

## Strategy and Assets Committee

**Meeting Date:** Tuesday, 19 September, 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.

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## 9. Confidential Reports

### Reports

CSA17.15 Tenders – Bitumen Spay Sealing of Pavements - October 2017 -  
June 2018

*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 undermine competitive neutrality in connection with any functions of an agency in respect of which it competes with any person or otherwise place an agency at a competitive advantage or disadvantage in any market.*

## 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, 15 August 2017  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5.04pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Joanna Gash – left during adjournment 7.58pm  
Clr John Wells  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Cheyne  
Clr Annette Alldrick – arrived 5.06pm  
Clr John Levett  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

### Apologies / Leave of Absence

Apologies were received from Clr Guile

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Cheyne) MIN17.687

That the Minutes of the Strategy and Assets Committee held on Tuesday 18 July 2017 be confirmed.

CARRIED

### Declarations of Interest

Clr Pakes – SA17.198 – Waiving & Discounting of Fees for Open Space & Community Facilities – Less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion or vote – he is the president of the Nowra-Culburra SLSC.

## MAYORAL MINUTES

Note: Cllr Alldrick arrived at the meeting at 5.06pm

### **MMS17.4 Mayoral Minute - Burrill Lake**

**HPERM Ref:  
D17/263506**

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

That Council:

1. Write to the RMS outlining the outcomes of the community engagement process for the Burrill Lake bridge and include all submissions received by Council.
2. Within the Letter to RMS clearly outline that it is Council's position that the bridge retains the name Burrill Lake Bridge.
3. Thank the community members and The Hon Shelly Hancock, Member for South Coast for their participation in the consultation process and for providing Council with a clear indication of the wishes of the community in relation to the name of the bridge.

**RESOLVED** (Cllr Findley / Cllr Proudfoot)

MIN17.688

That Council:

1. Write to the RMS outlining the outcomes of the community engagement process for the Burrill Lake bridge and include all submissions received by Council.
2. Within the Letter to RMS clearly outline that it is Council's position that the bridge retains the name Burrill Lake Bridge.
3. Thank the community members and The Hon Shelly Hancock, Member for South Coast for their participation in the consultation process and for providing Council with a clear indication of the wishes of the community in relation to the name of the bridge.

CARRIED

### **MMS17.5 Mayoral Minute - Waste Management & Cost to Residents & Business**

**HPERM Ref:  
D17/263536**

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

That Council continue to make representations to the NSW State Government to:

1. Return more of the Waste Levy funds collected back to regions it was collected from; and
2. Have Shoalhaven City Council excluded from the levy collection or at the very least reduce the levy applicable in Shoalhaven to the same level as other regional areas such as the Blue Mountains.

**RESOLVED** (Cllr Findley / Cllr Proudfoot)

MIN17.689

That Council continue to make representations to the NSW State Government to:

1. Return more of the Waste Levy funds collected back to regions it was collected from; and
2. Have Shoalhaven City Council excluded from the levy collection or at the very least reduce the levy applicable in Shoalhaven to the same level as other regional areas such as the Blue Mountains.
3. Remind the Government of the commitments made by NSW local members and the previous premier to return these funds to where they were taken from.

CARRIED

**Procedural Motion - Bring Deputations Forward****RESOLVED** (Clr White / Clr Gash)

MIN17.690

That the Deputations be brought forward.

CARRIED

**DEPUTATIONS AND PRESENTATIONS****MMS17.6 – Mayoral Minute - The 355 Management Committee Proposal for Nowra Showground**

Wendy Woodward addressed the Committee to speak for the recommendation.

**SA17.196 – Notice of Motion - Jervis Bay Lions Park Proposal**

Bob Hanlon –addressed the Committee to speak for the recommendation

**SA17.198 - Waiving & Discounting of Fees for Open Space & Community Facilities 2016/2017**

Bohdan Brumerskyj (Vice President of the Albatross Musical Theatre Company) – addressed the Committee to speak against the recommendation

**SA17.217 – Crown Lands Negotiation**

Bob Pullinger addressed the Committee to speak for the recommendation

**SA17.223 – Policy Review - Compliance Policy POL16/223 – Compliance and Enforcement Policy**

Alanna Baker-Bennett addressed the Committee to speak against the recommendation

**MMS17.6 Mayoral Minute - The 355 Management Committee Proposal for Nowra Showground****HPERM Ref:  
D17/263892****Recommendation (Item to be determined under delegated authority)**

That Council rescind the motion made to impose a 355 Management Committee for Nowra Showground.

**RESOLVED** (Clr Findley / Clr Gash)

MIN17.691

That Council rescind the motion (MIN17.502) made to impose a 355 Management Committee for Nowra Showground.

CARRIED



## Procedural Motion - Bring Item Forward

**RESOLVED** (Clr Pakes / Clr White)

MIN17.692

That the following matters be brought forward for consideration:

- SA17.196 – Notice of Motion - Jervis Bay Lions Park Proposal
- SA17.198 – Waiving & Discounting of Fees for Open Space & Community Facilities 2016/2017
- SA17.211 – June 2017 Quarterly Budget Review
- SA17.217 – Crown Lands Negotiation Program
- SA17.218 – Better Boating Now - Round Two Projects
- SA17.221 – Policy review - Council Policy POL16/236 - Demolition & Renovation of Buildings Containing Asbestos
- SA17.222 – Policy review - Council Policy POL16/251 - Swimming Pools - Barrier Inspection Policy
- SA17.223 – Policy review - Council Policy POL16/233 - Compliance and Enforcement Policy
- SA17.199 – Shoalhaven Indoor Sporting Centre - Management Options
- SA17.210 – Review of Council Policies - Finance
- SA17.219 – Relief for Homelessness in Shoalhaven - Temporary Housing Solutions as Pathways to Formalised Housing - Tiny Homes and Temporary Emergency Housing
- SA17.220 – Endorsement for Exhibition - Draft Local Approvals Policy

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**SA17.196 Notice of Motion - Jervis Bay Lions Park Proposal**

**HPERM Ref:  
D17/255933**

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

That

1. Council agree in principal to the renaming of the Park adjacent to the Jervis Bay Lions Club Rooms to Lions Park.
2. The General Manager liaise with the Lions Club Executive on the level of maintenance/upgrade of the Park to be undertaken by Jervis Bay Lions, and then report back to Council for final adoption of the proposal.

**RESOLVED** (Clr Watson / Clr Pakes)

MIN17.693

That:

1. Council agree in principal to the renaming of the Park adjacent to the Jervis Bay Lions Club Rooms to Lions Park Erowal Bay.
2. The General Manager:
  - a. Liaise with the Lions Club Executive on the level of maintenance/upgrade of the Park to be undertaken by Jervis Bay Lions,
  - b. Advertise the proposal to rename the park for 21 days,
  - c. Then report back to Council for final adoption of the proposal.

CARRIED

**SA17.198 Waiving & Discounting of Fees for Open Space & Community Facilities 2016/2017**

**HPERM Ref:  
D17/220265**

Clr Pakes – Less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion or vote – “he is the president of the Nowra-Culburra SLSC and the Club receives a waiver of fees for proficiency training.

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

That Council note that a total of \$118,426.61 of fees were waived or discounted during the period of 1 July 2016 to 30 June 2017 for the use of Council’s open space and community facilities.

**RESOLVED** (Clr Gash / Clr Findley)

MIN17.694

That:

1. Council note that a total of \$118,426.61 of fees were waived or discounted during the period of 1 July 2016 to 30 June 2017 for the use of Council’s open space and community facilities.
2. A report be provided to the Council on Councils subsidies in general in relation to open space and community facilities
3. This matter be included on the agenda for the Clr workshop on the Budget (31 August 2017)

CARRIED

**SA17.211 June 2017 Quarterly Budget Review**

**HPERM Ref:  
D17/258582**

**Recommendation**

That Council

1. Receive and endorse the June Quarterly Budget Review Report and budget “Carry Forwards”;
2. Adopt the Revotes, as recommended in the June Quarterly Budget Review document

**Recommendation** (Clr Wells / Clr Gartner)

That Council:

1. Receive and endorse the June Quarterly Budget Review Report and budget “Carry Forwards”;
2. Adopt the Revotes, as recommended in the June Quarterly Budget Review document

CARRIED

**SA17.217 Crown Lands Negotiation Program**

**HPERM Ref:  
D17/244525**

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

That the report be received for information.

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.695

That the report be received for information.

CARRIED

**SA17.218 Better Boating Now - Round Two Projects**
**HPERM Ref:  
D17/254020**
**Recommendation (Item to be determined under delegated authority)**

That the following projects (in priority order) be submitted for Round Two of the Better Boating Now Program:

Priority	Description	Estimated Cost
Completion of uncompleted Round One projects due to budget shortfall		
1	Woollamia Regional Boat Ramp – additional 3rd ramp and dividing finger pontoon	\$730,000
Projects identified and unfunded in Round One of the Regional Boating Plan		
2	Shoalhaven Heads - Wharf Road Boat Ramp upgrade and provision of a dividing pontoon	\$750,000
3	Callala Bay Boat Ramp (Ramp widening plus dividing walkway)	\$500,000
4	Myola Boat Ramp (Ramp widening plus dividing pontoon plus carpark sealing)	\$600,000
Projects that are shovel ready (design completed)		
5	Berringer Lake Foreshore Reserve	\$200,000
6	New facility Havilland Street Lake Conjola (Stage One)	\$1,909,979
7	Greenwell Point Effluent Pump out facility & floating pontoon	\$200,000
<b>Total</b>		<b>\$5,359,979</b>

**RESOLVED** (Clr Cheyne / Clr Pakes)

MIN17.696

That the following projects (in priority order) be submitted for Round Two of the Better Boating Now Program:

Priority	Description	Estimated Cost
Completion of uncompleted Round One projects due to budget shortfall		
1	Woollamia Regional Boat Ramp – additional 3rd ramp and dividing finger pontoon	\$730,000
Projects identified and unfunded in Round One of the Regional Boating Plan		
2	Shoalhaven Heads - Wharf Road Boat Ramp upgrade and provision of a dividing pontoon	\$750,000
3	Callala Bay Boat Ramp (Ramp widening plus dividing walkway)	\$500,000
4	Myola Boat Ramp (Ramp widening plus dividing pontoon plus carpark sealing)	\$600,000

Projects that are shovel ready (design completed)		
5	Berringer Lake Foreshore Reserve	\$200,000
6	New facility Havilland Street Lake Conjola (Stage One)	\$1,909,979
7	Greenwell Point Effluent Pump out facility & floating pontoon	\$200,000
<b>Total</b>		<b>\$5,359,979</b>

CARRIED

Note: Clr Pakes left the meeting at 6.59pm

Note: Russ Pigg left the meeting at 7.00pm

**SA17.221 Policy review - Council Policy POL16/236 - Demolition & Renovation of Buildings Containing Asbestos**

**HPERM Ref:  
D17/215487**

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

That Council affirm the reviewed policy for the demolition and renovation of buildings containing asbestos policy with the minor adjustments as attached to this report.

**RESOLVED** (Clr Gash / Clr Gartner)

MIN17.697

That Council affirm the reviewed policy for the demolition and renovation of buildings containing asbestos policy with the minor adjustments as attached to this report.

CARRIED

**SA17.222 Policy review - Council Policy POL16/251 - Swimming Pools - Barrier Inspection Policy**

**HPERM Ref:  
D17/215503**

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

That Council affirm the reviewed policy for the Swimming Pools – Barrier Inspection Policy with the minor adjustments as attached to this report.

**RESOLVED** (Clr Gash / Clr Gartner)

MIN17.698

That Council affirm the reviewed policy for the Swimming Pools – Barrier Inspection Policy with the minor adjustments as attached to this report.

CARRIED

**SA17.223 Policy review - Council Policy POL16/233 - Compliance and Enforcement Policy**

**HPERM Ref:  
D17/215665**

Note: Russ Pigg returned to the meeting at 7.05pm

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

That Council affirm the reviewed policy for Compliance and Enforcement with the adjustments as attached to this report and the policy be made available on Council's website.

**RESOLVED** (Clr White / Clr Gash)

MIN17.699

That this matter be deferred to a Clr Briefing.

CARRIED

**SA17.199 Shoalhaven Indoor Sporting Centre - Management Options**

**HPERM Ref:  
D17/244920**

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

That Council

1. Prepare a Request for Tender for the management and operation of the Shoalhaven Indoor Sports Centre through a Management Agreement,
2. Publically advertise the Request for Tender for interested parties to prepare a submission,
3. Submit a further report to Council on the outcome of the Request for Tender process

**MOTION** (Clr Watson / Clr Proudfoot)

That Council:

1. Prepare a Request for Tender for the management and operation of the Shoalhaven Indoor Sports Centre through a Management Agreement,
2. Publically advertise the Request for Tender for interested parties to prepare a submission,
3. Submit a tender itself;
4. Submit a further report to Council on the outcome of the Request for Tender process

FOR: Clr Aldrick, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

LOST

**RESOLVED** (Clr Wells / Clr Levett)

MIN17.700

That:

1. The matter be deferred pending a Clr Briefing addressing:
  - a. Management options (contract/lease/licence/Section 355 Committees/Council operated)
  - b. Relationship if any with other components of the overall complex – opportunity for integrated management
  - c. Consultation with key users/stake holders in the preparation of tender documentation relating to the management of the SISC
2. The matter be brought back to the next available Strategy & Assets Committee or Council

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

Against: Nil

CARRIED

**SA17.210 Review of Council Policies - Finance****HPERM Ref:  
D17/250184****Recommendation (Item to be determined under delegated authority)**

That Council

1. Adopt the following policies, as amended
  - a. POL16/119 Revenue – Debt Recovery Policy
  - b. POL16/165 Acceptance of Tenders – Reports to Council
  - c. POL16/186 Investment Policy
  - d. POL16/187 Jerberra Payment Relief Policy
  - e. POL16/199 Rates and Other Monies – Delegation of Authority to Write Off
  - f. POL16/200 Revenue – Hardship Policy
  - g. POL16/201 Revenue – Overdue Interest Rate
  - h. POL16/202 Revenue – Pensioner Rates and Charges – Arrears and Interest
  - i. POL16/203 Revenue – Stormwater Management
  - j. POL16/206 Sale of Land to Recover Unpaid Rates and Charges
  - k. POL16/265 Local Preference Policy
2. Rescind the following policy and list it as a Corporate Procedure for internal use by staff:
  - a. POL 16/153 Plant Replacement Reserve

Note: Clr Wells left the meeting at 7.34pm

Note: Clr White left the meeting at 7.34pm

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN17.701

That Council:

1. Adopt the following policies, as amended
  - a. POL16/119 Revenue – Debt Recovery Policy
  - b. POL16/165 Acceptance of Tenders – Reports to Council
  - c. POL16/186 Investment Policy (amended version dated 11 August 2017)
  - d. POL16/187 Jerberra Payment Relief Policy
  - e. POL16/199 Rates and Other Monies – Delegation of Authority to Write Off
  - f. POL16/200 Revenue – Hardship Policy
  - g. POL16/201 Revenue – Overdue Interest Rate
  - h. POL16/202 Revenue – Pensioner Rates and Charges – Arrears and Interest
  - i. POL16/203 Revenue – Stormwater Management
  - j. POL16/206 Sale of Land to Recover Unpaid Rates and Charges
  - k. POL16/265 Local Preference Policy
2. Rescind the following policy and list it as a Corporate Procedure for internal use by staff:
  - a. POL 16/153 Plant Replacement Reserve

CARRIED

**SA17.219 Relief for Homelessness in Shoalhaven - Temporary Housing Solutions as Pathways to Formalised Housing - Tiny Homes and Temporary Emergency Housing****HPERM Ref:  
D17/174358**

Note: Cllr Wells returned to the meeting at 7.37pm

Note: Cllr White returned to the meeting at 7.37pm

Note: Cllr Kitchener left the meeting at 7.37pm

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

That:

1. With respect to Tiny Homes:
  - a. In association with relevant State Members, approach the RMS regarding the lease of their properties at 95 to 99 East Street, Nowra to facilitate a Tiny Homes approach.
  - b. Further investigate the contamination issues associated with the Council owned land at 60 Worrigea Street, Nowra and take the necessary steps to determine its ability to actually be developed for the use.
  - c. Approach relevant private landowners to ascertain their willingness to be involved in a Tiny Homes approach, with the initial focus being 42 to 48 North Street and 36 & 38 Osborne Street, Nowra.
2. With respect to temporary emergency housing:
  - a. Not proceed further with the Flinders Estate site due to its isolated nature.
  - b. Collaborate with relevant not for profit organisations (community housing providers, churches and others) to identify suitable land in the vicinity of Nowra for the provision and operation of a permanent homelessness shelter.
3. The actions in this regard be advanced and reported back through the Homelessness Taskforce Shoalhaven

**RESOLVED** (Cllr Cheyne / Cllr Alldrick)

MIN17.702

That:

1. With respect to Tiny Homes:
  - a. In association with relevant State Members, approach the RMS regarding the lease of their properties at 95 to 99 East Street, Nowra to facilitate a Tiny Homes approach.
  - b. Further investigate the contamination issues associated with the Council owned land at 60 Worrigea Street, Nowra and take the necessary steps to determine its ability to actually be developed for the use.
  - c. Approach relevant private landowners to ascertain their willingness to be involved in a Tiny Homes approach, with the initial focus being 42 to 48 North Street and 36 & 38 Osborne Street, Nowra.
2. With respect to temporary emergency housing:
  - a. Not proceed further with the Flinders Estate site due to its isolated nature.
  - b. Collaborate with relevant not for profit organisations (community housing providers, churches and others) to identify suitable land in the vicinity of Nowra for the provision and operation of a permanent homelessness shelter.
3. The actions in this regard be advanced and reported back through the Homelessness Taskforce Shoalhaven.

**CARRIED**

**SA17.220 Endorsement for Exhibition - Draft Local Approvals Policy****HPERM Ref:  
D17/218117****Recommendation (Item to be determined under delegated authority)**

That Council:

1. Endorse the draft Local Approvals Policy at Attachment 1 for public exhibition.
2. Publicly exhibit the draft Local Approvals Policy for 28 days and receive comments for 42 days from the commencement of the exhibition period in accordance with Section 160 of the *Local Government Act 1993*.
3. Receive a future report following public exhibition to enable any submissions to be fully considered and any changes made prior to:
  - Council adoption; and
  - Subsequent process to obtain consent of the Chief Executive of the Office of Local Government for Part 1 of the Local Approvals Policy prior to finalisation.

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.703

That Council:

1. Endorse the draft Local Approvals Policy at Attachment 1 for public exhibition.
2. Publicly exhibit the draft Local Approvals Policy for 28 days and receive comments for 42 days from the commencement of the exhibition period in accordance with Section 160 of the *Local Government Act 1993*.
3. Receive a future report following public exhibition to enable any submissions to be fully considered and any changes made prior to:
  - Council adoption; and
  - Subsequent process to obtain consent of the Chief Executive of the Office of Local Government for Part 1 of the Local Approvals Policy prior to finalisation.

CARRIED

**Procedural Motion - Adjournment of Meeting****MOTION** (Clr Findley)

That the meeting be adjourned for 10 minutes at 7.47pm

CARRIED



The meeting reconvened the time being 8.00pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr John Wells  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Cheyne  
Clr Annette Alldrick  
Clr John Levett  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

Note: Clr Kitchener returned to the meeting during the adjournment.

Note: Clr Gash left the meeting during the adjournment.

## REPORTS

### **SA17.197 Six Monthly Delivery Program and Operational Plan Report - 1 January 2017 to 30 June 2017**

**HPERM Ref:  
D17/255292**

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

That the report of the General Manager (Executive Strategy) regarding progress to 30 June 2017 on the 2015/2017 Delivery Program and 2016/2017 Operational Plan be received for information, endorsed and published on Council's website.

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.704

That the report of the General Manager (Executive Strategy) regarding progress to 30 June 2017 on the 2015/2017 Delivery Program and 2016/2017 Operational Plan be received for information, endorsed and published on Council's website.

CARRIED

### **SA17.198 Waiving & Discounting of Fees For Open Space & Community Facilities 2016/2017**

**HPERM REF:  
D17/220265**

Item dealt with earlier in the meeting see MIN17.694

### **SA17.199 Shoalhaven Indoor Sporting Centre - Management Options**

**HPERM REF:  
D17/244920**

Item dealt with earlier in the meeting see MIN17.700

**SA17.200 Community Infrastructure Guidelines**

**HPERM Ref:  
D17/231536**

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

That Council notes the *Community Infrastructure Grant Guidelines* report for information.

**RESOLVED** (Clr Gartner / Clr White)

MIN17.705

That Council notes the Community Infrastructure Grant Guidelines report for information.

CARRIED

**SA17.201 Policy Review - Management Committees**

**HPERM Ref:  
D17/238473**

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

That Council re adopt the public policy, Management Committees, without changes.

**RESOLVED** (Clr Alldrick / Clr Cheyne)

MIN17.706

That Council re adopt the public policy, Management Committees, without changes.

CARRIED

**SA17.202 Loans (Advances) to Community Groups Policy**

**HPERM Ref:  
D17/243647**

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

That Council

1. Council Endorse the Draft Loans (Advances) to Community Groups Policy
2. Place the Draft Loans (Advances) to Community Groups Policy on public exhibition for a period of 28 days
3. If no submissions are received the policy be adopted and if submissions are received a further report be presented to Council after the public exhibition of the Draft Loans (Advances) to Community Groups Policy

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN17.707

That Council:

1. Council Endorse the Draft Loans (Advances) to Community Groups Policy
2. Place the Draft Loans (Advances) to Community Groups Policy on public exhibition for a period of 28 days
3. If no submissions are received the policy be adopted and if submissions are received a further report be presented to Council after the public exhibition of the Draft Loans (Advances) to Community Groups Policy

CARRIED

**SA17.203 Successful Grant Funding - Festivals Australia -  
Shoalhaven River Festival Art Precinct****HPERM Ref:  
D17/235391****Recommendation (Item to be determined under delegated authority)**

That Council

1. Accept the funding offer and vote the funds of \$20,000 to the Flood Marker sculptures project.
2. Write to Senator the Hon Mitch Fifield, Minister for the Arts accepting and thanking him for the grant funding.

**RESOLVED** (Clr Gartner / Clr White)

MIN17.708

That Council:

1. Accept the funding offer and vote the funds of \$20,000 to the Flood Marker sculptures project.
2. Write to Senator the Hon Mitch Fifield, Minister for the Arts accepting and thanking him for the grant funding.

CARRIED

**SA17.204 Panel of Conduct Reviewers - Code of Conduct****HPERM Ref:  
D17/229143****Recommendation**

That Council appoint the members of the Regional Panel of Conduct Reviews for a period of four (4) years, those being:

- Centium Group Pty Ltd
- O'Connell Workplace Relations Pty Ltd
- O'Connor Marsden & Associates Pty Ltd
- SINC Solutions Pty Ltd
- TressCox Lawyers
- Williams Love & Nichol Pty Ltd T/as Bradley Allen Love Lawyers
- Workplace Investigations Services P/L ices (T/A Wise Workplace)

**Recommendation** (Clr Wells / Clr Cheyne)

That Council appoint the members of the Regional Panel of Conduct Reviews for a period of four (4) years, those being:

- Centium Group Pty Ltd
- O'Connell Workplace Relations Pty Ltd
- O'Connor Marsden & Associates Pty Ltd
- SINC Solutions Pty Ltd
- TressCox Lawyers
- Williams Love & Nichol Pty Ltd T/as Bradley Allen Love Lawyers
- Workplace Investigations Services P/L ices (T/A Wise Workplace)

CARRIED

**SA17.205 Readoption - Code Of Meeting Practice - Code of Conduct and Code of Conduct Procedures**

**HPERM Ref:  
D17/239173**

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

That Council

1. Reaffirm without amendment the following policies for a period of 12 months:
  - a. Code of Conduct
  - b. Code of Conduct Procedures
2. That the proposal to adopt the Code of Meeting Practice be advertised for 28 days in accordance with the requirements under Section 361 of the Local Government Act, 1993, and a report be provided back to the Council if any submissions are received otherwise adopt the Code at the conclusion of the exhibition period.
3. That policies be amended on the release of the Model Codes and Procedures and be provided to the Council for adoption.

Clr Gartner raised a Point of Order against Clr Proudfoot regarding his comments pertaining to complaints being as fragile people. Clr Proudfoot was asked if he would withdraw his comments.

Clr Proudfoot did not withdraw as he advised it had already been said.

**RESOLVED** (Clr Alldrick / Clr Cheyne)

MIN17.709

That Council:

1. Reaffirm without amendment the following policies for a period of 12 months:
  - a. Code of Conduct
  - b. Code of Conduct Procedures
2. That the proposal to adopt the Code of Meeting Practice be advertised for 28 days in accordance with the requirements under Section 361 of the Local Government Act, 1993, and a report be provided back to the Council if any submissions are received otherwise adopt the Code at the conclusion of the exhibition period.
3. That policies be amended on the release of the Model Codes and Procedures and be provided to the Council for adoption.

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

AGAINST: Clr Proudfoot

CARRIED

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

**SA17.206 NSW Local Government Aboriginal Network Conference 2017**

**HPERM Ref:  
D17/229843**

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

That Council:

1. Notes the details of the NSW Local Government Aboriginal Network Conference 2017 scheduled for 13 – 15 September 2017 in Albury NSW.

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

**RESOLVED\*** (Clr Wells / Clr Cheyne)

MIN17.710

That Council:

1. Notes the details of the NSW Local Government Aboriginal Network Conference 2017 scheduled for 13 – 15 September 2017 in Albury NSW.
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

**SA17.207 LGNSW Water Management Conference**

**HPERM Ref:  
D17/250699**

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

That Council

1. Notes the details of the LGNSW Water Management Conference scheduled for 4-6 September 2017 in Dubbo.
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 Wells / Clr Cheyne)

MIN17.711

That Council:

1. Notes the details of the LGNSW Water Management Conference scheduled for 4-6 September 2017 in Dubbo.
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

**SA17.208 National Local Roads & Transport Congress****HPERM Ref:  
D17/250795****Recommendation (Item to be determined under delegated authority)**

That Council

1. Notes the details of the National Local Roads & Transport Congress scheduled for 6-8 November 2017 in Albany, WA.
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 Wells / Clr Cheyne)

MIN17.712

That Council:

1. Notes the details of the National Local Roads & Transport Congress scheduled for 6-8 November 2017 in Albany, WA.
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

**SA17.209 Adoption of Membership - Homelessness Taskforce  
Shoalhaven****HPERM Ref:  
D17/239175****Recommendation (Item to be determined under delegated authority)**

That:

1. The name of the Taskforce be changed to Homelessness Taskforce Shoalhaven (HTS).
2. The Terms of Reference be adopted with amendments as outlined in the report attachment.
3. Council appoint all 18 applicants, as detailed in the report, as taskforce community and organisation members for a period of four (4) years.

**RESOLVED** (Clr Cheyne / Clr Gartner)

MIN17.713

That:

1. The name of the Taskforce be changed to Homelessness Taskforce Shoalhaven (HTS).
2. The Terms of Reference be adopted with amendments as outlined in the report attachment and with the removal of a limit to number of community members

3. Council appoint 18 applicants, as detailed in the report, as taskforce community and organisation members for a period of four (4) years.

4. The appointment of Penni Wildi be as a representative of Waminda

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

AGAINST: Clr Kitchener

CARRIED

#### **SA17.210 Review of Council Policies - Finance**

**HPERM REF:  
D17/250184**

Item dealt with earlier in the meeting see MIN17.701

#### **SA17.211 June 2017 Quarterly Budget Review**

**HPERM REF:  
D17/258582**

Item dealt with earlier in the meeting

#### **SA17.212 Proposed Sale of Land - Lot 2 DP1217124 - Wire Lane, Berry**

**HPERM Ref:  
D17/220985**

##### **Recommendation**

That Council:

1. Advertise its intention to sell Lot 2 DP1217124 Wire Lane, Berry to the adjoining land owner, Merveilleux Pty Ltd, on the condition that land is consolidated with its adjoining land in Lot 14 DP253806; and
2. Receive a further report in due course regarding the sale and finalisation of the sale terms and conditions.

##### **Recommendation (Clr Wells / Clr White)**

That Council:

1. Advertise its intention to sell Lot 2 DP1217124 Wire Lane, Berry to the adjoining land owner, Merveilleux Pty Ltd, on the condition that land is consolidated with its adjoining land in Lot 14 DP253806; and
2. Receive a further report in due course regarding the sale and finalisation of the sale terms and conditions.

CARRIED

**SA17.213 Update on Cambewarra Road properties acquired for the Shoalhaven Community & Recreational Precinct****HPERM Ref:  
D17/226920****Recommendation**

That Council:

1. Lease, at a market rental, determined by valuation in accordance with the residential tenancy Act 2010:
  - a. 109 Cambewarra Road, Bomaderry
  - b. 111 Cambewarra Road, Bomaderry
  - c. 111a Cambewarra Road, Bomaderry
  - d. 113 Cambewarra Road, Bomaderry
2. Grant authority to the General Manager to sign any documents necessary to give effect to this resolution; and
3. Engage Integrity Real Estate to manage the properties on behalf of Council.

