

Strategy and Assets Committee

Meeting Date: Tuesday, 15 May, 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: At the conclusion of the Extra Ordinary Council Meeting (which commences at 4.30pm)

Membership (Quorum - 5)
Clr Bob Proudfoot
All Councillors
General Manager or nominee

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

Agenda

1. **Apologies / Leave of Absence**
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5. **Deputations and Presentations**
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Reports

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commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CSA18.8 Tenders – Management & Operation Shoalhaven Heads Holiday Park

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

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

CSA18.9 Tenders – Management & Operation of the Bendalong Point Holiday Park

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

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

CSA18.10 Potential site for the Sanctuary Point Library

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

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

CSA18.11 Milestone 6 Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra

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

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

person's legitimate business, commercial, professional or financial interests.

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, 17 April 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

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

Apologies / Leave of Absence

Note: A leave of absence was previously granted to Clr Alldrick for this meeting (see MIN18.255).

Confirmation of the Minutes

RESOLVED (Clr Gash / Clr White) MIN18.265

That the Minutes of the Strategy and Assets Committee held on Tuesday 20 March 2018 be confirmed.

CARRIED

Declarations of Interest

Nil.

MAYORAL MINUTES

MMS18.3 Mayoral Minute - Salt Ministries - Homeless Services**HPERM Ref:
D18/124656****Recommendation**

That Council:

1. Delegate authority to the the General Manager to finalise the details of a lease agreement with Salt Ministries in relation to the former Shoalhaven Neighbourhood Services premises at 134 Kinghorne Street Nowra for the establishment and operation of a transitional group home on and within the premises.
2. Prepare a Planning Proposal to change the zoning of the property at 134 Kinghorne Street Nowra from RE1 Public Recreation to B4 Mixed Use, to permit the establishment and operation of a transitional group home on the site, and submit to the Department of Planning & Environment for Gateway determination.

RECOMMENDATION (Clr Findley / Clr Proudfoot)

That Council:

1. Delegate authority to the the General Manager to finalise the details of a lease agreement with Salt Ministries in relation to the former Shoalhaven Neighbourhood Services premises at 134 Kinghorne Street Nowra for the establishment and operation of a transitional group home on and within the premises.
2. Prepare a Planning Proposal to change the zoning of the property at 134 Kinghorne Street Nowra from RE1 Public Recreation to B4 Mixed Use, to permit the establishment and operation of a transitional group home on the site, and submit to the Department of Planning & Environment for Gateway determination.
3. Continue to keep open the line of communication with State Government about this initiative and correspond with the two local Members of Parliament.

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

Against: Clr Guile

CARRIED

DEPUTATIONS AND PRESENTATIONS**Presentation of Petitions**

Clr Watson presented a petition containing 412 signatures which states: "We, the undersigned, request the Shoalhaven City Council honour its commitment to repair or replace the existing stairway access at southern end of Nelson Beach."

SA18.72 - Notice of Motion - Nelson Beach Stairway Access Southern End

Mr Mark Emerson spoke for the recommendation.

SA18.91 - Comerong Island Ferry - Service Review

Mr Brian Peadon spoke against the recommendation.

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA18.72 Notice of Motion - Nelson Beach Stairway Access Southern End

**HPERM Ref:
D18/116110**

Recommendation (Item to be determined under delegated authority)

That Council honour a promise made by Staff to reconstruct or repair the beach access stairway located at the southern end of Nelson Beach Vincentia and if necessary Council include the work as a budget item in the operational plan.

RESOLVED (Clr Watson / Clr Pakes)

MIN18.266

That Council honour a promise made by Staff to reconstruct or repair the beach access stairway located at the southern end of Nelson Beach Vincentia and if necessary Council include the work as a budget item in the operational plan.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.267

That the matters of items SA18.91 and SA18.78 be brought forward for consideration.

CARRIED

SA18.91 Comerong Island Ferry - Service Review

**HPERM Ref:
D18/84821**

Recommendation

That Council:

1. Adopts the following policy objectives for the Comerong Island Ferry:
 - a. The service operates between 6am and 10pm, 7 days a week.
 - b. The service remains at no cost to Island residents and landowners, with provision of a permit system (for two-way travel) to allow resident's visitors and contractors to access the island.
 - c. The vessel has a maximum 20t load capacity.
2. The General Manager (Director Assets & Works):
 - a. Liaise with the island residents and landowners to develop a formal permit system to recognise the 'no cost' arrangements.
 - b. Progress investigations of a new vessel to replace the Cormorant for consideration in future budgets. Procurement process to consider various vessel configurations to assess the cost (capital and ongoing) for different sizes.

RESOLVED (Clr Wells / Clr Pakes)

MIN18.268

That:

1. Council retain the current services to Comerong Island.
2. Council defer the replacement of the ferry until a councillor briefing has been held.
3. A Councillor familiarisation tour to Comerong Island be organised.

4. The National Parks and Wildlife Service and Rural Fire Service be invited to the councillor briefing for comment.

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

AGAINST: Clr Findley

CARRIED

SA18.78 Shoalhaven Family Day Care Update

**HPERM Ref:
D18/24260**

Recommendation (Item to be determined under delegated authority)

That Council

1. Receive the report for information on current progress towards achieving performance targets set to build capacity and continue to work towards meeting performance targets, amendment of the Service Approval, the introduction of PRODA, and the outcome of the recent compliance visit.
2. Receive a further report when the outcome of Community Child Care Funding Application is announced.
3. That Council support Shoalhaven Family Day Care to take on Educators from outside the Shoalhaven LGA to improve financial viability.

RESOLVED (Clr Guile / Clr Gartner)

MIN18.269

That Council

1. Receive the report for information on current progress towards achieving performance targets set to build capacity and continue to work towards meeting performance targets, amendment of the Service Approval, the introduction of PRODA, and the outcome of the recent compliance visit.
2. Receive a further report when the outcome of Community Child Care Funding Application is announced.
3. That Council support Shoalhaven Family Day Care to take on Educators from outside the Shoalhaven LGA to improve financial viability.

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

AGAINST: Nil

CARRIED

SA18.73 Notice of Motion - Public Toilets - Tomerong

**HPERM Ref:
D18/116928**

Recommendation

That Council enter into negotiations with the Tomerong Community to identify a suitable site and design for the construction of a public toilet facility for the village. Also that Council fully fund the project in the 2018/19 Budget, possibly through the reallocation of existing S94 funds.

MOTION (Clr Levett / Clr Cheyne)

That Council enter into negotiations with the Tomerong Community to identify a suitable site and design for the construction of a public toilet facility for the village. Also that Council fully fund the project in the 2018/19 Budget, possibly through the reallocation of existing S94 funds.

(AMENDMENT) **RECOMMENDATION** (Clr Proudfoot / Clr Gash)

That Council

1. Negotiate with the Trustees of the Tomerong School of Arts to procure a site within the grounds of the School of Arts to build a public toilet.
2. Investigate the use of section 94 contributions for the construction of the public toilet.

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

AGAINST: Russ Pigg

CARRIED

The AMENDMENT became the MOTION and was carried.

Procedural Motion - Matters of Urgency

RESOLVED (Clr Pakes / Clr White)

MIN18.270

That an additional item of floodlight levy invoices sent to Shoalhaven Football Clubs be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as it refers to invoices that are due to be paid.

SA18.98 Additional item - Council invoices issued to Shoalhaven Football Clubs

RESOLVED (Clr Pakes / Clr White)

MIN18.271

That Council:

1. Withdraw the invoices submitted to Shoalhaven sporting clubs with respect to floodlighting.
2. Review any policies associated with the floodlighting charges.
3. Hold an urgent Councillor briefing in relation to the matter of floodlighting charges.

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

AGAINST: Russ Pigg

CARRIED

REPORT OF THE CHILDREN'S SERVICES REFERENCE GROUP - 12 MARCH 2018

CS18.2 Applications for Membership - Loretta Walton and Christina Barrett **HPERM Ref: D18/2683**

Recommendation (Item to be determined under delegated authority)

That Loretta Walton and Christina Barrett be appointed as community members on the Children's Services Reference Group.

RESOLVED (Clr Cheyne / Clr White) MIN18.272

That Loretta Walton and Christina Barrett be appointed as community members on the Children's Services Reference Group.

CARRIED

REPORT OF THE SHOALHAVEN SPORTS BOARD - 28 MARCH 2018

SB18.2 Review of Councils Policies - Sportsgrounds **HPERM Ref: D17/342122**
Management and Grants Program

Recommendation (Item to be determined under delegated authority)

That Council adopt:

1. The Sportsgrounds Management Policy with the changes highlighted.
2. The Sports Grants Program (Capital Works) Policy with the changes highlighted and amend part 3.16 to read: Hirer and/or User.

RESOLVED (Clr Pakes / Clr White) MIN18.273

That Council:

1. Defer adoption of the amended Sportsgrounds Management Policy until the councillor briefing on floodlight invoices has been held (see MIN18.271).
2. Adopt the Sports Grants Program (Capital Works) Policy with the changes highlighted and amend part 3.16 to read: Hirer and/or User.

CARRIED

REPORTS

SA18.76 Illawarra Shoalhaven Joint Organisation (ISJO) Organisational Strategic Plan 2017-2020

**HPERM Ref:
D18/99778**

Recommendation (Item to be determined under delegated authority)

That the report on the Illawarra Shoalhaven Joint Organisation Strategic Plan 2017-2020 be received for information.

RESOLVED (Clr Findley / Clr Gash)

MIN18.274

That the report on the Illawarra Shoalhaven Joint Organisation Strategic Plan 2017-2020 be received for information.

CARRIED

SA18.77 Sale of Council Employment Land - Lot 119 DP 1124258, 10 Trim St, South Nowra

**HPERM Ref:
D18/109512**

Recommendation

That:

1. Council employment land (Lot 119 DP 1124258, 10 Trim Street, South Nowra) be sold for \$255,000 (plus GST) to JW & J Schumann Pty Ltd;
2. The General Manager be authorised to sign the Contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

RECOMMENDATION (Clr Proudfoot / Clr White)

That:

1. Council employment land (Lot 119 DP 1124258, 10 Trim Street, South Nowra) be sold for \$255,000 (plus GST) to JW & J Schumann Pty Ltd;
2. The General Manager be authorised to sign the Contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

CARRIED

SA18.78 Shoalhaven Family Day Care Update

**HPERM REF:
D18/24260**

Item dealt with earlier in the meeting see MIN18.269.

**SA18.79 Acceptance of NSW Public Libraries Association
Scholarship - IFLA Conference Attendance - Sarah
Taylor**

**HPERM Ref:
D18/104301**

Recommendation (Item to be determined under delegated authority)

That Council accept the scholarship awarded to Sarah Taylor to attend the World Library and Information Congress.

RESOLVED (Clr Gartner / Clr Findley)

MIN18.275

That Council accept the scholarship awarded to Sarah Taylor to attend the World Library and Information Congress and pass on Council's congratulations.

CARRIED

**SA18.80 Acceptance of Bursary Funding - Regional Public
Galleries NSW - \$500 - Bridget Macleod Conference
Attendance**

**HPERM Ref:
D18/101233**

Recommendation (Item to be determined under delegated authority)

That Council accept the Bursary of \$500 to offset the cost of registration and travel for Bridget Macleod to attend the Art and Artist Conference.

RESOLVED (Clr Gartner / Clr Findley)

MIN18.276

That Council accept the Bursary of \$500 to offset the cost of registration and travel for Bridget Macleod to attend the Art and Artist Conference and pass on Council's congratulations.

CARRIED

**SA18.81 Acceptance of Bursary Funding - Museums Galleries
Australia - \$790 - Fiona McFadyen - Conference
Attendance**

**HPERM Ref:
D18/102366**

Recommendation (Item to be determined under delegated authority)

That Council accept the Bursary of \$790 to cover the conference registration fee for Fiona McFadyen to attend the Museums Galleries Australia Conference in June.

RESOLVED (Clr Gartner / Clr Findley)

MIN18.277

That Council accept the Bursary of \$790 to cover the conference registration fee for Fiona McFadyen to attend the Museums Galleries Australia Conference in June and pass on Council's congratulations.

CARRIED

**SA18.82 Acceptance of Bursary Funding - Performance Arts
Acceptance Australia - \$480 - Karen Patterson -
Conference Attendance**

**HPERM Ref:
D18/118473**

Recommendation (Item to be determined under delegated authority)

That Council accept the travel subsidy of \$480 to assist Shoalhaven Entertainment Centre manager Karen Patterson in covering travel costs to attend the PAC Australia Performing Arts Exchange and Making Space Conference in Karratha.

RESOLVED (Clr Gartner / Clr Findley)

MIN18.278

That Council accept the travel subsidy of \$480 to assist Shoalhaven Entertainment Centre manager Karen Patterson in covering travel costs to attend the PAC Australia Performing Arts Exchange and Making Space Conference in Karratha and pass on Council's congratulations.

CARRIED

SA18.83 Crown Lands Management Act 2016

**HPERM Ref:
D18/110481**

Recommendation (Item to be determined under delegated authority)

That the report about the current status of Crown Land Management Act 2016 be received for information.

RESOLVED (Clr Wells / Clr Cheyne)

MIN18.279

That the report about the current status of Crown Land Management Act 2016 be received for information.

CARRIED

Procedural Motion - Adjournment of Meeting

MOTION (Clr Pakes / Clr Proudfoot)

That the meeting be adjourned for 10 minutes until 7.33pm.

FOR: Clr Gash, Clr White, Clr Guile, Clr Pakes, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Wells, Clr Findley, Clr Gartner, Clr Cheyne, Clr Levett, Clr Watson and Russ Pigg

LOST

**SA18.84 Proposed Lease - Milton Ulladulla Preschool - 22
Dowling St, Ulladulla**

**HPERM Ref:
D18/69945**

Recommendation

That Council:

1. Enter into a 5 + 5 year lease agreement with a commencement rent of \$6,218.69 + GST and annual CPI increases commencing 1 May 2018 with Milton Ulladulla Preschool Association for the continued use and occupation of 22 Dowling St, Ulladulla as a preschool.
2. Approve the allocation of the rent received under this 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.

RECOMMENDATION (Clr Gartner / Clr Cheyne)

That Council:

1. Enter into a 5 + 5 year lease agreement with a commencement rent of \$6,218.69 + GST and annual CPI increases commencing 1 May 2018 with Milton Ulladulla Preschool Association for the continued use and occupation of 22 Dowling St, Ulladulla as a preschool.
2. Approve the allocation of the rent received under this 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.

CARRIED

SA18.85 Grant of Easement for Underground Cables to Endeavour Energy - Various Sites - North Nowra

**HPERM Ref:
D18/78260**

Recommendation

That:

1. Council grant an Easement in favour of Endeavour Energy for Underground Cables 3 metres wide over Lot 47 DP264082, Lot 15 DP241820, Lot 22 DP1024489, Lot 20 DP262851 and Lot 41 DP707414 at Gordon Cook Apex Park, North Nowra and accept compensation of \$10,000 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and legal costs are met by Endeavour Energy; and
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

RECOMMENDATION (Clr Gartner / Clr White)

That:

1. Council grant an Easement in favour of Endeavour Energy for Underground Cables 3 metres wide over Lot 47 DP264082, Lot 15 DP241820, Lot 22 DP1024489, Lot 20 DP262851 and Lot 41 DP707414 at Gordon Cook Apex Park, North Nowra and accept compensation of \$10,000 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and legal costs are met by Endeavour Energy; and
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.86 Proposed New Leases - Marine Rescue NSW - Huskisson, Kioloa & Crookhaven Heads

HPERM Ref: D18/82557

Recommendation

That Council:

1. Enter into a 20 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R64558 – Part Lot 7010 DP 1076858, Part Lot 7012 DP 1021163 and Part Lot 1 DP 209436, being Voyager Memorial Park, Huskisson with an annual rent of \$490 (plus GST) with annual CPI increases; and
 - b. Part Reserve R75773 - Part Lot 34 DP 755941, Part Lot 7009 DP 1020455 and Part Lot 7304 DP 1143028, being O'Hara Head Reserve, Kioloa with an annual rent of \$490 (plus GST) with annual CPI increases.
2. Enter into a 5 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R180073 – Part Lot 34 DP 755971, being Crookhaven Heads Pilot Cottage Reserve, Crookhaven Heads with an annual rent of \$490 (plus GST) with annual CPI increases.
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.

RECOMMENDATION (Clr Gartner / Clr White)

That Council:

1. Enter into a 20 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R64558 – Part Lot 7010 DP 1076858, Part Lot 7012 DP 1021163 and Part Lot 1 DP 209436, being Voyager Memorial Park, Huskisson with an annual rent of \$490 (plus GST) with annual CPI increases; and
 - b. Part Reserve R75773 - Part Lot 34 DP 755941, Part Lot 7009 DP 1020455 and Part Lot 7304 DP 1143028, being O'Hara Head Reserve, Kioloa with an annual rent of \$490 (plus GST) with annual CPI increases.
2. Enter into a 5 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R180073 – Part Lot 34 DP 755971, being Crookhaven Heads Pilot Cottage Reserve, Crookhaven Heads with an annual rent of \$490 (plus GST) with annual CPI increases.
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.

CARRIED

**SA18.87 Land Acquisition - Easement for Drainage - Lot 102 DP
179622 Forest Meadows Way, Worrigee**

**HPERM Ref:
D18/103228**

Recommendation

That Council:

1. Acquire easements to drain water 5 and 6 metres wide and variable width over part of Lot 102 DP 1179622 Forest Meadows Way, Worrigee as shown on Attachment 1.
2. Agree to pay compensation in the amount of \$20,037 plus reasonable legal costs associated with these acquisitions from Job No 85001 Land Acquisition Fund.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

RECOMMENDATION (Clr Gash / Clr Gartner)

That Council:

1. Acquire easements to drain water 5 and 6 metres wide and variable width over part of Lot 102 DP 1179622 Forest Meadows Way, Worrigee as shown on Attachment 1.
2. Agree to pay compensation in the amount of \$20,037 plus reasonable legal costs associated with these acquisitions from Job No 85001 Land Acquisition Fund.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA18.88 Abandonment of Debt - Holiday Haven Outstanding
Occupancy Fees**

**HPERM Ref:
D18/103681**

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10A(2)(b) of the Local Government Act 1993, consider a separate confidential report to consider writing off debts incurred by customers at Shoalhaven Heads and Lake Conjola Tourist Parks.

RESOLVED (Clr Pakes / Clr White)

MIN18.280

That Council, in accordance with Section 10A(2)(b) of the Local Government Act 1993, consider a separate confidential report to consider writing off debts incurred by customers at Shoalhaven Heads and Lake Conjola Tourist Parks.

CARRIED

SA18.89 Proposed Lease - Shoalhaven Trophies - 1 Stewart Place, Nowra

**HPERM Ref:
D18/107255**

Recommendation

That Council resolve:

1. To enter into a one (1) plus one (1) year lease with Alfred & Roslyn Parker (trading as Shoalhaven Trophies) over part lot 1 DP 115782 and part lot 1 DP 434714 known as 1 Stewart Place, Nowra commencing at an annual rent of \$18,353.52 plus GST with annual CPI increases; and
2. To affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed and to delegate authority to the General Manager to sign all documentation required to effect to this resolution.

RECOMMENDATION (Clr Pakes / Clr Gash)

That Council:

1. Enter into a one (1) plus one (1) year lease with Alfred & Roslyn Parker (trading as Shoalhaven Trophies) over part lot 1 DP 115782 and part lot 1 DP 434714 known as 1 Stewart Place, Nowra commencing at an annual rent of \$18,353.52 plus GST with annual CPI increases; and
2. Affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed and to delegate authority to the General Manager to sign all documentation required to effect to this resolution.

CARRIED

SA18.90 Tree Management Policy - Public Land

**HPERM Ref:
D17/300343**

Recommendation (Item to be determined under delegated authority)

That Council adopt changes to the decision-making process in the *Tree Management Policy – Public Land* to provide options (the ‘45 degree rule’) upfront for residents to undertake tree works in road reserves at their cost, when works are not undertaken by Council.

RESOLVED (Clr Findley / Clr Gartner)

MIN18.281

That Council adopt changes to the decision-making process in the *Tree Management Policy – Public Land* to provide options (the ‘45 degree rule’) upfront for residents to undertake tree works in road reserves at their cost, when works are not undertaken by Council.

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

AGAINST: Clr Levett and Clr Proudfoot

CARRIED

SA18.91 Comerong Island Ferry - Service Review

**HPERM REF:
D18/84821**

Item dealt with earlier in the meeting.

SA18.92 Waste Services Facilities Resourcing Model

**HPERM Ref:
D18/58861**

Recommendation (Item to be determined under delegated authority)

That Council endorses an internal resourcing model for the provision of Waste Services, including management and staffing all 10 waste transfer stations, recycling centres, buy back centres and landfills.

RESOLVED (Clr Findley / Clr White)

MIN18.282

That Council endorses an internal resourcing model for the provision of Waste Services, including management and staffing all 10 waste transfer stations, recycling centres, buy back centres and landfills, and that staff be commended for their work.

CARRIED

SA18.93 Energy from Waste Inquiry

**HPERM Ref:
D18/111672**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept and note the report on the NSW State Government's Inquiry into 'Energy from Waste', completed on 28 March 2018; and
2. Continue to make representations to the State Government through local MP's in both Houses, to have Shoalhaven reclassified as per the Inquiry recommendation.

RESOLVED (Clr Findley / Clr Cheyne)

MIN18.283

That Council:

1. Note the report on the NSW State Government's Inquiry into 'Energy from Waste', completed on 28 March 2018; and
2. Continue to make representations to the State Government through local Members of Parliament to have Shoalhaven reclassified as per the Inquiry recommendation.

CARRIED

**SA18.94 Crookhaven River Bridge Upgrade - Round 3 - Bridge
Renewal Program**

**HPERM Ref:
D18/103142**

Recommendation (Item to be determined under delegated authority)

That

1. Council accepts grant funding offer under the Australian Government's Bridge Renewal Programme – Round 3 – for the upgrade of Crookhaven River Bridge (Archgate Bridge) in order to strengthen bridge to 166 tonne load and, to lift the weight restriction; speed restriction; and, heavy vehicle restrictions currently imposed on bridge traffic on Culburra Rd.
 - a. Federal funding is up to \$396,000 and, up to 50% of the total project cost;
 - b. Council to fund \$397,000, in accordance with the funding agreement. To be funded from Council's Bridge Renewal Program.

RESOLVED (Clr Pakes / Clr Gash)

MIN18.284

That:

1. Council accepts grant funding offer under the Australian Government's Bridge Renewal Programme – Round 3 – for the upgrade of Crookhaven River Bridge (Archgate Bridge) in order to strengthen bridge to 166 tonne load and, to lift the weight restriction; speed restriction; and, heavy vehicle restrictions currently imposed on bridge traffic on Culburra Rd.
 - a. Federal funding is up to \$396,000 and, up to 50% of the total project cost;
 - b. Council to fund \$397,000, in accordance with the funding agreement. To be funded from Council's Bridge Renewal Program.
2. Council conduct an extensive media campaign to educate residents on the bridge upgrade.

CARRIED

SA18.95 Acquisition of Land and Easement - Sewer Purposes - Sussex Inlet

**HPERM Ref:
D18/92003**

Recommendation

That Council:

1. Acquire part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, shown as proposed Lot 101 on the attached draft survey plan.
2. Acquire an Easement to Drain Sewage variable width over part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, marked (S) on the attached draft survey plan.
3. Pay compensation of \$2,000 (plus GST) and reasonable legal costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
4. The land to be acquired to 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.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council:

1. Acquire part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, shown as proposed Lot 101 on the attached draft survey plan.
2. Acquire an Easement to Drain Sewage variable width over part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, marked (S) on the attached draft survey plan.
3. Pay compensation of \$2,000 (plus GST) and reasonable legal costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
4. The land to be acquired to 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.

CARRIED

SA18.96 Bomaderry Sewerage Treatment Plant - Property Matters

**HPERM Ref:
D18/111433**

Recommendation (Item to be dealt with under delegated authority)

That Council enter into negotiations for the purchase of Lot J DP385161 and Lot K DP389887, No 74 Railway Street Bomaderry.

RESOLVED (Clr Guile / Clr White)

MIN18.285

That Council enter into negotiations for the purchase of Lot J DP385161 and Lot K DP389887, No 74 Railway Street Bomaderry.

CARRIED

**SA18.97 Request for Connection to Town Water Supply - 285
Tannery Road, Cambewarra**

**HPERM Ref:
D18/111402**

Recommendation

That Council:

1. Approve the connection to the town water supply, subject to the property owner:
 - a. Paying the Separate System Connection fee for water supply (\$6,578.00/ET (2017/18)), and
 - b. Paying the 20mm metered service fee (\$847.00 (2017/18)), and
 - c. Extension of the water supply system in 100mm Nominal Size pipeline at the property owners cost (estimated in the order of \$100,000).

RECOMMENDATION (Clr Pakes / Clr Cheyne)

That Council:

1. Approve the connection to the town water supply, subject to the property owner:
 - a. Paying the Separate System Connection fee for water supply (\$6,578.00/ET (2017/18)), and
 - b. Paying the 20mm metered service fee (\$847.00 (2017/18)), and
 - c. Extension of the water supply system in 100mm Nominal Size pipeline at the property owners cost (estimated in the order of \$100,000).

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 Pakes / Clr Levett)

MIN18.286

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.

CSA18.6 Abandonment of Debt - Holiday Haven Unpaid Occupancy Fees

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

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

CARRIED

The meeting moved into confidential the time being 8.16pm.

The meeting moved into open session, the time being 8.17pm.

There being no further business, the meeting concluded, the time being 8.18pm.

Clr Wells
CHAIRPERSON

SA18.99 Notice of Motion - Beach Access Warrain Beach, Currarong

HPERM Ref: D18/138448

Submitted by: Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation

That

1. Council urgently fund the upgrade or replacement of two access points to Warrain Beach, Currarong (making the total of 5 beach access points).
2. Possible funding options, 2018/19 Operational Budget, Holiday Haven.

Background

- Prior to the East Coast Low in 2016 there were eight beach access points at the southern end of Warrain Beach. Warrain Beach runs along Warrain Cres and in front of the Currarong Beach Side Holiday Park (Council Owned Park).
- I have been made aware by community members that there are now only three access points and the remaining five have not been repaired and closed by Council.
- The community have raised many concerns about the closure of the walkways / access points.
- Many visitors are making their own tracks to gain access to the beach damaging vegetation and the dunes.
- Over the Christmas and Easter periods the village of Currarong triples the village population and many community members are concerned of more damage if council doesn't replace the access points

Note by the General Manager

Background

The June 2016 East Coast Low (ECL) was a significant event resulting in the largest waves ever recorded on the NSW Coast, with the Eden wave rider buoy recording a maximum wave height of 17.7m on 6 June 2016 before the wave buoy broke from its moorings.

The direction of this ECL was unusual in that it come from the ENE direction, and heavily impacted NE facing beaches such as Currarong/Warrain Beach.

As stated, Warrain Beach has been serviced by 8 beach access points, 7 of which have been elevated stairs, at a cost of \$15,000 per stairs each to construct from treated pine. This meant the total value of the beach access loss was \$105,000.

Council is also aware that the Federal/State Government Natural Disaster funding does not cover damage to these type of structures.

SA18.99

In the short-term Council has replaced three (3) beach access points along Warrain beach at the following locations.

- Peel St (far western end of the beach)
- Mid beach between Worrigeer St and Cambewarra Rd
- Eastern end opposite boat ramp

(see map below)



Figure 1: Location of existing beach accessways 2017/18
Location of proposed beach accessways 2018/19

Current Situation

Currently the distance between beach access-ways is 400m, and feedback from the community is that this is unacceptable, and they have requested an additional 2 beach access-ways to reduce the distance that beach goers need to walk to access the beach safely. During the Councillor tour on Friday 4 May, Councillors and staff met community representatives on site to discuss options. Currently residents/visitors are constructing their own structure, such as timber steps and sand bags to facilitate access down the steep dune scarp. This raises some serious public risk implications for Council (see attached photos).

As part of the larger Currarong Erosion Remediation Project, an additional two beach access-ways are proposed for construction. These are planned to be constructed at the corner of Cambewarra St & Warrain Crescent, where a lookout is currently situated and opposite No. 38 Warrain Crescent (see figure 1). This will bring the total of 5 beach access-ways along Warrain beach, with the total distance between beach access ways being no greater than 250m. However at the inspection on 4 May it was suggested that the 5th access point could be at the intersection of Warrain Cr and Worrigeer Rd rather than opposite #38.

One of the two proposed beach access tracks is located over an Aboriginal Heritage item (middens). As per the NSW NPWS Act 1979 and the NSW Office Environment and Heritage (OEH) Due Diligence Code, Council has prepared an Aboriginal Cultural Heritage Assessment Report and requires approval to undertake the work from NSW OEH.

Both these proposed beach access-ways will be constructed as part of the larger erosion remediation control works (construction of the geotextile groyne and sand nourishment). As the beach access-ways will rely on sand nourishment in order to be built.

Currently Council is at detailed design stage for the erosion remediation project and have prepared a draft Review of Environmental Factors (REF) for the project. Staff are currently in consultation with the Jervis Bay Marine Park Authority, NSW Crown Lands, NSW OEH and Currarong Progress Association & Community, with a public meeting scheduled for May 26, 2018. The estimated timeframe for commencement of works on the project is September – October 2018.

Future Plans

The two-proposed beach access-ways will cost approximately \$90,000 each, if constructed of Fibre Reinforced Polymer, however a cost benefit assessment can be made including other shorter life materials. The cost of the two-additional beach access-ways has not been budgeted into the overall erosion remediation project, which has a total cost of \$884,660.

Currently Council has \$400,000 allocated from the 2017/18 coastal reserve budget and will be allocating an additional \$350,000 from the 2018/19 allocation. Council will still require \$134,660 just to complete the geotextile groyne/sand nourishment project – a matter noted for budget considerations.

If Council's CZMP is certified by the Minister this year, Council will be eligible to apply for grant funding from NSW OEH Coast and Estuary Program for partial funding. The funds for the additional two beach access ways will need to be drawn from existing capital budget, such as the Coastal Foreshore Access Strategy

However, cost sharing with Holiday Haven Tourist Parks for the construction of the additional two access ways will be pursued, for works to be undertaken in 2018/19.

SA18.100 Notice of Motion - Footpath Construction - Osborne Street Nowra - Incomplete Section

HPERM Ref: D18/141066

Submitted by: Cllr Greg Watson

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That Council include the remaining section of unpaved footpath in Osborne St Nowra, located between Hyam St and North St (Western side) in the operation plan for paving.

Background

The Northern end of Osborne St Nowra is used by increasing numbers of pedestrians from the local area to gain access to the CBD and the Department of Housing estate and Pool. Because of the increasing commercialisation of this section of Osborne St the street parking is at saturation point which forces pedestrians on to the road pavement used by cars creating a particularly hazardous situation for those using mobility devices, wheel chairs etc.

Note by the General Manager

Next year's draft budget currently has the following budgets related to footpaths:

85145 – Footpath forward investigation \$13K

85805 – Footpaths replace (renewal) \$57K

85328 – Footpaths new \$164K

85362 – Community Sponsored paths \$110K

The completion of the footpath network on Osborne Street Nowra is currently one of the highest priority in PAMP (Pedestrian Access and Mobility Plan) on the local road network (there are other higher priorities on the Highway).

The cost of the footpath as requested by in the Motion is in the order of \$50,000.

The cost of the remaining missing links in the Osborne Street footpath network is in the order of \$40,000 (combined that will complete continuous footpath along Osborne Street between North Street and Plunkett Street).

Completion of the Osborne Street footpath works is supported in 18/19.

That will leave \$74,000 left to spend on other footpath works citywide which will be allocated on the highest priority projects in PAMP (primarily this is addressing the numerous other "missing links" in the footpath network city wide).

The Director Assets & Works and Traffic Unit Manager are preparing to bring the PAMP "list" for the next 3 years to Council for consideration in the coming weeks.

