

Strategy and Assets Committee

Meeting Date: Tuesday, 18 July, 2017
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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

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

Agenda

1. **Apologies / Leave of Absence**
2. **Confirmation of Minutes**
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3. **Declarations of Interest**
4. **Mayoral Minute**
5. **Deputations and Presentations**
6. **Notices of Motion / Questions on Notice**

Nil
7. **Reports**

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Reports

- CSA17.11 Holiday Haven Park Management Contract extension - Lake Conjola Entrance Holiday Park
- 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.*
- CSA17.12 Tenders – Management & Operation Huskisson Beach Holiday Park
- 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.*

CSA17.13 Tenders – Floodplain Risk Management Studies & Plans – Lower Shoalhaven River and St Georges Basin

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.

Strategy and Assets Committee

Delegation:

Pursuant to s377 (1) of the *Local Government Act 1993* the Committee is delegated the functions conferred on Council by the *Local Government Act 1993* (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

Schedule:

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

10. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.
11. Review and make recommendations to Council in relation to:
 - a) The sale prices of land in connection with residential and industrial Council subdivisions;
 - b) The sale of Council property or the purchase or resumption of land;
 - c) The compensation to be offered in respect of land resumed by Council; and
 - d) Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
12. To determine and accept all tenders with a value of \$1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 13 June 2017
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5:01pm

The following members were present:

Clr Andrew Guile - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr John Levett
Clr Nina Cheyne
Clr Kaye Gartner – arrived 5.03pm
Clr Amanda Findley – arrived 5.03pm
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Russ Pigg - General Manager – arrived 5.03pm

Apologies / Leave of Absence

An apology was received from Clr Alldrick.

Confirmation of the Minutes

RESOLVED (Clr White / Clr Cheyne) MIN17.483

That the minutes of the Strategy and Assets Committee held on Tuesday 16 May 2017 be confirmed.

CARRIED

Declarations of Interest

Clr Proudfoot – “SA17.148 – Event Policy Update” – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – “He is a member of the Sanctuary Point Community Pride who made a submission”.

Clrs Findley and Gartner and Russ Pigg arrived at the meeting at 5.03pm.

MAYORAL MINUTES

MMS17.3 Mayoral Minute - Support for Gareth Ward, Member for Kiama's Budget Bids**HPERM Ref:
D17/187127****Recommendation (Item to be determined under delegated authority)**

That Shoalhaven City Council supports the Member for Kiama, Gareth Ward, in his budget bids that will have a high degree of impact on the Shoalhaven.

RESOLVED (Clr Findley / Clr Guile)

MIN17.484

That Shoalhaven City Council supports the Member for Kiama, Gareth Ward, in his budget bid for Berry - Bomaderry Bypass that will have a high degree of impact on the Shoalhaven.

CARRIED

RESOLVED (Clr Findley / Clr Guile)

MIN17.485

That Shoalhaven City Council supports the Member for Kiama, Gareth Ward, in his budget bid for the Shoalhaven Memorial Hospital Car Park that will have a high degree of impact on the Shoalhaven.

CARRIED

RESOLVED (Clr Findley / Clr Guile)

MIN17.486

That Shoalhaven City Council supports the Member for Kiama, Gareth Ward, in his budget bid for a Bus/ Coach Service to supplement the South Coast Rail line from Kiama to Bomaderry that will have a high degree of impact on the Shoalhaven.

FOR: Clr Guile, Clr Gash, Clr Wells, Clr White, Clr Cheyne, Clr Gartner, Clr Findley, Clr Proudfoot and Russ Pigg

AGAINST: Clr Levett, Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

DEPUTATIONS AND PRESENTATIONS

Mrs Annette McCarron addressed the Committee in relation to SA17.159 Proposed Road Closure of Part Battys Road Upper Kangaroo River, sale to Robert McCarron and Annette Miles and consolidation with Lot 2 DP839210 and Lot 1 DP846976

Mr Phil Crowe addressed the Committee in relation to SA17.159 Proposed Road Closure of Part Battys Road Upper Kangaroo River, sale to Robert McCarron and Annette Miles and consolidation with Lot 2 DP839210 and Lot 1 DP846976

Mr George Kruk (Collingwood Beach Preservation) addressed the Committee in relation to SA17.167 Coastal Hazard Review – Outcome of public exhibition

Mr Ian Zandstra addressed the Committee in relation to SA17.170 Renew Deed of Agreement - Shoalhaven REMS

Procedural Motion - Bring Item Forward

MOTION (Clr Cheyne / Clr Pakes)

That the following matters be brought forward for consideration:

- SA17.159 – Proposed Road Closure of Part Battys Road Upper Kangaroo River, sale to Robert McCarron and Annette Miles and consolidation with Lot 2 DP839210 and Lot 1 DP846976
- SA17.167 – Coastal Hazard Review- Outcome of public exhibition
- SA17.170 - Renew Deed of Agreement - Shoalhaven REMS

CARRIED

SA17.159 Proposed Road Closure of Part Battys Road Upper Kangaroo River, sale to Robert McCarron and Annette Miles and consolidation with Lot 2 DP839210 and Lot 1 DP846976

**HPERM Ref:
D17/146784**

Recommendation

That:

1. Council resolves to make an application to the Minister administering the Roads Act 1993, for the northern part of Battys Road, Upper Kangaroo River shown by hatching on Attachment "1" to be closed and sold to the owners of the adjoining Lot 2 DP839210 and Lot 1 DP846976, Robert McCarron and Annette Miles;
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed;
3. Council authorise the sale of the closed road to Robert McCarron and Annette Miles for \$7,000.00 (plus GST if applicable) provided that the land comprised in the closed road, Lot 2 DP 839210 and Lot 1 DP 846976 are consolidated into one (1) lot; and
4. All costs associated with this road closure are to be met by Robert McCarron and Annette Miles.

Recommendation (Clr Gash / Clr Findley)

That:

1. Council resolves to make an application to the Minister administering the Roads Act 1993, for the northern part of Battys Road, Upper Kangaroo River shown by hatching on Attachment "1" to be closed and sold to the owners of the adjoining Lot 2 DP839210 and Lot 1 DP846976, Robert McCarron and Annette Miles;
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed;
3. Council authorise the sale of the closed road to Robert McCarron and Annette Miles for \$7,000.00 (plus GST if applicable) provided that the land comprised in the closed road, Lot 2 DP 839210 and Lot 1 DP 846976 are consolidated into one (1) lot; and
4. All costs associated with this road closure are to be met by Robert McCarron and Annette Miles.

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

AGAINST: Clr Cheyne

CARRIED

SA17.167 Coastal Hazard Review- Outcome of public exhibition

**HPERM Ref:
D17/36024**

Recommendation

That Council

1. Adopt the Shoalhaven Coastal Hazard Review, that includes Council's adopted sea level rise projections, in accordance with Council's resolution (D15/39660); and
2. Submit the adopted Shoalhaven Coastal Hazard Review to the NSW Government, replacing the 2009 Coastal Hazard Assessment, as part of the Shoalhaven draft 2012 Coastal Zone Management Plan for certification, in accordance with Council's resolution (MIN16.849); and
3. Review the Shoalhaven Local Environmental Plan 2014 and Shoalhaven Development Control Plan 2014 to reflect the outcomes of the Shoalhaven Coastal Hazard Review and a further report be provided on the proposed amendments.

Recommendation (Clr Proudfoot / Clr Wells)

That Council:

1. Adopt the Shoalhaven Coastal Hazard Review, that includes Council's adopted sea level rise projections, in accordance with Council's resolution (D15/39660); and
2. Submit the adopted Shoalhaven Coastal Hazard Review to the NSW Government, replacing the 2009 Coastal Hazard Assessment, as part of the Shoalhaven draft 2012 Coastal Zone Management Plan for certification, in accordance with Council's resolution (MIN16.849); and
3. Review the Shoalhaven Local Environmental Plan 2014 and Shoalhaven Development Control Plan 2014 to reflect the outcomes of the Shoalhaven Coastal Hazard Review and a further report be provided on the proposed amendments.
4. Write to the Office of Environment and Heritage (OEH) to confirm whether or not a more accurate engineering alternative to the Bruun Rule can be used to assess coastal hazards and if not what level of error is the OEH prepared to attribute to the Bruun Rule.

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

AGAINST: Nil

CARRIED

SA17.170 Renew Deed of Agreement - Shoalhaven REMS

**HPERM Ref:
D17/67782**

Recommendation

That Council

1. Authorise the General Manager to sign the new REMS Deeds of Agreement with each participating land manager using reclaimed water
2. Approve the signing and use of the Common Seal of Council on the Deeds if required;
3. Provide reclaimed water at no charge to end users for a further 15 year period.

Note: Clr Cheyne left the meeting 6.14pm

Recommendation (Clr Wells / Clr Guile)

That Council:

1. Authorise the General Manager to sign the new REMS Deeds of Agreement with each participating land manager using reclaimed water
2. Approve the signing and use of the Common Seal of Council on the Deeds if required;
3. Provide reclaimed water at no charge to end users for a further 15 year period.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA17.140 Notice of Motion - Callala Bay Sailing Club Erosion

**HPERM Ref:
D17/180313**

Note: Clr Cheyne returned to the meeting 6.16pm

Recommendation (Item to be determined under delegated authority)

That Council

1. Urgently repair the erosion caused by works carried out by Council in 2016.
2. Remove the rocks that were used and have now rendered the dune unsafe and unusable.
3. Replace the three access tracks and upgrade them with timber structures.
4. Consult with the Sailing Club Committee before undertaking the works.
5. Replant all the grass and any other shrubs that were removed when the 2016 works were carried out.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.487

That Council:

1. Staff report back to Council on alternate access paths and possible funding sources and costs for;
 - a. Urgent repair of the erosion caused by works carried out by Council in 2016.
 - b. Removal of the rocks that were used and have now rendered the dune unsafe and unusable.
 - c. Replacement of the three access tracks and upgrade them with timber structures.
 - d. Replanting of all the grass and any other shrubs that were removed when the 2016 works were carried out.
2. Consult with the Sailing Club Committee before undertaking the works.

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

AGAINST: Nil

CARRIED

SA17.141 Notice of Motion - Drainage - Orient Ave, Orient Point**HPERM Ref:
D17/180496****Recommendation (Item to be determined under delegated authority)**

That

1. Council urgently repair the drainage along both sides of Orient Ave, Orient Point (House number 16 to 38 Eastern side and 19 to 25 western side)
2. Works to include
 - a. Cleaning and scraping of road verges.
 - b. Creation of a table drain down both sides of Orient Ave.
 - c. Bitumen spraying of the table drains.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.488

That:

1. Council repair the drainage along both sides of Orient Ave, Orient Point (House number 16 to 38 Eastern side and 19 to 25 western side)
2. Works to include:
 - a. Cleaning and scraping of road verges.
 - b. Creation of a table drain down both sides of Orient Ave.
 - c. Bitumen spraying of the table drains.

FOR: Clr Guile, Clr Gash, Clr Wells, Clr Findley, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr White, Clr Levett, Clr Cheyne, Clr Gartner and Russ Pigg

CARRIED

SA17.142 Notice of Motion - Drainage - Prince Edward Ave, Culburra Beach**HPERM Ref:
D17/180517****Recommendation (Item to be determined under delegated authority)**

That

1. Council undertake urgent maintenance works on the open drains along Prince Edward Ave Culburra Beach.
2. Council start work on drains that run along house's 2 to 28 Prince Edward Ave
3. Works include mowing, clearing and cleaning to ensure water flows effectively through the drains and eliminates the risk of flooding.

MOTION (Clr Pakes / Clr Proudfoot)

That Council:

1. Undertake maintenance works on the open drains along Prince Edward Ave, Culburra Beach.
2. Start work on drains that run along house's 2 to 28 Prince Edward Ave
3. Works include mowing, clearing and cleaning to ensure water flows effectively through the drains and eliminates the risk of flooding.
4. Discuss with residents the opportunities regarding the drainage work and report back to

Council.

FOR: Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Gartner, Clr Findley

LOST

RESOLVED (Clr Findley / Clr Gash)

MIN17.489

That the matter regarding Notice of Motion - Drainage - Prince Edward Ave, Culburra Beach be deferred pending discussions with residents regarding opportunities of the drainage work at 2 to 28 Prince Edward Avenue, Culburra Beach and report back to Council.

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

AGAINST: Clr Guile and Clr Pakes

CARRIED

SA17.143 Notice of Motion - Public Toilet Facilities upgrade

**HPERM Ref:
D17/180649**

Recommendation (Item to be determined under delegated authority)

That Council

1. Undertake a maintenance program to clean and freshen up our public toilet facilities.
2. Urgently address the poor condition of the following toilet facilities by re-painting them
 - a. Crookhaven Heads boat ramp,
 - b. Callala Bay boat ramp,
 - c. Callala Beach Road car park,
 - d. Greenwell Point pool reserve

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.490

That Council:

1. Continue the maintenance program to clean and freshen up our public toilet facilities.
2. Urgently address the poor condition of the following toilet facilities by re-painting them
 - a. Crookhaven Heads boat ramp,
 - b. Callala Bay boat ramp,
 - c. Callala Beach Road car park,
 - d. Greenwell Point pool reserve

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

AGAINST: Clr Levett

CARRIED

REPORT OF THE ABORIGINAL ADVISORY COMMITTEE - 15 MAY 2017

Items marked with an * were resolved 'en block'.

AA17.8	Adoption of Applications - Membership - Four (4) Year Term	HPERM Ref: D17/61973
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RESOLVED* (Clr Cheyne / Clr White)

MIN17.491

That:

1. Council acknowledge the applications of Membership and appoint the following members for a continuing four (4) year term:
 - a. Janet Atkins
 - b. Sylvia Timbery
 - c. Patricia Lester
 - d. Christine Finney
 - e. Shane Brown
 - f. Leonie Ebzery
 - g. Valda Corrigan
 - h. Leslie Halls
 - i. Sue-Anne Cutmore
 - j. Noel Wellington
2. The completed application from Paul McLeod be accepted and he be appointed to the Aboriginal Advisory committee for a term of four (4) years
3. The two (2) Youth applications from Janaya Hennessy and Morgan Blakeney be accepted and appointed for a term of four (4) years
4. Consultation continue to work to obtain a representative member of each of the three (3) Aboriginal Land Councils as members on the Aboriginal Advisory Committee.
5. Should representation from each of the Land Councils not be achieved, then the Committee should consider how such vacancy will be managed.

CARRIED

AA17.10	Local Government Regional NAIDOC Awards	HPERM Ref: D17/123899
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RESOLVED* (Clr Cheyne / Clr White)

MIN17.492

That the Aboriginal Advisory Committee financially contribute \$2,000 to the 2017 Local Government Regional NAIDOC Awards.

CARRIED

AA17.12 Additional Item - Conference - NSW Local Government Aboriginal Network**Recommendation**

That:

1. An Aboriginal Advisory Committee Member be funded to attend the NSW LGAN Conference in Albury Entertainment Centre Wednesday 13 to Friday 15 September 2017;
2. The Cost of attending the conference be funded from the General Manager and Councillors Budget.

RESOLVED (Clr White / Clr Cheyne)

MIN17.493

That:

1. An Aboriginal Advisory Committee Member be funded to attend the NSW LGAN Conference in Albury Entertainment Centre Wednesday 13 to Friday 15 September 2017;
2. The Cost of attending the conference be funded from the Conference Budget.

CARRIED

Procedural Motion - Adjournment of Meeting

MOTION (Clr Findley / Clr White)

That the meeting be adjourned for 15 minutes.

CARRIED

The meeting adjourned the time being 7.13pm.

Procedural Motion - Resumption of Meeting

The meeting reconvened the time being 7.27pm.

The following members were present:

Clr Andrew Guile - Chairperson

Clr Joanna Gash

Clr John Wells

Clr Patricia White

Clr John Levett

Clr Nina Cheyne

Clr Kaye Gartner

Clr Amanda Findley

Clr Mitchell Pakes

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

Mr Russ Pigg - General Manager

REPORTS

SA17.145 Public Policy for Review - Statement of Business Ethics

HPERM Ref:
D17/165974

Recommendation (Item to be determined under delegated authority)

That the public policy, Statement of Business Ethics, be adopted with minor changes as indicated in Attachment 1.

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.494

That the public policy, Statement of Business Ethics, be adopted with minor changes as indicated in Attachment 1.

CARRIED

SA17.146 Shoalhaven Economic Development Strategy (2017 - 2026) - Adoption of the Strategy

HPERM Ref:
D17/183404

Recommendation (Item to be determined under delegated authority)

That

1. Council adopt the Shoalhaven Economic Development Strategy 2017 - 2026
2. The new Strategy be referred to the Business, Employment and Development Committee to discuss and recommend priority settings for the “*Recommended Actions*” within the Strategy, acknowledging the resource/capacity limitations of the Economic Development Section.

RESOLVED (Clr Cheyne / Clr White)

MIN17.495

That:

1. Council adopt the Shoalhaven Economic Development Strategy 2017 - 2026
2. The new Strategy be referred to the Business, Employment and Development Committee to discuss and recommend priority settings for the “*Recommended Actions*” within the Strategy, acknowledging the resource/capacity limitations of the Economic Development Section.

CARRIED

SA17.147 Sale of Council Industrial Land - Lot 105 Cumberland Ave, South Nowra - Revision of Sale Price

HPERM Ref:
D17/183462

Recommendation

That Council set the minimum sale price for Lot 105 DP 1096630 Cumberland Ave South Nowra at \$355,000 plus GST.

Recommendation (Clr Wells / Clr White)

That Council set the minimum sale price for Lot 105 DP 1096630 Cumberland Ave South Nowra at \$355,000 plus GST.

CARRIED

SA17.148 Event Policy Update

**HPERM Ref:
D17/152355**

Recommendation (Item to be determined under delegated authority)

That Council endorse the new Events Policy taking into consideration the changes made from the comments received during the public exhibition period.

RESOLVED (Clr Wells / Clr White)

MIN17.496

That Council endorse the new Events Policy taking into consideration the changes made from the comments received during the public exhibition period.

CARRIED

SA17.149 Workplace Surveillance Report

**HPERM Ref:
D17/158690**

Recommendation (Item to be determined under delegated authority)

That Council accept this report for information.

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.497

That Council accept this report for information.

CARRIED

SA17.150 Policy Review - Water Safety

**HPERM Ref:
D16/352846**

Recommendation (Item to be determined under delegated authority)

That Council adopt the amended Recreation Community & Culture - Water Safety Policy POL16/220 as indicated in the report.

RESOLVED (Clr Gartner / Clr Gash)

MIN17.498

That Council adopt the amended Recreation Community & Culture - Water Safety Policy POL16/220 as indicated in the report.

CARRIED

SA17.151 Access Area for Dogs

**HPERM Ref:
D17/162059**

Recommendation (Item to be determined under delegated authority)

That Council re adopt the public policy, Access Area for Dogs, without changes.

RESOLVED (Clr Gartner / Clr White)

MIN17.499

That Council re adopt the public policy, Access Area for Dogs, without changes.

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

AGAINST: Clr Guile

CARRIED

SA17.152 Private Functions On Public Reserves Policy - Amendment

**HPERM Ref:
D17/162332**

Recommendation (Item to be determined under delegated authority)

That Council amend the Private Functions on Public Reserves Policy to include Bannister Reserve to the Medium Function Criteria and Map.

RESOLVED (Clr Cheyne / Clr Gartner)

MIN17.500

That Council amend the Private Functions on Public Reserves Policy to include Bannister Reserve to the Medium Function Criteria and Map.

CARRIED

SA17.153 Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase

**HPERM Ref:
D17/162815**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Draft Bay & Basin Master Plan, with minor wording changes to the report as outlined in the submission table
2. Council support progressing this project to the next stage of detailed design.

MOTION (Clr Proudfoot / Clr Kitchener)

That:

1. Council not proceed with the Basin Community Hub Detailed Design Phase at this stage, and a Council committee be formed to deal with the matter
2. Council staff prepare a report on a new plan which includes an additional 25 metre pool, an increased gymnasium as well as an overall refurbishment of the Leisure Centre, but excludes the library and additional meeting rooms.
3. Alternate sites for a library be proposed with consideration given to the expansion of Sanctuary Point Library, the Lady Denman precinct, the old Vincentia Village Shopping Centre and the new Vincentia Market Place Shopping Centre.
4. Council staff be thanked for their work on the Draft Master Plan.

(AMENDMENT) **RESOLVED** (Clr Findley / Clr Cheyne)

MIN17.501

That this matter be deferred to a future meeting of the Strategy and Assets Committee in August 2017 and this matter be the subject of a Clr Workshop/Briefing.

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

AGAINST: Clr Proudfoot

CARRIED

SA17.154 Section 355 Management Committee - Terms of Reference - Nowra Showground

**HPERM Ref:
D17/165021**

Recommendation

That Council

1. Endorse the Terms of Reference and committee membership numbers for the establishment of a 355 Management Committee for Nowra Showground as outlined in the report,
2. Advertise for members to establish a 355 Management Committee for Nowra Showground.
3. In accordance with MIN15.622 and the delegation provided therein, the General Manager approve the membership appointments to the 355 Management Committee for Nowra Showground.
4. The once the committee is established staff continue to work with the committee to establish an appropriate operational budget and determine how works will be undertaken (i.e. existing council staff, contract or volunteers).

RESOLVED (Clr Pakes / Clr Guile)

MIN17.502

That Council:

1. Endorse the Terms of Reference and committee membership numbers for the establishment of a 355 Management Committee for Nowra Showground as outlined in the report,
2. Advertise for members to establish a 355 Management Committee for Nowra Showground.
3. In accordance with MIN15.622 and the delegation provided therein, the General Manager approve the membership appointments to the 355 Management Committee for Nowra Showground.
4. The once the committee is established staff continue to work with the committee to establish an appropriate operational budget and determine how works will be undertaken (i.e. existing council staff, contract or volunteers).

CARRIED

SA17.155 Australian Local Government Association - 2017 National Local Roads & Transport Congress

**HPERM Ref:
D17/164049**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Notes the details of the Australian Local Government Association – 2017 National Local Roads & Transport Congress scheduled for 7-9 November 2017 in Albany, Western Australia.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr White / Clr Guile)

MIN17.503

That Council:

1. Notes the details of the Australian Local Government Association – 2017 National Local Roads & Transport Congress scheduled for 7-9 November 2017 in Albany, Western Australia.

2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

SA17.156 Crown Land Management Act 2016

**HPERM Ref:
D17/151835**

Recommendation

That Council receive the report for information on the Crown Land Management Act 2016 and refer this to the Natural Resource and Floodplain Committee for information.

RESOLVED (Clr Wells / Clr White)

MIN17.504

That Council receive the report for information on the Crown Land Management Act 2016 and refer this to the Natural Resource and Floodplain Committee for information.

CARRIED

SA17.157 Shoalhaven City Council Property Strategy - Public Exhibition

**HPERM Ref:
D17/109720**

Recommendation (Item to be determined under delegated authority)

That

1. Council place on public exhibition the draft Shoalhaven City Council Property Strategy for a minimum of 28 days for comment.
2. Should Council receive no objections or submissions that would mean only a minor alteration to the Strategy, then the Strategy be deemed adopted at the conclusion of the submission period.
3. Should Council receive submissions that are considered to have a significant effect on the Strategy then a further report be presented to Council.

RESOLVED (Clr Findley / Clr Cheyne)

MIN17.505

That

1. Council place on public exhibition the draft Shoalhaven City Council Property Strategy for a minimum of 28 days for comment.
2. Should Council receive no objections or submissions that would mean only a minor alteration to the Strategy, then the Strategy be deemed adopted at the conclusion of the submission period.
3. Should Council receive submissions that are considered to have a significant effect on the Strategy then a further report be presented to Council.