**Recommendation (Clr Wells / Clr Cheyne)**

That Council:

1. Lease, at a market rental, determined by valuation in accordance with the residential tenancy Act 2010:
  - a. 109 Cambewarra Road, Bomaderry
  - b. 111 Cambewarra Road, Bomaderry
  - c. 111a Cambewarra Road, Bomaderry
  - d. 113 Cambewarra Road, Bomaderry
2. Grant authority to the General Manager to sign any documents necessary to give effect to this resolution; and
3. Engage Integrity Real Estate to manage the properties on behalf of Council.

CARRIED

**SA17.214 Classification of Shared Cycleway / Footpath - Lot 8 DP1214563 - Matron Porter Drive, Narrawallee****HPERM Ref:  
D17/240096****Recommendation**

That Council resolve to classify the land described as Lot 8 DP1214563 at Matron Porter Drive, Narrawallee as Operational Land.

**Recommendation (Clr White / Clr Kitchener)**

That Council resolve to classify the land described as Lot 8 DP1214563 at Matron Porter Drive, Narrawallee as Operational Land.

CARRIED



**SA17.215 Council Policy Review - Property Services**

**HPERM Ref:  
D17/243337**

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

That Council adopt the “*Acquisition of Land by Shoalhaven City Council*” (POL16/113) as a public policy with minor amendments.

**RESOLVED** (Clr Wells / Clr White)

MIN17.714

That Council adopt the “*Acquisition of Land by Shoalhaven City Council*” (POL16/113) as a public policy with minor amendments.

CARRIED

**SA17.216 Proposed Sale of Land - 10 Jopejija Crescent, Culburra Beach**

**HPERM Ref:  
D17/244040**

**Recommendation**

That Council:

1. Advertise its intention to dispose of 10 Jopejija Crescent, Culburra Beach (Lot 1 DP579906) in accordance with Policy 16/256 (Development and/or Disposal of Council Lands), 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 of 10 Jopejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. 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 Wells / Clr White)

That Council:

1. Advertise its intention to dispose of 10 Jopejija Crescent, Culburra Beach (Lot 1 DP579906) in accordance with Policy 16/256 (Development and/or Disposal of Council Lands), 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 of 10 Jopejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and

6. 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

**SA17.217 Crown Lands Negotiation Program**

**HPERM REF:  
D17/244525**

Item dealt with earlier in the meeting see MIN17.695

**SA17.218 Better Boating Now - Round Two Projects**

**HPERM REF:  
D17/254020**

Item dealt with earlier in the meeting see MIN17.696

**SA17.219 Relief For Homelessness In Shoalhaven - Temporary  
Housing Solutions As Pathways To Formalised Housing  
- Tiny Homes And Temporary Emergency Housing**

**HPERM REF:  
D17/174358**

Item dealt with earlier in the meeting see MIN17.702

**SA17.220 Endorsement For Exhibition - Draft Local Approvals  
Policy**

**HPERM REF:  
D17/218117**

Item dealt with earlier in the meeting see MIN17.703

**SA17.221 Policy Review - Council Policy POL16/236 - Demolition &  
Renovation Of Buildings Containing Asbestos**

**HPERM REF:  
D17/215487**

Item dealt with earlier in the meeting see MIN17.697

**SA17.222 Policy Review - Council Policy POL16/251 - Swimming  
Pools - Barrier Inspection Policy**

**HPERM REF:  
D17/215503**

Item dealt with earlier in the meeting see MIN17.698

**SA17.223 Policy Review - Council Policy POL16/233 - Compliance  
And Enforcement Policy**

**HPERM REF:  
D17/215665**

Item dealt with earlier in the meeting see MIN17.699

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

**SA17.224 Acquisition of Easement for Water Supply at Parma Road, Parma**

**HPERM Ref:  
D17/215611**

**Recommendation**

That:

1. Council resolve to acquire an Easement for Water Supply 3 metres wide over Lot 3 DP612512, No 352 Parma Road Parma, as shown hatching on plan marked Attachment
2. Council pay compensation of \$2,000 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

**Recommendation (Clr Wells / Clr Gartner)**

That:

1. Council resolve to acquire an Easement for Water Supply 3 metres wide over Lot 3 DP612512, No 352 Parma Road Parma, as shown hatching on plan marked Attachment
2. Council pay compensation of \$2,000 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

**SA17.225 Review of Shoalhaven Water Group Policies**

**HPERM Ref:  
D17/224090**

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

That Council

1. Change from a Local Approval Policy to a Public Policy and reaffirm with minor changes the following policies
  - a. POL16/97, Backflow Prevention and Cross-Connection Control
  - b. POL17/27, Water and Sewer – Minor Mains Extension
2. Reaffirm the following Public Policies with minor changes
  - a. POL16/81, Building Over Sewers Policy
  - b. POL17/29, Communications Site Rental – Licenced Community Radio Stations
  - c. POL16/82, Communication Site Charging Policy
3. Adopt the proposed policy POL17/1 – Shoalhaven Water Debtor Management Policy

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN17.715

That Council:

1. Change from a Local Approval Policy to a Public Policy and reaffirm with minor changes the following policies

- a. POL16/97, Backflow Prevention and Cross-Connection Control
  - b. POL17/27, Water and Sewer – Minor Mains Extension
  2. Reaffirm the following Public Policies with minor changes
    - a. POL16/81, Building Over Sewers Policy
    - b. POL17/29, Communications Site Rental – Licenced Community Radio Stations
    - c. POL16/82, Communication Site Charging Policy
  3. Adopt the proposed policy POL17/1 – Shoalhaven Water Debtor Management Policy
- CARRIED

**SA17.226 TM74 Sussex Inlet Watermain Replacement Jacobs Drive and River Road**

**HPERM Ref: D17/247604**

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

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

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN17.716

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

CARRIED

**SA17.227 Acquisition of Easement for Water Supply - Sungrove Lane Milton**

**HPERM Ref: D17/225054**

**Recommendation**

That

1. Council resolve to acquire an Easement for Water Supply 6 metres wide over Lot 12 DP807589, No. 13 Sungrove Lane Milton, as shown by hatching on plan marked Attachment 1.
2. Council pay compensation of \$16,250 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

**Recommendation (Clr Wells / Clr Gartner)**

That:

1. Council resolve to acquire an Easement for Water Supply 6 metres wide over Lot 12 DP807589, No. 13 Sungrove Lane Milton, as shown by hatching on plan marked Attachment 1.
2. Council pay compensation of \$16,250 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents

required to be sealed.

CARRIED

**SA17.228 Request Connection to Town Sewerage System - 4  
Reservoir Lane Cambewarra (DA17/1731)**

**HPERM Ref:  
D17/249018**

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

That Council approve the connection of Lot 1 DP 859479, 4 Reservoir Lane, Cambewarra to its sewerage system, by pressure sewer, subject to the applicant complying with all conditions specified on a Shoalhaven Water Development Application Notice for DA17/1731.

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN17.717

That Council approve the connection of Lot 1 DP 859479, 4 Reservoir Lane, Cambewarra to its sewerage system, by pressure sewer, subject to the applicant complying with all conditions specified on a Shoalhaven Water Development Application Notice for DA17/1731.

CARRIED

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

**RESOLVED** (Clr Wells / Clr Proudfoot)

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

CSA17.14 TM74 Sussex Inlet Watermain Replacement Jacobs Drive and River Road

*Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably 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.*

CARRIED

The meeting moved into confidential the time being 8.40.

The meeting moved into open session, the time being 8.41.

## REPORT FROM CONFIDENTIAL SESSION

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

### **CSA17.14 TM74 Sussex Inlet Watermain Replacement Jacobs Drive and River Road**

**HPERM Ref:  
D17/247721**

#### **RESOLVED**

**MIN17.718C**

That:

1. Council accept the Tender from Select Civil for the TM74 Sussex Inlet Watermain Replacement Jacobs Drive and River Road at a total cost of \$1,156,010.99 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Director Shoalhaven Water).
3. The recommendation remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until Tenders are determined by Council.
4. Authorise the General Manager (Director Shoalhaven Water) to adjust the contract for variations for components under the contract.

#### **CARRIED**

There being no further business, the meeting concluded, the time being 8.41pm.

Clr Findley  
CHAIRPERSON

## SA17.229 Notice of Motion - Cycleways - Road Base Trial

HPERM Ref: D17/285348

Submitted by: Cllr Mark Kitchener

### Purpose / Summary

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

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

That Council initiate a 200 metre trial section of the Lake Tabourie Cycle way, being constructed by Shoalhaven Water, to experiment with the use of blue metal dust and Flobind High Performance Linear Polymer

1. For the trial section of the cycle way to be constructed using the materials, procedures and maintenance techniques as prescribed in the background notes provided.
2. For council to regularly monitor, compare and assess this surface with other sections of the Lake Tabourie cycle way to determine its usefulness and to provide a report on the findings.
3. If after a substantial period of time this trial proves to be successful and has a positive cost benefit ratio, that council apply this method of construction to future cycle ways and to further trial this method on sections of selected non-bitumen roads in the Shoalhaven.
4. That Council include in a southern Councillor Familiarity Tour, a visit to an already existing road constructed with blue metal dust and polymer, to discuss the procedure and maintenance requirements with the owner and observe its capabilities.

### Background

Cycle ways are a growing reality in many Australian towns and cities. When the Milton to Mollymook shared pathway is complete it will allow a cyclist to ride from Milton to Lake Tabourie, a distance of twenty one kilometres. This trail will surpass some of the 'rail trails' in Victoria and New Zealand and provide yet another tourist attraction to the Shoalhaven.

It is reasonable to think experimenting on the cycle way surface could lead to new strategies and techniques that might be incorporated in the construction of some non-bitumen roads in the region.

Roads are the most controversial issue recognized in the Shoalhaven. Residents consistently articulate legitimate concerns over the current state of the Shoalhaven's local roads which in many instances are no longer fit for purpose. As such, the capacity of Shoalhaven roads to meet the current and forecast additional transport demand is severely limited.

With over seven hundred kilometres of roads, irregular grant approvals and a deteriorating road network, thinking outside the square and experimentation with ideas that will save the council money in the long term could lead to a partial solution of the problem.

There is a need to keep local roads in good shape as the road network contributes significantly to the local economy. If the blue metal dust/polymer strategy trial proves to be cost effective and can be successfully applied to unsealed roads this could free up spending

to provide partial solutions to the Shoalhaven's deteriorating roads, rather than simply addressing risk issues.

## BACKGROUND - RURAL ROAD MAINTENANCE PROPOSAL

This proposal is based on road maintenance from 1988 through to 2017 comprising 1.5 kilometres of rural road. Conventional grading of mixed material, e.g. clay/sand/forest loam/ridge gravel/larger rocks/rock shelves was undertaken with a conventional tractor and 1.8 metre wide grader blade and resulted in very poor outcomes due to the nature of the road surface. During dry periods the impact by vehicle movements tended to break up the surface and was inevitably followed by heavy rain resulting in washing any mobile materials down the gutters and building up at the end of the drains. This left the road in a very bony and rutted condition. To regrade required reusing some of the material that had washed away, but in most cases there was too much contamination with leaves and small branches. The bottom line was that this often required either a full regrade or partial regrade of the 1.5 km up to three times a year.

In 2004 I experimented on a small section adjoining my property using blue metal dust (which includes a small proportion of up to 3mm gravel) also finer aggregates of 5, 8 and 14mm screenings which has very little dust. The result was that unless there was a fine binding material (dust) with the aggregate it simply washed away or was distributed to the gutter by vehicle movements. I concluded that the best approach to road maintenance would be to regrade and re-shape the whole road using my basic equipment and the best materials I could find on-site. My objective was to put a hardened veneer over a sub-standard surface. I was restrained by an important factor, the cost, as this expense was to be borne by myself and two adjoining neighbours.

The principle of this strategy is simple - it is never to grade again but to simply add additional blue metal dust. To my knowledge it is probably the cheapest material I can use and provides an extremely hard surface and does not break up easily.

In 2005 over a period of time 13x12 tonne loads of dust was laid over the 1.5 km using nothing more than a mini tractor with a 1.8 metre wide bucket. This involved the truck driver doing a dump-and-run to help spread the material and I had the advantage of a bucket that had hydraulic tilt which helped in the formation of a crown in the centre of the road by back-grading. The laying of the gravel was also achieved by changing the angle of the bucket and finishing off with a flat angle of the bucket and downward pressure.

In our case as we have overhanging trees it was important to remove all the leaf litter from the road to enhance the bonding of the new surface. At this stage we didn't have the advantage of a water tanker nor did we have a compactor/roller. We found it important when finishing off the road to pay close attention to the outside edge (where possible) making sure that it was compressed and feathered in to the shoulder. Sometimes this required using hand tools such as a rake.

It must be understood this road had never been graded but was formed by only using a bulldozer. If you were to calculate the total amount of gravel deposited on this section of road over 13 years it would only equate to approximately 20mm average thickness and has not been graded since 2005. We believe 50mm would be ideal for heavy traffic with re-surfacing as required of say 20mm thickness.

Two other problems emerged - a water-logged road during heavy rain periods and excessive dust during dry periods. After much research we concluded that a polymer (recommended for dust suppression) would be a possible answer. The polymer we selected is also used to seal dams. Provided there was sufficient blue metal dust cover the polymer expands with moisture and seals the road against any further water intrusion. Essentially it is a dam in reverse. We have sections of road unable to drain away due to the topography and even with a sand-base it is able to support heavy vehicles. The dust suppression is better but not great - further research into other options may be warranted.



This required us to purchase an 1100 litre fire-fighting tank with a discharge nozzle.

The mixing of the polymer is critical- while filling the tank the fire pump must be operating with the by-pass discharging back into the tank. The polymer must be sprinkled slowly into the flowing water a bit like adding salt to a meal, being careful not to allow any moisture to enter the container while doing so. Failure to do this will result in a big slimy lump which renders it useless and has to be removed. The brand we use is Flobind by Polymer Innovations and the quantity is approximately 1/3" cup (say 75ml) for 700 litres of water. In my case I slowly reduce the polymer as there is always a residual amount in the bottom of the tank and in time it becomes a bit too viscous to spray. We achieve compaction by driving over it with a car about 15 minutes after application as we don't have a roller.

Any small areas that need repair can be done with a mini tractor and bucket or shovel, screed and grass rake depending on the size. Ideally spray the polymer first, place the dust in the area, back-grade or screed level and, most importantly, blend the outside edges with the grass rake so there is a seamless transition. Reapply the polymer to the finished repair and compact with motor vehicle or roller after 15 mins.

In my opinion, a trial of this method on a public rural road would be best undertaken on a small section (say 100 to 200 metres) of a known trouble spot. My procedure would be as follows:

- After the road has been graded and compacted, spray the test area with a polymer.
- Deposit the gravel on a dump-and-run in two layers of approximately 25mm thickness each applying the polymer on each layer.
- Compact each layer separately, paying close attention to the blending of the shoulders also the blending of the start and finish of the test section.

Two things are critical - preparation and finishing. Any ruts or bumps will result in possible erosion. A smooth and seamless finish is the answer for success.

If there are any erosion problems we have found that sometimes re-direction of surface water is required, maybe added drains or raising levels slightly with additional blue metal dust. We have always tried to avoid deep gutters as they promote faster running water and cause erosion. It must be noted that the loose particles of gravel will always gravitate to the outside of the road or into the gutters.

This gravel is a bit difficult to reuse but we use a spreader on the tractor and we just re-surface the shoulder with this loose material, again trying to make a smooth shoulder to avoid erosion.

The results will be mixed due to environmental circumstances and traffic loads, but in most cases maintenance could be undertaken by smaller crews equipped with the appropriate basic machinery, e.g. mini tractor with bucket and spreader or hand shovel, screed and grass rake, transported by utility with float, water tank, perhaps a small roller and some hand tools.

This would make it an ideal situation for independent contractors.

It should be noted that if our experience is translated to a public road you will never need to grade the road again. The benefit is that you never disturb a compacted surface, you just re-surface where required using basic equipment.

As an example of material costs we could lay 50mm blue metal dust in two layers

- 12 tonnes @ say \$430 delivered to the southern Shoalhaven
- \$2.15 sq.metre X 50mm thick
- One truck-load should do 50 metres of road 4 metres wide
- Polymer cost approx \$10 for 12 tonnes in three applications

**Note by the General Manager**

Council uses an industry specification for pavement materials used in road construction and maintenance, including on unsealed roads. A review of the engineering properties of the nominated “blue metal dust” would be required before it could be considered for use on the public road system. A successful trial of alternative products on the Lake Tabourie trail may not translate to use on a road.

In 2013, Council trialled the use of a polymer product on Turpentine Road with the key objective to suppress dust. The product provided some initial benefit, but within 3 months there was no discernible difference compared to adjoining untreated sections of the road. The cost of the trial was \$10,000 for materials, labour, plant and performance monitoring. The current program of basic seals (also known as Sacrificial Sealing Program) for low volume roads was more cost effective.

It is **recommended** that Council engineer’s review and assess the sample site mentioned in the Motion and report back before Council commit to research and development of alternative pavement materials.

## SA17.230 Report of the Shoalhaven Sports Board - 6 September 2017

HPERM Ref: D17/301291

### SB17.16 Briefing - Fees and Charges Review

HPERM Ref:  
D17/265994

#### Recommendation

That:

1. The Shoalhaven Sports Board recognise the need for additional funding for sports fields maintenance and improvement.
2. Council consider available options, for example, user pays, levy, budget savings, in-kind contributions and sponsorship.
3. Any proposed fees be graduated over a 3 year period.
4. All funds collected are used only for sporting grounds.

#### Note:

The Shoalhaven Sports Board wishes to draw to the attention of Council, that its major concerns are:

- Condition of sporting fields.
- The need for children and youth to be able to access sports at a reasonable cost.

### SB17.18 Sports Capital Works Partnership Program - Funding

HPERM Ref:  
D17/226385

#### Recommendation

That Council support the Sports Capital Works Partnership Program Funding – 2017/2018 to be approved for:

1. Callala District Soccer Club – Extend amenities building, \$26,700.34
2. Shoalhaven District Cricket Association – Supply wicket soil - \$3,879.34
3. Shoalhaven District Football Association – Install subsurface drainage Fields 2&3 - \$50,000.00
4. Shoalhaven United Football Club – Install subsurface drainage Field 3 - \$27,964.00
5. Bomaderry Football Club – Construct new storage shed - \$11,449.45
6. Shoalhaven City Archers – Establish Archery Club new site - \$15,328.50
7. Bay & Basin Bombers JAFC – Install subsurface drainage - \$26,796.50.
8. Based on Shoalhaven District Football Associations Project priority listed in the applications - consider St Georges Basin Football Club – Install subsurface drainage Field 1 - \$29,216.00 application for funds in the 2018/2019 budget
9. Allocate 2017/2018 surplus of \$18,291.97 to Minor Improvements Active Recreation budget for installation of Illuminators (Sportsfield Lighting – Remote Controls)

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## SA17.231 Woollamia Industrial Estate - expansion

**HPERM Ref:** D17/264130

**Group:** General Manager's Group  
**Section:** Economic Development

### Purpose / Summary

To incorporate into the Woollamia Industrial Estate that land zoned IN1 within the adjacent Huskisson waste depot site.

### Recommendation

That Council:

1. Excise by subdivision the area of IN1 zoned land within Lot 17 DP 857006 to be incorporated into the industrial area.
2. Prepare and submit a subdivision application over this land to compliment the subdivision of Lot 18 DP 1096605 (stage 5) in the adjoining Woollamia Industrial Estate owned by Council.
3. Authorise the General Manager to sign the necessary documents to effect the subdivisions and to execute under the Seal of Council the plan of subdivision.

### Options

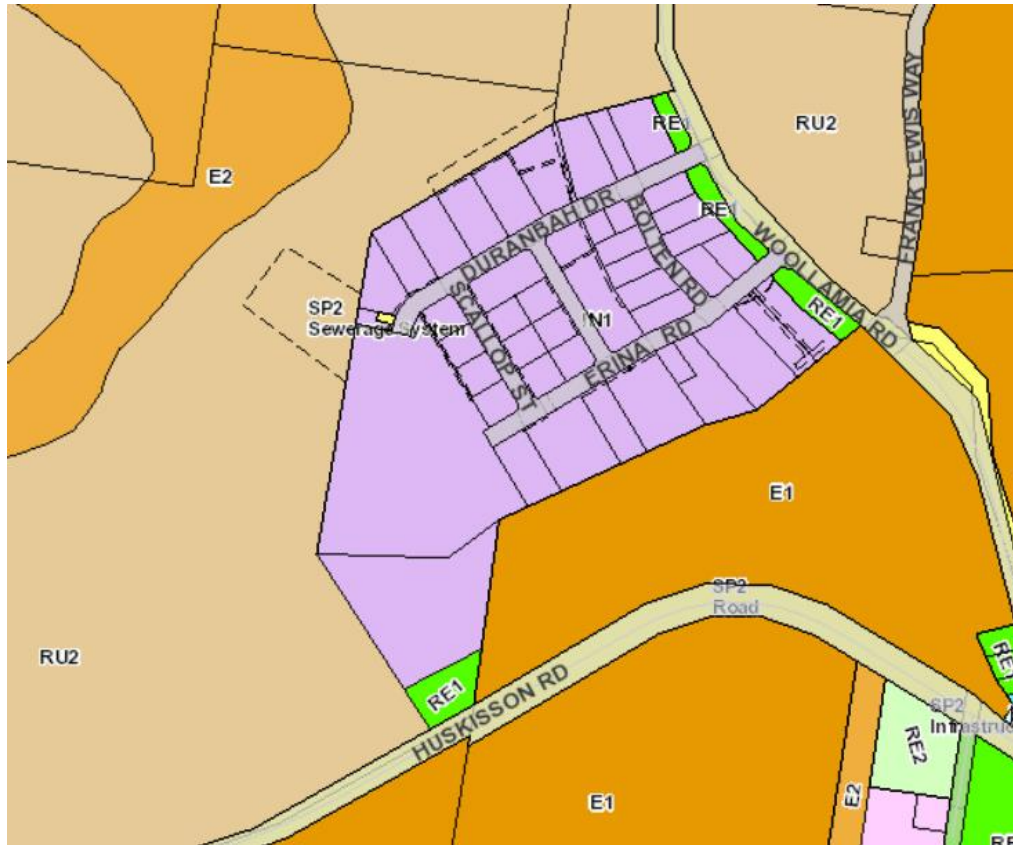
1. Approve the recommendation  
Implications: Allows the subdivisions to occur and the project to move forward
2. Amend the recommendation  
Implications: Will modify the intent but allow the project to proceed
3. Not approve the recommendation.  
Implications: Depending on the intent, will require a new report or the project to be dropped.

### Background

Council has since the late 1990s been developing the Woollamia Industrial Estate at Huskisson.

To date 26 lots have been developed by Council and sold. Stage 5, the last stage of the current approval will yield another 11 lots. These lots are currently being developed and will be available to the market in early 2018.

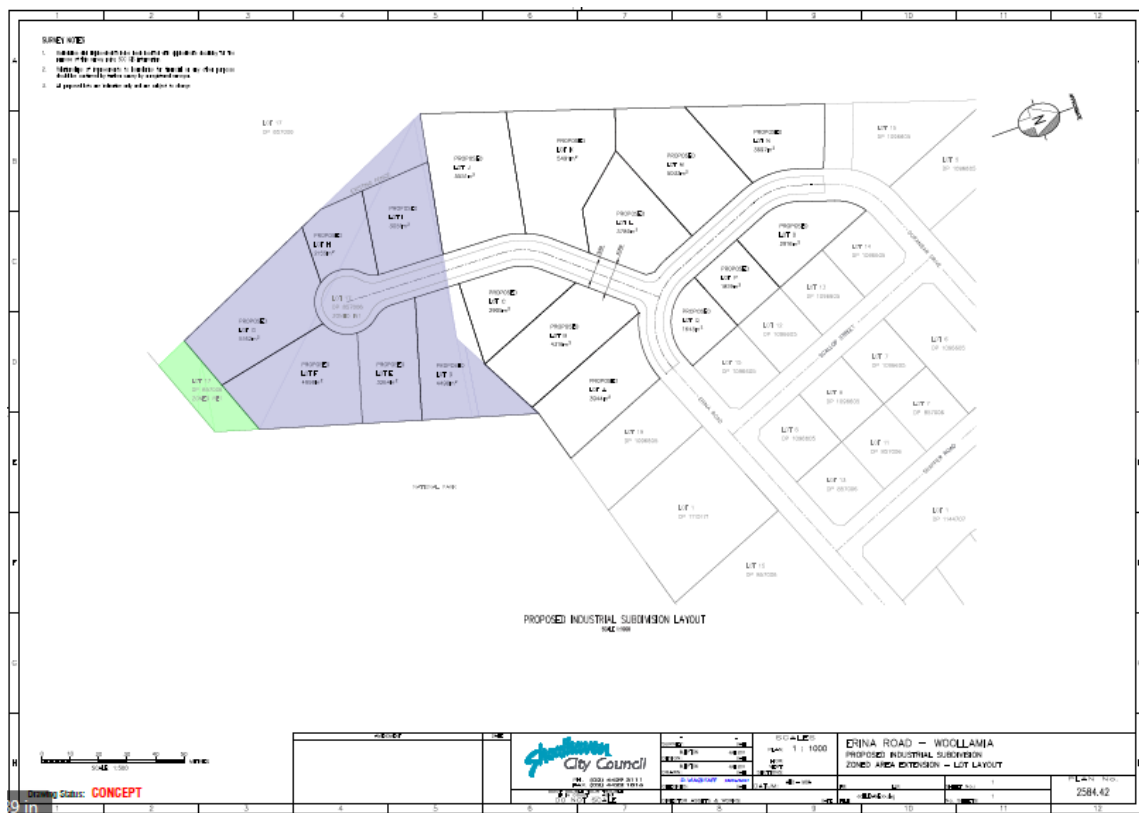
Additional Industrially Zoned land (IN1) is located within the adjoining Council owned parcel that is the Huskisson Waste Depot.



The access to this portion of land is via the industrial estate and it needs to be developed in conjunction with the current and future developments.

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A draft proposal of a subdivision within the additional land is shown below, coloured in grey.



Within this Stage 5A there is potential for 6 additional lots. A new subdivision consent will be required for this to occur. At this stage this land will not be fully subdivided but the essential services (roads, drainage) should be done within the current scope of works.

All land concerned is classified “Operational” under the Local Government Act.

At this stage Council needs to:

- Grant approval for the industrial zoned land be excised out of lot 17 DP 857006
- Grant approval for a subdivision application to be lodged
- Allow some essential services to be constructed for Stage 5a at the same time as those for Stage 5.

## Community Engagement

This development at Woollamia has been underway for almost 40 years. The extension of this area to create additional employment is in keeping with the LEP 2014.

## Financial Implications

There will need to be compensation to the Waste fund for the sale of Stage 5A. Staff will negotiate this by one or a combination of the following:

- An engloba purchase of the excised land
- A share of net returns from sale purchases
- The Waste Fund underwriting all of Stage 5A and receiving all of the income.

## Risk Implications

Subdivision consent may not be received for all or part of the area. Should this be so then a re-apraisal of Stage 5A will be required.

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## SA17.232 Fees and Charges Review

**HPERM Ref:** D17/115929

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

**Attachments:**

1. Draft Sportsgrounds and Community Facilities Fees Policy (under separate cover) ➡
2. LKSQ - Fees and Charges Review Draft - May 2017 (under separate cover) ➡
3. Fee Waivers, Subsidies and Support Policy (under separate cover) ➡
4. Changes to Management Committee Guidelines for new Sportsground Fee Policy - extract of key areas (under separate cover) ➡
5. Sportsgrounds Management Policy (under separate cover) ➡
6. Sports Grants Program (Capital Works) (under separate cover) ➡
7. Comparison of Fees for Halls and Tennis Courts (under separate cover) ➡
8. Communication Strategy (under separate cover) ➡

### Purpose / Summary

To seek Council endorsement for amendment to Council's Fees and Charges for Sportsgrounds and Community Facilities Fees in line with the principles of equity and income redistribution, in addition to making funds available for the minor improvements program and the Capital works program. To also gain support for simplification and standardisation of Fees and Charges across Tennis Courts and Community Halls.

