

## Strategy and Assets Committee

**Meeting Date:** Tuesday, 16 October, 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

**Please note:** The proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

## Agenda

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

Nil
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## 8. Confidential Reports

### Reports

CSA18.18 Shoalhaven Affordable Housing Strategy - Property Acquisition Matters

*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

- a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Councils 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 Councils community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. 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.
- c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Councils next operational plan within the meaning of s405 of the LG Act;
- d. Monitor, review and consider matters relating to the operations and strategic direction of Councils Holiday Haven Tourist Parks Group;
- e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'Crown Land Manager' under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or cannot be delegated by Council;
- f. 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;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Councils adopted Development Servicing Plan and other relevant adopted Council policies;
- h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
- i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;



- j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Councils strategic land holdings and make recommendations to Council.
- k. Review and make recommendations to Council in relation to:
  - l. The sale prices of land in connection with residential and industrial Council subdivisions;
  - m. The sale of Council property or the purchase or resumption of land;
  - n. The compensation to be offered in respect of land resumed by Council; and
  - o. 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.
- p. 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, 18 September 2018  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5.04pm

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 Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Russ Pigg - General Manager (arrived 5.09pm)

### Apologies / Leave of Absence

Apologies were received from Clr Alldrick and Clr Guile.

### Confirmation of the Minutes

**RESOLVED** (Clr Gash / Clr White) MIN18.700

That the Minutes of the Strategy and Assets Committee held on Tuesday 21 August 2018 be confirmed.

CARRIED

### Declarations of Interest

Clr Findley – SA18.218 – Options for Rate Relief for Drought-Affected Farmers – Less than significant pecuniary interest declaration – will leave the room and will not take part in discussion or vote – She is the director/secretary of Brooman Farm Co which may or may not benefit from Drought Relief assistance.

## MAYORAL MINUTES

Nil

## DEPUTATIONS AND PRESENTATIONS

### SA18.210 – Notice of Motion - Toilet Block - Culburra Beach Skate Park

Alan Pendleton, President of the Culburra Beach Progress Association, spoke in favour of the recommendation.

### SA18.211 – Notice of Motion – Dogs on Leash – Adelaide Street Reserve, Greenwell Point

Warwick Wright spoke against the recommendation.

### Procedural Motion - Bring Item Forward

**RESOLVED** (Clr Pakes / Clr Gartner)

MIN18.701

That the matters of the following items be brought forward for consideration:

- SA18.210 – Notice of Motion - Toilet Block - Culburra Beach Skate Park
- SA18.211 – Notice of Motion - Dogs on Leash Adelaide Street Reserve Greenwell Point
- SA18.223 – New Shoalhaven Bridge – Nowra
- SA18.218 – Options for Rate Relief for Drought-Affected Farmers
- SA18.230 – Water rebate drought affected Farmers

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**SA18.210 Notice of Motion - Toilet Block - Culburra Beach Skate Park**

**HPERM Ref:  
D18/310378**

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

That the General Manager take all reasonable actions to ensure construction on the Toilet Block adjacent to the Skate Park at Culburra Beach is commenced without further delay.

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

MIN18.702

That the General Manager take all reasonable actions to ensure construction on the Toilet Block adjacent to the Skate Park at Culburra Beach is commenced without further delay.

CARRIED

**SA18.211 Notice of Motion - Dogs on Leash Adelaide Street Reserve Greenwell Point**

**HPERM Ref:  
D18/314490**

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

That Council

1. Reaffirms its dog on leash policy for the identified areas
  - a. Anzac Reserve (Greenwell Point)
  - b. Foreshore Reserve (Greenwell Point)
  - c. Adelaide Street Boat ramp (Greenwell Point)
  - d. Adelaide Street Reserve (Greenwell Point)
2. Undertake a trial of new signage printed on pathways
3. Consider a fenced dog off leash area for the community of Greenwell Point, possible location being the Council owned overflow carpark, West Street.

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

MIN18.703

That Council

1. Reaffirms its dog on leash policy. Council does not support the establishment of dog off leash areas in the following locations:
  - a. Anzac Reserve (Greenwell Point)
  - b. Foreshore Reserve (Greenwell Point)
  - c. Adelaide Street Boat ramp (Greenwell Point)
  - d. Adelaide Street Reserve (Greenwell Point)
2. Undertake a trial of new signage printed on pathways
3. Defer the consideration of a fenced dog off leash area for the community of Greenwell Point to the October Strategy & Assets Committee meeting to allow time to consult with the Community Consultative Body and its Sub-committee.

CARRIED

**SA18.223 New Shoalhaven Bridge - Nowra**

**HPERM Ref:  
D18/305160**

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

The Council authorise the General Manager to:

1. Make a submission to the Roads and Maritime Services on behalf of Council in relation to the RMS proposal to construct an additional bridge crossing of the Shoalhaven River immediately west of the crossing that currently connects Bomaderry to Nowra. The submission is to cover the matters contained within this report and specifically highlight the following:
  - a. Council is adamant that its preferred option is for grade separated intersections and does not support at grade treatments;
  - b. There is likely to be significant upstream and downstream impacts following construction of the Nowra bridge project. The bridge project, in conjunction with the Berry to Bomaderry upgrade, will bring forward the need to extend 3 lanes of traffic in each direction continuous through Bomaderry and South Nowra;

- c. With regards to urban design, Council requests that the RMS urban design team agrees to a plan and process that involves Council staff in the urban design to ensure integration between the Nowra Bridge project and the Council's river foreshore masterplan;
  - d. Opportunities exist for RMS residual assets that may have the potential to enhance some of Council's long term projects, and Council requests that the RMS work closely with Council staff to achieve the best value for money from residual assets.
2. Make further submissions as the design process commences, briefing Councillors regularly and reporting back to Council as required.
  3. Request RMS agreement to further discuss its requirements for the occupation of Council owned land and to negotiate agreements subject to formal Council approval, for the acquisition of various properties.