CARRIED

SA17.158 Proposed Sale of Land - 11 Grandview Street, Erowal Bay

**HPERM Ref:
D17/142694**

Recommendation

That Council:

1. Advertise its intention to dispose of 11 Grandview Street, Erowal Bay (Lot 24 Sec 1 DP9182) in accordance with Policy 16/256 (POL16/256) and advise the local CCB, and if no objections are received, authorise the sale of the property by public auction;
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 Number 88650 and the net income from the sale be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any contract or sale documents required to be sealed.

RESOLVED (Clr Findley / Clr White)

MIN17.506

That this matter be deferred to the Ordinary Meeting Tuesday 27 June 2017.

CARRIED

SA17.159 Proposed Road Closure Of Part Battys Road Upper Kangaroo River, Sale To Robert McCarron and Annette Miles and Consolidation With Lot 2 DP839210 and Lot 1 DP846976

**HPERM REF:
D17/146784**

Item dealt with earlier in the meeting.

SA17.160 Transfer of Land within Heritage Estates to NSW National Parks & Wildlife Service

**HPERM Ref:
D17/156728**

Recommendation

That Council:

1. Advertise its intention to transfer, for nil consideration, the Council owned lots located within the Heritage Estates at Worrowing Heights, listed in the table below, transfer to the NSW National Parks and Wildlife Service (or their nominee) and if no objections are received and subject to no adverse implications for the transfer from the pending court case, authorise the transfer of the Council owned lots:

DEPOSITED PLAN	LOTS
DP8590	47-48, 74, 77, 130, 136, 138-139, 162, , 172, 183, 186, 188, 194-195, 217, 274, 309, 357
DP8591	1, 14, 25, 28, 58, 60, 81, 87, 106-107, 148, 152-155, 199, 209, 228, 259, 264, 315
DP8770	8, 23, 27, 31, 34, 44, 71, 73, 97, 100-101, 110-112, 189A, 195
DP8771	26, 35, 40, 44

DP8772	4-6, 76, 104-105, 125, 135, 137, 144-145, 158, 167, 201, 204, 210, 223, 224, 244, 251
DP625153	1

- Grant authority to affix the Common Seal of the Council to any documents required to be sealed.

Recommendation (Clr Findley / Clr Guile)

That Council:

- Advertise its intention to transfer, for nil consideration, the Council owned lots located within the Heritage Estates at Worrowing Heights, listed in the table below, transfer to the NSW National Parks and Wildlife Service (or their nominee) and if no objections are received and subject to no adverse implications for the transfer from the pending court case, authorise the transfer of the Council owned lots:

DEPOSITED PLAN	LOTS
DP8590	47-48, 74, 77, 130, 136, 138-139, 162, , 172, 183, 186, 188, 194-195, 217, 274, 309, 357
DP8591	1, 14, 25, 28, 58, 60, 81, 87, 106-107, 148, 152-155, 199, 209, 228, 259, 264, 315
DP8770	8, 23, 27, 31, 34, 44, 71, 73, 97, 100-101, 110-112, 189A, 195
DP8771	26, 35, 40, 44
DP8772	4-6, 76, 104-105, 125, 135, 137, 144-145, 158, 167, 201, 204, 210, 223, 224, 244, 251
DP625153	1

- Grant authority to affix the Common Seal of the Council to any documents required to be sealed.

CARRIED

**SA17.161 Surrender of Lease - Milton Ulladulla Ex-Servos Club Ltd
- Ulladulla Civic Centre, Princes Highway, Ulladulla**

**HPERM Ref:
D17/156785**

Recommendation

That Council:

- Resolve to approve the surrender of the consecutive lease agreements (including the associated licence agreements) with Milton Ulladulla Ex-Servos Club Ltd for the use and occupation of the Council owned café / bar area of Ulladulla Civic Centre;
- In its capacity as Reserve Trust Manager of Ulladulla (R87268) Reserve Trust, resolve to approve the surrender of the licence agreement between The Trust, the Minister for Lands and Forestry and Milton Ulladulla Ex-Servos Club Ltd for the Crown Land component of the Ulladulla Civic Centre and surrounds; and
- 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.

Recommendation (Clr Gash / Clr Gartner)

That Council:

1. Resolve to approve the surrender of the consecutive lease agreements (including the associated licence agreements) with Milton Ulladulla Ex-Servos Club Ltd for the use and occupation of the Council owned café / bar area of Ulladulla Civic Centre;
2. In its capacity as Reserve Trust Manager of Ulladulla (R87268) Reserve Trust, resolve to approve the surrender of the licence agreement between The Trust, the Minister for Lands and Forestry and Milton Ulladulla Ex-Servos Club Ltd for the Crown Land component of the Ulladulla Civic Centre and surrounds; and
3. 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.

CARRIED

**SA17.162 Classification of Operational Land - Sewer Pump Station
- Lot 3 DP1227133 - The Links Road, Nowra Hill****HPERM Ref:
D17/167768****Recommendation**

That Council resolve to classify the land described as Lot 3 DP1227133 at The Links Road, Nowra Hill as Operational Land.

Recommendation (Clr Cheyne / Clr Gartner)

That Council resolve to classify the land described as Lot 3 DP1227133 at The Links Road, Nowra Hill as Operational Land.

CARRIED

**SA17.163 Extinguishment of Drainage Easement - 32 Kings Point
Dr, Kings Point****HPERM Ref:
D17/174320****Recommendation**

That Council:

1. Resolve to extinguish the easement for drainage 3 wide over Lot 72 DP28562 at Kings Point;
2. Accept the offer of compensation of \$5,000 plus costs from the owner; and
3. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Recommendation (Clr Proudfoot / Clr White)

That Council:

1. Resolve to extinguish the easement for drainage 3 wide over Lot 72 DP28562 at Kings Point;
2. Accept the offer of compensation of \$5,000 plus costs from the owner; and
3. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA17.164 Renewal Strategy - Footbridge over Kangaroo River,
Upper Kangaroo Valley**

**HPERM Ref:
D17/39809**

Recommendation (Item to be determined under delegated authority)

That

1. The timber deck and approach ramp of the bridge over Kangaroo River be replaced with Fibre Reinforced Plastic (FRP) and funded under the 2017/18 Bridge Maintenance Program
2. The timber pylons of the bridge be replaced and funded under the 2018/19 Bridge Maintenance Program

RESOLVED (Clr Findley / Clr Cheyne)

MIN17.507

That

1. The timber deck and approach ramp of the bridge over Kangaroo River be replaced with Fibre Reinforced Plastic (FRP) and funded under the 2017/18 Bridge Maintenance Program
2. The timber pylons of the bridge be replaced and funded under the 2018/19 Bridge Maintenance Program.

CARRIED

SA17.165 Road Network Strategy - Nowra / Bomaderry

**HPERM Ref:
D17/170005**

Recommendation (Item to be determined under delegated authority)

That

1. The report on the Strategic Overview of the road network for Nowra – Bomaderry be received for information
2. Council endorse the priorities and timing of the Nowra Key Road Projects
3. State and Federal Members of Parliament be advised of the endorsed projects to commence advocacy and to seek their commitment to future planning and funding
4. Staff work collaboratively with State Government roads and transport authorities to assist in the planning of these projects

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN17.508

That:

1. The report on the Strategic Overview of the road network for Nowra – Bomaderry be received for information
2. Council endorse the priorities and timing of the Nowra Key Road Projects
3. State and Federal Members of Parliament be advised of the endorsed projects to commence advocacy and to seek their commitment to future planning and funding
4. Staff work collaboratively with State Government roads and transport authorities to assist in the planning of these projects

CARRIED

Note: This item was reintroduced – see MIN17.510

SA17.166 Investigation - Repair Beach Access - Ocean St Culburra **HPERM Ref: D17/224****Recommendation (Item to be determined under delegated authority)**

That the report on upgrading the Ocean Street, Culburra Beach car park be received for information.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN17.509

That:

1. The report on upgrading the Ocean Street, Culburra Beach car park be received for information.
2. Council report back on feasible access points.

CARRIED

SA17.167 Coastal Hazard Review- Outcome of Public Exhibition

HPERM REF:
D17/36024

Item dealt with earlier in the meeting.

**SA17.168 Installation of Barriers to Regulate Traffic - Captain St -
Blenheim Beach Reserve - Vincentia**

HPERM Ref:
D17/93251

Recommendation

Council seek approval from the NSW Roads and Maritime Services to erect a gate and barriers at Captain St for the purpose of regulating traffic to prevent illegal activities, such as camping and rubbish dumping and the risk to the public from dangerous driving following community consultation undertaken by Council.

Recommendation (Clr White / Clr Gartner)

That Council seek approval from the NSW Roads and Maritime Services to erect a gate and barriers at Captain St for the purpose of regulating traffic to prevent illegal activities, such as camping and rubbish dumping and the risk to the public from dangerous driving following community consultation undertaken by Council.

CARRIED

Procedural Motion - Reintroduction of Item**MOTION** (Clr Watson / Clr Proudfoot)

That SA17.165 be reintroduced for discussion to allow for further questions.

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

AGAINST: Clr Wells

CARRIED

SA17.165 Road Network Strategy - Nowra / Bomaderry

**HPERM Ref:
D17/170005**

The item was reintroduced to allow for further questioning.

Recommendation (Item to be determined under delegated authority)

That

1. The report on the Strategic Overview of the road network for Nowra – Bomaderry be received for information
2. Council endorse the priorities and timing of the Nowra Key Road Projects
3. State and Federal Members of Parliament be advised of the endorsed projects to commence advocacy and to seek their commitment to future planning and funding
4. Staff work collaboratively with State Government roads and transport authorities to assist in the planning of these projects

RESOLVED (Clr Watson / Clr Guile)

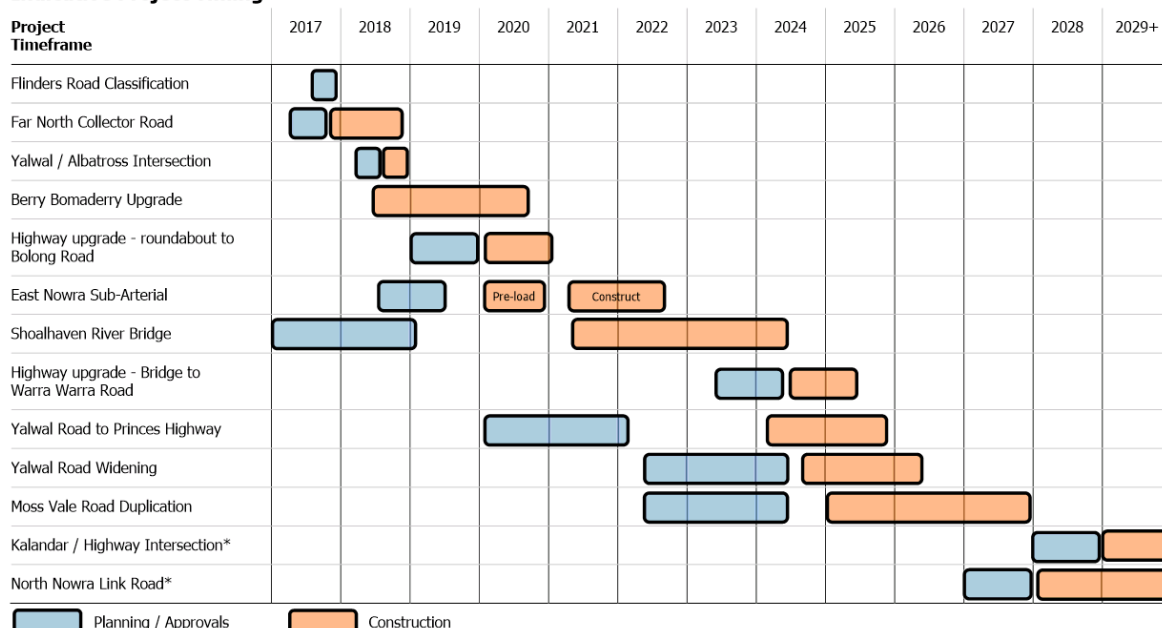
MIN17.510

That:

1. The report on the Strategic Overview of the road network for Nowra – Bomaderry be received for information
2. Council endorse the priorities and timing of the Nowra Key Road Projects
3. State and Federal Members of Parliament be advised of the endorsed projects to commence advocacy and to seek their commitment to future planning and funding
4. Staff work collaboratively with State Government roads and transport authorities to assist in the planning of these projects
5. The timing for the projects be as outlined in the report attachment on page 274 of the attachments (as shown below).

CARRIED

Indicative Project Timing



* Assumes implementation of other projects to enable these to be moved to the long-term - they may otherwise be required earlier.

Note: All projects are subject to funding confirmation

**SA17.169 Review of Biodiversity Conservation Legislation in NSW
and proposed Vegetation SEPP - Council Submission****HPERM Ref:
D17/157645****Recommendation (Item to be determined under delegated authority)**

That Council make a submission based on the contents of this report (including Attachment 1) to the NSW Government on the exhibited Land Management and Biodiversity Conservation Legislation Reforms and the proposed *State Environmental Planning Policy (Vegetation) 2017*.

RESOLVED (Clr Gartner / Clr Cheyne)

MIN17.511

That Council make a submission based on the contents of this report (including Attachment 1) to the NSW Government on the exhibited Land Management and Biodiversity Conservation Legislation Reforms and the proposed *State Environmental Planning Policy (Vegetation) 2017*.

CARRIED

SA17.170 Renew Deed of Agreement - Shoalhaven Rems**HPERM REF:
D17/67782**

Item dealt with earlier in the meeting.

SA17.171 Review of Shoalhaven Water Group Policies**HPERM Ref:
D17/166686****Recommendation (Item to be determined under delegated authority)**

That Council reaffirm the following policies with minor changes:

1. POL16/89 – Connection of Properties to Council's Sewerage System.
2. POL16/90 – Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments.
3. POL16/91 – Provision of Water and Sewerage Infrastructure – Developments Not Included In Development Servicing Plans.

RESOLVED (Clr Wells / Clr White)

MIN17.512

That Council reaffirm the following policies with minor changes:

1. POL16/89 – Connection of Properties to Council's Sewerage System.
2. POL16/90 – Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments.
3. POL16/91 – Provision of Water and Sewerage Infrastructure – Developments Not Included In Development Servicing Plans.

CARRIED

SA17.172 Floodplain Management Conference 2017**HPERM Ref:
D17/163932****Recommendation (Item to be determined under delegated authority)**

That Council receive the report from Clr Annette Alldrick on the Floodplain Management Conference 2017 for information.

RESOLVED (Clr Pakes / Clr Gartner)

MIN17.513

That Council receive the report from Clr Annette Alldrick on the Floodplain Management Conference 2017 for information.

CARRIED

SA17.173 Australian Coastal Councils Conference

**HPERM Ref:
D17/167695**

Recommendation (Item to be determined under delegated authority)

That Council receive the report from Clr Patricia White, Clr John Wells and Clr John Levett on the Australian Coastal Councils Conference for information.

RESOLVED (Clr Cheyne / Clr White)

MIN17.514

That Council receive the report from Clr Patricia White, Clr John Wells and Clr John Levett on the Australian Coastal Councils Conference for information.

CARRIED

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

Clr Guile
CHAIRPERSON

SA17.174 Policy Determination - Not Allowing Circuses that utilise Exotic Animals on Council Land

HPERM Ref: D17/201866

Group: General Manager's Group

Attachments: 1. Shellharbour City Council - Report [↓](#)
2. Shellharbour City Council - Resolution [↓](#)
3. IPJO Request [↓](#)

Purpose / Summary

To determine a Council position on this matter.

Recommendation (Item to be determined under delegated authority)

That Council determine its Policy position in respect to Circuses which utilise exotic animals, being allowed to hire/occupy any Council land (owned or as Trustee).

Options

1. Council note the report and adopt a “policy” position of not allowing any Circus, which utilise exotic animals, to hire/occupy any Council land (owned or as Trustee) and advise Illawarra Pilot Joint Organisation (IPJO) accordingly. This will then be reflected in the Sustainable Events Policy.
2. Council note the report and not adopt any “exclusion” Policy as set out by Shellharbour City Council and advise IPJO accordingly.

Background

Shellharbour City Council recently considered a report (Attachment 1) on this matter and resolved (in part) “that Council list this topic for discussion at the next IPJO meeting” (see Attachment 2 for full resolution).

IPJO has subsequently referred the matter to each individual member council to consider in the first instance (Attachment 3).

Council land may provide a site suitable for a circus however in recent times visiting circuses have held their “shows” on private land eg Stocklands, Nowra and IRT, Ulladulla.

The Shellharbour report provides information on the pros and cons of allowing circuses, which utilise exotic animals, to occupy Council land.

Councils current position is reflected in the “Sustainable Events policy”. This states:-

22. Performing Animals

Events that feature animals must be conducted in accordance with the Exhibited Animals Protection Act 1986 and the Exhibited Animals Protection Regulation 2005.

Under NSW legislation, circuses are required to be licensed in accordance with the above Act and Regulation.

*Animals used as part of a temporary exhibit require approval through NSW Agriculture eg. Mobile Farm Shows, Camel rides and pony rides are exempt from approvals.
A copy of approvals must be submitted with Sustainable Events Application Form*

Community Engagement

Not undertaken at this stage. This has not been an issue of significance raised by the community with Council.

Financial Implications

Not relevant to this topic.

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10.3.8 Not Allowing Circuses including Exotic Animals on Council Land (10849337)

To the General Manager

Directorate: Corporate Policy
Department: Infrastructure Services

Manager: Donna Flanagan – Manager Property and Recreation
Author: Michelle Olsen – Acting/Team Leader Business and Administration

Summary

The purpose of this report is to respond to a resolution of Council for a report on the pros and cons of not allowing circuses including exotic animals to utilise land owned by Council.

Background

On 28 June 2016 Council resolved as follows:

That Council prepare a report on the pros and cons of not allowing circuses including exotic animals to utilise land owned by Council.

Council staff have investigated this matter and can provide the benefits and disbenefits of not allowing circuses including exotic animals on Council Land.

Table 1 below outlines the benefits and **Table 2** outlines the disbenefits.

Table 1 – Benefits (Pros) of not allowing circuses including exotic animals to utilise land owned by Council.

Benefits (Pros)
Animals are forced to do tricks, this is not their natural behaviour
Animals are taken away from their family unit and become lonely and dejected. Example being Elephants are complex, fascinating, and intelligent creatures. They live in extended family systems, with younger generations learning survival skills and appropriate social behaviours from the older ones.
Possible animal abuse. When allowed out, these animals are trained using extreme "discipline" such as whipping, hitting, poking, and shocking with electrical prods.
Not much is learned by watching animals perform tricks that they've been taught by trainers, best way to learn about animals is to see them in their natural habitat

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Children learn that animals exist for our amusement only.
Travel and transport, close confinement and restricted movement, restrictions on natural behaviours and inappropriate social groupings of animals. Virtually 96 percent of their lives are spent in chains or cages. 11 months a year they travel over long distances in box cars with no climate control; sleeping, eating, and defecating in the same cage.
Impossible to satisfy the behavioural and welfare needs of exotic animals in travelling circuses
Wild animal acts also pose a significant threat to public health and safety: <ul style="list-style-type: none"> • Circus elephants may carry tuberculosis (TB), and can infect humans with the bacterial disease. Public records show that many circuses have used TB-positive elephants in public performances. • Circuses are not required by law to carry emergency euthanasia equipment and local law enforcement agencies may be forced to deal with a loose animal. • Since the 1990s circuses have been responsible for over 100 human injuries worldwide.
Living conditions in circuses can cause severe stress and frustration to non-domesticated animals leading to abnormal behaviour such as pacing by big cats, head bobbing by elephants or mouthing cage bars.
Animals such as tigers and elephants are not willing participants in circuses. Unlike domesticated animals, they have not been bred to work and live with humans
Eliminating animal exploitation in circus means an increase in human performers. The most entertaining circus productions rely exclusively on the skills of their talented human performers. E.g Cirque du Soleil, Circus Oz, The Flying Fruit Fly Circus, Zirkus Circus
For the animals, life is a monotonous and brutal routine of boredom, stress and pain. In short, traveling animal acts perpetuate animal cruelty, inhumane care, public safety hazards and distorted images of wildlife.
National, Regional and Local Governments in at least 30 countries have already banned the use of exotic animals in circuses.

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Table 2 – Disbenefits (Cons) of not allowing circuses including exotic animals to utilise land owned by Council

Disbenefits (Cons)
Circus animals provide entertainment/amusement to an audience. The spectacle of wild animals performing amazing tricks is thrilling family entertainment
Circus claim to actively support education and conservation of wild species.
Animals are kept safe/healthy with regimented food and medication that they wouldn't get in the wild
An exhibit can be brought near you allowing children to view exotic animals that they might not otherwise have the opportunity to view.
Circuses always enchant children. Children feel happiness and mirth during the performance because of the special atmosphere the action makes
Children will have wonderful memories after visiting the circus
Circus gives to us a great chance to see different species of animals.
Loss of revenue to local businesses who may benefit from circus in the area.
Circuses such as Lennon Bros have toured around Australia for 121 years.

Financial / Resources Implications

There are no financial impacts as this report is for information purposes only.

Legal and Policy implications

There are no legal and policy implications as this report is for information purposes only.

Public / Social Impact

There are no Public or Social impact related to this report.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.1 Led by a Council that effectively represents the community

Strategy: 4.1.1 Mayor and Councillors are representative of the community and provide strong, cohesive and visionary leadership

This is page 131 of the Minutes of the Ordinary Meeting of the Council of the City of Shellharbour held 11 April 2017

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Consultations

Internal

Nil

External

Nil

Political Donations Disclosure

Not Applicable

Recommendation

That Council receive and note this report.

Approved for Council's consideration: _____

Date of Meeting: 11 April 2017

Attachments

Nil

10.3.8 Not Allowing Circuses including Exotic Animals on Council Land (10849337)

Councillor Stewart asked for details of the number of councils that do not support circuses with exotic animals. The General Manager took the Question on Notice.

81 RESOLVED: Murray/Boyle

1. That Council receive and note this report.
2. That Council write to the State Government and request they introduce legislation to ban exotic animals from circuses in New South Wales.
3. That Council list this topic for discussion at the next IPJO Meeting.
4. That Council formulate a motion on this matter for the next NSW Local Government Conference.
5. That Council review the progress on this issue in 12 months time.

CARRIED UNANIMOUSLY



Illawarra Pilot Joint Organisation
PO Box 148
KIAMA NSW 2533
info@illawarrajointorganisation.nsw.gov.au
Tel: 02 4232 3200
Fax: 02 4232 3665

1 June 2017

Mr Russ Pigg
General Manager
Shoalhaven City Council
Bridge Street
NOWRA NSW 2541

Dear Russ

IPJO received correspondence from the General Manager of Shellharbour City Council, Carey McIntyre regarding a recent resolution by Council on:

Not Allowing Circuses Including Exotic Animals on Council Land

As you are aware this matter was discussed at the General Manager's meeting of 5 May 2017. A search of IPJO's files was not successful in locating previous discussions or position statements under IPJO, Southern Councils Group or Illawarra Region of Councils.

The remaining three member councils of IPJO have no current position in regard to this matter and therefore IPJO would not be in a position to take action other than to refer the issue to individual councils for their consideration.

IPJO would like member councils to provide advice back with the potential to consider an agreed regional stance once these responses are available. An item will be prepared for the July 21 board meeting if appropriate.

The report from Shellharbour City Council is attached for your information and the following links to the position statements of the primary national animal welfare organisations and the NSW Government are provided.