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

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

1. Council endorse public exhibition of the Draft Sportsgrounds and Community Facilities Fees Policy (Attachment 1) for a period of 28 days
2. Council note the LKSQ Fees and Charges review document (Attachment 2) for reference only.
3. Council endorse public exhibition of the amended Fee Waivers, Subsidies and Support Policy (Attachment 3)
4. Notification of the Draft documents be advertised in the local newspapers, Council website and notification to the Sports Board, sporting groups, management committees and any other relevant bodies as identified during the early consultation with regard to this review.
5. A post exhibition report for the Draft Sportgrounds and Community Facilities Fees Policy (Attachment 1) and amended Fee Waivers, Subsidy and Support Policy (Attachment 3) be presented to a future Strategy and Assets Committee Meeting.
6. Council approve the simplification of fees and charges to align to any Point of Sale, Finance or booking systems.
7. Council endorse the changes to the Management Committee Guidelines (Attachment 4)
8. Council endorse the changes to the Sportsground Management Policy (Attachment 5)

9. Council endorse the changes to the Sports Grants Program (Capital Works) (Attachment 6)
10. Council endorse standardisation of Fees across Tennis Courts and Halls (currently managed by 355 Management Committees) (Attachment 7)
11. Council endorse standardisation of Fee charging methodology across sportsgrounds managed by Council and 355 Management Committees
12. Council approve the governance structure, including the review committee and the role of Liaison and Pricing Officer, to be funded in future years by sportsground revenue if model adopted.
13. Council support the introduction of fees for all Sportgrounds over the next 2 year period from 1 July 2018.
14. Council approve charging for any additional ad hoc requests by Sporting Groups at a \$/hour rate to recover costs.
15. Council support the change to charging for floodlighting and electricity to be aligned to current energy prices per kw/hour ie on a cost recovery basis.

### Options

1. Council adopt the recommendations

Implications: The community will have opportunity to comment on draft policies while on exhibition. Council will continue to provide sporting facilities to sporting groups within the local government area, however will recover some costs in relation to operating these facilities and therefore will make more funds available for the Sports Grants Program and the Minor Improvements Program, as well as funding the new Liaison and Pricing Officer position to assist sporting groups and management committees.

2. Council not adopt the recommendations and provide alternate options

Implications: Council will continue to provide sporting facilities to sporting groups within the local government area, however will continue to provide these at no cost, which will result in no additional funding towards improvements to these facilities.

### Background

In 2013 Council approved a Transformation Taskforce project to review Fees and Charges. The objectives of this project team were to complete a review of fees and charges to ensure:

- Compliance with and consistency of current policies, including delegations and authorities, along with effectiveness
- Appropriate return on investment is being realised
- Analytical review of the costs of providing sporting grounds, facilities and Community Halls
- Identification, level and reporting of subsidies
- Anomalies with regard to hiring subsidies are highlighted, and consensus reached on the process moving forward
- Council's financial capacity to support those hiring Council facilities.

This project, undertaken internally by staff, resulted in a number of recommendations. Below are those relevant to this review:



- 3.1.1 – Review all Policy documentation
- 3.5.5 – Review Pricing methodology and principles
- 3.2.1 – Set out financial requirements for setting fees and charges including overhead allocation methods
- 3.5.6 & 7 – Prepare a procedure document on service costing and the principles of cost recovery, incorporating cost allocation methodology
- 3.6.2 – Review leases on sporting fields to recover “notional” annual fee and utility costs
- 3.6.3 – Review leases to ensure that sublets are not allowable
- 3.1.4 – Add all financials to annual report to council, capturing all subsidies provided.
- 3.3.4 – The introduction of a season fee or fee per player for use of amenities and sporting fields by sporting clubs and for reimbursement to be made to Council for the cost of utility accounts at these fields/facilities, alternatively where grounds are used exclusively by a sporting organisation, establish a lease arrangement and cover off expenses, maintenance etc under the lease agreement.

As a result of these recommendations Council sought quotes in October 2015 for work to be progressed to a more detailed investigation and analysis, with LKS Quaero (LKSQ) selected as the successful vendor.

The aim of the work was to undertake a full review of Council's Fees and Charges, and make recommendations to simplify and standardise their structure, to improve cost recovery (with a staged approach where necessary) and contribute to the sustainability of services, whilst providing clear information on the levels of financial support provided by Council. A copy of the LKSQ report is at Attachment 2. Although Council worked with LKSQ to obtain a report which could be placed on Public Exhibition, it was decided that this report only be used as background material for internal use, with staff recommendations taking a simpler more practical and affordable approach.

To date staff have been trained by LG NSW on setting Fees and Charges. A Pricing framework has been introduced to assist staff with determining the best pricing method. There has been a drive to change the focus from merely adding CPI annually to fully assessing the cost of doing business and alternate pricing options. This has resulted in a 21% or \$6.4m increase across all fees from 2013 to 2016, but some inequities remain.

## Key Findings

Current state and comparative analysis showed that there was limited transparency and a lack of an observable overriding rationale in how fees and charges are calculated. The development of an acceptable rationale requires community consultation, detailed modelling and a long term implementation period to convert existing agreements into more structured user pay agreements.

Council encourages the utilisation of sports grounds and facilities from groups which actively seek local participation in their activities and aims to ensure equity across all sporting and user groups. Currently there are many inequities across a number of sports, with some eg tennis, basketball, hockey, croquet and aquatics where users pay to help offset the capital debt on the facility or to defray maintenance costs. But there are many other sports where Council receives no income for use of facilities. From an equity point of view all sporting users should be charged on an “even playing field”. The new transparent framework for calculating fees and charges will remove inequities and ensure there is an objective, fair approach to the same.

The current arrangement where there is no charge for use of sportsgrounds by sporting groups is unsustainable and inequitable when other sporting codes pay a fee for use or lease of facilities. This arrangement also means that Council supports Sportsgrounds, Parks and Gardens to the tune of \$6.45m annually (based on 2015/16 Annual Financial Statements) and has insufficient funds to maintain and upgrade facilities to the standard required.

The introduction of fees will need to be carried out over a two year period to phase in the changes and to ensure that sporting groups can budget accordingly. For any additional requests for work at sporting fields, Council will charge at an hourly rate to ensure costs are fully recovered. Full details of the subsidies Council currently provides to maintain facilities will also be reported to Council quarterly.

Council recognises that participation in recreation activities results in positive social, cultural and economic benefits for communities and individual health and well-being benefits. Sporting clubs and associations are instrumental in building social capital and developing community leaders and therefore participation levels factor in the level of benefit to the community.

Although the LKSQ model results in consistency and transparency of fees calculated, the model is overly complicated, opens up opportunities for poor allocation of costs and results in fees of a magnitude, which would require significant subsidies and therefore defeats the purpose of the detailed process.

After review of the LKSQ Fees and Charges report and the subsequent calculations for full cost recovery plus a contribution for depreciation and land rental, staff have determined that a far simpler and more affordable model will be more effective and easier understood and managed by staff and sporting groups. It should however be recognised that had Council modelled fees based on the LSKQ model the impact would have been as shown below. Therefore the difference between what Council are proposing to charge compared to the LKSQ model should be recognised as a subsidy of significant proportion.

LKSQ Pricing Model compared to the Council proposed model is shown below. (This is per Sportsground, allocation to Sporting groups will be based on the cyclical maintenance schedule)

				<b>Council Proposal</b>			<b>LKSQ Model</b>
<b>Sportsground</b>	<b>Size</b>	<b>Replacement cost</b>	<b>Cyclical Ground Maint Cost</b>	<b>Differential Cost – Sports to Reserve</b>	<b>Land Rental – 2%</b>	<b>Building Rental (depreciation)</b>	<b>Annual Fee per Sports ground</b>
Berry Sporting Complex	24,000	\$912,000	\$21,866	\$16,586	\$18,240	\$16,867	\$51,693
Berry Showground	8,000	\$304,000	\$7,289	\$5,529	\$6,080	\$63,833	\$75,442
Bomaderry Soccer Field	7,094	\$269,572	\$10,776	\$9,215	\$5,391	\$16,904	\$31,511
Artie Smith Oval	16,000	\$608,000	\$17,403	\$13,883	\$12,160	\$15,480	\$41,523
Bomaderry Sporting Complex	24,789	\$941,982	\$16,945	\$11,491	\$18,840	\$14,030	\$44,361
Bomaderry oval	11,497	\$436,886	\$11,680	\$9,151	\$8,738	\$6,507	\$24,395
Burrill Lake Sportsground	8,000	\$304,000	\$4,809	\$3,049	\$6,080	\$6,210	\$15,339
Callala Bay Sporting Complex	16,000	\$608,000	\$9,603	\$6,083	\$12,160	\$5,542	\$23,785
Cambewarra Abood Village Green	8,000	\$304,000	\$17,137	\$15,377	\$6,080	\$1,717	\$23,174
Crookhaven Sporting Complex	24,000	\$912,000	\$15,863	\$10,583	\$18,240	\$25,790	\$54,613
Greenwell	7307	\$277,666				\$7,030	

Point Playing Field			\$9,019	\$7,411	\$5,553		\$19,995
Huskisson Sportsground	21091	\$801,458	\$19,964	\$15,324	\$16,029	\$28,841	\$60,194
North Nowra Drexell Park	7000	\$266,000	\$11,902	\$10,362	\$5,320	\$5,851	\$21,533
Sharman Park North Nowra	8000	\$304,000	\$8,589	\$6,829	\$6,080	\$4,491	\$17,400
Bernie Regan Sports Complex	32000	\$1,216,000	\$29,252	\$22,212	\$24,320	\$43,131	\$89,663
Lyrebird Park Nowra	30285	\$1,150,830	\$24,569	\$17,906	\$23,017	\$23,085	\$64,008
Ratcliffe Park Nowra	8000	\$304,000	\$10,734	\$8,974	\$6,080	\$12,194	\$27,248
Nowra Recreation Ground – Netball Courts	8000	\$304,000	\$11,275	\$9,515	\$6,080	\$11,866	\$27,461
West St Oval Nowra	8000	\$304,000	\$11,277	\$9,517	\$6,080	\$1,160	\$16,757
Nowra Showground	16000	\$608,000	\$29,345	\$25,825	\$12,160	\$76,519	\$114,504
Francis Ryan Reserve	16000	\$608,000	\$15,040	\$11,520	\$12,160	\$19,639	\$43,319
Sanctuary Point Oval	16000	\$608,000	\$16,164	\$12,644	\$12,160	\$5,486	\$30,290
Sanctuary Point Sporting Complex	16000	\$608,000	\$10,989	\$7,469	\$12,160	\$5,486	\$25,115
Sout Nowra Soccer Fields	51500	\$1,957,000	\$36,893	\$20,549	\$39,140	\$27,974	\$87,663
South Nowra Rugby Park	24000	\$912,000	\$15,090	\$9,810	\$18,240	\$25,982	\$54,032
South Nowra Baseball Field	8100	\$307,800		\$3,232	\$6,156	\$4,400	\$13,788
St Georges Basin Sporting complex	24000	\$912,000	\$14,793	\$9,513	\$18,240	\$11,201	\$38,954
Finkernagal Reserve	16021	\$608,798	\$6,153	\$2,628	\$12,176	\$4,005	\$18,809
Ulladulla Lighthouse Sporting Complex	15000	\$570,000	\$21,514	\$18,214	\$11,400	\$15,194	\$44,808
West Ulladulla Sporting Complex	52458	\$1,993,404	\$24,770	\$13,229	\$39,868	\$28,119	\$81,216
Vincentia Sportsfield	14302	\$543,476	\$11,764	\$8,618	\$10,870	\$13,037	\$32,524

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An alternate model suggested by staff as shown below is currently limited by the capability of existing systems, so may develop over time as new management information systems are transitioned in:

1. Calculate the direct cost of sportsgrounds. (converted to a m2 rate)
2. Calculate the cost to maintain public reserves (converted to a m2 rate)
3. Take the difference between the sportsground and public reserve rate and multiply by the m2 used for the individual sportsground.

4. Total this differential maintenance cost and divide by the total number of players (in the ratio of seniors and juniors, with a pricing differential of 65% of the senior rate for junior players) to arrive at a cost per player per season for juniors and seniors

The introduction of pricing arrangements across all sporting groups and the resultant fee structures will assist with:

- Ensuring equities across all sporting groups, currently some organisations pay for the ability to play their respective sport e.g. basketball, swimming, tennis, whereas other groups do not pay,
- Making funds available for the Sports Grants Program,
- Increasing funding for the minor improvements program; for activities such as aeration, fertilizer, top dressing, drainage, irrigation and floodlighting,
- Providing a resource to work with community groups and management committees as well as internally with staff to assist with pricing, grant applications, communications etc.

With the review of any fees in the future, consideration will be also given to simplifying and standardising fees where ever possible and incorporating this consistently across any new Point of Sale, Council wide finance or booking systems implemented. This should reduce staff administration and overhead costs and reduce reliance on financing from General Fund. The customer experience should also be improved with a more transparent and equitable rate of fees across all sporting grounds, facilities, tennis courts etc.

Currently there are some current inequities with charging for floodlighting where those who pay for their accounts directly are charged at the current market rate and those who are charged by Council are charged with an overhead included. It is proposed to standardise the charging to be the current energy rate per kw/hour ie on a cost recovery basis exclusive of overhead. This will be updated in the fees and charges for 2018/19.

One other concern with the LKSQ review was the inconsistency of fees across management committees, the aim would be to bring these into line and obtain consistent pricing across all like facilities. This will also be introduced for the 2018/19 fees and charges. See Attachment 7 for a comparison of current Tennis Courts and Halls fees with the recommended approach to charging.

Due to the inconsistent approach to setting of fees and authorisation of any fee waivers there is a requirement to put in place a new governance structure to ensure all the above recommendations are carried out and for future consistency

## Governance

As part of the commissioned report there is a recommendation to ensure Council provides adequate recreation staff resources to implement the new framework. LKSQ also recommended that operational leadership in this area needed to be supplemented to ensure adequate probity. Given the current staffing levels and high workloads it is not possible for existing staff to focus on this project fully, hence the introduction of a new role is recommended to govern the project and implement the recommendations. This role would ultimately be self-funding by the capture of increased revenue. Over the last 3 years with an increased focus, fees and charges have increased by over \$6.3m (\$2.1m on average annually) or an average of 7% annually.

The introduction of a Liaison and Pricing Officer role into the organisation is fundamental to ensuring that the process and underlying rationale can be progressed, that probity issues are covered off and Council can reduce any risks in relation to setting, charging and collection of fees and charges. The Liaison and Pricing Officer role would be multi-faceted, it will be the conduit between sporting groups, management committees and Council and will cover pricing and subsidies but more specifically would include:

- a) Moving the project forward to completion,
- b) Liaising with Management Committee's re. fees and charges – standardising where possible,
- c) Assistance with Grant applications through community sporting bodies,
- d) Ensuring Management Committees and Sporting Groups adhere to reporting requirements,
- e) Capturing utilisation data, such as who uses the field, the frequency of use, length of use and the intensity during that use,
- f) Setting prices for all fees and charges on a cyclical basis for review annually (this would cover the proper costing and pricing of all fees and charges at least once annually, ensuring consistency across all groups.),
- g) Ensuring simple and easy to update pricing matrixes are set up for capture in receipting, booking and financial systems,
- h) Calculating and reporting subsidies by user type with consistency,
- i) Ensuring subsidies are accounted for correctly across all areas of Council, including donations and sponsorships,
- j) Ensuring consistency of categories/units/concessions etc.,
- k) Ensuring compliance systems are in place,
- l) Ensuring communication with all relevant sections of Council,
- m) Reporting fees and charges to Council,
- n) Maintaining fee registers,
- o) Reporting on fees and charges (longer term requirement when systems in place),
- p) Continual review of fee collections, tightening controls re charging/deposits etc,
- q) Involvement in any system implementation in relation to fees from a pricing/facility use perspective,
- r) Investigation of new revenue opportunities ie NDIS (National Disability Insurance Scheme – Exercise physiology and Personal Well-being activities through Leisure Centres and other Council facilities, would increase revenue but also provide a community benefit).

A review committee will also be established to consider each application for subsidy or waiver, full details of this committee are shown within the Policy document. (POL17/47 at Attachment 1).

As a consequence of the introduction of this new Policy, the existing Fee Waivers, Subsidy and Support Policy also requires amendments to incorporate a flow chart for decision making and further definitions around terms used, along with other changes to separate out procedure from policy details.

In addition minor changes are required to the Management Committee Guidelines, the Sportsground Management Policy and Sports Grants Program documents.

### Community Engagement

In the course of this project, three community workshops were held at Nowra Showground, the Bay and Basin Leisure Centre, and the Ulladulla Civic Centre. Approximately 50 people attended these workshops, representing either community sporting groups or facility management committees. Further consultation was also held with Council employees, the Shoalhaven Sports Board and community groups. In addition to this 70 Council Owned facilities were visited. Meetings have been held internally with the General Manager and Group Directors, and a briefing of the Sports Board and Councillors was held on 6<sup>th</sup> September.

A communication plan has been developed for the next stage of community engagement, which is shown at Attachment 8. Key components of this plan are:-

- A letter will be forwarded to all sporting groups to inform them of the changes.

- The documents will be placed on Exhibition for a period of 28 days at the following locations:
  - Nowra Admin Building
  - Libraries
  - Aquatic Centres
- Advertisements will be placed in the local papers, on councils website, forwarded to CCB's and all community groups and stakeholders identified as part of the development of the report and policy.

### **Policy Implications**

A New Policy for setting Fees for Sporting Groups and Community Clubs will be introduced, Attachment 1.

Amendments to the Fee Waivers, Subsidies and Support Policy will also be required, as per Attachment 3.

The Management Committee Guidelines will require some minor changes in relation to Council assisting with developing fees, user charges and maintenance agreements, as per Attachment 4.

Sportsground Management Policy requires some changes with regard to responsibilities and usage of facilities, as per Attachment 5

Sports Grants Program document requires some changes in relation to Capital improvement criteria, supporting documentation for applications and further guidance around Procurement guidelines, as per Attachment 6.

### **Financial Implications**

The exhibition of the draft report and Policy will be undertaken out of existing budgets. The new Liason and Pricing Officer role will be funded by additional revenue from Fees and charges in subsequent financial years and the appointment to this role will be aligned to the 2018/19 budget, enabling the role to be fully funded at this time.

### **Risk Implications**

There are no significant risks to Council assets or finances from this report.

## SA17.233 Shoalhaven Indoor Sports Centre - Fitout

HPERM Ref: D17/284486

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

### Purpose / Summary

This responds to Council MIN15.651 – Part F and provides Council with information regarding:

- Fit-Out requirements, costs and implications for current construction and operational management scenarios and
- Seeks funding to undertake the Fit-Out of the Shoalhaven Indoor Sports Centre.

### Recommendation

That Council:

1. Commit to funding the Shoalhaven Indoor Sports Centre Furniture Fixture Equipment (FFE) Fit-Out Requirements in the amount of \$2,919,895 to be funded in the 2018/19 budget
2. Staff continue to seek grant funding to assist with covering the costs of Fit-Out where possible.

### Options

1. Council accept the recommendation as written and allocate \$2,919,895 in the 2018/19 budget for the fit out works

Implications: This will commit funding to complete the project and allow forward planning of the works. This option will eliminate the need for loan borrowings but will affect the capital budget in 2018/19. The community is provided with a facility, which is 'fit for purpose'.

2. Council take a loan for \$2,919,895 in 2018/19 over 10 years.

Implications: The community is provided with a facility which is 'fit for purpose' and will have additional operational costs associated with the loan repayments.

### Background

At its Ordinary Meeting held on 27 October 2015, Council made the following resolution (Min15.651 – Part F) with regard to Fit-Out Requirements and associated costs for the Shoalhaven Indoor Sports Centre:

*That Council:*

...

- f) *Receive a further report on post construction Fit-Out items (if required) once management and operation of the facility is determined*

The table below provides Council with a summary of the required Furniture Fixtures Equipment (FFE) Costs to Council. It has been developed by Council staff, in consultation with identified project stakeholders, with the following criteria taken into account:

- 1 Industry Practice – indicates that Fit-Out Costs will be in the vicinity of 20% of the Construction Budget. Based on the present Shoalhaven Indoor Sports Centre Construction Budget, this estimates that the Fit-Out Cost to be approximately \$2.5m - \$3m.
- 2 Consultation was conducted with comparable facility operators throughout NSW. Feedback received indicated that, again, in order to realise the full potential of the facility, including consideration of operational programs, the Fit-Out Budget would be in the vicinity of 20% of the Construction Budget.
- 3 Council staff undertook a recent workshop based on their previous experiences in the delivery and fitting out of Sussex Inlet Aquatic Centre, Bay & Basin Leisure Centre, Nowra Aquatic Park and Ulladulla Civic Centre over recent years. The following table identifies all components and estimated costs. The list has been reviewed and endorsed by external stakeholders and user groups.
- 4 The key stakeholders and future user groups have provided detailed feedback on their requirements and FFE requirements based on their expertise, experience and knowledge of their sports requirements.

This list has been used to seek grant funding for these FFE items, however, to date, no grant applications have been successful. This list has also been sent to local State members of Parliament in both the upper and lower houses who have a keen interest in the project and are advocating for funds.

<b>Furniture Fixtures Equipment (FFE) - Fit-Out Item</b>		
	<b>Stage 1 Items to be installed during construction phase</b>	<b>Stage 2 Items to be procured concurrently with construction &amp; installed during CHOTO</b>
Sports Floor - Protection Matting		120,000
Sporting Equipment - Fixtures	494,000	
Sports Equipment Operational		70,000
Cleaning Supplies / Store Room		108,500
Crèche		54,150
Main Hall	100,000	80,500
Control Room		3,700
Amenities & Lockers	200,000	
Drug Testing Room		2,500
Referees Room		5,000
First Aid Room		50,000
Staff Office 1 & 2		48,000
Main Reception	134,500	
Reception 2	33,100	



Kitchen / Café Equipment (loose items)		150,000
Kitchen Benches & Furniture (benches, range hood, finishes etc.)	150,000	
Outdoor Café Area		50,000
Mezzanine Multi-Purpose Space		60,500
Joinery Receptions & Kitchenettes	200,000	
Communications	200,000	
Audio Visual / PA		90,000
Computers		150,000
Signage		100,000
<b>Sub Total</b>	<b>\$1,511,600</b>	<b>\$1,142,850</b>
Contingency & Project Management (10%)	151,160	114,285
<b>Total Fit-Out Cost at each stage / option</b>	<b>\$1,662,760</b>	<b>\$1,257,135</b>
<b>Grand Total</b>	<b>\$2,919,895</b>	

The total cost of the Fit-Out is \$2,919,895.

### Fit-Out Budget and Management Scenarios

Council has the option to:

- Fund the Fit-Out in its entirety,
- Partially fund the Fit-Out with the core inclusions and require the operator to complete the Fit-Out at their expense commensurate with their program and service requirements.

Whilst the governance model for the management and operation of the centre is yet to be determined, it may appear that, if Council appointed an external operator, this may reduce the funding commitment from Council.

From staff experience, these costs would ultimately be borne by Council as an external operator would pass these onto Council through a management fee or seek to recoup any outlay through reimbursement of costs. Further, the level of funding required by the operator may be cost prohibitive and preclude prospective operators or an external operator may seek to have an extended term of tenure to manage and operate the facility to ensure a return on their investment.

Moreover, an external operator may seek to Fit-Out the facility with items that differ from the stakeholder group preferences and substitute with alternate items. This may be due to lower costs of alternate equipment, or a decision not to provide this equipment as the activity is seen as low commercial value and not cost effective to provide as it offers a low return on investment. This may potentially marginalise or exclude users.

As with all management agreements, particularly those relating to facilities where public programs are conducted, the operator will have its own priorities for the operation of that facility. Therefore, there is potential for the operator to favour one facility hirer or sporting group over another and fail to provide adequate or appropriate equipment, fixtures and fittings for a broad range of user.

Council could also be exposed to the costs, at the conclusion of any agreement with an external operator, as they would remove any items of FFE they have funded at the end of the contract term. Further, Council may be liable to make good the facility, if it is damaged during this process dependent on the type of management model agreed upon by Council.

Previous contracts with lessees of facilities have left Council with significant maintenance and retrofitting costs post contract.

The Fit-Out inclusions listed above are planned to make the facility inclusive to all users. Any reductions in the scope of these inclusions will have an impact on reducing income streams and, therefore, potential increased cost to Council over the mid to long term.

It is proposed that Council should fund the Fit-Out of the facility in its entirety to achieve a fully functioning centre commensurate with stakeholder and community needs and expectations.

Council, by committing to fund the Fit-Out, will ensure equipment is provided for a broad range of user groups, provide greater equity and access to meet the needs of the community and provide support which is reflective of Council's overall investment in the whole facility and activating the venue.

### **FFE Items Required during Construction**

The FFE items listed in the table above are currently not funded, however, Council will need to fund the above items in order to provide a fully functional and 'fit for purpose' Sports Centre, complete in all respects. The list includes fixtures which are required to be integrated into the facility prior to completion of construction. Such items include:

- Backboards, Rings, Scoreboards,
- Goals, Post and Nets, including floor sockets and fixings,
- Main Hall Ceiling Fans,
- Lockers, hand dryers, and items to achieve construction certificate,
- Kitchen benches, extraction hood, finishes,
- Communications equipment – security system, CCTV, PA,
- Main Reception and Reception 2.

Failure to allocate funding for these items will result in an incomplete facility, unable to achieve full Occupational Status. The retro-fitting of these items at a later stage will be more costly and will require 're-working' to already finished surfaces. From the communities perspective, once the construction of the building is completed the expectation will be to open and operate the building as soon as possible. Generally, post construction FFE will include items of furniture, computers etc.; however, if Stage 1 FFE is not brought forward and integrated with construction, it will significantly delay the opening of the facility.

There are certain item of equipment included in stage 1 FFE, such as floor sockets, ceiling fans, CCTV, communication and data racks for example, that will need to be built into the building fabric and will require other trade services in installing and connecting these to be fully operational and functional. Integration and installation of these services into the building fabric will give a higher standard of finish without having surface mounted conduits, block outs in floors, wall mounted cabling.

Similarly there are kitchenettes and the main kitchen benches which need to be fabricated and installed during construction phase along with electrical and hydraulic services (such as floor drains and plumbing) to meet kitchen design and layout requirements. This approach enables this work to be undertaken rather than added at a later date and thus causing damage to internal finished and having surface mounted cabling.

Including these as part of Stage 1 FFE ensures these items will not be imposed upon an external contractor at a later phase of project, therefore there are time and cost efficiencies in funding and integrating these works early through the head contractor and associated sub-contractors who are already on site.

The ultimate benefit to Council will be realised upon the completion of works where the community's expectation for a fully complete and operational facility will be met when the building is officially opened.

## FFE Items Required during Commissioning, Hand Over, Training & operation (CHOTO)

Stage 2 Fit-Out includes installation of point of sale systems, office furniture, crèche and first aid equipment, café furniture and equipment, kitchen appliances, portable sports equipment, the equipment for mezzanine, foyer, referee rooms and cleaning, along with installation of audio visual and public address systems, and centre signage.

Council funded Fit-Out will ensure that the equipment is new and of an appropriate standard and quality, commensurate with stated stakeholder needs and requirements and to complement the overall amenity and quality finish of the Centre.

Ideally this would occur concurrently with the commissioning of the centre and hand over to the appointed management team. During this time, training and testing of systems would occur with the staff who will be operating the facility in readiness for a soft opening ahead of an official opening.

## Community Engagement

Throughout the Design and Fit-Out phases of this project, Council Officers (Project Delivery and Recreational Community & Culture) have been in regular contact with external sports stakeholders.

The stakeholder group have been consulted on their requirements and the specifications for FFE items which have been included and costed in this Fit-Out program.

## Financial Implications

The Fit-Out items listed above are currently not funded. Council will need to fund the items in order to provide a fully functional and 'fit for purpose' sports centre, complete in all respects. The total Fit-Out funding requirement is \$2,919,895.

There are not sufficient funds in Council's General Fund Reserves to meet the Fit-Out requirements for the Shoalhaven Indoor Sports Centre in 2017/18 and 2018/19.

Should Council decide to borrow to cover the Fit-Out cost, it can do so up-front using a loan term of 10 years, with two repayments a year, the expected impact is:

\$'000s	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Borrowing	+\$2,920											
Repayment (cash flow)		-\$349	-\$349	-\$349	-\$349	-\$349	-\$349	-\$349	-\$349	-\$349	-\$349	-\$3,486
Interest expense		-\$100	-\$91	-\$82	-\$72	-\$63	-\$52	-\$42	-\$32	-\$21	-\$9	-\$566

The sensitivity of total repayments to interest rate is approximately \$85,000 for each half a percent (0.5%) movement from the assumed 3.5% rate.

It is proposed that Council commit to funding the Shoalhaven Indoor Sports Centre Furniture Fixture Equipment (FFE) Fit-Out Requirements in the amount of totalling \$2,919,895. Council staff will continue to seek grant funding to assist with Fit-Out of the centre and will work with the Stakeholder Group to support any funding applications they submit.

