

Strategy and Assets Committee

Meeting Date: Tuesday, 21 August, 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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

Addendum Agenda

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SA18.208 2018 Local Government NSW Annual Conference - Motions

HPERM Ref: D18/269842

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

Purpose / Summary

For the Council to consider the proposed Motions for submission to the 2018 Local Government NSW Annual Conference to be held at the Albury Entertainment Centre, Albury on 21 to 23 October 2018.

Recommendation (Item to be determined under delegated authority)

That Council consider the Motions, as printed in the report and, if accepted, the Motions be submitted to Local Government NSW for inclusion in the Conference Agenda.

Options

1. As per the recommendation.

Implications: none

2. That Council not accept the motions as outlined in the report and propose alternatives.

Implications: The Council is required to approve Motions by resolution, so the complete wording of the motions will need to be provided and agreed prior to the requested submission date of 26 August 2018.

Background

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

LG NSW has requested that Councils submit motions by 12 midnight, Sunday 26 August 2018 to allow printing and distribution of the Business Paper before the Conference. In line with the LG NSW rules, the latest date that motions can be accepted for inclusion in the Conference Business Paper is 12 midnight AEST, Sunday 23 September 2018. All motions must be adopted by Council before submission.

The following seven (7) motions were proposed at the Councillor briefing held on 31 July 2018:

MOTION 1

That the NSW Government be called upon to ensure that 100% of the levy arising from s88 of the Protection of the Environment Operations (POEO) Act be used for Waste infrastructure and programs.

Background

Over the next 4 years, it is anticipated the NSW Environmental Protection Authority (EPA) will make \$337 million available for the Waste Less Recycle More program. While on the surface of it this appears to be a significant amount, the levy payments to the EPA over these 4 years will be about \$2,520 million with only 13% of this being returned to the sector.

By way of example, the total of levy funds paid by the Shoalhaven City Council to the EPA over the four years of their first Waste Less Recycle More (WLRM) funding program is summarised below. This is contrasted with the amount of WLRM funding received by the Shoalhaven over the 4 years. Council received 5.2% of our total contribution over the 4 year program. Council has not been able to ascertain what has been done with the remaining 95% of the levy payments, except to say that the funds are considered to be consolidated revenue for the NSW government and *not* fully allocated projects and programs that reduce waste.

Year	Levy paid to EPA	Non-contestable grant funding received	Contestable grant funding received	%
2013/14	\$7,180,315	\$246,500	\$215,088	6.4%
2014/15	\$7,954,973	\$246,500	\$341,169	7.4%
2015/16	\$10,021,983	\$231,355	\$112,800	4.2%
2016/17	\$8,194,997	\$231,000	\$111,540	4.2%
Total	\$33,352,268	\$955,355	\$780,597	5.2%

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MOTION 2:

That the NSW Government provide greater funding and implement support programs to address homelessness in communities across the State.

Background

Homelessness is a growing problem in all communities throughout Australia and is not confined to cities. By way of example, between July 2017 and June 2018, one local front line service in the Shoalhaven saw a total of 2358 people, with 430 of these being new clients.

There is a lack of sustainable short- term solutions to the issue of homelessness. Without the provision of increased Government funding to provide longer term temporary accommodation and fund services to provide an increased number of emergency beds for men, women and children the situation will continue to degenerate. Wrap-around services need to be funded to support people to find and keep longer term, sustainable housing. This requires holistic case-management style support that assists people to access health, employment, financial counselling that will help people to maintain their tenancies.

Long term solutions such as the construction of affordable housing, access to transport, employment and financial counselling are also key. It is important that the NSW Government provide greater funding and implement support programs to address homelessness that focus on initiatives that support an increase in the quantity of affordable housing and increased funding for longer term temporary accommodation in communities across the State.

MOTION 3:

That the State Government be called upon to redirect all funding available from the Sydney Stadiums Strategy (or that becomes available from the Joint Parliamentary Inquiry into the Strategy) to Local Government areas that are buckling under infrastructure pressures during peak tourism seasons.

Background

The steady increase of tourism along the coastal regions of NSW (especially the Southern coastline) has brought significant economic development and employment opportunities, however it has also created significant demands upon infrastructure supported by Councils.

Councils require funding for significant improvements to roads, signage, car parking, and toilet infrastructure to support this welcomed growth and to support forecast international tourism increases for our state.

MOTION 4:

That the Minister of the Environment accelerate consideration of the Coastal Zone Management Plans (CZMPs) and provide adequate resources to Councils to support infrastructure along the Coast.