- ▶ the RSPCA: <https://www.rspcansw.org.au/the-issues/exotic-animals-in-circuses>
- ▶ the Australian Veterinary Association <http://www.ava.com.au/policy/153-circus-animals>
- ▶ and the NSW Exhibited Animals Protection Act standards amended 2009.
http://www.dpi.nsw.gov.au/data/assets/pdf_file/0004/121549/circus-animal-standards.pdf

Yours sincerely



Lesley Scarlett
Executive Officer



SA17.175 South Coast Regional Jobs Investment Package - Council Projects

HPERM Ref: D17/216330

Group: General Manager's Group
Section: Economic Development

Attachments: 1. Map of potential sites for consolidation [↓](#)
2. Detailed cash analysis - Burrill Lake Site [↓](#)
3. Detailed Cash Analysis - Bill Andriske [↓](#)

Purpose / Summary

Recently the South Coast Jobs Initiative program was announced. Council is eligible to apply and certain projects are now being worked up for application submissions. In considering this opportunity Council also needs to consider what the future use of the former Ulladulla STP site will be – industrial or sporting fields.

Recommendation

That the following projects and Council funding commitments be submitted under the South Coast Regional Jobs Investment Package:

1. Woollamia Boat Lift and Shed – SCC contribution: \$200,000 (from Economic Development Reserve)
2. Greenwell Point Boating Facilities – SCC contribution: \$750,000 (from Economic Development Reserve)
3. Provision of electricity to Huskisson Business Precinct – SCC contribution: \$50,000 (from Economic Development Reserve and/or streetscape funding)
4. Former Ulladulla STP Industrial Land Subdivision – SCC contribution: \$2,219,000 (from Industrial Land Development Reserve)
5. Defence Support Training Needs Analysis – SCC contribution: \$25,000 (from Economic Development Reserve)

Options

1. The Strategy and Assets Committee approve the recommendations to Council for the submission of the aforementioned projects.

Implications: - Council will submit the application outlined and budgetary adjustments will be made should the grants be successful

2. The Strategy and Assets Committee do not approve the submission.

Implications: - Council may miss the opportunity to secure Federal funding for a number of significant projects for the city.

Background

The South Coast Regional Jobs Investment Package is a \$20 million investment by the Australian Government to help diversify the regional economy, stimulate economic growth and deliver sustainable outcomes.

There are three project streams all of which require at least a 50% cash contribution from the applicant.

- Local Infrastructure – a funding stream for local governing bodies and not-for-profit organisations to invest in new or upgraded infrastructure. The minimum funding amount is \$50K. Projects must be ready to commence within 12 weeks of signing the funding agreement.
- Business Innovation – this funding is to enable business to build scale and capability to be competitive in new or growing markets that create sustainable employment. Minimum funding amount is \$50K. Projects must be ready to commence within 12 weeks of signing the funding agreement.
- Skills and Training – this is for local government bodies and agencies and not-for-profit organisations to support training and upskilling of the regional workforce to meet regional priorities, take advantage of emerging opportunities and withstand major labour market changes.

The maximum amount of funding per grant is the limit of the grant funding for the region (i.e. \$20 million).

All grant applications will be assessed against four merit criteria.

1. The extent to which your project addresses the Local Investment Plan's sectors and strategic priorities (20 points)
2. Economic benefit delivered to a region – short and long term (30 points)
3. Value for money (30 points)
4. Capacity, capability and resources to carry out the project (20 points)

The South Coast Region Local Investment Plan has identified the following key priority business sectors:

- Tourism and tourism support
- Manufacturing and transport logistics
- Primary industry
- Health and human services
- Specialised education services

Shoalhaven City Council could submit five grant applications – four in the Local Infrastructure stream and one to the Skills and Training stream.

Project overview – Infrastructure Stream

Woollamia Boat Lift and Shed

9 FTEs and \$5.4M of economic output per annum

Project Cost: \$380,900

Grant funding request: \$180,900

SCC contribution: \$200,000 (from Economic Development Reserve)

There are no boat maintenance facilities located within Jervis Bay. This project will consist of the construction of a hardstand area, associated drainage and environmental controls, erection of a shed, connection to utilities, fencing and the purchase of a hydraulic boat lift - all the components required to create a boat maintenance facility at Woollamia. This facility will be heavily utilised by visiting and local commercial and recreational boaters. The facility, including hydraulic boat lift, will be leased generating 3FTEs.

The lack of a boat maintenance facility has been cited by many local businesses as an impediment to business expansion. Construction of such a facility will lead to increased year round, permanent employment in local businesses including ship repairers, boat builders, marine survey and local upholsters.

This project has been developed in close consultation with a number of key stakeholders including Marine Rescue NSW, Jervis Bay Yacht Club, JB Game Fishing Club, JB Sailing Club and a number of local businesses. All agree that this facility is greatly needed and will result in increased employment, business expansion and a stronger and more diverse economy.

This project will create 3 FTEs in Ship and boat manufacturing which will lead to the creation of another 6 jobs in the broader community through flow on effects.

Greenwell Point Boating Facilities

9FTEs and \$4.6M of economic output per annum

Project Cost: \$1,494,339

Grant funding request: \$744,339

SCC contribution: \$750,000 (from Economic Development Reserve)

The main wharf at Greenwell Point consisted of two separate structures; the Crown owned concrete T jetty and the smaller Council owned timber jetty. The timber jetty had reached the end of its useful life and has been demolished. The demolition of the timber jetty has resulted in a number of boats without access to the wharf. Demand for wharf space is quite high. This project proposes to construct a berthing facility for a minimum of 12 vessels to cater for commercial operators and touring vessels.

Part of this project is to develop a final design and then seek community feedback. As the design is not finalised all projected income and benefits have been calculated on a conservative berth yield of 12 berths while costings have been based on the construction of the more expensive option illustrated below.



MARINA CONCEPT LAYOUT – OPTION 2
 ① = BERTH 1 DENOTES BERTH NUMBERS
 ② = DENOTES BERTH VESSEL LENGTH
 BED CONTOURS SHOWN ARE RELATIVE TO AHD AND ARE TAKEN FROM SURVEY INFORMATION PROVIDED BY COUNCIL DATED 15.11.2016
 CROSSINGS NOT REQUIRED FOR MARINA LAYOUT SHOWN.

SCHEDULE OF VESSEL TYPES FOR BERTH	
MARK	DESCRIPTION
01	PUMP OUT BERTH
02 & 03	MOTOR VESSELS
04	MOTOR VESSELS
05 & 07	10M MOTOR VESSEL OR 10M YACHT
06 & 08	10M MOTOR VESSEL OR 10M YACHT
09 & 011	MOTOR VESSEL
10 & 012	10M MOTOR VESSEL OR 10M YACHT
013 & 014	MOTOR VESSEL
015 & 016	MOTOR VESSEL
017 & 018	MOTOR VESSEL
019	TEMPORARY BERTH AT SUITABLE TIDE

**Note: Above image is for concept purposes only*

This project will create 9 FTEs based upon:

- 4FTE charter boat operator
- 3FTE charter boat operator indirect effect
- 2FTE charter boat user accommodation

Provision of electricity to Huskisson Business Precinct

Impact is undetermined at this stage. Any of the major developments on the northern side of Owen St will require this upgrade and to add additional floorspace above the retail southern side of Owen St will also require this electricity network upgrade. Over 300 people work in the Huskisson business precinct. This figure could easily double with the right stimuli and providing augmentation to the electricity network will certainly achieve this. An extremely conservative estimate would be the creation of 30FTEs and \$6.6m additional economic output annually.

Project Cost: \$550,000
 Grant funding request: \$275,000
 SCC contribution: \$50,000 (from Economic Development Reserve and/or streetscape funding)
 Endeavour Energy: \$225,000

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The Economic Development Office commissioned akh Design Services to conduct a Huskisson CBD Power Survey. The report was completed in October 2015. The main findings of that report are that:

- “The ongoing development of Huskisson and the continued increase in electrical load within the CBD will require the installation of additional substation assets to supply future loads”
- That there are limited locations in which to install a pad substation with suggested locations being on Council land
- Work on the installation of pad substations should coincide with design and works to underground high and low voltage on the southern side of Owen Street between Sydney Street to Currumbene Street. This would improve the network and future network capacity and well as improving the amenity of the main street of Huskisson.

Current practice in terms of electricity connection is that the next one to develop will be required to install costly substations that will improve capacity not only for that development but for other future unrelated developments as well. The cost of this work is not equitably spread among all those who will benefit from this infrastructure and is borne by a single development. It is apparent that a number of current approvals are stalled and other DAs are not moving forward and the availability of electricity supply has been quoted as a factor.

The Economic Development Office has approached Endeavour Energy to collaborate on ‘Provision of electricity to Huskisson Business Precinct’ to be submitted as a SCRJIP application. It is proposed that Council apply for funding to pay for 50% of the cost of installation of two pad-mount sub-stations and associated works which also includes the relocation of existing overhead power to underground for those businesses on the south side of Owen Street. Endeavour Energy have indicated a willingness to co-operate and negotiations are proceeding along these lines.

Former Ulladulla STP Industrial Land subdivision

178 FTE’s and \$76.6M annual economic output (once all lots have been sold and businesses have established)

Project Cost:	\$4,219,000
Grant funding request:	\$2,100,000
SCC contribution:	\$2,219,000 (from Industrial Land Development Reserve)

In considering if to make an application for this project, Council also needs to consider its position on the future use of the former STP site.

In May 2016 Council resolved the following: (MIN16.393)

That the General Manager develop a report to Council on the proposed sale and options for future use of the Council owned land known as ‘Future Park’ on Camden St West Ulladulla.

At a Councillor briefing in February 2017, Council were presented with two potential future use options for the site; a light industrial subdivision or expansion of the adjoining Ulladulla Sportspark. The information below expands on this briefing and will allow Council to make a decision on the future use of the site.

SUBJECT LAND

188 Camden St, Ulladulla, Lot 1 DP1137716. Area 4.94 ha, zoned Light Industrial (IN2) with a small portion along the southern boundary zoned Environmental Conservation (E2).



HISTORY

The land was acquired from the Crown in the early 1970's, with adjoining land compulsorily acquired from land owners to the East (towards the Princes Hwy) and vegetation planted to create a buffer. The site was operated as a sewage treatment plant (STP) from 1975 until it was decommissioned in November 2005.

The STP relied on a trickling filter and extended aeration treatment processes with reclaimed water being discharged into the ocean.

The site is affected by contamination (asbestos and effluent bio-solids) as a result of the use of the site as an STP. Prior to any redevelopment of the site remediation will be required. The site is further constrained by an estimated 1.29 ha of environmentally sensitive vegetation.

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Approximately 0.65 ha of the site has been allocated for use of the SES (existing) and Milton Ulladulla Men's Shed (proposed). From a total area of 4.9 ha, the total developable area is 3 ha (30,000 sqm).

The site has been the subject of previous development concepts, none of which has progressed and apart from the allocation of land for the SES and Milton Ulladulla Men's Shed, the site has been idle since 2005.

Under CSP Council is to maintain a stock of industrial land for sale and development throughout the city. In the south this has been frustrated by Council's inability to secure land to develop for this purpose. This opportunity will allow Council to break into this market in Ulladulla with the view to stimulate further development of this type or motivate the other major landowner to develop or joint venture with Council for the economic growth of the Milton/Ulladulla area.

Zoning

The current zoning of the former Ulladulla STP site is IN2 – light industrial. The objectives of the zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To allow a diversity of activities that do not significantly conflict with the operation of existing or proposed development.

This is one of the few vacant sites in Ulladulla that has an IN2 zoning. Whilst playing fields are permissible with consent in the zone, in this instance there is some question as to whether the use would meet the zone objectives that being to "support and protect industrial land for industrial uses".

The site was specifically rezoned when the old STP was decommissioned to enable industrial development. The LEP does also acknowledge the possibility that the site could also be used for and extension of the South Ulladulla sports fields or aquaculture development – this was done because Council was considering these possibilities around at the time.

The preferred longer term use of this site given its nature and adjoining uses is industrial development consistent with its zoning. It would be extremely difficult to rezone it to for example a recreational zone given the State Government planning directives that exist to protect existing industrial zoned land.

REMEDIATION & FUTURE USE

Since 2006 Council has engaged consultants to provide advice on remediation and future use options.

2006

GHD provided a Rehabilitation Plan on the assumption the land was to be used as a sportsfield. Contamination was identified, including extensive asbestos containing material.

Draft design and costings for an AFL sportsfield were included in the GDH report.

Recommended remediation did not occur.

2016

GHD provided an updated Contamination Assessment Report and Indicative Costs of Remediation (for both sportsfield and industrial land).

Level of contamination largely unchanged; the site unsuitable for any future use without remediation. The extent and method of remediation is reliant upon agreement upon intended future use.

2016 - 2017

Council's Property Unit liaised with Byron Shire Council; a Council whom has already completed and continues decommissioning similar STPs. Byron have used Tender processes to engage an 'end to end' contractor to complete each of their remediation works. Works in each case have been completed in 10-12 weeks.

Based on the anecdotal evidence from Byron and the estimates provided by GHD, a remediation budget of \$1,200,000 to \$1,800,000 should be considered irrespective of the final use.

FUTURE USE OPTIONS:

OPTION 1 – LIGHT INDUSTRIAL SUBDIVISION

SUPPLY & DEMAND FOR INDUSTRIAL LAND

There is a shortage of suitably sized serviced and available industrial land in Ulladulla; there are currently no Lots of industrial land available for sale. In the last 18 months the volume of industrial land sales has been low, 6 Lots of industrial land sold (ranging in size from 1485sqm to 1.16ha), a further 5 Lots have been withdrawn from sale.

The last subdivision of industrial land occurred at West Ulladulla in Collier Road in 1988. Adjoining this land is 19 ha of undeveloped industrial land owned by the Crown. Discussions were held between the Crown and Council for the proposed acquisition and development of up to 33 industrial Lots between 2005 and 2010, however previous and current Aboriginal Land Claims prevent this project progressing until such time as any land claims are resolved.

To service demand for industrial land, the former STP site has a potential to yield up to 10 lots ranging in area from 2,500m² to 3,500m². It is proposed to develop 10 Lots at an average sale price per Lot of \$300,000.

POTENTIAL JOBS GENERATION

The Economic Development Office expect that each lot would support on average 8.9 Full Time Equivalent positions (FTE's) as is the case on a per square metre basis for 3000m². This is dependent on the nature of the business that is established on the industrial lots. A conservative estimate of job yield and mix could be as follows:

- 20 FTE's in Manufacturing
- 10 FTE's in Residential Building Construction
- 5 FTE's in Heavy and Civil Engineering Construction
- 20 FTE's in Wholesale Trade
- 15 FTE's in Transport & Warehousing
- 10 FTE's in Automotive Repair and Maintenance

80 jobs generated at the former Ulladulla STP would lead to the creation of an additional 98 jobs through flow on effects.

Employment created at this site would result in an annual direct output of \$42.98M. The flow on industrial effects would be \$23.27M and an additional \$10.30M would be generated through consumption impacts.

COST OF DEVELOPMENT

Remediation				
Estimated Remediation Costs				\$1,800,000
Contingency (20%)				\$ 360,000
TOTAL REMEDIATION (A)				\$2,160,000
Construction costs	Approx Qty	Unit	Rate	Estimated Amount
Road and drainage	400	m	2500	\$1,000,000
Sewer retic	700	m	250	\$ 175,000
Water retic	450	m	180	\$ 81,000
Elec & Telstra retic	450	m	450	\$ 203,000
Elec Substation	1	item		\$ 100,000
Detention basin	1	item		\$ 200,000
Total Construction (Ex GST)				\$1,759,000
Non- Construction costs	Approx Qty	Unit	Rate	Estimated Amount
Consultant, Council & Authority Fees	10	Lots	30,000	\$ 300,000
TOTAL SUBDIVISION COST (B)				\$2,059,000
TOTAL PROJECT COST (A) + (B)				\$4,219,000

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FUNDING SOURCES

Should Council decide that the former Ulladulla STP be developed as industrial land in line with its current zoning, then the Economic Development Office of Shoalhaven City Council would seek grant funding to alleviate the cost of bringing this land to market.

The South Coast Regional Jobs and Investment Package (SCRJIP) is a \$20M federal government program specific to the South Coast region. Funding for infrastructure is available through this scheme to Local Government. It is proposed that a grant for \$2,100,000 be sought to offset the cost of this development, with the balance to come from the Industrial Land Development Reserve.

TOTAL RETURN ON INVESTMENT	
Sales - 10 Lots @ \$300,000	\$3,000,000
Less	
Legal @ \$2,000 / Lot	-\$ 20,000
Holding Costs* (over 5 years) – interest, rates, maintenance	-\$ 160,000
NET SALES INCOME (C)	\$2,820,000
NET GRANT FUNDING (D)	\$2,100,000
TOTAL NET INCOME (C) + (D)	\$4,920,000
TOTAL PROJECT COST	-\$4,219,000
NET RETURN TO COUNCIL	\$ 1,000

*Holding costs only true if able to secure \$2.1M in grant funding. **If no grant**, then add in a further \$140,000 in holding costs and deduct \$2.1M of grant income– therefore potential Net Return **(Loss) to Council = -\$1,539,000**

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OPTION 2 - SPORTSFIELD

The Ulladulla Sports Park is home to cricket and netball in summer, rugby league, AFL and netball in winter. The complex also houses a skate bowl and has the capacity to accommodate the Milton Croquet Club (4 courts). The southern field was constructed in 2010 and further upgrades to existing facilities occurred between 2008 and 2013, including the sealing of the carpark.

STRATEGIC DIRECTION

In May 2017, Shoalhaven City Council adopted the Community Infrastructure Strategic Plan 2017-2036 (CISP). The CISP:

'has been developed to provide a strategic framework to guide the direction, actions and priorities for the provision of community infrastructure in the present and for the next 21 years. The CISP will become Council's one-stop approach to the forward planning and management of community infrastructure'

Overall, a key recommendation of the CISP is to aim for 'quality over quantity' – in practical terms this means to:

- Rationalise or decommission infrastructure that is of low use; and
- Upgrade or embellish infrastructure to make it multi-purpose and attractive to the greater region.

In its analysis of the most southern section of the local government area (Planning Area Five), the CISP reports that:

'33.3% of those residents that completed the community survey are not happy with the supply of sports parks in the planning area. However, only a third of the sports parks are being used thirteen hours plus per week. With only 62.5% of residents rating their

quality as good and very good, there is opportunity to upgrade the existing sports parks to better cater to the sporting needs of planning area five's residents.

For example, there is opportunity to expand Ulladulla Sports Park into the old Sewerage Treatment Plant site' (p.XVII)

Furthermore, section 12.2 of the CISP provides area specific community infrastructure recommendations – these include:

- Ulladulla Sports Park – investigate the potential to expand onto the adjacent land at the old wastewater treatment site and develop netball courts and internal paths
- Bill Andriske Oval – investigate the potential to relocate to Ulladulla Sports Park.

The Ulladulla Sports Park currently includes:

- AFL field
- Rugby field
- Cricket field
- Netball courts
- Skate Park.

The expansion of the Park could include croquet courts and an all-purpose sports field to cater to NRL, AFL, Rugby and Cricket. By providing such facilities would then establish a Southern Shoalhaven Sports Hub to match the Bay & Basin Hub in the mid Shoalhaven and the Shoalhaven Community & Recreation Precinct at Bomaderry in the northern section of the region. If this opportunity to embellish the current Sport Park site is not harnessed, the opportunity to replicate it in another location in the southern Shoalhaven may be lost.

ECONOMIC AND COMMUNITY WELLBEING BENEFITS

There are a range of potential economic and community wellbeing benefits associated with establishing this site as a comprehensive sports hub. For example, a regional sporting facility such as this has the potential to host a range of key regional sporting events that in turn can promote much in the way of tourism and economic development. For example, a 2 day sports event attracting 100 domestic day visitors and 400 domestic overnight visitors is estimated to contribute \$158,000 per event directly into the local economy (prior to any multiplier effect is accounted for) (REMPPLAN 2017). If one of these events are held each month, that equates to \$1,896,000 economic activation per year.

In addition to the economic benefits, the establishment of a full sports hub could also provide a range of community wellbeing outcomes. As is evidenced in the report Sport for Community Development (Australian Sports Commission, 2017) these can include:

- Strengthening of community identity, as a focal point for personal interaction and community engagement
- Address social inequities and disadvantage through improved social capital
- Improved social participation and feelings of trust
- Promotes better work-life balance
- Reduction in mental health symptoms
- Reduction in racism and homophobia
- Reduction in crime and anti-social behaviour
- Reduction in preventable health conditions such as obesity and cardio-vascular disease.

Although hard to quantify, there is also an economic benefit to the public that results from the numerous community wellbeing outcomes. For example, the Centre for Sport and Social Impact at Latrobe University calculated the social return on investment for an average Australian Rules Football community club to be \$4.40 return for every \$1 spent to run the club (Value of a Community Football Club, 2014). The Australian Rugby League Commission calculated that the cost-benefit ratio of a range of NRL based community development programs was 1:5, meaning for every \$1 invested, the value of the social return was \$5 (NRL Social Impact Report 2015). As can be seen from the above statements, the benefit to the community from the provision of appropriate, quality sporting facilities is varied and abundant.

All of the above mentioned economic and community wellbeing benefits need to be recognised in the greater context of local government and in particular, our core social justice principles of:

- Equity
- Access and connectedness
- Participation
- Rights.

These social justice principles are reflected in the community's key priorities as listed in the current Community Strategic Plan:

1. Resilient, safe and inclusive communities
 - 1.1 Build inclusive, safe and connected communities
 - 1.2 Activate communities through arts, culture and events
 - 1.3 Support active, healthy, liveable communities.

These key priorities can be adequately addressed through the establishment and provision of a comprehensive sports hub.

COST OF DEVELOPMENT

Remediation		Estimated Amount
Estimated Remediation Costs		\$1,200,000
Contingency (20%)		\$240,000
TOTAL REMEDIATION		\$1,440,000
Construction costs		
Field Construction		\$1,500,000
Club House		\$1,000,000
Lighting		\$450,000
Services		\$250,000
Reticulation		\$150,000

Parking		\$100,000
Road Upgrade		\$500,000
Total Construction (Ex GST)		\$3,950,000
Non- Construction costs	Design Consultant	\$395,000
TOTAL PROJECT COST		\$5,785,000

The difference is in the two options in relation to the costs of decontamination are that the sports field option would reuse the bio solids as back fill thereby saving approx. \$600k.

FUNDING SOURCES

There are 2 potential funding sources;

- Grant funds,
- Council funds - consolidation of existing sports reserves which could be relocated to the expanded and embellished Ulladulla Sports park,

or a combination of any of the above.

Council Funded

The expansion and embellishment of the Ulladulla Sports Park would create a surplus of sporting facilities as the users of following sites have the potential to utilise the new facility; Burrill Lake Sportsground, Bill Andriske Oval and Frogs Holla Reserve (see Attachment 1 for map and detail on each site).

Users of Burrill Lake Sportsground and Bill Andriske could relocate and these sites be developed and sold for residential use. (see Attachment 2 and 3 for detailed cash analysis). Users of Frogs Holla could potentially relocate (thereby moving to a site that does not have the current issues of poor drainage and lighting) but this site to be retained by Council.

It should be noted that the potential redevelopment of a site such as Bill Andriske Oval will generate considerable community interest and comment while at the same time potentially providing significant opportunities for the local community.

