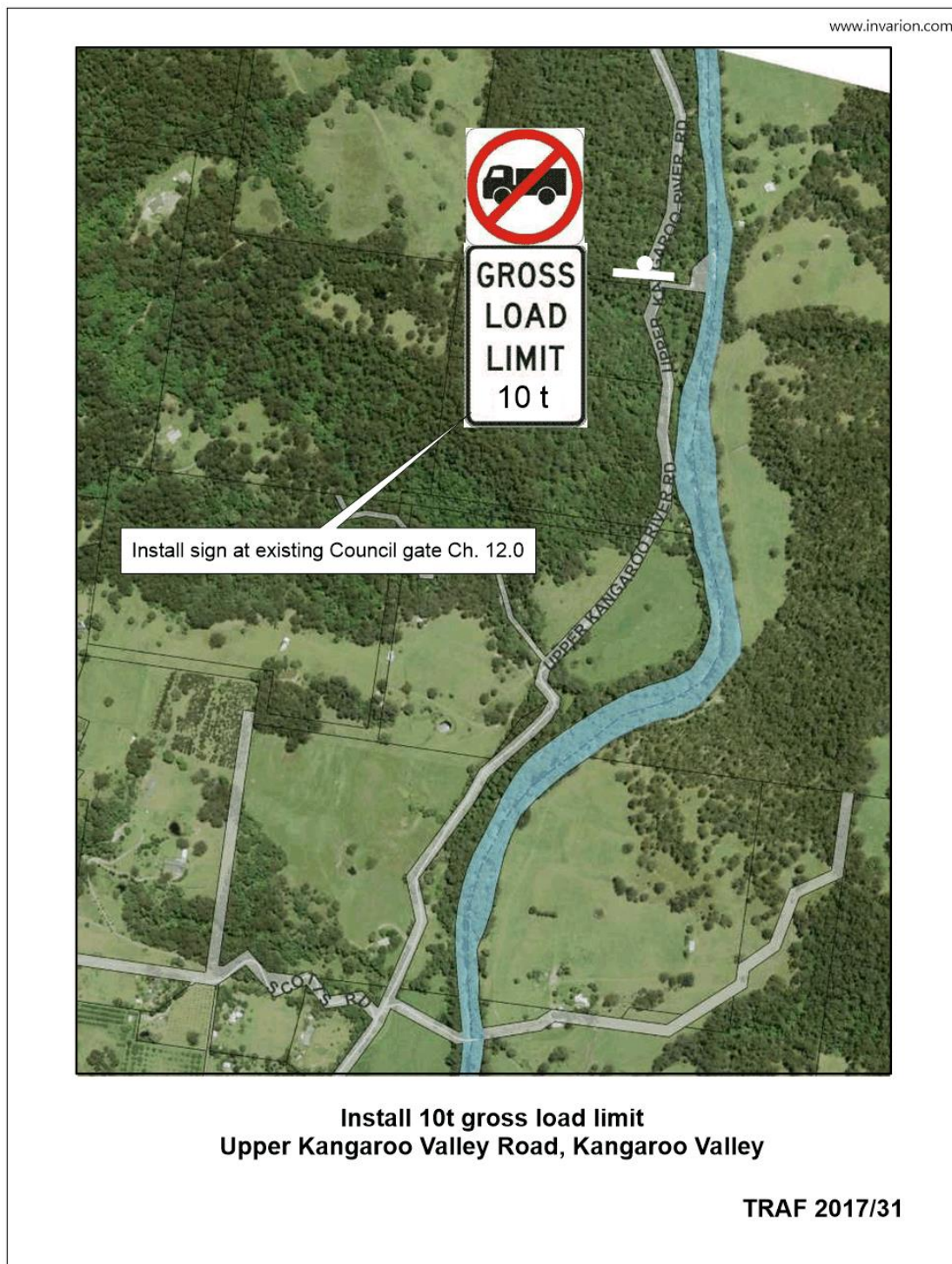














CL17.129 Performance Audits

HPERM Ref: D17/145402

Group: General Manager's Group

Attachments: 1. Attachment 1 - Advice - Initial Local Government Performance Audits - Audit Office Of NSW (under separate cover) [↗](#)

Purpose / Summary

To inform the Council of the initial Local Government Performance Audits to be undertaken by the Auditor-General of NSW.

Recommendation

That Council resolve to note the letter from the Audit Office of NSW.

Options

1. That Council resolve to note the letter from the Audit Office of NSW
Implications: Council is aware of the full scope of the Performance Audits
2. Council determine some alternate action
Implications: depends on decision.

Background

Recent amendments to *the Local Government Act 1993* have made the Auditor-General of NSW responsible for the Audit of all local councils in NSW. In addition to the auditing of Council's annual Financial Statements guided by a comprehensive Audit Plan the new mandate includes undertaking "Performance Audits" – i.e. to assess whether selected activities or services are carried out effectively, efficiently and economically.

Advice has been received from the Audit Office of NSW regarding these Performance Audits - see Attachment 1 for details, and it is a requirement that this letter be tabled for council's information.

The letter advises:

"The first Performance Audit will focus on Councils' own reporting to their communities on service delivery. My Office is conducting a desk top review of reporting in Council annual reports and will select a sample of Councils to profile in more detail.

The second audit will survey fraud controls in place across Councils. And the final performance for the 2017/18 financial year will examine current shared services arrangements."

Council will be advised if it is selected for a more detailed examination in respect to any of the Performance Audits.

CL17.130 Sale of Council Employment Land - Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW

HPERM Ref: D17/152712

Group: General Manager's Group
Section: Economic Development

Purpose / Summary

To confirm and approve the sale of Council land within the Woollamia Industrial Estate.

Recommendation

That

1. Council employment land (Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW) be sold for \$299,000.00 (plus GST) to BDM Building & Construction of Nowra
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

Options

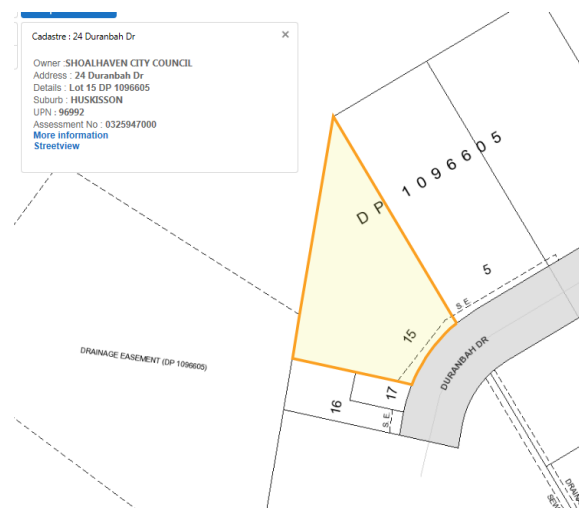
1. To sell Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW
2. Not to sell Lot 15 DP 1096605

Background

The sale of Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson has been negotiated and is in accordance with Council resolution MIN17.123 which set minimum sale prices for Council's portfolio of industrial land holdings.

Special conditions applicable to this sale are:

- Buyback condition – 2 years to build a factory.



CL17.130

Financial Implications

The proceeds of the sale will be deposited into the Council's Industrial Land Development Reserve for reinvestment into future industrial land development.

CL17.131 Sale of Council Employment Land - Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW

HPERM Ref: D17/152807

Group: General Manager's Group
Section: Economic Development

Purpose / Summary

To confirm and approve the sale of Council land within the Flinders Industrial Estate.

Recommendation

That

1. Council employment land (Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW) be sold for \$297,000.00 (plus GST) to Roadmaster Refrigerated Transport Pty Ltd of Riverstone
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

Options

1. To sell Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW
2. Not to sell Lot 121 DP 1124258

Background

The sale of Lot 121 DP 1124258, 16 Trim Street, South Nowra has been negotiated and is in accordance with Council resolution MIN17.123 which set minimum sale prices for Council's portfolio of industrial land holdings.

Special conditions applicable to this sale are:

- Buyback condition – 2 years to build a factory.
- Sale of lot is subject to Development Application approval (time limit applies)
- Option over Lot 122 for two years (price adjusted at time of sale)



CL17.131

Financial Implications

The proceeds of the sale will be deposited into the Council's Industrial Land Development Reserve for reinvestment into future industrial land development.

CL17.132 Investment Report April 2017

HPERM Ref: D17/153242

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Shoalhaven Monthly Investment Report - April 2017 (under separate cover) [↗](#)

Purpose / Summary

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

Recommendation

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 30 April 2017 be received for information.

Options

1. The report on the Record of Investments for the period to 30 April 2017 be received for information

Implications: Nil

2. Further information regarding the Record of Investments for the period to 30 April 2017 be requested

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

3. The report on the Record of Investments for the period to 30 April 2017 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 31 May 2017

Implications: Nil

Background

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

Further comparisons and budget review is found below:

The interest earned for the month of April was \$524,969.09 which was \$61,954.15 above budget.

RECORD OF INVESTMENTS Cash and Investment Balances

	April 2017	March 2017
Cash And Investments Held		
Cash at Bank - Transactional Account	\$8,975,458	\$4,618,478
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$82,050	\$55,050
Other Cash and Investments	\$202,950,138	\$208,046,251
	\$212,008,886	\$212,721,018
 Fair Value Adjustment	 \$180,294	 \$4,296
Bank Reconciliation	\$583,912	\$268,209
	\$764,206	\$272,505
 Book Value of Cash and Investments	 \$212,773,092	 \$212,993,523
 Less Cash & Investments Held In Relation To Restricted Assets		
Leave Entitlements & Workers Compensation Liability	\$9,924,266	\$9,914,159
Land Decontamination	\$1,567,663	\$1,568,329
Critical Asset Compliance	\$2,393,605	\$2,393,605
North Nowra Link Road	\$662,297	\$662,381
Other Internal Reserves	\$3,362,560	\$3,161,656
Section 94 Matching Funds	\$400,348	\$455,784
Strategic Projects General	\$3,551,185	\$3,861,636
Industrial Land Development Reserve	\$2,650,152	\$3,163,225
Plant Replacement	\$4,458,311	\$4,985,046
S94 Recoupment	\$1,863,567	\$1,863,567
Commitment To Capital Works	\$6,521,095	\$6,554,053
Property Reserve	\$3,309,795	\$3,318,473
Total Internally Restricted	\$40,664,843	\$41,901,913
 Loans - General Fund	 \$7,076,843	 \$4,439,747
Grant reserve	\$739,602	\$1,968,283
Section 94	\$28,602,015	\$28,337,958
Storm Water Levy	\$558,870	\$475,623
Trust - Mayors Relief Fund	\$99,808	\$99,808
Trust - General Trust	\$5,252,644	\$5,282,064
Waste Disposal	\$7,037,311	\$8,155,411
Sewer Fund	\$68,222,144	\$69,243,100
Sewer Plant Fund	\$1,563,744	\$1,473,230
Section 64 Water	\$15,544,221	\$15,390,822
Water Fund	\$24,023,050	\$23,220,867
Water Communication Towers	\$1,129,268	\$1,136,731
Water Plant Fund	\$1,007,915	\$945,142
Total Externally Restricted	\$160,857,435	\$160,168,786
 Total Restricted	 \$201,522,278	 \$202,070,698
 Unrestricted Cash And Investments		
General Fund	\$11,250,813	\$10,922,825

CL17.132

The table below lists the major movements:

Total Cash and Investments	- \$220,432	
Unrestricted General Fund Cash	+ \$327,988	
Loans – General Fund	+ \$2,637,096	Receipt of TCorp Loan \$3.5m less expenditure on projects
Grant Reserve	- \$1,228,681	Expenditure occurring on projects
Waste Disposal	- \$1,118,099	Expenditure occurring with April not being a rates instalment month
Sewer Fund	- \$1,020,956	Expenditure on REMS
Water Fund	+ \$802,183	Income received is more than expenditure for the month

Certification – Responsible Accounting Officer:

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy number POL15/51.