SA18.101 Report of the Shoalhaven Arts Board - 9 May 2018

HPERM Ref: D18/154574

Attachments: 1. Art - Shoalhaven City Council Art Collection - Acquisition & Management - Recommended Changes - May 2018 [↓](#)

AB18.11 Policy Changes - Shoalhaven City Art Collection - Acquisition & Management

HPERM Ref:
D18/144102

That Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management Policy (POL18/23) with the proposed changes as outlined in the attachment.

1. Delete the requirement for the Acquisition Sub-Committee to include the Shoalhaven Arts Board Executive Officer as Convenor,
2. Amend the position title within the Acquisition Sub-Committee members from Shoalhaven Arts Manager to Manager – Arts and Culture, Shoalhaven City Council.

CARRIED

AB18.12 Art Acquisition Subcommittee - Formation - Membership

HPERM Ref:
D18/141858

1. That the Art Acquisition Subcommittee of the Shoalhaven Arts Board be established as per the Shoalhaven City Council Art Collection – Acquisition and Management Policy (POL18/23) with the following members:
 - i. Cllr John Wells (as Councillor member nominated by Council),
 - ii. Alison Chiam (Arts Board representative as nominated by the Board),
 - iii. Barbara Dawson (Arts board representative as nominated by the Board),
 - iv. Manager – Arts and Culture as Convenor,
 - v. An invited / co-opted member of the arts community.

CARRIED

SA18.101



Shoalhaven City Council Art Collection - Acquisition and Collection Management

*Policy Number: POL18/23
Adopted: 12/05/2009
Amended: 21/05/2013, 18/02/2014, 27/06/2017
Minute Number: MIN09.612, MIN13.522, MIN14.121, MIN17.586
File: 18106E
Produced By: Finance Corporate & Community Services Group
Review Date: 1/12/2020*

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*Shoalhaven City Council Art Collection - Acquisition and Collection Management***1. PURPOSE**

The aim of this Policy is to establish administrative guidelines for a purposeful, consistent approach to acquisition of works and management of the Shoalhaven City Art Collection.

2. STATEMENT

The title shall be the “Shoalhaven City Art Collection – Acquisition and Collection Management Policy” and will be owned and managed by Shoalhaven City Council.

The Shoalhaven City Art Collection has been established to:

- Collect contemporary and historical works of visual art of demonstrable excellence by artists of significance with an emphasis on Australian artists and artists who have a connection to the Shoalhaven.
- Enrich, educate and inform the community of Shoalhaven City and its visitors in quality visual arts practice in Australia,
- Stimulate awareness and appreciation of the visual arts
- Strengthen an historical, social and locally relevant visual arts resource
- Establish a valuable collection of Regional significance and National interest

2.1. Scope

The Policy for acquiring art is to further develop the present strengths of the Collection, especially by seeking works that are of local, national and international significance. All artworks selected, acquired or commissioned by Council will contribute towards the development of a unique and distinctive collection and will give priority to acquiring works of art that satisfy one or more of the following scoping statements:

- 2.1.1. Relate to the Shoalhaven region, by Australian artists, particularly those who have a proven record of practice and development of their art form and who are represented in public collections or who have received recognition through awards and prizes
- 2.1.2. Build upon strengths and fill gaps in the current holdings of the Shoalhaven City Art Collection, as well as develop the representation of artists already held, in order to create a comprehensive, though specifically oriented, collection.
- 2.1.3. Artworks by local Indigenous artists, particularly those who have proven development and commitment to their art form or represent a significant group or time
- 2.1.4. To consider exceptions where the works are significant and relate to the current policy

2.2. Background

The Art Collection of Shoalhaven City Council has been gradually acquired over many years. The Shoalhaven Arts Board, after its inauguration in 1998, created Guidelines and a single Policy to inform acquisition. With the establishment of the Shoalhaven City Arts Centre in 2004, the Policy was amended to recognise the significant loans and donations added to the organisations collection.

Shoalhaven City Council Art Collection - Acquisition and Collection Management

In early 2008, Shoalhaven City Council's Art Collection was divided into two (2) separate Collections to distinguish between a primary Collection with works of significance titled "The Shoalhaven Regional Gallery Collection" and a secondary Collection with works of significance titled "The City Collection" which included gifts to the City of lesser artistic, historic or monetary value (as identified at the time of the audit).

Collecting activities are often cost prohibitive, however, the Collection does not seek to cover a complete range of art. Following an audit of both Collections conducted by external art consultants in 2012/13, the objective to define the focus of the Collection has led to the merger of both Collections and determined six (6) primary collecting areas:

1. Australian Landscape
2. War and Peacekeeping
3. Australian Contemporary
4. Indigenous
5. Secular and Religious
6. Ceramics

3. PROVISIONS

3.1. General

- 3.1.1. The Collection is managed by Council's Arts Manager.
- 3.1.2. Council will contribute an annual budget allocation for adequate maintenance and acquisition of new works in the Shoalhaven City Art Collection. Unexpended annual funding will be accumulated in a suspense reserve to form a growing resource.
- 3.1.3. All works shall be placed on a database and insured in accordance with Council's asset management plans and catalogued with details including title, image, size, and medium, artist, and provenance, date of acquisition, acquisition status, value, location and description.
- 3.1.4. The services of professionals in the field will be obtained for conservation, valuation, restoration and museum standard pest treatment.
- 3.1.5. "The Shoalhaven City Art Collection" will be stored at the Shoalhaven Regional Gallery, Nowra or as permanent exhibition throughout Council's City Administrative Centre, Nowra, or in a separate suitable location as deemed necessary.
- 3.1.6. Acquisition of artworks will be directed by this Policy and the following considerations:
 - The artwork's current and future relevance to the Collection
 - Local significance
 - Significance of the artist
 - Historical and/or cultural value
 - Cost and/or value for money
 - Available funding
 - Advantageous opportunities

3.2. Gifts and Donations

- 3.2.1. Artworks can be accepted into the Collection in the form of donations and bequests. The works must correspond with the details of the Collection Policy as part of acquisition procedure.
- 3.2.2. With consideration to insurance and risk requirements, artworks may be temporarily accepted by Council for the purposes of consideration of a donation or purchase, formal assessment of a work or to seek valuation of a work prior to acquisition.
- 3.2.3. The Shoalhaven Arts Board will accept donations and bequests under the Cultural Gifts Program which fulfil the requirement of the Collection Policy.
- 3.2.4. Objects outside the scope of this Policy and gifted to Council through national and international relations will be registered as Council assets in place of being accessioned.
- 3.2.5. Donors will be informed that neither conditions nor provenance will be accepted as part of the donation or bequest and that the art work/s becomes the property of Shoalhaven City Council and subject to its prevailing Policy.
- 3.2.6. On behalf of the Shoalhaven City Art Collection, Council will obtain clear and valid title to all purchases, bequests, gifts, donations or loans.
- 3.2.7. On rare occasion, when a unique bequest, which falls beyond the general guidelines is offered, the Shoalhaven Arts Board may deliberate over the acceptance of such a bequest and its capacity to honour any stated provenance. In this event, the Shoalhaven Arts Board will make a special recommendation to be ratified by Council.
- 3.2.8. Donations of money, grants or art works will be receipted within the convention and standards of the Australian Taxation Act.

3.3. Loan Items

- 3.3.1. Council's formal Artwork Loan Agreement is to clearly and contractually specify the conditions of any loan to or from the Collection and to be signed by relevant parties. The Agreement outlines detail relating to the term of loan, ownership, responsibilities, conservation, security, maintenance, insurance and date of return.
- 3.3.2. Items offered for loan are subject to the selection criteria and procedure contained in this Policy and do not warrant automatic inclusion into the Collection.
- 3.3.3. No loan of artworks will be accepted into Council's custody until such time as the matter has been formally considered and resolved by the Shoalhaven Arts Board to accept the works. Works accepted on loan will be maintained, insured and administered as collection items, however, Council does not own the items. Any valuation of the Art Collection should delineate between the value of the Collection owned as distinct from the value of the Collection administered.
- 3.3.4. Works on loan should not be lent to other institutions or individuals without the written consent of the owner of the work.

3.4. Conflict of Interest

- 3.4.1. Acquisition of works for the Shoalhaven City Art Collection will be in accordance with this Policy. At all times, Council and Shoalhaven Arts Board members are to declare any conflict of interest prior to deliberations on the acquisition of artworks.

Shoalhaven City Council Art Collection - Acquisition and Collection Management

- 3.4.2. Purchase or acceptance of donations from current full-time Council officers or Shoalhaven Arts Board members will not ensue without first obtaining an independent valuation of the work and ratification from the responsible delegated Council authority.

4. PROCEDURES

4.1. Selection Procedure

- 4.1.1. All proposed acquisitions, whether by purchase, gift, exchange or loan will be appraised by an Acquisition Sub-Committee comprising:
- a Councillor member as nominated by Council
 - ~~Shoalhaven Arts Board Executive Officer as Convenor~~
 - ~~Shoalhaven Arts Manager~~Manager – Arts and Culture, Shoalhaven City Council
 - A Shoalhaven Arts Board representative with visual arts background/qualifications as nominated by the Board and
 - An invited/co-opted member of the arts community who possesses knowledge of Australian Art
- 4.1.2. Acquisition appraisals will be consistent with this Policy.
- 4.1.3. Works not accepted into the Shoalhaven City Art Collection may be considered for inclusion and registration as a Council asset without being accessioned as part of the Collection.
- 4.1.4. The Sub-committee may present the opportunity for specialist outside expert comment on proposed acquisitions.
- 4.1.5. All proposals and recommendations shall be in a written report and will include details of:
- The artist's name
 - Residential status
 - The title and image of the work
 - Date of execution
 - Medium and size
 - Method of acquisition
 - The vendor or donor
 - The provenance of the work
 - Price, valuation or insurance value if a gift or a loan
 - Current condition
- as well as a statement setting out the reasons for acquisition, its place in the collection and its merit as a work of art in its own right.
- 4.1.6. The Arts Manager, on the advice of the Arts Acquisition Sub-Committee, will present a recommendation to the Shoalhaven Arts Board for its consideration and adoption
- 4.1.7. Acknowledging that some artwork is sacred and restricted, only works intended for public display or approved for display in consultation with appropriate representatives and communities will be considered for acquisition.
- 4.1.8. No acquisition will be made which compromises or jeopardises the financial viability of the Collection budget.

Shoalhaven City Council Art Collection - Acquisition and Collection Management

4.1.9. The Shoalhaven Arts Board will not accept any work which bears any unreasonable or inappropriate restrictions on its display, storage, maintenance and provenance.

4.1.10. The Board will be mindful of Australian or international laws or covenants that restrict or govern the acquisition of cultural material.

4.2. Accession

4.2.1. Newly acquired works are to be registered in the Collection Management System on receipt by the Shoalhaven Regional Gallery. Registration and catalogue data include:

- issue of a unique identifier number
- photographic image of work
- information regarding materials, technique and provenance

4.2.2. File and document numbers of related documents such as Acquisition Agreement, Loan Agreement, Maintenance Schedule and Condition Report must also be entered into the database.

4.3. Deaccessioning

4.3.1. The process of removing or disposing of works in the collection, otherwise known as deaccessioning, will not be undertaken for any reason apart from:

- lack of relevance to the Collection
- duplication of another object in the collection
- requirement of prohibitive conservation work and/or the work is beyond repair
- the work has already been destroyed, lost or stolen
- cannot be suitably stored
- should be returned as restitution of cultural property
- subject to legislation which prevents Council holding title to it

4.3.2. For deaccessioning to proceed, the Board must receive written recommendation and formally determine to deaccession the work. The report will clearly state the reason for disposal and include:

- object unique identification number;
- description;
- photograph;
- advice on legal status (if available);
- any written specialist advice;
- impact the action would have on the collection; and
- suggested method of disposal

4.3.3. Where deaccessioning is approved the order of priorities for removing the work from the collection shall be:

- Donated works returned to the original donor / artist or next of kin
- Donated works offered as a donation to another cultural institution, or works that were purchased are offered for sale to another cultural institution based on current valuation.
- Works sold at auction and the proceeds of the sale reinvested into the collection acquisition fund.

Shoalhaven City Council Art Collection - Acquisition and Collection Management

- 4.3.4. For items that have already been destroyed, lost or stolen, the deaccessioning process must also be completed. The Board will then determine whether reasonable steps, if economically viable, have been taken to locate/recover /restore the work.
- 4.3.5. After a 2 month interval (cooling off period) works which have previously been presented to the Arts Board for deaccessioning and rejected, may be re-submitted for consideration and further determination by the Arts Board. .
- 4.3.6. Where artworks have been donated to the collection, the donor, or where feasible the next of kin, should be offered the opportunity to have the work returned to them. A reasonable effort should be made to contact the donor or next of kin to discuss the deaccessioning of the work. Works purchased via a collective (group) donation do not fit this category.
- 4.3.7. Procedural guidelines for each method of disposal and/or removal of artworks must be clearly defined, implemented and proceed in full public knowledge. Evidence of compliance should be attached to deaccessioning documentation.
- 4.3.8. Archived records documenting deaccessioned work will be permanently stored within Council.

5. IMPLEMENTATION

The Finance, Corporate & Community Services Group of Council will administer this policy.

6. REVIEW

To be reviewed within 1 year of the election of a new Council.

7. APPLICATION OF ESD PRINCIPLES

Council will maintain and store works to ensure the preservation of artworks and Council's investment.

SA18.102 Review of Council policies

HPERM Ref: D18/124273

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments:

1. Revenue_StormwaterPolicy_Updated [↓](#)
2. Amendment to POL18/19 Fees - Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups [↓](#)
3. Amendment to POL16/183 [↓](#)

Purpose / Summary

To review and update Council policy POL18/12 Revenue – Stormwater Management Policy and make slight amendments to two Council policies dealing with fee waivers (POL17/10 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups and POL16/183 Fee Waivers, Subsidies and Support Policy).

Recommendation (Item to be determined under delegated authority)

That Council adopt the following policies, as amended:

1. POL18/12 Revenue – Stormwater Management Policy
2. POL18/19 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups
3. POL16/183 Fee Waivers, Subsidies and Support Policy

Options

1. Adopt the recommendations as written.

Implications: Nil

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

Implications: Staff will need to redraft the affected policies.

Background

Tracked changes have been made to the following policies:

- a. POL18/12 Revenue – Stormwater Management Policy
- b. POL17/10 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups
- c. POL16/183 Fee Waivers, Subsidies and Support Policy

These are shown in the attachments.

POL18/12 Revenue – Stormwater Management Policy is due for review and has been updated to show the latest stormwater management charges set under Local Government (General) Regulation 2005, Section 125AA and to correct some typographical issues.

Reference to listing on the Community Directory has been removed from both POL17/10 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups and POL16/183 Fee Waivers, Subsidies and Support Policy. Among the

issues identified when the Community Directory was recently reviewed was the finding that some organisations/people are only requesting to be added to the Directory due to a mistaken belief that they then qualify for the waiving of DA fees or to receive fee support for the use and hire of Council managed public reserves and facilities. The amendment is intended to clarify that non-profit status is the key eligibility criterion.

Community Engagement

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



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Revenue - Stormwater Management Policy

Policy Number: POL18/12 • **Adopted:** 19/01/2016 • **Amended:** 15/08/2017 • **Minute Number:** MIN16.19,
MIN17.701 • **File:** 2973E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:**

1. PURPOSE

Councils have primary responsibility for stormwater management within their local government area. This includes managing both stormwater quality and quantity in their area and ensuring that potential negative stormwater impacts are not transferred across council boundaries.

In 2006, the addition of Section 496A to the Local Government Act 1993, made by the Local Government Amendment (Stormwater) Act 2005, enabled councils to make and levy an annual charge for Stormwater Management Services for each parcel of rateable land for which a Stormwater Management Service is provided. The charge applies to parcels of land categorised for rating purposes as “Residential” or “Business” (including all sub categories), not being vacant land or land owned by the Crown, or land held under a lease for private purposes granted under the Housing Act 2001 or The Aboriginal Housing Act 1998 or as defined further in this Policy.

2. STATEMENT

This policy provides the guidelines for administering the levying of the Stormwater Management Charge on eligible properties within the Shoalhaven City Council area in accordance with Section 496A of the Local Government Act 1993 and clauses 125A and 125AA of the Local Government (General) Regulation 2005.

3. PROVISIONS

Increasing urbanisation has resulted in a significant increase in impervious surfaces and has significantly increased the volume of stormwater flowing into urban waterways. These flows contribute substantial loads of litter, sediment and chemicals to urban waterways, as well as causing flooding in some areas.

Therefore, appropriate asset management (through maintenance and replacement of drains and stormwater treatment measures) and the harvesting and reuse of stormwater is becoming increasingly important. Stormwater management involves the use of structural (e.g., physical infrastructure and treatment techniques) and non-structural (e.g., education programs and monitoring) measures to both improve stormwater quality and mitigate excessive flows. This contributes to pollution abatement, protection of aquatic ecosystems health and flood mitigation.

Shoalhaven City Council - Revenue - Stormwater Management Policy

The purpose of the Stormwater Management Charge is to allow council to raise additional revenue to cover some or all of the costs of providing new/additional stormwater management services within the local government area (LGA). The Stormwater Management Charge will cover costs additional to those which have been previously funded from Council's general income.

3.1 Stormwater Management Charge restrictions:-

- The charge cannot be levied when Council has a stormwater related special rate or special variation in place for stormwater management or a drainage charge.
- The charge must not exceed the estimated cost of implementing any new/additional stormwater measures.
- The charge cannot be used for dealing with stormwater run-off from public land.

3.2 Land Eligible to be charged the Stormwater Management Charge

Shoalhaven City Council will apply the charge to parcels of rateable land categorised as Residential or Business under the Local Government Act 1993 within an urban area, that benefit from proposed new/additional stormwater management services. For this purpose "Urban" means land within a city, town or village. This may differ from the description of urban contained in Council's LEP. Shoalhaven City Council has identified cities, towns and villages by plotting such areas within Council's GIS mapping system. This system will be updated regularly by the Property Unit to accommodate newly created subdivisions and urban creep.

3.3 Land Exempt from the Stormwater Management Charge

- Public land, such as:
 - Crown land, [and](#)
 - Council owned land; ~~and~~
- Land held under lease for private purposes granted under the Housing Act 2001 or the Aboriginal Housing Act 1998;
- Vacant land, as in land containing no buildings, car parks or large areas of material such as concrete (i.e., no impervious surfaces); ~~and~~
- Rural residential or rural business land (i.e., land not located within a city, town or village);
- Land belonging to charities and public benevolent institutions;
- Parcels of land already contributing to a drainage charge through a special rate or special variation where the primary purpose of the charge is stormwater management.

3.4 Change of Status part way through the year

If a parcel of land is vacant at the start of the rating period and a building is constructed on the land during the year, the charge will be applied from the commencement of the next rating quarter. Should the subject property be rated as a 'supplementary levy' in the current year, all rates and charges will be apportioned accordingly.

3.5 Charges to Apply

Limits are set as per the Local Government (General) Regulation 2005, Section 125AA:

- A flat fee for urban Residential and Business properties at \$25
- [A flat fee for urban Residential and Business strata units at \\$12.50](#)

*Shoalhaven City Council - Revenue - Stormwater Management Policy***4. IMPLEMENTATION**

The responsibility for the implementation and review of this policy shall be with the Director of Finance Corporate and Community Services.

5. REVIEW

The Finance Corporate & Community Services Group will review this policy:

- Directly prior to the Rate Levy for each new rating year; or
- As a result of a change in legislation that affects this policy

6. APPLICATION OF ESD PRINCIPLES

Apply Council's ESD principles in accepting appeals from ratepayers who believe they have been incorrectly charged for Stormwater Management due to the property's locality not being within an urban area or the ratepayer is able to adequately demonstrate [private](#) management of their own stormwater ~~privately~~ through harvesting, private pipes or storage tanks.

7. APPENDIX

- Section 496A Making and levying of annual charges for stormwater management services (*extracted from the Local Government Act, 1993*)
- Section 125A Annual charges for stormwater management services (*extracted from the Local Government (General) Regulation, 2005*)
- Section 125AA Maximum annual charge for stormwater management services (*extracted from the Local Government (General) Regulation, 2005*)

Shoalhaven City Council - Revenue - Stormwater Management Policy

496A Making and levying of annual charges for stormwater management services

- (1) A council may, in accordance with the regulations, make and levy an annual charge for the provision of stormwater management services for each parcel of rateable land for which the service is available.
 - (2) Subsection (1) does not authorise or permit a council to make or levy an annual charge for the provision of stormwater management services for rateable land that is:
 - (a) owned by the Crown, and
 - (b) held under a lease for private purposes granted under the *Housing Act 2001* or the *Aboriginal Housing Act 1998*.
- Note.** Section 555 (1) (a) provides that land owned by the Crown is not rateable land unless it is held under a lease for a private purpose.

125A Annual charges for stormwater management services

- (1) For the purposes of section 496A of the Act, a council may make or levy an annual charge for stormwater management services only in respect of urban land that is categorised for rating purposes as residential or business.

Note. Part 3 of Chapter 15 of the Act allows a council to categorise each parcel of land within its area.
- (2) A council may not make or levy an annual charge for the provision of stormwater management services in respect of a parcel of land if:
 - (a) the parcel of land is vacant land, or
 - (b) the parcel of land is subject to a special rate or charge that has been made for or towards meeting the cost of any works, services, facilities or activities the primary purpose of which is the provision of stormwater management services.
- (3) A council may not make or levy an annual charge for the provision of stormwater management services if the council has received an instrument from the Minister under section 508 or 508A of the Act which specifies the percentage by which the council may vary its income and the instrument imposes a condition with respect to that variation to the effect that the primary purpose of the variation is to fund stormwater management services.
- (4) A council may not make or levy an annual charge for the provision of stormwater management services for a parcel of land that exceeds:
 - (a) if the anticipated cost of providing stormwater management services to the parcel of rateable land is less than the maximum annual charge in respect of the parcel of rateable land—the anticipated cost, or
 - (b) if the anticipated cost referred to in paragraph (a) is equal to or greater than the maximum annual charge in respect of the parcel of rateable land—the maximum annual charge for the parcel of rateable land.
- (5) In this clause:

maximum annual charge, in respect of a parcel of land, means the maximum annual charge that may be made or levied by a council in respect of the parcel of rateable land in accordance with clause 125AA.

urban land means land within a city, town or village.

125AA Maximum annual charge for stormwater management services ~~(section 510A)~~

- (1) The maximum annual charge for stormwater management services that may be levied in respect of a parcel of rateable land is:
 - (a) for land categorised as residential (other than land referred to in paragraph (b))—\$25, and
 - (b) for a lot in a strata scheme that is categorised as residential—\$12.50, and

Shoalhaven City Council - Revenue - Stormwater Management Policy

- (c) for land categorised as business (other than land referred to in paragraph (d))—\$25, plus an additional \$25 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres, and
- (d) for a lot in a strata scheme that is categorised as business—the greater of the following:
 - (i) \$5,
 - (ii) the relevant proportion of the maximum annual charge that would apply to the land subject to the strata scheme if it were a parcel of land subject to paragraph (c).
- (2) In this clause, the ***relevant proportion***, in relation to a lot in a strata scheme, is the proportion that the unit entitlement of that lot in the scheme bears to the aggregate unit entitlement of the scheme.
- (3) Words and expressions used in this clause have the same meanings as they have in the *Strata Schemes Management Act 1996*.



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

Policy Number: POL18/19 • **Adopted:** 18/02/1997 • **Reaffirmed:** 21/12/2004 • **Amended:** 24/07/2007, 14/04/2009, 20/07/2011, 23/11/2012, 19/09/2014, 19/09/2017 • **Minute Number:** MIN97.72, MIN04.1598, MIN07.1041, MIN09.429, MIN12.1280, MIN17.796 • **File:** 23618E • **Produced By:** Planning, Environment & Development 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 Strategy and Assets 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 Strategy and 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 Group (PE&D) administers this policy.

4. REVIEW

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

5. APPLICATION OF ESD PRINCIPLES

None Applicable.



Fee Waivers, Subsidies and Support Policy

Policy Number: POL16/183

Adopted: 24/11/2015

Amended: 21/11/2017

Minute Number: MIN15.721, MIN17.979

File: 6320E

Produced By: Finance Corporate & Community Services Group

Review Date: 1/12/2020

SA18.102 - Attachment 3

For more information contact the Finance Corporate & Community Services Group

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1 PURPOSE

This Policy aims to:

- Cover the hire of Council managed assets including public reserves, public halls, sports fields, waterways, and any other facility which Council manages (excluding the Shoalhaven Entertainment Centre and Aquatics)
- Establish a framework around calculation of all subsidies, waivers or any other form of fee relief or support, including a consistent approach to consideration of fee support requests and applications
- Ensure that any subsidies provided are equitable, transparent and effective and reduce the risk of corrupt conduct
- Ensure that any subsidies are in compliance with all known legislation, guidelines and regulations
- Define Council's criteria for the approval under delegation of any reduction in adopted fees, clearly identifying responsibility and accountability levels
- Encourage optimal use of community facilities and assets by local community organisations and recreation groups
- Recognise the social value and benefits of services and activities organised and provided by community based groups and to support these groups based on community based pricing
- Obtain a contribution from user groups towards the costs of providing facilities, services and assets
- Document the reporting requirements for subsidies given to each Community Group

2 STATEMENT

Shoalhaven City Council owns and manages a number of community facilities and assets throughout the Local Government Area. These facilities and assets allow a range of services to operate from these sites.

This policy will complement the Code of Conduct and Council's guidelines relating to protocols in the way in which Council officers carry out their obligations.

Shoalhaven City Council - Policy – Fee Waivers, Subsidies and Support

This Policy applies to all applications for fee support for Council managed community facilities and assets, such as public reserves, public halls, sports fields, waterways, and any other facility which Council manages and which are available for either casual or regular hire, including:

- Public parks and reserves directly managed by Council
- Public facilities and buildings directly managed by Council
- Council's Section 355/377 Management Committee community facilities, where any application for fee support goes through the Management Committee and the Facilities Coordinator

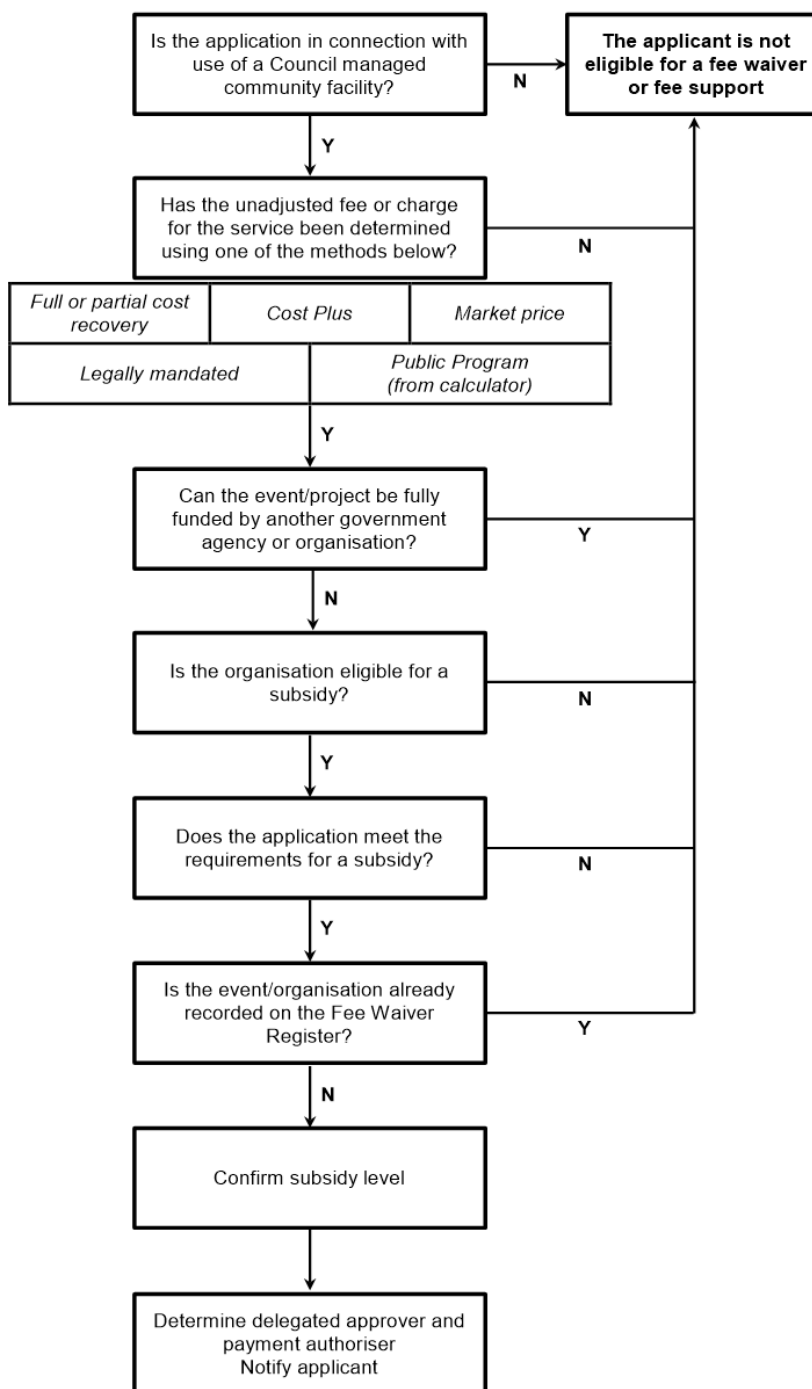
This Policy will not apply to the:

- Water or Sewer Funds, which are separately covered under the Community Service Obligation Policy consistent with the NSW Government Water Supply, Sewerage and Trade Waste Pricing Guidelines adopted by Council
- Shoalhaven Entertainment Centre, which has its own hiring policy given the different arrangements in place, but will reference this policy when waivers are being evaluated
- Lease arrangements determined by Property under [POL Policy 165/15047](#) Occupation of Council Owned or Managed Land, where commercial arrangements are optimised

2.1. Definitions

Term	Meaning
Competitive neutrality	Competitive neutrality principles require that a government agency that is engaged in a "significant business activity" must not enjoy any net competitive advantage over its private sector competitors by virtue of its public ownership. Such advantages might include immunity from certain government charges, lower capital costs or statutory immunity from regulatory compliance.
Direct cost	All costs that can be specifically and easily identified with the service being provided, including employee benefits and non-salary items
Employee benefits	Comprises salary and wages expenses together with associated on-costs (annual leave, long service leave, sick leave, superannuation, payroll tax, training, etc)
Fee support	Funds provided to help pay for a particular piece of work or for a particular right or service
Full cost pricing	Pricing that recovers the full cost of providing a service (direct cost, including employee benefits, and overheads)
Overheads	The cost of providing the physical, service and administrative infrastructure necessary to support the provision of services
Subsidy	A financial contribution to help or encourage an event to happen. A subsidy can take the form of a transfer of funds, foregone revenue.
Waiver	An approved full relinquishment granted to an eligible organisation

3 OVERVIEW



5 PROVISIONS

5.1. Fees and Charges Pricing

Fees and charges are calculated annually and exhibited for a 28 day period in line with the *Local Government Act 1993* (LGA), normally during the months of April and May each year. After the submission period, Council will adopt the final list of fees and charges, taking into consideration any submissions received. The fees and charges are then advertised on Council's website throughout the financial year. Under the Local Government Act, any further changes throughout the year need to be put on public exhibition for the required period and adopted by Council.

5.2. Fee Subsidies – Eligibility

Before any subsidies are considered with regard to a fee or charge, an approach should be made to State or Federal Government agencies or other organisations to determine if they can provide support.

There are a wide range of goods and services provided to the community for a number of social, political or economic reasons. It may be appropriate to price these goods or services to be fully or partially recovered. It is important that these fees and charges are fully costed before a decision is made as to the level of subsidy applicable based on the following:

- When benefits accrue to a wider group than direct users
- Services are provided specifically to disadvantaged groups who do not have the capacity to pay
- Council has a longer term policy objective of encouraging or supporting an activity or a specific group of people
- The proposed use of the facility or asset is consistent with the main purpose of the organisation and the event is open to the public
- The proposed use is for a non-commercial community based event, which may be for community development, education and or awareness activities

In order to be eligible for a subsidy, organisations will be required to provide the following information:

- Evidence of registration as a charity or Incorporated Not For Profit organisation, registered within the Shoalhaven City Council boundary;
- ~~Inclusion of a local community or sporting group in Council's Community Services Directory;~~
- Evidence of what is being done to provide community betterment, if a non-incorporated body or individual;
- Details in relation to financial sustainability of the organisation, i.e., bank statements and financial reports (Profit and Loss and Balance Sheet, as a minimum);
- Details on any previous subsidies provided or alternate funding from other sources.