POTENTIAL NET RETURN- RECYCLING OF BURRILL LAKE & BILL ANDRISKE OVAL

RECYLED SITE	NET RETURN
Burrill Lake Sportsground	\$1,866,092
Bill Andriske	\$4,067,713
NET PROCEEDS OF SALE	\$5,933,805
TOTAL PROJECT COST (SPORTS FIELD)	- \$5,785,000
TOTAL SURPLUS TO COUNCIL	\$148,805

Conclusion

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With the grant funding from this funding scheme the Light Industrial Land option meets a range of financial and employment indicators and is in line with the site zoning and State Government directions in relation to the protection of industrial land. Staff are not recommending that the site be used for the expansion of the Ulladulla Sports Park.

Project Overview – Skills and Training stream

Defence Support Training Needs Analysis

Benefit undetermined

Project Cost:	\$100,000
Grant funding request:	\$50,000
SCC contribution:	\$25,000 (from Economic Development Reserve)
Industry:	\$25,000 (to be confirmed)

This project is to investigate the Australian defence support training capability with an aim to establish the Shoalhaven as a defence support training hub for relevant skills. Defence support training is highly skilled with limited demand elsewhere. Access to training can be very expensive as training providers deliver training to limited class sizes. Delivering training of this nature is not profitable. There is concern that without government intervention such highly specialised training may cease to be delivered as training providers are unable to carry the costs. Already there has been a national decrease in the delivery of some courses. This project is to assess industry need and develop a defence support training hub that will deliver training nationally. There is a risk that our national defence support industry may not be able to access Australian defence support training impacting Shoalhaven's defence support capability.

Community Engagement

There has been a range of community consultations each of these projects has been developed over the years.

Financial Implications

The financial implications are outlined in each of the proposal above and are again summarised below.

Woollamia Boat Lift and Shed

Project Cost:	\$380,900
Grant funding request:	\$180,900
SCC contribution:	\$200,000 (from Economic Development Reserve)

Greenwell Point Boating Facilities

Project Cost:	\$1,494,339
Grant funding request:	\$744,339
SCC contribution:	\$750,000 (from Economic Development Reserve)

Provision of electricity to Huskisson Business Precinct

Project Cost:	\$550,000
Grant funding request:	\$275,000
SCC contribution:	\$50,000 (from Economic Development Reserve and/or streetscape funding)
Endeavour Energy:	\$225,000

Ulladulla STP Industrial Land subdivision

Project Cost: **\$4,219,000**
Grant funding request: \$2,100,000
SCC contribution: \$2,219,000 (from Industrial Land Development Reserve)

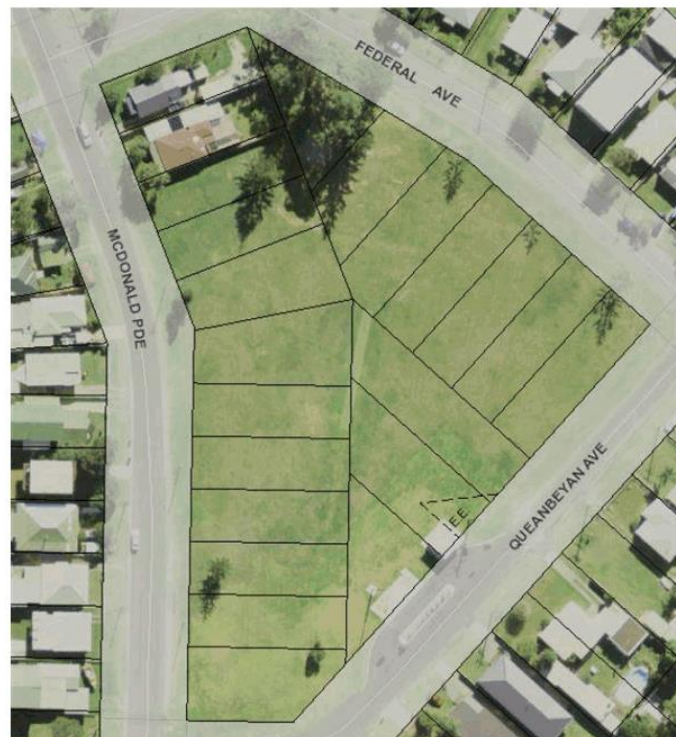
Defence Support Training Needs Analysis

Project Cost: \$100,000
Grant funding request: \$50,000
SCC contribution: \$25,000 (from Economic Development Reserve)
Industry: \$25,000 (to be confirmed)

BURRILL LAKE SPORTSGROUND – relocate users and sell



- Used by junior cricket during summer
- No amenities
- Classified Community, Zoned RE1 – Public Recreation (would require reclassification and rezoning)
- 17 Residential Lots - existing
- Bounded by properties zoned R2- Low Density residential



BILL ANDRISKE OVAL – relocate users and sell



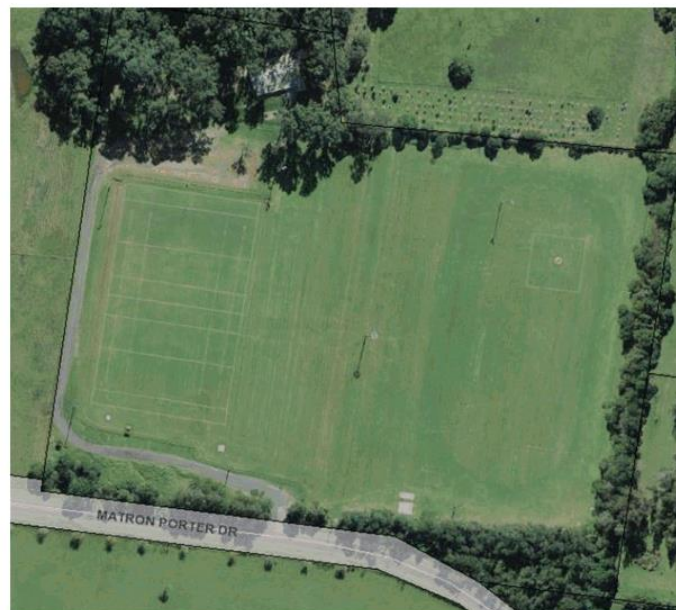
- Single user site –Milton-Ulladulla Rugby League – winter only in 2016 held 9 x Seniors home games- April thru August
- Amenities block, shelter shed, ticket booth
- Previously identified constraints; car parking, standard of amenities, enviro constraints restrict expansion
- Potential to create 20 residential Lots
- Classified Community Land, Zoned RE1 – Public Recreation (would require reclassification and rezoning)



FROGS HOLLA – not to be sold- relocate users only



- Used by Touch football, Oztag, athletics & cricket in summer; Rugby League, Rugby Union & touch football in winter
- Has amenities block
- Request to relocate based on ongoing drainage and irrigation issues, lack of formal car parking and ground lighting not to Australian Standard



Cash Flow Analysis
Burrill Lake Sportsground
Option 2 - Residential Subdivision - 17 Lots

Data Inputs for Cash Flow Analysis	
Englobo Value (\$)	\$1,300,000
Land Area (sqm)	9,500
Land Cost (\$/sqm)	\$136.84
Remediation documentation	\$0
Remediation	\$0
Number of Lots in Subdivision	17
Construction Costs per Lot	\$12,000
Non Construction Costs per Lot	\$15,000
DA Costs per Lot	\$3,000
Total Remediation & Construction Costs	\$510,000
Contingency Fund 5%	\$28,050
Cost escalation (rates and taxes)	0%
Sale price (per Lot) net GST	\$150,000
Gross Realisation from sales	\$2,550,000
Agents Fees	3.30%
Legal Fees per Lot	0.55%
Total Initial Debt (ex interest allowance)	\$544,121
Interest rate	4%

Note: Input data into blue fields only

Year	1	2	3	4
Development and Holding Costs				
Land acquisition	0			
Remediation Costs	0			
Sub-division costs	510,000			
Contingency allowance	28,050			
Council Rates	6,071	9,924	6,608	3,316
Land Tax	0	0	0	0
Total Expenditure (per annum)	544,121	9,924	6,608	3,316
Income				
Gross Realisation from sales (average)		850,000	850,000	850,000
Agents fees & Legals on sale		32,725	32,725	32,725
Net Sale Proceeds (per annum)	0	817,275	817,275	817,275
Interest				
Principal Outstanding (denotes positive cash flow)	-544,121	241,465	1,052,132	1,866,092
Interest (payment per annum)	21,765	0	0	0
Net cash flow	-565,886	807,351	810,667	813,959
Cumulative balance	-565,886	241,465	1,052,132	1,866,092

Summary of Holding Costs	
Council Rates	\$25,919
Land Tax (single holding basis)	\$0
Agents Commision and Legal on Sales	\$98,175
Interest Repayments	\$21,765

Cash Flow Analysis
Mollymook Sportsground
Option 2 - Residential Subdivision - 20 Lots

Data Inputs for Cash Flow Analysis	
Englobo Value (\$)	\$2,850,000
Land Area (sqm)	67,700
Land Cost (\$/sqm)	\$42.10
Remediation documentation	\$0
Remediation	\$0
Number of Lots in Subdivision	20
Construction Costs per Lot	\$53,500
Non Construction Costs per Lot	\$15,000
DA Costs per Lot	\$3,000
Total Remediation & Construction Costs	\$1,430,000
Contingency Fund 5%	\$78,650
Cost escalation (rates and taxes)	0%
Sale price (per Lot) net GST	\$295,000
Gross Realisation from sales	\$5,900,000
Agents Fees	3.30%
Legal Fees per Lot	0.55%
Total Initial Debt (ex interest allowance)	\$1,521,960
Interest rate	4%

Note: Input data into blue fields only

Year	1	2
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Development and Holding Costs

Land acquisition	0	
Remediation Costs	0	
Sub-division costs	1,430,000	
Contingency allowance	78,650	
Council Rates	13,310	22,299
Land Tax	0	0
Total Expenditure (per annum)	1,521,960	22,299

Income

Gross Realisation from sales (20 Lots per year)	5,900,000	
Agents fees & Legals on sale	227,150	
Net Sale Proceeds (per annum)	0	5,672,850

Interest

Principal outstanding (denotes positive cash flow)	-1,521,960	4,067,713
Interest (payment per annum)	60,878	0

Net cash flow	-1,582,838	5,650,551
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Cumulative balance	-1,582,838	4,067,713
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Summary of Holding Costs	
Council Rates	\$35,609
Land Tax (single holding basis)	\$0
Agents Commision and Legal on Sales	\$227,150
Interest Repayments	\$60,878

SA17.176 Revenue Options Follow Up Report

HPERM Ref: D17/198634

Group: Finance Corporate & Community Services Group

Purpose / Summary

To report back to Council on resolutions from the Extraordinary Council meeting of 1 February 2017 in relation to possible alternate funding options, levy's and tourist accommodation charges.

Recommendation (Item to be determined under delegated authority)

That Council note the information provided in this report.

Options

1. Council adopt the recommendation as stated

Implications: No further action will be undertaken outside the normal operational practice of seeking all possible revenue opportunities.

2. Council can choose to make an alternate recommendation

Implications: The implications will be dependent on the actual resolution made.

Background

At the Extraordinary Council meeting on 1 February 2017 Council made the following resolutions as part of an 11 part resolution about the proposed Special Rate Variation

- 6 *The General Manager report back to Council on how Council could capture any business that is operating from residential premises and re-categorise to business and if there are any legislative hurdles should Council wish to pursue this as an ongoing part of revenue review. This should include the cost for resourcing such a project- this suggestion was put to Council by concerned ratepayers.*
7. *The General Manager report back if any other Councils apply a levy or any other mechanism to increase rates on those properties that are known to supply accommodation to the tourism industry and are essentially a business- these properties would be those listed by real estate agents and online mechanisms such as Air BnB and Stayz –this suggestion has been raised by concerned business operators.*
8. *The General Manager also report back on any measures that can be used to essentially pass some of the financial burden of maintaining assets onto the many tourist that come to the Shoalhaven, suggestions that have come through include parking meters for peak tourist times and places and bed taxes. The report should also include any legislative or resourcing issues for such matters.*
9. *In reporting back could the General Manager please comment on any timing issues that could be foreseen if such mechanisms were to be adopted by Council.*

This report provides information in response to these resolutions.

Under Sec 516 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), (the regulations prescribe that caravan parks and manufactured home estates are not to be categorised as residential and retirement villages, serviced apartments or time-shares are to be categorised as residential) 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.

Under the current LG Act our options are extremely limited. Special rates and sub-categories are options available but staff do not believe Council could apply these to address this issue, due to this type of accommodation often being scattered amongst normal business and residential properties.

Special rates would need to apply to all land, which would benefit from any special rate not just those that are being used as tourist accommodation, that is, all the business or residential properties in the nominated area would be subject to the special rates.

A special rate category (sub-category) for tourist accommodation would also not be possible again due to the location of the tourist accommodation. Sub-categories must either be within a 'centre of population' for residential or 'centre of activity' for business. All land within that sub-category must be levied the same. Staff do not believe that Council would be able to create a residential sub-category for tourist accommodation using a 'centre of population'.

From a rating perspective staff do not believe that Council would be able to extract more dollars from tourists.

A tourism levy, as such, would not be possible under rating but perhaps it could be a fee of some sort that could be charged on these types of properties. This would then have to be charged by an invoice being raised by Accounts Receivable. If Council were to go down this path, Council would need to ensure that it had a system in place that would allow the tracking of tourist accommodation properties. Both the commencement of and termination of this type of accommodation being offered would need to be recorded and Council would also need to determine if it would be an annual charge or a seasonal charge depending on the type of tourist accommodation. Staff do not believe that rating systems are designed for this type of data collection.

Special Rates

OLG Council Rating and Revenue Raising Manual

Sec 495 of the Act enables council to make a special rate for or towards meeting the cost of any "works, services, facilities or activities" provided or undertaken, or proposed to be provided or undertaken, by council within the whole or any part of council's area, other than "domestic waste management services".

By virtue of Sec 495(2), the special rate is to be levied on such rateable land in council's area as, in council's "opinion":

- benefits or will benefit from the works, services, facilities or activities; or
- contributes or will contribute to the need for the works, services, facilities or activities; or
- has or will have access to the works, services, facilities or activities.

With respect to local rates, council is required to form a certain "opinion" as a necessary precondition to the making and levying of a special rate. It is the land which will benefit from, contribute to the need for, or have access to the particular works, services, facilities or activities the subject of the rate. Council must define, with some precision, the work, service, facility or activity in question which will benefit, etc., the land.

The opinion must correspond exactly with the "substance" and "effect" of the rate, that is, all land rated must be identical to the land which will benefit from, contribute to the need for, or have access to the particular works, services, facilities or activities the subject of the rate. Thus, the rate must not be levied on any land which will not, in council's reasonable opinion, benefit from, contribute to the need for, or have access to those works, services, facilities or activities. All land which will, in council's reasonable opinion, benefit from, contribute to the need for, or have access to those works, services, facilities or activities must be rated.

Sub-Categories

LG Act – Sec 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.

OLG Council Rating and Revenue Raising Manual

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:
 - that there is a discernible community of interest amongst the residents which differs from those living outside that part of the area; and,
 - 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.

Other options

There has been discussion by some Council's about the introduction of a tourism levy or bed tax. No evidence has been found of any council undertaking this in a targeted manner that simply levies accommodation providers. Some Councils do have tourism levies. These are either across all commercial/business categories or across all ratepayers.

There are a number of opportunities that could be considered to seek additional revenue from the tourists who visit the Shoalhaven. These include:-

- Partnership deals with advertisers such as sign boards at key tourism locations that charge rent to companies like ohhh media

- Paid parking at key destinations; this could see income from the tourist/visitors. Locals would already have their own parking in their homes or Council could have a local free parking permit system. Such a strategy could reduce numbers of visitors.
- Lobby for state / federal governments to add a bed tax to websites, like an additional booking fee on sites like stayz, Airbnb and the other 50 plus booking channels, so that funds raised go back to LG infrastructure costs. EG “local tourism sustainability fee” on checkout per transaction.
- Fee for service;
 - Fees for operators to run on public land - like beach use for surf schools
 - This could impact how many operators who would want to move or work in the region

In considering this matter Council also need to be mindful of the fact that the tourist inject over \$800Million per year into the local economy. It could be argued that every resident in the Shoalhaven benefits either directly or indirectly from the tourist industry. Commercial, industrial and retail providers already pay rates and in some way they are here due to tourism and therefore are contributing to the costs of the city from business they derive directly and indirectly from tourists.

Community Engagement

Consultation has not occurred with the local community in relation to this report.

Policy Implications

There are no policy implications as a result of this report

Financial Implications

There are no financial implications as a result of this report

SA17.177 Abseiling and Rock Climbing Policy - withdrawn

HPERM Ref: D17/208127

Group: Finance Corporate & Community Services Group

Purpose / Summary

The purpose of this report is to formally rescind Council's Abseiling and Rock Climbing Policy.

Recommendation (Item to be determined under delegated authority)

That the public policy, Abseiling and Rock Climbing, be rescinded.

Options

1. Rescind the policy.

Implications: The current policy is now superfluous as the Civil Liability Act 2002 Sect 5L deals with dangerous recreational activities and Councils duty of care.

2. Reconfirm the previous policy, as previously adopted.

Implications: As the policy is now superfluous, this is red tape for its own sake.

3. Reconfirm the policy, with amendments

Implications: As the policy is now superfluous, this is red tape for its own sake.

Background

This policy was first adopted by Council on 16 June 1996, and has since been re-confirmed upon its expiry in 2005, 2009, and 2013.

In 2002, the Civil Liability Act 2002, was enacted by the NSW Government, dealing with Council's duty of care for dangerous recreational activities. The following provisions cover the issues that the policy attempted to cover.

Section 5L of the Civil Liability Act provides:

No liability for harm suffered from obvious risks of dangerous recreational activities

5L No liability for harm suffered from obvious risks of dangerous recreational activities

(1) A person ("the defendant") is not liable in negligence for harm suffered by another person ("the plaintiff") as a result of the materialisation of an obvious risk of a dangerous recreational activity engaged in by the plaintiff.

(2) This section applies whether or not the plaintiff was aware of the risk.

Policy Implications

Rescinding this policy, will have no impact of the Shoalhaven Community as Council's duty of care is covered in the Act.

Financial Implications

Rescinding this policy from use will create a slight saving to Council, due to a reduction in the number of policies maintained and reviewed as required.

SA17.178 Shoalhaven Entertainment Centre - Hiring Policy

HPERM Ref: D17/208657

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

Attachments: 1. Draft Policy (under separate cover) ➡

Purpose / Summary

To review the revised Shoalhaven Entertainment Centre Hiring Policy and place on public exhibition.

Recommendation (Item to be determined under delegated authority)

That the revised Shoalhaven Entertainment Centre Hiring Policy be placed on Public Exhibition for 28 days and if no significant comments are received the revised Policy be deemed adopted. If there are significant comments, a further report be presented to Council.

Options

1. Adopt the recommendation

Implications: Provides clear guidelines stating Council's strategic business and cultural development intentions for the Shoalhaven Entertainment Centre – to assist venue management in programming and hiring, and enables the Policy to be placed on Public Exhibition.

2. Decline to accept the recommendation

Implications: Loss of strategic framework for SEC management, community and hirers regarding programming of the facility

3. Provide an alternate recommendation

Implications: Unknown at this point – however programming is a key function of the facility and significant changes to the intent of the Policy will have ramifications on the centre program and potential revenue base.

Background

This policy is due for review within the first year of an election of a new Council.

Review of the policy is a regular component of business planning and ensuring the Shoalhaven Entertainment Centre (SEC) keeps pace with Council and community expectations, and is benchmarked against national industry standards.

The review of the policy was based on interviews with frontline venue staff, who are responsible for venue bookings, technical support, marketing support and box office, and community and industry stakeholders including hirers.

Shoalhaven Entertainment Centre also benchmarked with other performing art centres and based its review on their policies and procedures.

There are no fundamental changes to the way SEC intends to continue conducting its business. The intention of the changes are to clearly communicate Council's expectations of facility to operate as a business unit. It establishes guiding principles that are transparent and equitable. It identifies the priority for programming and hiring of spaces at the Entertainment Centre, and charges for use of the venue and its services.

The Policy provides a framework for a balanced mix of quality events and performances, which maximises the venue's artistic, community and commercial profile within the Shoalhaven region. (Attachment 1)

Community Engagement

The requirements of community hirers, international, national and state independent touring companies, and promoters have been taken into consideration.

Shoalhaven Entertainment Centre meets regularly with clients in the lead up to major events to understand their requirements, and holds debrief meetings following major commercial and community hires in its quest for continuous improvement, and to build the business. These findings have been taken into consideration in the review and update of the policy.

Given the extent of the changes it is proposed that the Policy should be placed on Public Exhibition for 28 days and if no significant adverse comments are received the Policy be deemed adopted.

SA17.179 Berry District Park Master Plan

HPERM Ref: D17/192881

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

Attachments: 1. Attachment 1 - Berry District Park Options Report - Final (under separate cover) [↗](#)
2. Attachment 2 - Option A Master Plan - Final [↓](#)

Purpose / Summary

To present the recommended Berry District Park Master Plan Option A to Council for adoption, to allow for progress through to detailed design and construction.

Recommendation (Item to be determined under delegated authority)

That Council adopt the Berry District Park Master Plan Option A (Attachment 2) without amendment and enable detailed design to commence.

Options

1. Adopt Berry District Park Master Plan Option A without amendment
Implications: This would allow for progress towards detailed design with minimal delay, in line with the community's wishes.
2. Adopt Berry District Park Master Plan Option A with amendment
Implications: This would allow for progress towards detailed design however may result in further delay, if changes are significant and require going back to the community, and may cause community concern with the delayed progress.
3. Recommend an alternate Berry District Park Master Plan
Implications: This would cause significant delay in the progress of the project and would cause significant community concern with the lack of progress.

Background

The initial Berry District Park Master Plan was developed and reported to Council's Ordinary Meeting on 24 November 2016 for adoption. The report included a number of recommendations to allow for finalisation of the Master Plan, to select a name for the park and to advance the project towards a detailed design.

In response, Council resolved:

1. *That Council form a Working Group, which is Co – Chaired by a Councillor and Community member with the following membership:*
 - a. *all Councillors*

- b. *Three (3) representatives of the Berry Community Forum (Including one (1) representative from the Berry Sporting Complex Management Committee*
- c. *Two (2) representatives of the Berry Rotary Club*
- d. *One (1) representative of the Berry Chamber of Commerce.*
- e. *If possible a young person be included as one of the community representatives.*
2. *Council work with the community project reference group involved in progressing the finalisation of the masterplan, detailed design and determine the preference of the name of the Berry District Park.*
3. *Council allocate \$35,000 from the strategic project reserve immediately to undertake staged detailed design and development of a Business Case and Plan, and Funding and Procurement Plan to guide future delivery of Berry District Park and ensure it is “shovel ready” for future grant applications*
4. *Council reallocate from the Berry Strategic Plan Project \$17,000 to the Berry District Park and \$10,000 to the Berry Trails Project subject to approval by RMS for the reallocation of their grant funding for the Berry Strategic Plan. (MIN16.791)*

The Working Group was formed on 28 February 2017, as a sub-committee of The Berry Forum, where it became evident that the community desires for the park inclusions have changed. Subsequently, the Working Group members decided that it would be worthwhile to have a stakeholder workshop to re-consult with key stakeholders, review the Master Plan and come up with a revised plan.

A community stakeholder workshop was held on 4 April 2017 and as a result, three (3) Master Plan options were developed. Locale Consultants were engaged to review the options and generate two (2) options for final consideration by the Working Group. Locale prepared a comprehensive report outlining the process and final options for consideration (Attachment 1 – Berry District Park Options Report - Final).