Michael Pennisi
Chief Financial Officer

Financial Implications

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

CL17.132

CL17.133 Corporate Business System & Services - Evaluation & Recommendation Tender Report

HPERM Ref: D17/154546

Group: Finance Corporate & Community Services Group
Section: Corporate Business Improvement

Purpose / Summary

To inform Council of the tender process for Corporate Business System & Services Project.

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

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

Recommendation

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

Details

Since the termination of the contract with Civica, on Friday 22nd July 2016, the Project team took a review of the current offerings in the Local Government software market and found that there were only two other vendors, Infor Global Solutions (Infor) and Technology One Limited (Technology One), who could provide a solution as outlined in the original assessment report.

This report recommended a future strategic direction for Council's corporate software replacement, including: -

- A Single Vendor approach which is expected to provide a better financial outcome for Council, when all options are compared on a whole-of-life annual cost basis;
- A Single Vendor Integrated approach should provide efficiency and productivity improvements, which can be attributed to a financial value;
- A Single Vendor approach is expected to provide significant non-financial benefits;
- And a corporate business solution being paramount for Council to move forward and provide a suite of process improvements from the standardisation of data providing a single source of truth and single entry of data.

CL17.133

As part of the next steps, in early December 2016, key Stakeholders received high level demonstrations from both Infor & Technology One. Each vendor was requested to provide an overview of their product including demonstration of specific end to end processes selected by Council stakeholders.

Following the completion of the demonstrations, a meeting was held on 21 December 2016, between the ICT Control Group and Section Managers to discuss and provide feedback on the demonstrations. It was determined by all attendees, that either one of the vendors would be able to provide the requirements outlined within Councils IT strategic plan.

Following this determination, the ICT Control Group, sought advice from Maddocks regarding next steps and it was confirmed that Council could issue a new restricted tender to these two vendors for the provision of a Corporate Business System & Services. Both vendors are deemed specialists in the local government industry.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Technology One	North Sydney
Infor Global Solutions (Infor)	Chatswood

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

CL17.134 Proposal for the Development of an Aged Care Facility on Crown Land at Shoalhaven Heads

HPERM Ref: D17/142348

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Letters from Gareth Ward MP & Minister for Lands and Forestry [↓](#)
2. Proposed Site for Retirement Village [↓](#)

Purpose / Summary

To receive advice from Gareth Ward MP, Member for Kiama and Paul Toole MP, Minister for Lands and Forestry about the availability of Crown land at Shoalhaven Heads for development of an Aged Care Facility (also referred to as an “Aged Care Retirement Lifestyle Facility” and a “Senior Living and Children Centre Development”).

Recommendation

That:

1. The advice from the Minister for Lands and Forestry to Gareth Ward MP (Attachment 1) in relation to the Crown land at Shoalhaven Heads be noted.
2. Shoalhaven Heads CCB be advised that Council does not intend to pursue this matter any further on the basis of such advice.

Options

1. Adopt the recommendation.

Implications: Council will not pursue the development of an aged care facility on Crown land at Shoalhaven Heads.

2. Propose an alternative and provide further direction to staff.

Background

A proposal for the development of an aged care facility at Shoalhaven Heads has been actively pursued by community groups and in particular by the Shoalhaven Heads CCB for a number of years.

On 8 December 2015, it was resolved that in accordance with the Committee's delegated authority from Council, the Strategy & Assets committee request the General Manager:

- a) *To commence discussions with the Minister for Crown Lands with a view to secure control of the 10ha Crown land site situated north of Scott Street, Shoalhaven heads for the use of an Aged Care Retirement Lifestyle Facility.*

- b) *Along with the Mayor and Deputy Mayor meet with the Member for Kiama Gareth Ward to discuss the future proposal of an Aged Care Retirement lifestyle Facility at Shoalhaven Heads on Crown Land. Following this meeting a Councillor Briefing be held.*

Numerous meetings to discuss this proposed development have since been held with members of the Shoalhaven Heads CCB, successive Mayors, Councillors and staff together with Gareth Ward as Member for Kiama, representing the part of his constituency at Shoalhaven Heads.

As a result of those meetings, at least two separate representations were made to the Minister responsible for administration of the Crown Lands Act seeking an agreement to transfer the subject land to Council free of cost to facilitate the development of the Aged Care facility.

The latest advice from the Minister for Lands and Forestry (Attachment 1) is summarised as follows:

- Crown land may be vested in Council where the proposed use of the land will facilitate core Council functions.
- The development of a “Senior Living and Children Centre” is not considered to be a core Council function.
- Council’s best prospect of gaining control of the land is by compulsory acquisition – **compensation required** (emphasis added).
- Department of Industry – Lands would have difficulty in supporting an application for landowner’s consent to lodge a development application for Council’s proposal, **or that of any third party** (emphasis added).
- Department of Industry – Lands would also not consent to a lease over the subject Crown land for development purposes as the proposed development would not be consistent with Section 11 of the Crown Lands Act (S11 deals with the principles of Crown land management).

In light of this advice, the development of any facility on the subject land is not likely to eventuate.

In the circumstances, the proposed aged care facility on Crown land at Shoalhaven Heads (Attachment 2) should not be further considered and the Shoalhaven Heads CCB should be advised accordingly.



GW:mj

Thursday, 13 April 2017

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

Dear Mr Pigg,

Thank you for taking the time to contact me regarding the proposed Senior Living and Children Centre development on Crown land within Shoalhaven Heads.

I enclose correspondence I have received from the Hon. Paul Toole MP, Minister for Lands and Forestry, who has responded to representations I have made on your behalf on this important matter.

After having had the opportunity to review the Minister's remarks, please don't hesitate to contact me again. I would be more than happy to seek further clarification from the Minister or seek answers to any relevant questions you may have.

Once again thank you for taking the time to contact me. If I can ever be of any assistance in the future, please do not hesitate to contact me.

Kind regards

GARETH WARD MP
Member for Kiama
Parliamentary Secretary for the Illawarra and South Coast
Parliamentary Secretary for Education

Working for Our Community!

Encl. Response from the Hon. Paul Toole MP, Minister for Lands and Forestry



The Hon Paul Toole MP

Minister for Lands and Forestry and Minister for Racing

IM16/33493

RECEIVED
10 5 APR 2017
BY: B.B.

Mr Gareth Ward MP
Parliamentary Secretary for the Illawarra and South Coast
Member for Kiama
102 Terralong Street
KIAMA NSW 2533

Dear Mr Ward

Thank you for your letter of 30 November 2016 to the Hon Niall Blair MLC, former Minister for Lands and Water, on behalf of Mr Russ Pigg, General Manager of Shoalhaven City Council, regarding the proposed Senior Living and Children Centre Development on Crown land within Shoalhaven Heads. Your letter has been referred to me for response as this matter now falls within my portfolio responsibilities. I note Council's request for advice and I can address these issues below.

Vesting and acquisition of Crown land

Crown land may be vested in councils under the provisions of section 76 of the *Crown Lands Act 1989* (CLA). Vesting can only be considered where the proposed use of Crown land will facilitate core council functions.

The proposal by Council to develop a Senior Living and Children Centre, or any similar development, on Lot 7010 DP 1035145 is not considered to be a core Council function, and not consistent with section 11 of the CLA. On this basis, any formal request to vest Lot 7010 DP 1035145 to Council is not likely to be considered favourably.

Council's best prospect of gaining control of the subject Crown land is by compulsory acquisition under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. Council would need to serve a Proposed Acquisition Notice on the Department of Industry (DoI) – Lands.

Revocation of Crown land status

Notwithstanding the advice above, subject to criteria in section 76 of the CLA, Crown land may be vested in a council for an estate in fee simple and any Crown land reservations are generally revoked at transfer. Section 76 of the CLA also makes provision for the Minister administering the CLA to declare vested land as public reserve for the purposes of the *Local Government Act 1993*. The reservation of all minerals in the land is not removed from a certificate of title.

.../2

-2-

The Hon Paul Toole MP

Any consideration to vest Crown land, revoke any reserve, and its future classification depends upon council presenting a substantial argument to Dol Lands.

Provision of landowner's consent and consent to lease

At this stage, Dol Lands would have difficulty in supporting an application for landowner's consent to lodge a development application for Council's proposal, or to any third party. While mention of a 'community' preference to develop Lot 7010 DP 1035145 is made, no details of the community stakeholders have been provided.

Dol Lands would also not consent to a lease over the subject Crown land for development purposes, as the proposed development would not be consistent with section 11 of the CLA.

Imposition of requirements

The scale of a proposed development determines which authority will assess a development application and advise Council of any environmental requirements accordingly.

Dol Lands would not be the consenting authority to the proposed development.

I trust this information has clarified issues raised by Mr Pigg. Should he wish to discuss this matter further, I have asked that Mr Thomas Delgatto, Manager Strategic Sales and Disposals in Dol Lands, be available to assist him. Mr Delgatto can be contacted on (02) 4925 4183.

Thank you again for your interest in this matter.

Yours sincerely



Paul Toole MP
Minister

CL17.134 - Attachment 1



CL17.135 Proposed Affordable Housing Project at North Nowra

HPERM Ref: D17/151740

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

Consider a proposal for the development of an affordable housing precinct at North Nowra.

In accordance with Section 10A(2)(d)(ii) of the Local Government Act 1993, there is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to undermine competitive neutrality in connection with any functions of an agency in respect of which it competes with any person or otherwise place an agency at a competitive advantage or disadvantage in any market. Therefore a separate confidential report is attached.

Recommendation

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

Options

1. Council accept the recommendation as presented.

Implications: Consider a separate confidential report for the proposed development of an affordable housing precinct at North Nowra.

2. Propose an alternative and provide further direction to staff.

Background

Following the consideration of a Notice of Motion, Council resolved on 15 September 2015 (MIN15.631) that the General Manager:

“...develop an initial discussion paper and Councillor Briefing to consider achievable and short term initiatives and options that will lead to a council report adopting an ‘Affordable Housing Strategy’ in Shoalhaven City.”

As a result of the resolution, Council engaged Judith Stubbs and Associates (JSA) in late 2015 to develop and present an initial affordable housing discussion paper and a draft *Affordable Housing Strategy* is to be the subject of a report to Council in June.

In the interim, Council may investigate and consider an opportunity to become actively engaged in the market by developing affordable housing stock which can be made available to eligible first home buyers as one part of Council's response to the affordable housing crisis. An opportunity may exist in an area in North Nowra.