## Risk Implications

- Failure to fully fund the Fit-Out of the Shoalhaven Indoor Sports Centre will not deliver to Council a 'fit for purpose', fully compliant, functional and complete indoor sports centre,

- Failure to fund items may have an impact on achieving facility compliance / Occupation Certificate – the development consent precludes the issuing of a n Interim Occupation Certificate, such items include fixtures and fittings in amenities, toilets and food preparation / kitchen areas, crèche,
- Failure to provide a complete Fit-Out budget may impact on an efficient transition between construction completion and operation resulting in a negative perception from user groups, stakeholders and community, unable to fully utilise the facility by a broad range of users,
- Appointment of an operator who lacks experience and ability to provide a smooth transition between Practical Completion through Commissioning, Handover, Operations Training and Opening (CHOTO), including the critical Fit-Out stage 2,
- Appointment of an operator who lacks experience in Fit-Out may cause delays in moving from practical completion, through CHOTO to soft opening,
- Inexperienced operator and inadequate communication systems and collaboration with building contractor for:
  - Monitoring and reporting of problems and concerns during the 12 months defects liability period
  - Monitoring and reporting of problems and concerns during the first 12 months operation with plant and equipment under a 12 months warranty periodmay impact / void warranties and compromise the long term life of the plant and FFE items, and impact on asset replacement and renewal costs that would be met by Council.

## **SA17.234 Milton Ulladulla Croquet Club Inc - Relocate from Milton Showground to Ulladulla Sports Park**

**HPERM Ref:** D17/261728

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

**Attachments:** 1. Letter - Milton Ulladulla Croquet Club [↓](#)  
2. Preliminary Costings [↓](#)

### **Purpose / Summary**

To update Council on the process to relocate Milton Ulladulla Croquet Club Inc. Milton Ulladulla Croquet Club Inc. having indicated there preference to relocate the croquet facilities from the Milton Showground to Ulladulla Sports Park for construction of two courts with space for four courts in total in the future.

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

That

1. Council endorse the relocation of Milton Ulladulla Croquet Club Inc. from Milton Showground to Ulladulla Sports Park in line with Croquets requirements and Council MIN17.323
2. Council allocate \$350,000 in the 2018/19 budget to undertake the relocation of the stockpile from Ulladulla Sports Park to the Ulladulla Council Depot once assessment is completed
3. Council allocate \$765,000.00 to undertake a detailed design (\$15,000) in the 2017/18 budget and development of two Croquet Courts at Ulladulla Sports Park (\$750,000) in the 2018/19 budget.
4. Staff seek grant funding to assist in the delivery of this project.
5. If Council is not in a position to fund some or all of the project, that the timeline be reconsidered.

### **Options**

1. Adopt the recommendations

Implications: This will ensure Council can proceed to deliver the project in line with MIN17.323.

2. Not adopt the recommendations and provide an alternative resolution with direction for staff.

Implications: This may result in the project not proceeding or the timeframe being revised and extended to enable funding to be allocated by Council in future years of the budget. The would necessitate the Milton Ulladulla Croquet Club remaining at the Milton Showground until such time as funding to deliver the entire project can be allocated.

SA17.234

## Background

Council resolved on 18 April 2017 and adopted MIN17.323.

*“That Council:*

- 1. Decline the opportunity to construct a second croquet court at Milton Showground.*
- 2. Actively work with Milton Ulladulla Croquet Club to relocate the croquet facilities to suitable venue within 18 months. The new location is to contain sufficient land for construction of two courts and four courts in the future, a suitably sized club house, fencing of an area for four courts; car parking spaces, landscaping and other comparable facilities to those that the Club already has at the Milton Ulladulla Showground.*
- 3. Establish a working group of available Councillors, Executive of Milton Ulladulla Croquet Club and Council staff to facilitate the relocation.*
- 4. Allocate funding for project planning in 2017/2018; and construction of two croquet courts to commence in the first quarter of 2018/2019, with the courts and facilities completed by the end of the third quarter of 2018/2019.*
- 5. Continue to work with the Showground Management Committee and owners adjacent to Milton Ulladulla Showground to formalise offsite parking options via a licence agreement to increase capacity for future large events at the Showground.*
- 6. Review the Milton Ulladulla Showground Management Plan within 12 months, in consultation with the Showground Management Committee.*
- 7. Advise both the Milton Ulladulla Croquet Club & Milton Ulladulla Showground Management Committee of the above Council resolution.*
- 8. Receive a further report on the financing options for the new facility.”*

In relation to parts 2 and 3 Council established a working party which identified three potential sites for the relocation of the Croquet Lawns, site visits were organised with the working party for the Ulladulla Sports Park, Milton Pony Club and the subdivision at Leo Drive Narrawallee.

In relation to parts 4 and 8 the report present the options and funding required to deliver this project within the timeline identified. It should be noted that at present no funding has been allocated by Council in 2017/18 or beyond to construct the croquet courts which makes achieving this timeline very difficult and proposes that if Council is not in a position to fund some or all of the project that the timeline be reconsidered and / or the status quo remains – i.e. the Croquet Club remain at Milton Showground.

The Milton Ulladulla Croquet Club have indicated as per the attached letter that the Ulladulla Sports Park would be their preferred site.

The Ulladulla Sports Park site has an existing Council stockpile located on the site. This is an operational stockpile and is used for the short term management and storage of materials between projects. There is an on-going need to continue to provide a stockpile site. Council has consulted with relevant staff regarding the relocation of the stockpile, it is noted that stockpile sites are hard to find and be approved. It was determined that we should seek to relocated the stockpile site to the existing Council depot site.

Staff contacted Ulladulla staff to identify where the existing stockpile site at Ulladulla Sports Park could be relocated and were informed that the existing Ulladulla Depot would be a potential option. To move the stockpile to Ulladulla Depot requires a flora and fauna study to be undertaken due to environmental constraints of the land at Ulladulla Depot.

Council staff have requested an environmental survey and assessment to be undertaken on the subject land at a cost of \$6,000 which is being funded from SIP budgets to commence this process. This process takes 12 months to investigate the site through all growing

seasons. If this investigation identifies that vegetation cannot be moved a new stockpile site will need to be negotiated.

Council resolved that the old sewerage treatment site would not be an extension to the Ulladulla Sports Park, instead it be developed as Industrial land. The need to relocate the stockpile site has become more imperative due to this resolution as this is the only growth area for the Ulladulla Sports Park into the future.

The size of the proposed site meets the requirements for development of four courts in accordance with the Croquet Association Standards. Power, water and sewer are existing at the Ulladulla Sports Park and will just need to be located to the proposed croquet site. No Development Application is required for the construction of the croquet courts the construction will be undertaken under the Infrastructure SEPP and a Review of Environment Factors will be undertaken.

Social Infrastructure and Planning staff are in discussions with Holiday Haven regarding the purchase of an obsolete cabin to be relocated to the proposed site once the courts have been built. This is in line with their existing facilities at the Milton Showground.

Parking is existing and more than adequate for the croquet club's needs, the croquet will essentially be using the site outside of peak times. The Croquet Committee identified that floodlights would be required for night and social games and this site would be a suitable as there are no residents close by.

There may also be the opportunity for the Croquet Club to gain new membership through awareness of other sports grounds user becoming aware of their club at the Ulladulla Sports Park. The Ulladulla Sports Park has more users and traffic than their existing site at the Milton Showground

The map below indicates the area the Croquet Club would relocate to at Ulladulla Sports Park.



SA17.234



### Relocation of the Stockpile site

Council staff have provided a cost estimate for the relocation of the stockpile site which is broken down in the attached spreadsheet. As previously noted Council staff have started the process of an environmental survey and assessment of the proposed new stockpile site at Ulladulla Depot (as identified in map below). This is required due to the site being habitat for the threatened Eastern Pygmy Possum as well as threatened orchids *Cryptostylis hunteriana* and *Caladenia tessellata*. And therefore if we propose to clear the site – these species need to be surveyed. Unfortunately they can't be surveyed until spring and summer as they are dormant.

If the Council depot cannot be developed to incorporate the stockpile site another location will need to be investigated.



SA17.234



## Estimated Costs

### Relocation of Depot

- \$6,000.00 for a Flora & Fauna Survey and Assessment (currently being undertaken out of existing SIP budget)
- \$350,000 estimate to relocate stockpile from Ulladulla Sports Park to Council Depot at Ulladulla as per preliminary cost estimate in the above attachments which includes clearing of the site, sediment and erosion control, earthworks, drainage, access roads, fencing, stockpile material bays, signage and markings and relocation.

### Development of Croquet

- \$15,000.00 - detailed design
- \$240,000.00 - 2 Croquet Courts (based on Milton estimate for one at \$120,000.00)
- \$500,000.00 - building – cabin, installation, connection to services and fit out
- \$10,000.00 - Landscaping

**Estimated Total Cost            \$1,115,000**

## Community Engagement

Ongoing community engagement has been occurring with Milton Ulladulla Croquet Club with a site meeting on 12 July at Milton Showground Croquet Clubhouse with Council staff, Cllr White, Cllr Gash and members of the Milton Ulladulla Croquet Club. Further meeting on 20 July at Council with Cllr White and Council Staff.

The latest meeting occurred as a site visit of the three sites at Ulladulla Sports Park, Pony Club Site and Leo Drive Amaroo Subdivision on 9 August with Cllr White, relevant staff and members of the Milton Ulladulla Croquet Club to discuss pros and cons of all three site.

Council staff have written to the Ulladulla Sports Ground Committee members/users on 14 August informing them that the Sports Park has been identified as possible site for the relocation of the Croquet Courts. The Milton Ulladulla Croquet Club have indicated as per the attached letter that the Ulladulla Sports Park would be their preferred site.

## Financial Implications

Council will need to allocate \$1,115,000 to progress this project and to deliver within the timeline determined by Council in MIN17.323.

- Relocation of the Operational Stockpile site - \$350,000
- Development of Croquet Facility - \$765,000

Council staff will seek grant funding to assist with delivery of the project. To enable grant applications to be made funding will need to be allocated for staff to complete the detailed design stage prior to any funding submissions being made.

## Risk Implications

Funding - If Council does not allocate the funds this project cannot proceed.

Environmental - If the flora and fauna study identifies restrictions at the Ulladulla depot site an alternative stockpile site will need to be found.

Timeline - In relation to part 4 of MIN17.323 funding is required to deliver this project within the timeline identified, otherwise Council will need to reconsider the timeline and / or the status quo remains – i.e. the Croquet Club remain at Milton Showground.



**Milton-Ulladulla Croquet Club Inc.**  
**PO Box 307**  
**Ulladulla NSW 2539**

ABN 98 501 489 290

Patron Margaret Murray

Susan Edwards  
Acting Social and Infrastructure Planning Manager  
Shoalhaven City Council  
PO Box 42  
Nowra 2541

Hello Susan

On behalf of Milton-Ulladulla Croquet Club Inc I wish to confirm that our Management Committee has discussed all considerations relating to the potential new club sites. We have agreed to progress with the Ulladulla Sports Park site.

Thank you for your input into this process.

Yours faithfully  
Jen Bromley  
MUCC Secretary

**ULLADULLA DEPOT -  
Works and Services Recycle Facility - PRELIMINARY COST ESTIMATE**

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE	CONTINGENCY	COST
<b>1.0</b>	<b>Preliminaries</b>					
1.1	Survey	1	Item	\$ 2,000.00	25%	\$ 2,500.00
1.2	Design	1	Item	\$ 10,000.00	25%	\$ 12,500.00
1.3	Project Management	1	Item	\$ 8,000.00	25%	\$ 10,000.00
<b>2.0</b>	<b>Preliminaries</b>					
2.1	Establishment	1	Item	\$ 12,000.00	25%	\$ 15,000.00
<b>3.0</b>	<b>Clearing and Grubbing</b>					
3.1	Clearing and Grubbing	0.65	ha	\$ 20,000.00	25%	\$ 16,250.00
<b>4.0</b>	<b>Sediment and Erosion Control</b>					
4.1	Sediment Fencing	50	m	\$ 15.00	25%	\$ 937.50
4.2	Sediment Basin	1	ea	\$ 2,000.00	25%	\$ 2,500.00
4.3	Diversion Drains	50	m	\$ 10.00	25%	\$ 625.00
4.4	Shaker Grid	1	ea	\$ 800.00	25%	\$ 1,000.00
4.5	Hay Bale Check Dams	10	ea	\$ 150.00	25%	\$ 1,875.00
<b>5.0</b>	<b>Earthworks</b>					
5.1	Trim topsoil and stockpile	6,420	m2	\$ 2.00	25%	\$ 16,050.00
5.2	Cut to Fill	860	m3	\$ 25.00	25%	\$ 26,875.00
5.3	Import fill	2,000	m3	\$ 10.00	25%	\$ 25,000.00
5.4	Trim, Shape and Compact Subgrade	6,420	m2	\$ 2.50	25%	\$ 20,062.50
<b>6.0</b>	<b>Drainage</b>					
6.1	Excavate, supply, bed, lay and backfill drainage pipes					
6.2	375mm RCP	60	m	\$ 200.00	25%	\$ 15,000.00
6.3	Stormwater Pit - Surcharge	2	ea	\$ 2,000.00	25%	\$ 5,000.00
6.4	Headwall to suit 375mm pipe	1	ea	\$ 930.00	25%	\$ 1,162.50
6.5	Outlet treatment (scour protection)	20	m2	\$ 160.00	25%	\$ 4,000.00
6.6	Jute Matting to Swale Inverts	200	m2	\$ 4.00	25%	\$ 1,000.00
	Rock Check Dams	5	ea	\$ 250.00	25%	\$ 1,562.50
<b>7.0</b>	<b>Hardstands / Access Roads / Material Bays / Fencing</b>					
7.1	Supply, place and compact hardstand pavement comprising: 300mm Basecourse Material to 98% MMDD	6,420	m2	\$ 30.00	25%	\$ 240,750.00
7.2	14/10 Bitumen Seal - Access Road	500	m2	\$ 10.00	25%	\$ 6,250.00
7.3	Sockpile material bays	15	ea	\$ 2,000.00	25%	\$ 37,500.00
7.4	Perimeter chainwire security fencing	200	m	\$ 65.00	25%	\$ 16,250.00
<b>8.0</b>	<b>Signs and Markings</b>					
8.1	Signs and Markings	1	Item	\$ 2,000.00	25%	\$ 2,500.00
<b>9.0</b>	<b>Reinstatement</b>					
9.1	Hydroseed disturbed areas (including drains) with native seed	1,200	m2	\$ 3.00	25%	\$ 4,500.00
9.2	Swale Maintenance Watering (12 weeks)	4	weeks	\$ 300.00	25%	\$ 1,500.00
9.3	Relocate from tree to new facility	1	Item	\$ 25,000.00	25%	\$ 31,250.00
<b>Total (ex GST)</b>						<b>\$ 519,400.00</b>

## SA17.235 Renaming of Bugong Fire Trail to Duffys Lane

**HPERM Ref:** D17/262400

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

### Purpose / Summary

Advising of the road renaming of Bugong Fire Trail to Duffys Lane

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

That the report be received for information.

### Options

1. Council receive the report for information only

Implications: None

2. Council request further information

Implications: None

### Background

Council received a request for the renaming of Bugong Fire Trail to Duffys Lane from the Budgong Community Group. A previous proposal for this renaming was not able to be done at the time as Bugong Fire Trail was previously a National Parks and Wildlife Service road. The area of the road was revoked from the National Park under National Parks and Wildlife Amendment (Adjustment of Areas) Act 2016 No 21 (7 June 2016)

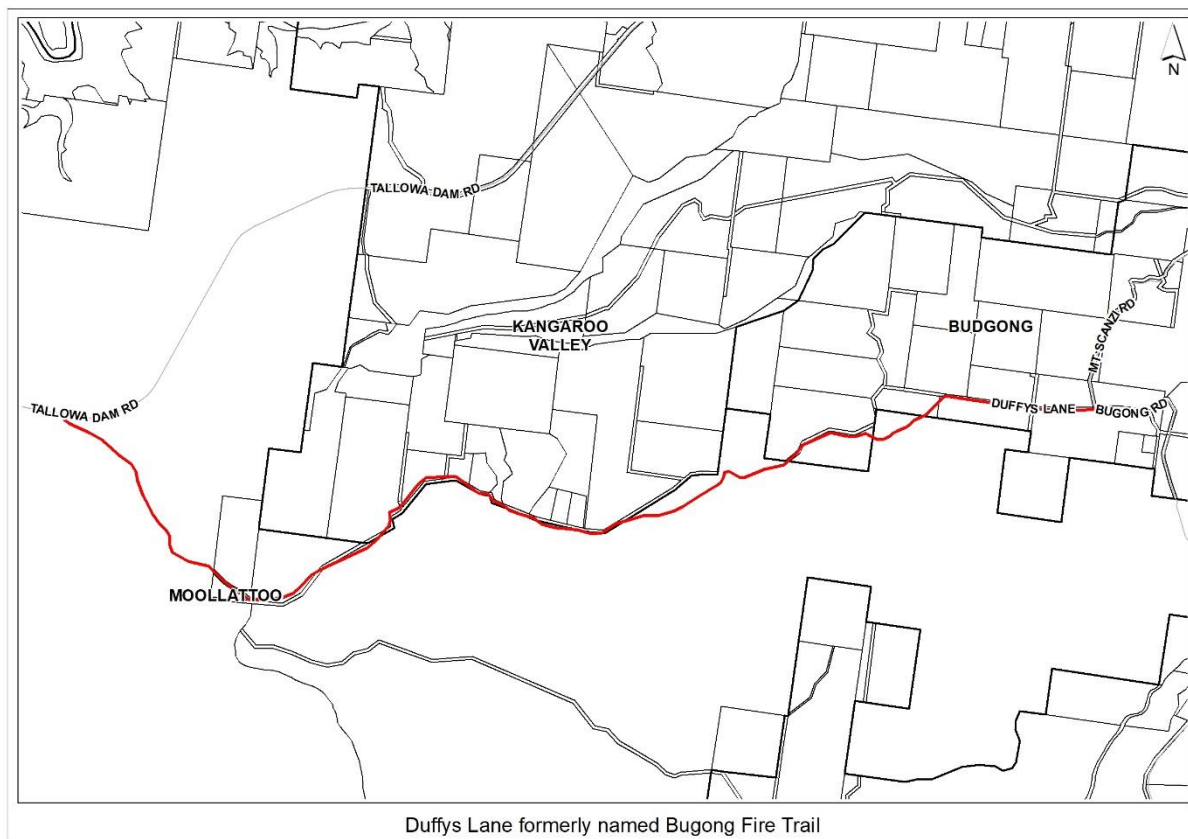
The proposal was for the renaming of the entire length of Bugong Fire Trail from the intersection of Bugong Road and Mt Scanzi Road through to the intersection with Tallowa Dam Road.

Duffy was a early pioneering family in the area and was deemed an appropriate name.

The Geographics Names Board was contacted for concurrence for the name Duffys Lane to be used and was duly received.

A period of community consultation followed for all affected land owners and all respondents were in favour of the proposal. The renaming proposal was then finalised, which involved being published in the NSW Government Gazette. The gazettal appeared in the NSW Government Gazette No 87 of 11<sup>th</sup> August 2017 Folio 4407.

The land owners affected by this renaming have been notified of their new address. Any existing house numbers did not change. Signage is being updated to reflect the change in road name.



SA17.235

## SA17.236 Local Government NSW Annual Conference 2017

**HPERM Ref:** D17/284701

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

**Attachments:** 1. Draft Conference program (as of 30 August 2017) [↓](#)

### Purpose / Summary

To consider Councillor attendance at the Local Government NSW Annual Conference 2017 scheduled for 4-6 December 2017 in Sydney.

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

That Council

1. Notes the details of the Local Government NSW Annual Conference 2017 scheduled for 4-6 December 2017 in 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.

### Options

1. As per the recommendation.

### Background

The Local Government NSW Annual Conference 2017 is considered relevant to local government, Information in relation to the conference is attached to this report

Costs associated with the conference are estimated as follows:

- registration : \$899 (early bird – closes 23 October 2017)  
\$999 (standard – after 23 October 2017)
- travel, accommodation and out of pocket expenses : not yet determined.

The Conference commences at 2.00pm Monday 4 December and concludes at 11.00pm Wednesday 6 December 2017.

### Submission of Motions

Local Government NSW (LG NSW) has called for the submission of Motions and Councils are encouraged to formulate motions submitted in terms of the current policy statements.

LG NSW have requested that motions are submitted by Monday 9 October 2017 with closing date for the submissions being Monday 6 November 2017.

All motions must be adopted by Council before submission.

A Councillor Briefing session to discuss motions to be submitted will be held on Thursday 14 September 2017. A separate report will be submitted to the Ordinary Meeting 26 September 2017.

### **Categories of Motions**

Motions will be grouped into the following five categories:

1. Industrial relations and employment policy
2. Economic Policy
3. Infrastructure & planning policy
4. Social policy
5. Environmental policy
6. Governance/Civic Leadership (e.g. legislative and regulatory setting, elections, participation, reform)

### **Voting Delegates**

Council is entitled to nominate voting delegates for the following categories during the LG NSW Conference:

1. Election of Office Bearers & the Board
2. Voting on Motions

Council may select the same or different Councillors for each category.

LG NSW will notify Council of the number of voting delegates that we are entitled to nominate prior to 13 October 2017. A report will be submitted to Council when this information is available.

### **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.



## Local Government NSW Annual Conference 2017

**Monday 4 – Wednesday 6 December 2017**

Main conference venue is Hyatt Regency Sydney, 161 Sussex Street Sydney

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

### DRAFT PROGRAM (as of 30 August 2017)

MONDAY 4 December	
1.00pm – 4.00pm	Bump in sponsors to set up trade exhibition Bump in voting booths into Wharf 4 and 5
2.00pm – 4.45pm	Registration opens in foyer entrance to main ballrooms
3.00pm – 4.00pm	Two optional concurrent briefing sessions. Coming together post-amalgamation: lessons and next steps three case studies <b>Peter Tegart</b> , Interim General Manager, Queanbeyan Palerang Regional Council <b>Gail Connolly</b> , General Manager, Georges River Council <b>To be confirmed</b>  or  Elected life and good governance: building your capabilities. A session for new councillors
4.00pm – 5.00pm	Sessions repeated above
5.00pm – 7.00pm	<b>President's Opening Reception</b> in Maritime Ballroom in the trade exhibition
TUESDAY 5 December – Business Session Day 1 / Grand Ballroom/Maritime Ballroom	
7.30am – 5.00pm	Registration opens
8.00am – 9.00am	Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors (Voting for all positions at the one time) in Wharf 3, 4 and 5 (rooms)
8.15am – 9.00am	Distribution of voting materials and electronic handsets  Trade exhibition opens in Maritime Ballroom
9.15am – 9.45am	<b>Address</b> from <b>The Hon Gladys Berijiklian MP</b> , Premier of New South Wales
9.45am – 11.00am	<b>Address</b> from <b>Cr Keith Rhoades AFSM</b> , President, LGNSW  <b>Opening of the Federal Conference</b> , chaired by <b>Cr Keith Rhoades AFSM</b> including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members. Business session and consideration of motions.



	<p><b>Opening of the State Conference</b>, chaired by <b>Cr Keith Rhoades AFSM</b> including adoption of standing orders. Presentation of the auditor's report, general financial and operating report to members.</p> <p>Business sessions and consideration of motions.</p>
11.00am – 11.30am	<p>Morning tea in trade exhibition area Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
11.30am – 1.00pm	Consideration of Conference business continued, chaired by the President
1.00pm – 2.00pm	<p>Lunch in trade exhibition Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
2.00pm – 3.30pm	Consideration of Conference business continued, chaired by the President
3.30pm – 4.00pm	<p>Afternoon tea in trade exhibition area Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
4.00pm – 5.30pm	<p>Consideration of Conference business continued, chaired by the President Collection of all electronic handsets and motions voting cards Conference business session closes</p>
5.30pm – 6.30pm	<p>Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors Voting closes</p>
6.00pm – 7.00pm	Delegate networking function in trade exhibition area
7.30pm	Trade exhibition closes. Free night for delegates.
<b>Wednesday 6 December– Business Session Day 2 / Grand Ballroom/Maritime Ballroom/Wharf rooms</b>	
7.30am – 5.00pm	Registration opens
7.30am – 8.45am	<p><b>Australian Local Government Women's Association (ALGWA NSW) Breakfast</b> Special Guest Speaker <b>Rhoda Roberts</b>, Head of First Nation Programming, Sydney Opera House, Festival Director Boomerang, will speak on Accessing and Creating Relationships with Your Local Community.</p>
8.00am – 5.30pm	Trade exhibition open in Maritime Ballroom
9.00am – 9.05am	Introduction by <b>Ellen Fanning</b> , Master of Ceremonies
9.05am – 9.20am 9.20am – 9.35am	<p><b>Address from The Hon Gabrielle Upton MP</b>, Minister for Local Government Facilitated questions from the conference to the Minister</p>
9.35am – 10.05am	<p><b>Keynote: Dr Jonathan Carr-West</b>, Chief Executive, Local Government Information Unit UK presents on Transforming Local Government</p>
10.05am – 10.30am	Morning tea in trade exhibition area
10.30am – 10.45am 10.45am – 11.00am	<p><b>Address from The Hon Peter Primrose MLC</b>, Shadow Minister for Local Government Facilitated questions from the conference to the Shadow Minister</p>

11.00am – 11.15am	<b>Address</b> from <b>The Hon Melinda Pavey MP</b> , Minister for Roads, Maritime and Freight
11.15am – 11.30am	<b>Address</b> from <b>Carolyn McNally</b> , Secretary of the Department of Planning and Environment, on Housing Affordability and Partnerships with Councils.
11.30am – 11.40am	<b>MC</b> to facilitate Q and A to both speakers (10 mins only)
11.40am – 12.10pm	<b>Address</b> from <b>Stuart Reeve</b> , Managing Director, Micromex Research and Consulting on Community Perceptions of Local Government
12.10pm – 12.30pm	<b>Presentation</b> of the AR Bluett Awards (20 mins)
12.30pm - 12.40pm	<b>Address</b> from <b>Cr Keith Rhoades AFSM</b> , LGNSW President on Association Initiatives
12.40pm – 12:50pm	<b>Treasurer's Report</b>
12.50pm – 1.40pm	<a href="#">Lunch in the trade exhibition area</a> <a href="#">General Managers Lunch sponsored by StateCover: a short update from StateCover, Local Government Super and LGP (30 mins)</a>
<b>1.40pm – 3.10pm</b>	<b>MOVE TO CONCURRENT SESSIONS</b>
<b>Environment and Planning</b>  1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A	Stream facilitated by <b>Stephen Beaman PSM</b> , Executive Director Waste and Resource Recovery, Environment Protection Authority (EPA).  <ul style="list-style-type: none"> <li>• <b>Dr Bruce Christie</b>, Deputy Director General, Biosecurity and Food Safety, Department of Primary Industries on The biosecurity framework and shared responsibilities</li> <li>• <b>Stephen Beaman PSM</b>, Executive Director Waste and Resource Recovery EPA on Introducing a Container Deposit Scheme</li> <li>• <b>Tom Celebrezze</b>, Director Biodiversity Policy, Office of Environment and Heritage Biodiversity reforms and Local Government</li> </ul>
<b>Infrastructure and Economics</b>  1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A	<ul style="list-style-type: none"> <li>• <b>Greg Dyer</b>, General Manager City of Parramatta, Case study on the Redevelopment of Parramatta Square</li> <li>• <b>Susie Matthews</b>, Director Small Business Engagement, NSW Department of Industry on In Support of night-time economies</li> <li>• <b>Sean Gordon</b>, Chief Executive Officer, Darkinjung Local Aboriginal Land Council on Building local economies and the economic development of aboriginal lands</li> </ul>

<b>People and Communities</b>  1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A	<ul style="list-style-type: none"> <li>• <b>Jody Broun</b>, Director NSW/ACT, Red Cross on Disaster Preparedness – council's building resilience with their communities in times of natural disaster or accident</li> <li>• <b>Wendy Waller</b>, Mayor and <b>Shabnam Bhana</b>, Community Development Worker, Liverpool City Council, and <b>Cr Greg Conkey</b>, Mayor, Wagga Wagga City Council on Refugee Resettlement</li> <li>• <b>Mary Barry</b>, Chief Executive Officer, Our Watch on the national framework for preventing violence against families and women</li> </ul>
<b>3.10pm – 3.20pm</b>  3.20pm – 4.00pm  4.00pm – 4.30pm	<b>RETURN TO PLENARY SESSION AND CLOSE OF CONFERENCE</b>  <b>Keynote: Annabel Crabb</b> , Walkley Award winning journalist on 'What the community wants and expects from government; what local government can learn from the international, national and state experience; and what it means for local government in the future'.  Afternoon tea and delegate networking function in trade exhibition area
<b>7.30pm – 11.00pm</b>	<b>CONFERENCE DINNER, Grand Ballroom Hyatt Regency</b> (in the conference room)
7.30pm 7.45pm 8.00pm 8.10pm 8.35pm 9.35pm 11.00pm	Doors open Delegates seated and entrée served LGNSW President introduces Elite Sponsor, StateCover Mutual Limited LGNSW President and Elite Sponsor present the Outstanding Service Awards Presentation of the Heart Foundation Local Government Awards National Winner by CEO Kerry Doyle (invited) Main course served Entertainment and dancing Function finishes
<b>CLOSE OF CONFERENCE</b>	

This program is correct at the time of publication. Speakers and program details may change due to unforeseen circumstances.