The Report was presented to the Working Group on 2 May 2017 at which time they agreed to recommend Option A (Attachment 2 – Option A Master Plan – Final). The Working Group then presented their recommendation to The Berry Forum on 8 June 2017 for endorsement at which it received unanimous support.

The Option A Master Plan is now being presented to Council for final adoption, once adopted council can proceed to detail design and costings of the project.

Community Engagement

The overarching community engagement process was the Working Group, as per the Council resolution MIN16.791. The Working Group was co-chaired by James Robinson (a member of The Berry Forum and member of the Berry community) and by Councillor John Wells. There were on average six (6) other people on the Working Group representing the Berry Forum, Berry Sporting Complex Management Committee, Rotary, Chamber of Commerce, Landcare and children and families. The Working Group provided advice to Council staff on the broader community engagement process.

Another key feature of the community engagement process was the Stakeholder Options Workshop held on 4 April 2017. The Workshop engaged 28 community members from a range of interested groups and facilitated a process for review and design of a new master plan. A detailed Options Report (Attachment 1) details the Workshop process and outcome.

The final community engagement activity was the presentation of the Master Plan Option A recommendation to The Berry Forum meeting on 8 June 2017 where it received unanimous support.

Policy Implications

There are no policy implications associated with this recommendation.

Financial Implications

\$165,000 was approved in the 2017/18 budget to complete detailed designs for the Berry District Park. In addition to this, The Berry Rotary Club have \$100,000 that they will contribute towards the construction of the playground section of the development. Council will continue to pursue grant funding to assist in the delivery of this project, and work with other stakeholders to support and assist them in securing external funding.

Risk Implications

There are no risk implications associated with this project.



Berry District Park Master Plan

Precinct Plan - Option A

Rev B

26 May 2017

Scale 1:800@A1



A

SA17.180 Bay & Basin Summer Shuttle Bus and Shoalhaven River Festival Accessible Shuttle Bus 2017 Funding Success

HPERM Ref: D17/199103

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

Purpose / Summary

Council accept funding grants totalling \$11,264 (excluding GST), being \$9,309 (excluding GST) funding for the Bay and Basin Summer Shuttle Bus and \$1,955 (excluding GST) funding for the Shoalhaven River Festival Accessible Shuttle Bus from Transport for NSW, to undertake the Bay & Basin Summer Shuttle Bus and the Shoalhaven River Festival Accessible Shuttle projects respectively.

Recommendation

That Council:

1. Accept the grants of;
 - a. \$9,309 (excluding GST) to undertake the Bay & Basin Summer Shuttle Bus project and;
 - b. \$1,955 (excluding GST) to undertake the Shoalhaven River Festival Accessible Shuttle project.
2. Write and thank Transport for NSW.

Options

1. Council accept the funding grants of;
\$9,309 (excluding GST) to undertake the Bay & Basin Summer Shuttle Bus and \$1, 955 (excluding GST) to undertake the Shoalhaven River Festival Accessible Shuttle projects.
Implications: This will ensure the delivery of two projects that will enhance our community.
2. Council decline to accept the funding grants of;
\$9,309 (excluding GST) to undertake the Bay & Basin Summer Shuttle Bus and \$1, 955 (excluding GST) to undertake the Shoalhaven River Festival Accessible Shuttle projects.
Implications: Funds will not be accepted and projects will not be delivered.
3. Council determine an alternative recommendation.
Implications: As per Council determination if provided.

Background

Bay & Basin Summer Shuttle Bus Project

The free Bay & Basin Summer Shuttle Bus will be an inter-village continuous loop shuttle bus transport service over a 16 day peak summer school holiday period to connect young people (young people under 12 years of age must be supervised by an adult) and their community to social and commercial opportunities and experiences in the Bay & Basin area.

There is no regular public transport available in this area and social interaction and opportunities are very limited for young people. The service will connect young people to youth specific social infrastructure such as skate parks, libraries, sea pools, leisure centres, youth centres/hubs, cinemas, cafes and restaurants & retail precincts in the area. It is anticipated to run the shuttle service on a continuous loop in the area over a 4-hour period each day. The service will operate daily (except public holidays) from the 18 December 2017 to 5th January 2018.

The young people of the Bay & Basin areas will be provided with a safe and appropriate chartered free transport service, where currently none exists, to facilitate their participation in the community and healthy passive recreational and retail activities. The primary aims of these youth activities are to:

- provide opportunities for young people to be engaged in an active, vibrant and inclusive lifestyle
- provide and promote safe spaces for social interaction
- support initiatives and activities that increase youth engagement and participation
- improve youth health & well-being outcomes
- present opportunity and experience to assist young people to develop life skills by using a transport system to meet their social and transport needs
- crime prevention strategy to reduce anti-social behaviour

Retailers and the Bay & Basin Leisure Centre are on board with special offers and discounts as incentives for Summer Shuttle Bus participants and users.

Shoalhaven River Festival Accessible Shuttle Project

A shuttle bus service (gold coin donation) to provide accessible travel between the Bomaderry Railway Station and the CBD to the Shoalhaven River Festival activities located on the Shoalhaven River foreshore in Nowra.

Under this project, community members of all abilities would be able to access this important local cultural event. Another benefit of the project would be the reduction of traffic around the festival area and reduced parking difficulties at the venue.

Community Engagement

Bay & Basin Summer Shuttle Bus

Young people constantly request affordable transport options to access social infrastructure and social opportunities in the Bay & Basin area. Council's Community Strategic plan identifies transport as an ongoing issue, but especially for communities in outer lying villages of the LGA.

Consultations that have informed this project are as follows - with Vincentia High School, the only high school in the Bay & Basin area (approx. 1200) students - local area youth centre and hub - local Lions Club.

Shoalhaven River Festival Accessible Shuttle

Members of Shoalhaven Access Advisory committee advised council of the need for accessible transport to the Shoalhaven River Festival due to its location on the river foreshore where there is no connecting transport and a lack of connected pathways between the CBD and the venue.

This need is echoed in the consultations with people with Disability that inform Council's Disability Inclusion Action Plan that told us that people with disability struggle to access community celebrations and cultural participation.

Financial Implications

All funds will be provided by the grant funding; therefore, there will be no financial implication to Council.

Community Development staff will undertake project management and implementation of the project within existing budgets and resources.

SA17.181 Council Policy Review - Strategic Infrastructure Planning

HPERM Ref: D17/211789

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

Attachments: 1. Reserve Signage Standard (under separate cover) [⇒](#)
2. Motor Vehicle Access to Public Reserves [↓](#)

Purpose / Summary

To consider the rescission of two (2) existing Public Policies, Signs – Reserve Signage Standard POL12/258 and Motor Vehicle Access to Public Reserves POL12/212 – and list these as Corporate Procedures for internal use by staff.

Recommendation (Item to be determined under delegated authority)

That Council rescind the following policies and list these as a Corporate Procedures and guideline:

1. Signs – Reserve Signage Standard
2. Motor Vehicle Access to Public Reserves

Options

1. Adopt the recommendation

Implications: This would ensure that issues relating to signs and motor vehicle access to reserves can be implemented by staff, updated and reviewed in accordance with the operational aspects of Council business.

2. Not adopt the recommendation and resolve to make amendments to the Policies

Implications: This would not meet Council's deadline to review all existing policies within a year of Council's election. These documents relate to operational aspects of Council's business and as such are more appropriate as Corporate Procedure.

Background

The following Policies are recommended to be rescinded and adopted as Procedures as they detail operational processes. No changes have been made to the processes. The existing Policies Reserve Signage Standard POL12/258 and Motor Vehicle Access to Public Reserve POL12/212 as attached would not have any changes to their wording, but would change their name from Policy to Procedure.

The Reserve Signage Standard shows Councils signage templates for reserves, from an operational perspective these may require change from time to time to meet current legislated requirements, this has previously occurred, for example, to address emergency situations such as drownings, environmental damage and vandalism.

The Motor Vehicle Access to Public Reserve POL12/212 is an operational procedure for access to the reserves, and is currently managed as such.

Policy Implications

Rescinding these two (2) Policies and making them Procedures will more accurately reflect their intent as administrative and operational tool.

Financial Implications

Nil financial implications

Risk Implications

The risk implications remain the same.



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For more information contact the Strategic Planning & Infrastructure Group

MOTOR VEHICLE ACCESS TO PUBLIC RESERVES

Policy Number: POL12/212 • **Adopted:** 29/03/1994 • **Amended:** 21/12/2004, 26/03/2013 • **Reaffirmed:** 14/04/2009 • **Minute Number:** MIN94.612, MIN04.1591, MIN09.414, MIN13.301 • **File:** 4118E • **Produced By:** Strategic Planning & Infrastructure Group • **Review Date:** 1/12/2016

1. PURPOSE

To define motor vehicle access on Council owned or managed Public Reserves.

2. STATEMENT

This policy is based on the need to minimise the user risk and environmental impacts associated with vehicles accessing Council owned or managed Public Reserves.

3. PROVISIONS

Vehicle access to Council owned or managed Public Reserves is permitted only on delineated access roads and carparks, with the exception of:

- 3.1. Council service / maintenance vehicles which travel at walking pace so that vehicle is operated in a safe manner.
- 3.2. Emergency services / rescue / lifesaving vehicles which are operated in a safe manner.
- 3.3. Licensed professional fishermen for the purpose of beach hauling operations in pursuit of their livelihood, providing:
 - a) the vehicle(s) is registered with the RMS;
 - b) the vehicle access path has been approved by relevant Council staff;
 - c) the vehicle(s) travels at walking pace so that vehicle is operated in a safe manner.;
 - d) where appropriate, the payment of an approved permit fee and/or bond has been made.
- 3.4. A Council approved community event, providing –
 - a) the vehicle(s) is registered with the RMS;
 - b) the vehicle access path has been approved by relevant Council staff;
 - c) the vehicle(s) travels at walking pace so that vehicle is operated in a safe manner;
 - d) where appropriate, the payment of an approved permit fee and/or bond has been made.
- 3.5. Council approved temporary access road and/or carpark.

4. IMPLEMENTATION

The Strategic Planning & Infrastructure Group will administer this policy and the Development & Environmental Services Group (Ranger Services) will enforce the policy. Where appropriate Council Rangers and New South Wales Department of Fisheries work in conjunction with each other in implementing Council's Policy and NSW Fisheries Code of Ethics for Professional Fishermen, in particular beach haulers, who patronise Council beaches.

5. REVIEW

This policy will be reviewed within one year of the election of every new Council.

6. APPLICATION OF ESD PRINCIPLES

The following Environmental, Social and Economic (ESD) principles having application to this Policy are:

Biodiversity – Preserve a variety of species, populations, habitats and ecosystems.

Ecological Integrity – Preserve the general health and resilience of ecosystems, including their ability to withstand the stresses of climate change and development.

Natural Capital – Preserve the stock of productive soil, freshwater, forests, clean air, ocean and other renewable resources that underpin survival, health and prosperity of human communities.

Social Integrity – Preservation of cultural elements and community function.

Economic Viability – Preservation of one of Shoalhaven's primary resources that attracts residents and visitors.

SA17.182 Beyond Plastic Pollution - Pathways to Cleaner Oceans Conference

HPERM Ref: D17/218058

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

Attachments: 1. Conference program [↓](#)

Purpose / Summary

To consider Councillor attendance at the Beyond Plastic Pollution - Pathways to Cleaner Oceans Conference scheduled for 30 October to 1 November 2017 in Darling Harbour, Sydney.

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the Beyond Plastic Pollution - Pathways to Cleaner Oceans Conference scheduled for 30 October to 1 November 2017 in Darling Harbour, Sydney
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

Options

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

Background

The Beyond Plastic Pollution - Pathways to Cleaner Oceans Conference is considered relevant to local government, Information in relation to the conference is attached to this report and further information may be found at www.beyondplasticpollutionconference.org.au.

Costs associated with the conference are estimated as follows:

- registration : \$1135.05
- travel, accommodation and out of pocket expenses : not yet determined.

An option available to Council is to define the number of Councillors attending the conference and for Council to determine the appropriate Councillors authorised to attend.

This option is presented having regard to the increase in Councillor expenses in recent years, so that Council may pro-actively control this area of expenses when appropriate.

The Conference commences at 9.30am Monday 30 October and concludes at 12.30pm Wednesday 1 November 2017. A meeting of the Shoalhaven Tourism Advisory Group has been scheduled within the period of the conference:

Policy Implications

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

Financial Implications:

Funds are available for Councillors to attend this conference.

BEYOND PLASTIC POLLUTION

Pathways to Cleaner Oceans

30 October to 1 November 2017

Darling Harbour -Sydney - NSW

www.beyondplasticpollutionconference.org.au

DAY 1			
#	SESSION	TIME	DESCRIPTION
1	Welcome	09:30	Jeff Angel, Director of Boomerang Alliance of 47 groups and a campaigner of 40 years standing will introduce the Conference.
2	Regional Context to International Understanding on Marine Plastic Pollution Pt1	09:45	1st session (3 in total). CSIRO will share the latest global understanding of MPP and applying a Pacific context to this knowledge.
3	Call to Action	10:30	UNEP's Marine Plastic Pollution head will explain why it's a priority and call for industry, community and government solutions.
4	Valuing Plastic	11:00	Doug Woodring from Ocean Recovery Alliance / Plasticity will be talking about what's the natural capital cost of plastic pollution.
5	Morning Tea at Tables	11:30	
6	The Circular Economy – what is it?	11:30	Stuart White, Director of the Institute of Sustainable Futures explains the Circular Economy, the new paradigm for policy.
7	Asia/Pacific Focus	12:00	Safri Burhanuddin, Indonesian Deputy Coordinating Minister of Maritime Affairs will be presenting Indonesian government's plan to reduce plastic wastes by 70 percent by the end of 2025.

DAY 1			
#	SESSION	TIME	DESCRIPTION
8	Lunch	13:15	
9	Stream 1 - Circular Economy in Action	14:15	Hear from pioneers in reuse, avoidance and recycling. Includes audience Q&A.
10	Stream 2 - Community Engagement: Citizen Science and Education	14:15	The what, where, why and how of citizen science and education programs. Includes audience Q&A.
11	Afternoon Tea	15:35	Reconvene at main venue Dockside
12	The Future of Packaging	16:20	Panel discussion amongst key stakeholders about the future of packaging.
13	Day 1 Summation & Wrap Up	17:20	

DAY 2			
#	SESSION	TIME	DESCRIPTION
1	Welcome & Breakfast	08:00	Opening remarks; thankyou and introduce host for the day.
2	Regional Context to International Understanding on Marine Plastic Pollution Pt1	08:15	2nd session (3 in total). CSIRO will share the latest global understanding of MPP and applying a Pacific context to this knowledge.
3	What Cost Vanity?	09:00	Our obsession with beauty and the latest fad has become a driving force in today's throwaway society. We'll hear from a group of amazing women.
4	Communities Taking Control Morning Tea	10:15	Boomerang Alliance will launch its Communities Taking Control Program - hear about its aims and new found champions.
5	Stream 1 - Extended Producer Responsibility in Action	10:45	The Application of EPR to address MPP, drink packaging, manufacturing, fugitives fibres & remote debris. Includes audience Q&A.
6	Stream 2 - Communities Taking Control Workshop	10:45	Hear about the lessons and achievements of the pilot programs in Noosa and Wollongong and how we built the Toolkit. Includes audience Q&A.
7	Stream 3 - Academic & Science: The Research Agenda	10:45	Academic group discussion - identifying the research needed to direct better government policy.

DAY 2			
#	SESSION	TIME	DESCRIPTION
8	Lunch & Key Note: Why Seafood is good for you and Plastic is not	13:15	Are we eating plastic? Roy Palmer, the Executive Director of the Association of International Seafood Professionals will talk about what it means.
9	Bio Plastic: Curse or Cure?	14:30	Plastics made from natural biodegradable polymers are said to be the way of the future, but are they the solution to plastic in our oceans?
10	Afternoon Tea	15:30	
11	Stream 1 - Ocean Activists	16:10 - 17:30	The social media revolution has changed the face of activism. What's it take to be an effective environmental champion in the 21st century?
12	Stream 2 - The Australian Marine Debris Threat Abatement Plan	16:10 - 17:30	What is the TAP; how are things progressing; stakeholder feedback
13	Gala Dinner & Entertainment	18:30 - 22:00	

DAY 3			
#	SESSION	TIME	DESCRIPTION
1	Welcome & Breakfast	09:00	Opening remarks
2	Regional Context to International Understanding Pt3	09:15	CSIRO to share research needs for MPP knowledge and policy development.
3	Priorities	10:00	What are our solutions we will work on? Stakeholder pledges and announcements.
4	Morning Tea	10:30	
5	Leadership on Marine Plastic Pollution	11:00	Environment ministers have been invited to talk about their plans for marine plastic pollution.
6	Closing	12.15	
7	Finish	12.30	

SA17.183 North Nowra Link Road - Southern Option

HPERM Ref: D17/202578

Group: Assets & Works Group

Section: Asset Management

Attachments: 1. North Nowra Link Rd -Southern option - Plan Reference 2587_49_1 [↓](#)

Purpose / Summary

To consider amending the North Nowra Link Road corridor (Southern option) to avoid private property.

Recommendation (Item to be determined under delegated authority)

That the North Nowra Link Road corridor (Southern option) be amended, as shown on Plan Reference 2587_49_1 to avoid encroachment onto private lands.

Options

1. Amend the North Nowra Link Road corridor (Southern option) (Recommended)

Implications: This will remove an unnecessary encroachment on private property and still retain a viable Link Road option for future consideration.

2. Do not amend the North Nowra Link Road corridor (Southern option) (Not recommended)

Implications: This would unnecessarily impact private property by reducing its development potential and by increasing the cost of acquisition of a road reserve should the existing southern option be adopted as the preferred North Nowra Link Road option some time in the future.

3. Make some other recommendation.

Background

The owner of Lot 22 DP 1173629 has requested that Council considers moving the original southern route option, further north, to avoid encroaching on this property. The area of encroachment is shown shaded in orange in Attachment 1.

The whole corridor would be within Council-controlled Crown Land (Lot 7313 DP 1153421) and NPWS land (Lot 7311 DP 1153421) if it was moved northwards. After a review of this option, there were no apparent reasons the request could not be accommodated so the corridor may be moved without creating any additional future issues.

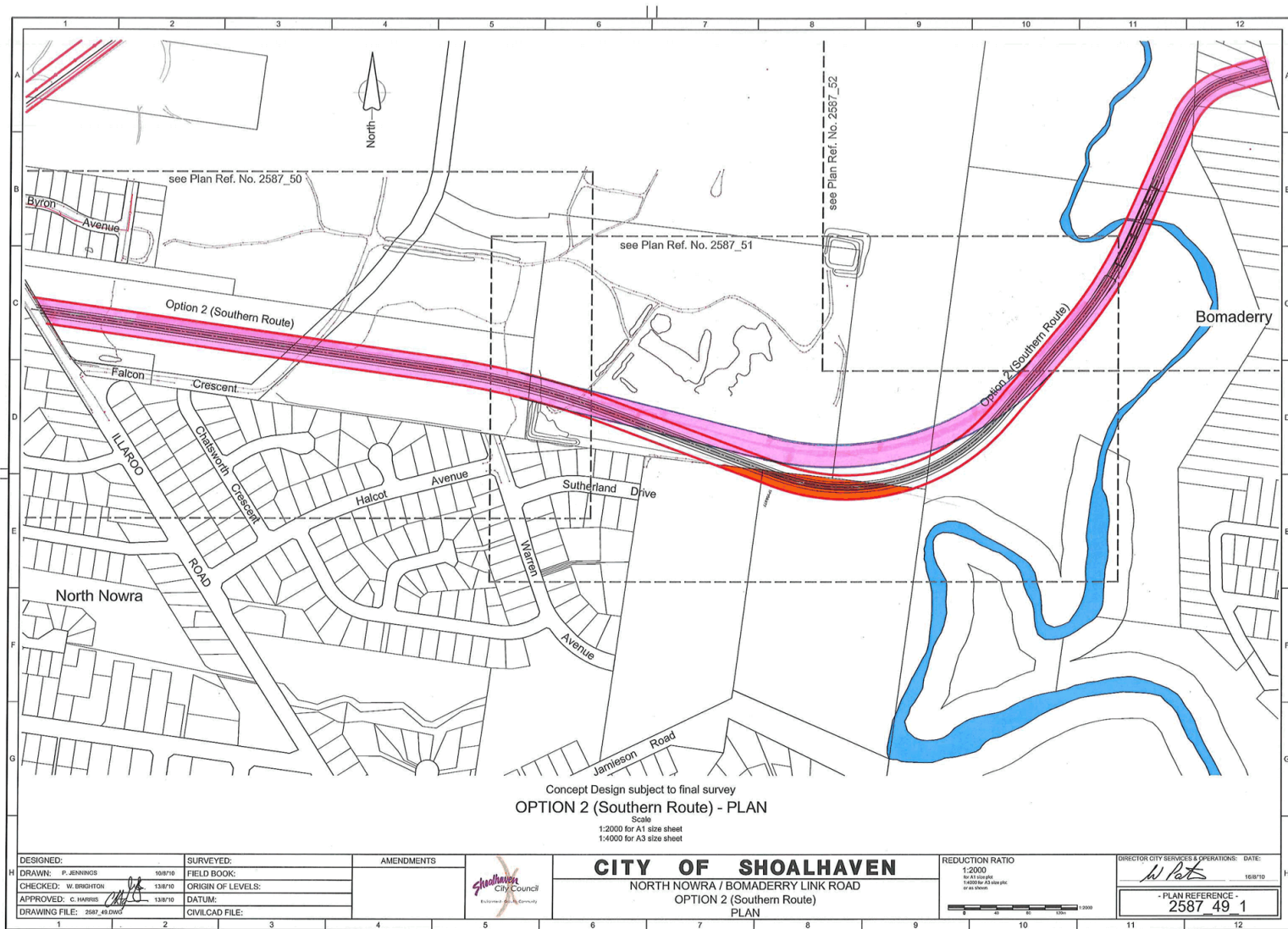
Community Engagement

Community consultation may not be necessary for such a minor amendment to the corridor.

However, extensive community consultation will be required when a preferred route for the North Nowra Link Road is ultimately being developed.

Financial Implications

There are no direct financial implications associated with this matter.



SA17.184 Public Policies for Review - July 2017 - Asset Management

HPERM Ref: D17/113213

Group: Assets & Works Group

Section: Asset Management

Attachments:

1. Draft Asset Management Policy - Policies for Review Report (under separate cover) ➡
2. Signs - Public Information Signs - Public Policies for Review - Asset Management (under separate cover) ➡
3. Renewable Energy Installations on Council Assets - Public Policies for Review - Asset Management (under separate cover) ➡
4. Asset Management Strategy - POL17/67 (under separate cover) ➡

Purpose / Summary

To adopt existing public policies which are the responsibility of the Assets and Works Group (Asset Management Section).

Recommendation (Item to be determined under delegated authority)

That

1. The draft Asset Management Policy be exhibited for 28 days, and the outcomes of the consultation be reported
2. The Asset Management Strategy be adopted
3. The Public Information Signs policy be adopted
4. The Renewable Energy Installations on Council Buildings policy be adopted

Options

1. Adopt the recommendations.

Implications: The draft Asset Management Policy be placed on public exhibition. The Asset Management Strategy, Public Information Signs policy and the Renewable Energy Installations on Council Buildings policy be adopted.

2. Make some other recommendation.

Background

The following policies have been reviewed and amended, where necessary, to allow their adoption within 12 months of a Council election (See attachments).