Community Engagement:

Further community engagement will be undertaken if access to the land is made available to Council and the project can be developed sufficiently to enable public consultation to occur. Council is not approving any development at this stage and any future development would require the normal development approval process.

CL17.136 Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia

HPERM Ref: D17/153045

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To advise Council of a revised offer by Auric International on behalf of RMI Group (or nominee) to purchase Council owned land in Lot 1 DP1021332 at George Evans Road, Mundamia.

Recommendation

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

Options

1. Council adopt the recommendation as presented.

Implications: Consider a separate confidential report which advised Council of a revised offer to purchase Lot 1 DP1021332 at George Evans Road, Mundamia.

2. Propose an alternative and provide further direction to staff.

Background

At the Ordinary Council Meeting of 19th April 2016, Council resolved to sell Lot 1 DP1021332 George Evans Road, Mundamia via an expression of interest process. Following assessment of the submissions received, a recommendation to sell the property was made to Council on 25th October 2016, then on the 14th December 2016 Council was informed the proponent Jemalong had made a decision to withdraw its offer to acquire the property.

At its meeting on 26 April Council rejected the revised conditional offer to purchase the land and the proponent Auric International on behalf of RMI Group, has now submitted a further offer for Council to consider.

CL17.136

CL17.137 Proposed Licence to Council of 'Waratah Park' 49 Meroo St, Bomaderry

HPERM Ref: D17/151278

Group: Assets & Works Group

Attachments: 1. GIS Aerial View - 49 Meroo Street, Bomaderry [↓](#)
2. Street View - 49 Meroo Street, Bomaderry [↓](#)
3. Community Consultative Bodies - Guidelines (under separate cover) [⇒](#)

Purpose / Summary

To provide advice to Council on the Pride of Bomaderry's request for Council to enter into a licence over private land known as Waratah Park at 49 Meroo St, Bomaderry, (Lot B DP 367157) shown on Attachments 1 (aerial view) and 2 (street view).

Recommendation

That Council

1. Recognise and congratulate the efforts of the Pride of Bomaderry Community Consultative Body to beautify the Bomaderry CBD;
2. Request the Pride of Bomaderry form a Parkcare group for the ongoing maintenance of Waratah Park;
3. Enter into a licence with the owners of Waratah Park at 49 Meroo St, Bomaderry for the ongoing public use of the land and delegate authority to the General Manager or his nominee to finalise the details of any agreement;

Options

1. Proceed in accordance with the recommendation

Implications: Enter into a licence with the owners of the property conditional on the CCB members forming a Parkcare group which will be responsible for the ongoing maintenance of Waratah Park.

2. Resolve not to enter into a licence with the owners of 49 Meroo St, Bomaderry for the ongoing public use of land known as 'Waratah Park'.

Implications: The CCB may not be satisfied with the outcome. The owners may choose to revoke their arrangement with the CCB and prohibit public use of their private land.

3. Propose an alternative and provide further direction to staff.

Background

CL17.137

The Pride of Bomaderry was endorsed by Council as a Community Consultative Body (CCB) by MIN14.645 on 16 September 2014. Since its inception, one of its major projects has been to improve the appearance of the main street of Bomaderry.

In the Pride of Bomaderry's first correspondence to Council, the group outlined an intention to enter into an agreement with the owners of 49 Merroo St, Bomaderry to use this private vacant land for public open space. The group provided an artist's view of the planned improvements to the land and also enclosed the following consent on behalf of the owners:

'I agree to the Pride of Bomaderry Committee approaching Council to use my property 49 Merroo Street, Bomaderry as public open space subject to the waiving of rates and Council maintaining the facility for the benefit of the public until the property is sold.'

The CCB acting Chairman had stated that the owner(s):

'is not anxious to sell the property at the moment unless an offer well above market value is made'.

Since mid-2015 the Pride of Bomaderry CCB has undertaken beautification of the site, including the installation of tables, seating and garden planters and various murals have been commissioned on adjoining walls,. This work has been made possible through the efforts of working bees, donations of materials and money from Council, various community-minded businesses and individuals. On occasion, the Pride of Bomaderry has also hosted open days with the community invited to participate.

Public Liability Insurance – Proposal for Council to Licence the Land

Following advice from the owners' insurance broker, the President of the Pride of Bomaderry CCB sent Council an email on 23 April 2017 raising concerns that the owners may consider revoking the agreement to provide this private land for public use due to an increase in premium of the owners' Public Liability Insurance.

The increase in insurance is attributed to the insurer being made aware that the use of the land had changed from private vacant land to a public park and the increase in premium amount is in the order of \$2,400 per year.

The owners have confirmed that they are unwilling to continue to make the land available to the CCB for park use if they are to bear this extra cost. Both the owners and the CCB have inquired as to whether Council could lease or licence this land in order to extend Council's Public Liability Insurance over the CCB activities.

Council staff have confirmed that as at 11th May 2017, the owners would be willing to licence the land to Council and are agreeable to a first year licence fee of \$2,400 per year. This amount would offset the increase in their insurance premium.

To determine if this option would address the owners' and the CCB's concerns regarding Public Liability, Council's insurance team have investigated. Following confirmation of the insurer and underwriter, Council is advised that:

Council holding a Licence over the land will:

- still necessitate the owners holding their own insurance,
- protect a Parkcare group or similar from liability, and
- not reduce the owners' premium.

CCB Guidelines

The efforts of the Pride of Bomaderry to improve the streetscape of the main street are admirable however such activities are not within the scope of a CCB and therefore outside the protection of Council's Public Liability Insurance. The CCB Guidelines Clause 3.6 stipulate that:

'a CCB may hire a Council facility for the purpose of holding a meeting and in such cases there is no need for the CCB to hold public liability insurance cover.

However, Council's insurance cover does not cover or protect any other activities of a CCB. A CCB hiring a Council facility to conduct any activity other than a meeting will be required to hold Public Liability Insurance cover for \$10 million.'

Should a liability event occur, Council would be covered if a Parkcare group is in place and its activities are recognised by Council.

Community Engagement

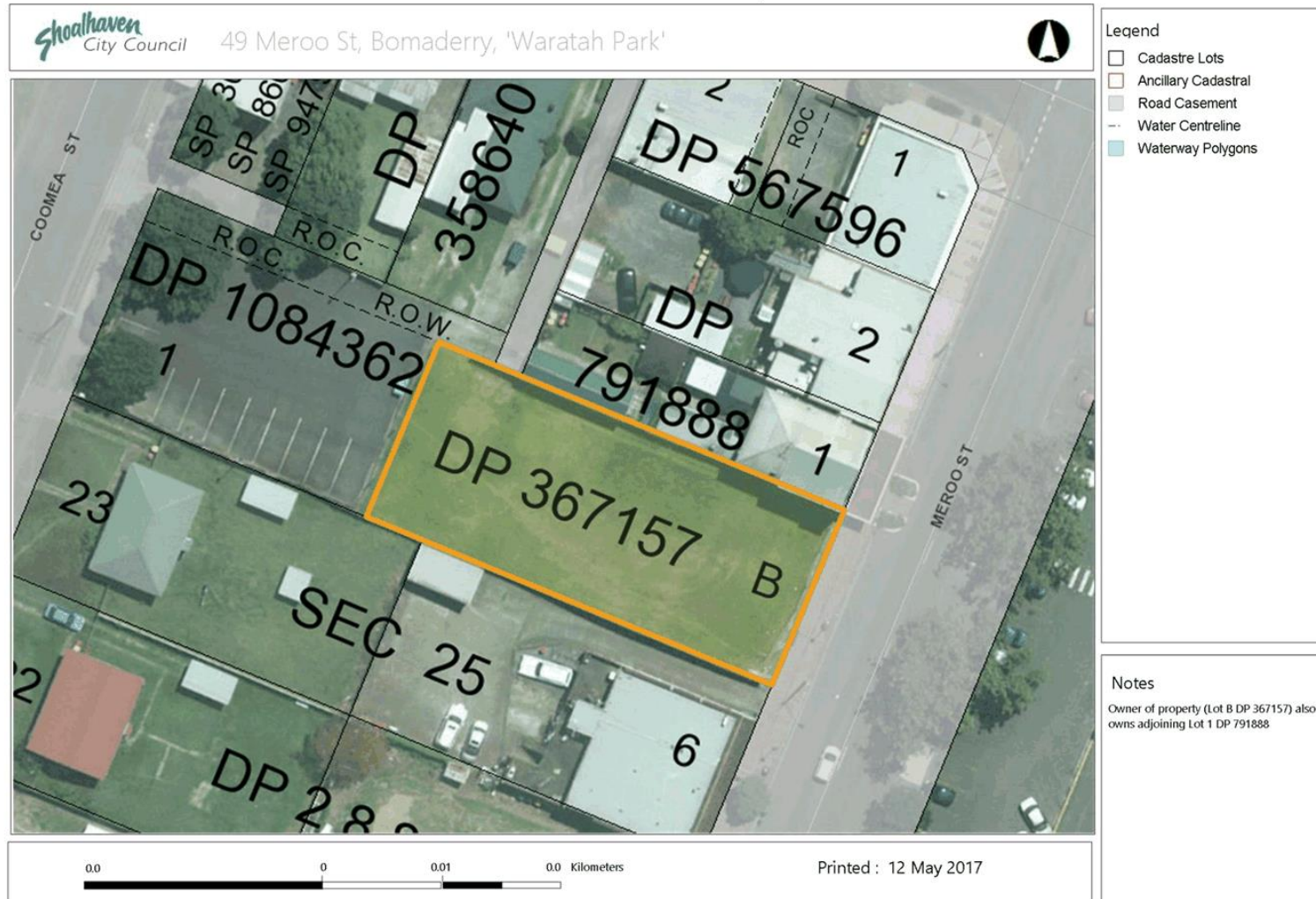
The role of the Pride of Bomaderry CCB to facilitate discussion, disseminate information, encourage participation in Council's decision making process and communicate the collective views of the community is an important one.

Council seeks to engage with the community and supports and encourages the CCB to continue to act in this capacity. Refer to Attachment 3 for CCB Guidelines.

Financial Implications

The suggested licence amount would not have a significant impact on Council's financial position whereas exposure to liability has the potential to have a critical impact on Council. Therefore arrangements will be required outside of the CCB.

ATTACHMENT 1 – AERIAL VIEW – 49 MEROO ST, BOMADERRY – LOT B DP 367157



ATTACHMENT 2 – STREET VIEW – 49 Meroo St, Bomaderry – Lot B DP 367157



CL17.138 Acquisition of 109, 111, 111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct

HPERM Ref: D17/152471

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To advise Council of the option to acquire properties, by agreement with 109, 111, 111A & 113 Cambewarra Road, Bomaderry to facilitate the Shoalhaven Community & Recreational Precinct.

Further information is provided in a separate confidential report this is in accordance with Section 10A(2)(C) of the Local Government Act 1993, if the information was disclosed, this would confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Recommendation

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

Options

1. Council accept the recommendation as presented

Implications: Consider a separate confidential report outlining the proposal.