**RESOLVED** (Clr Watson / Clr White)

MIN18.704

That Council

1. Make a submission to the Roads and Maritime Services on behalf of Council in relation to the RMS proposal to construct an additional bridge crossing of the Shoalhaven River immediately west of the crossing that currently connects Bomaderry to Nowra. The submission is to cover the matters contained within this report and specifically highlight the following:
  - a. Council is adamant that its preferred option is for grade separated intersections and does not support at grade treatments;
  - b. There is likely to be significant upstream and downstream impacts following construction of the Nowra bridge project. The bridge project, in conjunction with the Berry to Bomaderry upgrade, will bring forward the need to extend 3 lanes of traffic in each direction continuous through Bomaderry and South Nowra;
  - c. With regards to urban design, Council requests that the RMS urban design team agrees to a plan and process that involves Council staff in the urban design to ensure integration between the Nowra Bridge project and the Council's river foreshore masterplan;
  - d. Opportunities exist for RMS residual assets that may have the potential to enhance some of Council's long term projects, and Council requests that the RMS work closely with Council staff to achieve the best value for money from residual assets.
2. Make further submissions as the design process commences, briefing Councillors regularly and reporting back to Council as required.
3. Request RMS agreement to further discuss its requirements for the occupation of Council owned land and to negotiate agreements subject to formal Council approval, for the acquisition of various properties.
4. Make urgent representations to RMS (copied to Shelley Hancock MP and Gareth Ward MP) with respect to
  - a. the removal of the traffic lights at the intersection with the Riverview Road precinct;
  - b. the need to continue planning for the Western Bypass of Nowra.

**CARRIED**

**SA18.218 Options for Rate Relief for Drought-Affected Farmers****HPERM Ref:  
D18/303835**

Clr Findley – Declaration of Conflict of Interest – Less than significant pecuniary interest declaration – left the room and will not take part in discussion or vote – She is the director/secretary of Brooman Farm Co which may or may not benefit from Drought Relief assistance.

Note: Clr Findley left the meeting at 6.44pm

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

That Council:

1. Note the actions taken to date in promoting the NSW Government's Drought Assistance.
2. Amend its Hardship Policy to allow all Farmland rated property owners experiencing financial hardship due to the drought to make an application to have their rates deferred to the 2019/20 financial year.
3. Endorse the issue of two Drought Relief Waste Disposal vouchers for each Shoalhaven property with a 'Farmland' or 'Farmland – Dairy Farmers' rating.
4. Place the financial assistance measures it proposes for drought-affected farmland on public notice, in accordance with Section 356 of the Local Government Act, and receive a further report following the notification period and review any written submissions received.
5. Note that Council staff, as an interim measure, will process any payment plan for the 2018/19 financial year submitted by eligible farmers experiencing financial hardship.
6. Promote the measures outlined in this report that provide practical support to drought affected farmers across the Shoalhaven.

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

MIN18.705

That Council:

1. Note the actions taken to date in promoting the NSW Government's Drought Assistance.
2. Amend its Hardship Policy to allow all Farmland rated property owners experiencing financial hardship due to the drought to make an application to have their rates deferred to the 2019/20 financial year.
3. Endorse the issue of two Drought Relief Waste Disposal vouchers for each Shoalhaven property with a 'Farmland' or 'Farmland – Dairy Farmers' rating.
4. Place the financial assistance measures it proposes for drought-affected farmland on public notice, in accordance with Section 356 of the Local Government Act, and receive a further report following the notification period and review any written submissions received.
5. Note that Council staff, as an interim measure, will process any payment plan for the 2018/19 financial year submitted by eligible farmers experiencing financial hardship.
6. Promote the measures outlined in this report that provide practical support to drought affected farmers across the Shoalhaven.

CARRIED

Note: Clr Findley returned to the meeting at 6.50pm

**SA18.230 Water rebate drought affected Farmers**

**HPERM Ref:  
D18/281564**

**Recommendation**

That Council

1. Provide upon application a water rebate to customers classified for the purposes of water consumption as rural/agricultural to take effect from 1 October 2018 and for the duration of the drought.
2. The rebate be calculated as a 50% reduction of the water usage charge for the difference between the calculated daily average consumption on a billed account and the daily average consumption of the previous corresponding three periods.
3. This proposal be publicly notified in accordance with Section 356 of the Local Government Act, and a further report be provided following the notification period and review of any written submissions received.

**RECOMMENDATION (Clr Pakes / Clr White)**

That Council

1. Provide upon application a water rebate to customers classified for the purposes of water consumption as rural/agricultural to take effect from 1 October 2018 and for the duration of the drought.
2. The rebate be calculated as a 50% reduction of the water usage charge for the difference between the calculated daily average consumption on a billed account and the daily average consumption of the previous corresponding three periods.
3. This proposal be publicly notified in accordance with Section 356 of the Local Government Act, and a further report be provided following the notification period and review of any written submissions received.

CARRIED

**REPORT OF THE BUSINESS & EMPLOYMENT DEVELOPMENT  
COMMITTEE - 22 AUGUST 2018**

**BE18.22 Membership - new members**

**HPERM Ref:  
D18/237405**

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

That:

1. The report outlining the new representatives for Shoalhaven Secondary Schools and TAFE NSW be received for information.
2. Mary-Jean Ardent and Steve Prothero be appointed as community member representatives.

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

**MIN18.706**

That:

1. The report outlining the new representatives for Shoalhaven Secondary Schools and TAFE NSW be received for information.
2. Mary-Jean Ardent and Steve Prothero be appointed as community member representatives.

CARRIED

## REPORT OF THE INCLUSION & ACCESS ADVISORY GROUP - 3 SEPTEMBER 2018

### IA18.13 Beach Wheelchair Access

**HPERM Ref:**  
**D18/276058**

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

That:

1. The report regarding Beach Wheelchair Access be received for information;
2. Council install signage at each of the Beach Wheelchair Access locations advising that wheelchairs are available and with contact details for hire.