## **SA17.237 Sustainable Economic Growth for Regional Australia - SEGRA 2017 Conference - 24 October - 28 October 2017 - Port Augusta and Upper Spencer Gulf, South Australia**

**HPERM Ref:** D17/301780

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

### **Purpose / Summary**

To consider Councillor attendance at the Sustainable Economic Growth for Regional Australia 2017 (SEGRA) scheduled for Tuesday 24 October – Saturday 28 October 2017 in Port Augusta and Upper Spencer Gulf, South Australia.

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

That Council

1. Notes the details of the Sustainable Economic Growth for Regional Australia 2017 (SEGRA) scheduled for Tuesday 24 October – Saturday 28 October 2017 in Port Augusta, South 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.

### **Options**

1. As per the recommendation.  
Implications: costs as outlined below
2. That Council limit the number of Councillors attending the Conference to and such attendance be deemed Council Business.  
Implications: costs as outlined below
3. That Council not approve Councillor attendance at the Conference as Council Business.  
Implications: no cost to Council

### **Background**

The Sustainable Economic Growth for Regional Australia 2017 (SEGRA) is considered relevant to local government, Information in relation to the conference can be found online <https://2017.segra.com.au/conference>

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The Topic for the 2017 Conference is “*Disruption : a catalyst for change*” and the conference is described as follows:

*“Many parts of regional, remote and rural Australia are experiencing unprecedented disruption to their traditional industry bases, markets, supply chains and business models. This has been driven in part by the explosion of innovation in technology platforms creating global access, lower barriers to entry and changing customer profiles. In addition to responding to this rapid change, established businesses are managing potential complex commercial financial and reputational risk processes. Start-ups and market disruptors frequently don’t have these legacies.*

*It can be difficult for established businesses to identify impending disruptors in their early stages as often a disruptor’s business model looks completely different from what’s already there. Perhaps the greatest change is the speed at which disruption occurs - weak signals of changes in business models today are tomorrow’s major disruptors*

*So how might we use the knowledge and experience of disruption to catalyse change and exploit the opportunities that the new world of knowledge and technology offers? **SEGRA** 2017 will address this question through a series of speakers with in depth knowledge of disruption, innovation, politics, business organisation and environmental ecosystems. As always **SEGRA** 2017 will focus on understanding what is happening in the regions as well as examining how regions are already responding and might act to ensure their own preferred futures are realised.*

***SEGRA** is recognised as Australia’s most credible and independent voice on issues affecting regional Australia and at the conclusion of the conference will issue a communique that ensures regional Australia’s unique attributes continue to be recognised as an active contributor to the national agenda.”*

Costs associated with the conference are estimated as follows:

- registration :

Researchers Forum	Tuesday 24 October	\$325
Industry Forum	Tuesday 24 October	\$325
Disruption & Innovation	Wednesday 25 October	\$650
Catalysing Change	Thursday 26 October	\$650
Study Tour – Flinders Range	Friday 27 October – Saturday 28 October	\$675
Study Tour – Clare Valley	Friday 27 October – Saturday 28 October	\$475

The following package deals are available:

Forum (24 Oct) + Disruption & Innovation (25 Oct)	\$900
Disruption & Innovation (25 Oct) + Catalysing Change (26 Oct)	\$1,095
Forum (24 Oct) + Disruption & Innovation (25 Oct) + Catalysing Change (26 Oct)	\$1,295

- official functions, optional :

Mayoral Welcome Cocktail Function	Tuesday 24 October	\$10
Networking Dinner	Wednesday 25 October	\$75
Conference Dinner	Thursday 25 October	\$150

- 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 need to contain council expenditure wherever it is able.

The Conference commences on Tuesday 24 October 2017 at 9.00am and concludes on Saturday 28 October 2017 and the following Council Business is scheduled within the period of the conference:

- Ordinary Meeting of Council, Tuesday 24 October 2017.
- Councillor Workshop – Site at Coomea St Bomaderry Affordable Housing Project Thursday 26 October 2017.
- Councillor Briefings – Thursday 26 October 2017
- Risk and Audit Committee – Friday 27 October 2017.

### **Policy Implications**

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

### **Financial Implications:**

Funds are available for Councillors to attend this conference.

## **SA17.238 Pedestrian Safety - Iverison Road, Sussex Inlet**

**HPERM Ref:** D17/236915

**Group:** Assets & Works Group

**Section:** Asset Management

### **Purpose / Summary**

To report on options for improving pedestrian safety (primarily for residents of Inasmuch Retirement Village) to assist residents to access the western bus stop on Iverison Road, Sussex Inlet.

### **Recommendation**

That the report on options for improving pedestrian safety by assisting residents to access the western bus stop on Iverison Road, Sussex Inlet be received for information.

### **Options**

1. As Recommended

Implications: Residents have the option of boarding the bus on the eastern side of the road albeit with a small additional bus travel time.

2. That Council resolve to allocate a budget of \$10,000 to construct a 25m footpath along the eastern side of Iverison Road to the existing kerb ramp, install a corresponding kerb ramp on the western side of the road and 5m of footpath to connect the new pram ramp to the existing bus shelter.

Implications: To do this Council would require to defer some other budgeted project to free up the necessary funds.

### **Background**

Following a notice of motion Council resolved at its meeting on 20 December 2016 (Minute MIN16.995)

*That a report be brought to Council providing options for the provision of safer access for the residents of Inasmuch Retirement Village as they cross Iverison Road, Sussex Inlet on their way to the regularly used bus stop.*

Residents have raised concerns regarding safety associated with access to the western bus Shelter opposite the Inasmuch lifestyle/retirement village. The lifestyle/retirement village is located on the eastern side of Iverison Road and accommodates many elderly residents.

Inasmuch Retirement Village also have independent living units located on the western side of Iverison Road.

The regular service operated by Local bus company (Shoalbus) involves a bus travelling southbound down Iverison Road (so could pick up residents on the east side), loops around the southern streets of Sussex Inlet and then traverses back up Iverison Road some 5-10 minutes later (so could pick up residents on the west side).

Advice from Shoalbus suggests that residents do not want to wait the extra 5-10 minutes travel time on the bus and so cross the road to catch the bus on the western side of the road, accordingly this practice is avoidable, and there appears to be no other demand for a crossing in the immediate area.

Following a resident request in 2006 and concurrence from the bus companies, a shelter was provided on the western side of the road, which is used by both school children and residents of Inasmuch Retirement Village. There is no shelter on the eastern side of the road. This also influences some residents to cross the road to access the western bus shelter.

The local bus service (Shoalbus) in discussion with staff, have advised that demands are very low and that issues regarding the current bus route and services should be directed to them and Transport for NSW in the first instance.

Inasmuch Retirement Village Management, in discussion with staff, have suggested pedestrian access to the bus stops could be improved by providing footpath access to link to the existing stops.

### **Community Engagement**

Council has received previous community feedback regarding access to the bus stops, and, since the Notice of Motion was raised, staff have further consulted with Shoalbus and Inasmuch Retirement Village management. Further community consultation would be required prior to any works being undertaken in the area.

### **Financial Implications**

Council would need to consider the financial cost of undertaking footpath and crossing works in this location (currently not budgeted). Staff have suggested Inasmuch Management to liaise with the local community consultative body (Sussex Inlet Community Forum) in the first instance regarding the potential prioritisation of the proposed footpath and crossing works as a community path project.



## **SA17.239 Traffic Calming - Anson Street, St Georges Basin**

**HPERM Ref:** D17/236919

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

### **Purpose / Summary**

To report on options for traffic calming in Anson Street, St Georges Basin.

### **Recommendation**

That

1. The report on options for traffic calming in Anson Street, St Georges Basin be received for information.
2. Council defer making any decision regarding additional traffic calming in Anson Street, St Georges Basin until a decision has been made regarding the Regional Development application (RA17/1000).

### **Options**

1. As recommended
2. Council could resolve to undertake the installation of additional traffic calming at the western end of Anson Street and allocate an appropriate budget for these works (not recommended)

Implications: Council would need to defer some other budgeted project to allocate the necessary funds, and this may not be necessary “if” development consent conditions be imposed requiring development to provide additional facilities.

### **Background**

Council resolved at its meeting on 28 October 2016 (Minute MIN16.890)

*That staff report back to Council on how traffic calming could be achieved for Anson Street, St Georges Basin.*

Anson Street, St Georges Basin is a 2.4km long local collector road connecting St Georges Basin to Sanctuary Point.

Prior to the western end of Anson Street being built and opened to traffic on 17 July 2012, the original eastern end of Anson Street had an extensive traffic calming scheme in place including two roundabouts, a speed table, and five chicanes.

The western end of Anson Street was opened to traffic following the construction of the St Georges Basin IGA and completion of the IGA car park. As part of the works Council installed a new roundabout at the intersection of Anson Street and Island Point Road, and a slow point and speed table were also built within the western end of Anson Street.

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A regional development application (RA17/1000) was lodged with Council on 23 March 2017 (Proposed Masterplan for Residential and Commercial Development) including development on both sides of Anson Street (at the western end) and is proposed to include 15 separate buildings containing 380 residential units and 2233m<sup>2</sup> of commercial floor space.

The proposal is a very significant development proposal and Council's Traffic Unit considered in its preliminary assessment that additional traffic calming and pedestrian safety measures were required to be provided by the development.

The development has not been approved and the matter has been referred to the Land and Environment Court.

Until a decision has been made regarding the development proposal Council should defer its consideration of additional traffic calming measures given the possibility the development may provide additional traffic calming and pedestrian safety measures within Anson Street.

### **Community Engagement**

Consultation would be required with the community prior to approving any designs for additional traffic calming devices.

## **SA17.240 Traffic Calming - Larmer Avenue Sanctuary Point**

**HPERM Ref:** D17/6573

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

### **Purpose / Summary**

To report on the possible installation of traffic calming measures on the southern side of Cockrow Creek bridge near The Park Drive intersections, Larmer Avenue, Sanctuary Point following Notice of Motion (MIN16.890).

### **Recommendation**

That Council:

1. Receive the report on the possible installation of traffic calming measures on Larmer Avenue, Sanctuary Point, southern side of Cockrow Creek bridge near The Park Drive intersections, for information; and
2. The General Manager (Director Assets & Works) continue to monitor the intersection of Larmer Avenue and Park Drive for future grant funding opportunities for the construction of a local road roundabout to provide effective traffic management and speed control on the eastern approach to Sanctuary Point.

### **Options**

1. As recommended

Implications: No action will be undertaken in the short term to provide traffic calming devices, except the minor measures detailed in the report. The existing arrangements at the intersections and along Larmer Avenue will remain unchanged due to the current criteria not being met for grant funding at this point in time.

2. Council fund the construction of a local road roundabout at the intersection of Larmer Avenue and Park Drive, being the only practical option available for effective traffic management and speed control given the physical constraints of the area.

Implications: A preliminary estimate suggests \$500k is likely to be required to upgrade the intersection, which is not currently budgeted.

### **Background**

Council resolved at its meeting on 4 October 2016 (Minute MIN16.890)

*That Council report on the possible installation of traffic calming measures on the southern side of the Cockrow Creek bridge near the Park Drive intersections, Larmer Avenue, Sanctuary Point, and that report include the consideration of:*

1. A chicane type structure
2. Diagrammatic pedestrian signage; or

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### 3. A centre barrier

Larmer Avenue is a designated regional road connecting Sanctuary Point with The Wool Road (St Georges Basin Bypass).

The area in question is at the commencement of the 50 km/hr speed zone (coming from the 70 km/hr speed zone to the north of the Cockrow Creek bridge), historically the location of the speed zone change has been raised as a concern by the community.

The current 50/70 speed zone change is too far away from the intersection of the Park Drive in staffs' view, with no visual cues to support the speed zone change. This may be contributing to poor compliance.

Council has previously requested that the RMS review the positioning of the speed zone change to achieve greater effect where it is required (ie closer to Park Drive), a further request to RMS was made following the Notice of Motion. The matter is currently under consideration by RMS.

It is noted that traffic calming devices are usually only approved to prevent through traffic or to maintain acceptable conditions on lower order roads or in more built up areas. Larmer Avenue is a designated regional road, and one of the main collector roads linking Sanctuary Point to Jervis Bay. Accordingly, guidelines do not support the installation of traditional traffic calming devices on roads like Larmer Avenue, unless as a roundabout.

Due to the function of Larmer Avenue and the prevailing site constraints, only a local road roundabout (at the Park Drive intersection) is likely to provide effective traffic management and speed control. However because the Park Road intersections are T- Junctions, and due to the current road constraints, to achieve the required deflection required for a roundabout at a strategic location (on the urban fringe) like this will be expensive.

There is limited room in the current road reserve to consider any other form of traffic calming (other than a roundabout) at either of the Park Drive intersections.

Given the prevailing site constraints, a chicane (as suggested) would result in the restriction of travel lanes to a single lane treatment which is not appropriate for Larmer Avenue considering its function and volume of traffic.

Additional signage and a centre barrier (as suggested) would not address speed concerns. However depending on the outcome of the RMS investigation, additional warning signage on the approach to Park Drive will be considered.

Given funding constraints it is unlikely that a roundabout would be grant funded unless it met Australian Government blackspot criteria (currently there is no crash history at either of the Park Drive intersections).

Following the Notice of Motion vegetation works were immediately undertaken, however sight distance continues to be restricted due to vegetation on the western side of Cockrow Creek. A 3m vegetation clear zone will be created on the south western side of Cockrow Creek Bridge to improve available sight distance (and intersection safety) in accordance with standards. This work is currently being programmed.

Placement of a traffic counter on Larmer Avenue in the vicinity of Cockrow Creek has been included in the traffic counting program for 2017-18. The counter will record traffic volume mix and vehicle speeds and will be positioned on the Park Drive side of Cockrow Creek. This information will be analysed when available to determine the extent of the speeding problem at this location, and this information would assist NSW Police with enforcement and would also inform any future design.

Following the Notice of Motion staff referred the matter to NSW Police with request for regular and ongoing enforcement of the area, and staff will continue to liaise with NSW Police regarding this matter as well as other local hot spots for speeding.

**Community Engagement**

Broad consultation would be required if Council was to pursue the installation of any traffic calming facility.

If grant funding becomes available, the community will also be consulted on the design regarding local safety improvements.

**Financial Implications**

No funding is available. Council would be seeking 100 percent grant funding for any proposed installation.

## SA17.241 Australian Government Black Spot Program 2017/18 - Approved Projects

**HPERM Ref:** D17/243201

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

### Purpose / Summary

To approve the 2017/18 Australian Government Black Spot Program.

### Recommendation

That Council

1. Accepts the grant funding offers under the Australian Government Blackspot Program as follows:
  - a. \$480,000 for the proposed safety improvements on Jervis Bay Road (450m length from 0.2 – 0.65km south of Woollamia Road, Falls Creek), and authorise the expenditure on job number 86666
  - b. \$190,000 for a single lane mountable roundabout at the intersection of Paradise Beach Road & Kingsford Smith Crescent, Sanctuary Point, and authorise the expenditure on job number 86669
  - c. \$295,000 for the proposed safety improvements on The Wool Road (640m length from 0.14 – 0.78km west of Naval College Road, Worrowing Heights), and authorise the expenditure on job number 85829
  - d. \$210,000 for the proposed safety improvements on Wheelbarrow Road (1.2km length from 2.0 – 3.2km east of Woodburn Road, Woodburn), and authorise the expenditure on job number 86671
2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services (RMS) and the Federal Member for Gilmore, thanking them for their ongoing support of the Shoalhaven Community through the Australian Government Black Spot Program and for the support of the RMS staff in reviewing and supporting Council's nominations for these important local road safety improvements.

### Options

1. Adopt the recommendation.
2. Not accept the recommendation

Implications: This will mean these important safety improvements can't be delivered and is likely to lead to continuing crashes at these locations.

## Background

Four new blackspot projects have been approved in 2017/18 totalling \$1,175,000.

This is in addition to nine other blackspot projects which are continuing from 2016/17 (approved to extend into 2017/18) value \$2,830,000.

The total value of grant funds approved under the Australian Government blackspot program in 2017/18 is \$4,005,000 (not including the \$2,510,000 in Regional Road Repair Funding and \$2,950,000 in Heavy Vehicle and Safety Productivity Funding which is additional funding to complete the Flinders Road blackspot project).

Details of the four new projects approved in 2017/18 are as follows;

Jervis Bay Road (450m length from 0.2 – 0.65km south of Woollamia Road, Falls Creek)

Widen and seal shoulders, upgrade to high friction surface, install roadside guardrail barrier, profile edge and centre lines, and curve advisory speed signs.

Intersection of Paradise Beach Road & Kingsford Smith Crescent, Sanctuary Point

Install a single lane mountable roundabout and associated works.

The Wool Road (640m length from 0.14 – 0.78km west of Naval College Road, Worrowing Heights)

Widen and seal shoulders, install (roadside guardrail barrier), and remark line markings.

These works are proposed to be incorporated into an approved road rehabilitation project.

Wheelbarrow Road (1.2km length from 2.0 – 3.2km east of Woodburn Road, Woodburn)

Upgrade and seal road surface, install profile line marking of edge and centre lines, remove roadside hazards, and install new curve and speed advisory signs.

## Community Engagement

Initial community engagement has been undertaken for all of the projects. Directly affected properties and community consultative bodies were notified after the projects were identified, and further consultations will be undertaken as a part of the delivery of the projects.

## Financial Implications

Australian Government Blackspot Projects are 100% funded by the Federal Government.

## SA17.242 NSW Government Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) 2017/18 - 2018/19 - Approved Projects

**HPERM Ref:** D17/243020

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

### Purpose / Summary

To approve “in principle” the NSW Government Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) 2017/18 – 2018/19 program, subject to a further report to Council.

### Recommendation

That Council:

1. Accepts the grant funding offers under the NSW Government Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) program, “in principle” (\$180,000 for 18 new shelters), noting the advice from Transport for NSW that the locations Council has nominated have only been partially successful (subject to meeting the program conditions) and authorises the expenditure on job number 85406;
2. Receive a further report once the list of sites has been reviewed and more details, including estimate of costs are available; and
3. The General Manager (Director Assets & Works) writes to Transport for NSW, and the Local Members of Parliament (for Kiama and South Coast), thanking them for their support of the Shoalhaven Community through the NSW CPTIGS program, however advising that it is Council’s intention to review the approved list, in consultation with the community, and seek approval from Transport for NSW of a revised list of projects following consultation and once full details and costs are known.

### Options

1. Adopt the recommendation.
2. Adopt the current approved list of projects (accept the current funding and conditions)  
Implications: A very significant contribution from Council will be required to meet the full cost of the works, there will be challenges to comply with the program conditions (requiring disabled access provision) at many of the locations, and the current list is unlikely to be supported by the broader community.
3. Not accept the funding  
Implications: This will mean local public transport improvements can't be delivered, however this action will not commit Council to any expense associated with providing any public transport improvements.

SA17.242



## Background

Eighteen new shelters and associated works were nominated by Council to be delivered within two years of the date of the approval letter (24 July 2017) accordingly works need to be completed and claimed by 24 July 2019.

\$180,000 has been offered (on basis of the \$10,000 State Government limit per shelter) however, the full cost of the works is not yet known.

Most of the sites nominated will cost considerably more than \$10,000 per shelter in order to meet the program requirements of providing disabled access in accordance with standards.

The eighteen new shelters were originally nominated at the following locations;

- Stewart Place (4 new shelters on new central island)
- Nooramunga Avenue Cambewarra (north side, west of Tannery Road)
- Orama Crescent, Orient Point (north side, near old post office)
- 177 Moss Vale Road, Kangaroo Valley (north side, within village centre)
- 207 Matron Porter Drive, Narrawallee (west side, north of intersection Leo Drive)
- 82 Penguin Head Road, Culburra Beach (east side, south of Woodland Street)
- 84 Greenwell Point Road, Greenwell Point (south side, within village centre)
- 90A Princes Highway, Milton (south of IGA, outside Petrol station)
- 109 Princes Highway, Milton (outside Anglican Church grounds)
- 8 Leo Drive Mollymook (west side, north of Matron Porter Drive)
- 77 Wyoming Avenue, Burrill Lake (north side)
- Mitchell Parade, Mollymook (east side, north of Ocean Street)
- Mitchell Parade, Mollymook (west side, north of Ocean Street)
- 300 Kings Point Drive, Ulladulla (out the front of Tourist Park)
- Bunkers Hill Road, Barrengarry (south side, intersection with Moss Vale Road)

The CPTIGS program is primarily aimed at improving disabled access at bus stop locations (the works must comply with disability standards for accessible public transport) and Council's are strongly encouraged to have their nominations supported by local disability groups.

To receive the grant funding Council's are also required to verify that a compliance report has been prepared by an accredited access consultant to verify compliance of the completed works with all relevant standards and guidelines for disable access.

Staff have contacted Transport for NSW to check whether the approved list of sites can be reviewed, and have been advised that it is possible to have the list varied however Council must provide suitable justification and there is no guarantee of approval.

## Community Engagement

The nominated locations were compiled following suggestions made to Council by the local bus operators (priority locations for shelters, in their view). There was no engineering investigations undertaken, nor any broader consultation with the community.

If Council resolves to accept the funding, more extensive investigations and consultation will be required before a varied list can be submitted to Transport for NSW for approval.

## Financial Implications

NSW CPTIGS Projects have a limit of \$10,000 funding provided by the NSW State Government for each new shelter, and any costs exceeding the \$10,000 limit are at Council's cost.

A further report will be provided to Council once the list of sites has been reviewed and more details including estimate of costs are able to be considered by Council, thus the recommendation of "in principle" support.

## SA17.243 NSW Government Aboriginal Communities Program 2017/18 - Approved Projects

**HPERM Ref:** D17/279844

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

**Attachments:** 1. Appendix B - Project Proposal Form (under separate cover) [⇒](#)

### Purpose / Summary

To accept the NSW Government 2017/18 Aboriginal Communities program grant for improvements to infrastructure within the Jerrinja community, Orient Point.

### Recommendation

That Council:

1. On behalf of the Jerrinja Local Aboriginal Land Council, accept the grant funding offers under the NSW Government Aboriginal Communities Program as follows:
  - a. \$95,000 for footpath and associated kerb ramp works, part of First Street (the western section, west of Fourth Street, as well as the full length of Third and Fourth Streets) at Jerrinja (Orient Point) community, and authorise the expenditure of job number 49038
  - b. \$155,000 for pavement works; part of First Street (the eastern section, east of Fourth Street) and all of Second Street, at Jerrinja (Orient Point) community, and authorise the expenditure on job number 49038
  - c. \$195,000 for pavement works, part of First Street (the western section, west of Fourth Street), as well as all of Third and Fourth Streets) at Jerrinja (Orient Point) community, and authorise the expenditure on job number 49038
2. Authorise the General Manager (Director Assets & Works) to coordinate resources to enable the effective and timely delivery of the works in consultation with Jerrinja Local Aboriginal Land Council.
3. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, and the Local Members of Parliament (for Kiama and South Coast), thanking them for their support of the Shoalhaven Aboriginal Community through the new NSW Aboriginal Communities program and for the support of RMS staff in reviewing and supporting the nominations for these important local road safety improvements.

### Options

1. Adopt the recommendation.

Implications: The works are necessary to address the deteriorating condition of the roads within the Jerrinja community. The roads are not part of the public road network, but Council has assisted on occasions with interim repairs to keep the roads trafficable.

2. Not accept the recommendation

Implications: This will mean these important road safety and road rehabilitation improvements can't be delivered and is likely to lead to continued poor levels of service and safety concerns in these locations.

### Background

Three Aboriginal Communities projects have been approved to be delivered in 2017/18, totalling \$445,000.

Jerrinja Local Aboriginal Land Council submitted the applications (with Council's assistance), however the RMS have written to Council to advise of the approved projects and has requested that Council coordinate the works and administer the grant funding in the same way Safer Roads projects are typically delivered and administered.

The Jerrinja Local Aboriginal Land Council have requested Council's assistance to coordinate and deliver the works and administer the grant funds.

Attached is Appendix B (Project Proposal Form) outlining the key road infrastructure included in the project approval.

### Community Engagement

Council staff worked closely with the Jerrinja Local Aboriginal Land Council in the scoping of works and preparation of the project nomination. In response to the request from Jerrinja, it is proposed that this close working relationship will continue to enable the effective and timely delivery of the works.

### Financial Implications

NSW Government Aboriginal Communities Projects are 100% funded by the NSW State Government.

## SA17.244 State Government Active Transport Program 2017/18 - Approved Projects

HPERM Ref: D17/243216

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

### Purpose / Summary

To approve the NSW Government 2017/18 Active Transport program.

### Recommendation

That Council:

1. Accepts the grant funding offers under the NSW State Government Active Transport Program as follows:
  - a. \$1,500,000 for “Round the Bay” shared user path and associated works including a new Moona Moona Creek shared user path bridge, Callala Bay Headland and ‘way finding’ signage generally in accordance with Council’s Restart Illawarra (Environment & Tourism fund) nomination and other key shared user path links and authorise the expenditure on job number 86020;
  - b. \$190,000 for the construction of a shared user path and associated works on Vincent and Twyford Streets, Vincentia, and authorises the expenditure on job number 86147;
  - c. \$150,000 for the construction of Stage 1 of the proposed shared user path and associated works on Deering Street, Ulladulla, and authorises the expenditure on job number 86148;
  - d. \$50,000 for the construction of a pedestrian refuge and associated kerb and pram ramp adjustments on Green Street (at the intersection of the Princes Highway) Ulladulla, and authorises the expenditure on job number 86919; and
  - e. \$10,000 for Bike parking facilities (bike racks) installed at various locations across the city, and authorises the expenditure on job number 85438.
2. As a consequence of this grant, the \$640,000 allocated by Council to the Moona Moona Creek shared user path bridge project (job number 86020) be reallocated to the Chris Creek shared user path bridge project.
3. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, and the Local Members of Parliament (for Kiama and South Coast), thanking them for their ongoing support of the Shoalhaven Community through the NSW Active Transport Program and for the support of RMS staff in reviewing and supporting Council’s nominations for these important local safety and accessibility improvements.

### Options

1. Adopt the recommendation.

Implications: This funding will provide for the continuation and improvement to the ‘Round the Bay’ project and other projects important projects to provide for the amenity of the community.

2. Not accept the recommendation

Implications: This is likely to result in the works not proceeding, resulting in ongoing concerns regarding local safety accessibility and convenience.

The suggested reallocation of funds to the Chris Creek project could be considered for another project. However, complimentary funding will be required for Chris Creek if a pending grant application is successful.

## Background

Five new Active Transport projects have been approved in 2017/18 totalling \$1,900,000.

Details of the five projects approved in 2017/18 are as follows:

### Round the Bay Shared user path and associated works

The works approved are generally in accordance with Council's Restart Illawarra (Environment & Tourism fund) nomination including a new Moona Moona Creek shared user path bridge, shared user path works at Callala Bay Headland and way finding signage.

Council's nomination was for \$1M. \$1.5M has been approved. Subject to reviewing any funding left over after completing the key projects nominated, Council has discretion to expend the remaining funds on other "Round the Bay" shared user path projects.

Additional funds are likely to be required to complete the Vincent and Twyford shared user path project. This will complete the missing links in the current shared path network between Vincent Street and Minerva Avenue (at the western end of the recently completed Orion Beach shared user path) where pedestrians and cyclists currently share the road with traffic.

It was anticipated the additional \$500k could be used to extend the Matron Porter Drive share user path, but Council has been advised the money must be spent on the 'Round the Bay' project.

### Stage 1 of the proposed shared user path and associated works Deering St, Ulladulla

Due to the length and costs involved this project has been nominated in two stages. When completed the project will provide a shared user path along the northern side of Deering Street from the Lighthouse sports oval to the Ulladulla lighthouse.

Stage 1 will provide the link to "The Bommie" car park including a safe designated crossing point to the west of the car park, and a southern shared user path connecting the crossing point to the car park. Stage 2 has been nominated to continue the project along the northern side of Deering Street, east to provide a continuous off road shared user path to the lighthouse in the 2018-19 year.

### Pedestrian Refuge and associated works on Green Street, Ulladulla

This project will improve safety for pedestrians crossing Green Street immediately west of the Princes Highway.

### Bike parking facilities (bike racks) installed at various locations across the city

Bike racks projects have been approved at seven (7) locations across the city;

- Queen Street, Berry (southern side, adjacent to Berry Jetz Café)
- Weber Parade, Currarong (adjacent to Currarong Tennis Court complex)
- Hawke Street, Huskisson (eastern side adjacent to White Sands Park)
- Wason Street, Milton (eastern side at rear of Milton Settlers Arcade Carpark)
- Tallwood Avenue, Mollymook (two locations to service both the old shops on northern side and the new shops on southern side)
- Celia Parade, Shoalhaven Heads (adjacent to Arboretum)

- Deering Street, Ulladulla, within the Bommie car park (which provides access to “The Bommie” and “Rennies Beach”) complimentary to the Deering Street path project

## Community Engagement

Community engagement has been undertaken to date for all of the projects that Council had nominated (including consultation with directly affected properties and community consultative bodies). Further consultations will be undertaken for all projects as a part of the delivery of the projects.