2. Provide further direction to staff and propose an alternative

Background

Council resolved at its Ordinary meeting on the 12th December 2016 under MIN16.987 (CL16.126) in part:

"That:

1. *Council finalise and adopt the draft Bomaderry Nowra Regional Sports & Community Precinct Master Plan.....;*
9. *Council continue to liaise with affected property owners being 109, 111, 111a and 113 Cambewarra Road, Bomaderry, and report back to Council on the owners current position."*

To facilitate the development of the Shoalhaven Community & Recreational Precinct, including the community pavillion, in accordance with the masterplan it was identified that Council would require the land occupied by the four properties. All property owners have been willing to negotiate with Council on these land matters.

CL17.139 Tenders - Bendalong Road Conjola - Blackspot Road Work and Shoulder Widening

HPERM Ref: D17/150395

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

Purpose / Summary

To inform Council of the tender process for Bendalong Road Conjola – Shoulder Widening and Pavement Overlay.

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

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

Recommendation

That Council 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

Implications: A separate report will consider commercial information and the award of a contract.

2. Council amend the recommendation.

Implications: This may delay the awarding of a contract and these works.

Details

Council called for Tenders for the Bendalong Road Conjola Shoulder Widening and Pavement Overlay works on 11 April 2017 which closed at 10:00am on 4 May 2017. Two (2) tenders were received at the time of closing.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Civil Logic Pty Ltd	Luddenham
Stefanutti Construction	Unanderra

CL17.139

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

Community Engagement:

Prior to works commencing a media release will be issued, adjoining owners notified, and variable message boards erected to indicate the pending works.

Financial Implications:

Addressed in the confidential report to ensure works undertaken are within the available funds allocated in the Black Spot and Local Roads Repair budgets for 2016/2017.

CL17.140 Tenders - Report Woollamia Boat Ramp and Pontoons Construction

HPERM Ref: D17/156266

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

Purpose / Summary

To inform Council of the tender process for Woollamia Boat Ramp and Pontoons construction.

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

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

Recommendation

That Council 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.

Implications: A separate report will consider commercial information

2. Council amend the recommendation.

Implications: This may delay awarding of a contract and these waterway improvements

Details

Council called Tenders for the Woollamia Boat Ramp and Pontoons on 4 April 2017 which closed at 10:00am on 2 May 2017. One (1) tender was received at the close of tenders. The tender assessment is summarised in Table 1 below.

Tenders Received

Tenders were received from the following:

CL17.140

Tenderer	Location
Landmark Marinas Pty Ltd	Rozelle

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

Community Engagement:

Considerable community input has been received on the need for the expansion and improvement of the existing boat ramp. Woollamia is one of the highest use boat ramps in the Shoalhaven and is the most used ramp in the Jervis Bay area. The Game Fishing Club are separately replacing the fish cleaning table and shelter and actively promoting the enhancement of the ramp.

Financial Implications:

This project has attracted grant funding under the Better Boating Now Program (BBNP) and \$428,000 is currently available. Council has requested additional funds from the Better Boating Now Program to complete the full scope of works, Council has also made a submission to the Environment and Tourism program for grant funds from the State for a maintenance facility. A reallocation of funds to Dent Street kayak launching ramp is also being considered.

CL17.140

CL17.141 Construction of New Waste Transfer Station - West Nowra

HPERM Ref: D17/154617

Group: Assets & Works Group
Section: Works & Services

Purpose / Summary

To inform Council of the tender process for Construction of New Waste Transfer Station – West Nowra.

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

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

Recommendation

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

Options

1. Council consider the separate confidential report as recommended.

Implications: A separate report will consider commercial information and the award of a contract.

2. Council amend the recommendation.

Implications: This is not recommended as it may delay the awarding of a contract. The works are part funded through the Waste Less Recycle More program and if the works are delayed there may be an impact on grant funding.

Details

Council undertook a thorough review of the transfer bin drop off area at the West Nowra Recycling and Waste facility, to improve safety for customers and staff and increase the opportunity to recover more reusable / recyclable materials. The safer and more efficient design will allow customers to drop waste directly onto a flat concrete floor, improving safety by reducing the height risks at the current facility. The benefits are a safer experience for customers and the potential to recover recyclable materials from the mixed waste stream.

CL17.141

Council called Tenders for the construction of a new waste transfer station at the West Nowra Recycling and Waste Facility on Thursday, 30 March 2017 which closed at 10:00am on Thursday, 4 May 2017. Six (6) Tender submissions were received at the time and date of closing.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Batmac Constructions Pty Ltd	Nowra, NSW
Camporeale Holdings Pty Ltd	Mt Sheridan, QLD
Civil Project Management Group Pty Ltd	Nowra, NSW
Edwards Constructions (NSW) Pty Ltd	Wollongong, NSW
Hpac Pty Ltd	Marsfield, NSW
Project Coordination (Aust) Pty Ltd	Unanderra, NSW

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

Community Engagement:

Applying and providing a high quality transfer facility and improved safety at Council's Recycling and Waste Depot will lead to best practice resource recovery and landfilling operations, and environmental outcomes to benefit Council and the community.

The proposal was notified to the community as part of the Development Application assessment.

Financial Implications:

Part funding has been received through EPA *Waste Less Recycle More* non-contestable grants, with the balance of funds allocated from the Waste Reserve for the 2016 / 2017 and 2017 / 2018 financial years.

CL17.142 Management & Operation of Comerong Island Ferry Service Tender

HPERM Ref: D17/156522

Group: Assets & Works Group
Section: Works & Services

Purpose / Summary

To inform Council of the tender process for the Management & Operation of Comerong Island Ferry Service.

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

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

Recommendation

That Council 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.

Implications: Details of the tender submission and the assessment are included in the confidential report.

2. Council amend the recommendation.

Implications: Tenders have been subject to assessment in accordance with the Tender Evaluation Plan and this is included in the confidential report.

Details

Council owns a Ferry providing vehicular access to Comerong Island from Numbaa. The ferry is operated by a contractor and that contract expires on 18 July 2017. Tenders were invited to provide the service for the next 3 years, with two additional 12 month options.

Council called Tenders for Management & Operation of the Comerong Island Ferry on 4 March 2017 which closed at 10:00am on 4 April 2017. Three tenders were received at the time of closing and are shown in the table below:

Tenders Received

CL17.142

Tenders were received from the following:

Tenderer	Location
Boab Services Pty Ltd & Boab Industries Pty Ltd (Boab)	Albion Park Rail, NSW
East West Ferry Service (East West)	North Nowra. NSW
Tono Ferry Services Pty Ltd (Tono)	Castle Hill, NSW

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

Community Engagement:

Council sought tenders to provide the ferry service at the current level of service.

Community engagement will be undertaken to seek feedback from users in the future if it is proposed to make changes to the service times to reduce the overall running costs.

Financial Implications:

The Comerong Island Ferry Service is funded in Council's operational budget.

CL17.143 Progress Report - Nowra CBD Revitalisation Committee - Strategy Implementation

HPERM Ref: D17/67465

Group: Planning Environment & Development Group
Section: Strategic Planning

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

Purpose / Summary

To report back to Council in response to the resolution of 22 November 2016 on the progress being made by the Nowra CBD Revitalisation Committee on the Nowra CBD Revitalisation Strategy.

Recommendation

That the Council:

1. Receive the progress report on the Nowra CBD Revitalisation Committee and the implementation of the Nowra CBD Revitalisation Strategy for information; and
2. Consider which of the options outlined in the report to continue with to ensure that the overall Nowra CBD Revitalisation Strategy is implemented.

Options`

1. Increase the community or user representation on the committee to ensure a more balanced membership and resulting approach.

Implications: At present the committee membership is weighted toward CBD landowners and/or business owners. Of the ten (10) positions on the committee, six (6) are landowner/business positions, two (2) are community positions and two (2) are Council staff positions.

As such this option would potentially see the membership of the committee change to a landowner/business and community member model. This may provide an opportunity to more clearly outline the community's expectations and priorities moving forward in relation to the ongoing revitalisation of the Nowra CBD.

2. Restructure the Revitalisation Committee and split it into two separate groups, with one group focused on hard infrastructure (i.e. footpaths and streetscape improvements) and the other group focused on soft infrastructure (i.e. events, activation and promotion). Alternatively, the Council could maintain a single Committee, but allocate set budgets for both hard and soft infrastructure in the CBD.

Implications: This option would ensure that each of the elements of the Revitalisation Strategy are funded appropriately, and would allow Committee members to contribute to their areas of interest / expertise.

3. Receive the report for information and continue with the current Revitalisation Strategy Committee model, however reinforce the Council expectation that the Committee

implement the totality of those elements of the Revitalisation Strategy that are within the Committee's area of responsibility.

Implications: While the current Revitalisation Strategy Committee model has been effective in allocating funding towards a number of the revitalisation projects, the current expenditure is heavily weighted towards hard infrastructure. This option does not provide any certainty in relation to the funding of the activation and promotion aspects of the Strategy.

Background

Council adopted the Nowra CBD Revitalisation Strategy in 2014 to set a range of achievable, short term actions that could kick start the revitalisation of the Nowra CBD.

In 2015, Council formed the Nowra CBD Revitalisation Strategy Committee to lead the implementation of the Revitalisation Strategy for the Nowra CBD and oversee the associated budget, which is currently set at \$500,000 per financial year.

Council resolved on 22 November 2016 that:

Council staff report on the progress being made by the Nowra CBD Committee on the Nowra CBD Revitalisation Strategy.

This report provides an overview of the Revitalisation Strategy and responds to the request from Council to provide an update on the progress being made by the Nowra CBD Revitalisation Committee toward the implementation of the Strategy.

Nowra CBD Masterplan and Revitalisation Strategy

The Urban Design Master Plan for the Nowra CBD was finalised in 2011. This plan outlines an overall strategic direction to revitalise the Nowra CBD over the next 25 years and contains the following adopted vision:

"Nowra town centre will be revitalised through greater transport access, green development and incentives which support mixed uses and higher densities.

The town centre will support and attract a range of residents, workers and visitors through the provision of civic facilities, amenities and public spaces which build upon the natural setting and physical strengths of the town."

To achieve the full vision and level of revitalisation, the Master Plan identified various approaches and a wide range of actions to be undertaken by Council, businesses and the community together to promote a lively, vibrant and viable CBD which provides a quality urban environment where people can live, feel safe, where businesses can prosper and opportunities exist for new stimulating activities.

The Master Plan document and supporting information can be viewed on Council's website at:

http://shoalhaven.nsw.gov.au/LepRegisterDocuments/Msc/251/UrbanDesign_A_Draft_Nowra_CBD_Master_Plan_Strategic_Direction.pdf.

The Nowra CBD Masterplan has a 25 year horizon and is a very comprehensive multi-layered plan for the future. The Revitalisation Strategy however provides the framework to implement key parts (not all) of the Masterplan, while recognising that future amendments and modifications will be required as the town centre evolves and changes. In addition, as some circumstances or physical features of the centre grow, some aspects of the Masterplan may need to be reconsidered.

The Nowra CBD Revitalisation Strategy consists of ten (10) elements that aim to contribute to the shorter term revitalisation of the CBD as shown in Figure 1 below.