5.3. Public Programs

From time to time, Council will introduce Public Programs which need to be individually costed with any subsidies determined being applied to the individual programs and reported to Council.

5.4. Applications

Applications for fee support under this Policy should be made in writing a minimum of two (2) months prior to the date of the booking and will be assessed by the Fee Waiver Committee.

5.5. Promotional and Marketing Activities

From time to time certain businesses within Council will offer initiatives or promotional ticketing to market an event or facility. These offers may include:

- Vouchers for accommodation in Holiday Haven
- Tickets to events at the Entertainment Centre
- Reduced pricing to events at aquatic centres

Any such offers need to be documented and captured in the fee waiver report.

5.6. Ineligible Waivers

Fees cannot be waived under the following scenarios:

- Management Committees do not have authority to waive/subsidise fees. An application needs to be made through either this Policy/Procedure or Council's adopted Guidelines and Procedures for Annual Donations, Sponsorships and Subsidies in conjunction with Council's Donations Policy
- If other Council assistance is provided for the event
- For meetings of an organisation that are closed to the community
- For marketing, advertising or promotion of a commercial entity
- Where the event/activity can be self-funded
- Bonds, additional garbage or waste services or the cost of cleaning associated with the event /activity and use of the facilities (i.e. hard costs such as labour, electricity, etc.)

(Note: Bonds are held to reimburse Council for damage or cleaning costs, and may be partially or fully waived based on past dealings with the hirer or the type of activity to be undertaken. In accordance with this procedure or at the discretion of the Facilities Coordinator. If the extent of damage or cleaning exceeds the bond, then Council may seek compensation for all associated costs.)

5.7. Delegations and Authorities

Authority levels for fee waivers or subsidies for approved organisations shall be as follows:

Waiver or subsidy amount	Approver
For subsidies up to \$1,000 in any one financial year	Section Manager
All subsidies over \$1,000 and under \$4,000	Group Director
Any subsidies over \$4,000	Council

Shoalhaven City Council - Policy – Fee Waivers, Subsidies and Support

In accordance with Section 377 of the *Local Government Act 1993*, the General Manager may authorise payment of the donation, sponsorship or subsidy voted by Council, other than where it is a decision under Section 356(2) to contribute money or otherwise grant financial assistance to an individual. Payment to an individual must be authorised by Council resolution and following a 28 day public exhibition period, if applicable.

5.8. Reporting

An annual report shall be submitted to Council detailing all fee support granted under this Policy. The fee support shall be recognised in Council's Financial Statements.

6 IMPLEMENTATION

The responsibility for the implementation and review of this policy shall be with the Director Finance, Corporate & Community Services Group.

7 REVIEW

The Finance, Corporate & Community Services Group will review this policy:

- Within 12 months of the date of the election of every new Council
- Every four years; or
- As directed by Council; or
- As a result of a review in legislation that affects this policy

8 APPLICATION OF ESD PRINCIPLES

Non Applicable

9 RELATED POLICIES

Description	Changes
Use and Hire of Community Facilities for Commercial Activities	Has been updated to reference this Policy.
Sportsgrounds – User Group Responsibilities	Has been updated to reference this Policy.
Shoalhaven Entertainment Centre Hiring Policy	Has been updated to reference this Policy.

SA18.103 Requests for Donations - SeeChange Festival and Nowra Waterdragons Dragonboat and Outrigger Canoe Club

HPERM Ref: D18/142247

Group: Finance Corporate & Community Services Group
Section: Governance

Attachments: 1. Request from Jervis Bay & Basin Arts Inc. re: SeeChange Festival [↓](#)
2. Request from Nowra Waterdragons Dragonboat & Outrigger Canoe Club [↓](#)

Purpose / Summary

To consider requests for donations for the SeeChange Jervis Bay Arts Festival (SeeChange Festival) and Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc.

Recommendation

That Council declines the following requests for donations to:

1. Jervis Bay & Basin Arts Inc. for the SeeChange Festival, on the grounds that they will receive \$15,000 from Shoalhaven Tourism and \$20,000 from the NSW Government, the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy; and
2. Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc, on the grounds that the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy.

Options

1. As recommended.

Implications: Nil.

The SeeChange Festival will receive \$15,000 from Shoalhaven Tourism and \$20,000 from the NSW Government's 2018 Flagship Event Fund.

The Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc will be required to conduct alternative fundraising activities and/or self-fund their campaign to compete in Hungary.

2. To donate to the Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc and give additional funds to the SeeChange Festival.

Implications: Council would need to identify what other funding source the donations would be taken from as Council's donations budget is already in deficit.

The SeeChange Festival would receive funding from Shoalhaven Tourism, the NSW Government's 2018 Flagship Event Fund and the unallocated donations budget.

3. An alternative recommendation.

Implications: Unknown.

SA18.103

Background

SeeChange Festival

The Jervis Bay & Basin Arts Inc wrote to the Council on 24 April 2018 (Refer report attachment 1) seeking “*any financial assistance SSC is able to offer*” to support the delivery of their event.

The SeeChange Festival is an annual arts festival run by Jervis Bay & Basin Arts Inc. 2018 is the Festival's 10th year.

Shoalhaven Tourism offered sponsorship to the SeeChange Festival of \$15,000 towards its 2018 opening event – Path of Light. The application for funding was assessed based on the following criteria:

- Regional Capability and Brand Fit;
- Return on Investment/Economic Development;
- Long Term Sustainability; and
- Marketing Leverage.

Jervis Bay & Basin Arts Inc. were also successful in obtaining a \$20,000 grant from the NSW Government's 2018 Flagship Event Fund to assist with promotion of the event.

Shoalhaven Tourism granted the Shoalhaven Winter Wine Festival \$5,000. When the Shoalhaven Winter Wine Festival was cancelled the organisers of SeeChange requested that the funding for the Winter Wine Festival be redirected to the SeeChange Festival to support Pocket Performances with Bamboozled Productions – a live music component of the Festival. The Manager - Tourism declined this request because they are already providing significant funding to SeeChange.

Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc

Council received correspondence from Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc. on 30 April 2018. (Refer Attachment 2)

The Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc. have requested financial support to attend the 11th International Dragonboat Federation World Club Crew Championships in Szegreg, Hungary from 17-22 July 2018. The Championships are held every two years.

The forecasted cost for the team of 22 to attend is \$68,156. In previous competitions the team has self-funded. The request does not specify the amount of funding sought.

Policy Implications

Council's Donations Policy (POL12/299) states that:

The objectives of the policy are:

- *To consider financial assistance by way of donation, sponsorship and subsidies to local service, cultural, sporting, charitable or non-profit organisations who operate within or provide benefit to the residents of Shoalhaven City or conduct quality cultural, sporting and community service programs and activities and who cannot attract sufficient funds from other sources;*
- *To address targets specified within the Community Strategy Plan or other Strategic Documents as well as objectives including access and usage of community resources, services and facilities, and equity of access for special needs groups;*

- *To consider funding to encourage and enable broad community participation in cultural, sporting and community service activities...*

In addition, Part 3 of the Policy states that:

Applications for financial assistance will generally not be considered where the application also meets the criteria for grants/donations provided by the Shoalhaven Arts Board, the Shoalhaven Tourism Board and/or the Shoalhaven Sports Board. In these cases, applications will be sent directly to the appropriate Board.

Under the Guidelines and Procedures for Financial Assistance, the Policy also states that events *NOT* eligible for funding include where a more applicable funding source is available.

Accordingly, the request for additional funds for the SeeChange Festival is not eligible under Council's Donations Policy.

The Nowra Waterdragons request does not fall within one of the established categories under part 2.2 of the Donations Policy.

Council has resolved to undertake a review of the Donations Policy.

Financial Implications

There are no remaining funds in the unallocated donations budget for the 2017/2018 financial year. The 2017/2018 budget has already been overspent by \$4,295.77. If Council considers option 2 or an alternative option, it would need to identify what other funding source the donation would be taken from.

From: SeeChange Festival [<mailto:director@seechange festival.net.au>]
Sent: Tuesday, 24 April 2018 9:45 AM
To: Russ Pigg <russ.pigg@shoalhaven.nsw.gov.au>
Cc: John Levett <John.Levett@shoalhaven.nsw.gov.au>; Kaye Gartner <kayegartnerhealth@gmail.com>; Nina Cheyne <Nina.Cheyne@shoalhaven.nsw.gov.au>; Amanda Findley <findleya@shoalhaven.nsw.gov.au>
Subject: Re: Shoalhaven Wine festival cancellation / How SeeChange Festival could potentially help minimise impacts

Hello Russ

I am following up on Amanda Findley's email to you on March 14th - regarding any possible funding support for the SeeChange Festival event over the June long weekend - Pocket Performances with Bamboozled Productions.

An update

The committee of management of Jervis bay and Basin Arts Inc. - the auspicing body of the SeeChange Festival - decided at its most recent meeting that we will proceed with The Pocket Performances event over the June long weekend.

JBBArts is taking something of financial risk (particularly for a NFP community arts group) but we sincerely believe in the value of this as a groundbreaking cultural tourism event for the Shoalhaven and for its positive social impacts for our local communities.

We would still sincerely appreciate any financial assistance SCC is able to offer to support us in delivering this event. This would be a welcome addition to the funds I have been able to raise so far to support the event.

Shannan Perry Hall and her marketing colleagues at Shoalhaven Tourism are aware of this decision and are providing welcome and helpful support on strategic marketing of this event. Also money that JBBArts has received from the DNSW Regional Flagship Event Fund will be used in part to promote this event to visitors.

I look forward to hearing from you at your earliest convenience

Warm regards

NATALIE McDONAGH, PhD
DIRECTOR / CURATOR
0414 524 266

SEECHANGEFESTIVAL.NET.AU
[#SEECHANGEFESTIVAL2018](https://www.facebook.com/seechange festival2018)



On 13 Mar 2018, at 6:04 pm, SeeChange Festival
<director@seechange festival.net.au<<mailto:director@seechange festival.net.au>>> wrote:

Hello Amanda,

I am writing to make you aware of a ground-breaking arts and tourism event for the Shoalhaven, Pocket Performances at the 2018 SeeChange Arts Festival over the June long weekend.

Jervis Bay and Basin Arts Inc has set March 31st as the deadline to confirm or cancel this event.

I am currently seeking funding to replace anticipated federal funding that did not eventuate. This is to underwrite the gap between ticket revenue and full costs of the event. I approached Shelley Hancock (copy of letter to her attached) and Ann Sudmalis last week and various private sector parties. I have heard today that the Bendigo Bank will provide some funding

As I am sure you will be aware the 2018 Shoalhaven Winter Wine Festival (SWWF) scheduled for the June long weekend has been cancelled.

In view of this, it seems it is now more important than ever to secure the Pocket Performances event. There is a window of opportunity here to encourage people to still come and visit the wineries with the additional attraction of coming to Jervis Bay for Pocket Performances with Bamboozled Productions, never before seen in the Shoalhaven.

A four day event at White Sands Park in Huskisson, anchored by The Pocket Spiegeltent, with the planned an additional marquee and markets could also potentially be replacement employment for food vendors, musicians and entertainers whose bookings to appear at the wine festival are cancelled.

Since SWWF posted the announcement on Facebook at 5pm on Saturday there has been a strong and steady response - many people wondering if they should proceed with their travel plans and accommodation bookings. While this is disappointing, it does present an opportunity for the SeeChange Festival to step in and fill this sudden and unexpected gap for visitors expecting to come to the Shoalhaven for a festival event.

Shoalhaven Tourism is already providing \$15K towards the opening event of on May 26th - which is gratefully appreciated. I have made Shannan Perry Hall, Events & Investment Specialist, aware of this situation/opportunity with Pocket Performances and I am sure she will be giving serious consideration to what, if anything, may be possible. Shannan and her colleagues are enormously helpful in the advice and support they provide.

If any of this should come before councillors more generally (outside of Shoalhaven Tourism), I ask that you consider the value of this event to the Shoalhaven

Warm regards

NATALIE McDONAGH, PhD
DIRECTOR / CURATOR
0414 524 266

Nowra Waterdragons

DRAGON BOAT AND OUTRIGGER CANOE CLUB INC

Attention: General Manager - Russ Pig

Re: Sponsorship for financial support for Nowra Waterdragon Dragonboat & Outrigging Canoe Club (NWD DB & OC Club) to attend the World Club Crew Championships (WCCC) 2018 Hungary

Nowra Waterdragon Dragonboat & Outrigging canoe Club (NWD DB & OC Club) was formed in November 2005 and over the years we have built a reputation as a very competitive team known and respected throughout NSW, Australia and the world. To participate in World Club Crew Championships (WCCC) you must compete and qualify at the Australian National Titles and we have been able to do this every year since 2009. The WCCC are held every 2 years at different venues around the world.

In 2009 NWD DB & OC Club first qualified for the WCCC in 200m, 500m and 2km events. The 2010 WCCC held in Macau were our introduction to world class events. We also qualified for the 2012 Hong Kong WCCC (where the women were awarded World Champions in the 200m event and the men were runners up), for Ravenna Italy in 2014, for Adelaide (Australia) in 2016 & for Szeged, Hungary in July 2018. (We have our eyes on France for 2020) We have placed the Shoalhaven on the world map of dragonboating through these events.

We are writing to you to seek financial support to assist our team attend the event this year in Szeged, Hungary. In previous campaigns the team members have personally contributed financially to the events they have attended.

WCCC Regatta is to be held in Szeged Hungary, between 14 July – 20 July. Our team of 22 members are proud to be going to participate and represent not only the NWD DB & OC Club but also the Shoalhaven / Illawarra area.

We are training regularly on the river from 5.30 on Monday and Wednesday evenings and from 8.15 am Saturday mornings. We would like to invite all counsellors to join us at any of these times for a paddle.

The majority of our members are aged 50+ and find dragonboating a great way to stay fit and healthy, and to build friendships.

For the last 10 years Nowra Waterdragons have held a community and sports crew regatta on our river in September. This event attracts teams from local businesses, groups and sports crews from around NSW and the ACT. The regatta brings up to 40 crews of 26 paddlers plus family, supporters and local spectators to the Shoalhaven over the weekend and showcases the beautiful river and the Shoalhaven area. It also supports local businesses.



Nowra Waterdragons
Dragon Boat and Outrigger
Canoe Club Inc

President
Peter Phillips

Inquiries 0410040507

www.nowrawaterdragons.com.au

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SA18.103 - Attachment 2

Nowra Waterdragons

DRAGON BOAT AND OUTRIGGER CANOE CLUB INC

The costs for us to attend the WCCC in 2018
(Similar costs which members have incurred personally in previous campaigns) are:

- \$ 105 per person - International Dragonboat Association Administration fees
- \$ 53 per person - International Dragonboat association Registration
- \$1000 per person - Accommodation
- \$ 25 per person - Transport to venue
- \$1800 per person - Return Airfares
- \$ 40 per person - Uniform
- \$ 75 per person - Insurance through Australian Dragonboat Association

\$3098 per person to compete at the event.

\$68156.00 - Total financial outlay for the team.

NWD DB & OC Club would appreciate your consideration of our request for financial support to help us to compete and to represent Shoalhaven / Illawarra to the sporting world in Szeged. We would be honoured to wear the logo of the Shoalhaven Council on our dress shirts as a supporting body to the WCCC event. (links below)

<https://www.idbf.org/world>
<https://www.facebook.com/DragonboatHungary/>
<http://nowrawaterdragons.org.au/>
<https://www.shoalhaven.com/events/nowra-water-dragons-community-regatta-and-pig-island-challenge>

Nowra Waterdragons Dragonboat & Outrigging Canoe Club look forward to the World Club Crew Championships and would appreciate the support of the Shoalhaven City Council.

Thank you



Peter Phillips
President
Nowra Waterdragons Dragonboat & Outrigging Canoe Club Club



Nowra Waterdragons
Dragon Boat and Outrigger
Canoe Club Inc

President
Peter Phillips

Inquiries 0410040507

www.nowrawaterdragons.com.au

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SA18.103 - Attachment 2

SA18.104 March 2018 Quarterly Budget Review

HPERM Ref: D18/149865

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Quarterly Budget Review Statement March 2018 (under separate cover)
[⇒](#)

Purpose / Summary

In accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to the Council a budget review statement after the end of each quarter. This has been carried out for the third quarter of the 2017/18 financial year.

Recommendation

That Council:

1. Receive the March Quarterly Budget Review information
2. Adopt the adjustments, including movements to and from Reserves, as outlined in the March Quarterly Budget Review Statement.

Options

1. Adopt the recommendation

Implications: Nil

2. Not adopt the recommendation and make an alternative resolution

Implications: Staff will need to rework the quarterly budget review in accordance with the alternative resolution.

Background

The budget review involves an analysis of Council's annual budget for each Group to determine whether any changes in votes are required for the period. This process has been undertaken for the period to 31 March 2018 and any changes have been reported in the Quarterly Budget Review Document. This report also analyses the progress of each group in achieving its financial objectives.

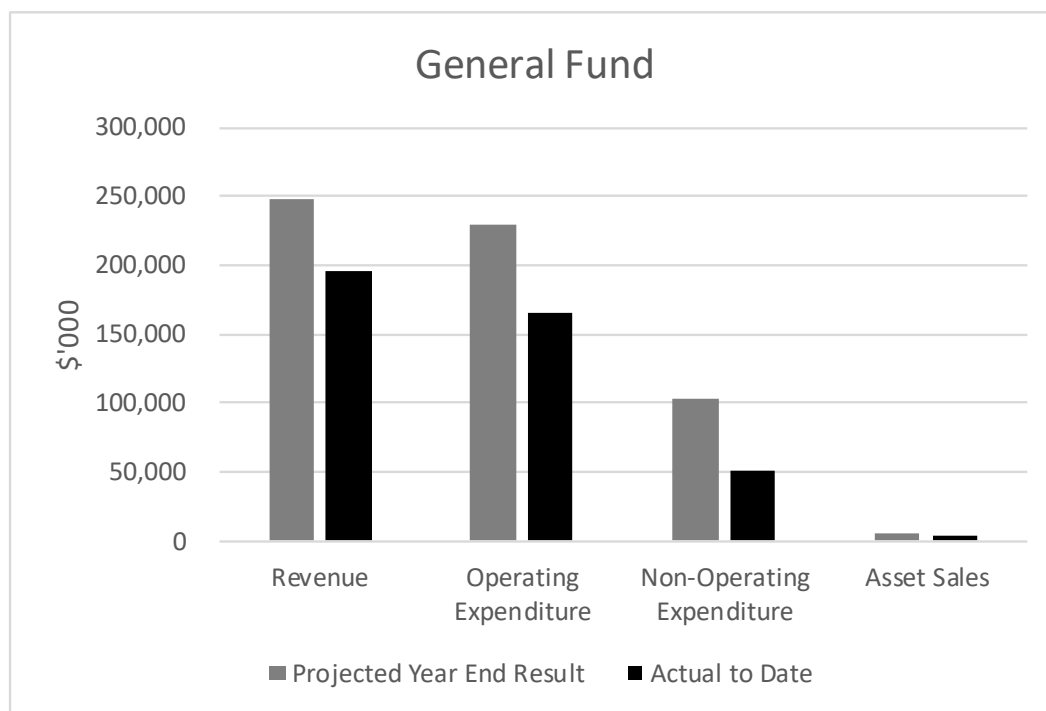
Council's Funds

General Fund

The budget adopted by Council produced an operating profit of \$4.4M including capital grants, an operating loss before Capital Grants and Contributions of \$2.6M, a reduction in our cash and investments of \$15M and an unrestricted cash deficit of \$138K. The adjustments made in this quarterly review have resulted in the following:

	\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result
Operating Result		4,482	18,007	462	18,469
Operating Result before Capital Grants and Contributions		(2,611)	(9,818)	908	(8,910)
Net Cash & Investments Movement		(15,071)	(40,291)	3,902	(36,389)
Unrestricted Cash Movement		(138)	(94)	0	(94)

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



Income

As at 31 March, General Fund income has achieved 79% of the revised budget. This is primarily due to the raising of rates revenue in full. Excluding rate income, General Fund has achieved 70% of the revised budget. The March Quarterly Budget Review Statement recommends a decrease of \$111K. The major adjustments (offset by a corresponding adjustment in expenditure, unless otherwise stated) in the review are:

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Category	Amount \$'000	Reason
Rates & Annual Charges	152	<ul style="list-style-type: none"> Additional rating income received from part year rating
User Charges & Fees	(510)	<ul style="list-style-type: none"> Reduce expectation on drainage certificate income (\$135K) Reduce expectation on building certificate income (\$190K) Holiday Haven (HH) – Reduction of \$569K due to transfer to Internal Revenue area to match receipts Increase of \$195K due to proponent funded works Increase of \$54K for Environmental Management Increase of \$65K for Roads and Transport Increase of \$17K for Recreation receipts Increase \$16K for Visitors Centre Increase of \$35K for Subdivision and Development fees
Interest & Investment Revenue	(94)	<ul style="list-style-type: none"> Reduction in dividend received from Southern Phone, offset reduction to Economic Projects reserve
Other Revenues	403	<ul style="list-style-type: none"> Visitors Information Centre \$50K to match revenue received to date and forecast revenue to end of financial year Building compliance unit \$120K to match revenue received to date and forecast revenue to end of financial year Tourism – Unspoilt Campaign #2 \$250K contribution from other Councils Community and Culture – increase of \$15K to match revenue received to date Industry Promotion \$14K to match revenue received to date and forecast revenue to end of financial year Property Unit (\$45K) realignment of revenue expectation, offset by internal expenses
Internal Revenue	690	<ul style="list-style-type: none"> Business units (various) net increase of \$71K, offset by employee costs Holiday Haven – increase of \$569K due to transfer from User Fees and Charges Contribution from Shoalhaven Water \$50K for Sustainable Futures
Grants & Contributions - Operating	(306)	<ul style="list-style-type: none"> Reduction in Family Day Care (\$190K) due to fewer educators Reforecast grant receipts associated with Ulladulla Harbour Berthing Facility (\$37K) Receive grants Local Priority (Library) +\$30K, Sand Spurge +\$8K, Seniors Festival +\$4K EPA grants – milestone payments received totalling +\$62K, offset by employee & materials costs

		<ul style="list-style-type: none"> Rural Fire Service grant reduction (\$104K) as advised by RFS, offset by expenditure reduction Amend timing of grants receivable (\$255K) Receive contribution from RFS for IEMC Padmount \$165K Additional contributions received for roads and parks \$12K
Grants & Contributions – Capital	(446)	<ul style="list-style-type: none"> Reforecast grant receipts associated with Ulladulla Harbour Berthing Facility (\$750K) Recognise additional RRRP funding \$51K Recognise contributions towards Mollymook all access playground \$69K Developer contributions received, offset to reserve \$184K

Operating Expenditure

General Fund is on target with operating expenditure at 72% of the revised budget. The March Quarterly Budget Review Statement recommends a decrease of \$573K, part of which is outlined above. The balance is made up of:

Category	Amount \$'000	Reason
Employee Benefits & Oncost	(117)	<ul style="list-style-type: none"> Industry Promotion – increase of \$4K, offset by revenue Internal Business units – net decrease of \$75K, with corresponding revenue reductions Reduction in estimated Drainage Assessment salaries (\$110K), offset by revenue reductions EPA grants reimbursement received for RID costs \$62K
Materials & Contracts	(22)	<ul style="list-style-type: none"> Transfer to capital Roads -\$322K, Entertainment Centre - \$59K, Drainage -\$17K Movement offset by income, Family Day Care -\$190K, Economic Development -\$126K, planning proponent funding +\$190K, library +\$15k, tourism +\$300K, corporate buildings +\$120K Financial Services +\$30K for auditor fees and \$24K for data audit Insurance event costs \$18K
Other Expenses	(501)	<ul style="list-style-type: none"> Self funding reductions in Property (\$130K) Self funding reductions to RFS (\$88K) Transfers to capital for Roads expenses (\$313K) Additional funding for valuations \$40K Transfer to materials for governance

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Internal Expenses	67	<ul style="list-style-type: none"> Contribution from Shoalhaven Water for Sustainable Futures +\$50K Self funding reductions to RFS (\$17K) Self funding increases to Property \$25K Self funding increases to Waterways \$15K
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Non-Operating Expenditure

Capital Expenditure as at 31st March is 50% of the revised budget (excluding commitments). The March Quarterly Budget Review Statement recommends a budget decrease of \$3.2M. This decrease consists of:

Program	Amount \$'000	Reason
Economic Development	(3,241)	<ul style="list-style-type: none"> Align to new forecast of spend, full details in the report
Buildings & Property	443	<ul style="list-style-type: none"> Transfer from Libraries for Ulladulla Civic Centre toilet refurbishment to match grant \$55K \$361K Assets and Works – contribution for IEMC Padmount and category transfers as detailed in the report \$27K expenditure funded from Property Reserve
Commercial Undertakings	59	<ul style="list-style-type: none"> Shoalhaven Entertainment Centre – transfer from operational budgets for a range of capital improvements (carpeting, elevated work platform, new POS system)
Internal Corporate Services	(171)	<ul style="list-style-type: none"> Transfer to 18/19 for printing equipment and VOIP upgrades (\$200K) Transfer from operational for Zipporah Booking system \$29K
Open Space	(7)	<ul style="list-style-type: none"> FCCS - Combination of reforecast of spend and additional funds received, full details in the report (\$21K) Assets and Works \$14K – Tennis Restricted account users, fund expenditure from reserve
Roads and Transport	433	<ul style="list-style-type: none"> Transfers from operating expenditure to fund projects
Waste and Recycling Program	(778)	<ul style="list-style-type: none"> Transfer to 18/19 for continuing projects

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Asset Sales

Asset sales are at 71% of the March Adjusted Budget. The recommended adjustment is an increase of \$348K, resulting from proceeds from sale of Industrial Land assets \$500K and a reduction of Property sales estimate of \$152K.

Reserve Movements

The March Quarterly Budget Review recommends \$4.1M being put to the General Fund Reserves. Below is a summary of the movements to General Fund Reserves recommended in the review:

Reserve	Amount \$'000	Reason
Committed Capital	716	<ul style="list-style-type: none"> • VOIP Upgrades +20K • Printing Equipment +25K • Disk Storage +75K • Frogs Holla +95K due to project delays • Pedestrian signals Princes Highway +200K • Bridge Programme +300K <p>With the exception of Frogs Holla, all transfers are due to realignment of expected cash outflows</p>
Economic Projects	659	<ul style="list-style-type: none"> • Reduction of dividend received -94K • Realignment of spend, funds used as matching for 2 grants next year (previously reported to Council)
Industrial Land	2,700	<ul style="list-style-type: none"> • Expected land settlements this year higher than original forecast, plus reforecast of spend on Woollamia development to 18/19
General Insurance	-13	<ul style="list-style-type: none"> • Net cost of insurable events
Developer Contributions	184	<ul style="list-style-type: none"> • Developer contributions received offset to reserve
Loans	100	<ul style="list-style-type: none"> • McGrath Avenue parking deferred to 18/19
Property Reserve	-1,115	<ul style="list-style-type: none"> • Reduction to forecast receipts 133K • Fund property purchase +982K
Sporting Facilities	-14	<ul style="list-style-type: none"> • Fund expenditure by Tennis Associations that contributed to the restricted account
Waste Disposal	778	<ul style="list-style-type: none"> • Realign spend as outlined in program report

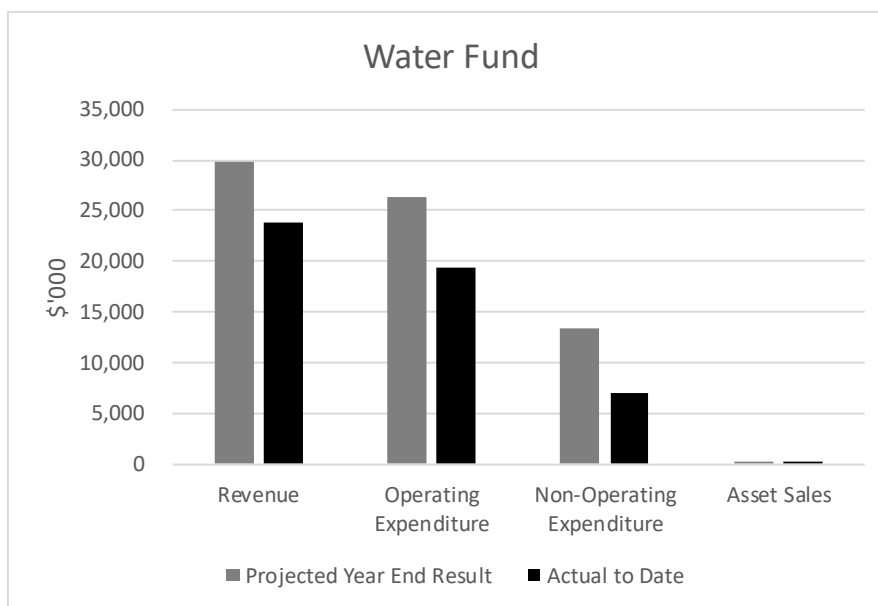
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Water Fund

The budget adopted by Council produced an operating profit of \$2.1M, an operating profit before Capital Grants and Contributions of \$607K and a reduction in cash and investments of \$5.9M. The revotes carried forward and adjustments made in this quarterly review have resulted in the following:

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result
Operating Result	2,107	1,436	2,130	3,566
Operating Result before Capital Grants and Contributions	607	(64)	1,980	1,916
Net Cash & Investments Movement	(5,900)	(4,861)	4,721	(140)

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



Income

As at 31 March, Water Fund has achieved 80% of the revised budget and there is an adjustment of \$1,890K. This mainly relates to an increase in water usage due to the unseasonably dry weather.

Category	Amount \$'000	Reason
User Charges & Fees	1,745	<ul style="list-style-type: none"> Increased water usage due to dry weather conditions \$1,600K Increased water meter installations \$140K
Other Revenues	(5)	<ul style="list-style-type: none"> Reduction in income
Grants & Contributions – Capital	150	<ul style="list-style-type: none"> Increase in Sec 64 contributions received \$150K

Operating Expenditure

Water Fund is on target with operating expenditure at 73% of the revised budget. The March Quarterly Budget Review Statement recommends a decrease of \$240K. This relates to the reallocation of resources to capital projects of \$240K.

Category	Amount \$'000	Reason
Employee Benefits & Oncost	(194)	<ul style="list-style-type: none"> Reallocation of resources to capital projects of (\$194K)
Materials and Contracts	(26)	<ul style="list-style-type: none"> Reallocation of resources to capital projects of (\$26K)

SA18.104

Other Expenses	(20)	• Reallocation of resources to capital projects of (\$20K)
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Non-Operating Expenditure

Capital Expenditure as at 31 March is 53% of the revised budget (excluding commitments). A reduction of \$2,592K is recommended after reviewing the timing of a number of key projects and expected outflow of payments.