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

MIN18.707

That:

1. The report regarding Beach Wheelchair Access be received for information;
2. Council install signage at each of the Beach Wheelchair Access locations advising that wheelchairs are available and with contact details for hire.

CARRIED

### IA18.15 Application for Membership - Grace Kennedy

**HPERM Ref:**  
**D18/286049**

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

That Grace Kennedy be appointed as a member of the Inclusion and Access Committee.

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

MIN18.708

That Grace Kennedy be appointed as a member of the Inclusion and Access Committee.

CARRIED

## REPORTS

### SA18.214 Gateway Park - Nowra

**HPERM Ref:**  
**D18/213658**

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

That Council determine to put the Gateway Park project on hold until RMS finalise their plans regarding the new bridge crossing.

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

MIN18.709

That Council determine to put the Gateway Park project on hold until RMS finalise their plans regarding the new bridge crossing.

CARRIED



**SA18.215 Redesign of Bay and Basin Hub and proceed to detail design**

**HPERM Ref:  
D18/288050**

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

That Council agree to progress on the Bay and Basin Hub by:

1. Endorsing the revised concept plans; and
2. Proceed to detail design for the Bay and Basin Hub featuring the inclusions of a learn to Swim/Therapy pool and exclusion of library facilities.

**RESOLVED** (Clr Pakes / Clr Gartner)

MIN18.710

That Council agree to progress on the Bay and Basin Hub by:

1. Endorsing the revised concept plans; and
2. Proceed to detail design for the Bay and Basin Hub featuring the inclusions of a learn to Swim/Therapy pool and exclusion of library facilities.

CARRIED

**SA18.216 Floodlighting Charges Review**

**HPERM Ref:  
D18/295712**

**Recommendation**

That:

1. The Floodlighting fee for sportsgrounds be amended to \$0.47/kwhr for the 2018/19 financial year.
2. The Floodlighting fee is to be Consumer Price Indexed (CPI) annually thereafter, in line with Council's other Fees & Charges, and adjusted to accommodate any future increases to electricity charges beyond CPI.
3. All fees for sportsground floodlighting for local clubs, be waived and no charges to apply, for the period 1 July 2017 to 30 March 2019. This includes both Council and Management Committee public facilities.
4. Local clubs be reimbursed for any invoices already paid for sportsground floodlighting for the period 1 July 2017 to 30 March 2019. Local clubs at Management Committee facilities to be refunded from the Sportsgrounds operational budget.
5. 2018/19 Floodlight fees for local clubs be charged quarterly from 1 April 2019.
6. Council staff to administer all invoicing, and payments for floodlighting to be made directly from clubs to Management Committees where applicable.
7. Staff to ensure that all electricity accounts are held in the name of Shoalhaven City Council or Management Committee. Local clubs at all public facilities are to be invoiced according to this Resolution.
8. Staff install floodlight controllers on all Council sportsgrounds by 1 April 2019, subject to funding availability.
9. Council allocate the balance of \$42,500 to the Floodlight Controllers budget, required to facilitate the installation of illuminators at currently unfunded sportsgrounds, thus enabling all controllers to be in place and operational by 1 April 2019.
10. Amendments to the Floodlighting fee (Fees and Charges Policy) be placed on Public Exhibition for a period of 28 days, in accordance with Section 705 of the Local Government Act. If no adverse comments are received, the amended Policy be deemed adopted.

11. Staff amend the Sportsground Management Policy to reflect this Resolution, and the Policy be placed on Public Exhibition for a period of 28 days. If no adverse comments are received, they amended Policy be deemed adopted.

**RECOMMENDATION** (Clr Gartner / Clr Cheyne)

That:

1. The Floodlighting fee for sportsgrounds be amended to \$0.47/kwhr for the 2018/19 financial year.
2. The Floodlighting fee is to be Consumer Price Indexed (CPI) annually thereafter, in line with Council's other Fees & Charges, and adjusted to accommodate any future increases to electricity charges beyond CPI.
3. All fees for sportsground floodlighting for local clubs, be waived and no charges to apply, for the period 1 July 2017 to 30 March 2019. This includes both Council and Management Committee public facilities.
4. Local clubs be reimbursed for any invoices already paid for sportsground floodlighting for the period 1 July 2017 to 30 March 2019. Local clubs at Management Committee facilities to be refunded from the Sportsgrounds operational budget.
5. 2018/19 Floodlight fees for local clubs be charged quarterly from 1 April 2019.
6. Council staff to administer all invoicing, and payments for floodlighting to be made directly from clubs to Management Committees where applicable.
7. Staff to ensure that all electricity accounts are held in the name of Shoalhaven City Council or Management Committee. Local clubs at all public facilities are to be invoiced according to this Resolution.
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9. Council allocate the balance of \$42,500 to the Floodlight Controllers budget, required to facilitate the installation of illuminators at currently unfunded sportsgrounds, thus enabling all controllers to be in place and operational by 1 April 2019.
10. Amendments to the Floodlighting fee (Fees and Charges Policy) be placed on Public Exhibition for a period of 28 days, in accordance with Section 705 of the Local Government Act. If no adverse comments are received, the amended Policy be deemed adopted.
11. Staff amend the Sportsground Management Policy to reflect this Resolution, and the Policy be placed on Public Exhibition for a period of 28 days. If no adverse comments are received, they amended Policy be deemed adopted.

**CARRIED**

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

AGAINST: Clr Proudfoot

**SA18.217 Proposed Submission to Everyone Can Play - Draft  
Guideline on Creating Inclusive Playspaces**

**HPERM Ref:  
D18/280615**

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

That Council endorse the draft submission at Attachment 1 on the Everyone Can Play Draft Guideline and submit to the NSW Department of Planning and Environment, Office of Open Space and Parklands.

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

MIN18.711

That Council endorse the draft submission at Attachment 1 on the Everyone Can Play Draft Guideline and submit to the NSW Department of Planning and Environment, Office of Open Space and Parklands.