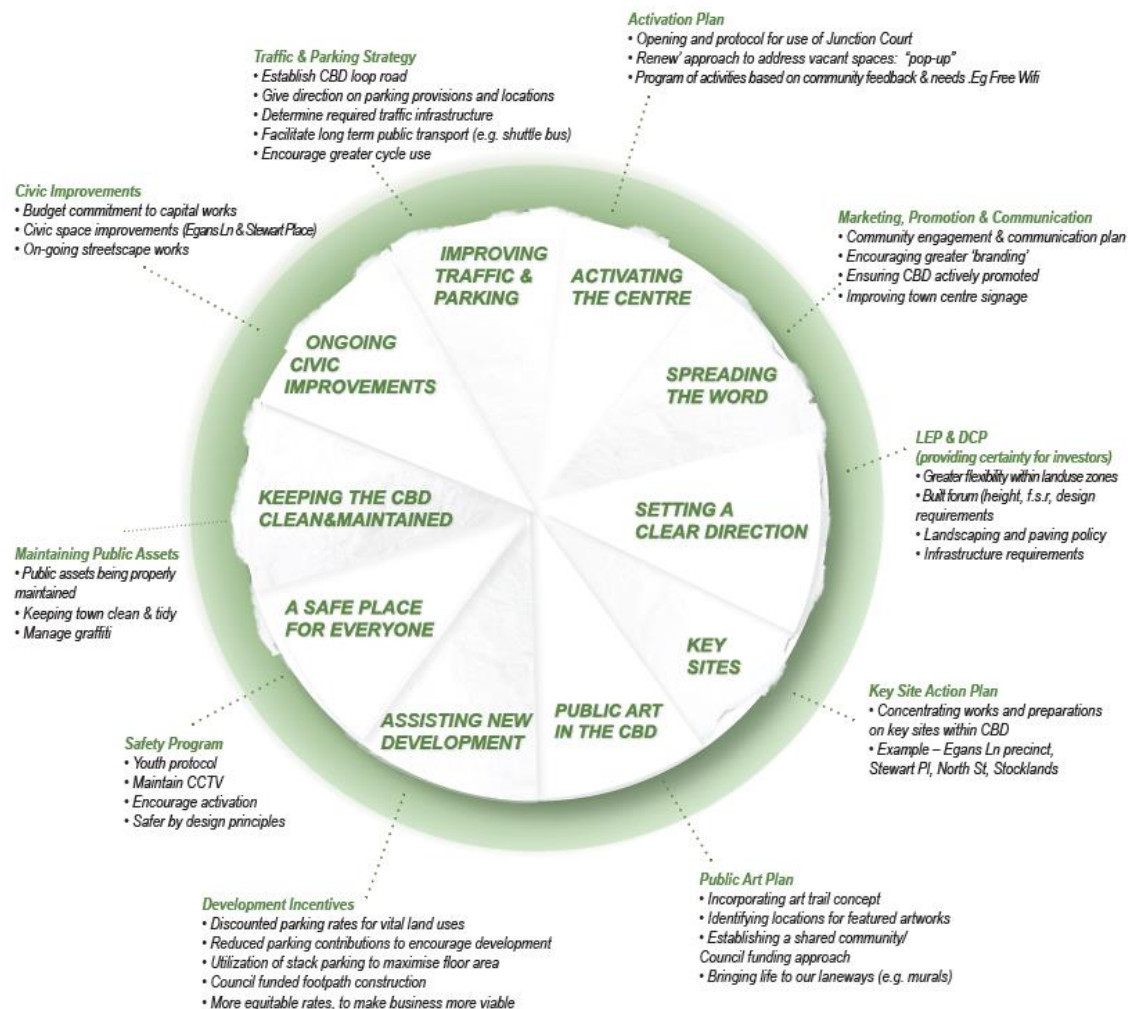


Figure 1 – Nowra CBD Revitalisation Strategy

The Revitalisation Strategy recognises that there is not one single solution to revitalisation of the Nowra CBD. The various elements show that a range of approaches are needed and that a number of actions with varying focus need to be implemented simultaneously. Each element is equally important and each needs to be undertaken to improve the overall function and viability of the Nowra CBD. While elements can be developed independently and are at varying stages of development, they work together, creating a strong synergy to create greater impact and outcome.

A key principle of the Revitalisation Strategy is recognising that revitalising the Nowra CBD requires a collaborative effort between Council and the broader community. The strategy identifies projects that can be led by Council, and other projects that need to be driven by the community to contribute to the revitalisation of the CBD.

Revitalisation Strategy Implementation

Key elements within the Revitalisation Strategy are either completed, nearing completion, or are substantially commenced. For example, Council has developed a clear planning framework for the Nowra CBD, including new building heights and urban design development

CL17.143

controls, as well as a new parking strategy for the CBD. Council has also introduced a number of development and maintenance incentives to encourage new and existing development to contribute positively to the appearance of the CBD.

There has been a number of significant civic upgrades since the adoption of the Revitalisation Strategy including the upgraded Jellybean Park and the Berry and Kinghorne Street streetscape upgrade works.

Activation and events have been used to encourage people into the CBD, and public art has increasingly been used, not just for its aesthetic value, but to tell the story of Nowra and to create or reinforce the human connection to Nowra's history. The CBD now has three significant murals by internationally recognised artists, with more to come.

Progress of the Revitalisation Committee

In February 2015, Council formed the Nowra CBD Revitalisation Strategy Committee made up of three (3) property and three (3) business owners in the Nowra CBD, a community representative as well as the General Manager, the Director of Planning & Development Services and the Director of Assets & Works. The Committee were given a budget of \$500,000 a year, for three (3) consecutive financial years to direct the development and implementation of the Revitalisation Strategy for the Nowra CBD. A copy of the Committee's Terms of Reference are provided as Attachment 1 to this report.

It should be noted that all of the members of the Committee (except for Council staff) are volunteers and contribute their own time and efforts to be on the Committee. It is recommended that Council take this opportunity to formally thank the current and past Committee members for their contribution toward the ongoing revitalisation of the Nowra CBD.

Table 1 below provides an overview of the projects (and costs) undertaken or funded by the Revitalisation Committee in the first two (2) financial years. The table also shows which of the ten (10) elements of the Revitalisation Strategy each of the projects sits under. It should be noted that many of the projects cross over a number of elements within the Revitalisation Strategy.

Table 1 – Revitalisation Project Expenditure

Project	Cost	Completed or Committed	Revitalisation Element
Nowra southern 'entrance sign' and way finding signage	\$50,000	Completed	Traffic and Parking
Kinghorne Street streetscape – design and construction	\$533,000	Completed	Civic Improvements
Promotions (including radio advertisement)	\$56,824	\$18,324 Completed \$38,500 Committed	Spreading the Word
Activation Events	\$20,000	\$10,000 Completed \$10,000 Committed	Activating the Centre
Junction Street Fairly Lights	\$20,000	Completed	Activating the Centre / A Safe Place for Everyone
Façade Improvement Program	\$23,346	\$8,346 Completed \$15,000 Committed	Keeping the CBD Clean & Maintained / Assisting New Development
Pedestrian Counters	\$29,400	Committed and	Assisting New

		partially completed	Development
Town Centre Markets – Development Application Costs	\$467	Completed	Activating the Centre
Nowra CBD Management Resource (fixed term)	\$12,075	Completed	All elements
Nowra CBD Mural	\$10,000	Committed	Public Art in the CBD
Nowra CBD Banners	\$2,415	Completed	Spreading the Word
Planter Boxes	\$22,991	Committed	Civic Improvements
Egans Lane Façade Improvement Project	\$18,000	Committed	Keeping the CBD Clean and Maintained
Worrigee Street streetscape upgrades	\$200,000	Committed	Civic Improvements

As outlined in Table 2 below, approximately 76% of all the expenditure has gone towards civic improvements, primarily for the upgrade of the Kinghorne and Worrigee Street streetscapes. While it is acknowledged that hard infrastructure (such as streetscape upgrades) is significantly more expensive than soft infrastructure (such as public art and events/activation etc.), it is important that all elements of the revitalisation strategy are appropriately funded.

The total expenditure against each of the Revitalisation Elements is shown in Table 2 and Figure 2 below - the highlights the potentially disproportionate expenditure on hard infrastructure (over 80%).

Given this it is clear that Council needs to consider what changes are required to ensure greater emphasis is also given to other elements such as activation and public art.

Table 2 – Revitalisation Elements Share of Expenditure

Revitalisation Element	Total expenditure	% of total expenditure
Civic Improvements	\$755,991	76%
Spreading the word	\$59,239	6%
Traffic and Parking	\$50,000	5%
Assisting new development	\$41,073	4%
Activating the centre	\$30,467	3%
Keeping the CBD Clean and maintained (*)	\$29,673	3%
All elements (resource)	\$12,075	1%
A safe place for everyone	\$10,000	1%
Public art in the CBD	\$10,000	1%
Setting a Clear Direction	Undertaken by Council	
Key Sites	Undertaken by Council	
Total	\$998,518	100.0%

*Note – there is also a separate budget allocation for street cleaning and CBD maintenance.

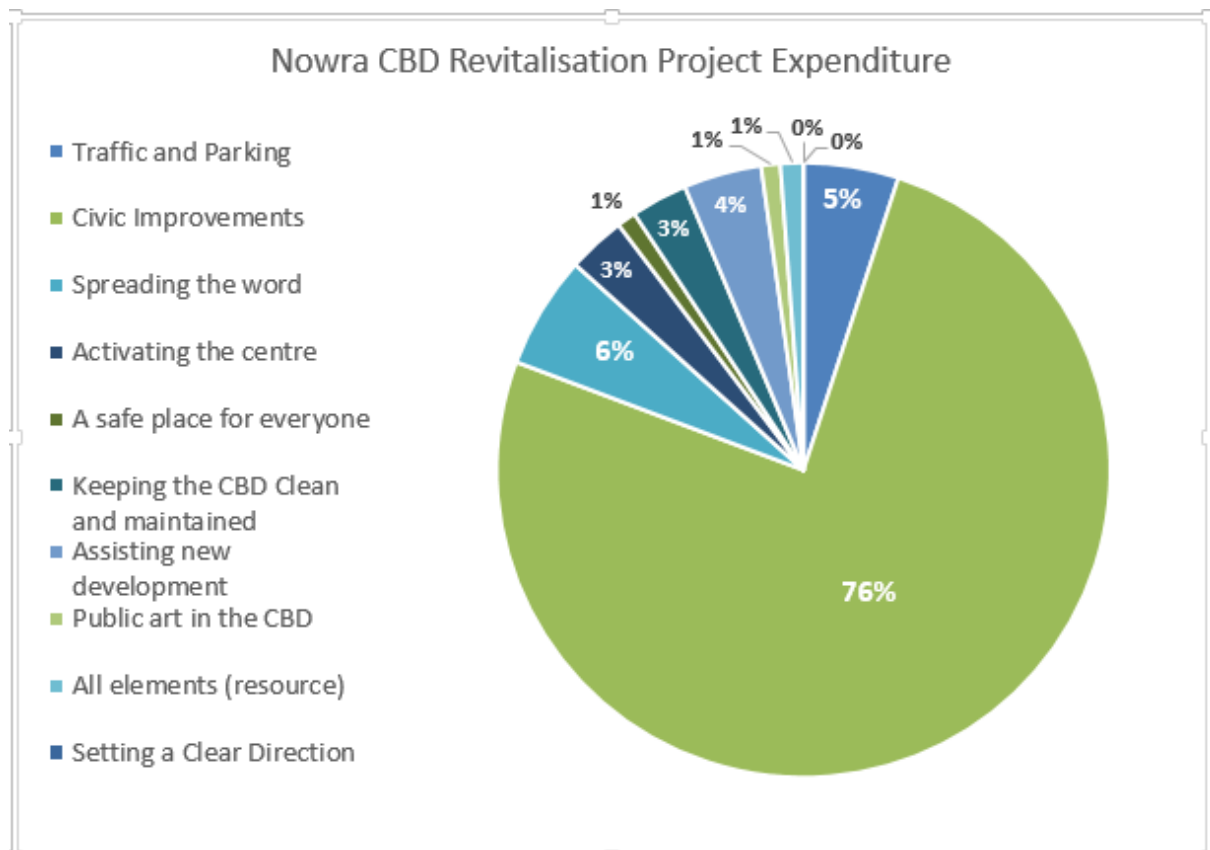


Figure 2 – Expenditure

Additional Maintenance/Construction Activities

Outside the Nowra CBD Revitalisation Strategy Committee budget, Council has undertaken a range of other activities and upgrades in the CBD area. The following is a summary of these;

CBD Maintenance

Ongoing monthly inspections have been undertaken in the CBD. Street furniture works has included bike rack replacement (library), painting of bollards and furniture, repairs and ongoing maintenance to fairy lights (both Jelly Bean Park and Junction Street), misting system, lighting generally around CBD, planter boxes repaired down junction street.