Asset Sales

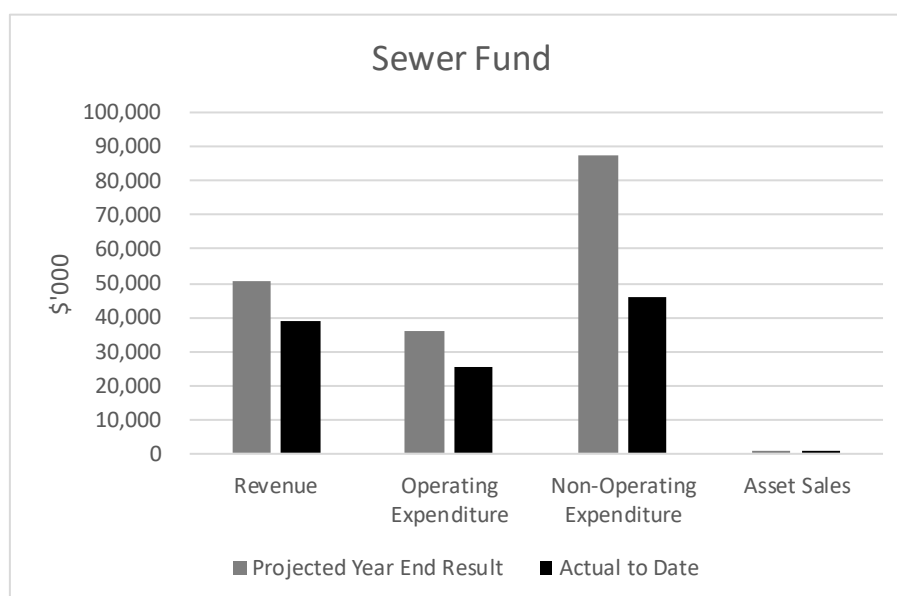
Asset sales is at 92% of the revised budget. No adjustments are recommended.

Sewer Fund

The budget adopted by Council produced an operating profit of \$11.9M, an operating profit before Capital Grants and Contributions of \$10.4M and a reduction in cash and investments of \$43M. The revotes carried forward and adjustments made in this quarterly review have resulted in the following:

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result
Operating Result	11,930	12,535	1,885	14,420
Operating Result before Capital Grants and Contributions	10,430	11,035	1,235	12,270
Net Cash & Investments Movement	(43,165)	(46,568)	27,598	(18,970)

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



Income

SA18.104

As at 31st March, Sewer Fund has achieved 77% of the revised budget, an adjustment of \$1,075K is recommended. The changes consist of:

Category	Amount \$'000	Reason
User Charges & Fees	420	<ul style="list-style-type: none"> Increased wastewater usage \$300K Increased chargeable private works \$120K
Other Revenues	5	<ul style="list-style-type: none"> Additional income
Grants & Contributions – Capital	650	<ul style="list-style-type: none"> Increase in Sec 64 contributions received \$650K

Operating Expenditure

Sewer Fund is slightly below target with operating expenditure at 71% of the revised budget. The March Quarterly Budget Review Statement recommends a decrease of \$810K. The major adjustments include:

Category	Amount \$'000	Reason
Employee Benefits & Oncost	(80)	<ul style="list-style-type: none"> Increased chargeable private works, offset by income Reduced operational budget to reflect current spend
Materials and Contracts	(620)	<ul style="list-style-type: none"> Increased chargeable private works \$50K, offset by income Reduced operational budget to reflect current spend
Internal Expenses	(110)	<ul style="list-style-type: none"> Realign internal maintenance budget with actuals

Non-Operating Expenditure

Capital Expenditure as at 31 March is 53% of the revised budget (excluding commitments). A decrease of \$25.735M is recommended after reviewing the timing of a number of key projects and expected outflow of payments. This mainly relates to reforecasting of the REMS1B cashflow.

Asset Sales

Asset sales is at 78% of the revised budget. No adjustments are recommended.

Key Performance Indicators

The impact of the variations highlighted above has led to a change in a number of Council's key performance indicators:

Operating performance ratio

Net operating Result (excl capital grants and contributions)
Total operating revenue (excl capital grants and contributions)

Fund	Current Budget	Projected Year End Result
General	-4.5%	-4.0%
Water	-0.2%	6.8%
Sewer	23.1%	25.4%

The improvement in this ratio is due to adjustments recognising additional income and a reduction in operating expenditure.

Unrestricted current ratio

Current assets (excl external restrictions)
Current Liabilities (excl specific purpose liabilities)

Fund	Current Budget	Projected Year End Result
General	1.44	1.52
Water	20.85	24.44
Sewer	1.44	3.70

The improvement in this ratio is due to adjustments recognising additional income and reducing operating expenditure that results in additional cash (current assets).

Cash expense ratio

Current year cash and cash equivalents
Cash flow payments of operating and financing activities

Fund	Current Budget	Projected Year End Result
General	2.43	2.68
Water	23.14	27.79
Sewer	5.85	19.79

The improvement in this ratio is due to adjustment in reducing expenditure.

Cash expense ratio

Asset Renewals
Depreciation, amortisation and Impairment

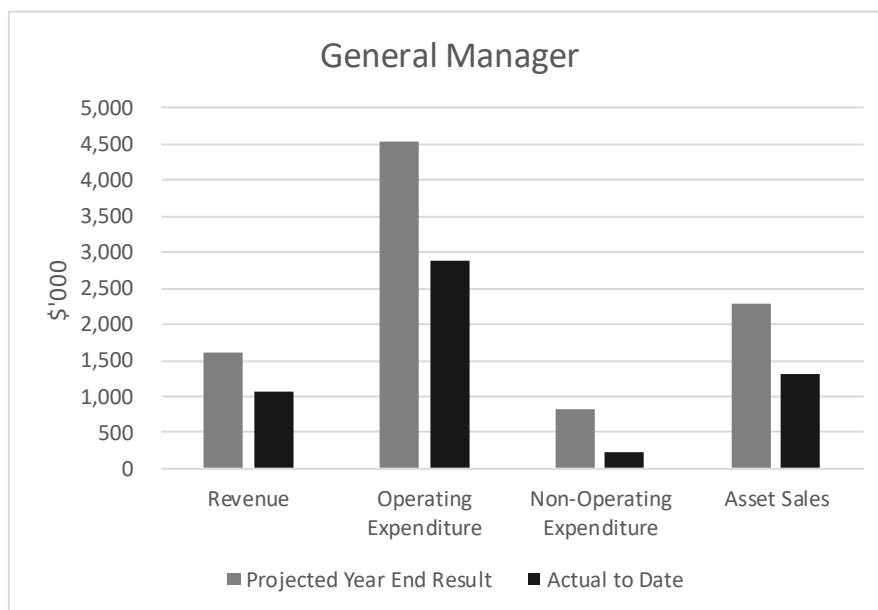
Fund	Current Budget	Projected Year End Result
General	91.8%	87.1%
Water	88.4%	73.7%
Sewer	293.6%	229.2%

This ratio has declined due to the timing of renewal projects being cash flowed into 2018/19.

Council's Groups

SA18.104

General Manager's Group



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

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	1,262	2,420	(813)	1,607	1,055	66%
Operating Expenditure	2,752	4,593	(65)	4,528	2,888	64%
Non-Operating Expenditure	4,060	4,067	(3,241)	826	214	26%
Asset Sales	1,800	1,800	500	2,300	1,322	57%

General Manager's Comments:

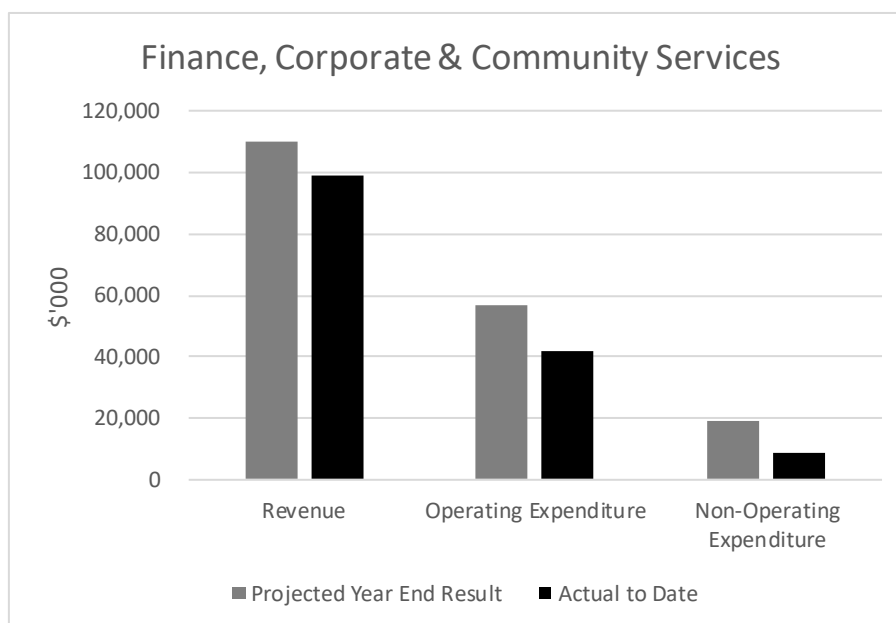
Revenue received to date is tracking lower than 75%, mainly due to the timing of revenue claims associated with the UOW Mind the Gap project. It is anticipated that the full claim will be lodged by end of financial year. Due to delays with the Ulladulla Harbour Berthing Project, both the project revenue and expenditure has been reforecast into the 18/19 financial year.

Whilst Capital Expenditure is tracking low, subdivision construction works will commence at Woollamia Industrial Estate during the 4th quarter and continue into next financial year. An allowance for the continuation of works at the Ulladulla Harbour has also been made.

Asset sales have been increased and will be achieved for the full year.

Finance, Corporate and Community Services

SA18.104



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

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	113,749	109,518	625	110,143	99,296	90%
Operating Expenditure	55,290	56,437	166	56,603	41,865	74%
Non-Operating Expenditure	12,372	18,846	(75)	18,771	8,386	45%
Asset Sales	0	0	0	15	14	93%

Group Director's Comments:

Both revenue and operating expenditure are in line with projections, with the revenue appearing higher due to the full year recognition of rates income and additional rates receipts due to new subdivisions. Developer contributions received are in reserves for future expenditure. Shoalhaven City Council is the coordinating Council for the Unspoilt campaigns and receipts of \$250K have been received for the next campaign. Changes in the Visitors Centre have resulted in slightly higher than anticipated sales, with a commensurate increase in expenses. Family Day Care has decreased its revenue and expenditure projections, due to a decreased number of carers.

There are a number of capital projects at various stages of completion. Two main projects in Swim and Fitness are related to the filtration system at Ulladulla (purchase order raised during the 4th quarter); and a new point of sale system, which is expected to be 80% expended by the end of financial year. Libraries infrastructure is expected to be fully expended by end of financial year. Funds initially set aside for the café refurbishment at the SEC have now been reallocated to higher priority projects after the café quotes received exceeded the funds available for the current year. Funds for Frogs Holla have been reforecast to the draft 18/19 budget.

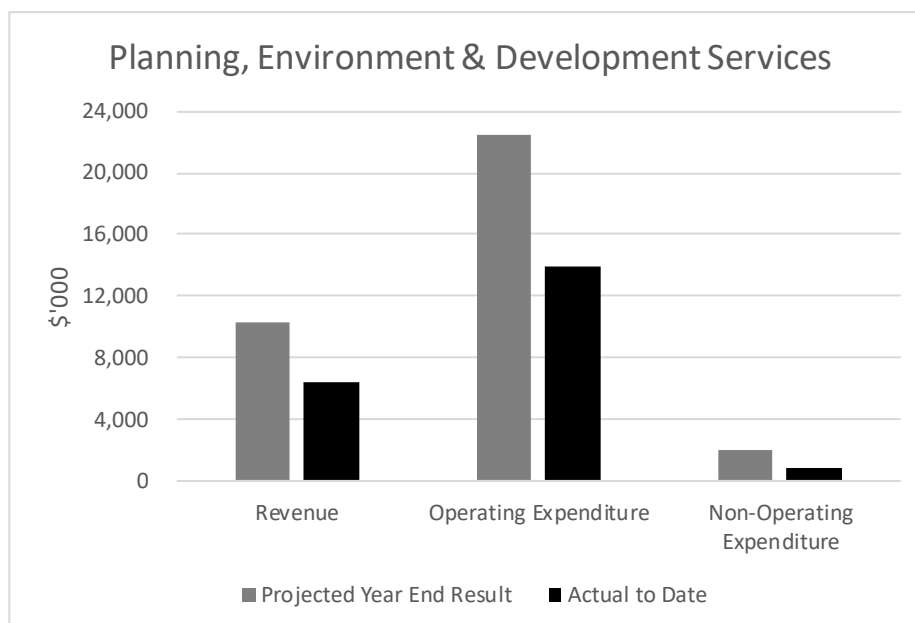
An online booking system for sports grounds, parks and a range of community facilities is in development with an implementation plan currently being prepared. Subject to successful system testing, the first stage roll-out for facilities directly managed by Council is anticipated

to be operational prior to the end of the year with roll-out to facilities with management committees to follow.

There are a number of other IT projects marked for transfer to the draft 18/19 budget. These projects have been unable to be delivered during the current year, predominantly due to resourcing constraints.

There are some projects likely to be a carry-forward at the end of financial year. These projects are: Voyager Playground, due to some delays in the quoting and delivery of equipment; Milton Croquet (which will require additional funds in order to complete the project as scoped); Northern Indoor Sports Centre, which is currently under construction; compliance works at SEC (under project management by Project Delivery) and the Bay & Basin Community Hub.

Planning, Environment and Development Services



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

	\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue		7,224	10,051	190	10,241	6,443	63%
Operating Expenditure		17,129	22,276	195	22,471	13,866	62%
Non-Operating Expenditure		1,190	2,019	(5)	2,014	798	40%

Group Director's Comments:

Revenue projection has been increased overall by \$190K. Proponent funds of \$195K have been provided to our Group, with a corresponding increase to expenditure for those specific projects. Compliance Unit has an increase of \$62K for receipt of milestone payments from the EPA for works already completed. The adjustments in Environmental Regulation have been budget neutral. Revenue decreases, predominantly in the Building & Drainage certificate area are mostly offset by increases in Building Compliance unit revenue and expenditure decreases in Drainage Assessment. Changes in legislation which created the drainage certification area came into effect late in September 2017. The initial budget was a best estimate against unknown factors. The amended budget as reflected in this review is expected to be very close to the full-year result. The Building area has been hit hard and this is most likely due to the impact of private certification.

The main grant funded project is the Flood Levee Repairs, which has now been let to a contractor. This is the other main driver behind both the operating revenue and expenditure being behind the 75% mark, as this is a \$1.1M project. Claims will be made as expenditure reaches milestones.

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Shoalhaven Water have also provided funding to Planning, Environment & Development Services of \$50K for the Sustainable Futures project.

Capital is tracking lower than expected. Currarong Coastal Erosion Remediation is at the design stage, following extensive community consultation. It now appears as though this project will continue into 18/19. Entrance Plans implementation now has geotech reports, and it is anticipated that contracts will be entered into prior to the end of financial year.

Small Lot Rural Subdivision

REZONING INVESTIGATIONS			
Updated 31st March 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	350,000	150,000	200,000
Loan Funded (transferred from Road Design)		12,968	
Special Rates (from construction)		6,626	
Special Rates (from construction) (returned)		-5,213	
Strategic Planning Consultants Budget		25,000	
Previous Contributions (Pre 1996)	0	2,571	0
Transfer to Road Construction	-55,049		
	294,951	191,952	200,000
Expenditure			
Salaries	157,224	32,614	48,929
Consultants	123,636	157,396	61,876
Other	14,091	1,942	20,085
Commitments in 2017/18	0	0	0
	294,951	191,952	130,890
Variance	0	0	69,110
ROAD DESIGN AND INVESTIGATIONS			
Updated 31st March 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	184,438	50,281	50,281
Transfer to road construction	-168,616	0	-22,800
Transfer to rezoning	0	-12,968	0
	15,822	37,313	27,481
Expenditure			
Salaries	0	0	0
Consultants	12,333	37,313	16,835
Other	3,488	0	0
Commitments in 2017/18	0	0	0
	15,821	37,313	16,835
Variance	0	0	10,646

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ROAD CONSTRUCTION			
Updated 31st March 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded (from investigations)	168,616	0	22,800
General Fund	0	3,000	0
Strategic Projects (2008/09)	82,020	41,738	11,750
Special Rate Funded	232,640	141,011	77,108
Infrastructure Special Rate (Loan)	7,200,000	2,130,000	0
Transfer to Estate Rezoning		-6,626	
Transfer to Estate Rezoning (returned)		5,213	
Transfer from Estate Rezoning	55,049		
	7,738,325	2,314,336	111,658
Expenditure			
Salaries	50,282	33,432	5,569
Consultants	11,662	0	12,575
Other	2,094,097	146,554	79,996
Commitments in 2017/18	195,881	0	0
	2,351,923	179,986	98,139
Variance	5,386,402	2,134,351	13,519
Notes:			
Expenditure details will be updated quarterly.			
Upon completion of the rezoning investigations, any excess funding from rezoning investigations will be redirected to road investigations and construction for the relevant Estate at the appropriate time. Options to address any negative variance values will be considered in the future. If necessary, funding may be transferred between the rezoning investigation, road investigation and road construction budgets for each Estate. Funding will not be transferred from one Estate to another.			

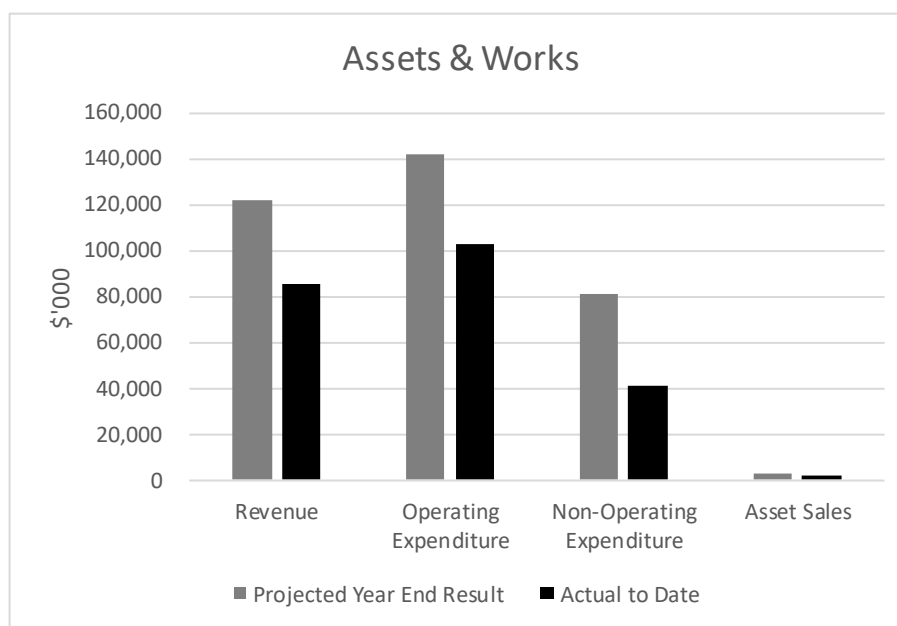
Nebraska Estate: \$69,110 remains for progressing rezoning investigations.

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

Road investigations and construction: The balance of the roadwork design budget for Nebraska Estate for 2017/2018 is \$10,646. The balance of the construction budgets for Jerberra, Verons and Nebraska Estates for 2017/2018 are \$5.3M, \$2.1M and \$13,519 respectively.

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Assets and Works



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

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	97,288	121,531	(114)	121,417	85,618	71%
Operating Expenditure	140,255	142,598	(1,131)	141,467	102,727	73%
Non-Operating Expenditure	44,632	81,265	57	81,322	41,100	51%
Asset Sales	1,940	2,691	0	2,691	1,992	74%

Group Director's Comments:

Operating expenditure is tracking slightly below the 75% mark, as is operating revenue. Property unit has had a cost neutral realignment of both revenue and expenses. The Rural Fire Service has also advised council of changes to their budget, which is also cost neutral.

Selected projects in carparking, pedestrian facilities, bridges and waste have been reforecast to the draft 18/19 budget and these are detailed in the attachment to the report. Carparking works in Collins Way is scheduled to commence in May and will be completed by the end of financial year, weather permitting.

Works in Jerberra Estate are continuing. There have been some delays related to Electricity, and the final outage is booked for late May. A report will be submitted to Council in May related to compulsory acquisition for the last fire trail lot. Verons Estate is with Project Delivery. Issues have been encountered with endangered species orchids; with a survey pending in May to record any locations. Upon completion of this and the hollow bearing tree survey, documentation for tender will be advanced.

A number of key road projects on Bolong Road have encountered poor soil conditions resulting in significant additional earthworks and pavement works. To meet these funding requirements, Worrigee Road and Woodhill Mountain Road repair projects have been deferred and savings from complete projects have been reallocated. Jindy Andy Lane,

Bendalong Road and Greenwell Point Road (Pyree) are currently in progress and due to be completed in the fourth quarter.

The Wool Road Rehabilitation and shoulder widening project requires additional budget to meet the pre-construction estimate. This project will be tendered shortly to span two financial years for additional funding to be allocated in the FY18/19 budget. Wheelbarrow Road sealing and Prince Edwards Ave rehabilitation will be issued for tender in the fourth quarter and are expected to be in progress at the end of the financial year.

Stormwater Levy

Spending against the Stormwater Levy is 53% of budget.

Stormwater Levy Progress 2017/18

	Stormwater Levy Budget					Actual	Budget Remaining	% Spent
	2016/17 unspent	2017/18	Adjustment	Adjustment Notes	Current			
Drainage Program								
St Andrews Way Coolangatta Stage 2	\$122,062	\$0			\$122,062	\$1,252	\$120,810	1%
The Park Dr Sanctuary Pt	\$141,988	\$0			\$141,988	\$2,645	\$139,343	2%
Dacres St Vincentia Drainage	\$29,739	\$0	\$23,270	1, 3, 5	\$53,009	\$53,009	\$0	100%
802 Sussex Inlet Road - Drainage	\$15,501	\$150,000	-\$165,501	2, 3	\$0	\$0	\$0	0%
Greville Ave Sanctuary Point	\$5,519	\$250,000	-\$164,196	4	\$91,323	\$160	\$91,163	0%
Drainage Sth Nowra Industrial	\$47,125	\$0	-\$6,460	9	\$40,665	\$0	\$40,665	0%
Bolong Rd Bomaderry Culvert upgrade	\$73,065	\$250,000	\$137,992	6, 9	\$461,057	\$467,591	\$0	100%
Adelaide & Church St Greenwell Point	\$76,425	\$107,500			\$183,925	\$169,358	\$14,567	92%
Sunset Strip Manyana	\$38,177	\$0			\$38,177	\$3,619	\$34,558	1%
River Rd Sussex Inlet Drainage	\$27,092	\$0			\$27,092	\$6,480	\$20,612	24%
Waratah Cres Sanctuary Point - Drainage	\$0	\$143,000	\$13,155	7	\$156,155	\$155,720	\$435	100%
Reserve Road, Basin View - Drainage	\$0	\$100,000	-\$9,966	10	\$90,034	\$0	\$90,034	0%
River Road, Shoalhaven Heads - Drainage	\$0	\$100,000			\$100,000	\$998	\$99,003	1%
89 Sussex Inlet Road - Drainage	\$0	\$0	\$150,000	2	\$150,000	\$3,479	\$146,521	2%
Links Avenue Sanctuary Point	\$0	\$0	\$27,479	8, 10	\$27,479	\$31,354	\$0	100%
Total Stormwater Levy	\$576,694	\$1,100,500	\$5,773		\$1,682,967	\$895,664	\$797,712	53%

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

1. September Quarterly Review - additional stormwater levy received \$5,378
2. September Quarterly Review - transfer \$150K from 802 Sussex Inlet Road to 89 Sussex Inlet Road
3. September Quarterly Review - transfer \$15,501 from 802 Sussex Inlet Road to Dacres St Vincentia
4. December Quarterly Review - transfer to other projects - unexpected delays on site
5. December Quarterly Review - transfer \$2,351 from Greville Ave to Dacres St Vincentia
6. December Quarterly Review - transfer \$131K from Greville Ave to Bolong Road
7. December Quarterly Review - transfer \$13,155 from Greville Ave to Waratah Cres
8. December Quarterly Review - additional stormwater levy received \$395; transfer \$17,118 from Greville Ave
9. March Quarterly Review - transfer from Drainage South Nowra to Bolong Road Bomaderry \$6,460
10. March Quarterly Review - transfer from Reserve Road to Links Avenue \$9,966

Group Director's Comments:

The delays at Greville Ave drainage were detailed in the December Review. Greville Avenue will receive additional funding next financial year once a new project plan has been established.

Bolong Road culvert project was a project spanning 2 stages as detailed in the December Review. All costs relating to the project have now been accounted for.

A subsequent resolution (April) will reallocate \$350,000 of Stormwater Levy funds to the Shoalhaven River Road Foreshore Precinct, and this will be reflected in the Quarter 4 report.

Special Rate Variations

Spending against the Special Rate Variation from 2013/14 is 77% of budget.

Special Rate Variation Progress 2017/18 - (2013/14 SRV)

	Special Rate Variation Budget					Actual	Budget Remaining	% Spent
	2016/17 unspent	2017/18	Adjustment	Adjustment Notes	Current			
Special Rate Variation Program								
Agars Lane Sealing	\$15,745	\$0	-\$15,745	4	\$0	\$0	\$0	100%
Mollymook Beach Res Cycleway - Mitchell Pde	\$28,988	\$0			\$28,988	\$28,988	\$0	100%
Coolangatta Road	\$533,756	\$0			\$533,756	\$533,756	\$0	100%
Jacobs Dr, Sussex Inlet	\$375,548	\$0	-\$375,548	1	\$0	\$0	\$0	100%
Naval College Road	\$319,533	\$0			\$319,533	\$319,533	\$319,533	50%
Bendalong Rd Ch 1.6-2.4	\$0	\$800,000	-\$170,000	5	\$630,000	\$133,520	\$326,480	29%
Warden St Ulladulla Ch 0.32-0.566	\$0	\$300,000	-\$93,231	2	\$206,769	\$8,806	\$104,732	8%
The Wool Rd Old Errowal Bay Ch 9.727-11.120	\$0	\$800,000			\$800,000	\$12,938	\$787,062	2%
Coonemia Rd Ch 0-2	\$0	\$603,613	-\$603,613	3	\$0	\$0	\$0	0%
Ulladulla Traffic & Pedestrian Improvements			\$93,231	2	\$93,231	\$186,462	\$0	100%
Naval College Road intersection			\$603,613	3	\$603,613	\$1,207,226	\$0	100%
Bendalong Rd Ch 0.0-5.6			\$170,000	5	\$170,000	\$170,000	\$0	100%
Currarong Road			\$15,745	4	\$15,745	\$15,745	\$0	100%
Total Special Rate Levy	\$1,273,569	\$2,503,613	-\$375,548		\$3,401,634	\$2,616,973	\$1,537,807	77%

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

1. September QBR - combine Jacobs Drive Streetscape into one project budget (combine with SRV 2018 funds)
2. September QBR - combine Ulladulla Projects together
3. September QBR - defer Coonemia Road project and transfer funds to completed Naval College Road project
4. March QBR - transfer funds to Curarong Road (Hillcrest works less than budget)
5. March QBR - Extend scope of Bendalong Road

Group Director's Comments:

Bendalong Road works have commenced, with the contract scheduled for completion in April. The proportion of special rate funds allocated to Bendalong Road has been expended. Warden Street Ulladulla is scheduled to commence in April (Quarter 4). There are delays with the commencement of The Wool Road and this project will need to carry forward into the 18/19 financial year.

Spending against the Special Rate Variation from 2017/18 is 57% of budget.

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Special Rate Variation Progress 2017/18 - one year only

	2017/18	Adjustment	Adjustment Notes	Current	Actual	Budget Remaining	% Spent
Special Rate Variation Program							
Public Halls Programmed Mtce	\$200,000			\$200,000	\$184,947	\$15,053	92%
Parks Core Maintenance	\$200,000			\$200,000	\$79,898	\$120,103	40%
Local Rds Routine Maintenance	\$600,000			\$600,000	\$480,578	\$119,422	80%
Millbank Road Local Road Repair	\$400,000			\$400,000	\$400,000	\$0	100%
Hillcrest Ave Local Road Repair	\$300,000	-\$40,000	3	\$260,000	\$240,752	\$19,248	93%
Jindy Andy Lane Brundee	\$700,000	-\$100,000	2	\$600,000	\$28,824	\$571,176	5%
Local Road Resurface	\$1,996,012			\$1,996,012	\$1,412,224	\$583,788	71%
Callala Beach Rd 1.8 to 3.3 km	\$400,000			\$400,000	\$245,624	\$154,376	61%
Jacobs Drive Streetscape	\$500,000	\$375,548	1	\$875,548	\$360	\$875,188	0%
Graham Road	\$0	\$100,000	2	\$100,000	\$100,000	\$0	100%
Bendalong Rd Ch 0.0-5.6	\$0	\$40,000	3	\$40,000	\$40,000	\$0	100%
Total Special Rate Levy	\$5,296,012	\$375,548		\$5,671,560	\$3,213,206	\$2,458,354	57%

Note: - The projects may have other additional funding, but only the 2017/18 Special Rate Levy is included in this table

1. September QBR - Jacob's Drive project combined with 2013/14 SRV funds
2. September QBR - transfer \$100K from Jindy Andy Ln to Graham Road
3. March QBR - transfer from Hillcrest to Bendalong Road

Group Director's Comments:

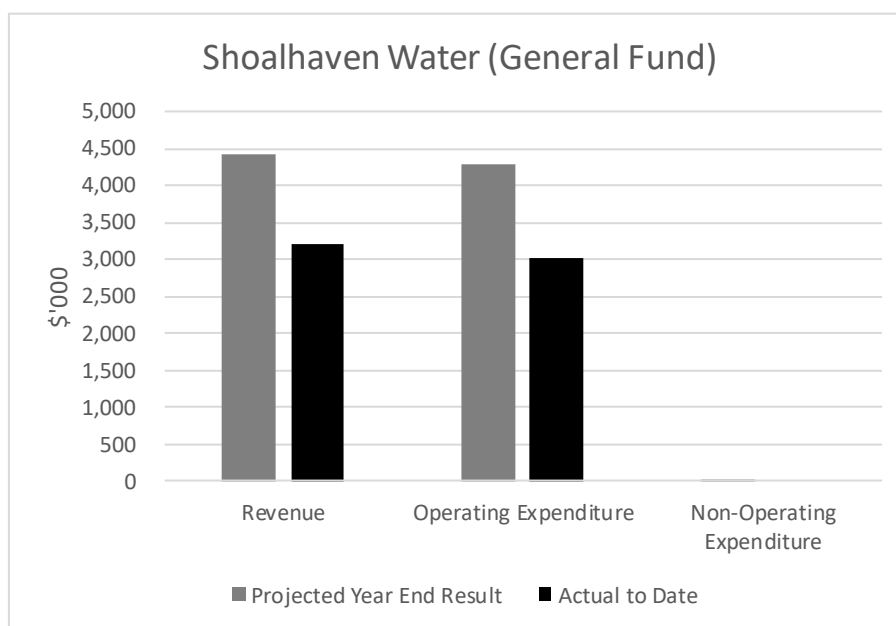
Public Halls are 92% spent at the end of March and are on track to be fully expended this financial year.

Parks are 40% expended at present. Quotes are being sourced for bollard replacements across the Shoalhaven, which are part of the special rate expenditure. Subject to suitable quotes, the programme is on track for full expenditure by end of the financial year.

The roads maintenance and resurfacing projects are tracking well. Works on Milbank Road have been completed. Final costs will be reflected during the June Review. Works on Jindy Andy are under way and expected to be completed by mid May. This spend will also be reflected in the June Quarterly Review report, with both line items to be 100% expended.

Jacobs Drive streetscape works have now been negotiated and will be delivered in full by late June / early July 2018.