## Financial Implications

NSW Government Active Transport Projects are typically 50% funded by the State Government.

Of the approved projects, the Vincent and Twyford shared user path, Deering Street shared user path, and the Bike racks projects are all 50% funded and Council’s matching funds have already been adopted in the 2017-18 budget (a small amount of additional funds is required for the Bike Racks program which has been made available from the existing Minor Traffic Works budget).

The Green Street pedestrian refuge project was not in Council’s strategy and not presented to Council as a high priority by the Ulladulla community. It was nominated by the NSW Roads and Maritime Services who subsequently requested that Council deliver the project. Because Council did not nominate the project, the grant funding has been offered to Council on the basis of 100% funding for that project.

The Round the Bay shared user path project was nominated by Council under the Restart Illawarra (Environment & Tourist fund) to fund 100% of the project. The NSW Government has approved the project through the NSW Active Transport program, however because Council did not nominate the project through that program, the grant funding has been offered to Council on the basis of 100% funding for the project.

In accordance with MIN17.219;

*That Council:*

1. *Proceed with the construction of the new pedestrian bridge over Moona Moona Creek*
2. *Vote the necessary funds from operational revenue to be made up from loan funds, grants or expenditure votes made during the budget process*

Council subsequently allocated \$640,000 for the Moona Moona Creek shared user bridge project during the 2017-18 budget process (job number 86020). Council can now reallocate this funding to another project.

Chris Creek, Sussex Inlet, shared user path bridge project was nominated for funding under the NSW Government’s Stronger Country Communities Program. If this application is successful, additional funding will be required to complete the project and the reallocation of the \$640,000 will satisfy this requirement.

## SA17.245 NSW Government Safer Roads Program - Local Government Roads 2017/18 and 2018/19 - Approved Projects

**HPERM Ref:** D17/279849

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

### Purpose / Summary

To approve the 2017/18 and 2018/19 NSW Government Safer Roads (Local Government Roads) program.

### Recommendation

That Council

1. Accepts the grant funding offers under the NSW Government Safer Roads (Local Government Roads) Program as follows:
  - a. \$425,000 for the safety improvements on Bolong Road, from east of Broughton Creek to the northern side of Askeaton Park (\$300,000 in 2017/18 and \$125,000 in 2018/19), and authorise the expenditure on job number 86637
  - b. \$130,000 in 2018/19 for a single lane roundabout at the intersection of Illaroo Road and Page Avenue, North Nowra, and authorise the expenditure on job number 86665
  - c. \$140,000 in 2018/19 for a single lane roundabout at the intersection of Mitchell Parade and Donlan Avenue, Mollymook, and authorise the expenditure on job number 86668
  - d. \$145,000 in 2018/19 for the safety improvements on Jervis Bay Road, Falls Creek (channelised intersection treatment at the intersection of Gardners Road), and authorise the expenditure on job number 86667
  - e. \$640,000 for the safety improvements on Bolong Road, from north of Coolangatta Road to the northern side of Gerroa Road intersection (\$450,000 in 2017/18 and \$190,000 in 2018/19), and authorise the expenditure on job number 86639
  - f. \$1,450,000 for the safety improvements on Currarong Road, from chainage 7.7km to chainage 11.5km (\$1,000,000 in 2017/18 and \$450,000 in 2018/19, and authorise the expenditure on job number 86642
2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services and the Local Members of Parliament (Kiama and South Coast) thanking them for their ongoing support of the Shoalhaven Community through the NSW Safer Roads Program and for the support of RMS staff in reviewing and supporting Council's nominations for these important local road safety improvements.

### Options

1. Adopt the recommendation.

2. Not accept the recommendation

Implications: This will mean these important safety improvements can't be delivered and is likely to lead to continuing crashes at these locations.

### Background

Six new Safer Roads projects have been approved to be delivered across 2017/18 and 2018/19 totalling \$2,930,000.

Details of the six new projects approved are as follows;

Bolong Rd (from east of Broughton Creek to the northern side of Askeaton Park)

Multi year project. Funds were provided in 2016/17 to commence survey and design. The construction funding now approved is to continue the provision of wider sealed shoulders along the length of Bolong Road.

Intersection of Illaroo Road and Page Avenue, North Nowra

Install single lane roundabout.

Intersection of Mitchell Parade and Donlan Avenue, Mollymook

Install single lane roundabout.

Intersection of Jervis Bay Road and Gardners Road, Falls Creek

Install a channelized right turn lane treatment (protected right turn lane).

Bolong Rd, from north of Coolangatta Rd to the northern side of the Gerroa Rd intersection

Multi year project. Funds were provided in 2016/17 to commence survey and design. The construction funding is to continue the strategy of providing wider sealed shoulders along the length of Bolong Road.

Currarong Road, from chainage 7.7km to chainage 11.5km

Multi year project. Funds were provided in 2016/17 to commence survey and design. The construction funding now approved is to continue the provision of wider sealed shoulders along this length of Currarong Road. In addition select clear zone hazards will be removed, select guardrail (w-beam) will be installed, and audio tactile (profile) edge lines and centre lines will be installed.

### Community Engagement

Initial community engagement has been undertaken for all of the projects. Directly affected properties and community consultative bodies were notified after the projects were identified, and further consultations will be undertaken as a part of the delivery of the projects.

### Financial Implications

Safer Roads (Local Government Roads) Projects are 100% funded by the NSW State Government.



## SA17.246 Callala Bay Sailing Club - Erosion Control / Access Improvement / Revegetation Improvements and Funding Sources

**HPERM Ref:** D17/224650

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

### Purpose / Summary

Respond to issues associated with foreshore access adjacent the Callala Bay Sailing Club.

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

That Council:

1. Undertake minor access improvement works, including temporary ramps, this financial year in consultation with the Callala Bay Sailing Club, with funding provided from operational budgets.
2. Proceed with design and construction of a suitable permanent beach access for sailing craft in 2018, if Council is successful with its grant application to the NSW Better Boating Now Program for upgrading of boating facilities at Callala Bay.

### Options

1. As recommended

Implications: This will provide an interim access solution until funding for permanent works is available. There is a risk that Council's funding application to the NSW Better Boating Now Program may be unsuccessful.

2. Council adopt an alternative recommendation.

Implications: There is currently no funding sources available for more substantial works at this time.

### Background

Council at its meeting of 13 June 2017 resolved that:

1. *Staff report 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.*

SA17.246

### Project History

The Callala Bay Sailing Club (CBSC) requested urgent assistance from Council in late 2015 to assist as the club building was being undermined by regular coastal storms (see Photo 1). Council had previously supplied nature assisted beach enhancement NABE (beach scraping) assistance to manage this emerging risk. However, the incidence of extreme weather forced a permanent solution to be considered.

Manly Hydraulics Laboratory (MHL) was engaged to provide coastal engineering design for a sloped rock floor armour at a 1:6 grade. This was not to provide access for pedestrians but to protect the Council building asset in this coastal hazard location. Rubber holey belts were provided for temporary access (see photos 2 and 3).

Soil Conservation Services won the contract for these works, which were completed in July 2016 following community consultation and approvals from the Jervis Bay Marine Park Authority and Crown Lands.

Construction was under difficult weather conditions within the tide and wave impact zone.



**Photo 1: Condition in 2016 (before works)**



**Photo 2: Completion photo showing finished level and holey belt access ramp**

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**Photo 3: Completion photo showing finished level and trial holey belt access ramp**

Significant enhancements to the concrete curtilage of the building were also provided. Public dinghy launching was also enhanced at the boat ramp-turning circle during the project. The club voluntarily undertook replanting of the frontage with assistance from Council's Natural Areas contractor, but was compromised during spring high tides.

A storm in 2016 damage the completed works. Failure of the holey belt ramps to provide stable access under tidal/ wave attack was unexpected. These belts will be relocated to other sites for access upgrades away from the wave zone (Callala Beach Road disabled access ramp for example).

#### Proposed Works

The rock cobble remains and is protecting the building. It should not be removed. Provision of a permanent ramp, including any associated rockwork is eligible for funding in the Better Boating Now Grant program.

In the interim, temporary access ramps will be provided along with turfing for the sloped area to improve accessibility from the club building to the water.

#### **Community Engagement**

Community and State Government agency consultation will be undertake prior to undertaking any works.

#### **Financial Implications**

A new ramp and associated works are not funded and likely to be in the order of \$50,000.

The cost of a temporary crossing points and minor works is estimated at \$10,000 and will be funded from the coastal maintenance budget.

## SA17.247 Proposed Lease - 39 Shoalhaven Street, Nowra - Shoalhaven Community Preschool Incorporated

**HPERM Ref:** D17/257463

**Group:** Assets & Works Group  
**Section:** Business & Property

**Attachments:** 1. Aerial View - 39 Shoalhaven Street, Nowra [↓](#)

### Purpose / Summary

To seek from Council, in its capacity as manager of the affairs of the Shoalhaven Street (R1003208) Reserve Trust (GG83 – 9/5/2003, page 4732), approval to enter into a lease agreement with Shoalhaven Community Preschool Incorporated for the continued use and occupation of 39 Shoalhaven Street, Nowra for the purpose of operating a community based preschool.

### Recommendation

That Council, in its capacity as manager of the Shoalhaven Street (R1003208) Reserve Trust:

1. Enter into a 5 year lease agreement with a 5 year option period with Shoalhaven Community Preschool Incorporated for the use and occupation of 39 Shoalhaven Street, Nowra with incremental increases in rent for the first 3 years as follows:
  - a. Year 1 - \$2,127.54 plus GST;
  - b. Year 2 - \$4,255.09 plus GST; and
  - c. Year 3 - \$7,091.82 plus GST;with CPI increases from year 3 to year 5 and a review at the commencement of the option period; and
2. Make adjustments in the FY 17/18 Quarter 1 financial review and make provisions in the FY 18/19 budget for the following sums to job number 13938 to cover the additional subsidised rent in the first 2 years (if required by Department of Primary Industries – Lands & Forestry):-
  - a. Year 1 - \$4,964.28 plus GST (if applicable);
  - b. Year 2 - \$2,836.73 plus GST (if applicable).
3. Authorise the General Manager to finalise any lease terms and to sign all documentation 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.

### Options

1. Resolve as recommended.

Implications: Shoalhaven Community Preschool will continue its occupation thereby continuing to provide a learning environment for up to 40 children per day.



2. Not resolve as recommended and place the property on the open market for lease.

Implications: Shoalhaven Community Preschool Inc. operates a working preschool which has already accepted enrolments for the coming year. To terminate the preschool would cause stress to the parents of children who attend. Further, there is no guarantee that a replacement lessee could be found in the short term.

3. Not resolve as recommended and renegotiate lease terms.

Implications: An incremental increase in rent for the first three years was offered to all preschools to allow appropriate budgeting action and reduce the financial burden in the early stages of the lease term. The proposed lease terms are in accordance with Council's adopted Occupation of Council Owned and Managed Land Policy.

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

## Background

Following a public meeting in 1956 the Shoalhaven Pre-School Management Committee was formed to address the increase in demand for preschool facilities in the area. Shortly after the formation of the management committee, premises were leased from the Shoalhaven RSL Club from 1957 until the time the property was purchased by Shoalhaven Ex-Servicemen's Club. At the time the Ex-Servicemen's Club acquired the property, the Club requested the demolition of the building.

Subsequent discussions with the Shoalhaven Pre-School Management Committee resulted in Council's agreement to relocate the building from the Ex-Servicemen's Club property to the current location. The current location is Crown Land over which Council is Trust Manager. The relocated preschool was then opened in the second term of 1958.

On the 27<sup>th</sup> April 1990, Council received a request from the Shoalhaven Pre-School Management Committee to construct a new preschool building at the current location. The reasons for the request cited reasons including the original purpose of the building construction being a RSL Club, rather than a preschool and the significant refurbishment in order to bring the building to an acceptable preschool standard.

Council considered the request and discussed the issues with the Management Committee directly. After significant consideration into the matter, Council determined that, although the building had some faults, particularly with the wiring and floor layout, the building was of sound construction. It was therefore considered more cost appropriate to renovate this building at an estimated cost of \$100,000 rather than fund a new preschool at a cost of approximately \$250,000, which would result in a building smaller than the existing building.

Council prepared plans and project managed the refurbishment of the preschool in 1991, with the project completed in January 1992. The total cost of the refurbishment was \$112,000 comprising \$93,110 for building works, \$6,900 for electrical works and \$12,000 for floor coverings. Funding of the project was \$104,304 provided by Council from Developer's Contributions S.94 Funds and \$7,635 from the Shoalhaven Pre-School Management Committee.

On 23<sup>rd</sup> May 1997, Council received correspondence from Land & Water Conservation – State Lands Services (now known as Department of Primary Industries – Lands & Forestry) requesting Council's advice on the authority provided to the preschool for the occupation of the subject Crown Land. Subsequent to this correspondence, Council resolved to commence lease negotiations with Shoalhaven Community Pre-School Management Committee for the continued use and occupation of the subject property on mutually agreeable terms.

Council and Shoalhaven Community Pre-School reached agreement on lease terms in 2011 however such terms were rejected by Land and Property Management Authority (now known as Department of Primary Industries – Lands & Forestry), due to the terms being inconsistent with the Authority's Policies.

In 2012 Shoalhaven Community Pre-School commenced lease negotiations with a "preschool co-operative" group as initial concerns were shared with each community preschool within the Shoalhaven. The co-operative group included:

- Berry Community Preschool;
- Milton Ulladulla Community Preschool;
- Ulladulla Children's Centre;
- Shoalhaven Community Preschool;
- Lyrebird Community Preschool;
- Culburra & District Preschool; and
- Bomaderry Community Preschool.

Negotiations with Shoalhaven Community Pre-School have now concluded and an agreement has been reached as outlined in the table below.

In respect to the figures detailed under "subsidised rent payable", Shoalhaven Community Pre-School completed and returned its proposal documentation to enable Council to apply the rental assessment framework to the Market Valuation. Given the high level of service the preschool provides, it was determined that a rental subsidy of 90% would apply. However a negotiation to incrementally increase the rent from \$0.00 (existing rent), over the first three years requires them to pay 30% of the recommended subsidised rent in the first year, 60% of the subsidised rent in the second year and 100% of the subsidised rent in the third year. This effectively provides the preschool with a larger subsidy in the first 3 years of occupation, however will greatly assist the preschool in budgeting in the initial period of the lease.

This reduction in rent for the initial 2 years has not yet been approved by Crown and if this approval is not provided Council may be required to complete a budget transfer to show the funds for the full rent being received by the Trust. For example, in the first year, Council will be required to transfer the sum of \$4,964.28 to the Shoalhaven Community Preschool job number for rent and in the second year the sum of \$2,836.73 will be required.

The incremental increases have been requested by other preschools over Council land and it would be inequitable to disallow a community preschool the same rights based solely on their occupation of Crown Land.

<b>Lessee</b>	Shoalhaven Community Pre-School
<b>Lessor</b>	Shoalhaven Street (R1003208) Reserve Trust
<b>Premises</b>	Lot 7034 in DP1031852, 39 Shoalhaven Street, Nowra
<b>Term</b>	5 years
<b>Option</b>	5 years
<b>Assessed Market Rent</b>	\$68,520 plus GST per annum
<b>Subsidised Rent Payable</b>	Year 1 = \$2,127.54 plus GST (30% of 90% subsidy) Year 2 = \$4,255.09 plus GST

	Year 3 = \$7,091.82 plus GST With CPI increases from the end of Year 3 to expiration of initial term, payable monthly in advance
<b>Application of Rent Assessment Policy</b>	Rental subsidy = 90% (from Year 3 onwards)
<b>Rent Review</b>	Annually by CPI
<b>Percentage of Outgoings</b>	100%, outgoings refers to all charges for gas, electricity, telephone and any water usage, garbage or sanitary rates or user charges relating to the Lessee's use of the Premises.
<b>Permitted Use</b>	The operation of a Community Based Preschool and all activities incidental thereto
<b>Public Risk Insurance</b>	Twenty million dollars (\$20,000,000.00)

Council obtained a market valuation from Opteon Property Group for the property which assessed the current market rent at \$68,520 plus GST per annum. This figure represents the rent Council could receive if the property were leased to a commercial child care operator.

Market valuations for child care centres are based on a Government set ratio of indoor and outdoor space with the fees charged by the centre and the success (or otherwise) of the business having no impact on the market rental.

### Community Engagement

The subject land is Crown Land and in accordance with the Crown Lands Act 1989, the proposal will be advertised by the Department of Primary Industries – Land & Forestry given the term of the lease (including option period) exceeds five years.

### Policy Implications

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

### Financial Implications

Execution of a lease agreement as recommended will deliver an increase in Council's restricted asset account for property maintenance, thereby assisting Council with the maintenance of its assets into the future.

SA17.247





## **SA17.248 Proposed Lease - 101 Jervis Street, Nowra - Lyrebird Preschool Kindergarten Incorporated**

**HPERM Ref:** D17/258659

**Group:** Assets & Works Group  
**Section:** Business & Property

**Attachments:** 1. Aerial view of Lyrebird Preschool Kindergarten [↓](#)

### **Purpose / Summary**

To seek Council approval to enter into a lease agreement with Lyrebird Preschool Kindergarten Incorporated for the continued use and occupation of 101 Jervis Street, Nowra (Attachment 1) as a community preschool.

### **Recommendation**

That Council:

1. Enter into a 5 year lease agreement with a 5 year option period with Lyrebird Preschool Kindergarten Incorporated for the occupation of 101 Jervis Street, Nowra for the purpose of a community preschool with incremental increases in rent for the first 3 years as follows:
  - a. Year 1 - \$1,695.30 plus GST;
  - b. Year 2 - \$3,390.60 plus GST; and
  - c. Year 3 - \$5,651.00 plus GST;
 with CPI increases for years 4 & 5 and a review to market under the provisions of the rental assessment framework at the commencement of the option period; and
2. Approve the allocation of rent received under the lease agreement into the Property Reserve restricted account; and
3. Authorise the General Manager to sign all documentation 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.

### **Options**

1. Resolve as recommended

Implications: Lyrebird Preschool Kindergarten will continue its occupation thereby providing a learning environment for up to 40 children per day.

2. Not resolve as recommended and place the property on the open market for lease.

Implications: Lyrebird Preschool Kindergarten Inc. operates a working preschool which has already accepted enrolments for the coming year. To terminate the existing occupation by the preschool would cause stress to the parents of children who attend. Further, there is no guarantee that a replacement lessee could be found in the short term.

**SA17.248**

3. Not resolve as recommended and renegotiate lease terms.

Implications: An incremental increase in rent for the first three years was offered to all preschools to allow appropriate budgeting action and to reduce any financial burden in the early stages of the lease term. The proposed lease terms are in accordance with Council's adopted Occupation of Council Owned and Managed Land Policy.

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

## Background

On the 23<sup>rd</sup> November 1971 Council considered a report regarding the sourcing of property within the Shoalhaven, specifically in the Bomaderry and East Nowra areas to construct a purpose built preschool. This report was submitted following representations made by the New Nowra Pre-School Kindergarten Committee on behalf of the community. The representations were made for much needed preschool facilities to meet the increasing demand.

The New Nowra Pre-School Kindergarten Committee continued to investigate suitable sites throughout the greater Nowra area and on 9 May 1972 provided a list of sites to Council that were considered fit for purpose. These sites were the subject of a report to Council on 13 June 1972, recommending that the Council land currently known as 101 Jervis Street, Nowra be held available for a kindergarten site for a period of 2 years with the position being reviewed at the expiration of that period. It was at this time that the New Nowra Pre-School Kindergarten Committee decided to change its name to Lyrebird Preschool Kindergarten Incorporated.

Following the preparation of plans at Council's cost, Council received confirmation from Department of Youth and Community Services on 6 May 1974 confirming a Federal Government grant of \$45,000 had been provided to assist Council in constructing a single unit child care centre, which was later increased to \$53,010. The total cost of construction of the building was \$66,617 with Council covering the additional \$13,607. The increase in cost was due to a Council decision to construct a double classroom at the location to enable additional spaces. This was later praised by the community given the significant use of the facility.

On 30 June 1975 the fully constructed preschool was handed over to Lyrebird Preschool Kindergarten Incorporated as a Committee by Delegation for the ongoing care control and management of the building.

In 2000, Council made a decision to dissolve all Management Committee's over single use facilities such as Preschools and enter into lease agreements for the continued use and occupation of the properties. This decision was made given the exclusive occupation of the property and as such a lease agreement was a more appropriate mechanism to manage the occupancy.

Unfortunately lease negotiations reached an impasse in early 2000 and did not recommence until 2012. The lease negotiations commenced with a "preschool co-operative" group as initial concerns were shared with each community preschool. Negotiations with the co-operative group were finalised in June and now each community preschool is negotiating with Council directly on the remaining issues.

The co-operative group included:

- Berry Community Preschool;
- Milton Ulladulla Community Preschool;
- Ulladulla Children's Centre;

- Shoalhaven Community Preschool;
- Lyrebird Community Preschool;
- Culburra & District Preschool; and
- Bomaderry Community Preschool.

Negotiations with Lyrebird Preschool Kindergarten Incorporated have now concluded and an agreement has been reached as outlined in the table below.

In respect to the figures detailed under “subsidised rent payable”, Lyrebird Preschool Kindergarten Inc. completed and returned its proposal documentation to enable Council to apply the rental assessment framework to the Market Valuation. Given the high level of service the Preschool provides, it was determined that a rental subsidy of 90% would apply. However a negotiation to incrementally increase the rent from \$0.00 (existing rent), over the first three years requires them to pay 30% of the recommended subsidised rent in the first year, 60% of the subsidised rent in the second year and 100% of the subsidised rent in the third year. This effectively provides the preschool with a larger subsidy in the first 3 years of occupation, however will greatly assist the preschool in budgeting in the initial period of the lease.

<b>Lessee</b>	Lyrebird Preschool Kindergarten Incorporated
<b>Lessor</b>	Shoalhaven City Council
<b>Premises</b>	Lot 2 in Deposited Plan 545375 at 101 Jervis Street, Nowra
<b>Term</b>	5 years
<b>Option</b>	5 years
<b>Assessed Market Rent</b>	\$54,600 plus GST per annum
<b>Subsidised Rent Payable</b>	Year 1 = \$1,695.30 plus GST (30% of 90% subsidy) Year 2 = \$3,390.60 plus GST Year 3 = \$5,651.00 plus GST With CPI increases from the end of Year 3 to expiration of initial term, payable monthly in advance
<b>Application of Rent Assessment Policy</b>	Rental subsidy = 90% (from Year 3 onwards)
<b>Rent Review</b>	Annually by CPI
<b>Percentage of Outgoings</b>	100%, outgoings refers to all charges for gas, electricity, telephone and any water rates and usage, garbage or sanitary rates or user charges relating to the Lessee's use of the Premises.
<b>Permitted Use</b>	The operation of a Community Based Preschool and all activities incidental thereto
<b>Public Risk Insurance</b>	Twenty million dollars (\$20,000,000.00)

SA17.248

Council obtained a market valuation from Opteon Property Group for the property which assessed the current market rent at \$54,600 plus GST per annum. This figure represents the rent Council could receive if the property were leased to a commercial child care operator.

Market valuations for child care centres are based on a Government set ratio of indoor and outdoor space with the fees charged by the centre and the success (or otherwise) of the business having no impact on the market rental.

### **Community Engagement**

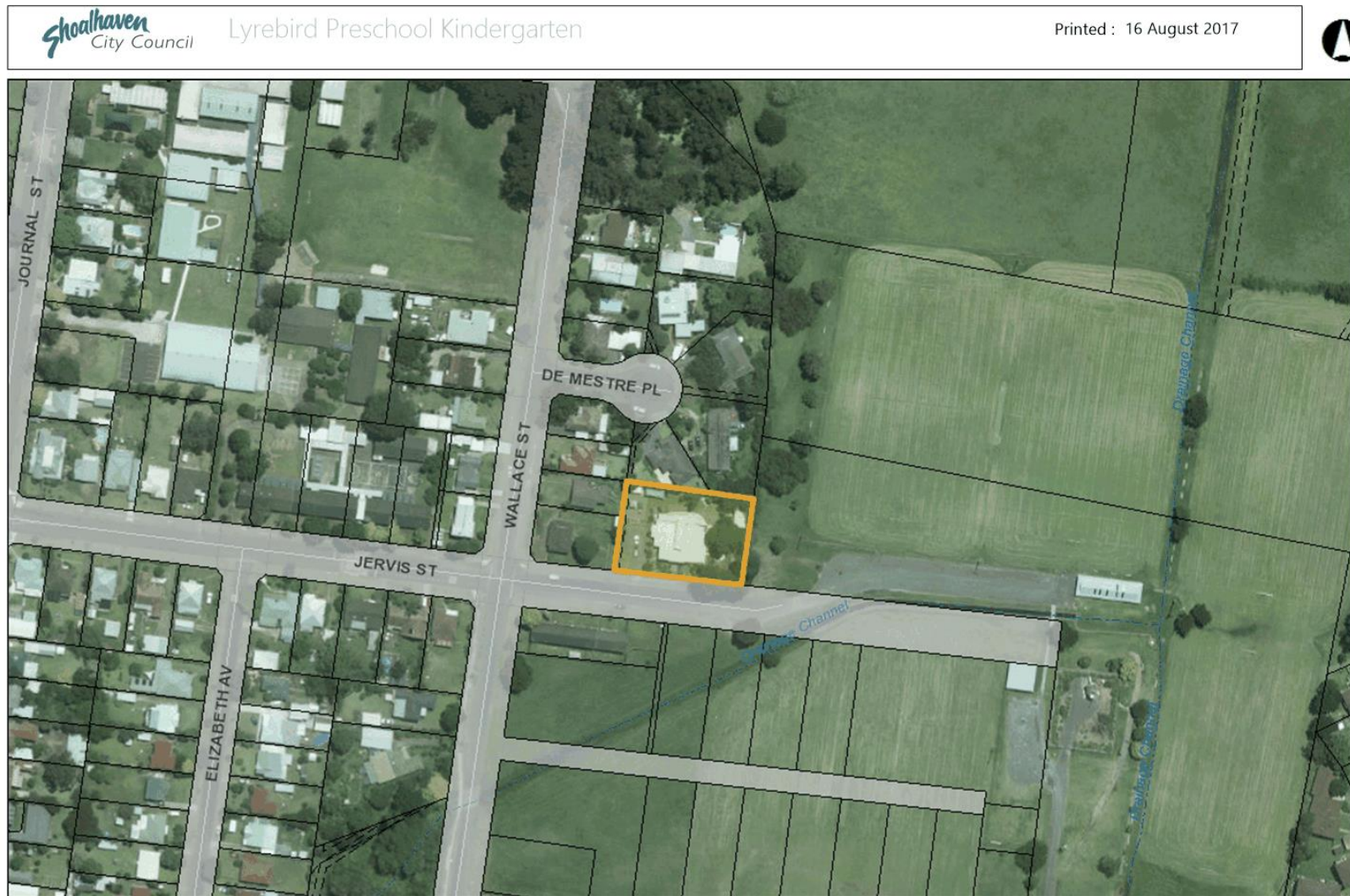
The subject land is classified as Operational land under the Local Government Act 1993 and accordingly, there is no requirement for any public notification of this lease proposal.

### **Policy Implications**

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

### **Financial Implications**

Execution of a lease agreement as recommended will deliver an increase in Council's restricted asset account for property maintenance, thereby assisting Council with the maintenance of its assets into the future.



## SA17.249 Classification of Land - 125 Moss Vale Road Cambewarra

**HPERM Ref:** D17/262081

**Group:** Assets & Works Group  
**Section:** Business & Property

**Attachments:** 1. Plan - 125 Moss Vale Road Cambewarra [↓](#)

### Purpose / Summary

To classify the land described as Lot 262 DP794245 known as 125 Moss Vale Road Cambewarra as Operational Land (Attachment 1).

### Recommendation

That Council resolve to classify the land described as Lot 262 DP794245 known as 125 Moss Vale Road, Cambewarra as Operational Land.

### Options

1. Resolve as recommended.

Implications: The land will be able to be used in part to facilitate the construction of the Far North Collector Road. If any objections are received prior to the close of submissions on 7 September 2017 these will be raised at the meeting.

2. Not resolve as recommended.

Implications: The land will default to Community Land and then be 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

Lot 262 DP794245 Moss Vale Road, Cambewarra was acquired to facilitate the construction of the Far North Collector Road. The entire property was acquired in this instance as Stockland Development P/L had declared the land surplus to their needs and placed same for sale on the open market. As the property was on the market there were no Land Acquisition (Just Terms) Compensation Act implications or additional compensation amounts in addition to the agreed purchase price.