Footpath repairs including concrete panel replacements and paver repairs have been undertaken using local road maintenance funds and has been supplemented by Capital works in order to complete repairs in the CBD. There has been some 100 merits completed year to date pertaining to Footpath repairs and the like.

There is a continuing program of painting furniture that is largely completed.

Graffiti Management

During the recent Graffiti Blitz (March/April 2017) in the CBD, twenty eight (28) tags were located, with twenty one (21) removed and seven (7) to be removed shortly (staff have had to wait for the 'Permit to Enters' as they are one private property)

There are a further six (6) that Council is still waiting on returned and signed 'Permit to Enters'.

CL17.143

During the 2016/2017 year three (3) approached were made to Endeavour Energy to request they remove graffiti off their property and these were completed by them. One (1) request was sent to Telstra and this also was subsequently removed by them.

Six (6) Requests were sent to other Utility Service Providers after a site visit prior to the Duck Dash and Shoalhaven River Festival. These were all subsequently removed by the various Utility Service Providers.

CBD cleaning

Three (3) cleaners start work at 5am and work till around 7.00-7.30am. Their daily duties are:

- Clean bins, clean seats and blow footpaths (Mondays they use a gurney)
- Take turns cleaning the two toilet blocks at Jelly Bean Park and Stewart Place.
- Pick up litter
- Spot clean bird poo

One (1) cleaner then starts work at 7.30am and works until 3.30pm. His daily duties are:

- Clean the two toilet blocks at lunch time and in the afternoon
- Pick up litter
- Clean ash trays
- Wipe bins
- Remove posters, sticky tape etc.
- Weeding in islands if needed
- Blow spent flowers from under trees at various times of year
- Pick up dog poo (which is quite abundant)

Road sweeper also starts in the CBD at 5.30am until about 7.30am or 8am. Chewing gum is removed weekly and rubbish bins are emptied daily

Capital Works

The following capital works (or preparation for them) have either been completed in recent years or are underway completed intersection upgrades in Junction Street are over \$300,000 and footpath works in North Street, additional car parking in Graham Street and Moss Street. Stewart Place bus interchange is underway, Worrigee Street multi-storey carpark development application continues. McGrath Avenue parking is now being planned.

Committee Member Feedback

In preparing this report, the Committee members were invited to provide feedback on the effectiveness of the Committee in implementing the Revitalisation Strategy. Two (2) members provided feedback and the key issues raised in their responses are as follows:

Both responses highlighted the need to focus on all aspects of revitalisation including the cultural and social aspects of revitalisation. Both responses raised concerns about the focus of the Committee being primarily on infrastructure, with not enough emphasis being given to activation, promotion, people, place and culture.

The responses recommended that the Committee reassess its priorities and provide a greater focus on the social and cultural revitalisation of the CBD and activating the centre through events and promotions. Copies of the submission are provided in the Councillors Information Folder.

Way forward

The Nowra CBD Revitalisation Strategy sets out a range of achievable, short term actions that could kick start the revitalisation of the Nowra CBD. The Revitalisation Strategy was a deliberate move away from the 'Big Plan' approach to the CBD and it was always acknowledged that future amendments and modifications would be required to it as the town centre evolves and changes.

As outlined earlier in the report, each element of the Revisitation Strategy is equally important and each needs to be facilitated/undertaken to improve the overall function and viability of the Nowra CBD.

While the current Committee structure has achieved much, in overseeing the upgrading and improvement of hard infrastructure within the CBD, it must also be accepted that a number of other crucial elements (e.g. activation, public art etc.) have received low levels of funding.

To maximise the implementation of the adopted strategy and thereby realise the full potential of the CBD a more balanced and proportionate approach is required.



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

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

Email: council@shoalhaven.nsw.gov.au

Website: www.shoalhaven.nsw.gov.au

For more information contact the Corporate & Community Services Group

Nowra CBD Revitalisation Strategy Committee – Terms of Reference

Policy Number: POL17/34 • **Adopted:** 28/10/2014 • **Amended:** 21/02/2017 • **Minute Number:** MIN14.765, MIN17.96 • **File:** 50242E • **Produced By:** Corporate & Community Services • **Review Date:** 1/12/2020

1. ROLE

- 1.1. To direct the development and implementation of the Revitalisation Strategy for the Nowra CBD and review as appropriate.
- 1.2. To determine overall capital works programs established by the Nowra CBD Revitalisation Strategy, as amended from time to time.
- 1.3. To agree an annual capital works budget with council
- 1.4. To identify and approve all expenditure of funds identified in the Nowra CBD Revitalisation Strategy, additional funds allocated by council for capital expenditure in the Nowra CBD including any loans, grants or from funds from any other source.
- 1.5. To act as a communication conduit between Council and the CBD stakeholders in respect to the Nowra CBD Revitalisation Strategy with appropriate support from council as required.
- 1.6. Assist council in advocating the adopted CBD Revitalisation Strategy to the community.
- 1.7. Provide a report to council each year outlining progress towards achieving the goals set out in the CBD Revitalisation Strategy together with any recommendations for updating the Revitalisation Strategy.
- 1.8. Consult with relevant stakeholders as needed.

2. DELEGATED AUTHORITIES

- 2.1. To expend funds allocated to the CBD Nowra Revitalisation Strategy Committee by Council within the approved budget. 2015/16 Budget adopted is \$500,000
- 2.2. To establish sub Committees as deemed appropriate.
- 2.3. To promote the advantages of the CBD inside and outside the area, including making press releases and promoting the Nowra CBD Revitalisation Strategy project.
- 2.4. To raise funds other than rates and loans to fund the objectives of the Committee.
- 2.5. To expend funds raised outside of Council as the Committee deems appropriate, e.g. promotions, entertainment etc.

3. COMMITTEE MEMBERSHIP**3.1. Voting Members**

- Director of Assets and Works or delegate
- Director of Planning and Development Services or delegate
- Two (2) Community member (non-business operator or landowner)
- Two (2) CBD landowners
- Three (3) CBD Business owner/operators (not property owners)
- One (1) CBD Business retailer

3.2. Non-voting Members

- All Councillors can attend and speak but are non-voting members

3.3. The Committee will appoint the position of chairperson annually**3.4. The role of the chairperson shall be:**

- Chairperson of meetings of the Nowra CBD Revitalisation Strategy Committee
- Representative on sub-committees as appropriate
- Oversight of activities of a co-ordinator (if applicable)
- Attend Council/Committee meetings as appropriate

4. MEETINGS

- 4.1. Meetings will be held at least quarterly depending on demand.
- 4.2. Topics for the agenda should be forwarded to the chairperson no later than 14 days prior to the meeting.
- 4.3. Agenda and minutes from the previous meeting will be circulated to members at least seven days prior to the meeting.
- 4.4. Members must declare in writing any interest in any report tabled at the meeting.
- 4.5. Council to supply a minute secretary.

5. QUORUM

- 5.1. A quorum will consist of at least five members of the committee.

6. VOTING AND RECOMMENDATIONS

- 6.1. Voting on recommendations is made by consensus and all decisions regarding the allocation of funding for works must be stated precisely for the inclusion of the minutes.
- 6.2. Where a consensus cannot be reached at two consecutive meetings, then a majority of 60% of those present can adopt a recommendation. The alternate views are to be minuted.

Shoalhaven City Council – Nowra CBD Revitalisation Strategy Committee – Terms of Reference

7. COMMUNICATION

- 7.1. Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by the chairperson.
- 7.2. Where approval has been given by the chairperson, views and opinions expressed are those of the Nowra CBD Revitalisation Strategy Committee and not of Shoalhaven City Council.
- 7.3. When endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.

8. PARENT COMMITTEE

- 8.1. Ordinary Council Meeting.

9. CODE OF CONDUCT

- 9.1. All members of the Committee are to abide by Council's Code of Conduct and will be required to complete the necessary Pecuniary Interest Returns.

10. REVIEW

This policy will be reviewed within 12 months of each Council election.

Council, in recognition of the need to ensure that the Nowra CBD remains a viable and attractive retail hub of our City undertakes to use its best endeavors at all times to update the CBD Revitalisation Strategy as appropriate, and to ensure that sufficient funds are made available to the Committee to undertake the capital works programs identified in the Revitalisation Strategy on a timely basis.

Council will also use its best endeavors to seek external funding to accelerate the capital works programs contained in the Revitalisation Strategy wherever possible and to work with the Committee on major projects and major capital works program which will have an impact on the operations of the CBD.

CL17.144 Australian Coastal Councils Conference

HPERM Ref: D17/154694

Submitted by: Cllr Mark Kitchener

Attachments: 1. Report from Cllr Kitchener [↓](#)

Purpose / Summary

To provide a report from Cllr Mark Kitchener on the Australian Coastal Councils Conference held in Redcliffe, Queensland in accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy.

Recommendation

That Council receive the report from Cllr Mark Kitchener on the Australian Coastal Councils Conference for information.

Options

1. Receive the report for information
2. Request further information on the conference

CL17.144

Report to Council

Title: 2017 Australian Coastal Councils Conference

<u>Date:</u>	2-5 May 2017
<u>Venue:</u>	Redcliffe Queensland
<u>SCC Representatives:</u>	Councillors Patricia White, John Wells, John Levett, Mark Kitchener
<u>Key Note Speakers:</u>	Professor Tim Smith, Dr Daryl McPhee
<u>Conference Format:</u>	Key note address, discussion, presentations and forums in the morning with concurrent sessions, field trips and walking tours in the afternoon

Summary of Presentations:

In his keynote address Professor Tim Smith asked, what does the future hold for coastal regions. He went on to say there are complex and cumulative catalysts of change occurring in vulnerable coastal zones. Rapid urbanization, ever increasing population, social and economic trends, habitat loss, invasive species, resource extraction, increased agricultural production, effects of more intense droughts, bushfires and floods are driving that change.