Shoalhaven Water



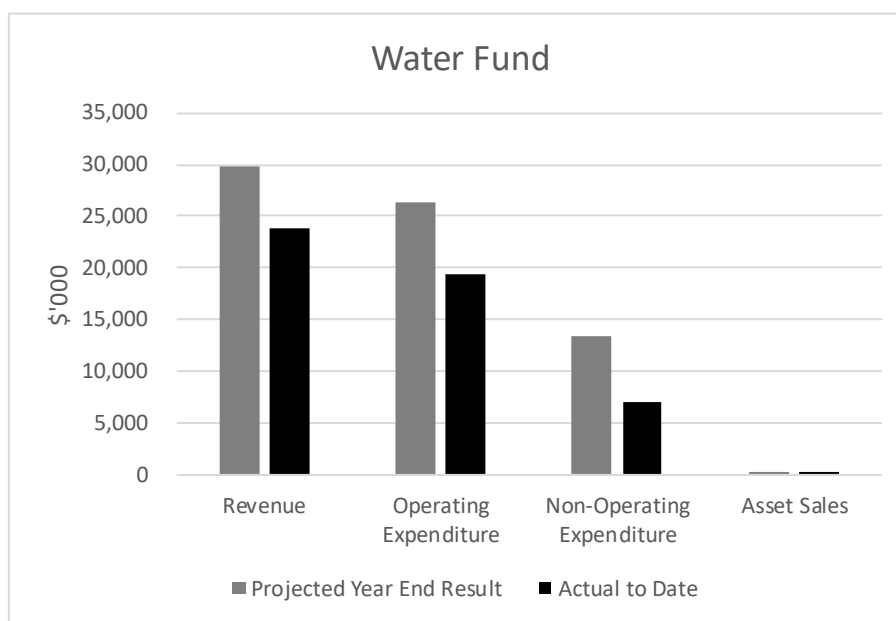
The recommended budget changes, revised budget and result to date for the Shoalhaven Water (General Fund) Group are summarised below; details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	4,420	4,420	1	4,421	3,209	73%
Operating Expenditure	4,034	4,023	261	4,284	3,029	71%
Non-Operating Expenditure	8	8	0	8	0	0%

Group Director's Comments:

The Shoalhaven Water General Group is operating on target, with revenue at 73% of budget and operational expenditure at 71% of budget. The increase in operating expenditure relates to depreciation.

Water Fund



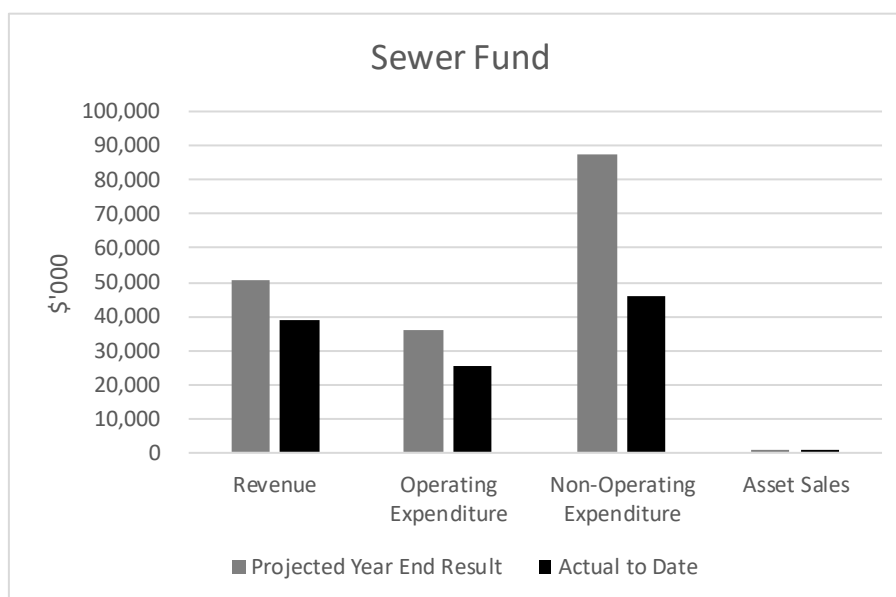
The recommended budget changes, revised budget and result to date for the Shoalhaven Water (Water Fund) Group are summarised below; details of the adjustments and variances are included in the March Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	27,261	27,949	1,890	29,839	23,881	80%
Operating Expenditure	25,153	26,513	(240)	26,273	19,305	73%
Non-Operating Expenditure	16,065	15,880	(2,592)	13,288	7,010	53%
Asset Sales	182	182	0	182	167	92%

Group Director's Comments:

The Water Fund is operating on target, with operational expenditure at 73% and revenue slightly higher than current budget. The adjustment to revenue relates mainly to the increase in water usage due to the unseasonably dry weather experienced over the summer months. In addition, section 64 income is tracking slightly higher than expected with increasing developer activity. The capital program is at 53% of budget and requires an adjustment of \$2,592K this quarter. These adjustments mainly relate to the reforecasting of cashflow on a number of capital projects.

Sewer Fund



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

	\$'000	Original Budget	Current Budget	March Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue		48,016	49,336	1,075	50,411	38,760	77%
Operating Expenditure		36,087	36,801	(810)	35,991	25,400	71%
Non-Operating Expenditure		111,467	113,381	(25,735)	87,646	46,156	53%
Asset Sales		122	122	0	122	95	78%

Group Director's Comments:

The Sewer Fund is operating on target, with operational expenditure at 71% and revenue slightly higher than current budget. The adjustments to revenue relate mainly to the increases in usage. In addition, section 64 income is tracking higher than expected with increasing developer activity. The capital program is at 53% of budget and requires an adjustment of \$25.735M. This adjustment is mainly due to reforecasting the cash flow for the REMS 1B project.

Financial Implications

Whilst adjustments made in the March Quarterly Budget Review have been cost neutral, Council is still in a budget negative position for General Fund. Council will need to be remain mindful of this situation and should not introduce new works or services in General Fund, unless a funding source is clearly identified.

SA18.105 2018 Future of Local Government National Summit - The Game Has Changed

HPERM Ref: D18/152524

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

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

Purpose / Summary

To consider Councillor attendance at the 2018 Future of Local Government National Summit - The Game Has Changed scheduled for 30-31 May 2018 in Melbourne, VIC.

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the 2018 Future of Local Government National Summit scheduled for 30-31 May 2018 in Melbourne, VIC.
1. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
2. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
3. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

Options

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

Background

The 2018 Future of Local Government National Summit 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: \$594
- travel, accommodation and out of pocket expenses: not yet determined.

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

The Conference commences at 9.10am Wednesday 30 May 2018 and concludes at 3.15pm Thursday 31 May 2018 and following Council Business is scheduled within the period of the conference:

- Tuesday 29 May – Public Consultation – Community Strategy Plan – Delivery Plan/Operational Plan - Nowra.
- Thursday 31 May – Public Consultation – Community Strategy Plan – Delivery Plan/Operational Plan - Ulladulla.

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.

2018 FUTURE OF **LOCAL** GOVERNMENT NATIONAL SUMMIT

**THE GAME
HAS CHANGED**

NOW IT'S ABOUT:

- COMMUNITY-LED GOVERNANCE (COMMUNITY CO-LEADERSHIP & CO-DESIGN)
- CO-OPERATION AND COLLABORATION BETWEEN COUNCILS

THIS SUMMIT WILL CELEBRATE THE LOCAL: WHO'S LEADING THE (NEW) WAY AND HOW THEY'RE DOING IT. UNBELIEVABLY 'WOW' CONTENT FROM AROUND AUSTRALIA AND THE WORLD.

For possibly the first time in history, we are seeing the simultaneous breakdown of trust in our key institutions: government, church and business. People want to 'take back control'. This involves a transfer of power to the local level: putting control of government where it belongs: in the hands of the governed: a reset of democracy.

30 & 31 MAY
THE ANGLISS
CONFERENCE CENTRE,
555 LA TROBE STREET,
MELBOURNE (LEVEL 5)

MAV
MUNICIPAL ASSOCIATION OF VICTORIA

EXCITEDLY BROUGHT TO
YOU BY THE MUNICIPAL
ASSOCIATION OF VICTORIA

2018 FUTURE OF LOCAL GOVERNMENT NATIONAL SUMMIT

THE 2017 FOLG NATIONAL SUMMIT SAW A RECOGNITION THAT:

- Future Shock is upon us, but our system of governance is disintegrating.
- Business as Usual is not an option. LG is ripe for disruption.
- There is an urgent need to devolve power back to communities. We need to put people, place and planet at the centre (not government). The true objective of LG is to enable communities to determine their own preferred futures and how they are best realised. More attention needs to be given to local government's role in the context of local governance, with Councillors as stewards of empowered communities

- A new Australian Localism is emerging, emphasising the fundamental importance of place and place-based governance, and recognising that every issue demands a localist response (and who picks up the tab?)
- Local government needs to demonstrate its relevance and forge partnerships at neighbourhood, regional and national scales. The sector can capture the Australian political imagination by putting people and place first.

Please note the fact that local Councils do many amazing things! Councils manage the most complex service business on earth on a shoestring. They are the elephant in the community, the 'glue' that supports communities and makes the system work at the local level. So this is about the way Councils work, and making them more effective, NOT downgrading or replacing them.

DAY 1: WEDNESDAY, MAY 30

9.10AM	WELCOME: MARY LALIOS, MAV PRESIDENT
9.15AM	INTRODUCTION BY FACILITATOR STEPHEN YARWOOD, FORMER ADELAIDE LORD MAYOR & URBAN FUTURIST.
9.20AM	SUMMIT CONTEXT, JOHN HENNESSY, MAV
9.35AM	<p>'BEYOND DEVOLUTION AND TOWARDS RESILIENCE', ANDREW WALKER, POLICY RESEARCHER, UK LOCAL GOVERNMENT INFORMATION UNIT (LGIU)</p> <p>The LGIU has been at the forefront of thinking about the future of local government and has recently produced two reports, 'Beyond Devolution' and 'Resilience in Practice'. At this key moment in the trajectory of the UK it is crucial to ask what the future has in store for local democracy. This is precisely what the Beyond Devolution report does: in order to investigate this situation more fully, the LGIU convened a high level network of leaders from councils across the country, as well as senior academics from four universities and practitioners from organisations across the public sector. This leads into the Resilience report which demonstrates the importance of nurturing the power within communities to manage long-term change, supporting the capacity of individual citizens to adapt and participate, and the building the skills and assets within organisations that allow them to work in new ways.</p>
10.20AM	<p>'ADVANCING COMMUNITY-LED GOVERNANCE: THE LATEST FROM BRITAIN AND CANADA', GRAHAM SANSOM, ADJUNCT PROFESSOR AT THE UNIVERSITY OF TECHNOLOGY SYDNEY AND LG LEGEND (FROM TORONTO).</p> <p>Last year's Future of Local Government Summit conference called for a fresh model of local governance based on a re-energised civil society that draws on the resourcefulness of people working together in local and regional communities – 'a new Australian localism'. Many councils across Australia are already starting to work along those lines, but progress seems patchy and slow. Should we do better and what's happening elsewhere?</p> <p>Graham Sansom is an Adjunct Professor at the University of Technology Sydney. He was previously Director of the Australian Centre of Excellence for Local Government and CEO of the Australian Local Government Association. He is currently a Visiting Scholar at the University of Toronto's Institute for Municipal Finance and Governance. On his way to Canada Graham spent two weeks in Britain talking to a wide range of local government people and organisations about the latest issues there, with a particular focus on community governance.</p>
10.55AM	MORNING TEA NETWORKING

DAY 1: WEDNESDAY, MAY 30



11.20AM	<p>'RENEWABLE NEWSTEAD', GENEVIEVE BARLOW AND GEOFF PARK.</p> <p>Newstead is a diverse, creative and cohesive community with a high level of community participation and volunteerism. The locals are also keen to have a say in the future of their town. One of the key initiatives, Renewable Newstead, commenced in 2010 to enable the Newstead community to transition to 100% renewable energy, using a combination of solar and storage. The project seeks to ensure barriers to participation are minimised, while providing a balance of financial, social and community benefit to Newstead residents. We have taken significant strides towards the 'roll out' of a feasible, cost-effective and replicable community energy model. The presentation will provide an overview of the project and its achievements to date, but more importantly we will share our insights into problem solving and community building at the 'grass roots' level.</p>
11.55AM	<p>'THE NEW WARATAH COMMUNITY CHARTER AND ADVISORY BOARD', TRACEY BRADLEY, DIRECTOR CORPORATE AND COMMUNITY SERVICES, WARATAH-WYNYARD COUNCIL AND DAVID HAMMOND (NZ)</p> <p>The Waratah Community in Tasmania is the first Australian place to follow the New Zealand Community Board model and establish a Community Charter and Advisory Board, to devolve responsibility to the community and to ensure delivery of the community plan. The role of the Board is:</p> <ul style="list-style-type: none"> a) The achievement of Waratah Community Plan 2018-21 b) Developing and delivering on community priorities c) Local and representative leadership for the Waratah community d) Effective engagement with the local community and organisations e) Liaison with and advice to Council and other relevant authorities. <p>Tracey and David, the mentor for the program, will discuss the journey to date and next steps.</p>
12.25PM	LUNCH
1.15PM	Discussion topic: community-led/devolution: what is the best way to do it?
1.35PM	<p>'CREATING AGE-FRIENDLY COMMUNITIES IN THE US', DANIELLE ARIGONI, DIRECTOR, AARP LIVABLE COMMUNITIES (USA).</p> <p>In the face of a changing federal landscape, new approaches are being tapped to create great communities -- with robust housing and transportation options, and engaging public spaces -- throughout the US. AARP -- a national nonprofit organization representing 38 million members aged 50+ -- has piloted one of these new approaches through its promotion of "livable communities" work. Learn more about how AARP is working in partnership with states and localities to use frame of "age-friendly" to help create more livable, sustainable and ultimately resilient communities.</p> <p>Danielle will discuss the work of AARP in assessing and improving the liveability and sustainability of communities. Danielle was the staff representative to President Barack Obama's White House Council on Climate Preparedness and Resilience. In addition, Danielle helped to coordinate federal investments and policies to support more integrated, community-driven local land use and decision-making. Danielle previously worked in the U.S. Environmental Protection Agency's Smart Growth program, where she won awards and led efforts to better integrate affordable housing into the smart growth movement.</p>
2.25PM	<p>'BHIVE: A WORLD FIRST, PLACE-BASED SHARING ECONOMY COOPERATIVE', IAN MCBURNEY, DIRECTOR AND EO.</p> <p>The bHive Cooperative is a community owned, person-to-person sharing economy platform being developed for Bendigo by a team of five local entrepreneurs. bHive is the future of work, economic development and community development. bHive was featured at the third Platform Cooperatives conference in New York in November 2017. In direct contrast to the Ubers and Airbnbs of the world who destroy local jobs, create precarious work and take profits and tax overseas, bHive is being built in Bendigo from the ground up. Bendigo people will build, operate and own the platform that will build over time to provides skill sharing, car sharing, lifts, food sharing, logistics, house sharing, crowdfunding, insurance and lots more.</p>
2.55PM	PANEL SESSION: THE ADVANTAGES OF BEING COMMUNITY-LED
3.15PM	AFTERNOON TEA
3.35PM	<p>'TRANSITIONING TO A ZERO CARBON COMMUNITY WITHIN 10 YEARS', IMOGEN JUBB, NATIONAL MANAGER, ZERO CARBON COMMUNITIES, BEYOND ZERO EMISSIONS.</p> <p>Imogen will present on the BZE local government climate review as well as regional and local approaches to repowering and engaging communities, including case studies of communities transitioning to a zero carbon community within 10 years. Imogen is a communication specialist who has provided climate change and sustainability advice to organisations including the Australian Conservation Foundation, the Bureau of Meteorology, CSIRO and the Moreland Energy Foundation.</p> <p>She has published articles in The Age, SBS, Huffington Post and The Fifth Estate, worked as television presenter and script writer for the ABC and co-authored reports with some of Australia's leading climate-change scientists. She is an elected Board Member of Climate for Change is passionate about strategies that will work our way to a sustainable world.</p>

DAY 1: WEDNESDAY, MAY 30

4.05PM	'COMMUNITY-LED PROCESSES TO ACHIEVE LOCAL SUSTAINABILITY', DR. ALICE HOWE, MANAGER, SUSTAINABILITY, LAKE MACQUARIE CITY COUNCIL. Alice will discuss Lake Macquarie's Sustainable Neighbourhood groups and their community-led processes. Sustainable Neighbourhood groups are made up of local residents who care about their neighbourhood and are committed to working together to make it more sustainable. Each Sustainable Neighbourhood Group engages widely with their community to develop a Sustainable Neighbourhood Action Plan (SNAP). The Action Plan includes: <ul style="list-style-type: none"> • A long term vision for the neighbourhood • Lists the things that people value about their neighbourhood • Identifies challenges and opportunities for action • Details the actions and projects that people in the neighbourhood will undertake to achieve their vision.
4.35PM	'VISIONS AND PATHWAYS 2040', VICTORIAN ECO-INNOVATION LAB, UNIVERSITY OF MELBOURNE. Visions, Scenarios and Pathways for Low-Carbon Resilient Futures in Australian Cities
4.40PM	FACILITATED DISCUSSION: IMPLICATIONS FOR MY COUNCIL
5 PM	INFORMAL NETWORKING SESSION WITH NIBBLES AND DRINKS.
6PM	CLOSE

DAY 2: THURSDAY, MAY 31

9AM	DISCUSSION
9.15AM	'LOGONET: FRESH THINKING ABOUT THE FUTURE OF LOCAL GOVERNMENT AND LOCAL GOVERNANCE', TIM ROBINSON, ASSOCIATE, INSTITUTE FOR GOVERNANCE AND POLICY ANALYSIS, UNIVERSITY OF CANBERRA (LOGONET CO-FOUNDER). LogoNet Australia is a national network of individuals dedicated to fresh thinking about the future of Local Government and community governance, and to promoting innovation in the way local councils go about their business. The inaugural LogoNet meeting was held in Sydney in November 2016 and identified a primary need to develop a platform to share information, support practical research and influence decision-making by highlighting the value and importance of effective local government and community democracy. The LogoNet Dialogue A key LogoNet initiative is the LogoNet Dialogue, an opportunity to discuss some critical issues affecting local communities and local government. Everyone who has an interest in these issues is invited to submit a commentary, article or case study related to the Dialogue theme. Please go to Introducing the LogoNet Dialogue page for more details. The LogoNet Website The LogoNet Dialogue is only one feature of the LogoNet website which is also the main hub, driver and resource for the network. The website has an extensive Resources section with a directory of Local Government Associations and related organisations in Australia, New Zealand and a number of other countries. There is also a Publications and Research page with links to research agencies, reports, publications and other resource material relating to Local Government.

DAY 2: THURSDAY, MAY 31



9.45AM	<p>'THE GROWING IMPORTANCE OF REGIONAL CO-OPERATION AND COLLABORATION', SCOTT SMITH, CHIEF EXECUTIVE OFFICER, COUNCIL OF MAYORS, SOUTH EAST QUEENSLAND.</p> <p>The Council of Mayors (SEQ) was established in September 2005 as an independent political advocacy organisation to represent the interests of one of the nation's fastest growing regions – South East Queensland. It is Australia's largest regional local government advocacy organisation, representing the one in seven Australians who call SEQ home. The membership of the Council of Mayors (SEQ) consists of the 11 Mayors representing the Councils of SEQ: Brisbane, Gold Coast, Ipswich, Lockyer Valley, Logan, Moreton Bay, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba councils. With five out of the ten largest Councils in Australia in SEQ, the region is no longer just a series of disparate geographic areas but a region that, in practical terms, functions as a single metropolitan area.</p>
10.15AM	MORNING TEA
10.35AM	<p>DRIVING CHANGE IN LOCAL GOVERNMENT: WHAT WORKS AND WHAT DOESN'T?', LES ROBINSON, CHANGEOLGY.</p> <p>Les is a specialist in achieving change and innovation, and is the author of 'Changeology', How to Enable Groups, Communities and Societies to do Things They've Never Done Before, an entertaining and illuminating "crash course in social change thinking". Les has just completed a research study of a group of key local government leaders nationally to identify characteristics of success in LG projects.</p>
11.05AM	WHAT ARE THE LEARNINGS FROM THIS RESEARCH?
11.15AM	<p>'ACTION FOCUSED INNOVATION', MARTIJN SCHRODER,</p> <p>Martijn, who was very well received at the 2017 Summit, is passionate about the need for Councils to transform their operations. His presentation will cover</p> <ul style="list-style-type: none"> • Practicality and action as a mechanism for change • Complexity thinking and the power of narratives • A new paradigm for service delivery merging the lessons learned from the past with the capabilities of today <p>Martijn has worked in Continuous Improvement, Transformation and Business Change for over 20 years. He is particularly known for his human-based change management. Martijn has extensive international experience across both public and private sectors and has assisted many organisations with strategy, service based governance and sourcing, process improvement and coaching of executives. He applies innovative thinking in and achieves out of the box solutions and improvements.</p>
11.45AM	<p>'LEARNING HOW TO BE COMMUNITY-LED', RHYS WILLIAMS, MAYOR OF MANDURAH COUNCIL (WA)</p> <p>Rhys Williams, the 2015 Young Western Australian of the Year, was appointed Mayor of Mandurah in late 2017. He had previously established Make Place – a hub for young entrepreneurs and leaders to collaborate and has an extensive background in volunteer organisations. Rhys will discuss how he plans to devolve power to the community to achieve a vision for Mandurah.</p>
12.15PM	<p>HEALTHY, VIBRANT, RESILIENT & ENTERPRISING COMMUNITY AND ECONOMY: CASE STUDY 1: HEATHCOTE</p> <p>Heathcote is a rural community located in Central Victoria. One of the most exciting developments in the community is the Heathcote dementia friendly village (Village) proposal. The community's care providers (such as Heathcote Health) are finding it increasingly difficult to manage severe dementia behaviours within traditional residential care settings. There are no models of care currently available locally (or even within Australia). The village would be the first of its type in Australia and would establish Heathcote and Central Victoria as a centre of dementia care best practice and learning. The Village proposal is similar to Hogewey village in the Netherlands but would also incorporate the 'Green Care Program'. This program links healthcare to agriculture, gardening, landscaping and nature conservation, caring for animals and community activities. It would also create new economic drivers, as well as new training and employment opportunities. (It is estimated the Village would inject \$15M into the local economy each year).</p>

DAY 2: THURSDAY, MAY 31

12.30PM LUNCH

1.25PM HEALTHY, VIBRANT, RESILIENT & ENTERPRISING COMMUNITY AND ECONOMY: CASE STUDY 2: HEYFIELD
The community of Heyfield was named as the inaugural winner of Australia's Strongest and Most Resilient Community at the 2017 national Power to the People Conference in Melbourne. Awarded by the Municipal Association of Victoria, in conjunction with the Bank of Ideas, more than 50 applications were received from communities and councils across the country. Wellington Shire Councillor and staunchly proud Heyfield resident Malcolm Hole was proud as punch being at there ceremony to announce the winner, with other members of the Heyfield community. "The people of Heyfield have taken a real beating over the past few years, with bushfires, drought and all the uncertainties of its major employer the Ash Timber mill.
"But, the people of Heyfield never give up and they have fought tooth and nail to keep this community together and thriving.

1.50PM EXPOSURE TIME: 2 CATEGORIES:
• What is my Councils doing to contribute to the New Story?
OR
• What can my Council do to join the New Story?

2.15PM 'THE TRANSITION MOVEMENT', MARY STRINGER, TRANSITION STREETS BANYULE.
'The Transition Movement' was launched in the UK in 2006 and is today operating in 35 countries. It is comprised of vibrant, grassroots community initiatives that seek to build community resilience in the face of such challenges as peak oil, climate change and the economic crisis. Transition Initiatives differentiate themselves from other sustainability and "environmental" groups by seeking to mitigate these converging global crises by engaging their communities in home-grown, citizen-led education, action, and multi-stakeholder planning to increase local self reliance and resilience. Locally, Transition Newcastle has produced a workbook that can be accessed at: <http://transitionnewcastle.org.au/transition-streets-workbooks/>

2.40PM 'WHY INVESTING IN TOURISM IS GOOD FOR LOCAL COMMUNITIES'. WAYNE KAYLER-THOMSON, CHAIR, GREAT OCEAN ROAD REGIONAL TOURISM LTD.
Tourism is often taken for granted in the bigger economic development context but it is one of the biggest generators of benefits for local communities. Wayne will discuss the potential of tourism to benefit communities and Councils.

2.55PM 'MOVEMENT AND PLACE: THE IMPLICATIONS OF AMAZON FOR LOCAL GOVERNMENT IN A NEW GAME PLAN FOR PLACES', DAVID MEPHAM, PLACE PLANNER.
Will the advent of Amazon be to the benefit of local government and communities? Major changes are impacting the retail and land use area and local government needs to be alert to the opportunity. David has an extensive place planning and design background. As City Building Manager for the Gold Coast Light Rail he oversaw planning and urban design issues and as Coordinator Transport Futures he produced the innovative City of Gold Coast City Parking Plan. David has also developed 'Last Mile' concepts for the 2018 Commonwealth Games venues, established community transport schemes and has assisted in the planning of numerous other major projects.

3.15PM NEXT STEPS: THE COUNCIL CHALLENGE

WHO SHOULD ATTEND?
ANYONE WITH AN INTEREST IN CHANGE AND THE FUTURE OF LOCAL GOVERNMENT: including Councillors, CEOs, Directors, and managers and officers in Community Development, Innovation, Organisational Development, Corporate Planners, Strategic Planning, Human Resources, Governance, Service Planners, Business Transformation, Digital Transformation, Information Management and Business Analysis.

COST: \$594 (INCLUDING GST)

Note: no single day registrations are available.

TO REGISTER: For online registration and conference details go to www.mav.asn.au/events (click on 'upcoming events' and scroll down to May 30).

QUERIES: jhennessy@mav.asn.au

NOTE: Program subject to change. Go to MAV website for the latest version.

BACKGROUND READING: go to <http://futureoflocalgovernment.org.au/future-of-local-government-network-participation-menu-for-councils/>

SUGGESTED ACCOMMODATION: Radisson on Flagstaff Gardens, 380 William St, Melbourne Vic 3000. Phone (03) 9322 8000 (refer to MAV event at Angliss Conference Centre for discount).

SA18.106 Waste Reduction Management Strategy

HPERM Ref: D17/276381

Group: Assets & Works Group
Section: Works & Services

Attachments: 1. SCC Waste Strategy 2017/18 to 2020/21 (under separate cover) [↗](#)
2. Benefit cost analysis [↓](#)
3. Assumptions - Benefit cost analysis [↓](#)

Purpose / Summary

To review and endorse the Waste Reduction Management Strategy for public exhibition.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the draft Waste Reduction Management Strategy 2015/16 to 2020/21 and it be publicly exhibited for 28 days;
2. Review the feedback and submissions from the public exhibition in a further report. [Note: Adopting this strategy does not specifically commit any funding to the initiatives within. If the budget allocation is not in line with the strategy then the strategy will be reviewed to reflect this.]

Options

1. Adopt the recommendation.
Implications: This will provide for community input into the Strategy.
2. Amend the strategy.
Implications: A further report may be required to provide an assessment of the impact of any strategy amendments.
3. Not accept the recommendation.
Implications: Not recommended as Council has previously resolved to proceed with some of the strategies within the plan.

Background

The draft Waste Reduction Management Strategy 2015/16 to 2020/21 was initially prepared in 2016 and has now been updated following the Service Review in June 2017. The document collates current activities and relevant Council resolutions, strategies in progress and future programs.

This Strategy focuses on reducing domestic waste to landfill, increasing the recycling rate and improving resource recovery across the region. The intent is for actions to be evaluated and / or measured each year and be subsequently adjusted, omitted or intensified. In this

way, the Strategy becomes a “living” document that evolves year on year and works to achieve the strategic objectives within the five year timeframe, from 2016/17 to 2020/21.

The Shoalhaven City Council provides a number of waste and recycling facilities to service the region, incorporating:

- Centralised landfill operations at West Nowra, which is a well-engineered landfill inclusive of gas extraction and leachate management;
- An inert landfill located at Huskisson;
- Satellite Transfer Stations for self-haul waste and recyclables disposal inclusive of several buy back centres for resource recovery. Waste dropped off at the transfer stations is transported to the West Nowra landfill for disposal;
- Council managed contracted weekly domestic mixed waste and fortnightly recycling kerbside collections;
- An ‘on-request’ pick up service exists for disposal of bulky or green waste;
- Issuance of vouchers for disposal to landfill; and
- A number of recycling programs.

The strategies outlined in the plan further include:

Summary of Infrastructure Actions:

Item	Action	Status
Construct ‘Alternative Waste Treatment’ technology	Award of tender and construction of AWT technology to commence in 2018	Tender advertisement closed on 14 February 2018. A report on the tender assessment will be available shortly.
Undertake review of management options for the ‘Buy Back Centres’	Undertake review of management options including but not limited to social enterprise, Council operated, contractor operated for the ‘Buy Back Centres’	Council called for tenders in April 2016, but due to the high cost opted to operate “in house”
Construct ‘Transfer Station’ at the West Nowra landfill	Construction of transfer station at the West Nowra landfill to maximise resource recovery and mitigate risks associated with public access on an operational site	The shed and drop off area has been constructed, with only the access roads to be completed in March 2018.
Construct ‘Community Recycling Centre’ (CRC)	Construction of 10 undercover permanent facilities for the collection of household hazardous waste, and waste from SMEs located at SCC landfills and depots.	CRCs have been constructed at all 10 recycling and waste transfer facilities on a hub and spokes system whereby all materials collected at the 9 sites are transferred to West Nowra, prior to collection for recycling.
Develop ‘Waste Minimisation Learning Hubs’	Develop transportable ‘Waste Minimisation Learning Hubs’ at selected SCC library	The Illawarra Shoalhaven Joint Organisation (ISJO) has recently purchased a mobile

	facilities and expanding to selected community centres. The hubs will be open to community groups, adult education and schools.	recycling education trailer. Council will assess the effectiveness of this to inform the planning for the “learning hubs”
Create a “Recycle Wall” at the proposed CRC	Utilise wall space at the proposed CRC to inform and educate about recycling and resource recovery in the Shoalhaven	The information wall has been installed at West Nowra, and smaller versions are planned to be rolled out to the remaining 9 facilities

The key element of the strategy is the Alternative Waste Treatment technology, which is in the tender review phase. Council resolved (MIN15.213) to proceed with the tender following approval from the State Planning Department for the facility to progress.

Background to this project is provided below.

Alternative Waste Processing Technology (AWT)

There are various alternative technologies available to process mixed waste (the red bin contents) to reduce the amount of waste disposed of at the landfill.

Council invited tenders for specialist waste processing companies to process all waste materials currently available in the red lid landfill bin, including options to separate the waste at home into different bins.

The average composition of the Shoalhaven red lidded bin is:

Food	27.0%
Residual (non-recyclable glass, metal, and plastic, inert waste, electrical, hazardous and other)	22.2%
Garden	20.6%
Organic residual (nappies, textiles, timber, contaminated cardboard)	17.8%
Recycling (yellow lid bin recycling)	12.4%

The AWT will process this waste, converting the organic components of the waste into a compost product and recover recyclables. The tender objectives included the diversion of more than 60% of this waste from landfill, to bring Council total diversion, including the yellow bin processing, to greater than 70%. This would exceed the NSW State government target of 70%.

If ‘Energy from Waste’ markets develop in the future, the total possible diversion is estimated to be between 80% and 90%. This will allow Refuse Derived Fuel (RDF) to be processed from the waste stream, which includes plastics, paper and cardboard, wood and textiles to be used as a fuel for energy production.

The financial cost and benefits of introducing a processing facility for the red lidded bin and including commercial and other drop off waste from the transfer facilities needs to be viewed from two different aspects:

1. *Domestic waste and the annual domestic waste management charge (DWC).* The DWC covers the cost of collection, processing, landfill, green and bulky pick ups, vouchers and administration. The gate fee currently charged at the landfill gate will be replaced by the gate fee charged at the AWT processing facility. It is likely to be in the same price range and therefore unlikely to impact on the cost of the service.

However, the benefit will be that between 60% and 80% of the domestic waste will be recovered for beneficial use.

2. *Recycling and waste transfer and landfill facilities.* The landfill will reduce its income by the amount being paid directly to the AWT, although the reduced costs of operating the landfill and the other 9 transfer facilities will not reduce proportionately. However, the benefits include an increased landfill life (which reduces the urgency to purchase land for a future landfill) and the disposal of a lower risk (inert) waste.

A benefit cost analysis has been undertaken using two possible AWT gate charges - a high and low value and associated possible landfill diversion rates for each scenario. The non-financial benefits for each scenario are based on the NSW EPA external cost of landfill spreadsheet and includes greenhouse gas emissions reduction, other gaseous emissions reduction and externalities related to commercial and industrial waste only, with a cost per tonne provided in order to complete a benefit cost analysis.