Once the Far North Collector Road is constructed a further report will be provided to Council outlining options and recommendations for the residue land.

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 Classifications 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 9<sup>th</sup> August 2017 allowing 28 days for written submissions, closing 7<sup>th</sup> September 2017. At the time of writing this report no submissions have been received, however any submissions received prior to the closing time will be reported to the Committee meeting.







## **SA17.250 Objection - Licence for shipping container - Culburra Beach Orient Point Men's Shed**

**HPERM Ref:** D17/268386

**Group:** Assets & Works Group  
**Section:** Business & Property

**Attachments:** 1. Site Plan [↓](#)

### **Purpose / Summary**

To obtain Council's direction in relation to a proposed licence to Culburra Beach Orient Point Men's Shed for the placement of a 40ft shipping container for the purpose of equipment storage at Lot 1 DP621595, West Crescent, Culburra Beach in light of submissions received as a result of public advertising and written notification to the Culburra Beach Progress Association.

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

That Council resolve to proceed with a licence to the Culburra Beach Orient Point Men's Shed for the placement of a 40ft shipping container, for the storage of equipment, at Lot 1 DP 621595, West Crescent, Culburra Beach with an expiry of the licence on the 21<sup>st</sup> June 2020.

### **Options**

1. Resolve as recommended.

Implications: The container will free up space inside the building for members, some of whom need additional walkway widths due to physical impairments and to address the current safety hazards due to the floorspace being cluttered with equipment.

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

### **Background**

The Culburra Beach Orient Point Men's Shed currently lease the former Scout Hall at Culburra Beach. The lease expires on 21<sup>st</sup> June 2020 but contains provision for a further 5 years pursuant to an option clause.

The lessee currently has on the premises a 40ft shipping container which was approved through the Development Application process in mid 2014. The current container is well maintained and its placement is discreet and sensitive to the environment.

The Men's Shed group is large and expanding and require more space for completing projects and group activities. The placement of a second 40ft shipping container will allow tools and equipment to be stored safely and allow for direct access. This will free up space within the building providing a more functional, useable and safer work area.

SA17.250

The group maintains the building and the surrounding area, including the adjacent amenities, to a high standard. Their presence provides security for the area deterring any vandalism and graffiti on both buildings (Hall and Public Toilets).

The Culburra Beach Orient Point Men's Shed plays an important role in the health and wellbeing of its membership which contributes to the community through involvement with many project works. Since the group has occupied the building, they have provided men with an opportunity to share their talents and knowledge of skills developed over their working lives and are able to help repair, create and develop things that benefit themselves and the community.

### Submissions:

As at the closing date for submissions, twenty (20) responses were received. Nineteen (19) were from members of the public in full support of the Men's Shed and their proposal, and one (1) was an objection from Culburra Beach Progress Association.

It is noted the Culburra Beach Progress Association are the proponents for the Mens Shed adjoining the Banksia and Waratah Community Halls in Culburra Road (at the rear of the demountable Police Station).

The Culburra Beach Progress Association submitted an objection:

<b>Issue:</b>	Why no consultation was undertaken when the Scout Hall was handed over to the Culburra Beach Orient Point Men's Shed
<b>Staff Comments:</b>	No DA was required as it was an existing building with a continued general community use. The intent to lease to the Culburra Beach Orient Point Men's Shed was advertised in May 2015 following a resolution of Council and placed on notice boards in the area. No objections were received.
<b>Issue:</b>	The first shipping container has changed existing use rights
<b>Staff Comments:</b>	No, the first shipping container was approved via a DA in mid 2014
<b>Issue:</b>	"..allowed to escape the necessary toilet facilities..."
<b>Staff Comments:</b>	It is an existing building and has not been renovated triggering a requirement to bring the building up to current BCA requirements.
<b>Issue:</b>	Taken over under the pretext of repairing the original shed
<b>Staff Comments:</b>	Following the folding of the Scouts an EOI for the occupation of the property was run in March 2015 with only one application, that being the Culburra Beach Orient Point Men's Shed
<b>Issue:</b>	Poor stormwater controls with severe erosion problems
<b>Staff Comments:</b>	Council's Environmental Services Section has no evidence of erosion concerns ever being raised for this location

As stated above, the Culburra Beach Progress Association has built a new facility for a separate Men's Shed at the rear of the demountable Police Station in Culburra Road and is currently awaiting an occupancy certificate. Neither Men's Shed have expressed a desire to

merge and the current Culburra Beach Orient Point Men's Shed has a lease on the former Scout Hall in West Crescent to June 2020 and their intention is to renew the lease at that time.

**Summary:**

Council staff do not believe the objection warrants the request to be refused as community focused groups such as this warrants support and encouragement.

**Community Engagement**

The matter is considered to be a local area low impact issue as outlined in Council's Community Engagement Policy and Handbook and appropriate community consultation occurred, including newspaper advertising and written notification to the local community consultative body.

## Site Plan



## SA17.251 Tenders - Bitumen Spray Sealing of Pavements - October 2017 - June 2018

HPERM Ref: D17/301580

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

### Purpose / Summary

To inform Council of the tender process for Bitumen Spray Sealing of Pavements throughout the Shoalhaven City Council region.

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

### Options

1. Council accept the recommendation as presented.

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

2. Council amend the recommendation.

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

### Details

Council called tenders for Sprayed Bituminous Surfacing of Pavements within the Shoalhaven Area for the period between October 2017 to June 2018 with 6 tenders received in the tender box at the close of tenders.

The contract period will be for an initial 12 month term with 2 x 12 months options. The total contract period could be up to 3 years.

### Tenders Received

Tenders were received from the following:

<b>Tenderer</b>	<b>Location</b>
COLAS	Cameilla NSW
Downer Edi	Mogo NSW
Fulton Hogan	Campbelltown NSW
Roadworx	Unanderra NSW
Rural Bitumen Services	Nowra NSW
State Asphalt Services	Hoxton Park NSW

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

### **Community Engagement:**

The tender process was undertaken in accordance with the requirement of The Local Government Act and was advised publicly. The service will be delivered to projects listed in Council's Operation Plan.

### **Financial Implications:**

The services will be delivered to various projects funded in the 2017/18 capital works budget and subsequent years, subject to the extension provisions.

## SA17.252 Review of Policy on Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups

**HPERM Ref:** D17/268470

**Group:** Planning Environment & Development Group

**Attachments:** 1. Fees - Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups [↓](#)

### Purpose / Summary

This policy review is presented to Council in accordance with the recommendations for all policies to be reviewed within the first 12 months of the new council.

This policy exempts certain applicants/ organisations from the payment of fees associated with Development Applications (DAs), Construction Certificates (CC) and applications under Section 68 of the Local Government (LG) Act 1993 (including sewerage management facility, temporary/ mobile food and street stall approvals), subject to certain exemption criteria.

Council's Policy on Waiving of Development Application Fees and other Fees for Charitable Organisations and Community Groups (POL17/10) is attached for your information.

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

That Council adopt the reviewed Policy on Waiving of Development Application Fees and other Fees for Charitable Organisations and Community Groups (POL17/10) with the minor amendments as shown in the attached draft Policy.

### Options

1. Adopt the recommendation

Implications: The minor changes to the existing policy will assist in policy implementation

2. Not adopt the recommendation and give further instruction to staff.

### Background

The policy provides information for both Council staff and the local community on the exemption criteria that applies for those requesting a waive of fees for DAs, CCs and Sewer Management Facility Applications. The Policy also advises of the waiver threshold.

Minor amendments have been made to update the Planning, Environment and Development Group's title as well as clarification of the exclusion of prescribed notification and archive fees.

### Financial Implications

The amendment qualifying that prescribed notification and archive fees are exempt from the policy ensures that costs accumulated for this resource are recovered.



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

For more information contact the Planning, Environment & Development Services Group

## POLICY ON WAIVING OF DEVELOPMENT APPLICATION FEES AND OTHER FEES FOR CHARITABLE ORGANISATIONS AND COMMUNITY GROUPS

**Policy Number:** POL17/10 • **Adopted:** 18/02/1997 • **Reaffirmed:** 21/12/2004 • **Amended:** 24/07/2007, 14/04/2009, 20/07/2011, 23/11/2012, 19/09/2014 • **Minute Number:** MIN97.72, MIN04.1598, MIN07.1041, MIN09.429, MIN12.1280 • **File:** 23618E • **Produced By:** Planning, Environment & Development Services Group • **Review Date:**

### 1. PURPOSE

This policy exempts certain applicants/ organisations from the payment of fees associated with Development Applications (DAs), Construction Certificates (CC) and applications under Section 68 of the *Local Government (LG) Act 1993* (including sewerage management facility, temporary/ mobile food and street stall approvals), subject to certain exemption criteria.

### 2. PROVISIONS

#### 2.1. Exemption criteria

The following exemption criteria apply:

(a) The applicant is a non-profit organisation, such as;

- a registered charity and evidence of registration as a charity has been provided to Council; or
- a local community or sporting group registered with Council's Community Services Directory; or
- a school; or
- a Council project of a "community" nature.

(b) The application does not involve an ongoing commercial or business type venture such as a nursing home or childcare centre.

#### 2.2. Waiver threshold for DAs and/ or CCs

The sum of all of the fees, excluding prescribed notification and archive fees, associated with either a DA or CC application does not exceed \$1,500 or, in the case of a proposal requiring both DA and CC, the total of all fees do not exceed \$2,000.

#### 2.3. Payment of fees for DAs and/ or CCs

Applicants/ organisations who meet the exemption criteria in clause 2.1 are required to pay upfront any amount above the fee waiver threshold set in clause 2.2. The applicant/



*Shoalhaven City Council - Policy on Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups*

organisation can apply for reimbursement of the amount paid and Council will consider this request on merit in accordance with clause 2.4.

Applicants/ organisations who do not meet the exemption criteria must pay the scheduled fees upon lodgement of an application and may apply for reimbursement in accordance with clause 2.4.

#### **2.4. Reimbursement of fees for DAs and/ or CCs**

If a reimbursement of the fees is sought, a written request outlining the grounds for reimbursement must be submitted. The matter will then be referred to Council's **Policy Strategy** and **Assets Resources** Committee for consideration by Council. Any donations by way of whole or partial reimbursement determined by the Council will be paid out of the "unallocated donations" budget or a source identified in Council's resolution.

#### **2.5. Waiver for applications under S68 of the LG Act 1993**

##### **2.5.1. Sewerage management facility applications**

For sewerage management facility applications, applicants/ organisations who meet the exemption criteria in clause 2.1, may seek to waive the fee for such applications. A written request outlining the grounds for waiver must be submitted and the matter will be referred to Council's **Policy Strategy** and **Resources Assets** Committee for consideration.

##### **2.5.2. Temporary/ mobile food and street stall applications**

For temporary/ mobile food and street stall applications, applicants/ organisations who meet the exemption criteria in clause 2.1, do not need to pay an application fee at the time of lodging such applications.

#### **3. IMPLEMENTATION**

The Planning, **Environment** and Development **Services** Group (P&E&DS) administers this policy.

#### **4. REVIEW**

This policy statement will be reviewed annually by the P&E&DS Group as part of the overall annual review of Council's Delivery Program and Operational Plan.

#### **5. APPLICATION OF ESD PRINCIPLES**

None Applicable.

## SA17.253 Hoarding and Domestic Squalor

**HPERM Ref:** D16/314344

**Group:** Planning Environment & Development Group  
**Section:** Environmental Services

**Attachments:**

1. Procedure for Handling Cases of Hoarding And Squalor [↓](#)
2. Case Study 1 (Confidential - councillors information folder)
3. Case Study 2 (Confidential - councillors information folder)
4. Case Study 3 (Confidential - councillors information folder)
5. Case Study 4 (Confidential - councillors information folder)

### Purpose / Summary

To inform Council of

- the increased number of Hoarding and Squalor complaints being received;
- the issues being faced by Council Officers in resolving these complaints; and
- to seek Council's endorsement of a procedure to guide Council's response.

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

That the Committee:

1. Adopt the attached procedure for dealing with complaints concerning hoarding and/or squalor.
2. Support in principle the formation of a local inter-agency forum on hoarding and squalor.
3. Consider allocating a budget of \$50,000 per annum in future financial years, to be used for emergency clean-up of hoarding and squalor, pollution incidents including water and land pollution, orphan waste and the like.

### Options

1. As recommended.

Implications: This will support Council officers in responding to complaints. Allocation of a budget will mean that Council can implement clean-up action where necessary.

2. No change by Council in dealing with these complaints, i.e. utilising punitive measures only, against the property owners or occupants, in attempting to resolve the problem.

Implications: These intractable complaints are likely to be long term, consume considerable resources and potentially remain unresolved, where Council does not have a budget to implement clean-up works where required. In some instances it is probable that adverse health outcomes and dissatisfaction on behalf of complainants is likely because the situation remains unresolved.

3. Council adopt recommendations 1 and 2 above which will lead to a more positive outcome for the complainants and hopefully the offender(s).

Implications: A cost to Council which it may well not be able to recover.

There is a distinct possibility that the conditions will recur and the process may need to be repeated.

## Executive Summary

All property owners have an obligation to maintain their land and premises in a safe and healthy condition, although as indicated in this report the challenges and complexity increases significantly where hoarding behaviour is the reason for the poor condition of a premises.

It is important to understand the limitations and definitions relevant to the difference between storing and hoarding of materials on a property, and the circumstances in which Council may become involved. There are no specific guidelines that address the amount of materials or the manner in which they are stored at a domestic residential property. Council may become involved if the storage activity is associated with the operation of a business, or if the volume of material and manner in which it is stored impacts on public health, safety or amenity. Extreme examples of the accumulation of materials at residential premises is generally described as hoarding.

This report focuses on domestic hoarding by individuals on a residential premises and not the accumulation of material associated with the operation of a business or commercial activity. Recent, ongoing cases of hoarding and / or squatter and the background relating to them have been provided in the Councillors Information Folder. These case studies give different examples of cases Environmental Health Officers are currently working on and the nature of hoarding commonly experienced in the community.

## Background

When an individual acquires and fails to discard large numbers of possessions, which appear to be of very little value, this is often described as hoarding. The accumulation can result in cluttered living areas which prohibits the use of areas of the home or property. The individual affected will often experience significant distress at the thought of removing the items.

The most severe cases whereby hoarding impacts upon the adjoining neighbourhood are generally described as squalor. Squalor can be defined as the situation in which an individual's home is unclean and unhygienic. This is often due to the accumulation of useless items, rubbish, dirt or putrescible matter, resulting in unacceptable living conditions.

The relevant legislative framework available to address hoarding was considered by the NSW Parliamentary Committee on Environment and Regulation Inquiry into the Management and Disposal of Waste on Private Lands in 2014. The terms for reference for the Inquiry included a focus on:

- (a) The health and safety risks posed by inadequate management and disposal of waste, overgrowth and excess vegetation, pests and odour;
- (b) The effectiveness of current regulatory arrangements and powers to compel clean-ups on private land and manage derelict buildings;
- (c) The adequacy of inspection and enforcement procedures, including relevant sanction and power to recover costs;
- (d) Possible measures to improve the management of waste on private land;
- (e) The extent of illegal, dumping and the impact on local government authorities of requirements to remove dumped waste; and
- (f) Any other related matters

The following extracts from the Chair's Forward highlight the challenges and complexity of domestic hoarding and squalor.

*"...as our inquiry progressed it became clear that one aspect of private land management over which there has been considerable debate about the need for greater regulation may not be amenable to regulation in the first instance or at all. I am referring to domestic hoarding and squalor which is the result of a landowner's incapacity, whether mental, physical, aged or financial, to manage their own property in their own best interests, let alone those of their neighbours."*

*"The domestic hoarding and squalor cases which were brought to the attention of the Committee, by both affected neighbours and by advocates for landowners whose activities had come to the attention of regulators, were in the end so personal and potentially distressing that we resolved to redact from published submissions any information which identified private property..."*

*"... the local governments who made submissions and gave evidence generally made concerted bids for more effective and streamlined regulatory powers to govern waste on private lands. The Committee detected a significant level of frustration amongst councils caught between the competing demands of some landowners for their neighbours to clean up their land and other landowners resistant to any level of outside interference in the way they enjoy their private properties."*

*"Councils felt that their discretion regarding different approaches to private land management questions is detracted from a lack of legislative clarity. They felt that clear legislative definitions and guidelines would assist them and the public to better implement and understand waste management with the objective of producing quicker and less costly results."*

*"...the Committee heard from councils, the community sector and private citizens that where hoarding and squalor was evident, regulatory interventions often had a negative impact on the problem, and that a social approach with state-wide application was required. The Committee has recommended that protocols be developed to achieve this state-wide and potentially national approach."*

Domestic hoarding and squalor was identified through the Inquiry as a particular problem that requires a more holistic approach to finding a solution rather than legislative reform. Evidence provided to the Inquiry came from representatives of local government, social and clinical services. The Committee found domestic hoarding and squalor is a significant and complex issue for householders, neighbours, Councils, government agencies and other organisations across NSW, which requires a sophisticated and holistic interagency response in a broader social context rather than just a regulatory one.

The 2014 Parliamentary Committee's findings have not resulted in any change to the legislation. This may occur if and when changes are made to the current Local Government Act.

### **Responding to Complaints about Hoarding**

Council officers generally become involved with hoarding and squalor matters when the condition of a premises is considered to pose a risk to public health or safety or is regarded as being unsightly.

Council can deal with requests about the condition of properties under the section 124 Orders provisions of the Local Government Act in the following ways:

Order no.10 of this section of the Act can be issued *"To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees, this applies when," Land*

*is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions”.*

Order no.11 can be issued *“To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage”.* This applies when, *“Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by:*

*(a) drainage, or*

*(b) drainage works, or*

*(c) obstructing a natural watercourse other than by a work constructed or used under a water management work approval granted under the Water Management Act 2000,”*

Order no. 21 can be issued to, *“To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition”.* This applies when, *“The land or premises are not in a safe or healthy condition”.*

Order 21A can be issued to, *“To remove or dispose of waste that is on any residential premises or to refrain from keeping waste on those premises”.* This applies when, *“The waste is causing or is likely to cause a threat to public health or the health of any individual”.*

Unfortunately, the ability or capacity for owners or occupiers to comply, or pay the costs associated with a clean-up direction is limited when hoarding behaviour or squalor is a factor. Officers do their best to manage the sensitivities and challenges arising from social factors and in most situations Council may need to undertake works with the hope of recovering these costs in the future. In addition, if property owners or occupiers do not receive any assistance or support in relation to hoarding behaviour, the problem will continue and Council will receive continuing requests from affected neighbours to take action.

Clean-up costs can range from a few thousand dollars to tens of thousands of dollars. In a recent hoarding example, Council expended \$12,000 for the clean-up of accumulated materials external to a dwelling. Approximately thirty-nine (39) tonnes of matter was removed from the site with a majority of the materials being able to be recycled which kept disposal costs to a minimum. The cost was subsequently recouped from the occupier. Regrettably, as can be seen from the attached report, the situation has since recurred.

If Council proceeds to undertake works necessary to make a premise safe and healthy (because an owner or occupier does not have the capacity or willingness to do so), it is unlikely costs will be recovered in the short term. Costs can be charged against a property but are not likely to be recovered until the property is sold. This can be a significant financial burden on both the property owner and Council.

There are currently several cases of domestic hoarding and squalor being actively investigated by Council Officers, with some cases extending over years. Some of the cases involve residences where a problem has been previously addressed, only to see it return to the previous state over time. In all these circumstances it is important to consider the frustration of adjoining neighbours who have to endure potential odour and vermin problems generally which can be associated with hoarding or squalor cases.

Council's Community Development team will provide assistance to Environmental Health Officers in the hope of connecting individuals to support services which may be able to provide assistance. A resource information kit is also available, listing welfare and government agencies able to assist. It is hoped that this resource and assistance options can be provided to property owners either prior to or as part of a regulatory response. The challenge for Council officers is that even if assistance is offered the services generally cannot be provided unless the property owner or occupier requests or agrees to the assistance.

External organisations that may become involved in issues relating to hoarding and squalor include:

Family and Community Services

NSW Health

NSW Fire brigade

RSPCA NSW

Non-Government Organisations such as Catholic Community Services.

Internally the Waste Services Unit, Community Development team and the Environmental Health Unit all play a role in responding to complaints about the condition of premises resulting from domestic hoarding issues and are well aware of the need to respond in a coordinated way. Notwithstanding these efforts, it is a challenge as to how these cases can best be resourced. It is also arguable that Council Officers are not best placed to assist with matters relating to hoarding behaviours and that the State Government should take a leading role in these cases.

## Conclusion

All property owners have an obligation to maintain their land and premises in a safe and healthy condition, although as indicated in this report the challenges and complexity increase significantly where hoarding behaviour is the reason for the poor condition of a premises.

Council Officers generally become involved with hoarding and squalor matters when the condition of a premises is considered to pose a risk to public health or safety. Unfortunately, the ability or capacity for owners or occupiers to comply with a clean-up direction is limited when hoarding behaviour or squalor is a factor.

Council Officers do their best to manage the sensitivities and challenges arising from these complaints. In most situations Council may need to undertake works with the hope of recovering these costs in the future. In addition, if property owners or occupiers do not receive any assistance or support in relation to hoarding behaviour Council will likely receive continuing requests from affected neighbours to take action.

The NSW Parliamentary Committee on Environment and Regulation Inquiry into the Management and Disposal of Waste on Private Lands reported its findings in June 2014. The Committee recommended that the NSW Government provide a response by the end of 2014 but to date there has been no development in this area by the NSW Government. It was envisaged that the Government would provide further clarity in relation to the role of Councils and other agencies, and the non-regulatory options proposed to manage hoarding and squalor cases in a more holistic manner.

A specific process for responding to hoarding and squalor including a multi-agency approach to individual case management is required. Some regions have already established reference groups to bring key agencies together to try and resolve such cases however results are hindered by the lack of clear inter-agency guidelines, protection of privacy, lack of resources, lack of a lead agency.

It is therefore recommended that Council seek to establish a local inter-agency forum or reference group on hoarding and squalor to improve assistance that can be offered to property owners/occupiers and improve the effectiveness of Council's response.

## Emergency Funding

Hoarding and squalor is only one area where properties, whether private or public may need to be cleaned up in the first instance and the costs associated with doing so recovered from offenders in due course.

Other examples are the dumping of asbestos in public places, demolition of derelict buildings where the owners are not contactable, water pollution incidents where it is imperative to act quickly to limit environmental harm or land pollution where dumping occurs and due to the nature of the waste, clean-up needs to be conducted quickly to prevent the spread of the waste or to limit the spread of the contamination.

Recent examples of these works include:

- Ulladulla Headland landslip on public land, Asbestos Clean-up Costs - \$10,000
- Demolition of two derelict asbestos clad buildings Huskisson - \$30,000 each
- Clean up of hoarding property Sanctuary point - \$15,000

It has long been recognised that a budget needs to be created to allow Council to respond as the need arises. It is recommended that Council consider allocating \$50,000 per annum to the Planning Environment and Development Group in future budgets.

### **Community Engagement**

N/A

### **Policy Implications**

Council Environmental Health Officers have been utilising the attached procedure to guide Council's response to complaints of hoarding and squalor.

### **Financial Implications**

Funds to be made available to cover the cost of cleaning up properties, whether private or public. This funding also needs to cover the costs incurred for disposal of waste.

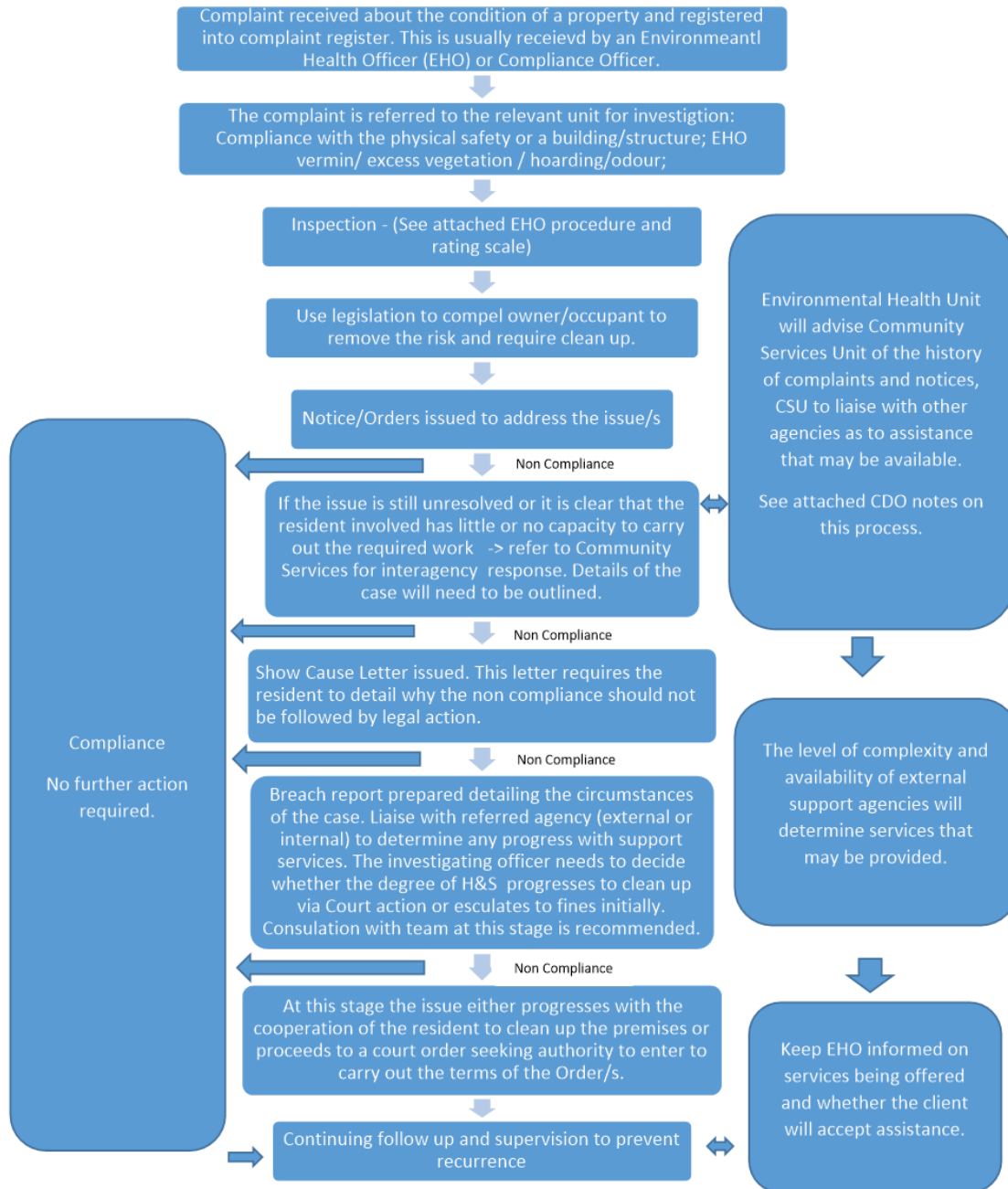
Such charges will subsequently be recovered, albeit over the long term from property owners by either charges against the property, recovery under the Protection of the Environment Operations Act, Environmental Trusts orphan waste fund, litigation or debt recovery.

### **Risk Implications**

If Council takes no action, complainants will be dissatisfied, also there may be associated ongoing public health risks.

1

## Domestic Hoarding and Squalor Procedure



Domestic hoarding and squalor Procedure D16/327865

SA17.253 - Attachment 1



### **Definitions**

**Hoarding** is the excessive accumulation of possessions or animals in a more systematic way. Hoarding can lead to the living environments becoming unclean and/or dangerous.

**Squalor** is extreme household uncleanliness usually characterised by an accumulation of material which has led to the living environment being unclean, unsanitary or dangerous.

**Capacity** refers to individual's ability to make decisions about things that affect daily life.

### **Procedure for Community Development Officer**

1. Attempt to contact the resident directly or with the assistance of the primary investigation officer/EHO and determine the resident's willingness to receive support to change their current circumstances.
2. Liaise with the resident to determine a methods of management, including removal of materials, cleansing the property and appropriate referral to support organisations to conduct long term management of the issues.
3. Assess any support required in a timely manner by Initiating referrals to relevant agencies in accordance with any established memorandum of understandings.
4. Determine any issues that relate to provision of consent taking note of issues relating to capacity of resident to make informed decisions independently.
5. If capacity can be confirmed, seek agreement from the resident to assistance, and obtain the signature.
6. If it is determined that the resident has capacity and will not accept assistance from Council, refer the matter back to Environmental Health Officer to progress the matter through regulatory means.

### **Procedure for Environmental Health Officers**

- a. Following a complaint being received, Carry out an inspection of the subject premises to determine if the further action is warranted.
- b. The investigating Council officer is to initially determine if there is accumulation of materials that would constitute hoarding and whether such accumulation is sufficient to make the property unhygienic or unsafe. Facts need to be collected that detail the situation. This would typically involve taking photographs, making inventories of types of accumulated materials, any observations/complaints of vermin sufficient to prove that the property is unsafe or unhygienic or a potential harbourage for vermin.