Dr. Oliver Moles acknowledged all major Australian capital cities, excluding Canberra, located on the coastal zone/fringe are growing in population size, while many inland towns are experiencing serious decline. Plastics are replacing shells found along the shoreline. The ocean floor is polluted with many PCBs. Continued urban development is impinging on the rural and semi-rural areas of the coastal zone/fringe. Freedom camping is targeting the coastline as the prime destination while the benefits freedom camping brings to coastal communities is questionable. Pressure from human activity in the coastal zone has been going on indeterminately but now is compounded by climate change. At no time in recent history have effects of climate change on Australia's coast been more prominent than in the past six years.

Dr. Graeme Clark provided an update on Australia's State of Environment Report. The report is conducted every five years with independent experts. The report builds upon previous reports and provides information to the public, to decision makers and to the financial sector for risk management and forecasting. www.soe.environment.gov.au

Dr. Clark defined the coastal zone as the interface between terrestrial aquatic and marine environments, while acknowledging that the size of that interface differs between

components. This includes shoreline: beaches, rocky shore, headland, backshore: sand dunes, adjacent scrubland, fresh water lakes and rivers, intertidal: estuaries, mangroves, saltmarsh, aquatic: sea grass, reefs, sandy sea-beds. The coastal fringe also encompasses the hinterland.

The coastal zone/fringe is subject to the effects of east coast low pressure systems and tropical cyclone events. Storm tide inundation can be very dramatic and with the expected increases in severity of such wild weather there will be a corresponding increase in costs to the population and to governments. Rising costs for natural disasters are estimated to increase from 11.5 billion dollars per year to 33 billion dollars per year.

Public infrastructure such as roads, curb and guttering, playgrounds, reserves, surf clubs, bar-be-que areas, water mains, sewerage mains, sewerage pumping stations, toilets, seats, bubblers and multi-service areas located on the coastal zone need to be protected from more frequent and severe extreme weather events and possible sea level rise.

Provision of public infrastructure makes life comfortable and convenient for residents, enhances holiday experiences for tourists and helps to provide lifetime memories that encourage tourists to become repeat customers. The further provision and protection of coastal infrastructure in the outlying towns and villages of the Shoalhaven will help to convert repeat customers into intergenerational visitors safeguarding the prosperity of the Shoalhaven.

It is not only infrastructure that needs to be protected but also the people using the infrastructure and resources. The strategies of 'Surfers 24/7,' surfers saving swimmers, and the 'Take Three for the Sea' anti-litter campaign need to be further promoted and encouraged in the Shoalhaven. Strategies like these help to transform, anyone willing to participate, into a local champion. It gives everyone a simple starting point and an opportunity to make a contribution to disentangling some of the almost overwhelming problems facing development on the coastal zone/fringe.

It is the pristine beaches and access to waterways that attracts large numbers of tourists to the Shoalhaven, encouraging a longer stay and increasing overall spend. Successful management and expansion of development in the coastal zone/fringe impacts on everyone and it is likely that good management and the provision of infrastructure will contribute to growth in tourist visitations.

People are drawn to the Shoalhaven for its clean national parks, state forests, wilderness areas and marine sanctuaries like the Bateman's Bay Marine Park and the Jervis Bay Marine Park. Nature based tourism improves visitor experience and is making the Shoalhaven a highly sort after destination.

Consider the number of people that come to the Shoalhaven overnight or on a weekly, monthly and annual basis to go fishing, surfing, skiing, boating, sailing, swimming, boogie board riding, stand up paddle boarding, kayaking, beach walking, picnicking or just for family outings. It is these visitors that many Shoalhaven businesses rely on for their revenue.

Unlike many places in Europe, Asia and the Americas the Shoalhaven still has pristine beaches and waterways. Residents and tourists of the Shoalhaven don't have to disentangle plastic from the propellers of boats every hour, nor does the council have to provide employees to remove pollution from the beaches on every incoming tide.

Unless the whole community is educated about the protection of the coastal zone/fringe and encouraged to participate in inhibiting coastal pollution and erosion then the possibility of the Shoalhaven's coastline becoming seriously polluted is only a wind-shift and a moment in time away. Residents should consider what can be done to thwart this from happening.

The challenge lies in keeping a balance between the development of housing, industry, roadways, transport networks and human activity that is in harmony with the environment. This balance will continue to give the Shoalhaven a point of difference attracting an increasing number of tourist populations into the future.

Dr Zsuzsa Banhalmi-Zakar spoke on investment in climate change adaptation. Dr Zakar stated that financial institutions perceive environmental issues including climate change as a risk and an opportunity. Climate change is an opening for adaptation finance and represents a prospect for investors. Some of the barriers to investing in climate change adaptation are: there needs to be a clearly defined credible project, a revenue stream, adequate project scale, accepted framework and effective coordination across all levels of government.

Dr. Sean Pascoe informed the conference that cost/benefit analysis is recommended in New South Wales to inform coastal management. Climate change adaptation works to protect coastal resources are an expensive exercise. How can councils justify these works when budgets are limited and there are so many other competing interests for funds? Financing a project is not the same as funding it through a capital grant.

Continuing Dr. Graeme Clark said, it is estimated that half the estuaries in Australia are modified and considered polluted and Sydney harbour is one of the highest polluted harbours in the world. Water quality in rivers, lakes and estuaries has been decreasing around Australia's major cities since 1987. The continuing deterioration can be attributed to the emerging problem of marine debris containing nano particles and micro plastics.

Human activity is creating a coastal squeeze through habitat destruction. Species have nowhere else to go. Shorebird propagation is very poor and numbers are declining particularly in migratory species due to habitat destruction and associated disturbance. Dugongs are approaching the threatened species list due to gill netting, loss of seagrass, habitat loss, nutrient runoff and tropical cyclones. Salt water crocodiles, on the other hand, are increasing and doing very well since protection in 1987.

Mangroves, with favourable conditions, are doing increasingly well in different parts of Australia. Salt marsh is failing to recover from historical losses. Restoration programs are underway but many of the salt marsh species are not really responding. Resilience is linked to high biodiversity. Estuarine and nutrient pollution is to be focused on in the future.

Recreational fishing has impacted on different species but fish stocks in marine parks and sanctuaries are recovering and increasing. Sea level rise has had very little impact to date but is expected to rise and continue to rise into the future.

Protecting the coastline and the one hundred and nine pristine beaches of the Shoalhaven is not just about managing coastal erosion, nor is it just about protecting private residences or public infrastructure located along the foreshores of estuaries, rivers, lakes, lagoons, creeks or bays. Protecting the Shoalhaven waterways is also about maintaining a way of life, one that penetrates the very fabric of our coastal society and helping to support and grow our existing local businesses and creating new economic opportunities in the coastal region. Preservation, maintenance and responsible development of the Shoalhaven's natural assets is paramount if the region is to continue to attract increasing numbers of visitors.

In short, tourism brings to the Shoalhaven a significant external income that has become indispensable to local businesses. The Shoalhaven is now the number one New South Wales tourist destination outside of Sydney. It is predicted that tourism will be a super sector industry by 2030 and the Shoalhaven, by leading the way is helping to make this a reality.

Associate Professor John Lane said management of the coastal zone/fringe needs better coordination and support between all levels of government. Local governments are doing most of the heavy lifting but specific solutions are beyond council's financial capacity, skills capabilities and expertise. All three tiers of government need to decide who is responsible for what and who pays for it.

While some residents are prepared to make a contribution for preserving the beach there are those that don't use the beaches or waterways, don't live near the coastal zone and don't see value in investing public monies protecting the coast. While this is understandable it is necessary to realise tourism, development and management of the coastal zone/fringe has become everybody's business. It is necessary for wealth generation in the Shoalhaven community to further develop sustainable tourism in the Shoalhaven coastal region.

The coastal zone/fringe is fragile and once ruined can never be replaced. It is of benefit to everyone, residents and visitors alike, to understand the significant role the coastal zone/fringe will play in the future and how it impacts on every resident of the Shoalhaven. There needs to be a conversation about how the coastal zone is valued.

Professor John Lane proposed funding coastal protection by charging residents through levies sent out with the quarterly rate notice. Considering the low socio-economic status of the Shoalhaven, the twelve thousand Shoalhaven pensioners, residents on fixed incomes, the Shoalhaven's temporary special rate variation of thirteen percent, the ever increasing cost of living, the recently proposed increase to the emergency services levy, the increase in sewerage costs and other fees and charges, a levy for coastal protection would be foolhardy. With all these costs considered, it is reasonable to think, for the coastal zone/fringe to be protected, visitors should be encouraged to make a contribution to the maintenance of infrastructure.

Australia is a coastal nation with eighty five percent of the population living on the coastal fringe. The Australian population is projected to reach thirty-one million people by the year 2033 and thirty-nine million by 2055.

With increasing population pressure, development on the coast continues relentlessly. Twenty two of the top twenty five highest earning Australian suburbs are located on the coastal fringe. Exacerbating the dilemma further, retiring baby boomers are migrating from the cities and relocating to establish a coastal lifestyle in regional areas. The most prominent growth outside capital cities recently occurred around the Australian coastline.

Twenty indicators illuminating this regional/coastline phenomena are value driven decisions. These decisions are based on environment, economics, utilities, biodiversity, climate change, cost of living, engagement, public transport, population density, social activities, employment, local state national and international agencies, volunteerism, governance, food production, waste, fish stocks, education, economic diversity, safety, wellbeing, health, water use, green building and air quality. What is it these value judgements really tell us?

Decision makers need to understand how Australian values are changing. The once highly valued experience of having a beer and a chat watching the sunset over the Mooloolaba caravan park is now confronted with the echoes of people saying, 'closure of the northern Mooloolaba caravan park will transform Mooloolaba into a world class beach destination.' What used to be valued as a quintessential Queensland experience is now an opportunity to attract increasing numbers of tourists through redevelopment.

What are the integral parts of Australian lifestyle that Australians want to keep in place? Answers to this question can only be obtained by having a conversation with the Australian people. Like all other things, Australian values are constantly changing.

As for the future of the Australian coastal zone/fringe the task is not to foresee it but to enable it. More and more people are taking a stand on how their community is being developed. Increasingly people are voicing their opinions as united groups. It is up to councils to use every opportunity to harness the strength of the community and promote and encourage its involvement.

Increasingly, people want to be engaged and active participants in the process of Australia's representative democracy. There is more interest in communities wanting to make decisions. As difficult as the task is to engage, involve and have the residents of the community participate in the decision making process, it has become a growing community expectation. People and organizations long to belong, long to contribute and long to be valued for their contribution. Everyone craves connection to community.

Citizens must be engaged on a large scale, inclusive of all stakeholders to learn how the community really want the Shoalhaven coastal zone/fringe to develop. Listening to what a small vocal minority group says or what council suspects is not a true representative sample of the Shoalhaven community. There needs to be prolonged authentic engagement with the wider community.

Communities have the desire and knowledge to contribute to the decisions that affect them. Communities are demanding more from councils and it is the right of residents to have their say in the development and expansion of the coastal zone/fringe particularly when the decisions impact on residents financially.