The outcome provides a financial benefit cost ratio 0.97 and economic and social benefit cost ratios of 1.04. This BC ratio is taken from the perspective of the ongoing landfill operation at West Nowra.

Further benefits that have not been costed include:

- More inert and homogenous waste to landfill, which results in lower environmental risk
- A net increase in local employment through job opportunities at the AWT
- Indirect benefits to service industries such as transport, maintenance and consulting
- Carbon being returned to the soil through the organic product
- Diversion of waste from landfill which will result in a longer landfill life
- Deferred need to acquire land in the long term
- Kudos to the Shoalhaven for implementing best practice

The cost benefit analysis and associated assumptions are included at **Attachments 2 & 3**.

Community Engagement

The draft Strategy will be publicly exhibited prior to being adopting. Community feedback can be considered before finalising the document.

For the ATW, extensive community engagement took place following the Expressions of Interest in late 2013 and during the concept planning approval process in 2016.

Financial Implications

The draft Strategy can be funded by the Waste Reserve, including funding for capital works, except the AWT.

The successful AWT provider will recover their costs and capital development of the project over the term of the contract (draft term is 20 years). In line with the original business model for the project, Council is to provide an initial \$10m capital contribution (linked to the provider's performance milestones). This may need to be partly loan funded if insufficient balance is available in the Waste Reserve at the time it is drawn down. Based on current forecast the loan amount is estimated at \$6 million. A financial analysis will be undertaken as part of the tender evaluation processes.

There will be a financially negative effect on the 10 Recycling and Waste transfer facilities through reduced revenue from the gate fee as waste is diverted to AWT. Currently, the

operation of all transfer stations is financially subsidised by the gate fee received at West Nowra. Modelling shows the current subsidy to be approximately \$1.5 million per year. **This cross-subsidy will need to be mitigated by further reviews of operating hours or identifying other funding sources.**

Grant funding opportunities will be pursued to advance the capital and education programs.

Waste Levy – Implication of Changes

Council has long advocated for a reduction in the State Government Waste Levy from the current 'Metropolitan' rate to a 'Regional' or no levy classification. Based on current waste management (i.e. no AWT facility), if changes to the levy occurred, the gate fee customers pay for drop off at a waste facility and the Domestic Waste Charge (DWC) would reduce.

If the AWT facility was operating, only the gate fee would reduce substantially. In the AWT model, the DWC will mostly be influenced by payments to the provider under the contract.

Policy Implications

Based on previous investigations and the tender process into the AWT, the highest diversion and most economical way to process the Shoalhaven's waste is in the current red and yellow bin system, without a separate green bin.

The processing of waste is viable in large quantities and diverting content currently in the red bin (20.6% garden waste) into an additional bin will reduce the viability of processing the red bin. This will mean the food (27%), organics (17.8%) and recycling (12.4%) may end up in landfill. In addition, there will be an additional charge approximately \$100-150 per rateable property to provide a green bin service.

The AWT processing is flexible to accommodate a three bin system (red, yellow and green), but the impact on costs and diversion rates will need to be assessed based on the type of processing technology implemented.

The introduction of a green bin is **not** part of the draft Waste Reduction Management Strategy.



cost benefit analysis

project name:

West Nowra Landfill after introduction of Alternative Waste Treatment Facility

Undiscounted Cash Flows

		1	2	3	4	5	6	7	8	9	10
		\$'000s									
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Benefits	Worksheet Reference										
Facility Income		\$17,671	\$17,971	\$18,277	\$18,587	\$18,903	\$19,225	\$19,552	\$19,884	\$20,222	\$20,566
Cost Reductions	Sale of recyclables	\$1,030	\$1,048	\$1,065	\$1,083	\$1,102	\$1,121	\$1,140	\$1,159	\$1,179	\$1,199
Residual value - building											
Total Cash Inflow		\$18,701	\$19,019	\$19,342	\$19,671	\$20,005	\$20,345	\$20,691	\$21,043	\$21,401	\$21,765
Cumulative Cash Inflow		\$18,701	\$37,720	\$57,062	\$76,733	\$96,738	\$117,083	\$137,775	\$158,818	\$180,219	\$201,983
Costs	Worksheet Reference										
Capital Costs		\$7,706	\$5,314	\$1,734	\$1,454	\$1,974	\$2,612	\$1,565	\$1,037	\$1,037	\$1,037
Subsidy for 9 other facilities		\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494
Levy		\$3,609	\$3,670	\$3,733	\$3,796	\$3,861	\$3,926	\$3,993	\$4,061	\$4,130	\$4,200
Operating Costs		\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709
AWT gate fee		\$9,364	\$9,523	\$9,685	\$9,850	\$10,017	\$10,187	\$10,361	\$10,537	\$10,716	\$10,898
Total Cash Outflow		\$25,882	\$23,711	\$20,355	\$20,303	\$21,055	\$21,929	\$21,122	\$20,838	\$21,086	\$21,338
Cumulative Cash Outflow		\$25,882	\$49,593	\$69,948	\$90,251	\$111,306	\$133,235	\$154,357	\$175,195	\$196,281	\$217,619
Net Annual Cash Flow		-\$7,181	-\$4,692	-\$1,013	-\$632	-\$1,050	-\$1,584	-\$431	\$205	\$315	\$426
Other benefits	Avoided landfill extern:	\$1,328	\$1,351	\$1,374	\$1,397	\$1,421	\$1,445	\$1,470	\$1,495	\$1,520	\$1,546
Net Benefit		-\$5,853	-\$3,341	\$361	\$765	\$371	-\$139	\$1,039	\$1,700	\$1,835	\$1,972
Discount Factor		0.93	0.87	0.82	0.76	0.71	0.67	0.62	0.58	0.54	0.51

Discounted Flows

		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Benefits		\$17,477	\$16,612	\$15,789	\$15,007	\$14,264	\$13,557	\$12,885	\$12,247	\$11,641	\$11,064
Costs		\$24,189	\$20,710	\$16,616	\$15,489	\$15,012	\$14,612	\$13,154	\$12,128	\$11,469	\$10,847
Net Annual Cash Flow		-\$6,711	-\$4,098	-\$827	-\$482	-\$748	-\$1,055	-\$268	\$119	\$171	\$217
Cumulative Annual Cash Flow		-\$6,711	-\$10,810	-\$11,636	-\$12,119	-\$12,867	-\$13,922	-\$14,190	-\$14,071	-\$13,900	-\$13,683

	Financial	Economic and social benefits
Net Present Value @ 7.0%	-\$6,390	\$9,598
Sensitivity:		
Net Present Value @ 3.0%	-\$196	\$22,723
Net Present Value @ 10.0%	-\$8,521	\$4,149
Benefit Cost Ratio	0.97	1.04
Sensitivity:		
Benefit Cost Ratio @ 3.0%	1.00	1.07
Benefit Cost Ratio @ 10.0%	0.95	1.02



cost benefit analysis

project name:

West Nowra Landfill after intro

Undiscounted Cash Flows

	11	12	13	14	15	16	17	18	19	20
Financial Year	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Benefits										
Facility Income	\$20,915	\$21,271	\$21,633	\$22,000	\$22,374	\$22,755	\$23,142	\$23,535	\$23,935	\$24,342
Cost Reductions	\$1,219	\$1,240	\$1,261	\$1,282	\$1,304	\$1,326	\$1,349	\$1,372	\$1,395	\$1,419
Residual value - building										\$14,213
Total Cash Inflow	\$22,135	\$22,511	\$22,894	\$23,283	\$23,679	\$24,081	\$24,490	\$24,907	\$25,330	\$39,974
Cumulative Cash Inflow	\$224,118	\$246,629	\$269,522	\$292,805	\$316,483	\$340,564	\$365,055	\$389,962	\$415,292	\$455,266
Costs										
Capital Costs	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037	\$1,037
Subsidy for 9 other facilities	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494	\$1,494
Levy	\$4,272	\$4,344	\$4,418	\$4,493	\$4,570	\$4,647	\$4,726	\$4,807	\$4,888	\$4,972
Operating Costs	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709	\$3,709
AWT gate fee	\$11,083	\$11,272	\$11,463	\$11,658	\$11,856	\$12,058	\$12,263	\$12,471	\$12,683	\$12,899
Total Cash Outflow	\$21,595	\$21,856	\$22,122	\$22,392	\$22,666	\$22,945	\$23,229	\$23,518	\$23,812	\$24,111
Cumulative Cash Outflow	\$239,214	\$261,071	\$283,192	\$305,584	\$328,250	\$351,195	\$374,425	\$397,943	\$421,755	\$445,866
Net Annual Cash Flow	\$539	\$655	\$772	\$891	\$1,012	\$1,136	\$1,261	\$1,389	\$1,518	\$15,863
Other benefits	\$1,572	\$1,599	\$1,626	\$1,654	\$1,682	\$1,710	\$1,739	\$1,769	\$1,799	\$1,830
Net Benefit	\$2,111	\$2,253	\$2,398	\$2,545	\$2,694	\$2,846	\$3,000	\$3,157	\$3,317	\$17,693
Discount Factor	0.48	0.44	0.41	0.39	0.36	0.34	0.32	0.30	0.28	0.26
Discounted Flows	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Benefits	\$10,516	\$9,995	\$9,500	\$9,029	\$8,582	\$8,157	\$7,753	\$7,369	\$7,004	\$10,330
Costs	\$10,260	\$9,704	\$9,180	\$8,684	\$8,215	\$7,772	\$7,354	\$6,958	\$6,584	\$6,231
Net Annual Cash Flow	\$256	\$291	\$320	\$346	\$367	\$385	\$399	\$411	\$420	\$4,099
Cumulative Annual Cash Flow	-\$13,427	-\$13,136	-\$12,816	-\$12,470	-\$12,103	-\$11,719	-\$11,320	-\$10,909	-\$10,489	-\$6,390

Net Present Value @ 7.0%

Sensitivity:

Net Present Value @ 3.0%

Net Present Value @ 10.0%

Benefit Cost Ratio

Sensitivity:

Benefit Cost Ratio @ 3.0%

Benefit Cost Ratio @ 10.0%



project name:

assumptions

West Nowra Landfill after introduction of Alternative Waste Treatment Facility

Item	Details	Source	Approved Comments
------	---------	--------	-------------------

General parameters

Base year **2021**

Analysis period **21 years**

Social discount rate (real) **7.0%**

Sensitivity testing:

3.0%

10.0%

Borrowing cost **3.15%**

Salary on-cost factor

Permanent **38.9%**

9.5%

Casual

Landfill levy **\$138**

Landfill gate fee **\$315**

AWT gate fee **\$365**

Kerbside diversion **70%**

All other diversion **63%**

Avoided landfill externalities costs (from EPA BC spreadsheet)

Greenhouse gas em	\$30 per tonne diverted	\$1,259,888
Other air emissions	\$0.29 per tonne diverted	\$12,179
Landfill externalities	\$5.89 per tonne of C&I waste divert	\$56,100

Input into West Nowra

Asbestos / contaminated soil	667
Building waste / soil	4812
Commercial waste	18864
Transfers from depots	8308
Domestic drop off (WN)	3387
Municipal	1509
Kerbside	30564

Cost (\$) **\$21,423,987**

Current income WN **\$21,423,987**

With AWT income at WN **\$17,670,868**

Sale of recyclables

Scrap metal and non ferrous	\$675,000
Buy back sales	\$325,000
Polystyrene	\$15,000
E waste	\$15,000
Total	\$1,030,000

Current destination	With AWT					
	Direct to AWT	Direct to WN	Recovered for recycling	Retained for landfill	Sent to AWT	Returned from AWT to landfill
WN Tonnes						
Asbestos / contaminated soil		667	0%	100%	0	0
Building waste / soil		4812	25%	75%	0	0
Commercial waste		18864	10%	10%	15091	5566
Transfers from depots		8308	10%	10%	6647	2452
Domestic drop off (WN)		3387	10%	10%	2710	1000
Municipal		1509	10%	10%	1207	445
Kerbside	30564					9169
Cost (\$)	\$11,155,765	\$11,810,302			\$9,363,904	\$5,860,567

WN levy payment	Payment to AWT	2016/17 Operating costs at WN (exc levy)	Difference income - levy	Opex incl levy and AWT payments
\$9,412,932	\$0	\$5,619,559	\$12,011,055	\$15,032,491
\$3,609,046	\$9,363,904	\$3,708,909	\$14,061,822	\$16,681,859
		66%		

Other 9 facilities (projected to end 2017/18)

Operating Expenses	\$7,559,042
Operating Income	\$6,064,763
Net	-\$1,494,279

Total t to landfill	26115
Total t diverted	41996
	62%

SA18.107 Shoalhaven River Pontoons

HPERM Ref: D18/141315

Group: Assets & Works Group

Section: Asset Management

Purpose / Summary

To consider the budget shortfall for construction of the Shoalhaven River pontoon projects.

Recommendation

That Council proceeds with the Shoalhaven River special event pontoon project and the Greys Beach Boat launching ramp pontoon project minimising costs by using flexible anchorage. This will require approximately \$178,000 (exc GST) in additional funding and that budget shortfall is to be addressed as part of the June 2018 budget quarterly review.

Options

1. As recommended

Implications:

a) Whilst a flexible anchoring system will be designed and certified by a qualified maritime engineer, the risk remains that the anchoring system will not be as robust as a rigid piled anchoring system. The risk of failure is elevated during flood events.

b) The asset life of a flexible anchoring system is expected to be approximately 20 years, which is less than a rigid piled system (40 years); however, piles could be retrospectively fitted if funding was available.

2. Proceed with the current designed higher cost engineered rigid pile system.

Implications: Not affordable within current budget and Council would need to identify an additional funding source.

3. Not proceed with the additional pontoon project at Greys Beach

Implications: Will free up the remaining budget (\$107K) on this project that could be part used to fund anchor supports for the special event pontoons on the south side of the River. Provision of an upgraded heavy-duty pontoon at Greys Beach was identified by Council in 2012 (MIN12.1058). An upgraded pontoon will allow the Shoalhaven River ferry (and other commercial users) to use this facility instead of Nowra Wharf which is more restrictive in terms of parking and pedestrian accessibility. This project has strong support from aged and disability groups.

Background

This report relates to two separately funded projects. These are:

- 1) Greys Beach Boating Upgrade/Pontoon – part funded from the NSW Boating Now Program.

Stage One of the project has been completed that incorporated design works for the foreshore/carpark (construction not funded) and upgrading of the boat ramp manoeuvring area.

Stage Two relates to provision of a pontoon system on the upstream side of the existing Greys Beach ramp that will be suitable for use by both recreational and larger commercial boats such as the Shoalhaven River ferry.

- 2) Shoalhaven River Special Event Pontoons to support the Shoalhaven River Festival and other special events.

Second hand pontoons were purchased in 2016 and were used for the river festival in 2016 and 2017 using temporary anchorage.

Detailed design and environmental approval have been completed for both projects.

Council sought targeted quotations in 2017 for installation of rigid piles to support both projects. Only one response was received that significantly exceeded budget. To minimise project costs, Council staff have since been exploring alternative low-cost design solutions for both projects including:

- Lower cost/higher risk pontoon anchoring systems.
- Incorporation of the special event pontoons into the Greys Beach project to minimise both pontoon and mooring requirements.

Community Engagement

The projects were advertised in 2017 and no negative comments were received, both projects have relevant environmental approvals in place and are ready for construction.

Financial Implications

\$107,000 balance is remaining in the Greys Beach Project (Job 82700) from a budget of \$400,000 that has been part funded with a \$295,000 grant from the NSW Boating Now Program, and a Council contribution of \$105,000.

There is no funding remaining in the Shoalhaven River Special Event Pontoons Project.

Budget required to complete both project (using flexible anchoring) is estimated as follows:

Item	Greys Beach Pontoon	Special Events Pontoons
Lower cost flexible anchor design and certification	\$5,000	\$5,000
Pontoon	\$80,000	existing
Piles (including mobilisation)	\$70,000	Not used (Note B)
Walkway/gangplank	\$68,400	\$18,000 (Note A)
Flexible anchoring		\$40,000
Total	\$178,000	\$63,000
Budget available	\$107,000	\$Nil
Estimated Budget Shortfall	\$116,400	\$63,000

Discussions have been had with the CFO and although a specific saving cannot be identified at the moment the finance section is confident that this funding can be covered in the June quarterly review.

Note:

- A) Nowra Sailing Club was successful in obtaining a grant of \$17,760 for the NSW Sports grants for provision of one walkway at Nowra Wharf. An additional walkway needs to be funded at the second pontoon location adjacent Nowra Rowing Club (\$18,000 allowed).
- B) Rigid piling (if utilised) would incur an additional cost of \$50,000, plus mobilisation / demobilisation which can be variable upon market demands.

Risk Implications

Minimising damage to pontoons and preventing the assets from floating downstream during major flood events is the largest risk. To mitigate the risk, it is proposed that safety lines be provided similar to what is provided on the current light duty floating pontoon facility located on the downstream side of the existing Greys Beach boat ramp.

SA18.107

SA18.108 Positive Covenant - Asset Protection Zone - Over Part Council Road - Park Way, Old Erowal Bay

HPERM Ref: D18/66652

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Proposed Positive Covenant - APZ - 32 McGowen St OLD EROWAL BAY - Lot 1 DP 12958 Sec C [↓](#)

Purpose / Summary

This report provides Council with an opportunity to consider approval for the creation of a Positive Covenant by way of a Section 88E Instrument for an Asset Protection Zone (APZ) over part of Council's unmade road located at Park Way, Old Erowal Bay to the benefit of the adjoining owner of Lot 1 Sec C DP12958 as shown in Attachment 1.

Recommendation

That Council:

1. Resolve to approve the creation of a 3 metre wide by 47 metre length Asset Protection Zone over part of Council unmade road at Park Way, Old Erowal Bay adjoining the common north/eastern boundary of Lot 1 Sec C DP 12958 by way of Section 88E, Positive Covenant;
2. Require the adjoining land owner of Lot 1 Sec C DP12958, Mark Bentley and Emily Crosthwaite, to pay compensation to Council in the amount of \$3,375.00 plus GST (if applicable);
3. Require that all costs associated with the creation of the positive covenant be met by Mark Bentley and Emily Crosthwaite; and
4. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

Options

1. Resolve as recommended.

Implications: Creation of the positive covenant will reduce the determined construction standard required from BAL-Flame Zone to BAL-29.

2. Not resolve as recommended and consider adoption of the following alternative resolution:

"That Council:

SA18.108

Refuse the application for the creation of a 3 metre wide by 47 metre length Asset Protection Zone over part of Council unmade road at Park Way, Old Erowal Bay adjoining the common north/eastern boundary of Lot 1 Sec C DP 12958."

Implications: Refusing the APZ application will not stop the development from happening but rather retain the construction standard at BAL-Flame Zone. This will require Bentley and Crosthwaite to meet the additional costs of construction to a standard required to protect their development.

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

Background

Council has received an application for consent (DA16/1372) to erect a dwelling on 32 McGowen Street, Old Erowal Bay (Lot 1 Sec C DP12958). The assessment of the DA has determined the Bushfire Construction level as Flame Zone. This Bushfire construction level requires the use of building materials that are highly flame resistant which carries a higher building cost compared to materials permissible if the Bushfire construction level was lower.

The Bushfire construction level Flame Zone is mainly attributed to the unmade Council road adjoining the site to the north-east. The vegetation on that adjoining land has been disturbed and presents as having a grassland influence rather than a forest.

To reduce the Bushfire construction level, the owners of 32 McGowen Street, Old Erowal Bay have made an application to Council for the creation of an Asset Protection Zone over the adjoining Council unmade road. Development Staff have advised the maintenance of a 3.0 metre strip of Council's adjoining unmade road would reduce the Bushfire impact to BAL-29, therefore changing the types of materials used to construct the dwelling and providing significant savings on construction costs (in this case estimated to be \$130,000).

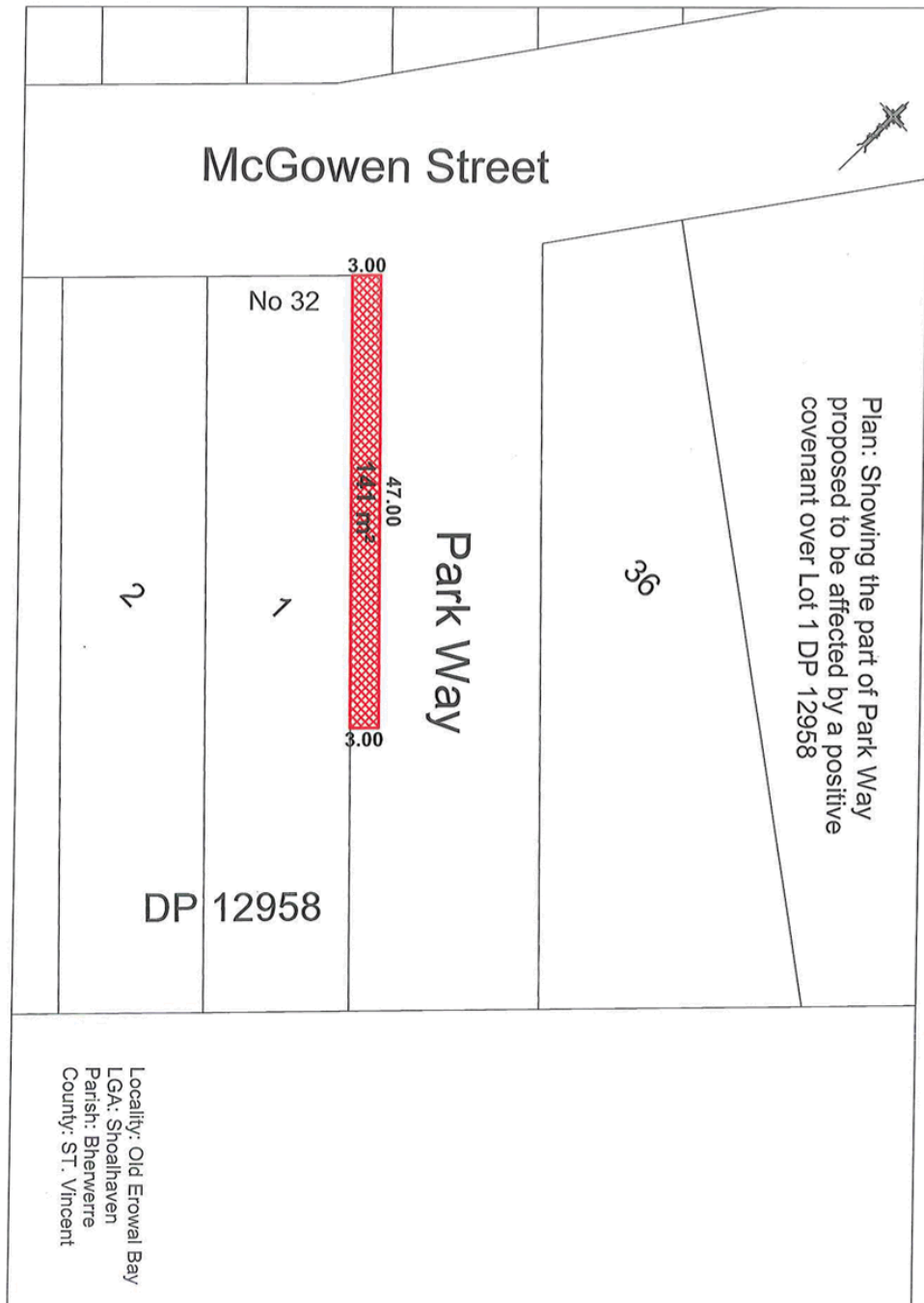
The owners of 32 McGowen Street will be required to create a positive covenant over their property, Lot 1 Sec C DP12958, which is to provide for maintenance of the adjoining Council unmade road for as long as the covenant exists. If the road is eventually constructed the positive covenant can be released, varied or modified by Council only. All costs and maintenance associated with the APZ will be the responsibility of the owner of 32 McGowen Street, Old Erowal Bay.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd has assessed compensation for the positive covenant at \$3,375.00 (excluding GST) for an area of 141m².

It should be noted that a refusal to grant the APZ will not stop the development from occurring provided Bentley and Crosthwaite pay for the construction costs that affords their development protection to BAL – Flame Zone.

Community Engagement

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



SA18.108 - Attachment 1

SA18.109 Establishment of Feral Animal Control All Areas Parkcare Group and Waratah Park Parkcare Group

HPERM Ref: D18/102063

Group: Assets & Works Group
Section: Works & Services

Attachments: 1. All Areas Feral Animal Control Parkcare Group [↓](#)
2. Waratah Park Parkcare Group [↓](#)

Purpose / Summary

To present for consideration two draft Parkcare Action Plans, being Feral Animal Control (All Areas) Parkcare Group and Waratah Park Parkcare Group, that have been prepared by Parkcare Groups and Council staff.

Recommendation

That Council endorse 'Parkcare' Plans for Feral Animal Control (All Areas) and Waratah Park and allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal, purchase of minor tools commencing in Financial Year 2018/19.

Options

1. Approve establishment of Feral Animal Control All Areas Parkcare Group and Waratah Park Parkcare Group and adopt the draft Action Plans.

Implications: Annual cost of \$800 allocated for support of Parkcare objectives offset by the free resource offered to Council.

2. Reject the establishment of Feral Animal Control All Areas Parkcare Group and Waratah Park Parkcare Group pending changes to the Action Plans.

Implications: Lost opportunity to establish additional volunteer group at Waratah Park in Bomaderry and a group of volunteers with qualifications for feral animal control in all areas of the Shoalhaven. Lose potential improvements in maintenance and community engagement with Parks.

Background

Feral Animal Control All Areas

All public land managers, including Councils, have an obligation to manage declared pests on land they own, occupy or manage. Community groups assist Council with baiting programs to control rabbits and foxes.

Establishing a Feral Animal Control (All Areas) Parkcare Group Council will provide a coordinated and consistent approach to support the community. All control operations are carried out fully in accordance with the NSW and Federal Government regulations in regard to training and qualifications, bait placement and risk management.

Waratah Park

Council at its meeting of 23 May 2017, resolved to enter into a licence with the owners of Waratah Park at 49 Merroo Street, Bomaderry (MIN17.409) for the ongoing public use of the land and requested that the Pride of Bomaderry Community Consultative Body form a parkcare group for the ongoing maintenance of the park.

Community Engagement

Participation and involvement in the groups are open to all community members.

Financial Implications

Each new Parkcare Group requires funding of \$400 per annum to cover safety PPE, miscellaneous materials, waste disposal, purchase of minor tools, a total of \$800 per annum and increases on an annual basis in line with the CPI.



ALL AREAS – FERAL ANIMAL CONTROL - PARKCARE ACTION PLAN

Document Number: D16/153430 • Adopted: **Date** • Minute Number:
Minute number • File: 31955E • Produced By: Assets and Works Group • Review
Date: **Review Date**

CONTACT INFORMATION

Group Name:	All Areas – Feral Animal Control - Parkcare Group
Contact:	Contact Councils Parks Programmes Officer. Name withheld for security reasons
Reserve Name:	Refer Below
Location:	Various Council owned or managed land in the Shoalhaven where appropriate
Land Tenure	Crown and Council land
Comm Land Type	Parks, Operational Land and Natural Areas

1. PARKCARE GROUP GOALS

Reduce the rabbit / fox and wild dog population on Shoalhaven reserves.

2. SHOALHAVEN PARKCARE GROUP ACTIVITIES TABLE

NOTE: Priority should be rated as H = High (within 12 months); M = Medium (1-3 years); L = Low

GROUP ACTION	PRIORITY	METHOD	TIMING
Identify and monitor reserves for feral pest activity	M	Spotlighting	As required
Assess reserves as appropriate sites as rabbit / fox / dog populations are identified along with assistance from Council staff.	M	Monitoring	As required
Baiting identified reserves.	M	Appropriate bait methods	As required

3. PARKCARE GROUP ACTION PLAN MAP

N/A

Reserves/sites are pinpointed as rabbit / fox / dog populations are identified.

4. PARKCARE GROUP WHS & EQUIPMENT REQUIREMENTS

Type of Activity	SWMS name included
Poisons – Handling	SWI60

5. COUNCIL SUPPORT

Supply of bait cages and cage traps.
Access to training sessions for relevant user/licences.
Supply of equipment and relevant PPE.
Staff assistance where required.

6. HAS A SITE HAZARD AND RISK ASSESSMENT BEEN COMPLETED FOR THE PARKCARE SITE?

Risk assessments and site hazards are completed as tasks and reserves are identified as an appropriate baiting site.

7. LIST THE PERSONAL PROTECTION EQUIPMENT REQUIRED FOR VOLUNTEERS WHILST WORKING ON THE SITE

PPE Equipment Required	Date issued
Gloves	As required
Eye protection	As required

8. POSSIBLE FUTURE FUNDING

Project	Funding source
N/A	

9. PLAN WILL BE REVIEWED EVERY THREE YEARS

10. LOCAL OR REGIONAL MANAGEMENT PLANS OR STRATEGIES THAT THIS PLAN RELATES TO

Name of document	Year it was produced	Produced by
Shoalhaven Wild Dog Plan 2015/2019	2015	Shoalhaven Wild Dog Working Group
Local Land Services Act 2013	2013	NSW Local Land Services
NSW Invasive Species Plan 2008 -2015	2008	NSW Department of Primary Industries

11. RECOMMENDED PLANTING SPECIES LIST

Name or type of plant	Maximum Height	Structural Role in the park vegetation	Number
N/A			

12. SITE WEED LIST

Common Name	Extent	Control method used by group
N/A		

13. NATIVE SPECIES LIST (EXISTING)

Name	Structural role	Abundance	Comment
N/A			

Parkcare Group Name

Coordinator Name

Signature

Date / ...



WARATAH PARK PARKCARE ACTION PLAN

Document Number: D18/110588 • **Adopted:** Date • **Minute Number:** Minute number • **File:** 31955E • **Produced By:** Assets and Works Group • **Review Date:** Review Date

CONTACT INFORMATION

Group Name:	Waratah Park Parkcare Group
Contact:	Terry Barrett
Tel:	4422 1211
Email:	terrybar@sctelco.net.au
Location:	51 Meroo Street, Bomaderry
Land Tenure	Private lease

1. PARKCARE GROUP GOALS

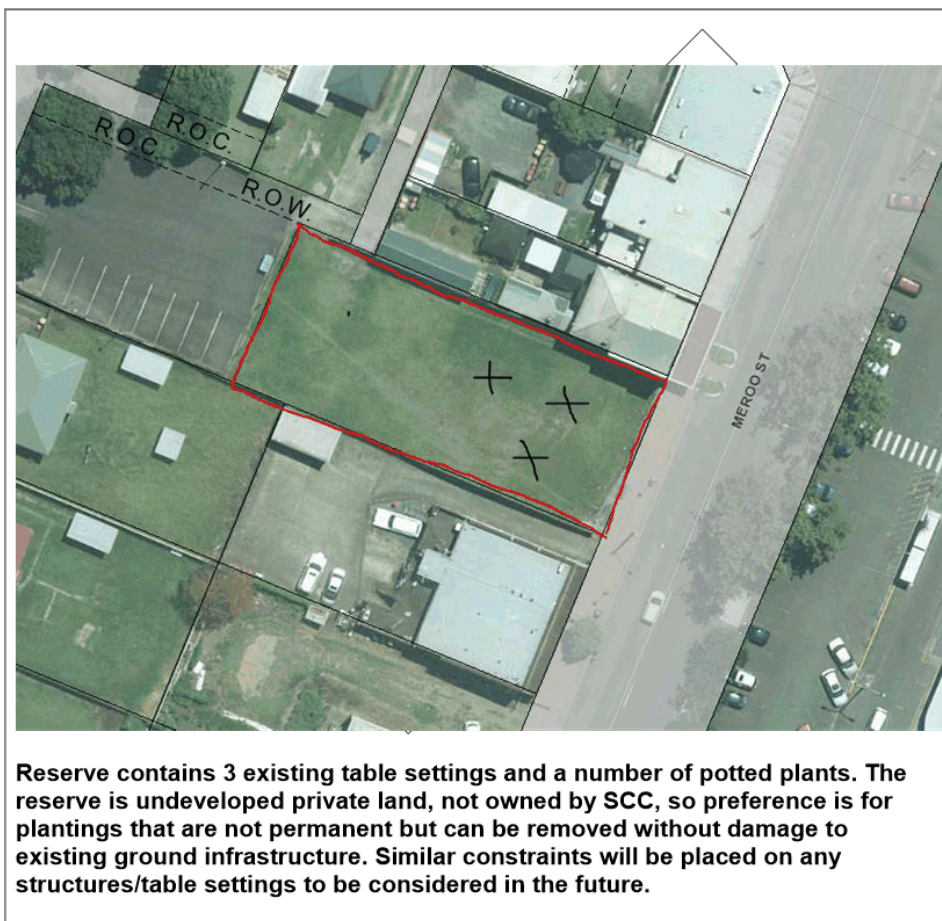
Improve the amenity and presentation of Meroo street, Bomaderry by providing a neat and tidy public park for visitors to the shopping precinct.
Maintain picnic tables and potted garden plants.
Arrange for mowing and brushcutting of lawn areas.
Collecting litter and removing/reporting localised graffiti.
Improve facilities in the reserve through fundraising programs.