For this purpose it is recommended that officers utilise the Living Conditions Living Scale (attached) as part of this assessment.

Note: for Access to the property there are several options.

- (a) With the co-operation of the owner/tenant
  - (b) Written notice of inspection under the Local Govt Act
  - (c) warrant to enter the premises if authority is withheld or unable to contact owner.
- 
- c. A letter sent to the complainant(s) outlining that an assessment is being made and give some details about dealing with hoarding and squalor cases and the difficulties to be expected.
  - d. A letter be forwarded to the owner or occupier of the subject premises requiring works to be carried out to clean up the property.
  - e. If the issue is not addressed initiate a regulatory response. ie Orders 11, 21 & 22A under section 124 of the Local Government Act.
  - f. Following an informal interview with the owner or occupier of the subject premises, by the Council officer, if it is likely that the matter relates to hoarding and squalor, a referral to Council's Community Services Unit to investigate support services is to be initiated.
  - g. At the expiry of Orders if it becomes evident that the owner or occupier of the subject premises does not have capacity to comply with orders, the Council seek the concurrence of the property owner to carry out the work to clean it up or seek court orders to enter the property to carry out the same.
  - h. Every attempt to recover costs at a later date be pursued where appropriate.
  - i. Continue to follow up to prevent recurrence.

### Living Conditions Rating Scale

Officer..... Date.....

Age of Client: ..... Sex of Client: ..... Name of client .....

Dwelling: Single/ Shared / Unit / House / Group home / Rental / Privately owned

Condition of Premises	Assessment	Score
<b>Accessibility</b>	0. Within acceptable standards 1. Some difficulty entering the house or rooms 2. Moderately difficult to enter the house or rooms 3. Rooms or houses inaccessible or impossible to enter.	
<b>Odour</b>	0. Within acceptable standards 1. Slight unpleasant smell 2. moderate unpleasant smell 3. unable to spend any length of time in the house due to smell	
<b>Lighting</b>	0. Within acceptable standards 1. Poor lighting 2. Most lights not working 3. No lighting available	
<b>Floor/ Carpet</b>	0. Within acceptable standards 1. Some rubbish, food stains, filth covering floor 2. moderate rubbish, food stains, filth covering floor 3. Thick covering of newspaper, cardboard, packaging and stains	
<b>Walls</b>	0. Within acceptable standards 1. Some filth, nicotine stains and grime on walls 2. Moderate filth, nicotine stains and grime on walls 3. All walls covered with filth, nicotine stains or grime	
<b>Furniture</b>	0. Acceptable amount of furniture (bed, tables white goods) 1. Short of some necessary items (couch or bed) 2. Missing essential items (no fridge or stove but has bed) 3. No essential furniture (maybe just a bed)	
<b>Kitchen</b>	0. Within acceptable standards 1. Some unwashed crockery and benches left for a couple of days 2. Most crockery unwashed and benches unwiped for some time 3. Full of unwashed crockery, mouldy scraps evident and benches not wiped for months	
<b>Food</b>	0. Acceptable amount of storage space and healthy variety of food 1. Some storage problems (food not in cupboards) and reasonable variety 2. Balanced diet only on pay days and shopping left in bags on floor 3. Little food in the house eg staple diet of tea & biscuits, tin food. In appropriate storage of food (perishable foods not stored in fridge)	
<b>Bathroom / Toilet</b>	1. Functioning sewerage system 2. Non-functional sewerage system	
<b>Disposal of excreta including pets</b>	1. No excreta noted throughout the premises 2. Excreta noted in the premises	
<b>Hoarding</b>	0. Within acceptable standards 1. Some collection of items 2. Moderate collection of items 3. Mass collection of items	
<b>Clutter (includes clothing)</b>	0. Clutter within acceptable standards 1. Some cluttering of living spaces 2. Moderate amount of clutter starting to affect living spaces 3. Clutter markedly reduces living space	
<b>Evidence of Vermin</b>	1. Within acceptable standards 2. Some evidence of vermin present 3. Moderate amount of vermin present 4. Rats/cockroaches evident most of the time	









Adapted from published criteria:

Mcmillan D, Sahw P : Senile breakdown standards of personal and environmental cleanliness. *BMJ* 1966.

Clarke AN, Maniker GD, Gray I: Diogenes syndrome- A clinical study of gross neglect in old age. *Lancet* 1975.

Domestic hoarding and squalor Procedure D16/327865

**Clutter Image Rating: Bedroom**  
Please select the photo that most accurately reflects the amount of clutter in your room.

		
1	2	3
		
4	5	6
		
7	8	9

Please note the above rating scales are guides only. If a person does not rate highly on these scales, it does not mean that they should not be referred to relevant services for assistance.

Source: Partnership Against Homelessness-Guidelines for field staff to assist people living in severe domestic squalor, August 2000 (Adapted for Blue Mountains Domestic Squalor/Hoarding Working Group, September 2013). An analysis of Fire Incidents Involving Hoarding Households May 2009 (Adapted for Blue Mountains Domestic Squalor/Hoarding Working Group, September 2013)

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## SA17.254 NSW Heritage Grants Program 2017/2018 - Shoalhaven Local Heritage Assistance Fund

**HPERM Ref:** D17/262482

**Group:** Planning Environment & Development Group  
**Section:** Strategic Planning

**Attachments:** 1. Shoalhaven Local Heritage Assistance Fund 2017-2018 [↓](#)

### Purpose / Summary

Present the applications received for the 2017/2018 Local Heritage Assistance Fund and seek endorsement to allocate funding to eligible applicants.

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

That the Committee endorse the allocation of Shoalhaven Local Heritage Assistance Funds for the 2017/2018 program as listed in Attachment 1 to this report.

### Options

1. Endorse the allocation of Shoalhaven Local Heritage Assistance Funds for the 2017/2018 program as listed in Attachment 1 to this report.

Implications: This will see the allocated budget amount being delivered to appropriate local heritage projects.

2. Adopt an alternate recommendation.

Implications: This would not be in keeping with the established process for these grants, which involved seeking applications from interested owners.

### Background

Council has continued its commitment to local heritage projects by supporting the NSW Heritage Grants. The grant funding provided by the NSW Office of Environment and Heritage (OEH) assists Council to employ a Heritage Advisor and to run an annual Local Heritage Assistance Fund to provide grants of up to \$5,000 for a wide range of small heritage projects including general maintenance, adaptive reuse, or sympathetic alterations/additions for heritage items.

The conservation of Shoalhaven's cultural heritage by its owners is clearly beneficial to the broader community and visitors to the area. These grants, although small, show that Council and the NSW State Government are committed to providing assistance to owners to conserve and enhance their properties for future generations. These heritage projects demonstrate Council's commitment to heritage conservation management and promoting cultural sustainability, heritage tourism and the Community Strategic Plan.

## NSW Heritage Grants Program 2017-18 and 2018-19

NSW Heritage Grant funding was accepted under the following streams:

- Local Heritage Places (Shoalhaven Local Heritage Assistance Fund) – Council has accepted a grant of up to \$7,500 per annum (ex GST) for both the 2017-18 and 2018-19 financial years, with a funding formula for both years of \$1: \$1 (OEH: Council).
- Local Government Heritage Advisors – Council has accepted a grant of up to \$8,000 per annum (ex GST) for both the 2017-18 and 2018-19 financial years towards providing a Heritage Advisor Service for Shoalhaven.

An Expression of Interest grant application under *Heritage Near Me – Local Heritage Strategic Projects* (Berry Heritage Investigations) was submitted on 18 August 2017. The funding available is \$10,000 to \$100,000 per project. Should this be successful, it will be reported separately to Council.

## Shoalhaven Local Heritage Assistance Fund

An advertisement was placed in local newspapers on 19 July 2017 calling for applications from owners of heritage items to participate in the 2017/2018 Shoalhaven Local Heritage Assistance Fund Grant Program. Council also wrote to potential applicants who had previously expressed an interest in the program to inform them of the call for applications. Successful applicants are required to match the grant amount offered by Council on a dollar-for-dollar basis and to complete the required works by 30 March 2018.

At the close of the application period on 18 August 2017, nine (9) applications were received. The applications were assessed by Council's Heritage Advisor in accordance with OEH guidelines. The Heritage Advisor inspected heritage items being considered for funding, to ensure that the works proposed are appropriate heritage works and a priority for that site. Funding is used to assist heritage listed items in Shoalhaven Local Environmental Plan 2014 as a first priority, over non-listed heritage items.

Council's Heritage Advisor has deemed that six (6) of the nine (9) applications qualify for grant funding, with an estimated total value of \$80,420.46 ex GST. Details of the recommended successful applications together with the recommended grant amounts are shown in **Attachment "1"**.

The three (3) unsuccessful applications were either ineligible projects, were lower priority projects, or the applicants had received significant grant funding in previous years.

## Community Engagement

The Shoalhaven Local Heritage Fund Program 2017/2018 was advertised in local newspapers on 19 July 2017 and included a link to Council's website for relevant information on eligibility and assessment criteria. Direct advice was also provided to people who had previously expressed an interest in the program.

## Policy Implications

As part of the funding agreement for Local Government Heritage Advisors Grant, and to claim re-imbursement, Council is required to submit a Heritage Strategy covering 2017-19. Council reaffirmed the Shoalhaven Heritage Strategy 2014-2017 to extend it to 2017-2020 on 9 May 2017.

A separate, broader, major review and amendment of the four year Shoalhaven Heritage Strategy is being undertaken in conjunction with Council's Heritage Advisor in the coming months and will be reported to Council for endorsement.

## Financial Implications

### *Shoalhaven Local Heritage Assistance Fund (Local Heritage Places Grant)*

The funding offer from OEH for the 2017-18 and 2018-19 years is up to \$7,500 (ex GST) per annum, with a funding formula for both years of \$1: \$1 (OEH: Council). Therefore, Council needs to budget at least \$15,000 each year to be able to provide the grant payments to successful applicants as OEH requires Council to spend the money first and then claim reimbursement of the grant.

For the 2017/18 financial year Council's budget allocation is \$21,000 and the recommended amount of funding for the Shoalhaven Local Heritage Assistance Fund for 2017-18 is \$22,500. This means there will initially be a shortfall of \$1500 which will need to be allocated to this budget, this will be managed within the current overall Strategic Planning budget. It will then be able to be recouped when OEH reimburse the grant funding to Council.

Council will also need ensure that a similar level of funding is provided in the 2018-19 financial years to cover Council's required financial commitment for that period.

**Shoalhaven Local Heritage Assistance Fund Program 2017/2018**

Owner / Applicant	Project Location	Heritage Item and Level of Significance	Description of Project	Project Cost	Suggested Grant Amount
Susan Curran	358 Woodstock Road, Milton	Federation brick residence (former school residence) and trees  LOCAL	Re-roof Headmasters Residence, including the verandah	\$13,420.00	\$5,000
John Hallihan	22 Jervis Street, Nowra	Victorian Italianate residence and garden  LOCAL	Conservation Management Plan for Garden	\$9000.00	\$4,500
Karen Terry & Russell Merrick	"Thistlebank", 85 Ryans Lane, Pyree	"Thistlebank"—Dairy Farm Complex  LOCAL	Replace roof & guttering on dwelling	\$31,363.64	\$5,000
Nicholas & Kathryn Dale	"Llanthony", 1 Kalinga Street, Cambewarra	"Llanthony Lodge"—two storey Victorian weatherboard residence  LOCAL	Repaint exterior of dwelling	\$10,100.00	\$4,000
John & Christine Tyrrell	"Somerset" 117 Pyree Lane, Pyree	"Somerset House"—Federation weatherboard farmhouse and trees  LOCAL	Replace verandah decking boards on south side	\$7,555.00	\$2,500
Rob & Susan McIntosh	"Woodside Park", 94B Tannery Road, Berry	"Woodside Park"—dairy farm complex and gatehouse  LOCAL	Replace glazing & repaint 7 windows	\$8981.82.00	\$1,500
<b>TOTAL</b>				<b>\$80,420.46 ex GST</b>	<b>\$22,500</b>



## SA17.255 Acquisition of easement over Crown land at Cunjurong Point

**HPERM Ref:** D17/255044

**Group:** Shoalhaven Water Group  
**Section:** Water Asset Planning & Development

**Attachments:** 1. Plan of Proposed Electricity Purposes [↓](#)

### Purpose / Summary

This report is submitted to seek Council approval to compulsorily acquire an Easement for Electricity Purposes over Crown land Lot 482 DP823199 at Cunjurong Point. The easement is to be over the area of an existing Easement for Access and Water Supply Pipeline 10 wide & variable shown on DP641175. It is required to provide power supply to the Berringer Water Reservoir.

### Recommendation

That

1. Council resolve to compulsorily acquire an Easement for Electricity Purposes 10 wide & variable over Crown land Lot 482 DP823199, being the area of an existing Easement for Access and Water Supply Pipeline 10 wide & variable shown highlighted green on DP641175 marked 'Attachment 1'.
2. Council pay compensation as determined by the Valuer General and ancillary costs for the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
3. The necessary application be made to the Minister for Local Government and the Governor for approval to the acquisition under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

### Options

1. Resolve as recommended. The acquisition is required to upgrade an existing water reservoir.
2. Not resolve as recommended and provide further directions to staff.

### Background

An easement is required to extend power from Cunjurong Point Road through Crown land to the Berringer Water Reservoir on Council land Lot 473 DP704673. This upgrade will enable telecommunication equipment to be installed on the reservoir and future upgrade of chlorination facilities at the reservoir.

The power line is to be laid within an existing Easement for Access & Water Supply Pipeline and the new Easement for Electricity Purposes is to be over the exact area of the existing easement. Consequently, a separate easement plan is not required to register the easement.

SA17.255

The affected Crown land is subject to various Aboriginal Land Claims. Crown Lands provided consent to the acquisition, subject to concurrence by the applicable Aboriginal Land Councils. Both NSW Aboriginal Land Council and Jerrinja Local Aboriginal Land Council have now provided consents for the electricity easement to be created, but only within the area of the existing access and water easement.

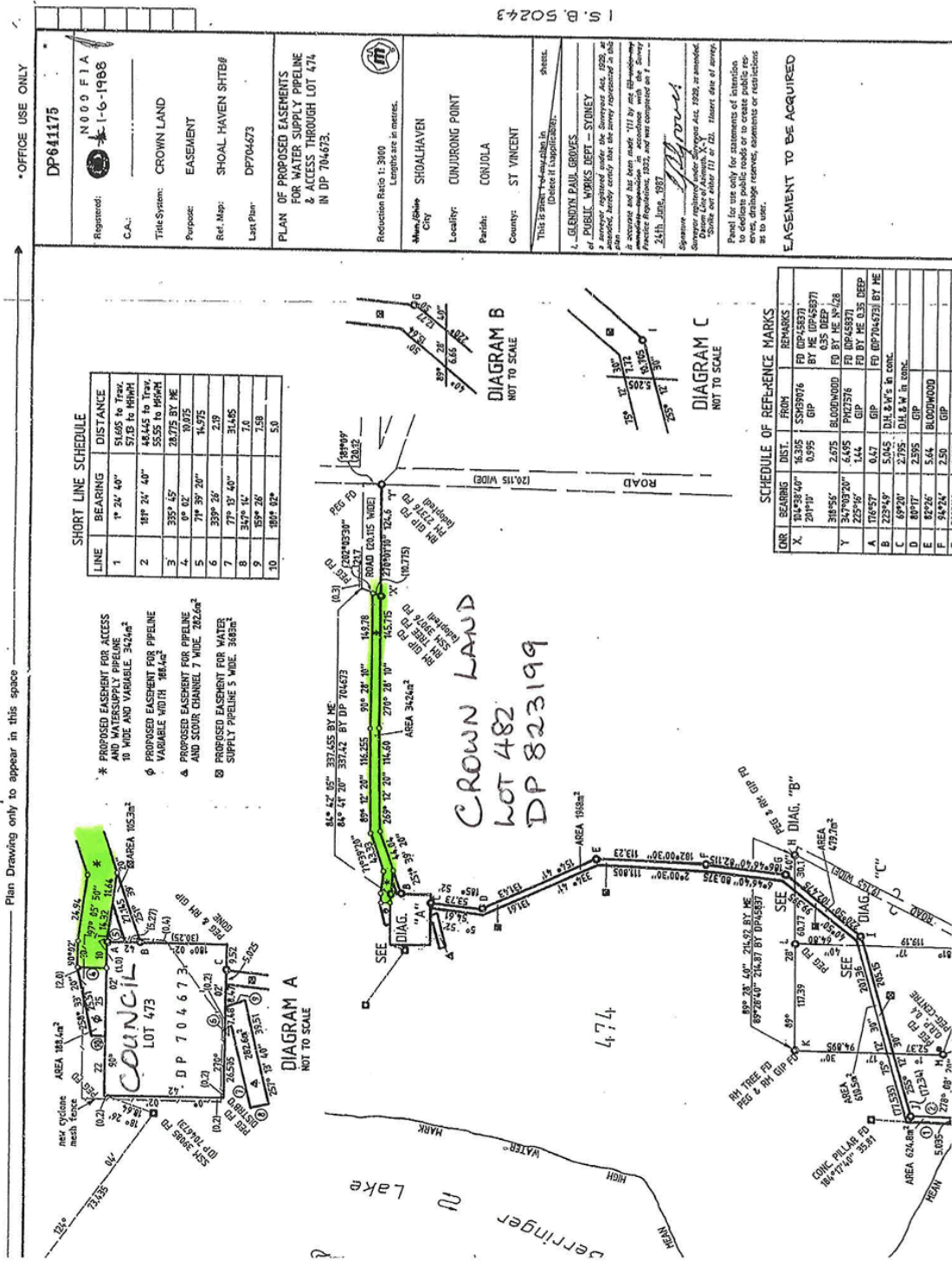
**Financial Implications**

The compensation and reasonable costs associated with the acquisition are to be funded from Council's Water Fund. Compensation is to be determined by the Valuer General.

**Risk Implications**

Acquisition of the easement is necessary for the upgrade of Shoalhaven Water's essential public infrastructure. The proposed action is administrative and has no environmental impact.

# REPORT ATTACHMENT – EASEMENT PLAN



## SA17.256 Acquisition of Crown land and Easement for Access at Vincentia

**HPERM Ref:** D17/276897

**Group:** Shoalhaven Water Group  
**Section:** Water Asset Planning & Development

**Attachments:** 1. Draft survey report [↓](#)

### Purpose / Summary

This report is submitted to seek Council approval to acquire part of Crown land Lot 1 DP608937 and an Easement for Right of Access 4.555 wide & variable over the Crown land at Captain Street, Vincentia. The land is required for an existing sewer pump station. A sewer rising main will also be within the acquired land. The easement is required to formalise the existing access from adjoining Council land to the sewer pump station.

### Recommendation

That:

1. Council resolve to compulsorily acquire from the Crown:
  - a. Part of Crown land Lot 1 DP608937 at Captain Street Vincentia, shown as proposed Lot 1 on the attached draft survey plan.
  - b. An Easement for Right of Access 4.555 wide & variable over Crown land Lot 1 DP608937, marked (E) on the attached draft survey plan.
2. Council pay compensation and costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.
3. The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
4. The land to be acquired be classified as Operational land in accordance with Section 31(2) of the Local Government Act 1993
5. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

### Options

1. Resolve as recommended. The acquisition is required to formalise the existing sewer pump station, pipeline and access.
2. Not resolve as recommended and provide further directions to staff.

### Background

Sewer pump station (SPS) No 12 at Vincentia and associated sewer pipelines were constructed by Shoalhaven Water in 1985/6 on Crown land Lot 1 DP608937. Acquisition of the required land has been on hold due to an unresolved Aboriginal Land Claim.

Access to the SPS is via a vehicular track from Council's adjoining land Lot 1 DP203169. The access includes a section over a concrete causeway, which also forms part of a public walking track through the Crown land. For this reason it is necessary to acquire a shared access easement, rather than incorporate the access track within the land to be acquired.

Aboriginal Land Claim (ALC) 26372 was lodged over the Crown land by NSW ALC on behalf of Jerrinja LALC. Following representations by Shoalhaven Water, Jerrinja LALC and NSW ALC both approved the part withdrawal of the Land Claim for the SPS site and to acquisition of the easement for access. By letter dated 31 October 2016 the Registrar of the Aboriginal Land Rights Act advised that ALC 26372 had been amended and part of Lot 1 DP608937 had been withdrawn from the Claim.

The Department of Industry (Lands) provided consent for Council to compulsorily acquire the land and easement, subject to any Land Claims being dealt with.

The Crown land also became subject to the South Coast 'bulk' ALCs 42454 and 42493 lodged by NSW ALC in December 2016. The NSW ALC has provided a further approval for the partial withdrawal of the those Claims. By letter dated 10 August 2017 the Registrar of the Aboriginal Land Rights Act advised that ALCs 42454 and 42493 had also been amended by the withdrawal of part of Lot 1 DP608937.

Title to the land is in the name of 'NSW Planning & Environment Commission'. The Dept of Planning has advised that the land was transferred to Crown Lands by notice published in the Government Gazette on 12 October 1984. However, the LPI requires a further notice from Crown Lands to record the change of owner's name. This action is to be undertaken by the DPI Lands Nowra Office prior to the land and easement being acquired.

### **Financial Implications**

The compensation and reasonable costs associated with the acquisition are to be funded from Council's Sewer Fund. The compensation is to be determined by the Valuer General.

### **Risk Implications**

Acquisition of the land and the access easement are necessary to secure Shoalhaven Water's legal access for the supply of essential public infrastructure. The proposed action is administrative and has no environmental impact.



## SA17.257 The ECOCITY Conference

**HPERM Ref:** D17/284985

**Submitted by:** Cllr Nina Cheyne  
Cllr Amanda Findley

**Attachments:** 1. Conference report [↓](#)

### Purpose / Summary

To provide a report (Attachment 1) from Cllr Nina Cheyne and Cllr Amanda Findley on the ECOCITY Conference held in 12-14 July 2017 in Melbourne in accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy.

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

That Council

1. Receive the report from Cllr Nina Cheyne and Cllr Amanda Findley on the ECOCITY Conference for information.
2. Work collaboratively with the Sustainable Futures committee to implement strategies that enhance a sustainable, economical and healthy city.

### Options

1. As recommended
2. Request further information on the conference

The ECOCITY CONFERENCE- Nina Cheyne and Amanda Findley  
12th- 15th July 2017

We had the amazing opportunity to attend this conference and hear Mr Al Gore speak with his message of our current heinous reality as a result of Climate Change and a message of hope for the future in relation to actions we take in alignment with the Paris accord to alter the future for the better. Like many people elected by their representatives we wanted to know how we could work towards a city that is smart, ecofriendly, healthy and proactive in domains of employment, housing, energy efficiency and transport. A city that has Climate Change mitigation as a priority. I wanted to hear what other communities were doing to create sustainable, energy efficient and progressive futures, and what it looks like to live in a city that has wellbeing at its core. The main aim was to bring something of substance back to Council that would lead to positive actions in the Shoalhaven.

The conference provided us with ideas and practical strategies of how to create an ecocity that will provide future generations with a legacy. It also provided real stories and examples of how we can emulate the successes from cities who are already reaching modest targets in carbon reduction emissions, transport housing and employment solutions and climate change mitigation initiatives.

Eg.

1. Zero carbon Revolution- Moreland City Council
2. Social Enterprise called Positive Charge"- commenced in 2013 in Moreland.
3. Our Energy Future Program- NSW Initiative
4. Energy Smart Program- Victoria

Moreland City Council focused primarily on" Positive Charge" that is community based in nature that offer practical solutions to accelerate the transition to a zero carbon future.

They work with businesses that provide advice about products and services to households, businesses, schools, and community organisations to adopt energy saving initiatives such as solar panels, water pumps and wind technology.

They partner with Councils as well and work with local businesses already creating the standard.

Lessons from Adelaide who too, are going carbon neutral along with Melbourne. The Adelaide Government and Elon Musk are collaborating to build a large battery to store energy. Leadership and vision as well as Governments getting out of the way to allow this to happen. This will bring jobs and enliven the economy. Initiatives such as Container Deposit registration, banning plastic bags are creating engaged and proactive communities. We need to embrace ALL WAYS of ensuring fossil fuel and waste management strategies are initiated. In short a multi-faceted approach is required.

Community members from Hazelwood were present to discuss how their city are now planning for employment given most residents became unemployed as a result of the Coal plant closing. Unfortunately, no plan occurred before the closure,



however the “people power movement” have created a groundswell of action such as home grown markets and sustainable garden programs which is enlivening their community. However, more needs to be done. A local proactive committee has been established to continue to strategise solutions into the future

Key Messages to creating a liveable and sustainable city:

1. Sustainability and the 3 P's - People (Social Considerations), Profit, (economic considerations) Planet (Environmental considerations).  
  
A collaborative approach from local Governments, businesses, schools leaders and residents is required need to do the work to initiate the 3 Ps in their communities. Climate change mitigation was largely mentioned throughout the conference as a way to manage community assets and resources, as well as the wellbeing of communities into the future.
2. The new ecocity needs to have a “wrap around” of the renewable innovations, including wind farms, solar, water pumps, telehealth, tesla, bike riding. gardens ad co-ops & LED Lighting.  
  
Steps to creating and open source urbanism include:
  - a) Understand the city as a regional ecosystem (just like a forest is an ecosystem) - Make things local and in close proximity. The centralised model is not recommended to enhance local initiatives.
  - b) Assess conditions and find key leaders and organisations that want to contribute to the renewable revolution.
  - c) Map objectives to challenges eg Solving water issues, renewable solutions in each local community
  - d) Enact policies to enable transformation- make the policies relatable to people.
  - e) Education and engage citizens, such as schools, businesses, retails
  - f) Customise solutions to each local community
  - g) Monitor and track progress—Use the Global Goals as a standard
3. Health and liveability  
  
If people living in the community are not healthy, the impact on the workforce is detrimental economically causing poor productivity, increase dependence on benefits and can lead to a spiral of mental health issues and intergenerational poverty .  
  
A Strong emphasis on civic engagement and participation, social inclusion and preventing socio- economic segregation is required to create a healthy city.  
  
In addition, fair and equitable access to health services in a timely manner is vital.  
  
Creating Global ecosystems and reducing environmental impact and use natural resources, climate change mitigation and adaptation, as well as providing more urban green spaces are all strategies discussed to create a healthy and liveable city!.

4. Economic Objectives

To end poverty, initiate equality, provide opportunities for employment and make workplaces safe and healthy.

Do not obtain material resources over sustainable development, as we know it, as it affects the health of people. Money v's People (need we choose)

Eg Industries that increase CO2 emissions, may be good for short-term profit, but ultimately influences the health & wellbeing of communities. Eg. High levels of Co2 cause respiratory problems and other related health issues such a cancer. This process kick- starts the poverty cycle as it contributes to poor productivity from people burdened with health issues because of unhealthy and profit driven workplaces. How can this scenario be altered?

- a) Encourage work place wellbeing programs.
- b) Encourage and embrace sustainable technologies.
- c) Encourage local entrepreneurs.
- d) Encourage Co-ops and Markets, including pop up shops
- e) Collaborate with local businesses to support sustainable outcomes, reduce carbon emissions and mitigate the impact of climate change.

5. Housing Solutions

Provide decent and affordable housing opportunities by working collaboratively with housing, real estate sectors and support services.

Reduce inequality within cities and towns by having access to information and support services.

Provide an effective social services program so people have better access to transitioning vulnerable families and singles.

Clean water and sanitisation in all houses is necessary, to manage communicable disease and maintain health.

Affordable households have solar and water renewable initiatives, this decreases household expenditure on essential power resources, and ensures affordability into the future.

6. Other determinants for a liveable city

Eg reducing crime and feeling safety. Leisure, education, access to timely health care and green public spaces are requirements to make cities more liveable.

7. Policy processes

Need for collaboration in policy- making decisions, coordination between sectors and Governments is required to gain buy-in for change! To provide integrated solutions we need to work across ALL sectors in a coordinated way.

A need for consistent urban policy alignment with other international agreements also needs to be considered in the policy framework.

**Implications of Healthy Cities: UTOPIAN CITY**

They are safe, socially inclusive and offer affordable housing.

They provide adequate public transport, employment, affordable tertiary education, open spaces, cycle ways & walkability pathways. {The 20 minute city!} Calls to prioritise walking and cycling were spoken about on many occasions during the 3 day conference. A healthy city and its people are connected and practice sustainability with favourable health and wellbeing outcomes as well as long term economic outcomes.

**Final comment:** Recognise health is the vital sign and the pulse of creating a liveable city. We need to acknowledge that climate change impacts the health and wellbeing of humanity and the environment. We have a responsibility as leaders to heed the science, and work towards establishing equilibrium across the planet.

**Recommendation:** That Council work collaboratively with the Sustainable Futures committee to implement strategies that enhance a sustainable, economical and healthy city.

Report by  
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## 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.