Asset Management Strategy

The Asset Management Strategy has been updated to align with the 2015/16 Annual Financial Statements. Other minor changes have been included such as additional tasks for

the Asset Management Improvement Plan. Consequently, it is recommended that the updated Asset Management Strategy be adopted.

Asset Management Policy

The previous version of this policy was too technically based and a bit difficult to read. The updated version now includes goal and vision statements as required by the Office of Local Government's publication "Integrated Planning and Reporting Manual for Local Government in NSW".

The main changes to the current Policy include:

- 'Scope' was replaced by 'Goals and Vision' and
- 'Background', 'Definitions' and 'Relationship to Other Documents' have been deleted for clarity

As Council's sustainability, in part, relies on the adoption of asset management principles, this policy may benefit from broader community input. Consequently, it is recommended that the draft Asset Management Policy be exhibited for community consultation with outcomes reported to Council.

Public Information Signs

This policy previously contained references to internal processes and sign specifications, which are not necessarily needed for a public document. Consequently, the policy retains only situations where the public requires special approvals, or the payment of fees, for signs in Council's road reserves.

Although this policy has been changed to remove operational matters, there are no new provisions proposed so it is recommended that it be adopted without further consultation.

Renewable Energy Installations on Council Assets

This policy has been updated to include current 'hyper-links' to relevant documents and to correct minor errors and redundant information. It is recommended that this policy be adopted without further consultation. The Sustainable Futures committee may wish to consider the implementation of this Policy.

Community Engagement

Community consultation is recommended on the draft Asset Management Policy.

SA17.185 2017-2018 Path Construction Program

HPERM Ref: D17/180957

Group: Assets & Works Group
Section: Asset Management

Purpose / Summary

To consider changes to the 2017-2018 Path Construction Program owing to:

- recent funding announcements by the State government;
- a Council resolution (Minute MIN17.408) and
- a recent pedestrian accident in Centaur Ave Sanctuary Point

Recommendation

That

1. The Member for South Coast be thanked for the funding of \$1.89 million for path projects
2. \$150,000 be allocated from General Fund (Local Road Repair Program) for the construction of a path in Page Avenue, North Nowra, from Judith Drive to Pitt Street
3. \$100,000 be allocated from General Fund (Local Road Repair Program) for the construction of a path, and associated kerb and gutter, in Centaur Avenue, Sanctuary Point, from Idlewild Avenue to Francis Ryan Reserve
4. \$250,000 be allocated to the 2017-2018 Local Road Repair Program from the 2018-2019 Roads to Recovery Program allocation

Options

1. Fund the path projects, as recommended.

Implications: Two high priority path projects will be constructed although the expenditure on the projects is not consistent with Council's strategy for financial sustainability.

2. Defer the construction of paths in Page Avenue and Centaur Avenue

Implications: The construction of new assets, such as the Page Avenue and Centaur Avenue paths, has the lowest priority for funding in Council's strategy for financial sustainability so could readily be deferred until Council's financial position improves.

3. Make some other recommendation

Background

State Member of Parliament, Shelley Hancock, has announced the following funding for shared path projects in the Shoalhaven:

- \$1,000,000 for the Round the Bay Walk project including a new pedestrian bridge over Moona Moona Creek at Huskisson
- \$500,000 for the continuation of the Matron Porter Drive path

- \$190,000 for the Vincent St to Twyford St path
- \$150,000 for the Deering St path
- \$50,000 for pedestrian facilities at Green St

There has been a longstanding need to improve pedestrian facilities in Page Ave, North Nowra. Consequently, Council resolved at its meeting on 23 May 2017 (Minute MIN17.408) that

the General Manager (Director Assets and Works) report back with financing options to 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.

The estimated cost of a 2m wide, 400m long path in Page Avenue is \$150,000.

Similarly, over the past few years, requests have been received to construct a path in Centaur Ave, from Idlewild Ave to Francis Ryan Reserve. A recent report of an accident involving a pedestrian in Centaur Ave has heightened awareness of this location although it has not been suggested that the lack of a concrete path contributed in any way to the accident. However, more 'near misses' can be avoided if Council now funds the path construction.

The estimated cost of a 1.2m wide, 130m long path with kerb and gutter in Centaur Avenue is \$100,000.

The construction of these new assets has not been included in the Long Term Financial Plan, which is based on meeting financial sustainability objectives by mostly funding the maintenance and renewal of existing assets. Consequently, funding the construction of new assets, for which there are no other financial contributions, is contrary to the principles of sustainability. In this context, expenditure on ad-hoc new construction is not recommended.

However, if the construction is pursued, the financing options include:

- General Fund – For this option to be viable, the allocation of an adopted 2017/18 Operational Plan budget program or project would need to be reduced by \$250,000 and substituted for the Page Ave and Centaur Ave path construction projects. If part-funding of the project was secured, any Council contribution would similarly need to be funded by reducing the budget allocation for an adopted program or project. However, a General Fund allocation could materialise by bringing forward 2018-2019 Roads to Recovery Program funds.
- Roads to Recovery Program – Path projects such as Page Avenue and Centaur Avenue do not qualify for direct funding under this Program. However, road renewal projects do qualify and there is, at least, a \$250,000 allocation of General Fund in the 2017-2018 Local Road Repair Program which could be funded, in advance, from the 2018-2019 Roads to Recovery Program budget. In this way, \$250,000 of General Fund is 'freed up' to use on the path projects in 2017-2018.
- Strategic Projects Reserve – For this option to be viable, there would need to be spare funds in the Reserve which were not already committed in the Long Term Financial Plan and Council would need to change the type of project funded by the Reserve as Council has previously 'ring-fenced' funds for works, other than path projects.
- Grant funding – For this option to be viable, there needs to be a funding source for which the project would qualify. Although there are some small grant opportunities from time-to-time, there are currently no known grant funding sources which would

provide \$250,000 for these path projects. However, the State Member of Parliament and Federal Member of Parliament could be requested for special grant funding for the projects. If part-funding was secured for the project, Council's contribution would still need to be found from one of the other listed options.

- Loan funding – Although possible, Council has not previously borrowed funds for small path projects.
- Contributions Plan funding – Neither project would qualify for funding from any Contributions Plan reserves
- Section 217 of the Roads Act charges – Council could resolve to charge up to 50% of the cost of a new concrete path to landowners with a property frontage adjoining the path. However, the remaining 50% would still need to be secured from one of the viable options above.
- Community funding – As both path projects are in close proximity to schools, it is unlikely that their P & Cs would divert their fund-raising efforts to these non-school projects. Similarly, there would be little interest from other community groups in these projects.
- Special Rate Variation – The revenue from the SRV has been allocated to asset maintenance and renewal projects to meet Council's financial sustainability objectives. In this case, including these path projects, would not be recommended

Community Engagement

Community consultation on the two path projects may not be necessary as they have been raised with Council in the past. If the projects are funded, project-specific consultation will be undertaken in any case.

Financial Implications

Council had included the construction of the pedestrian bridge over Moona Moona Creek, by loan funding, in its 2017-2018 Operational Plan budget. However, the Member for South Coast's announcement that State funds will now be available for the project will obviate the need for Council to borrow funds.

Bringing forward the amount of \$250,000 from the 2018-19 Roads to Recovery Program to 'free up' General Fund seems to be the only practical way of funding the two new path construction projects. Under the R2RP, councils are allowed to bring forward any amounts as long as the total allocation of this five year Program is not exceeded.

SA17.186 Jervis Bay Maritime Museum - Fish Pond

HPERM Ref: D16/401033

Group: Assets & Works Group

Section: Asset Management

Purpose / Summary

To report on progressing a scoping study for opening of the Jervis Bay Maritime Museum fish pond, provision of a pedestrian bridge and provision of associated minor maritime infrastructure.

Recommendation (Item to be determined under delegated authority)

That survey, investigation, design and community consultation proceed in relation to opening the Jervis Bay Maritime Museum fish pond when a funding source becomes available.

Options

1. As recommended
2. Council allocate \$24,000 for survey, investigation and design (Not recommended)

Implications: A funding source has not been identified.

Background

Council at its Strategy and Assets Meeting of 10th October 2016 resolved, in part, that:

3. A report be submitted on the cost of a scoping study for the necessary works to open the fish pond to the creek.

4. If funds are available from the balance of the launching facility project these be allocated toward design of the Lady Denman fishponds. Council consider allocating funds to the fish pond if this balance is inadequate

Quotations for the launching facility project were reported to Council's Ordinary meeting of 26 April 2017 and Council resolved to decline to accept any quotation for construction as the offers exceed the budget and delegated authority to the General Manager (Director of Assets and Works) to enter into negotiations.

This resolution has been implemented. Construction work has commenced with the project expected to be completed before October 2017. The negotiated contract reduced the scope of works to exclude construction of a cul-de-sac at the bottom of Dent Street. Consequently, there are no funds available from this project for the fish pond design.

Community Engagement

No community engagement has occurred specifically in relation to the opening up of the fish pond however extensive consultation was undertaken in relation to the museum plan of management that identifies the need for this project. Consultation in relation to possible design solutions will be an important component of the study.

Financial Implications

At this stage, funding is not available for this study as the negotiated price for construction of the launching facility and associated site improvement works will not result in any surplus.

The cost to undertake a scoping study is estimated as follows:

Task	Cost Estimate \$
Survey /Hydrosurvey	3,000
Aquatic Assessment	4,000
Review of environmental factors	5,000
Geotechnical	5,000
Concept design(s) /consultation	7,000
Total	\$ 24,000

SA17.187 Classification of Operational Land - Part Shoalhaven Community & Recreational Precinct - 109, 111, 111A & 113 Cambewarra Road, Bomaderry

HPERM Ref: D17/184792

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To classify the land described in the following Schedule for the purpose of the Shoalhaven Community & Recreational Precinct at Cambewarra Road, Bomaderry as Operational Land.

Recommendation

That Council resolve to classify the land in the schedule below as Operational Land:

Legal Description	Locality
Lot 1 DP544264	109 Cambewarra Rd, Bomaderry
Lot 21 DP860849	111 Cambewarra Rd, Bomaderry
Lot 22 DP860849	111A Cambewarra Rd, Bomaderry
Lot 3 DP544264	113 Cambewarra Rd, Bomaderry

Options

1. Resolve as recommended.

Implications: The land will be able to be used as part of the Shoalhaven Community & Recreational Precinct. If any objections are received prior to the close of submissions on 21st July 2017, these will be raised at Council Ordinary meeting on the 25th July 2017.

2. Not resolve as recommended.

Implications: The land will default to Community Land and therefore is subject to the Community Land provisions as outlined in the Local Government Act 1993 (LGA93).

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

Background

109 to 113 Cambewarra Road, Bomaderry, being Lots 1 & 3 DP544264 and Lots 21-22 DP860849 are located at Cambewarra Road, Bomaderry have been acquired to facilitate the development of the Shoalhaven Community & Recreational Precinct.

SA17.187

Section 31(2) of the Local Government Act, 1993 (LGA93) provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two Classification available:

1. Operational Land – land which Council owns as a business entity and upon which it conducts Council business, and
2. Community Land – Land in Council's ownership which is held for and on behalf of the Community – subject to the Community Land provisions of LGA93.

A resolution of Council, within the time frame prescribed in LGA93, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land.

Community Engagement

In accordance with Section 34 of LGA93, a public notice of Council's intention to classify the land as Operational was placed in the local press 21st & 22nd June 2017 allowing 28 days or written submissions, closing 21st July 2017. At the time of writing this report no submissions have been received, however any submissions received prior to the closing time will be advised at Council's Ordinary meeting on 25th July 2017.

SA17.188 Lease - 1 Mattes Way, Bomaderry - Kiama Community College

HPERM Ref: D17/196327

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To seek Council endorsement to enter into a lease agreement with Kiama Community College for the continued use and occupation of 1 Mattes Way, Bomaderry.

Recommendation

That Council:

1. Enter into a lease agreement with Kiama Community College Incorporated for the continued use and occupation of 1 Mattes Way, Bomaderry (Lots 27, 29, 30 & 31 DP793122) for an initial term of three (3) years with two (2) option periods of three (3) years each (i.e. 3 x 3 x 3 year lease) at an initial annual rent of \$50,000 plus GST to be increased annually by CPI; and
2. 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.

Options

1. Resolve as recommended.

Implications: Formalising a new lease agreement will provide Kiama Community College (KCC) with nine (9) years security for the continued use of the site. The secure tenure will assist KCC when applying for grant funding for the proposed expanded use as an alternative high school.

2. Not resolve as recommended.

Implications: In order to secure funding for works required to upgrade the facility, KCC require a longer tenure. Not providing the longer tenure will hinder KCC's attempts to provide an alternative high school for teenagers within the Shoalhaven LGA.

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

Background

Kiama Community College (formerly known as South East Community College) have been in occupation of the Council owned property since 2007. KCC have been operating as a community college offering vocational and trade education such as beauty therapy, hospitality and computer studies since the commencement of their occupation.

Kiama Community College negotiated a sub-lease agreement with Bay & Basin Community Resources for approximately 1/3 of the building to operate community activities such as adult education classes. This agreement commenced in 2009 and is still in operation.

In early 2017 KCC approached Council with a proposal to take occupation of the area currently sublet to Bay & Basin Community Resources. The additional area is required for the purpose of operating an alternative high school for approximately 30 – 60 children. The school will allow children who are unable to attend high school for various reasons, to continue their education and obtain their School Certificate and Higher School Certificate.

The alternative high school will provide places for children living within the Shoalhaven and Kiama Local Government Areas and is a much needed service.

The terms of the lease agreement are as follows:

Premises	The building, improvements and curtilage on Lots 27, 29, 30 & 31 DP793122 at 1 Mattes Way, Bomaderry
Term	Three (3) years
Option	Three (3) years + Three (3) years
Commencement Date	1 July 2018
Initial Rent	\$50,000 plus GST
Percentage of Outgoings	100%
Permitted Use	Provision of education and training services.

The date of commencement is the day immediately following the expiration of the current lease agreement.

Community Engagement

This matter is considered to be a local area/low impact issue as detailed in Council's Community Engagement Policy and Handbook and no community engagement has taken place.

Policy Implications

The proposed lease terms are in accordance with Council's *Occupation of Council Owned and Managed Land Policy*.

Financial Implications

There will be minimal financial implications as a result of the adoption of this recommendation. Kiama Community College currently pay a subsidised rent consequent to capital improvements completed on the property at the commencement of their initial occupation. Council considers that the value of such improvements have been amortised over the current lease period and accordingly a full commercial rent will now apply to the subject agreement.

Council will receive a total income of approximately \$547,000 (subject to finalised CPI increases) over the 9 year period.

SA17.189 Holiday Haven Tourist Parks - Management & Operation Contract Extension - Lake Conjola Entrance Holiday Park

HPERM Ref: D17/206942

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To consider the two (2) year 'optional' contract extension for the management and operation of Lake Conjola Entrance Holiday Park from 1 August 2017 to 1 August 2019 as provided under the current contract.

In accordance with S10A(2)(d)(i) of the Local Government Act 1993 some information should remain confidential and will be considered as part of a separate confidential report to Council. It is not in the public interest to disclose commercial information of a confidential nature that would, if disclosed, prejudice a commercial position of a person who supplied it.

Recommendation (Item to be determined under delegated authority)

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

Options

1. Council accepts the recommendation as presented.

Implications: Consider a separate confidential report outlining the proposal.

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

Background

The current management contractor operating this property has expressed their interest in exercising the option available under their management contract to extend the contract with Council for a further two years. Existing contracts provide for Council to grant the two year extension, without going to tender, following the completion of the first three years of the awarded contract. At the end of the two year extension period in 2019, the management of this property will again be put to open public tender.

This Holiday Park under the current management has increased total revenue in the recent financial years from 2012 to 2015. Expenditure continues to be contained within budgeted estimates, and occupancy of cabins and sites has increased over the previous three years, as detailed in the confidential report.

Community Engagement

All of the Holiday Park properties within the Holiday Haven group are actively involved in industry schemes to improve the economic and environmental sustainability of the businesses in a socially responsible manner. In the management of Lake Conjola Entrance Holiday Park, the current management contractor, AN MacDougall Pty Ltd have brought their operations into line with Council's and industry guidelines in regard to landscaping, water management, trade waste, recycling and energy conservation. These initiatives have brought about a reduction in the environmental footprint for the operation while working towards savings in energy and waste costs.

Financial Implications

Council has a forward business plan that provides significant investment in this property. This investment is designed to improve facilities and provide the type of activities that attract families and repeat business and more powered camping sites and the establishment of other facilities.

A management team maintaining a viable business themselves remains an important part of the operation of the business of the property into the future.

SA17.190 Holiday Haven Tourist Parks Tender for the Management & Operation of the Huskisson Beach Holiday Park

HPERM Ref: D17/208503

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

The current contract for the Management and Operation for Council's Holiday Haven Tourist Park at Huskisson Beach is due to expire under the terms of the contract document. Tenders were advertised and potential contractors have been interviewed. Council can now appoint a contractor based on the above process.

Recommendation (Item to be determined under delegated authority)

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

Options

1. Committee accept the recommendation as presented.
Implications: Consider a separate confidential report on the matter.
2. Provide further direction to staff and propose an alternative.

Background

Tenders for the Management and Operation of the Huskisson Beach Holiday Park were advertised on 24 May 2017 closing on 14 June 2017.

At the closing date four (4) tenders had been received for the Management & Operation of Huskisson Beach Holiday Park. Tenders were assessed by Council staff for compliance and fulfilment of the stated selection criteria and all tenderers were then advanced to the interview stage.

Community Engagement

The Tender process for the appointment of a management contractor to Council's Holiday Haven Tourist Park at Huskisson Beach has been followed within the requirements of the provisions of the Local Government Act.

Financial Implications

Financial aspects of the management contracts for Council's commercially operated Tourist Parks draw a fine line between sufficient funds for the contractor to provide a prudent level of staffing and equipment to effectively operate these complex properties and the need for

Council to obtain the best value for money. Holiday Haven considers the cost of operating these properties carefully in order to maintain an adequate business benefit to Council and a return to the Contractor that ensures the properties are operated and maintained for Council to the required industry standards.

SA17.191 Council Policy Review - Waste Services

HPERM Ref: D17/208199

Group: Assets & Works Group
Section: Works & Services

Attachments:

1. Disaster Recovery Policy - POL16/128 (under separate cover) ➡
2. No Charge Tipping of Storm Materials at Waste Depots - POL16/168 (under separate cover) ➡
3. No Charge Tipping Vouchers - POL16/169 (under separate cover) ➡
4. Waste Management Community Assistance Policy - Garden Waste Mulch - POL16/170 (under separate cover) ➡
5. Waste Minimisation and Management Guidelines - POL16/171 (under separate cover) ➡

Purpose / Summary

All Public and Local Approval Policies are to be submitted to Council within 12 months of the election of Council. The Public Policies proposed for adoption represent the Waste Services responsibilities in the Assets & Works Group, Works and Services Section

Recommendation

That Council

1. Adopt the Disaster Recovery Policy – Waste Management (POL16/82).
2. Adopt the following policies with no or minor changes:
 - a. No charge tipping of storm damaged materials at waste depots Policy (POL16/168)
 - b. Garden Waste Mulch - Community Assistance Policy (POL 16/170); and
 - c. Waste Minimisation and Management Guidelines (POL16/171)
3. Adopt the No Charge Tipping Vouchers Policy (POL 16/169), noting commercial properties will no longer receive vouchers from FY18/19.

Options

1. Adopt the recommendation

Implications: The Disaster Recovery Policy widens the coverage of disasters in which staff are enabled to act swiftly to manage waste produced in a disaster situation. The adoption of the remaining policies will more accurately reflect their intent as administrative and operational tools. System improvements now allow properties liable for the domestic waste management charge to be separated from commercial properties in the rates mailout. Starting in FY18/19, commercial properties will no longer receive vouchers.

2. Not adopt the recommendation and resolve to make amendments to the Policies

Background

The Waste Services Unit of Council are responsible for the implementation of a number of public policies. These have all been reviewed with minor to significant changes as described

below. Further, the flooding events over the last 2 years highlighted that a consistent approach to disasters needed to be developed and a *disaster recovery policy* was drafted.

Disaster Recovery Policy (POL16/128)

A new Works and Services Section *Disaster Recovery Policy* is provided for affirmation by Council. The policy provides guidance to staff to respond promptly to a variety of disasters and to be able to respond with surety to the many urgent calls from residents in these situations. This policy is separate to the current *No charge tipping of storm damaged materials at waste depots policy*, which focusses only on wind storm damage of trees and vegetation.

It is recommended that the policy be adopted.

The current Works and Services Section (Waste Services Unit) policies listed below have been reviewed and amendments have been made as follows:

No Charge Tipping of Storm Damaged Materials at Waste Depots Policy (POL16/168)

This policy was last reaffirmed by Council in May 2013. In the event of a severe storm, the policy provides a pre-determined guideline that, if exceeded, will empower Council staff to accept storm damaged tree waste at the Recycling and Waste Depots at no charge. If the storm event is not classified as a state significant event the costs incurred through the free tipping process would need to be absorbed within the Waste Services operating budget.

It is recommended that the policy be adopted with changes to reflect the new structure.

No Charge Tipping Vouchers Policy (POL16/169):

This policy was last reaffirmed by Council in May 2013. The policy provides for two no charge vouchers to be issued to each assessment which is charged a domestic waste management service and for rural property owners who are not on a domestic waste management charge per year for the disposal of domestic waste. The equivalent tipping fee value of no-charge vouchers during the 2016/17 financial year is approximately \$2.436million. The funding for these vouchers is sourced primarily through the domestic waste management charge (DWMC) with a proportionate increase in Waste Depot gate fee for domestic cars and trailers to cover those areas not paying the DWMC.

In practice the commercial premises have been receiving vouchers as there was no mechanism for separating them from properties liable for the DWMC in the rates notice print run. With recent improvements it is possible to make the distinction and in accordance with the policy, as from next financial year (FY18/19), vouchers will no longer be provided to owners of commercial premises.

It is recommended that the policy be adopted with changes to reflect the new structure, and implemented as intended.

Garden Waste Mulch - Community Assistance Policy (POL 16/170):

The policy allows for Shoalhaven residents and community to collect processed garden waste from any Recycling and Waste Depot, when available, for no charge. The requirement is for persons to load themselves, but at the three larger Depots where there is plant available, a small loading fee is applied if customers request that the mulch be loaded for them. The policy also allows for commercial use of the mulch at a charge per tonne.

It is recommended that the policy be adopted with changes to reflect the new structure.

Waste Minimisation and Management Guidelines (POL16/171).

The policy provides guidelines to developers on how to prepare a Waste Plan for submission together with their development application. The intent of the waste plan is to prompt developers into thinking about sustainable management of the waste streams generated

during demolition (if applicable), during construction and during the ongoing life of the property. It provides guidance in an easy to understand format with some examples. It promotes recycling of specific materials with a table provided for estimating quantities and possible destinations for the materials. Once the proposed Chapter G7 of the citywide Development Control Plan is submitted to Council for resolution, these separate guidelines will need to be rescinded.

It is recommended that the policy be adopted with no changes.

Financial Implications

The policies are funded in the annual Waste Services Unit budget

SA17.192 Indian (Common) Myna Bird Program

HPERM Ref: D17/133558

Group: Planning Environment & Development Group
Section: Building & Compliance Services

Purpose / Summary

To provide information to Council in relation to the 'Indian Myna Bird Action Programme' which focuses on the humane control of Indian Myna birds in the Shoalhaven Local Government Area (LGA) through community education and access to Indian Myna bird traps.

This is in response to a Notice of Motion on 26 April 2017 from Councillor Levett requesting a report on ways to establish a Council coordinated, community based Indian Myna bird eradication program.