2. SHOALHAVEN PARKCARE GROUP ACTIVITIES TABLE (to be in conjunction with attached site map)

NOTE: Priority should be rated as H = High (within 12 months); M = Medium (1-3 years); L = Low

GROUP ACTION (these should relate to your project description)	PRIORITY	METHOD	TIMING
Clean and maintain picnic tables, monitor graffiti	H	Manual	Ongoing
Install, water and weed potted plantings	M	Manual	1-2 years
Mowing and edging in collaboration with volunteers	H	Machine	Ongoing
Seek funding to install shade structures and additional tables	L	Grant	3 years

3. PARKCARE GROUP ACTION PLAN MAP



4. PARKCARE GROUP WHS & EQUIPMENT REQUIREMENTS

Type of Activity	Yes	SWMS name included
Mowing-walk behind	Y	SWI51
Line Trimmer	Y	SWI41
Litter collection (needle and syringe mgmt.)	Y	SWI33

5. COUNCIL SUPPORT

Provide horticultural advice, provide annual budget amount to support Parkcare group.
Provide insurance coverage for volunteers.

6. A SITE HAZARD AND RISK ASSESSMENT IS TO BE COMPLETED FOR THE PARKCARE SITE AT THE TIME OF EACH WORKING BEE

7. LIST THE PERSONAL PROTECTION EQUIPMENT REQUIRED FOR VOLUNTEERS WHILST WORKING ON THE SITE

PPE Equipment Required	Date issued
First Aid Kit	As required
Gloves	As required
Sunscreen	As required

8. POSSIBLE FUTURE FUNDING

Project	Funding source

9. PLAN WILL BE REVIEWED EVERY THREE YEARS

10. LOCAL OR REGIONAL MANAGEMENT PLANS OR STRATEGIES THAT THIS PLAN RELATES TO

Name of document	Year it was produced	Produced by
N/A	July 2001	Shoalhaven City Council

11. RECOMMENDED PLANTING SPECIES LIST

Name or type of plant	Maximum Height	Structural Role in the park vegetation	Number
Flexible		Container plantings	

12. SITE WEED LIST

Common Name	Extent	Control method used by group
N/A		

13. NATIVE SPECIES LIST (EXISTING)

Name	Structural role	Abundance	Comment
N/A			

Parkcare Group Name - Waratah Park Parkcare Group

Coordinator Name

Signature

Date .../.../...

SA18.110 Compulsory Acquisition of Right of Access for Bushfire Vehicles at Jerberra Estate - Lot 57 DP11629, Invermay Ave, Tomerong

HPERM Ref: D18/110179

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Plan of Right of Access for Bushfire Vehicles [↓](#)

Purpose / Summary

Council has previously resolved to negotiate the acquisition of a right of access for bushfire vehicles over Lot 57 DP 11629, known as Lot 57 Invermay Ave, Tomerong (Jerberra Estate).

This report provides Council with an opportunity to consider the compulsory acquisition of the access under the Land Acquisition (Just Terms) Compensation Act 1991 as the negotiation process has failed to reach agreement.

The right of access for bushfire vehicles will be 6 metres wide and variable over Lots 55-62 DP11629. Refer Attachment 1 – Plan of Right of Access for Bushfire Vehicles.

Recommendation

That Council:

1. Resolve to compulsorily acquire a right of access for bushfire vehicles over part of Lot 57 DP 11629, known as Lot 57 Invermay Ave, Tomerong (Jerberra Estate).
2. Pay compensation for the acquisition including all ancillary costs, in accordance with the determination of the Valuer General under the terms and conditions of the Land Acquisition (Just Terms) Compensation Act 1991 from job number 85291;
3. Approve the making of the necessary applications to the Minister for Local Government and the Governor; and
4. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

Options

1. Proceed in accordance with the recommendation.

Implications: Council will be able to complete the project objective of securing a right of access for bushfire vehicles across all properties at Lots 55 to 62 inclusive in Invermay Avenue, Jerberra Estate.

2. Resolve not to proceed with the acquisition of the right access.

Implications: The fire trail will not be completed and adjoining property owners will not be able to obtain development consent for the erection of a dwelling on their individual property.

3. Propose an alternative and provide direction to staff.

Background

Council at its Ordinary meeting held on 19 May 2015 (MIN15.314) resolved to:

- “a) Approve the acquisition of a fire trail approximately 6 metres wide and variable under the Land Acquisition Act 1991 in favour of the Rural Fire Service, over Lots 56 to 60 DP11629, Invermay Avenue, Jerberra Estate, Tomerong for nil compensation.*
- b) Agree to pay the affected land owners of Lots 56 to 60 DP 11629 reasonable legal costs and any other reasonable ancillary costs associated with the acquisition from job no. 85286; and*
- c) Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.”*

Set out below, in chronological date order, is an account of Council's attempts to obtain a mutually agreeable resolution to acquiring the Right of Access by agreement:

- a. March 2014. The owners of the subject Lots were provided with documentation explaining the new planning controls for Jerberra Estate, outlining that the properties north of Invermay Avenue cannot be developed until the perimeter fire trails had been established. At this time, the property owners were requested to complete and return a response sheet accepting Council's offer to co-ordinate the establishment of the fire trail easement over their land.
- b. August 2016. Instructions were provided to RMB Lawyers to proceed with the acquisition of the fire trail easement at nil compensation.
- c. May 2017. RMB Lawyers advised that numerous letters had been sent to Lot 57 owner's solicitors following up the return of the Transfer documentation, to no avail. A response was eventually received from the owner's solicitors stating they had been unable to make contact and that all future correspondence should be forwarded directly to the owner. At this time, the owner's contact address details were provided to RMB Lawyers.
- d. June 2017. RMB Lawyers provided an update advising no response had been received from the owner. RMB Lawyers continued to attempt to contact the owner by mail as there were no other contact details.
- e. July 2017. An adjoining neighbour contacted Council advising he had spoken with the owner of Lot 57 who advised Marriott Oliver was now representing him. This information was forwarded to RMB Lawyers.
- f. December 2017. Council sent a letter to Marriott Oliver requesting confirmation they were acting on behalf of the owner. No response was received.

Given the above, it is clear that Council's efforts to obtain the agreement of all affected property owners have been thwarted by the absence of a response from one property owner (Lot 57) for greater than six months (the stipulated minimum negotiation time frame in the Land Acquisition (Just Terms) Compensation Act) and Council is therefore justified in seeking to progress to compulsory acquisition.

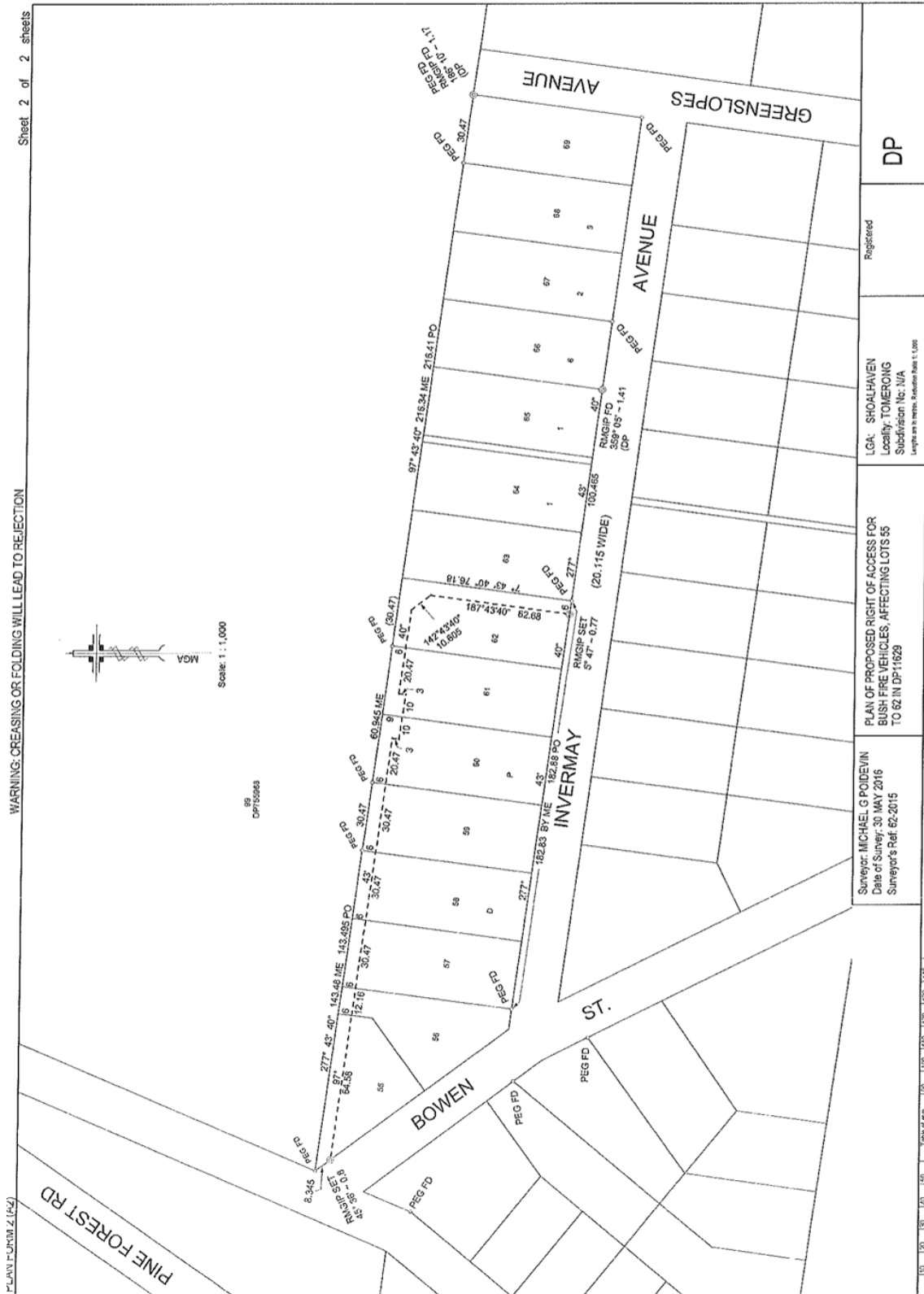
Notwithstanding, it is always Council's first option to acquire interests in land by agreement. By doing so, it can result in a protracted time frame, which is the case in this instance. The time frame associated with this particular acquisition has been uncharacteristically long, mainly due to the owner not responding to correspondence. Moving to compulsory acquisition allows Council to complete the establishment of the right of access without the owner's consent. Any compensation determined by the Valuer General's Office will be placed in trust until such time contact with the owner is made.

Community Engagement

The matter is considered to be a local area low impact issue as outlined in Council's Community Engagement Policy and Handbook. The affected land owners only have been consulted with in relation to the land matters.

Financial Implications

By undertaking the acquisition via the compulsory acquisition process, compensation will be determined in accordance with the Land Acquisition (Just Terms) Compensation Act 1991 by the Valuer General. The costs associated with the fire trail project are sourced from Job Number 85291, Jerberra Estate Fire Trails, which the Project Manager has advised contains sufficient funds to cover this acquisition.



SA18.111 Land Classification Lot 159 DP 11629 - Rolfe Street, Tomerong

HPERM Ref: D18/122156

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Site Plan [↓](#)

Purpose / Summary

To consider classifying the land described as Lot 159 DP 11629, Rolfe Street, Tomerong, as Operational Land.

Recommendation

That Council resolve to classify the land described as Lot 159 DP 11629 - Rolfe Street, Tomerong as Operational Land.

Options

1. Resolve as recommended.

Implications: Classification of the land as “operational” gives Council flexibility in management of and/or dealing with the land into the future. Should any objections be received prior to the close of submissions on Friday 25 May 2018, Council will be notified at its meeting on 12 June 2018.

2. Not resolve as recommended.

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

Background

It is intended to accept the transfer of Lot 159 DP 11629 - Rolfe Street, Tomerong to Council in lieu of unpaid rates and charges in accordance with Council's resolution made at its Ordinary Council meeting dated 27th February 2007 (MIN07.283) in part to:

“a) Council accept the transfer of land in accordance with Section 570 of the LGA 1993 within the Heritage Estates COI investigation areas in lieu of unpaid rates and charges or accrued interest, if requested to do so by landowners and/or their representatives.”

The property owner has provided Council with an executed transfer and once executed by Council the transfer will be lodged at the Land Titles Office. This is expected to be in late April 2018.

Given the pending transfer, 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 the LGA93.

Land will automatically be classified community land if it is acquired or dedicated (under Section 94 of the EPA Act 1979) being “subject to a trust for public purposes”, i.e. land intended for public access or use. The advantage of community land is it will restrict the alienation and use of the land, thereby protecting the public interest.

Operational land on the other hand has no special restrictions other than those that may apply to any parcel of land. The advantage of operational land is to afford Council flexibility in its use and any future dealings.

A resolution of Council, within the time frame prescribed in the 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.

Land incorrectly classified (via resolution or by default) that subsequently requires an ability to be dealt with will require a reclassification to operational land that involves the making of an LEP amendment under the EPA Act 1979. This is a timely and costly exercise with no budget having been provided.

Community Engagement

In accordance with Section 34 of the LGA93, a public notice of Council’s intention to classify the land as Operational was placed in the local press 25 April 2018 allowing 28 days for written submissions, closing Friday 25 May 2018. At the time of writing this report no submissions have been received and any submissions received prior to the closing time will be advised at the Committee meeting.

Land Classification - Lot 159 DP 11629 Rolfe Street Tomerong



SA18.112 Proposed Sale - 76 Bridge Road Nowra

HPERM Ref: D18/126506

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

This Report provides Council with an opportunity to consider authorising the sale of the property at 76 Bridge Road Nowra, being Lot E DP 39320.

Recommendation

That Council

1. Advertise its intention to dispose of Lot E DP 39320 known as 76 Bridge Road, Nowra in accordance with Policy 16/256 and if no objections received, authorise the sale of the property by way of public auction;
2. Fund all costs associated with the sale from Job No 88809 and the net income be placed in the Strategic Property Reserve;
3. Authorise the General Manager to set the auction reserve price (based on valuation advice) and to finalise the terms of a sale on auction day or to finalise the terms of a sale based on the list price in the case of a private treaty sale if the property fails to sell at auction; and
4. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this Resolution.

Options

- 1 Adopt the recommendations.

Implications. The proposed sale will be advertised and if no objections to the sale of the property are received, it will go to auction. The proposed sale will generate additional income for Council and dispose of a property asset that does not support community needs. If objections are received, a further report to Council will be provided.

- 2 Not adopt the recommendations and provide further direction to staff.

Implications. Council will be responsible for ongoing maintenance costs and potential future demolition and remediation costs to the property which could be substantial.

SA18.112

Background

The property at 76 Bridge Road, Nowra was purchased by Council in December 2014 at a cost of \$500,000 including compensation after the property was identified as being contaminated by material from the gasworks formerly located directly opposite on the western side of Bridge Road.

At the time of purchase, the property was occupied (residential) however, the tenant vacated in January 2015 and the property has remained vacant since that time. The property is classified as operational, has an area of approximately 775 sqm and is zoned B4 Mixed Use Business.

Prior to and following its purchase numerous studies and reports had been carried out on the property including but not limited to:

- URS Health and Environmental Risk Assessment for land surrounding the former Nowra Gasworks Site dated November 2013
- WSP Detailed Site Investigation dated June 2013
- URS Remedial Action Plan dated June 2015

In summary, the above studies found:

- *“Demolition of the current building will be necessary in order to access, excavate and remove the potentially ash impacted soils lying below the building structures.”*
- *“Concentration of carcinogenic Polycyclic Aromatic Hydrocarbons (PAHs) located at the property have the potential to cause an unacceptable risk if the 20cm of topsoil cover is disturbed such that the fill material is exposed.”*
- *“Carcinogenic PAHs have the potential to represent an unacceptable risk to the health of residents via direct contact at 76 Bridge Road.”*

It appears URS based its assessments and comments as indicated above on the most sensitive, permissible use (childcare) under the B4 Mixed Use zoning. Based on this, remediation of the site would be required at significant cost (potentially upwards of \$600k) especially if the contaminated material is to be removed and disposed of to landfill. This would make any development of the land financially unviable.

However, as the EPA's Health Investigation Levels (HILs) (which are national health-based levels set by the EPA in the National Environmental Protection Measures for Site Contamination) fall far below the thresholds for commercial use, there may also be an option to sell as is, without the need for remediation.

At the moment an owner could develop the land for commercial purposes, e.g. a development consisting of single or multi-storey building/s where work areas are on the ground floor (constructed on a ground level slab) or above sub-surface structures (such as basement car parks or storage areas). The outdoor areas could generally be covered by hardstand, with some limited areas of landscaping with imported clean fill built up from the original ground surface to limit direct access to the existing soil by employees.

Although the zoning allows for dwellings and more sensitive uses such as childcare centre to be developed, they could only be developed with consent and there are processes (e.g. SEPP 55 – Remediation of Land and Council's Contaminated Land Policy) that would prevent such developments until the land has been remediated to that level. Council could include advice in the Section 10.7 planning certificate in respect of the contamination and its suitability for commercial use only and/or a restriction to the use of the land through a Section 88B Instrument noted on title.

This is consistent with how Council has treated the adjoining 65/69 Graham Street property, which has the same zone and potential contamination, under the development consent for the 32 Units nearing commencement of construction.

Recent sales with B4 zoning in close proximity to 76 Bridge Road are shown in the table below:

Address	Sale Price	Date	Comments	Contamination
49 Bridge Rd Nowra	\$710,000	March 2018	Superior Property Professional Offices	Nil
24 Shoalhaven St	\$610,000	December 2017	Superior Property Residential/ Offices	Nil
32 Shoalhaven St	\$515,000	October 2016	Superior	Nil
20 Osborne St	\$565,000	August 2016		Nil
22 Osborne St	\$406, 000	June 2015	Comparable	Potential
24 Osborne St	\$460,000	June 2015	Comparable	Potential
82 Bridge Rd	\$380,000	April 2014	Comparable	Potential
65/69 Graham St	\$1,250,000	Feb 2016	Superior Development site	Potential
59 Graham St	\$490,000	June 2014	Comparable	Potential

The above table provides evidence that “potentially contaminated” properties in close proximity of the former Gas Works remain sellable with the resultant sales prices more reflective of the improvements located on the land rather than with any concern for contamination or associated remediation costs.

Current Situation

Council has recently received three separate unsolicited approaches by private individuals to purchase the site with all three parties cognisant of the history of the site and the potential for contamination and/or remediation. Given this renewed interest, and uncertainty about Council future use and occupation of the property, Council can benefit from putting the property to the market via auction and letting the market determine its future use and therefore value in light of any contamination/remediation.

Legal advice indicates Council can condition any contracts for the sale of the land so that any purchaser is cognisant of any latent defects (i.e. contamination) and therefore liability associated with any contamination is transferred with the sale.

Community Engagement

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

SA18.112

Financial Implications

The full disclosure of the potential contamination of the site during the disposal process and notation of same on any planning certificates attached to sale contracts will serve to ensure that the market is aware of all relevant matters associated with this property.

Sale of the property makes it possible for Council to sell a “lazy” asset, and transfer responsibility for remediation costs to an end-purchaser in conjunction with any proposed redevelopment. The level of remediation required, and costs associated with it are dependent on the intended use of the site.

Funds generated from the sale of this property will be added to Council’s Strategic Property Acquisition reserve.

SA18.113 Proposed Licence - R & B Packer Pty Limited - Mt Cambewarra Lookout Tearooms & Residence

HPERM Ref: D18/125929

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Plan- Licence Area [↓](#)

Purpose / Summary

This report provides Council with an opportunity to consider an approval to enter into a licence agreement with R & B Packer Pty Limited for the continued use and occupation of the premises at 182 Cambewarra Lookout Rd, Beaumont as a café and residence.

Recommendation

That Council:

1. Enter into a licence agreement with R & B Packer Pty Limited for the use and occupation of Part Lot 2 in Deposited Plan 849185 known as 182 Cambewarra Lookout Rd, Beaumont for an initial term of three (3) years with two (2) option periods of three (3) years each (i.e. 3 + 3 + 3 year licence) with gross rent for the first three years as follows:
 - a. Year 1 - \$21,635.37 + GST;
 - b. Year 2 - \$33,757.00 + CPI + GST;
 - c. Year 3 – (\$33,757.00 + CPI) + CPI + GST;
 and with market rent review at end of year 3 and year 6, and with CPI increases annually from the commencement of the option period;
2. Approve the allocation of rent received under the licence agreement into the Property Reserve restricted account;
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: R & B Packer Pty Limited will continue to occupy and trade from 182 Cambewarra Lookout Rd, Beaumont and operate the Lookout Café and occupy the adjoining residence.

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

Implications: R & B Packer Pty Limited will be required to vacate 182 Cambewarra Lookout Rd, Beaumont resulting in them having to find alternative premises for both their business and residential home.

SA18.113

Background

The Mt Cambewarra Lookout Tearooms and attached residence are located at 182 Cambewarra Lookout Rd, Beaumont (see Attachment 1) comprising Reserve No R246 for *Trigonometrical and Recreation Purposes* notified in the Government Gazette 25 November 1885 (*an additional Purpose of Communications Facilities* was notified to facilitate the construction of the new telecommunications tower), the affairs of which are managed by the Council of the City of Shoalhaven as Reserve Trust Manager.

Existing Agreement

R & B Packer Pty Limited first commenced occupation of the tearooms and residence at Mt Cambewarra Lookout in January 2013 and have been in occupation of the tearooms and residence on licence agreements since that time; the Packers have proved to be good tenants over the life of the agreements.

In January 2018, staff obtained in principle approval from Crown Lands to directly negotiate a new tenure agreement with the Packers in recognition of the contribution that the tenants had made to the improvement of the overall amenity of this Crown Reserve.

Council has been in licence negotiations with the Packers since late 2017 and an agreement has now been reached as follows:

Rent

Council obtained a market rental valuation for the property from Walsh & Monaghan who assessed the net current market rent (\$30,500pa +GST). The proposed gross rent of \$33,757.00 is the net market rent plus the outgoings as detailed below:

- Rates
- Insurance and
- Fire Safety requirements

Rent Rebate for Year One (1) only

Since 2013, the tenant has upgraded the fixtures in the commercial kitchen at a cost of approximately \$12,121.63. The rent rebate proposed in year one (1) recognises this fit out cost with ownership of the fixtures transferred to Council.

Outgoings not included in the Gross Rent - Water & Septic Services

The site is not connected to town water or sewer; alternately, water tanks and a septic system service both the tenancy and the public toilets located on the Reserve.

It is proposed, and the tenant is agreeable to this, that the tenant make a 50% contribution to the annual costs for water and septic services; this to be recovered from then on an annual basis.

Term

The proposed term of 3 + 3 + 3 years is in line with commercial tenancy agreements.

Community Engagement

The Department of Industry - Lands has approved Council negotiating directly with R & B Packer Pty Limited so that they can remain in occupation and accordingly, there is no requirement for any public notification of this licence proposal.

Policy Implications

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

Financial Implications

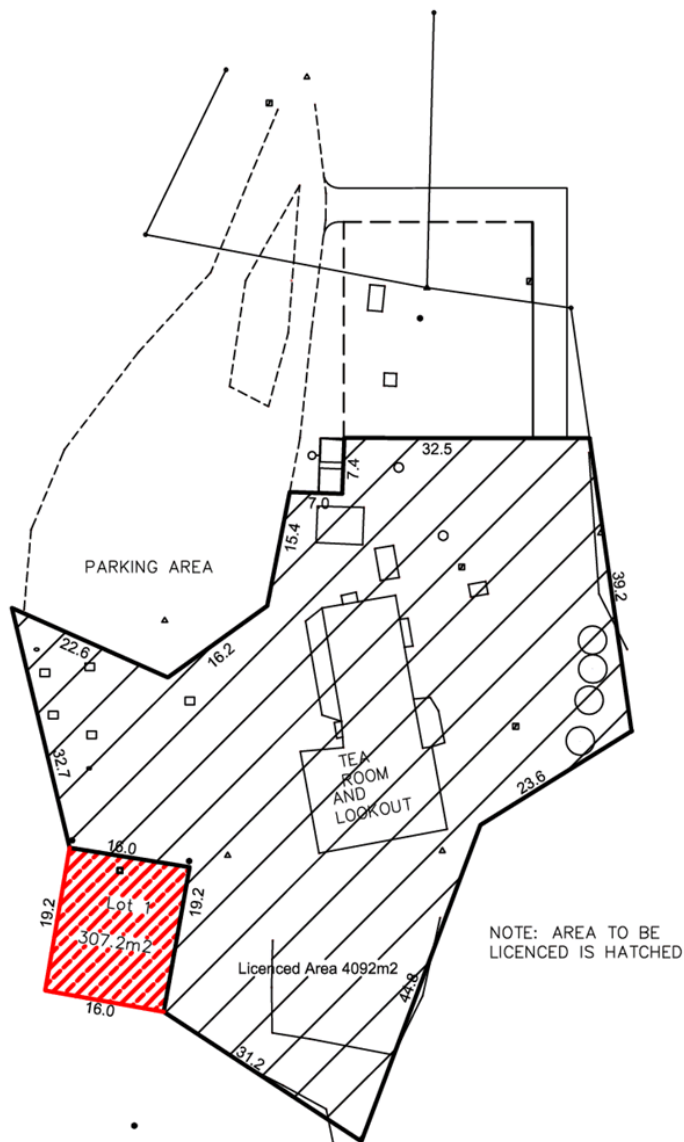
Entering into the licence agreement, as recommended, will increase Council's revenue, which will assist Council in maintaining this asset into the future.



CITY OF SHOALHAVEN

PLAN OF LAND TO BE LICENCED FOR THE CAMBEWARRA LOOKOUT TEA ROOMS

PARISH OF CAMBEWARRA
COUNTY OF CAMDEN



DESIGNED:	CITY SERVICES MANAGER:	REDUCTION RATIO 1:750 AT A4	PLAN REFERENCE 1299-3
DRAWN: B. JEFFERY	DATE: 11.4.2018		

SA18.114 Proposed Retail Lease of Shop 37a/43 Kinghorne Street Nowra

HPERM Ref: D18/129736

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To provide Council with an opportunity to consider approval of a new two (2), plus two (2) year lease with Amie Gibson (trading as Beloved Scents and Beloved Boho) for the shop premises known as Shop 37a/43 Kinghorne Street Nowra.

Recommendation

That Council;

1. Enter into a lease with Amie Gibson (trading as Beloved Scents and Beloved Boho) for two (2) years with a two (2) year option at a commencing gross rent of \$21,000 (including outgoings) per annum, plus GST, with annual 3% fixed increases; and
2. 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: The retail lease of the premises allows the proposed lessee to occupy and commence trading from the premises with Council receiving rental payments.

2. Not resolve as recommended.

Implications: The shop will remain vacant.

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

Background

43 Kinghorne Street, Nowra, is one of six (6) shops (in a line under one title) owned by Council and occupied under various retail lease agreements. The various occupants include a travel agent, dress shop, cake shop, pie shop & two vacant shops.

The subject shop was vacated by the previous tenant (European Hair Design) on the 12th February 2018. Since this time Integrity Real Estate as Council's Managing Agent for commercial/retail property has pursued a new occupant on behalf of Council.

The proposed tenant currently produces candles and has retail sales of candles and gifts. The proposed tenant currently occupies a commercial space as a joint tenant with other small business operators and the business has grown to a point where the proposed tenant is able to seek a sole occupancy location.

It is proposed that the new lease terms include the following:

Premises	Shop 37a/43 Kinghorne Street, Nowra
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SA18.114

Commencing Date	1 June 2018 (subject to confirmation and execution of the lease)
Term	Two (2) years
Option Period	Two (2) years
Gross Rent	\$21,000.00 including outgoings per annum, plus GST
Rent Free period	4 weeks
Rent Review Mechanism	Fixed 3% annually
Outgoings	Nil – included in the gross rent above

Community Engagement

Not required as the land is Operational.

Financial Implications

Council will receive \$21,000 (less outgoings) per annum plus GST, and increased 3% annually for the term of the lease.

Each party is responsible for their own legal costs.

SA18.114

SA18.115 Tenders - Holiday Haven Tourist Parks - Management & Operation - Ulladulla Headland Holiday Park

HPERM Ref: D18/103178

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To inform Council of the tender process for the management and operation of Council's Ulladulla Headland Holiday Park to be considered in the confidential report.

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. Committee accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

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

Details

Tenders for the management and operation of the Ulladulla Headland Holiday Park were advertised 3 February 2018, closing on 28 February 2018.

At the closing date, five (5) tenders had been received and were then assessed, the outcome of the evaluation is in the confidential report.

Tenders Received

Tenders were received from the following:

Tenderer	Location
B Buckley & D Seaton	Lightning Ridge
CM & PA Easdown Pty Ltd	Evans Head
Julie & Patrick Harrington	Moama

SA18.115

Kangaroo Valley Painting & Decorating – Jacqui & Ian Szymoniczek	Kangaroo Valley
P & M Harrod	Fairy Meadow

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

Community Engagement:

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

Financial Implications:

Financial aspects of the management contracts for Council's commercially operated Tourist Parks are a balance between sufficient funds for the contractor to provide a prudent level of staffing and equipment to effectively operate these complex properties, and the need for Council to obtain the best value for money. Holiday Haven considers the cost of operating these properties carefully in order to maintain an adequate business benefit to Council and a return to the Contractor that ensures the properties are operated and maintained for Council to the required industry standards.

SA18.116 Tenders - Management & Operation of the Shoalhaven Heads Holiday Park

HPERM Ref: D18/135394

Group: Assets & Works Group

Section: Business & Property

Purpose / Summary

To inform Council of the tender process for the management and operation of the Shoalhaven Heads Holiday Park.

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. Committee accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

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

Details

Tenders for the management and operation of the Shoalhaven Heads Holiday Park were advertised 20 March 2018, closing on 11 April 2018.

At the closing date, three (3) tenders had been received and were then assessed, the outcome of the evaluation is in the confidential report.

SA18.116

Tenders Received

Tenders were received from the following:

Tenderer	Current Location
Davann Pty Ltd	Shoalhaven Heads
Kevin Chilver & Kylie Pickett	Shoalhaven Heads
JS & IS Management Pty Ltd	Kangaroo Valley

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

Community Engagement:

The tender process for the appointment of a contractor to manage Council's Holiday Haven Tourist Park at Shoalhaven Heads has been followed within the provisions of the Local Government Act.

Financial Implications:

Financial aspects of the management contracts for Council's commercially operated Tourist Parks is a balance between sufficient funds for the contractor to provide a prudent level of staffing and equipment to effectively operate these complex properties and the need for Council to obtain the best value for money. Holiday Haven considers the cost of operating these properties carefully in order to maintain an adequate business benefit to Council and a return to the contractor that ensures the properties are operated and maintained for Council to the required industry standards.

SA18.117 Tenders - Management & Operation of the Bendalong Point Holiday Park

HPERM Ref: D18/140433

Group: Assets & Works Group

Section: Business & Property

Purpose / Summary

To inform Council of the tender process for Management & Operation of Council's Bendalong Point Holiday Park to be considered in the confidential report.