CARRIED

**SA18.218 Options For Rate Relief For Drought-Affected Farmers**

**HPERM REF:  
D18/303835**

Item dealt with earlier in the meeting see MIN18.705

**SA18.219 Receive Money from South Coast Regional Tourism Organisation (SCRTO)**

**HPERM Ref:  
D18/304069**

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

That Shoalhaven City Council

1. Receive the report for information and accept the payment of \$2,312.48.
2. Council write to the partners of SCRTO and thank them for their long-term partnership and collaboration.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN18.712

That Shoalhaven City Council

1. Receive the report for information and accept the payment of \$2,312.48.
2. Council write to the partners of SCRTO and thank them for their long-term partnership and collaboration.

CARRIED

**SA18.220 Continuation of Road Safety Officer Program (to 30 June 2021)**

**HPERM Ref:  
D18/288483**

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

That Council write to Bernard Carlon, Executive Director (Centres for Road Safety and Maritime Safety) advising that Council accepts the invitation to participate in the revised Local Government Road Safety Program (LGRSP) until 30 June 2021, in particular the 50/50 funding agreement for the Road Safety Officer (RSO) position.

**RESOLVED** (Clr Findley / Clr Gartner)

MIN18.713

That Council write to Bernard Carlon, Executive Director (Centres for Road Safety and Maritime Safety) advising that Council accepts the invitation to participate in the revised Local Government Road Safety Program (LGRSP) until 30 June 2021, in particular the 50/50 funding agreement for the Road Safety Officer (RSO) position.

CARRIED

**SA18.221 Local Government Road Safety Program 2018/19  
(Approved Projects)**

**HPERM Ref:  
D18/288506**

**Recommendation**

That Council writes to NSW Roads and Maritime Services (RMS) thanking it for its funding assistance towards the 2018/19 Road Safety Program and accept and vote the grant funding offer of \$11,400 from RMS as follows:

1. \$900 for Shoalhaven Look out before you step out pedestrian safety
2. \$600 for Shoalhaven Youth Graduated Licensing Scheme (GLS)
3. \$4200 for Shoalhaven Free Cuppa for the Driver Fatigue program
4. \$200 for Motorcycle Safety- Motorcycle Awareness Week
5. \$500 for the Safety around Schools Forum
6. \$5000 for Bike Week
7. Slow Down / Hold my Hand / There's Kids Around Pedestrian safety - Little Blue Dinosaur campaign (no funds required)
8. Speed Monitoring on Local Roads (paid directly by RMS).
9. Breath Testing at Local Events (paid directly by RMS).
10. 65 + Older Drivers Presentations (paid directly by RMS).
11. U turn the Wheel youth program (paid directly by Rotary).

**RECOMMENDATION** (Clr Proudfoot / Clr White)

That Council writes to NSW Roads and Maritime Services (RMS) thanking it for its funding assistance towards the 2018/19 Road Safety Program and accept and vote the grant funding offer of \$11,400 from RMS as follows:

1. \$900 for Shoalhaven Look out before you step out pedestrian safety
2. \$600 for Shoalhaven Youth Graduated Licensing Scheme (GLS)
3. \$4200 for Shoalhaven Free Cuppa for the Driver Fatigue program
4. \$200 for Motorcycle Safety- Motorcycle Awareness Week
5. \$500 for the Safety around Schools Forum
6. \$5000 for Bike Week
7. Slow Down / Hold my Hand / There's Kids Around Pedestrian safety - Little Blue Dinosaur campaign (no funds required)
8. Speed Monitoring on Local Roads (paid directly by RMS).
9. Breath Testing at Local Events (paid directly by RMS).
10. 65 + Older Drivers Presentations (paid directly by RMS).
11. U turn the Wheel youth program (paid directly by Rotary).

**CARRIED**

**SA18.222 Bolong Road / Back Forest Road - Unsuitable Material****HPERM Ref:  
D18/302406****Recommendation (Item to be determined under delegated authority)**

That Council notes in respect to the works on Bolong Road:

1. That the removal of unsuitable material is required at the Bolong Road shoulder widening/safety improvement works 400m east of Broughton Creek;
2. The value of this work is estimated to be \$359,678.40 (GST exclusive);
3. It will be managed as a variation under the terms of the contract with Select Civil Pty Ltd;
4. Funding for this additional work is being sought from external sources.

**RESOLVED** (Clr Findley / Clr White)

MIN18.714

That Council notes in respect to the works on Bolong Road:

1. That the removal of unsuitable material is required at the Bolong Road shoulder widening/safety improvement works 400m east of Broughton Creek;
2. The value of this work is estimated to be \$359,678.40 (GST exclusive);
3. It will be managed as a variation under the terms of the contract with Select Civil Pty Ltd;
4. Funding for this additional work is being sought from external sources.

CARRIED

**SA18.223 New Shoalhaven Bridge - Nowra****HPERM REF:  
D18/305160**

Item dealt with earlier in the meeting see MIN18.704.

**SA18.224 Crown Land Management Act 2016****HPERM Ref:  
D18/305448****Recommendation (Item to be determined under delegated authority)**

That the General Manager be authorised to make submissions to the Minister responsible for administration of the Crown Lands Management Act 2016 in relation to (a) the classification of specific Crown reserves as operational land, (b) the categorisation of specific Crown reserves which have been classified as community land, and (c) proposed changes of reserve purpose(s).

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

MIN18.715

That the General Manager be authorised to make submissions to the Minister responsible for administration of the Crown Lands Management Act 2016 in relation to (a) the classification of specific Crown reserves as operational land, (b) the categorisation of specific Crown reserves which have been classified as community land, and (c) proposed changes of reserve purpose(s).

CARRIED

**SA18.225 Classification of Land - Lot 137 DP 1236274 - Vendetta St Nowra**

**HPERM Ref:  
D18/298418**

**Recommendation**

That Council resolve to classify the land described as Lot 137 DP 1236274 Vendetta Street Nowra, as Operational Land.