Recommendation (Item to be determined under delegated authority)

That Council note the information contained in the report.

Options

1. That Council note the report for information.

Implications:- No action is recommended at this stage. There are members of the community who are already actively engaged in the trapping and eradication on Myna birds. Council also needs to consider the costs of implementing a program. Council is already in a deficit budget position and implementation will cost \$29,000 or more to commence. Council also needs to consider that if this level of funding were available is this program the highest environmental priority to expend such funds.

2. Council upgrade its website to provide the community with sufficient information for them to instigate an Indian Myna bird eradication programme. Council also develop an urban landscape policy to discourage the proliferation of Indian Myna birds.

Implications:- This is the most cost effective response for Council (other than receiving the report for information). There is sufficient information available for the website to be upgraded including webinars, contact details and links to relevant Indian Myna bird sites. The preferred option at this stage would be to set-up the programme in accordance with Option B and provide the ongoing euthanasia centre. In the first year this would cost \$29,000.

3. Council provide funds to support a fully developed community based programme and continue to fund this into the future.

Implications: This will be a significant cost to Council and is not the preferred option. The total cost of \$69,277 for the first year includes the initial setup plus the total annual ongoing cost (\$48,133). The total annual costs will be ongoing and this will increase over time. Whilst addressing this problem within the community with a holistic approach as outlined benefits Council by increasing its profile in the community by providing

positive initiatives, the costs may be prohibitive at this time. Council can always revisit such a programme in the future if it desires.

4. Council not approve any of the recommendations

Implications: The community are currently doing their own trapping of Indian Myna birds and this may continue. There are a number of Men's Shed who make and distribute the traps. There is however, no monitoring of the population in the Shoalhaven area and Council may be criticised for not being more pro-active in this space.

Background

The Indian Myna is native to Southern Asia and was introduced to Australia in the 1860's to control insects in Melbourne market gardens and later to control insects in the Queensland cane fields. They have been described by the World Conservation Union as one of the World's 100 most invasive species. Because of their aggression, intelligence and skill as scavengers, they are now one of the most common birds in cities and towns along the east coast of Australia.

The Canberra Indian Myna Action Group and councils such as Wollongong, Campbelltown and Hawkesbury run similar successful programmes of eradication and these would guide the "Shoalhaven Model".

The programme aims to:

- 1) Reduce the breeding, feeding and roosting opportunities of these pests;
- 2) Survey and record Indian Myna bird numbers and impact to assist with research and programme development,
- 3) Provide advice on a trapping programme that is acceptable to the community, Council and animal welfare agencies; and
- 4) Develop an urban landscape policy that will discourage the proliferation of Myna birds through planting of low native shrubs and groundcovers and reducing the extent of open grassed areas.

Possible Components of a Program

1. Survey

Council could consider the benefits of a survey to record the numbers of Indian Myna birds in our area. This will determine the extent of the problem, assist with research and also pinpoint hot spots for Indian Myna bird eradication.

The link below shows the survey undertaken for two years for Wollongong City Council at a cost of \$5000.

<http://www.wollongong.nsw.gov.au/services/sustainability/volunteerprograms/Documents/Assessing%20the%20Distribution%20and%20Impacts%20of%20Common%20Mynas%20in%20the%20Wollongong%20LGA.pdf>

2. Establish a formal programme

- a. **Website design** could be developed to create an Indian Myna bird page on Council's website. This could include on-line booking if an education component is implemented, uploading statistics and access to mynascan.

The Canberra Indian Myna Group, Wollongong Council and Campbelltown Council are willing to share information from their websites to assist with the development of Shoalhaven's website. This will be a cost effective programme.

- b. **Develop an Education Program** to inform the public about trapping & euthanasia, animal welfare and the impacts on native flora and fauna.

By providing a holistic approach to the education program Council could value add to the trapping program which benefits the environment and amenity and approaches the Indian Myna bird problem from other angles.

Both Campbelltown and Wollongong City Councils have reported the attendance to their education sessions are decreasing due mainly to the fact they have been running them for some time now. Campbelltown Council is considering developing a webinar to provide the education on-line. This could be explored as part of Council's programme and be developed in collaboration with other interested councils. The webinar approach would be more cost effective for Council.

Birdlife Shoalhaven has been presenting the "Birds in Backyards" programme to community groups in the Bay and Basin area and are set to cover other parts of the Shoalhaven in the near future. Birdlife Australia are drafting a council engagement strategy for Birds in Backyards to present to Council in an effort to create a holistic approach for this issue. Indian Myna birds could be linked in with this programme.

- c. **Partnership with Men's Sheds** to ensure there is a trap supply for the public paid for by the public. Traps are already being made at Nowra, Shoalhaven Heads, Sanctuary Point and Sussex Inlet with some men's sheds reporting good sales. One local men's shed sells direct on E-Bay. Discussion can be had with men's sheds to encourage their participation and include in their procedure some guidelines about animal welfare requirements when trapping.

The Wollongong and Berry Men's Sheds also sell nest boxes which compliments the program to provide habitat for native birds and animals. This could also be explored as part of the programme.

- d. **Statistics** including the number of birds trapped, number of traps sold, number of participants would be helpful.

All programmes report this aspect as being the most problematic component. Ways to encourage the public to submit trapping statistics need to be developed.

- e. **Policy** development in dealing with Indian Myna birds in the urban landscape context is also necessary. This will discourage the proliferation of Indian Myna birds through planting of low native shrubs and groundcovers and reducing the extent of open grassed areas.

5. **Euthanasia centres**

Council would need to determine locations and staff to operate equipment to euthanase the birds in accordance with animal welfare requirements.

The euthanasia centre is simple and inexpensive to operate. A wooden box is made and the trap is simply placed within the box with a gas hose attached from the gas cylinder. The gas is dispensed for one minute and the birds can be disposed of in the garbage bin.

6. **Ongoing Duties – Administration and Other**

Support Service Levels

- Respond to enquiries
- Organise gas cylinders
- Raise Purchase Orders

- Maintain & supply information – forms, brochures, etc
- Coordinate bookings, venue and educational materials
- Develop and maintain operating procedures
- Record keeping including signed terms of agreement forms
- Manage trapper list, collate trapping statistics & provide reports
- Liaise with stakeholders including publicity and promotion of workshops
- Liaise with Men's Sheds about traps, promotion and nest boxes
- Mapping / GIS support to record trapping and roost locations
- Maintain any management plans & databases
- Maintain web page & web based training site
- Keep abreast of legislative requirements, WHS & governance matters
- Coordinate and attend committee meetings (if there is to be a committee)
- Manage volunteers (if there are to be volunteers)
- Consider Council involvement in trapping in CBDs with cooperation from shop owners and in schools during holiday periods (this was undertaken as part of Queanbeyan's trapping program)
- Grant funding submissions
- Present Education Program to community

Community Engagement

There has been no community consultation at this point. Community engagement would need to be undertaken if Council moved forward with the program to encourage participation in trapping and increasing biodiversity on private land by taking part in the education program and trapping myna birds. This would require a comprehensive approach to advertising, networking and education.

Consideration could be given in the review of the program for 2018/19 whether the formation of a committee to oversee the program and /or recruitment of volunteers would be beneficial.

Policy Implications

The recommended option includes developing an urban landscape policy to discourage the proliferation of Indian Myna birds through planting of low native shrubs and groundcovers and reducing the extent of open grassed areas, where reasonable.

Financial Implications

There are no financial implications from the recommendation in this report. Should Council wish to implement a program then costs will need to be considered. These are outlined in the table below. As stated above, Council is already in a deficit position and funding this program is not recommended.

Myna Bird Program Proposal - Potential Costs:					
		Costs	Inhouse Cost	External Cost (if required)	
Set-up Costs:					
Bird survey	Survey by Uni Student (to map Myna populations). Bird groups may provide data at no cost.	0		5,000	
Administration labour	Content for web page, webinar, brochure, liaison - 20 days at Grade 10 Step 5 (\$33.18 + 38.9% oncosts).	6,452	6,452		
Create Urban Landscape Policy	Create policy - 2 days at Grade 10 Step 5 (\$33.18 + 38.9% oncosts).	645	645		
Graphics	5 hours * \$46 (in house graphics department - Grade 10 Step 5)	230	230		
Web page creation (single page)	4 hours * \$46 (in house web designer). David Misfeld - SCC Web Developer (costed at Grade 10 Step 5).	184	184		
Production of 1 hour webinar	Pre-recorded web-based training (depends on level of professionalism required - collaborate with other councils)	2,500	2,500	6,000	
Printing of brochures	Printing of 5000 80 gsm reflex paper & folded (inhouse printing)	790	790		
Public education - course content	Develop content, organise venue, presenter. 5 days - Grade 10 Step 5 (\$33.18 + 38.9% oncosts)	1,613	1,613		
Promotion & publicity	5 hours * \$46 (in house). SCC Community Engagement (costed at Grade 10 Step 5).	230	230		
Option A:	Total Set-up Costs (inhouse services):	12,644			
	OR				
Option B:	Total Set-up Costs (including external costs):	21,144			
Ongoing Costs (annual):					
<i>Minimum Support Level: 1 day per week</i>					
<i>Comprehensive Support Level: 2 days per week</i>					
Support					
Labour costs (minimum support)	Reporting, record keeping, stakeholder communication: One day per week - Grade 10 Step 5 (\$33.18 + 38.9% oncosts)	16,776	16,776		
Miscellaneous costs	Materials, handouts	1,000	1,000		
		17,776			
Public education - implementation (education on trapping process & animal welfare)					
Presenter costs	Assuming 1 workshop per month - 2 hours. Staff member (Grade 10 Step 5) or presenter at \$200 per session.	1,106	1,106	2,400	
Venue - room hire	Council owned meeting room. External cost covers room hire in private facility.	0	0	2,400	
		1,106			
Supply of traps	Supplied by Men's Shed at around \$50 each	0			
Promotion & publicity	Community newspapers, facebook, website, brochures	1,000	1,000		
Euthanasia Centres (assuming two sites at Waste Depots)					
Gas bottles	BOC Gas Bottles (\$30 *3) per month: \$90 *12 * 2 Sites. Hire of CO2 industrial D size gas bottles - replaced monthly.	2,160		2,160	
Labour costs	15 minutes per Box: \$43.24 * 15 mins * 5 per week * 2 Sites. Waste Depot staff - Grade 8 Step 5 (\$31.13 + 38.9% oncosts) (euthanasia including disposal of birds, record keeping)	5,621	5,621		
		7,781			
Option C:	Total Ongoing Annual Costs (with minimum support level):	27,663			
	OR				
Option D:	Total Ongoing Annual Costs (with comprehensive support level):	44,439			
	OR				
Option E:	Total Ongoing Annual Costs (option D + external costs):	48,133			

Options C, D and E above are significant costs. These options are not considered to be necessary at this time.

If Council were to proceed with a program at this stage then the preferred option is to set-up the programme in accordance with Option B (\$21,144) and then provide the ongoing

euthanasia centre at \$7,781 per year. In the first year this would cost \$28,925. The intention would be to review the program and reconsider the level of involvement in the preparation of the 2018/19 budget.

Risk Implications

If Council chooses to do nothing, members of the community will continue to trap and control Indian Myna birds in their own backyards.

The update of Council website could provide additional information to the community to support their localised management of the Indian Myna bird problem. Whilst it is still heavily reliant on concerned members of the community, the website could provide valuable information to those willing to participate.

SA17.193 Review of the Shoalhaven Bushcare/Parkcare Policy and Procedures

HPERM Ref: D17/93261

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Amendments - Shoalhaven Bushcare/Parkcare Policy and Procedures (under separate cover) [↗](#)

Purpose / Summary

To consider the re-adoption of the existing Shoalhaven Bushcare/Parkcare Policy and Procedure with minor amendments as part of the policy review cycle.

Recommendation (Item to be determined under delegated authority)

That

1. Council endorse the Shoalhaven Bushcare/Parkcare Policy and Procedure with the amendments outlined in this report as a draft for consultation with Bushcare and Parkcare Groups.
2. That following the consultation with Bushcare and Parkcare groups the policy be reported back to Council for finalisation.

Options

1. Adopt the recommendation

Implications: The minor changes made to the policy will assist with policy implementation and interpretation.

2. Not adopt the policy and give further instructions to staff.

Implications: This would depend on what changes were required.

Background

An efficient and effective Bushcare/Parkcare program requires that the responsibilities of volunteers and Council staff be clearly defined. This Shoalhaven Bushcare/Parkcare Policy and Procedures details those responsibilities.

The Policy and Procedures have been reviewed and the minor amendments as listed below are recommended. A copy of the amended Policy and Procedures are attached to this report.

1. Changes to the policy statement to bring into line with the Shoalhaven Community Strategy Plan 2023
2. Extension of the review period for Bushcare/Parkcare Group Action Plans from 3 years to 5 years.
3. Provision of Bushcare Group Coordinator and Bushcare Volunteer role descriptions.
4. Principle responsibility of the policy changes from Asset and Works to the Planning, Environment and Development Group.

5. Streamlining and simplification of the procedure for the setting up of a new Parkcare/Bushcare Group to avoid duplication of groups on the same beach or reserve.
6. Cancellation of the Bushcare/Parkcare permit. Action plans adopted by Council replace the permit.
7. Inclusion of the Council's Volunteer Health, Safety and Behaviour Induction process into the procedures.
8. Inclusion of consultation methods used for Bushcare/Parkcare Group Action Plan to bring the policy in-line with Council's Community Engagement Strategy.
9. Reduction and simplification of the community consultation process from three tiers of consultation down to two tiers of consultation. This will simplify the consultation process for staff and volunteers.

Remove Council involvement in the selection process of coordinators for each Group. Each Group to select their own coordinator. The review of the Bushcare/Parkcare Policy and Procedures has been reviewed by the Council's Bushcare Representative Group. The role of the Shoalhaven Bushcare Representative Group is to act as an advisory group on all matters relating to the future direction of the Bushcare Program and Policy.

Financial Implications

The Shoalhaven Bushcare/Parkcare Program provides a financial benefit to the residents/ratepayers of the Shoalhaven. This is achieved through the in-kind labour contribution that the volunteers provide for restoring and maintaining the ecological assets on public land in the Shoalhaven.

From 1st July 2005 to 3rd April 2017 Bushcare volunteers spent 96,453 hours restoring and maintaining natural areas in public ownership. This equates to financial contribution of \$2,840,541, at current Volunteering Australia rates, towards the management of our cities public natural area reserves.

SA17.194 Tenders - Floodplain Risk Management Studies & Plans - Lower Shoalhaven River and St Georges Basin

HPERM Ref: D17/197911

Group: Planning Environment & Development Group
Section: Environmental Services

Purpose / Summary

To inform Council of the tender process for Floodplain Risk Management Studies and Plans for the Lower Shoalhaven River and St Georges Basin

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

Recommendation (Item to be determined under delegated authority)

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

Options

1. Council accept the recommendation for additional funding of both this report and confidential report.

Implications: The Floodplain Risk Management Studies and Plans for the Lower Shoalhaven and St Georges Basin can be undertaken. Without the additional funding both flood studies and plans cannot be completed.

2. Council not accept the recommendation.

Implications: The studies have been identified as key priorities of Council's floodplain management program. Council has accepted grants for both projects as part of the NSW Government's NSW Floodplain Management Program. The funds provided as part of this Program, must be expended within approved grant agreement timeframes. The Lower Shoalhaven River and the St Georges Basin are both the highest priority catchments in the Councils flood program, thus it is vital that these studies undertaken as a matter of high priority.

Both studies are due for review, as they are both over 10 years old, with the flood information requiring updating to be able to guide flood planning decisions and provide data to State Emergency Services to support emergency flood response.

Details

Council called Tenders for the Lower Shoalhaven River Floodplain Risk Management Study & Plan and the St Georges Basin Floodplain Risk Management Study & Plan on 16 May 2017, which closed at 10:00am on 8 June 2017. Council received three (3) tenders at the time of closing. These are shown in Table 1 below.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Cardno (NSW/ACT) Pty Ltd	St Leonards, NSW
WMAwater Pty Ltd	Sydney, NSW
SMEC Australia Pty Ltd	Wollongong, NSW

Tenderers were evaluated in accordance with the criteria identified in the tender documents as follows:

- Total cost to Council, including application of Local Preference Policy
- Experience and expertise in nature of work
- Methodology
- Management ability, regarding programming, Quality Systems, OH&S Environmental
- Resource capabilities to complete the works.

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

Community Engagement:

Advancing Council's long-term floodplain management program ensures that economic, social and environmental factors relating to the management of floodplains within the Shoalhaven are considered, documented and implemented in Council's planning programs and policies.

Financial Implications:

Funding for the above project has been provided for under the NSW State Government 'Floodplain Management Program' on a 2:1 basis. Council's matching 1/3 contribution comes from the existing general Floodplain Management Program budget.

An additional Council contribution is required to complete both studies and plans. The additional Council combined contribution for both projects including provisional expenditure is \$204,000 over three (3) years or \$68,000 per year for three (3) years, the full calculations are in the confidential report. It is recommended that Council contribute these additional funds from the existing 2017/18 floodplain program budget (job number 15706), that includes revotes of unspent funds for 2016/17, adjusted at September 2017 quarterly budget review and apply to OEH for the 30% additional grant funds to allow the projects to commence.

The project is for the provision of consultancy works and will not have any direct or immediate implications on Council's assets. The studies will be undertaken by consultants who will be managed by staff from the Natural Resources and Floodplain Unit of Council.

SA17.195 Review of Shoalhaven Water Group Policies

HPERM Ref: D17/205002

Group: Shoalhaven Water Group
Section: Water Customer & Business Services

Attachments:

1. Determining Residential & Commercial Properties for the Purpose of Levying Water & Sewer Charges Policy [↓](#)
2. Water Hydrant Standpipe Extraction Policy [↓](#)
3. Pressure Sewer System Policy - Backlog Sewerage Schemes Policy [↓](#)
4. Rural Wastewater Connection Policy [↓](#)
5. Rural Water Supply Policy [↓](#)

Purpose / Summary

All public policies are to be submitted to Council within 12 months of the election of Council. The five public policies proposed for reaffirmation represent “Round 6” of this requirement in respect of the Shoalhaven Water Group responsibilities.

Recommendation (Item to be determined under delegated authority)

That Council reaffirm the following policies with minor changes:

1. Determining Residential and Commercial Properties for the Purpose of Levying Water and Sewer Charges
2. Water Hydrant Standpipe Extraction Policy
3. Pressure Sewer System Policy – Backlog Sewerage Schemes.
4. Rural Wastewater Connection Policy
5. Rural Water Supply Policy

Options

1. Adopt the recommendation as written.

Implications: Minor changes will assist for currency. There are no significant changes.

2. Not adopt the recommendation.

Implications: Council can request further details, seek further community input or make other changes.

Background

Minor tracked changes have been made to the policies as shown on the attachments. The changes relate to updating the currency of wording, titles and reflect current practices. General formatting changes have also been included.

Community Engagement

There is no statutory requirement to publicly exhibit any of the policies contained in this report. Council may however choose to do so should they consider any changes of significance.



Determining Residential and Commercial Properties for the Purpose of Levying Water and Sewer Charges

For more information contact
Shoalhaven Water

City Administration Centre

Bridge Road (PO Box 42)
Nowra NSW Australia 2541
P: (02) 4429 3214
F: (02) 4429 3170
water@shoalhaven.nsw.gov.au
www.shoalwater.nsw.gov.au

Policy Number: POL16/84

Adopted: 26/05/2004

Amended: 31/08/2005, 09/08/2006, 27/01/2009, 14/12/2012

Minute Number: MIN05.1170, MIN04.598, MIN09.67, MIN12.1403

File: 28864E

Review Date: Thursday, 1 December 2016

1 PURPOSE

The purpose of this policy statement is to outline Council's determining criteria for categorising properties as residential or commercial for the purpose of levying water and sewer charges. This policy will ensure equity is maintained with customers and future classifications follow consistent and clear parameters.

2 STATEMENT

2.1 General

This policy will provide consistency in the determination of properties as residential or commercial. The categorisation of a property as a CSO is covered under separate policy adopted by Council.

2.2 Common Provisions

There are no common provisions relating to this policy. The policy is only related to the categorisation of properties in respect of Water Supply and Sewer related services consistent with Section 539 of the Local Government Act.

The categorisation of properties in respect of the ordinary (general) rate is related only to land and value. Connection to water and sewerage services and the respective charges have no relationship on the categorisation of land for rating purposes.

2.3 Other Related Policies

- Downsize, Disconnection or Nominal Sizing of Meters
- Community Service Obligation – Water Supply, Sewer, Effluent and Trade Waste Services
- Meter Connection and Availability

2.4 Definitions

Dominant Use – An activity based on the size of the property used for residential/commercial purposes and the intensity of the operation.

Dwelling – Building on a property

Property – Assessment.

Premises – Assessment.

Residential – The principal place of residence of a person where that person normally eats, drinks and sleeps.

Commercial – Any property other than residential or CSO, and/or any property where the activity or activities are carried on systematically in a business-like manner or commercial venture whether for organised profit or not.

Any property where the activity or activities are carried on systematically in a business-like manner or commercial venture whether for organised profit or not.

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Shoalhaven Water – Determining Residential and Commercial Properties for the Purpose of Levying Water and Sewer Charges

Page | 2

Bed and Breakfast (Commercial) – A property with two or more rooms for rental within the property owner's normal residential premises.

Guest House (Commercial) – A property with more than two rooms for rental.

Business-like manner – Professional, commercial, trade, industrial, government, mining operation etc.

Single dwelling – A dwelling which does not contain multiple detached or an attached building with separate & independent entry/exit points.

2.5 Abbreviations/Acronyms

NOW – NSW Office of Water

LGA – Local Government Act

CSO - Community Service Obligation

3 PROVISIONS

3.1 Charges Policy

Sewer and Trade Waste usage charges as applicable are levied via the Water Account to commercial properties including non-strata residential flats-properties with a bulk meter supply to recover the costs of distributing and treating higher strengths and volumes of sewer. A discharge factor and Land Use is applied to a commercial property to distinguish the type of property and percentage of volumetric charge applicable. The levying of availability charges is also undertaken through the Water Account and for residential properties is based on a standard 20mm water meter service connection. The availability charge for a commercial or non-strata residential property with a bulk meter supply is based on the size of the water meter service connection.

The relevant charges and respective allowances are contained within Council's Delivery Program and Operational Plan, which is exhibited for public comment each year during May and June.

3.2 Categorisation of a Property

There is a need to ensure clear determination is made on what factors constitute a premises being classified as commercial. The NOW-NSW Department of Primary Industries Water "Best Practice Pricing Guidelines" provide no guidance or definition in this matter.

The Department of Local Government issues a Council Rating and Revenue Raising Manual that provided guidance into the residential category of the ordinary rate. Council considered it reasonable to take guidance from that Manual in respect of determining what is residential and commercial as long as the relationship of the ordinary rate and charges for services provided were kept in perspective.

3.2.1 Residential

A residential **assessment property** is so determined if its **dominant** use is for residential purposes, categorised by a single **premises** on the assessed property. (Includes residential strata plans and the strata assessment units).

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3.2.2 Attached Dual Occupancy or Detached Dual Occupancy

A property with an Attached Dual Occupancy or Detached Dual Occupancy will be classified residential or commercial on the basis of the premises assessment against the following criterion;

Residential

- Residential zone and normal residential lot size, and
- ~~Maximum of 2 x 20mm water service connections~~ Each dwelling independently metered to main with 20mm service connections, and
- Maximum of 2 dwellings, and
- Used for residential purposes.