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. Committee accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

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

Details

Tenders for the management and operation of the Bendalong Point Holiday Park were advertised 20 March 2018, closing on 11 April 2018.

At the closing date, five (5) tenders had been received and were then assessed, the outcome of the evaluation is in the confidential report.

Tenders Received

Tenders were received from the following:

Tenderer	Current Location
Chris & Reut Profke	Currarong
B Buckley & D Seaton	Lightning Ridge
JS & IS Management Pty Ltd	Kangaroo Valley

SA18.117

Paul & Michelle Windshuttle	Ulladulla
Rod & Liz Barry	Comba Park

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

Community Engagement:

The tender process for the appointment of a contractor to manage Council's Holiday Haven Tourist Park at Bandalong has been followed within the provisions of the Local Government Act.

Financial Implications:

Financial aspects of the management contracts for Council's commercially operated Tourist Parks are a balance between sufficient funds for the contractor to provide a prudent level of staffing and equipment to effectively operate these complex properties, and the need for Council to obtain the best value for money. Holiday Haven considers the cost of operating these properties carefully in order to maintain an adequate business benefit to Council and a return to the Contractor that ensures the properties are operated and maintained for Council to the required industry standards.

SA18.117

SA18.118 Potential site for the Sanctuary Point Library

HPERM Ref: D18/137306

Group: Assets & Works Group

Section: Business & Property

Purpose / Summary

The purpose of this report is to inform Council that information about an investigation of land holdings at Sanctuary Point has been provided in a separate confidential report.

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

Recommendation

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

Options

1. Council accept the recommendation as presented.

Implications: Consider a separate confidential report outlining the results of the investigation.

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

Background

Council resolved at its Strategy and Assets Committee meeting on 20th February 2018 (MIN 18.104C) to investigate land holdings at Sanctuary Point which may be suitable for the future expansion of the Sanctuary Point Library.

A separate confidential report details the outcome of the investigation.

SA18.119 Operations - Tomerong Quarry - Lot 4 DP 775296 Parnell Rd Tomerong

HPERM Ref: D18/25617

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

Attachments:

1. Development Consent DA90/1912 (including amendments) (under separate cover) [⇒](#)
2. Normans Plant Hire Pty Limited & (2) Ors v South Coast Concrete Crushing & Recycling Pty Limited & Anor [2006] NSWLEC 390 (under separate cover) [⇒](#)
3. Shoalhaven City Council v South Coast Concrete Crushing & Recycling Pty Ltd [2009] NSWLEC 197 (under separate cover) [⇒](#)
4. Community meeting notes concerning Tomerong Quarry - 18/04/2018 (under separate cover) [⇒](#)

Purpose / Summary

To provide Council with the detailed report on the operations of Tomerong Quarry as resolved at the Strategy & Assets Committee meeting of 23 January 2018.

Recommendation (Item to be determined under delegated authority)

That Council receive the report and information.

Background

At the Strategy and Assets Committee meeting on 23 January 2018, Council resolved to do the following in respect of the operations at the Tomerong Quarry:

That the General Manager provide a detailed report to the Council with respect to the operations of Tomerong Quarry at Lot 4 DP775296, Parnell Rd Tomerong. The report is to include explanations, answers and assurances on the following points:

1. *Details of enforcement action and the issuing of infringements for breach of consent conditions since the commencement of Quarry operations, including reasons as to why the issue of infringements:*
 - a. *Were determined under delegated authority and with minimal community consultation thereby attracting concerns from the Community about the transparency of the decision making;*
 - b. *Were not applied to each individual breach; and*
 - c. *Did not amount to the greatest possible financial penalty available.*
2. *Assurance to the Community that Council has applied the same standard of scrutiny to the Tomerong Quarry as it has to similar operations such as the SCCCR Quarry at South Nowra.*

3. Assurance that the following consent conditions in relation to DA90/1912 have been adhered to:
 - a. (6b) Base level quarrying is to keep pace with overburden stripping;
 - b. (6c) Overburden to be used to revegetate the quarry walls; and
 - c. (6d) Revegetation and rehabilitation to keep pace with quarrying activities.
4. Details of any instances Council is aware of where significant tonnage of overburden set aside for rehabilitation has been sold off for profit by the proprietors of the Quarry and if this material has been purchased by the Council.
5. Assurance that Quarry rehabilitation that occurs on the site:
 - a. Will require a Development Application to allow for Community consultation and will consider the impact on local residents, and
 - b. Will not be at the expense of Shoalhaven Ratepayers.
6. An explanation as to why after 14 months the Council has not determined the Section 96 Amendment Application (DS16/1532) for the site.
7. An explanation as to why the Mining Operation Plan D13MOP has still not been assessed by the Council, despite being lodged over 5 years ago.
8. Advice as to whether the record of non-compliance of the current Quarry Operators will be taken into account by Council when it assesses any future Development Applications submitted for the site.
9. Details of any plan known to the Council of the NSW Government transporting stockpiled excavation material from the M5 WestConnex Project from the old Marrickville Tip to the Tomerong Quarry for disposal.

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Report

The following comments are made with respect to the questions asked:

1. **Details of enforcement action and the issuing of infringements for breach of consent conditions since the commencement of Quarry operations, including reasons as to why the issue of infringements:**
 - a. **Were determined under delegated authority and with minimal community consultation thereby attracting concerns from the Community about the transparency of the decision making;**
 - b. **Were not applied to each individual breach; and**
 - c. **Did not amount to the greatest possible financial penalty available.**

Prior to the 2017 compliance action on the site, there had not been any penalties issued to the Quarry operator. There are several questions relating to the development consent and this has been attached to this report to assist with interpretation of the issues raised (Refer Attachment 1). From the development consent perspective, the main issues are as follows:

- The consent only relates to the quarrying and processing of shale (Condition 2). It does not relate to the importation of material.
- Rehabilitation of the site (Condition 6)
- Hours of operation (Condition 11(c) and (f))
- Daily transportation off site not to exceed 1000 tonnes (Condition 14(h)).

Council staff have completed a search of the electronic documents located on various files and have identified complaints from the public and the Tomerong Community Forum with respect to the operations of the quarry. Council has responded to the complaints submitted and the complainants were updated once a position had been reached.

Like many Councils of the time, the compliance issues at Shoalhaven were dealt with in a conciliatory fashion. Discussions were had with the operator to change behaviour and there were instances where short term success was obtained, e.g. after Notices of Intention to serve an Order were sent. The operator generally complied with formal responses but unfortunately, the same issues were raised by the public on several occasions and this highlights that the operator fell back into old habits.

The compliance and complaint matters were reported to council on occasions e.g. June and July 2011.

Regular update reports were provided to the Tomerong Community Forum in 2011, 2012 and 2013.

There is no denying that a conciliatory approach towards compliance will work in some instances. In fact this approach is still used as the first option in compliance action today. However, the conciliatory approach is generally a very time-consuming method for dealing with compliance issues and different options need to be explored if it is unsuccessful.

Up until 2014 when Council's Compliance Team were formed council's development planners were also charged with compliance responsibilities on top of their primary roles of application assessment. The compliance team first became involved in the Tomerong Quarry following a formal submission to a Section 96 application in late 2016 (DS16/1532). The Compliance Team were advised of the concerns in an email on 10/01/2017 and this commenced the investigation. The investigation took six months to complete and it involved the following:

- a complete file search,
- early morning surveillance of the site to verify that trucks were entering the site fully loaded; and
- the interview of a number of residents.

Once sufficient background information and evidence was obtained, the EPA were advised of the issues and in particular the air, noise and water pollution components of the investigation. As the EPA were the appropriate regulatory authority (ARA) for this site, a joint inspection was carried out with the EPA as part of the investigation.

Following the joint inspection, Council formally requested the operator of the quarry to supply documents including weighbridge dockets and information on the materials being imported to the quarry. These directions were given under Section 119J of the Environmental Planning and Assessment Act. It is an offence not to respond to these directions.

There were legal challenges on Council's ability to ask for this information. Council's legal representative responded on our behalf and the documents were submitted shortly thereafter.

Council's investigation concluded in August 2017 and it resulted in the issue of 19 penalty notices to the operator in October 2017. The penalty notices totalled \$114,000 and this is quite a significant sum.

The penalty notices were issued under delegated authority and in accordance with Council's Compliance & Enforcement Policy (POL16-233). Community engagement is not required for Council to take appropriate enforcement action.

Given the number of breaches identified, Council officers met with the General Manager, the Mayor and the Group Director to discuss possible options for this enforcement action. These options included the issue of penalty notices or criminal prosecutions in either the Land and Environment Court or the Local Court.

As there were no prior court appearances for the operator of the quarry, the extent of success in any court action was considered; including the likelihood of a caution or reduced fines for a first offence. Staff were also mindful that the quarry had operated for many years and the breaches were not adequately resolved because of the previous conciliatory approach. To act now in the Local Court or the Land and Environment Court may be excessive.

It was agreed Council needed to send a message and the possibility of a caution was not the desired outcome. The issue of penalty notices was therefore considered the most appropriate course of action in this matter.

It is important for Council to act as a model litigant and not be seen as issuing a penalty more than what a Court is likely to impose. It was therefore decided to group like offences together and advise the operator on the actual number of breaches. This approach sent a clear message that discretion had been exercised and it would be looked upon favourably by the Court in the event of an appeal.

The operator had the opportunity to appeal each of the 19 penalty notices. As Council had acted fairly, the quarry operator accepted the penalty and all have been paid in full. Council has not had to spend additional time and resources in the preparation of court documents nor was there any need to engage legal representation.

2. Assurance to the Community that Council has applied the same standard of scrutiny to the Tomerong Quarry as it has to similar operations such as the SCCR Quarry at South Nowra.

Both Tomerong Quarry and South Coast Concrete Crushing and Recycling (SCCR) are EPA licensed premises. Both properties are regarded the same and any potential non-compliances are dealt with by the Appropriate Regulatory Authority (ARA). The EPA deal with land, air, water and noise pollution incidents and Council deal with matters relating to the development consent.

With respect to legal action taken against SCCR, it is confirmed that in 2006 action was taken against SCCR by Normans Plant Hire Pty Limited, Tomerong Quarry Pty Limited and South Coast resources Pty Limited (Refer Normans Plant Hire Pty Limited & 2 Ors v South Coast Concrete Crushing & Recycling Pty Limited & Anor [2006] NSWLEC 390) (Refer attachment No.2).

Council was not party to this action and it was brought before the court due to a long-standing dispute with other operators concerning the validity of the mineral lease licenses.

The SCCR operation was subject to 2 mineral lease licenses identified as 5087 (ML1) and 6322 (ML2). The Court found that ML1 was subject to immunity under section 74 of the Mining Act 1992 and was lawful. The operation of ML2 was not subject to the immunity and was therefore unlawful. The immunity for ML1 expired on 16 December 2007.

In response to the L&E Court decision, SCCR submitted a Part 3A application with the Department of Planning seeking approval for the operation of ML1 and ML2 as

designated development. The Department of Planning granted approval for the following on 1 December 2009.

- (a) The staged extraction of up to 350,000 tonnes per annum of unweathered shale material using drill and blast methods;
- (b) Importation and stockpiling of up to 50,000 tonnes per annum of recycled material; and
- (c) Importation and stockpiling of up to 125,000 tonnes per annum of blending materials.

Applications were submitted to and approved by Council for the following:

- The crushing and recycling of waste products for ML1 and ML2 (DA02/3807);
- The use of a portable weighbridge in association with quarry activities for ML1 (DA07/1230);
- Stockpiling and storage of materials on ML2 (DA07/1321); and
- The provision of earthen bunds around the perimeter of ML2 (DA07/1322).

DA02/3807 was approved by Council on 12 July 2003 and the latter three applications were approved on 24 May 2007.

Shortly after 16 December 2007 Council put SCCCR on notice of its inability to continue lawful supply of road base material under its contract with Council. This resulted in an argument over existing use rights which was subsequently upheld and accepted by Council following independent legal advice.

Council received complaints about the increased output at the SCCCR quarry. In 2009, Council commenced Class 4 proceedings in the Land and Environment Court against SCCCR in relation to the operation of the quarry [2009-NSWLEC 197]. The hearing was held on 1 and 2 September 2009 before Justice Lloyd. The decision of the Court was handed down on 14 December 2009 and this is attached to the report (Refer attachment No.3).

In answer to the question put, two court actions were taken against the operators of SCCCR. Council was only party to the second action which related to the increased output activity at the quarry. In contrast, there have been no actual court cases for Tomerong Quarry even though there was previous evidence of complaints to Council about increased activity. These complaints had been dealt with by the issuing of Notices of Intention to serve an Order which modified operations for a time.

Council did have a Class 1 appeal for Tomerong Quarry based on an order it had issued to the operator with respect to the completion of the Tomerong Creek Crossing. This was settled by consent orders between the parties with both parties paying their own costs.

The most recent complaints to Council occurred in January 2017 following the submission of the Section 96 application in December 2016.

The Compliance Team have acted on these complaints and completed a full investigation. This resulted in the issue of penalty notices to the operators. The operators have also been put on notice that should the breaches continue, then further penalties will apply. Continued breaches may also result in Class 4 action in the Land and Environment Court to seek Court orders for the operator to comply with the terms of the consent.

3. Assurance that the following consent conditions in relation to DA90/1912 have been adhered to:

- a. (6b) Base level quarrying is to keep pace with overburden stripping;**
- b. (6c) Overburden to be used to revegetate the quarry walls; and**
- c. (6d) Revegetation and rehabilitation to keep pace with quarrying activities.**

These conditions were not specifically addressed in the 2017 investigation of the Tomerong Quarry by the Compliance Team.

These matters have been included in the current investigation to ascertain the level of the quarry floor and whether the quarry has reached or is near reaching practical completion. This practical completion will trigger the need for a rehabilitation plan for the site (Refer condition 6 of DA90/1912 – Attachment No.1).

Following a meeting with representatives of the EPA and Department of Health on 18/04/2018, a site inspection will take place soon. All the matters listed above will be raised as part of this inspection and investigation. A copy of the minutes relating to the meeting held at Council on 18/04/2018 has been distributed to Councillors separately and they are also attached to this report (Refer attachment No.4).

4. Details of any instances Council is aware of where significant tonnage of overburden set aside for rehabilitation has been sold off for profit by the proprietors of the Quarry and if this material has been purchased by the Council.

It is possible that Council purchased materials other than road base and aggregates from the site in the past, but these details have not been specifically identified in the file search nor in discussions with current staff.

Council has certainly purchased road pavement and aggregates from the site as it has done with other quarries in the area.

Advice from Council's Works and Services section has identified that our current construction and maintenance activities generate surplus topsoil and fill material. Council therefore meets its own needs in this area and we have no need to purchase it from other sources.

5. Assurance that Quarry rehabilitation that occurs on the site:

- a. Will require a Development Application to allow for Community consultation and will consider the impact on local residents, and**
- b. Will not be at the expense of Shoalhaven Ratepayers.**

Conditions of Development Consent DA90/1912 require the remediation of the quarry. It is considered a separate development application will not be required. The impact on the community will be considered in Council's assessment of the rehabilitation plan and community consultation will form part of the assessment.

The rehabilitation of the quarry is a requirement of the development consent and it is invoked once quarrying operations have ceased. If the operator or owner fail to submit a rehabilitation plan at the completion of quarrying operations, Council has the option to issue a notice and order on them to comply with the development consent. This will effectively force them to prepare and submit a rehabilitation plan. Council will then issue further orders for them to complete the works. Court action is also an option available to Council.

The aspect of rehabilitation will be raised as part of the future inspection of the site with the EPA and the Department of Health (Refer attachment No.4).

6. An explanation as to why after 14 months the Council has not determined the Section 96 Amendment Application (DS16/1532) for the site.

The section 96 application was formally refused by Council at the development committee meeting held on 10/04/2018.

The determination of the section 96 modification was a lengthy process for several reasons. This includes public interest in the application and ‘threats’ of legal action from the applicant based on a deemed refusal. The applicant still has a right of appeal against Council’s decision.

7. An explanation as to why the Mining Operation Plan D13MOP has still not been assessed by the Council, despite being lodged over 5 years ago.

Rehabilitation cannot go ahead without an approved plan. The plan submitted in 2012 was deficient and the applicant was advised accordingly.

8. Advice as to whether the record of non-compliance of the current Quarry Operators will be taken into account by Council when it assesses any future Development Applications submitted for the site.

Council will review any relevant non-compliances in future applications however DA assessment and compliance matters are generally two separate processes.

9. Details of any plan known to the Council of the NSW Government transporting stockpiled excavation material from the M5 WestConnex Project from the old Marrickville Tip to the Tomerong Quarry for disposal.

Council is not aware of any plans to use the stockpiled spoil from the M5 WestConnex project at the Tomerong Quarry.

SA18.120 REMS Stage 1B Review of Environmental Factors - Proposed Modifications to Project Scope - Bomaderry to Nowra Transfer Main

HPERM Ref: D18/80717

Group: Shoalhaven Water Group
Section: Shoalwater Operations & Maintenance

Attachments: 1. REMS 1B - Proposed Modification to Scope - Bomaderry to Nowra Transfer Main (under separate cover) ➡

Purpose / Summary

The purpose of this report is to inform Council of the Review of Environmental Factors, (REF), Proposed Modifications to Project Scope, March 2018, Transfer Main from Bomaderry To Nowra.

This report also informs council of the specific differences between the original REMS 1B REF endorsed by Council at the Ordinary meeting held 21 April 2015 and the Addendum REF dated March 2018.

Recommendation (Item to be determined under delegated authority)

That

1. After consideration of the REF for the REMS Stage 1B works, Proposed Modifications to Project Scope, March 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF addendum (and summarised in Sections 6.2, 7.2, 8.2, 9.2, 10.2, 11.2, 12.2, 13.2, 14.2 and 15.2) be adopted and implemented.

Options

1. Adopt the recommendation.
2. Council could determine not to proceed with the proposed transfer main modifications as a result of the REF recommendations.
 1. Implications: This is not recommended as the feedback from government agencies and the community would suggest that the REMS 1B project is generally supported. It would also impact Council's ability to recycle water produced at the Bomaderry wastewater treatment plant in line with community preferences.

Background

Council endorsed the REF for the REMS Stage 1B at its Ordinary Meeting in April 2015

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including the construction of a reclaimed water transfer main between the Bomaderry and Nowra wastewater treatment plants. Following approval of the original REF, detailed consultation was conducted with affected landowners, which resulted in proposed modifications in the alignment of the proposed REMS Stage 1B transfer main. Further the Contractors undertaking the proposed transfer main works have requested that the hours of construction be altered to reduce construction risks associated with the horizontal directional drilling (HDD) component of the transfer main construction.

Key changes proposed to the REMS 1B transfer main include:

- Changes to the alignment of the transfer main on the northern side of the Shoalhaven River to mitigate risks identified with HDD pipeline construction within the Manildra Group lands.
- Changes to the alignment of the transfer main on the southern side of the Shoalhaven River after consultation with the affected landowner.
- Changes to the entry and exit points of the HDD operations.
- Changes (increase) to working hours during critical drilling stages to minimise risks of adverse outcomes.

These proposed changes represent a substantial modification to the proposed activity and described in the original REF and, as such, an addendum environmental assessment is required under NSW planning legislation.

Council is requested to consider endorsing the proposed modifications to the transfer main works. A Review of Environmental Factors (March 2018) was prepared and issued for community and stakeholder consultation (attached).

Key impact mitigation measures proposed in the REF include:

- Construction of noise walls adjacent to residential areas
- Notification of neighboring residents prior to works commencing
- Erosion, sediment and air quality control measures.

The transfer main REF concluded that the proposed modifications would address landowner concerns regarding pipeline alignment and that the modifications are unlikely to have any significant impacts on the environment.

Community Engagement

The REMS project has had a long history within the Shoalhaven, and was a visionary strategy developed through extensive community input.

The project has been included in Council's DPOP for many years, and has been included in the long term financial plan since its inception 20 years ago.

At the commencement of the project extensive consultation was undertaken with Regulatory Authorities, Government Agencies, other key stakeholders and the community. A Community and Stakeholder Engagement Plan was developed in April 2014 to guide the engagement and consultation process through the environmental assessment phase of the project. The main focus for this phase was to liaise with Regulatory Authorities to gauge requirements and ensure statutory compliance moving forward.

Shoalhaven Water has engaged with key stakeholders and the general community throughout the development and construction of the REMS 1B project. A Community and Stakeholder Engagement Plan was developed and implemented in regards to the transfer main project. Key engagement activities included:

- Direct discussions and development of works agreements with properties directly affected by construction of the proposed transfer main.

- Door knocking and provision of project information to residents immediately adjacent to the proposed transfer main route, including the Shoalhaven Caravan Village.
- Distribution of a project newsletter to Nowra and Bomaderry residents and businesses in the vicinity of the works sites.
- Information about the proposed transfer main was placed on the Council and Shoalhaven Water websites.

The REF was placed on public exhibition from 8 to 23 February 2018. This included displays at the Nowra and Ulladulla Administration Centres.

Only one submission was received on the REF. This related to the flying fox colony in Bomaderry. This submission was addressed in the attached REF.

In accordance with the Community and Stakeholder Engagement Plan the contractor will be required to undertake further consultation as the project proceeds. This includes direct contact, door knocking and newsletters includes engagement activities for pre-construction, construction and post-construction phases.

Policy Implications

The construction of the REMS 1B transfer main is an integral part of the project. Construction of the transfer main will allow reclaimed water produced by the upgraded Bomaderry wastewater treatment plant to be beneficially reused by farms and sporting grounds on the southern side of the Shoalhaven River. Construction of the transfer main will assist in achieving the community's preference to maximise beneficial reuse of reclaimed water produced through the REMS.

Financial Implications

A separate confidential report has been prepared for consideration by Council in regards to the costs and technical options to proceed with the REMS 1B project transfer main.

Risk Implications

A construction environmental management plan will be produced by the contractor to address environmental risks including those identified in the REF.

SA18.121 Request for Connection to Town Water Supply - 230A Tannery Road, Cambewarra

HPERM Ref: D18/127259

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Purpose / Summary

Council has received a request from the property owner of 230A Tannery Road, Cambewarra, to connect their property to the town water supply. Council recently approved the extension of the town water supply along Tannery Road to overcome a historical issue which has come to light. That historical issue related to a former raw water supply system serving those other properties.

The above property owner is seeking for their property to be connected to the town water supply system. This property was not served by the historical water supply system and therefore represents a different scenario.

Recommendation (Item to be determined under delegated authority)

That Council approve the connection to the town water supply, subject to the property owner:

1. Paying the Separate System Connection fee for water supply (\$6,578.00/ET (2017/18)), and
2. Paying the 20mm metered service fee (\$847.00 (2017/18)), and
3. Carrying out a backflow assessment and where required installing an approved backflow device, and
4. Providing an internal pressurised system to provide adequate flow and pressure to support the development upon the property at their own cost, and
5. Placing a **Restriction As To User** on the property (Lot 1 DP 719118) for water supply servicing as follows:

"Connection to the town water supply shall be by the installation of a private internal pressurised water supply system.

Such private internal pressurised system (or part of the system) shall be inspected and approved by Council."

Options

1. As recommended

Implications: This allows the property to be connected at the landowners cost. However, the property does not comply with the criterion set in Council's Rural Water Supply Policy and it may set a precedent that may result in other applications where compliance is not achieved.

2. Not approve the connection to the town water supply.

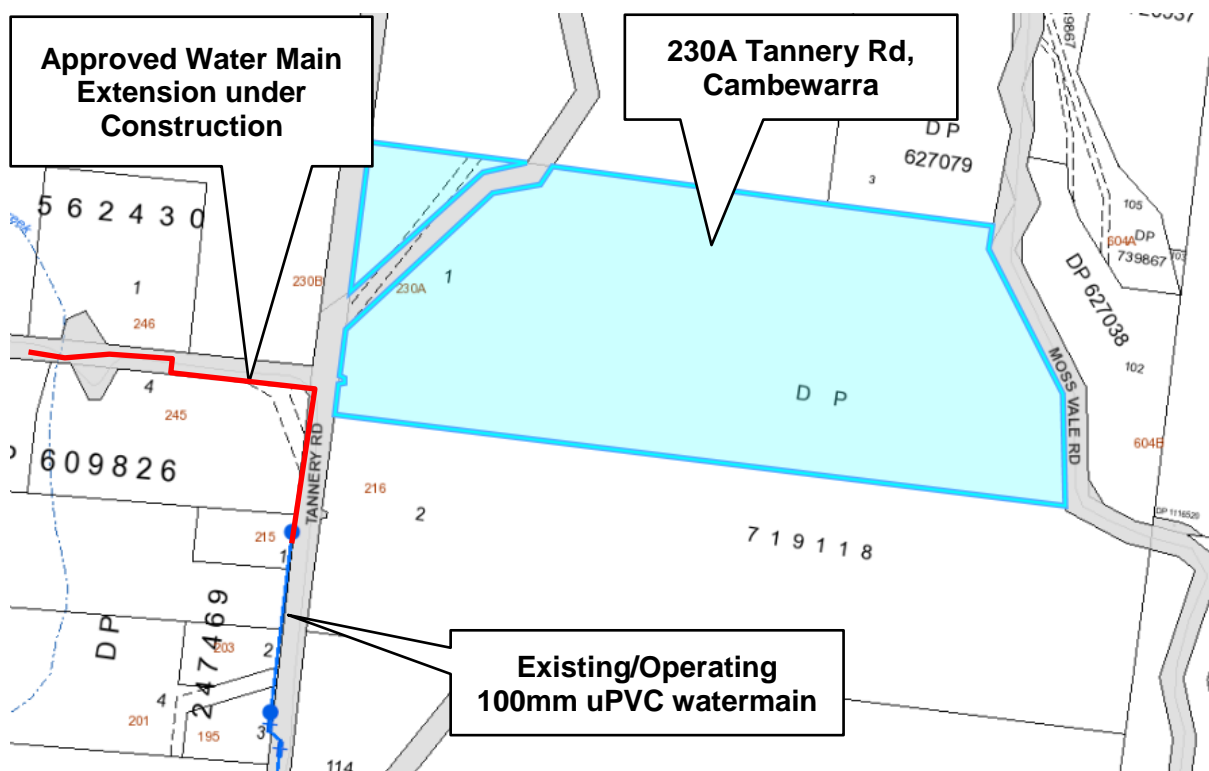
Implications: No implications to the existing status of the property or water supply system.

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Background

No. 230A Tannery Road is located north of Cambewarra Village and is near the end of Tannery Rd. The property is split into two parcels by a Council road reserve. The main parcel of land contains the dwelling house and machinery/farm shed.

As a result of the water main extension to the town water supply the property owner has made application to connect to the new water main. The assessment below is based on providing water supply to the main parcel of land.



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Community Engagement

No community engagement has been undertaken or is required.

Policy Implications

Assessment under the Rural Water Supply Policy

The property in question is zoned Primary Production (RU1) and Environmental Conservation (E2). As such Shoalhaven Water has accepted the application to connect under the Rural Water Supply Policy (POL 16/96).

The property is approximately 95m from the nearest operating water main (refer to above site plan) and cannot be supplied to the current levels of service. As such the property is not levied the water availability charge.

Therefore, in accordance with the policy the application needs to comply with Section 2.1 and comply with the following criteria:

- Where capacity exists in the existing system, and
- Where the current levels of service can be provided, and

- Where it can be demonstrated that the rural water supply will be of positive economic benefit (at the time of application) to the city by applying the following formula:

$$\text{Benefit} = (\text{Income from usage} + \text{Availability Charge}) - \text{Operating cost}$$

The compliance with these criteria is discussed below.

Capacity in the existing system

The property has a dwelling upon it including a machinery farm shed. The property is expected to use in the range of 150 – 200kL/annum. The Cambewarra water supply has adequate capacity to support an additional lot.

Current levels of service can be provided

Council's current levels of service is to provide between 15 metres to 90 metres of water pressure at the water main where the metered is located.

The water main under construction will pass by No. 230A (refer to above plan). A connection at the south-west corner of the property could be made. The minimum pressure at this location is approximately 8m (~78 kPa). This is well below the minimum level of service (minimum pressure of 15m). The maximum and minimum static pressures are as follows:

- Maximum static pressure is approximately 12.0m (118 kPa) (reservoir full), and
- Minimum static pressure is approximately 4.5m (44 kPa) (reservoir empty).

The current levels of service at the connection of the metered service cannot be achieved.

It is noted that the dwelling (floor level greater than 140m Australia Height Datum (AHD) – based on contours from Council's GIS) is above the top water level of the serving reservoir. As such the property owner will need to install a private pressurised internal system to properly service the dwelling. This internal pressurised system would be located near the south-west corner of the property and it is owned and maintained by the property owner.

The private internal system would comprise a buffer tank sized to support the needs of the property and a pumping unit to pressurise and maintain the pressure at more suitable levels (say 30m – 45m) and pipework connecting the dwelling and other parts of the property. Water would gravitate in from the metered service into the buffer tank.

It may be prudent to consider the placement of a **Restriction As To User** over the property so that future property owners are aware that the property cannot be served by standard (gravity) means.

The wording of the **Restriction As To User** would be as follows:

"Connection to the town water supply shall be by the installation of a private internal pressurised water supply system after the water meter.

Such private internal pressurised system (or part thereof) shall be inspected and approved by Council."

Where it can be demonstrated that the rural water supply will be of positive economic benefit (at the time of application) to the city by applying the following formula:

$$\text{Benefit} = (\text{Income from usage} + \text{Availability Charge}) - \text{Operating cost}$$

As there is no water main extension involved, there is no operating cost and as such the property demonstrates positive economic benefit to the city by the income Council will receive.

Usage – 200kL/annum (design allowance)

Usage Charge - \$1.70/kL (2017/18)

Water Availability Charge - \$82.00 (for a 20mm metered service for 2017/18)

Operating Cost for water mains - \$1.56/m

Benefit = [(200kL x \$1.70/kL) + \$82.00] – (\$1.56/m x 0m)

Benefit = \$340.00 + \$82.00 - \$0.00

Benefit = +\$423.00

Financial Implications

There is no financial implication to Council in relation to this application.

Risk Implications

As the application does not achieve compliance with all three criteria there is a possibility that Council may receive other applications from rural properties to connect to the water supply system which do not comply with the policy which may erode the intent of the policy over time.

SA18.122 Milestone 6 Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra

HPERM Ref: D18/146579

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Purpose / Summary

To inform Council of the Milestone 6 (WP2.1) Offer received by the REMS 1B Works Contractor under the existing REMS 1B Works Contract in relation to the Reclaimed Water Management Scheme (REMS 1B) Works Project.

Recommendation

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

Options

1. Council accept the recommendation to consider the report confidentially (recommended as it contains confidential contract implications).

Implications: This provides Council an opportunity to fully consider the commercial implications of the contract offer.

2. Council not accept the recommendation and provide an alternative proposal.

Implications: Not recommended as Council will not be able to consider the offer within the contract framework.

Background

REMS 1B is a complex engineering project with multiple objectives including:

- Upgrade of Bomaderry and Nowra sewage treatment plants to meet EPA licence requirements
- Improve environmental water quality in the Shoalhaven River
- Beneficially reuse the effluent produced from these plants
- Allow capacity for urban growth in the Nowra/Bomaderry area

The project has been divided into different work packages (WP) as follows:

- WP1.1 - Upgrades to Bomaderry WwTP
- WP1.2 - Upgrades to Nowra WwTP
- WP2.1 - New pipeline to transfer reclaimed water from Bomaderry WwTP to Nowra WwTP for connection into WP2.2 pipeline.
- WP2.2 - New pipeline to transfer reclaimed water from Nowra WwTP to the existing REMS transfer and distribution system, including associated pump station
- WP3.1 - Retrofit UV systems to existing REMS 1A plants at Culburra, Callala and

Vincentia WwTP

WP 2.1 is the subject of this report as it is being procured in a different contractual manner to the other work packages (i.e. it was included in the original tender with a combined design and construct procurement package). The design and pricing proposal has been received and evaluated.

A separate confidential report provides Councillors with a consideration of the proposal received.

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.