**RECOMMENDATION** (Clr Gash / Clr Wells)

That Council resolve to classify the land described as Lot 137 DP 1236274 Vendetta Street Nowra, as Operational Land.

CARRIED

**SA18.226 Proposed Licence to Berry Riding Club Inc**

**HPERM Ref:  
D18/260965**

**Recommendation**

That Council resolves to:

1. Enter into a 5 year licence agreement over Lot 6 DP 1188080 at Schofields Lane Berry with a 5 year option period with Berry Riding Club Incorporated commencing at an annual rent of \$10,702.84 + GST with annual CPI increases.
2. Approve the allocation of rent received under the licence agreement into the Property Reserve Restricted Asset Account.
3. 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 be authorised to sign any documentation necessary to give effect to this resolution.

**RECOMMENDATION** (Clr Wells / Clr Pakes)

That Council resolves to:

1. Enter into a 5 year licence agreement over Lot 6 DP 1188080 at Schofields Lane Berry with a 5 year option period with Berry Riding Club Incorporated commencing at an annual rent of \$3,000.00 + GST with annual CPI increases as offered by Berry Riding Club.
2. Approve the allocation of rent received under the licence agreement into the Property Reserve Restricted Asset Account.
3. 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 be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA18.227 Rent Waivers for Leases and/or Licences - Council Owned or Managed Buildings/Property**

**HPERM Ref:  
D18/305852**

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

That Council:

1. Notes that no rental fees have been waived since September 2015;
2. Resolves to rescind MIN15.597C which required submission of a quarterly report on rent waivers; and

3. Undertakes to report annually as Council has not waived any rental fees since the recommendation of MIN15.597C in September 2015.

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

MIN18.716

That Council:

1. Notes that no rental fees have been waived since September 2015;
2. Resolves to rescind MIN15.597C which required submission of a quarterly report on rent waivers; and
3. Undertakes to report annually as Council has not waived any rental fees since the recommendation of MIN15.597C in September 2015.

CARRIED

**SA18.228 Holiday Haven Tourist Parks - End of Year Report**

**HPERM Ref:  
D18/190107**

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

The Holiday Haven Tourist Parks – End of Year Report be received for information with Council noting the following highlights;

1. Tourist park income is up 4.5% on last year and exceeded total budgeted income by 1%
2. Overall expenses were up on the previous year by 6.4% and up on budget by 2.1%.
3. Holiday Haven consolidated park occupancy increased 2.2% on 16/17.
4. Holiday Haven net operating result for FY 17/18 was 2.4% below budget and 1.5% above 16/17 results.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN18.717

That

1. The Holiday Haven Tourist Parks – End of Year Report be received for information with Council noting the following highlights;
  - a. Tourist park income is up 4.5% on last year and exceeded total budgeted income by 1%
  - b. Overall expenses were up on the previous year by 6.4% and up on budget by 2.1%.
  - c. Holiday Haven consolidated park occupancy increased 2.2% on 16/17.
  - d. Holiday Haven net operating result for FY 17/18 was 2.4% below budget and 1.5% above 16/17 results.
2. The 'Shoalhaven' name and/or logo be displayed on all Holiday Haven marketing and promotional materials.

CARRIED

**SA18.229 Proposed Residential Subdivision - Mundamia Urban  
Release Area - George Evans and Jonsson Roads  
Mundamia (SSD7169)**

**HPERM Ref:  
D18/202447**

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

That Council:

1. Provide 'in-principle' support to enter into a Voluntary Planning Agreement as per the draft consent issued by the NSW Department of Planning and Environment;
2. Upon determination of the application, by the NSW Department of Planning and Environment, process the draft Voluntary Planning Agreement as per legislative requirements (the draft VPA needs to be reported to Council and exhibited); and
3. Supports 'in principle' the request for financial contribution to the construction of traffic calming devices associated with this proposed subdivision including allocation of the necessary funds for contribution to the necessary traffic calming devices to that extent Council confirms its share (calculated to be \$135,979.26) will be payable upon completion of the works as requested by the applicant.

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

MIN18.718

That Council:

1. Provide 'in-principle' support to enter into a Voluntary Planning Agreement as per the draft consent issued by the NSW Department of Planning and Environment;
2. Upon determination of the application, by the NSW Department of Planning and Environment, process the draft Voluntary Planning Agreement as per legislative requirements (the draft VPA needs to be reported to Council and exhibited); and
3. Supports 'in principle' the request for financial contribution to the construction of traffic calming devices associated with this proposed subdivision including allocation of the necessary funds for contribution to the necessary traffic calming devices to that extent Council confirms its share (calculated to be \$135,979.26) will be payable upon completion of the works as requested by the applicant.

CARRIED

**SA18.230 Water Rebate Drought Affected Farmers**

**HPERM REF:  
D18/281564**

Item dealt with earlier in the meeting.

**Introduction of Items as Matters of Urgency**

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

MIN18.719

That the following addendum reports be introduced as matters of urgency:

1. SA18.231 Waste Expo Australia

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.



## ADDENDUM REPORTS

### SA18.231 Waste Expo Australia

HPERM Ref:  
D18/317870

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

That Council

1. Notes the details of the Waste Expo Australia scheduled for 3 and 4 October 2018 in Melbourne, Victoria.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

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

MIN18.720

That Council

1. Notes the details of the Waste Expo Australia scheduled for 3 and 4 October 2018 in Melbourne, Victoria.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

### Procedural Motion - Matters of Urgency

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

MIN18.721

That an additional item regarding DS18/1343 - 8 Admiralty Crescent, Huskisson be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent as it is intended for the agenda of a forthcoming Development Committee meeting.

### SA18.232 DS18/1343 - 8 Admiralty Crescent Huskisson

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

MIN18.722

That the matter of DS18/1343 - 8 Admiralty Crescent, Huskisson – be brought for consideration at a future Development Committee meeting due to the significant public interest in the development.

CARRIED

There being no further business, the meeting concluded, the time being 7.11.