With increasing expectations and demands from the community, cost shifting from the State Government and decreases in Federal funding it would be prudent and precautionary to further encourage more collaboration between all Shoalhaven stakeholders in regard to continued development of the coastal zone/fringe. A vision for the Shoalhaven coastal zone/fringe can only be successful if the whole community truly owns, engages and drives the vision forward.

It is recognized by many that tourism is important to the Shoalhaven but this doesn't warrant the Shoalhaven putting all its eggs in one basket. That is why, completing the Princes Highway to Bomaderry and constructing a new bridge over the Shoalhaven River are significantly important to attracting more businesses and therefore the future growth and success of the region. If there is a sudden down turn in the world economy the last thing people will do is go on holidays to the Shoalhaven. Tourism is a highly competitive and fickle industry.

It is reasonable to think that rather than dispute the presence of tourists that bring a positive and negative impact to the region, Shoalhaven residents should be developing more strategies and management techniques to guarantee tourists a good time. The Shoalhaven City Council is already establishing a volunteers program to work in tourism.

However, volunteers can only do so much. It would be levelheaded to think that if the majority of Shoalhaven residents did three simple things to encourage tourism the community itself would become the proponent of prosperity. Three simple things might be, make eye contact with visitors and offer a welcoming smile, be helpful and give accurate directions and where possible start up a pleasant conversation. Domestic and international tourists long for this type of hospitality.

If this was done collectively by all Shoalhaven residents imagine the impact it would have over time on furthering intergenerational visitations. In order to help ourselves as a community to become sustainable into the future, we must first learn how to help others.

Uniting all residents in a common goal would offer everyone a chance to stop loitering at the edge of effectiveness, become a local champion and contribute to revitalization and growth in the Shoalhaven. The coastal zone/fringe in the Shoalhaven connects residents from Shoalhaven Heads to Durras Lake and like the Princes Highway, the coastal zone/fringe impacts on every resident giving them some commonality.

This raises the question, how does an organization convince people that their lifestyle and quality of life rests not only on their hard work, personal achievements and desires but on their contribution to community? Having the right objective might be just the right thing Shoalhaven residents need to bring them together and achieve a common goal.

Coles, Woolworths, Aldi, McDonalds and other large successful chain organizations recognize the value of pleasant salutations and train their employees accordingly to attract repeat customers. Welcoming people is a simple action, with three simple actions it is possible residents might consider participating. The hard thing is to convince residents the future of the Shoalhaven lies in their hands and then to coordinate a whole city response.

Now is the time to make an effort and become involved. Find out what it is that can be done. What are some individual actions that when done collectively will make a difference? Councils must understand the community and assist individuals to personally identify and focus on what can be done not whether or not there is a problem. 'We must be the change we want to see in the world' and there is a need for governments and communities to take risks and face change together.

With the opening of the Berry Bypass and the improvements to Main Road 92 and the Kings Highway change is being thrust upon the Shoalhaven. Change has come in the form of increased numbers of people travelling to the Shoalhaven for day trips and overnight stays. This has been verified through weekend trade. Increased development application approvals indicate the Shoalhaven has been discovered in a big way.

Shoalhaven residents can either take the 'ostrich approach' and bury their heads in the sand or meet this change head on. There are those who have slowed the bulldozer but development in the coastal zone/fringe is unyielding. Without the right development the Shoalhaven will experience further decline. It is crucial for residents to realise everybody will have to compromise, embrace change and manage it.

By managing the coastal zone effectively and protecting public and private assets the Shoalhaven Council is protecting the quality of life and the lifestyle of all its residents. It is reasonable to think that the current residents of the Shoalhaven need to work collaboratively with other residents, the Aboriginal community, the business community, council, government agencies and state members to put in place the right development, in the right location with the best possible design and attain the best possible environmental and developmental outcomes. Developments, utilizing the resources of the coast and hinterland responsibly, will lead to a growth in employment opportunities for future generations.

It is reasonable to believe there are no quick fixes or any easy solutions to the complex problems facing the continued development of the coastal zone/fringe. To enable change it is important for those living in the community to embrace change. There is a fundamental need for residents to reconnect with community because people will be facing radical change into the future. Vision, hopes and wishes of the community are the tools of change and sustainability.

It is important to recognize there is a connectivity between tourism and the environment, and the environment of the Shoalhaven ultimately attracts people to live and build here. Some come to establish businesses and have a change of lifestyle which in turn has a significant impact on increasing employment prospects. A growing population adds to the employment base and contributes to the success of already existing businesses.

Tourism brings employment and prosperity to the Shoalhaven but it also brings a series of murky problems. Providing sufficient infrastructure for erratic population increases for a short periods of the year and then the cost of cleaning up afterwards. The increased congestion to main roads leading into coastal destinations, increased hazards, traffic problems, noise pollution, anti-social behaviour and increasing funds to be spent on more road improvements.

A contemporary issue has been the introduction of online accommodation providers. Nicole Gurran spoke on the short term rental accommodation and how it is impacting on the coastal zone/fringe.

Holiday homes (secondary houses) have long been a feature of coastal communities. Types of home sharing for traditional short term holiday rentals have been holiday homes and principle residences which are shared with visitors. Holiday homes also provide affordable rental accommodation for the permanent resident work force in coastal communities.

On one hand, the Shoalhaven is very dependent on holiday homes to accommodate the permanent workforce and on the other, the Shoalhaven is also dependent on domestic and international tourism. Short term home rental is seen as an economic opportunity in coastal areas and the Shoalhaven has a sixty percent absentee housing market *in some locations (text in italics as adopted in MIN17.456)*.

Everyone who can is trying to register for Airbnb to create an additional revenue stream. To supplement income some people house sit a friend's home and rent out their own premises at the same time. Renting out rooms in residential homes is assisting home owners to meet their mortgage payments and living costs. Living on the coast it is not always easy to make an income.

The share economy and online platforms have dramatically increased the potential market for residential tourism and direct marketing transactions with negligible establishment costs for new operators.

As such different types of accommodation are now being rented. Whole homes are listed when residents are away. Rooms or shared rooms are rented to visitors while resident hosts remain present.

Short term holiday rentals concern many coastal councils because the listings are growing exponentially. Airbnb, Stayz and other online platforms are not subject to regulations. Anyone can set themselves up with limited process, little regulation and minimal management. Rapid growth in online home sharing in the past five years now exceeds the largest world motel chains in the number of properties listed. However, online platforms are potentially problematic causing social disruption with polarizing effects for local communities.

Complaints submitted to the Shoalhaven City Council verify tourists use homes differently to residents. There have been numerous reports of loud parties, poor management of rental properties, lack of a manager, health fire and safety concerns, community neighbourhoods, becoming transient, infringements of swimming pool regulations, parking problems, traffic

congestion, waste water, noise pollution, rubbish, strangers in residential areas, complaints from licensed operators losing business, poor treatment of apartment common areas, nudity, nuisance, drunken anti-social behavior, no limits on the number of nights clients can stay, on line listing undermining tourism strategies and there is no income stream flowing to council who are being pressured to employ extra staff and enforce some sort of regulation.

Airbnb is here to stay and has increased the population density of townships without any one realizing it. Local government have not been ready for the exponential growth of Airbnb and there is a need to review current regulations to make it fairer for all. Policy and regulatory debates are focused on the capital cities of Sydney and Melbourne and local governments are waiting for a state government framework with tools to enable different responses in different contexts and non-regulatory solutions to online technology.

Issues differ in each local government area, there is a lack of data, a lack of legal clarity and each state will make its own regulations about Airbnb short term rental. Half a dozen local government areas have taken the controversial step of prohibiting Airbnb listings.

Regulations are created to maintain safety for all residents and visitors and to protect vulnerable people. There is a need for amendments to the planning regulations. There are difficulties in monitoring and enforcing regulations when planning rules differ for short term rentals, there is no distinction between short term rentals and bed and breakfasts, no distinction between hosted and un-hosted accommodation, no licensing arrangements, or any understanding of whether or not Airbnb rentals are confined to particular zones.

Online residential tourism and freedom camping bring revenue and free advertising into our community but need to be regulated as soon as possible. Meanwhile, the effects of online accommodation providers have impacted on the amenity of coastal townships, the viability of traditional providers and have polarized the community.

Another issue confronting the coastal zone/fringe is temporary population movements. Dr. Elin Charles-Edwards described temporary population movements in Australia as having a seasonal ebb and flow. Temporary movements may be occasional, irregular, sporadic or involve a spatial pattern and temporal cycles.

Mr. Peter Hallows stated the resident population count of the Australian Census does not accurately represent the demand for providing services or infrastructure in a country or part of a country.

When talking about temporary populations Mr. Andrew Howe said there are vast amounts of data but no reliable robust information on number of visitors, timing of visitation, age, purpose of trip, seasonality and trip duration, frequency, origin, destination, route, mode of transport or selected characteristics of movers.

A study of temporary population movements for Bateman's Bay in the Eurobodalla, identify a routine weekly occurrence of people moving from outlying towns to work in the regional centre and on weekends, school holidays, long weekends, Anzac day the temporary population increases by people escaping the cities of Canberra and Sydney.

The results of this study can be extrapolated and applied to the Shoalhaven. One only has to stand at the Shoalhaven River Bridge early in the morning or late in the afternoon to witness this temporary migration or to visit Ulladulla at Easter time.

Water usage and rubbish collection give good insights but only partial information about temporary population movements. Mobile phone data information is proving to be the most effective source of reliable evidence. Mobile phones can adequately confirm temporary population movements.

Telstra has been engaged to establish a trial pilot study for the Australian Capital Territory and surrounds, to investigate temporary population movements entering the CBD and analyze the use of health services, education, roads, and other infrastructure. If the trial proves to be successful information will be made available to appropriate authorities.

Reports with reliable data allow planners to design plans with service provision for CBDs, for customer service officers to develop unique customer group profiles, for statisticians to analyze demographic data, for visitor information centres to predict tourist visitations, for financiers to inform investment decisions and for emergency services to prepare for natural disasters by using information with evidence based insights and real time solutions.

Using reliable data to inform planning and management ought to be supported by the ability to forward plan. Initiating a long term strategy of ten and twenty year plans will transcend the problems created by the inconsistency of a four year political term.

Some people in the Shoalhaven want change to happen but expect the council to do it for them. Other people hope change will happen but are awaiting a messiah-like natural leader to come along and solve all the problems. While other people, make change happen by getting involved and participating in the some of the hundreds of options available in the Shoalhaven. Then, there are those who want no change at all.

Communities today are increasingly developing a trust in themselves to provide for their needs rather than relying on the government to solve their problems. Coastal zone/fringe management is an issue that infiltrates the entire fabric of the Shoalhaven coastal society and being engaged in issues relevant to the Shoalhaven is vital. Increased numbers of visitors and permanent residents will have a serious impact on the coastal zone/fringe making good management, good planning and prolonged community engagement and participation imperative.

The challenge therefore lies in uniting the one hundred thousand people of the Shoalhaven to believe, that collectively, by doing a few simple things they can make a difference to what appear to be insurmountable problems facing development of the coastal zone/fringe. Further developing a strong, effective resilient community that continues competing nationally and internationally for the tourism dollar, while advancing the coastal zone/fringe responsibly, will help provide a secure, sustainable and growing employment base for Shoalhaven's future generations.

Councillor Mark Kitchener

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.