Background

Many coastal Councils have completed Coastal Zone Management Plans and have submitted them to the Minister for the Environment for certification. These Councils have worked closely with NSW Office of Environment & Heritage and put significant resources and funding into preparation of CZMPs with the aim of gaining certification of the Plans before the transitional arrangements under the Coastal Management Act end in October 2018.

Without a certified CZMP, Councils are only eligible to apply for a very limited range of grant categories in the Coastal and Estuary Grants Program. This significantly reduces the range of coastal maintenance and capital works Council can implement to manage coastal risks to protect beaches, public and private assets. The 2016 east coast low saw significant damages up and down the coast and Councils are still carrying out management and remediation works to recover from these damages.

A certified CZMP will act as an overarching strategic policy, which facilitates and integrates work programs undertaken by partner State Agencies and Councils as well as giving direction to implementation mechanisms such as Foreshore and Bushcare Policies.

With ongoing climate change and the predicted increase in coastal storm activity, it is likely there will be more significant coastal projects required to mitigate local impacts. On-going plan implementation to manage risk, repair infrastructure and maintain coastal assets to a safe and acceptable standard will be required. If grant funds cannot be accessed, public safety and asset protection will be at risk.

The Minister for the Environment is called upon to certify the CZMPs it has before it as a matter of priority so that Councils and the State Government can work together to manage coastal hazards.

MOTION 5:

That the NSW Government acknowledge that the anticipated cost to Local Government councils of preparing plans of management to comply with the Crown Lands Management Act 2016 will run into hundreds of thousands of dollars and to ensure that additional funding is provided to Local Government to adequately fund the work required to be undertaken.

Background

The Crown Lands Management Act 2016 came into force 1 July 2018 and provides Councils, inter alia, with the authority to manage Crown land under the Local Government Act i.e. as “community” or “operational” land.

The effect of this is to require Councils to prepare plans of management for each Crown reserve except those reserves which are approved by the Minister for Lands as operational. It is acknowledged that Councils will be permitted to adopt generic plans of management for many of the reserves, in addition to the requirement to prepare site specific plans of

management for other reserves. Councils are to have the plans of management in place by 30 June 2021.

The NSW State Government has committed the allocation of funds to Local Government of \$7M over two years to help Councils meet the costs incurred in the Plan of Management process. By way of example, Shoalhaven City Council has been advised that its share of the funding will be \$78,444 which will only be a small proportion of the actual costs for the required plans of management for 116 Crown reserves and up to 30-40 site specific plans of management.

MOTION 6:

That Planning NSW recognise that NSW Councils are planning partners and implement a communications approach that informs Councils in detail and advance of planning changes and provides direction which is meaningful and relevant to all Councils across the State.

Background

The NSW Government are continuing to roll out a package of planning and related legislative reforms. Councils need to be seen and acknowledged as an important partner in this process as they often need to implement the reforms on the ground. However quite often Councils may or may not be engaged at a point in the process and then are not advised further till the reforms are finalised and released and are placed in the situation of 'reacting' to an announcement with little support, engagement or lead in time. There is a need for more consistent partnership engagement with Councils

MOTION 7:

That the Minister for Local Government, the Hon Gabrielle Upton MP be called upon to release the IPART Report on the Local Government Rating System which was provided to her predecessor in December 2016 along with the Government's response to the Report.

In 2016, Councils dedicated resources to commit comprehensive submissions towards the Review of the Local Government Rating System undertaken by IPART. Despite these contributions and the extreme importance of this issue, the report arising from the review remains with the Minister since December 2016 and has not been released nor has the Government provided a response.

SA18.209 Tenders - Holiday Haven Tourist Parks - Management & Operation - Bendalong Point Holiday Park

HPERM Ref: D18/267995

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To inform Council of the tender process for the management and 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. That Committee defer a determination/decision on the matter pending discussion at a Councillor briefing.

Details

Tenders for the management and operation of the Bendalong Point Holiday Park were advertised 13 June 2018, closing on 5 July 2018.

At the closing date, six (6) 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
Christopher & Reut Profke	Ulladulla
Denrick Pty Ltd – Ken & Debra Nicholls	Sussex Inlet

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Joshua & Claire Nicholls	Currowan / Sussex Inlet
Brendon & Lidia Hill	Vincentia
Myall Lakes Adventures – Garry Sullivan	Wodonga, VIC
Seaboard Management Pty Ltd – Chris & Dianna Donohue	Ulladulla

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 Bendalong 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.