Clr Wells  
CHAIRPERSON

## SA18.233 2018/2019 Conferences

**HPERM Ref:** D18/315189

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

### Purpose / Summary

To consider Councillor attendance at various conferences from November 2018 to October 2019.

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

That Council

1. Authorises available Councillors to attend the following conferences and such attendance be deemed Council Business.
  - a. 27<sup>th</sup> NSW Coastal Conference
  - b. 18<sup>th</sup> International Cities and Town Centres Conference
  - c. 2018 Global Eco Asia-Pacific Tourism Conference
  - d. 2019 Climate Leadership Conference
  - e. 2019 Australian Coastal Councils Conference
  - f. 2019 Australian Local Government Women's Association NSW State Conference
  - g. Waste 2019 Conference
  - h. 2019 OzWater Conference
  - i. 2019 National General Assembly of Local Government
  - j. 2019 LGNSW Water Management Conference
  - k. 2019 NSW Local Government Aboriginal Network Conference
  - l. 2019 LGNSW Annual Conference
2. Require that travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with Council Members – Payment of Expenses and Provision of Facilities Policy.
3. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.
4. The Ordinary Meeting in November 2018 be rescheduled from the 27 November to 20 November 2018, if there are several councillors wishing to attend the 2018 Global Eco Asia-Pacific Tourism Conference.

### Options

1. As per the recommendation. Additional information on conferences which is not available at the time of publication of the report will be provided to the Councillors.
2. That Council receive an individual report for each conference.

SA18.233

3. That Council not approve Councillor attendance at one or more of the listed Conferences as Council Business.

## Background

In order for Councillors' registration and associated expenses for attendance at Conferences outside the local government area to be covered by the [Council Members – Payment of Expenses and Provision of Facilities Policy](#), a resolution of the Council is required to determine the attendance as 'Council Business'.

In previous years a separate report has been written for Councillor attendance at each of the conferences listed in the recommendation. To reduce administration and inform Councillors of conferences available for attendance in advance it is proposed that Council authorise attendance at all of the following conferences in this one report. Additional reports will be provided to the Council when there is a need to appoint voting delegates and endorse motions from the Council for inclusion in the business paper of a conference.

The details of the Conferences available to the Council currently are as follows:

a. [27<sup>th</sup> NSW Coastal Conference](#)

Dates: 7-9 November 2018  
Location: Merimbula, NSW  
Costs of Registration: up to \$885

b. [18<sup>th</sup> International Cities and Town Centres Conference](#)

Dates: 14-16 November 2018  
Location: Fremantle, WA  
Costs of Registration: up to \$1300

c. [2018 Global Eco Asia-Pacific Tourism Conference](#)

Dates: 26-28 November 2018  
Location: Townsville, QLD  
Costs of Registration: up to \$1295

A number of Councillors have expressed a desire to attend this conference and it is recommended that the November Council meeting be bought forward to the 20 November 2018 to ensure a quorum is reached for the meeting.

d. [2019 Climate Leadership Conference](#)

Dates: Not known – last event was 15-16 March 2018  
Location: Not yet available  
Costs of Registration: Not yet available

e. [2019 Australian Coastal Councils Conference](#)

Dates: 6-8 March 2019  
Location: Kiama, NSW  
Costs of Registration: Not yet available

f. [2019 Australian Local Government Women's Association NSW State Conference](#)

Dates: 4-6 April 2019  
Location: Liverpool, NSW  
Costs of Registration: Not yet available

g. [Waste 2019 Conference](#)

SA18.233

- |                               |                    |
|-------------------------------|--------------------|
| <u>Dates:</u>                 | 14-16 May 2019     |
| <u>Location:</u>              | Coffs Harbour, NSW |
| <u>Costs of Registration:</u> | Not yet available  |
- h. [2019 OzWater Conference](#)
- |                               |                   |
|-------------------------------|-------------------|
| <u>Dates:</u>                 | 7-9 May 2019      |
| <u>Location:</u>              | Melbourne, VIC    |
| <u>Costs of Registration:</u> | Not yet available |
- i. [2019 National General Assembly of Local Government](#)
- |                               |   |
|-------------------------------|---|
| <u>Dates:</u>                 | Not available– last event was 17-20 June 2018 |
| <u>Location:</u>              | Canberra ACT                                  |
| <u>Costs of Registration:</u> | Not yet available                             |
- j. [2019 LGNSW Water Management Conference](#)
- |                               |   |
|-------------------------------|---|
| <u>Dates:</u>                 | Not Confirmed – August or early September 2019. |
| <u>Location:</u>              | Not yet available                               |
| <u>Costs of Registration:</u> | Not yet available                               |
- k. [2019 NSW Local Government Aboriginal Network Conference](#)
- |                               |  |
|-------------------------------|--|
| <u>Dates:</u>                 | Not available– last event was 12-14 September 2018 |
| <u>Location:</u>              | Not yet available                                  |
| <u>Costs of Registration:</u> | Not yet available                                  |
- l. [2019 LGNSW Annual Conference](#)
- |                               |   |
|-------------------------------|---|
| <u>Dates:</u>                 | Not available – 2018 Conference is 21-23 October. |
| <u>Location:</u>              | Not yet available                                 |
| <u>Costs of Registration:</u> | Not yet available                                 |

For those conferences where details of the Conferences were not available at the time of this report, Councillors will be advised by email of the specific details. Councillors will also be advised further in relation to the above conference as conference dates get closer.

It is acknowledged that the above list may not include all conferences which may be available in the upcoming year. Conferences additional to those listed above which warrant consideration of attendance by Councillors will be reported individually to the Council once their details are advertised.

### 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 these conferences.

The expenses relating to Councillors' attendance at conferences and other expenses are published annually on the Council's Website.