Commercial

- Business or Residential zone, or
- 25mm or larger water service connections, or
- 3 or more dwellings, or
- Used for commercial activity.

These criterion are used to assess and determine whether the property is used in the same manner as normal residential premises.

3.2.3 Commercial

A commercial property is so determined if:

- It is any assessment other than residential or CSO, and/or
- Any assessment where the activity or activities are carried on systematically in a business-like manner or commercial venture whether for organised profit or not.

The degree to which a commercial property is conducted as a business, can be reflected in the charges by the Land Use Category and subsequent % of sewer discharge factor applied to calculate the sewerage usage charge. Any reduction to the availability charge based on the size of the connection for properties where joint activities (residential/commercial) are carried on is not an option.

There are likely to be a number of situations where a dwelling is a place of business and residence combined. Council has in the past, defined such for billing purposes eg effluent pumpout charges. **If it can be proven** that the dominant use of the assessment is as the primary and principal place of residence, then it will be treated as a residential property. Otherwise if the primary purpose of the property is for business purposes eg a dairy farm, yet it contains the principal place of residence it should be treated as a commercial property. The interpretation of dominant use should be based on the water usage for:

1. The size of the property used for residential/commercial purposes,
2. The intensity of that operation,
3. Size of the operation,
4. Purpose, and
5. Potential Use

Although motels, hotels, guesthouses, bed and breakfast, caravan parks and backpacker hostels may be considered to be residential accommodation, they would normally fall under the commercial category on the basis of properties where the activity is systematically carried out in a business-like manner. Regard should also be given to the size and intensity (and discharge) of the property and whether the water and sewer services are of a normal domestic volume and quality. The most common situation encountered where a residence and business could fall into doubt is a bed and breakfast type facility. A definition of bed and breakfast and guesthouse is therefore provided separately.

Multi premise Non-strata assessments are categorised as commercial which accords with the "NSW Best Practice Water Supply, Sewerage and Trade Waste Pricing Guidelines" and this is consistent with a philosophy that they are purchased and operated in a business-like manner.

The Director Shoalhaven Water is delegated to make the determination of CSO and Level based on the above criteria in cases where dual Land Uses exist. Approval for the recognition of an organisation for CSO is vested in the Director Shoalhaven Water or his-nominated representative.

4 IMPLEMENTATION

The [Water](#) Customer and [Support Business](#) Service Section of Council's Shoalhaven Water Group will implement policies relating to the process of categorising properties as residential/commercial and the capture/reporting within Council's water billing program.

There is likely to be some "grey" areas to the distinction between residential/commercial as not all cases will be clear-cut. Indeed it may be in the case of a dairy farm, which has, a meter serving the house, that meter is classified as residential. Each such case will be considered on its merit and the General Manager ([Director-Shoalhaven-WaterWater Customer & Business Services Manager](#)) is delegated to categorise properties where doubt exists based on a fair and reasonable assessment of the degree and type of sewer services/potential use, against that of residential properties.

5 REVIEW

This policy will be reviewed within one year of the election of every new Council.

Shoalhaven Water – Determining Residential and Commercial Properties for the
Purpose of Levying Water and Sewer Charges

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6 APPLICATION OF ESD PRINCIPLES

None applicable.





Water Hydrant Standpipe Extraction Policy

For more information contact
Shoalhaven Water

City Administration Centre

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Nowra NSW Australia 2541
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water@shoalhaven.nsw.gov.au
www.shoalwater.nsw.gov.au

Policy Number: POL16/98

Adopted: 23/05/2000

Amended: 21/12/2004, 24/03/2009, 29/01/2013

Minute Number: MIN00.711, MIN04.1655, MIN09.334, MIN13.35

File:17457E

Review Date: Thursday, 1 December 2016

PURPOSE

- To regulate and manage the extraction of water from mains by hydrant standpipes.
- To provide a fair and equitable system for measuring and charging hydrant water use, thereby maintaining appropriate water management practices in the Shoalhaven.
- To provide guidance and service to customers who wish to use metered standpipes for extraction of water from mains.
- To protect drinking water quality by preventing potential contamination of mains from inappropriate standpipes.
- To monitor and review water consumption patterns and assist in the planning of water supply infrastructure.

STATEMENT

This policy was adopted by Council Minute 00.711 on 23rd May 2000, Minute 04.1655 on 21st December 2004, ~~and~~ Minute 09.334 on 24th March 2009 and Minute 13.35 on 29 January 2013.

1 EXEMPTION CIRCUMSTANCES

Under the Local Government Act 1993, the NSW Fire Service, State Emergency Service and the Australian Defence Force will be permitted to use unmetered standpipes for provision of emergency Services only.

Shoalhaven Water Operations Section will be exempt for essential maintenance of water mains to ensure water quality standards.

2 CRITERIA FOR DETERMINATION OF AN APPLICATION

2.1 Hire Agreement and Use of Standpipes

Customers who wish to extract water from hydrants are required to hire a metered standpipe from Shoalhaven Water and will be required to enter into an agreement for their use.

The agreement specifies the conditions governing the use of the metered standpipes and payment of fees, charges and security deposit. Metered standpipes remain the property of Shoalhaven Water.

2.2 Hire Period

Standpipes will be available for hire on an ~~annual~~, quarterly ~~and weekly~~ basis.

2.3 Fees, Charges and Security Deposit

Fees, charges and security deposits will be set annually under Council's adopted Delivery Program and Operational Plan – Fees, Charges and Rentals.

Note: The fees and charges are based on full cost recovery of the capital and maintenance cost of the metered standpipe over 10 years plus administration costs for each hire period. The security deposit is set at 30% of the standpipe cost to encourage security and return of the device by hirers.

Usage is based on the maximum usage charge for water adopted in a financial year.

2.4 Ownership of Standpipes

All metered standpipes for extraction of water will be owned by the Shoalhaven Water Group of Shoalhaven City Council. The use of private standpipes in Council's mains is prohibited.

2.5 Identification of Standpipes

Standpipes will be numbered and coloured for easy identification.

2.6 Types of Standpipes

Standpipes are available in two sizes:

- 65mm: For larger volume users (Max Flow Rate: 8.3 L/sec)
- 25mm: For smaller volume users (Max Flow Rate: 1.5 L/sec)

2.7 Penalties and Costs

The hire agreement will include clauses for the imposition of penalties in the event of damage, loss or destruction of the standpipe. The security deposit will be forfeited should such loss or damage result from negligent use by the hirer and additional costs recovered.

Appropriate safeguards have been incorporated in the agreement to discourage misuse.

2.8 Meter Reading

Standpipes are to be presented to Shoalhaven Water for meter reading and billing at ~~6 monthly~~quarterly intervals (~~March, June, September and November~~March, June, September and December) and/or at the end of the hire period.

2.9 Standpipes Currently in Use

To encourage the removal of unmetered standpipes in the region, a rebate of \$50 will apply upon surrender of these standpipes.

3 OTHER MATTERS

3.1 Implementation

~~The Shoalhaven Water Customer & Business Service Section of Council's Shoalhaven Water Group's Customer & Support Services Section~~ has responsibility to implement the policy through processing of an application.

3.2 Future options

Shoalhaven Water will consider further options of installing permanent bulk water filling stations at points throughout the city to reduce the number of metered standpipes and impact on water supply distribution from their use. Shoalhaven Water will also consider a longer term strategy of replacing all water hydrant standpipes with “smart metering technology” units.

3.3 Review

In accordance with S 165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

3.4 Application of ESD Principles

To ensure accountable use of standpipe services and the water extraction from the supply system against water availability.

3.5 Definitions

Hydrant – A fitting on a water main specifically designed for connection of a standpipe to extract water from the main.

Standpipe – A device to connect to a hydrant for extraction of water. The device is fitted with a control valve and meter for measuring water extracted.



Pressure Sewer System Policy - Backlog Sewerage Schemes

For more information contact
Shoalhaven Water

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Bridge Road (PO Box 42)
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Policy Number: POL16/94
Adopted: 20/12/2011
Reaffirmed: 26/02/2013
Minute Number: MIN11.1274, MIN13.148
File: 12039E
Review Date: Thursday, 1 December 2016

1 PURPOSE

The objectives of this policy are to:-

- Detail the circumstances where pressure sewers may be considered as part of Council's sewerage system.
- Provide direction to staff, contractors and property owners as to the responsibilities each party has through the phases of a backlog pressure sewerage scheme implementation.

2 STATEMENT

Shoalhaven City Council has adopted pressure sewer technology as an acceptable alternative to conventional gravity systems in certain circumstances.

Council has adopted a pressure sewer technology supplier to be used in its sewerage schemes, where approved.

Where pressure sewer proves to be the most appropriate technology for a particular application, it may be adopted (by the Council) as the means for providing sewerage services to a wider area.

This policy may need to be altered for individual schemes in situations where State Government subsidies have certain conditions applied. The General Manager (Shoalhaven Water) has delegation to alter the policy to comply with subsidy rules where applicable.

3 PROVISIONS

This is a policy document only and is further supported by the following documents that also pertain to the use of pressure sewerage systems in the Shoalhaven Area:

- Shoalhaven Water Technical Specification on Pressure Sewerage systems
- The Technology Suppliers Installation Instructions (Specific to application)
- The Technology Suppliers Warranty (Specific to application)
- The Water Services Association of Australia "Pressure Sewer Code".

4 DEFINITIONS

Boundary kit – A valve box at the property boundary incorporating an isolating valve, non-return valve and inspection tee.

House drain – The internal plumbing drain pipe connecting into the pressure sewer unit (PSU).

Discharge pipe – The pipeline from the PSU to the pressure sewer main via the boundary kit.

Council – Shoalhaven City Council.

Control panel – The box incorporating the alarm controls for the pump and the emergency generator connection point.

Emergency storage – That capacity in the pressure sewer unit above the high level alarm point.

High level alarm – An alarm activated when the volume of wastewater in the storage vessel exceeds the normal level that controls the pump by a pre-determined amount.

Overflow relief gully – Overflow control device to prevent overflows occurring in the dwelling.

Pressure sewerage system – A overall system including the PSU, control panel, discharge pipe, boundary kit and pressure sewer pipes up to a discharge point in a conventional sewer.

Storage-vessel- Pressure Sewer Unit (PSU) – The container in which the pump is located and is typically made from plastic compounds of fibreglass.

~~**Split system** – A system involving disposal to septic via blackwater or greywater.~~

5 EXEMPTION CIRCUMSTANCES

None applicable.

6 GENERAL

Council, along with its backlog sewerage scheme partner(s) (if applicable), will determine the appropriate technology for each backlog sewerage scheme. The determination will be made based, in part, on topography, geology, ground conditions and environmental sensitivity of the area to be served.

It is mandatory for all properties within the defined scheme boundary to be connected to the sewerage scheme.

Where a scheme has been determined to be served by a pressure sewer system (either fully or in part) the following will apply.

6.1 Consultation

Given that pressure sewer technology is relatively new to Shoalhaven, Council staff will undertake consultation to inform the community of all aspects of the proposed scheme. Consultation would be ~~by way of~~ in accordance with Council's Community Engagement Policy.

- ~~Newsletters~~
- ~~Shopfront information sessions~~
- ~~Website articles~~
- ~~Communication with CCB's and other Community Groups.~~

6.2 Scheme Design and Infrastructure Supply

Council's contractor will carry out the design of all pressure sewer system reticulation (street mains) for the scheme, including connection to an existing system or treatment facility.

Council's contractor will carry out design of all on-property pressure sewer infrastructure in the following circumstances:-

- Existing buildings on single residential properties within the scheme boundary.

- Existing buildings on multi residential, commercial/light industrial properties.

All on-property designs will be undertaken in consultation with the property owner.

Council's contractor will not carry out design of on-property infrastructure in the following circumstances:-

- Any vacant properties.
- Any proposed buildings, whether or not they have development consent.

All on-property infrastructure will be provided by Council to the extent of the design completed in accordance with the above.

6.2.1 Specific Design Considerations

- All vacant properties within the scheme boundary (and identified to be serviced by the scheme) will be provided with a standard boundary kit at a location agreeable with the property owner, irrespective of the development status.
- Council will cover the cost of the connecting pipe work (from the on-site tank to the PSU) if it is agreed with the land owner that the PSU is to be located within 5 metres of the septic/pumpout tank.
- Council's designer will design existing split systems (black and grey water) to drain to the PSU.

6.3 Property Audits

Council's contractor will conduct audits of the existing property's electrical and internal sewer drains. If these audits identify defective or non-compliant system(s) the property owner is required to arrange for timely rectification and meet the costs for those works. Property owners will be notified of a period to rectify the defect(s) identified.

Property owners that have not rectified defects by the period nominated will need to arrange for completion of their pressure sewer installation and risk additional costs at completion of the scheme (eg. pumpout + availability charges).

6.4 Construction of Pressure Sewer System

Council's contractor will install and commission the pressure sewer system per the approved designs, which includes the full connection of the properties that have no outstanding defects from the audits. Property owners will be advised when their properties are fully connected to the new scheme.

6.5 Additional Pressure Sewer Units

If the backlog scheme has been provided with additional PSU's, the allocation of these will be on a 'first in first served' basis. Additional units will only be provided for single vacant (residential) lots existing at the time of scheme completion. ~~A sunset of five years after scheme completion is applied to the allocation of units.~~

6.6 Decommissioning On-site Treatment Systems

Once connected to the scheme the property owner is required to meet all costs and health requirements associated with the decommissioning of their on-site system. At minimum the on-site tanks must be “de-sludged and cleaned out”. Council will provide details with regard to decommissioning options and the associated costs as part of the consultation process.

When decommissioning of the onsite system has been completed, a final inspection of the property is to be arranged by the property owner with [Development and Environmental Services Planning, Environment and Development](#) Group of Council.

6.7 Implementation of Availability Charge

At the completion of the scheme Council will provide written notification to all property owners within the scheme of the impending wastewater availability charge. ~~This notification will provide a minimum of 90 days’ notice of the commencement of the availability charge.~~

6.8 On-going Ownership, Maintenance and Repair

All pressure sewer infrastructure installed as part of a backlog scheme will remain in the ownership of Council. Residents will be provided with a detailed home owner’s manual and a quick reference home owner’s guide to assist with troubleshooting and the process to follow in time of alarm or system failure.

7 IMPLEMENTATION

Shoalhaven Water is responsible for the implementation of this policy.

8 REVIEW

In accordance with S 165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

9 APPLICATION OF ESD PRINCIPLES

To reduce the impact on the environment by:

- Eliminating stormwater inflow and ground water infiltration;
- Eliminating area pumping stations;
- Substantially reducing potential overflows from the sewerage system; and
- Reducing the footprint for installation and thus reducing clearing of vegetation.



Rural Wastewater Connection Policy

For more information contact
Shoalhaven Water

City Administration Centre

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Policy Number: POL16/95

Adopted: 23/07/2002

Reaffirmed: 21/12/2004

Amended: 21/09/2009, 14/12/2012

Minute Number: MIN02.968, MIN04.1655, MIN09.1270, MIN12.1403

File: 12039E

Review Date: Thursday, 1 December 2016

1 PURPOSE

The objectives of the policy are to:

- Detail the circumstances in which rural properties may be considered for connection to Council's sewerage system
- Detail the circumstances in which rural properties will be exempt from the sewer availability charge.
- Provide direction to rural property owners making application for connection to Council's sewerage system.
- Provide direction to staff assessing applications for connection of rural properties to Council's sewerage system.

2 STATEMENT

This policy statement is based on Council Minute 02.968 of 23 July 2002.

This policy does not apply to major extensions relating to rezoning's and other major developments. This policy should be read in conjunction with Councils Rural Water Supply Policy and Liquid Trade Waste Discharge to the Sewerage System Policy.

3 PROVISIONS

3.1 Exemption Circumstances for Sewer Availability Charge.

Rural properties shall be exempt from the sewer availability charge in the following circumstances:

- The property is beyond 75 metres of a Council sewer main and is not connected to Council's sewerage system.
- The property is located within 75 metres of a Council sewer main and cannot be connected by gravity means to Council's existing sewerage system.

Rural properties will not be exempt from the sewer availability charge in the following circumstances:

- The property is connected to Council's sewerage system.
- The property is within 75 metres of Council's sewerage system and can be connected to the system by a gravity sewer.

Consideration for exemption from the wastewater availability charge will be given, upon written application, in all circumstances not included above. The determination of an application shall be at the discretion of the General Manager (Shoalhaven Water).

3.2 CRITERIA FOR DETERMINATION OF AN APPLICATION FOR A RURAL PROPERTY TO CONNECT TO COUNCIL'S SEWERAGE SYSTEM

Connection to Council's sewerage system will only be made available to rural properties upon written application in the following circumstances:

- Where capacity exists in the existing system, and



- Where the current levels of service can be provided, and
- Where the property is paying the wastewater availability charge.

Properties not paying the wastewater availability charge will only be considered for connection to Council's sewerage system if it is not possible to manage wastewater by on site treatment. Approval in this situation is subject to Council resolution.

3.3 OTHER CONDITIONS

- The applicant(s) shall meet all costs associated with the provision of the wastewater service including:
 - Connection from the property to the sewer reticulation system;
 - Provision of access and necessary easements;
 - Any other conditions considered applicable for the particular application, eg headworks contributions, Tradewaste Agreement etc.
- Any sewer reticulation extensions are to be designed and constructed to the current Council standards.
- Where private pipelines are to be extended in a road reserve approval must be obtained from Council's City Services and Operations- Assets and Works Group.
- A Service by Agreement may be necessary.

4 APPLICATIONS

Applications for connection to Council's sewerage system must be made in writing, providing a description of the land and what is proposed to be discharged to sewer (domestic waste or tradewaste).

The charges for Council services such as works, contributions and connections are shown in Council's Fees and Charges. The charges are those applicable at the time of payment.

5 OTHER MATTERS

5.1 Review

In accordance with S165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

5.2 Application of ESD Principles

To minimise the potential of environmental damage from onsite systems by allowing extensions to Council's sewerage system under the provisions of this policy.



Rural Water Supply Policy

For more information contact
Shoalhaven Water

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Policy Number: POL16/96

Adopted: 27/01/1998

Amended: 21/12/2004, 28/07/2009, 14/12/2012

Minute Number: MIN98.18, MIN04.1655, MIN09.957, MIN12.1403

File: 12039E

Review Date: Thursday, 1 December 2016

PURPOSE

- To detail the circumstances in which rural properties may be considered for connection to town water supply.
- To detail the circumstances in which rural properties will be exempt from the water availability charge.
- To provide direction to rural property owners making application for the connection to town water supply.
- To provide direction to staff assessing applications for connection of rural properties to town water supply.

STATEMENT

This policy statement is based on Council Minutes 93.290 of 16 February 1993 and 98.18 of 27 January 1998.

~~This policy should be read in conjunction with Council's "Water Availability and Connection Policy".~~

PROVISIONS

1 Exemption Circumstances for Water Availability Charge.

Rural properties shall be exempt from the water availability charge in the following circumstances:

- The property is beyond 225m of a town water main and is not connected to the town water supply.
- The property (not currently connected) cannot be supplied to the current levels of service.

Rural properties will not be exempt from the water availability charge in the following circumstances:

- The property is connected to the town water supply.
- The property can be connected to the town water supply by a standard long or short water service and the dwelling on the property is within the serviceable limit.

Consideration for exemption from the water availability charge will be given, upon written application in all circumstances not included above. The determination of an application shall be at the discretion of the General Manager (Shoalhaven Water).



2 CRITERIA FOR DETERMINATION OF AN APPLICATION FOR A RURAL PROPERTY TO CONNECT TO TOWN WATER SUPPLY

2.1 Town water supply will only be made available to rural properties upon written application in the following circumstances:

- Where capacity exists in the existing system, and
- Where the current levels of service can be provided, and
- Where it can be demonstrated that the rural water supply will be of positive economic benefit (at the time of application) to the city by applying the following formula;

Benefit = (Income from usage + Availability Charge) – Operating cost

- Where the income from usage is based on the expected annual water usage (provided by the applicant) in kL times the cost per kL (per Council's current Management Plan)
- The annual water availability charge (per Council's current Management Plan)
- Operating cost is the latest available at the time of the application (per the NOW Performance Report and asset register). See worked examples below.

Example 1

An applicant requests consideration for a water main extension to serve their rural property. The length of extension required is 100m and their expected annual water usage is 200kL. Assuming the application has satisfied all other criteria and the application is for a 20mm meter.

Using the 2012/13-2015-16 Operational Plan and Performance Report figures:

Income from usage	=	200kL x \$ 1.55 <u>1.65</u> per kL
	=	\$310 <u>\$330</u>
Availability Charge	=	\$84 <u>0</u>
Operating Cost per metre	=	$\frac{\text{Mains operation cost} + \text{Mains maintenance cost}}{\text{Total length of mains (m)}}$
	=	\$2.31m <u>\$2,500,000</u>
		1,600,000
	=	\$1.44 <u>1.56</u> per metre

Therefore total annual operating cost for a 100m extension = ~~\$144~~ \$156

Benefit	=	Income – Operating Cost
	=	\$391 - \$144 <u>\$410 - \$156</u>
	=	\$247 <u>\$254</u>

Therefore main extension would be approved in this case.

Example 2

Applicant requests 200m extension and proposes 100kL usage through a 20mm meter. Assuming all other criteria satisfied.

$$\begin{aligned} \text{Income} &= \text{usage} + \text{availability} \\ &= \$155 + \$81 - \$165 + \$80 \\ &= \$236 - 245 \end{aligned}$$

$$\begin{aligned} \text{Total operating cost} &= 1.44 \times 200 \$245 - \$312 \\ &= \$288 \end{aligned}$$

$$\begin{aligned} \text{Benefit} &= \$247 - \$288 \\ &= -\$41.67 < 0 \end{aligned}$$

Therefore main extension would not be approved in this case.

2.2 Other Conditions

- The applicant(s) shall meet all costs associated with the provision of the water supply including;
 - Necessary extension of the reticulation system.
 - Service connection including meter assembly.
 - Provision of access and necessary easements.
 - Any other conditions considered applicable for the particular application, and
- One 20mm service only will be provided as a standard. A larger or additional service may be provided upon application and if capacity is available. Other special conditions may apply to larger services. Charges per Council's current Fees & Charges apply, and
- Mains shall only be extended in a road reserve and where "all weather" access is available. Mains are to be installed at the standard property offset and to be outside the road formation. A hydrant shall be located at the end of the main for flushing, and
- A backflow prevention device may be required and be subject to Council's Cross-Connection Control / Backflow Prevention Policy.
- In special circumstances a supply by agreement may be necessary. Such cases will require Council resolution.

2.3 Private Service extensions from the end of a main may be approved subject to –

- not passing another property; and
- the nearest boundary of the property is within 225m of the end of the main; and
- there is no likelihood of further development (eg land locked); and
- approval is obtained by the applicant from Council's City Services- Assets & Works Group (and any other authority) to locate the meter assembly and private extension within the road

reserve. Alternatively the applicant will need to acquire legal access via services easement(s) through private property(s).

Note: Construction and maintenance of the pipe extension from the meter will be the responsibility of the applicant/owner.

2.4 Application

Applications for a water supply in rural areas must be made in writing, providing a description of the land and proposed water use(s).

3 OTHER MATTERS

3.1 Implementation

Shoalhaven Water Group's Water Asset Planning & Development Section has responsibility for processing an application.

3.2 Review

In accordance with S 165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

3.3 Application of ESD Principles

To ensure the quality and supply of water to urban areas is sustained and conserved.

3.4 Definitions

Rural – any rural zone specified in the current Shoalhaven Local Environment Plan ~~1985 (as amended).~~

Property/Land – A parcel of land comprised in-of a lot in a DP.

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.