## SA18.234 Access Areas for Dogs Policy and Off-leash Dog Areas - Sussex Inlet District and Greenwell Point

**HPERM Ref:** D18/309379

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

**Attachments:** 1. Response from Greenwell Point Community Association [↓](#)

### Purpose / Summary

To report on the outcomes of the Sussex Inlet District investigation for a dog off-leash area as per MIN18.567 and seek further direction from Council; and provide further information in relation to dog off-leash areas in Greenwell Point as per MIN18.703.

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

That Council resolves to:

1. Bring forward the timing of the comprehensive review of the Access Areas for Dog Policy from 2020 to the first half of 2019.
2. Have the policy review undertaken in consultation with Ranger Services as the enforcement body, and the broader community, and consider the process for new off-leash dog areas including site criteria and fencing arrangements.
3. Seek quotations for the engagement of a suitably qualified and experienced consultant to facilitate the review, and a further report be presented to Council recommending a preferred consultant and an identified funding source.
4. Defer a decision in relation to an off-leash dog area in the Sussex Inlet District and at Greenwell Point, and signage, until the comprehensive review of the Access Areas for Dog Policy has been completed.

### Options

1. Adopt the recommendation.

Implications: Council have indicated that a comprehensive review of the Policy is required to address the various issues with the Policy. Given the limited resources currently available and the timing of the next review being 2020, engaging an external consultant will allow for the comprehensive review to be undertaken. Proceeding with the recommendation will require deferral of any decisions of the Sussex Inlet District and Greenwell Point, and new signage off-leash dog area until the comprehensive review is undertaken. Community consultation will be integrated as part of the policy review; this could provide an opportunity to consult with the relevant communities in relation to Sussex Inlet District and Greenwell Point.

2. Adopt an alternative recommendation.

Implications: Depending on the nature of the alternative recommendation, additional resources or budgets may be required to address any additional work.

SA18.234

3. Do not proceed with a review of the Access Areas for Dog Policy. Alternatively, undertake community consultation of potential sites for dog off-leash areas in Sussex Inlet District as per MIN18.567 and establish a trial fenced off-leash dog area in Greenwell Point.

Implications: If Council resolve to proceed with community consultation for Sussex Inlet District and Greenwell Point off-leash dog areas, Council will need to provide direction of a short list for Sussex Inlet District and confirm the location for the trial at Greenwell Point that acknowledges feedback received from the Community Consultative Body. Proceeding with community consultation for off-leash dog areas in Sussex Inlet District and Greenwell Point should not precede a comprehensive review of the Policy. The addition of off-leash dog areas in these localities could be considered as part of the Policy review and community consultation to be undertaken as part of the Policy review.

### **Background – Sussex Inlet District**

At the Ordinary Council meeting of 26 June 2018, a Notice of Motion was received in relation to the use of part of Cudmirrah Beach as an off-leash dog area. The resolution (MIN18.458) was as follows:

1. *Allocate appropriate human resources to implement a 12 month trial for designated dog areas on Cudmirrah beach only as follows:-*
  1. *Koolyn Drive Reserve to the north to “S4” sign on the beach as “24 hour off leash dogs area”*
  2. *Sussex Inlet Surf Club to the south to “S4” on the beach as ‘dogs on lead’.*
2. *Provide an appropriate on leash area for access to the trial area from the southern side in Koolyn Drive Reserve and the northern side adjacent to the Sussex Surf Club.*
3. *Provide a new “S4” sign on Cudmirrah beach, to replace the old sign. Additional dog signage also be provided at this location on the beach.*
4. *Provide the standard large dog information signs at Cudmirrah and Sussex Inlet Surf Club identifying the new dog area.*
5. *Receive a further report on the outcomes and community feedback following the trial.*
6. *Once the trial has been implemented, Ranger services undertake additional patrols in and around the Berrara Creek and Berrara beach area for dogs off leash.*

At the next Ordinary Council meeting on 31 July 2018, a rescission motion was received in relation to the previous Council resolution. The rescission motion was carried (MIN18.566) and a new Notice of Motion was received which put forward:

1. *Council undertake extensive community consultation including NPWS, Birdlife Shoalhaven, Shorebird volunteers, Office of Environment and Heritage and local dog owners in the Sussex Inlet, Swan Lake and Berrara communities to establish a fenced dog exercise park that allows for dogs to exercise off leash.*
2. *Sites to be considered include Thompson Street Recreational Area as it is within a residential area and therefore within walking distance for many residents.*
3. *The community consultation also consider the future of Swan Lake Beach as a dog off leash area.*

It was resolved (MIN18.567) that:

1. *A Councillor briefing be held on possible sites in the Sussex Inlet area, which may be suitable for an authorised “dog off leash” location to be established.*

2. *Following the briefing extensive community consultation be undertaken on the short listed sites and a report be provided to Council with a view to making a decision in November 2018.*

In accordance with Part 1 of the above minute, Council staff briefed the Councillors on 30 August 2018 in relation to potential sites in the Sussex Inlet District for an off-leash dog area. At the Councillor Briefing, a number of issues were raised in relation to dog off-leash area, Council's Policy generally and the implementation of off-leash dog areas.

### **Site Investigation – Sussex Inlet District**

A review of the Council owned and managed lands was undertaken in Sussex Inlet, Cudmirrah, Swanhaven and Berrara to identify potential dog off-leash areas. This process identified a total of 101 lots that are Council owned or managed, and six (6) coastal / beach areas including Sussex Inlet Canal, Cudmirrah Beach, Swan Lake / Ski Beach, Bherwerre Beach, Kirby's Beach and Berrara Creek / Beach. It was noted that within the Sussex Inlet District, Ski Beach on Swan Lake is an existing timed off-leash dog area.

As part of the investigation, sites were considered in terms of accessibility / site limitations, existing assets, safety and environmental constraints. The site investigation resulted in the identification of five (5) potential sites. However, it was noted that there would be issues in terms of establishing a dog off-leash area at each of the sites. The site options are:

1. Part of Finkernagel Reserve,
2. Part of Thomson Street Reserve,
3. Lakehaven Drive (Bowling Club) Reserve,
4. Third Avenue Reserve,
5. Part of Jacob Elmoos Reserve (off Thora Street).

During the Councillor Briefing on 30 August 2018, Councillors noted that each of the sites were complex and had the potential to be controversial, particularly Finkernagel Oval, Thomson Street Reserve and Third Avenue Reserve, including but not limited to their existing use and adjacent sensitive residential land uses. Acknowledging the issues with the various sites, Lakehaven Drive (Bowling Club) Reserve was considered to be the most suitable for a potential off-leash dog area.

### **Background - Greenwell Point**

Since the Councillor Briefing on the Sussex Inlet District Investigation, a Notice of Motion was considered by Council's Strategy and Assets Committee on 18 September 2018 in relation to dogs on-leash and off-leash in Greenwell Point. The resolution (MIN18.703) of the Committee was that Council:

1. *Reaffirms its dog on leash policy. Council does not support the establishment of dog off leash areas in the following locations:*
  - a. *Anzac Reserve (Greenwell Point)*
  - b. *Foreshore Reserve (Greenwell Point)*
  - c. *Adelaide Street Boat ramp (Greenwell Point)*
  - d. *Adelaide Street Reserve (Greenwell Point)*
2. *Undertake a trial of new signage printed on pathways.*
3. *Defer the consideration of a fenced dog off leash area for the community of Greenwell Point to the October Strategy & Assets Committee meeting to allow time to consult with the Community Consultative Body and its Sub-committee.*



In implementing a trial of new signage printed on pathways Council must identify a suitable location. The General Manager's note to the Notice of Motion had indicated that provision of printed signage on pathways requires further exploration in terms of location for establishment and durability of such signage. Where paved pathways (either asphalt/bitumen or concrete) exist in dog on-leash areas, provision of printed signs is possible, however this on-ground signage cannot be established on gravel, grass or other terrain.

In addition, durability of printed pathway signage in some locations may be limited due to environmental constraints or high traffic. Further consideration is required with respect to the area where such printed signage is to be implemented, i.e. in transition zones between on-leash and off-leash dog areas. It is recommended that any decision in relation to new signage on pathways or otherwise be deferred until a comprehensive review is completed.

In relation to the above minute, Council staff wrote to the Greenwell Point Community Consultative Body (CCB), Greenwell Point Community Association (GPCA). A response was received from GPCA on 9 October and is provided at **Attachment 1**. The response from GPCA indicates the following:

2. Following the community survey, West Street is seen as the most appropriate location for an off-leash dog area.
3. GPCA have provided doggy-bag dispenser stations in Anzac Park and Crookhaven Drive to reduce undisposed animal excrement, however these do not seem to stop the ongoing situation of dog owners not picking up after their dogs.
4. Offer the following suggestions:
  - a. Additional ranger patrols in Greenwell Point, during the week and weekends.
  - b. Dog owners be fined without warning if caught with a dog off a leash (no second chances).
  - c. Dog owners be fined if they do not have a doggy-bag on them, if questioned by a Ranger.
  - d. Improved signage at our Parks stating what the fines are.
  - e. Signage on pathways for dog on Leash owners to follow.
5. GPCA looks forward to discussing the logistics of a fenced off-leash dog area at the West Street park area with Council.

## **Community Engagement**

### *Sussex Inlet District Investigation*

Part 2 of the resolution of Council from 28 July 2018 (MIN18.567) requires extensive community consultation be undertaken on a shortlist of sites for potential off-leash dog areas in Sussex Inlet District. This report is seeking direction on the shortlist of potential sites so that Council staff are able to proceed with actioning this part of the minute.

### *Greenwell Point Investigation*

Part 3 of the resolution of Council from 18 September 2018 (MIN18.703) required consultation with the GPCA and its sub-Committee prior to making any decision of a fenced dog off-leash area for Greenwell Point.

Since the Strategy and Assets meeting, Council staff wrote to the GPCA and sub-committee requesting their feedback on the matter for Council's consideration. The feedback provided is detailed in this report. It should be noted that the feedback received from the GPCA, does not necessarily reflect the views of the whole community. Subject to Council's decision in respect to the recommendation of this report, the response received from GPCA should be considered as part of the comprehensive review of the Policy.

## Policy Implications

Council's Policy, Access Areas for Dogs, was last reviewed in 2017 with the next review due in 2020. The investigation of potential sites for off-leash dog areas in Sussex Inlet District was undertaken outside of the review process of the Policy.

At the Councillor Briefing on 30 August 2018, Councillors indicated that the timing for the next review of the Policy was not suitable. It was suggested that due to resourcing issues, an external consultant could undertake a review of the Policy. Acknowledging the inclination to review the policy immediately, it is recommended that the review period be brought forward to early 2019.

In moving forward, Council could consider doing bi-annual reviews to the Policy to address issues which arise mid-operational period.

## Financial Implications

### *Policy review*

At the Councillor Briefing, two directions were suggested, including:

1. Undertaking a full review of the Access Areas for Dogs Policy subject to a detailed workshop with the Councillors; and
2. In the interim of any Policy review, establishing a position to fence all new dog off-leash areas.

Depending on the direction of Council, the options available will require the allocation of a budget provision to facilitate a Policy review at this time. There is also no budget allocation for the installation of fencing. A previous report to Council's Strategy and Assets Committee in July 2016 indicates that a full policy review would cost in the order of up to \$120,000.

It is also noted that the extensive community consultation required by MIN18.567 has not been separately resourced or budgeted for at this stage.

### *Signage Trial and Fenced Off-leash Dog Areas*

At the Strategy and Assets Committee meeting on 18 September 2018, Council considered a Notice of Motion in relation to a fenced off-leash dog area at Greenwell Point and undertaking a trial of new signage printed on pathways. Provision of signage on pathways will require a budget of approximately \$5,000 for graphic design, sign printing (stencil) and delivery for at least two printed signs. Fencing is expected to cost up to \$20,000, depending on the ultimate size of the area. As per the recommendation, it is suggested that these matters should be considered subsequent to a comprehensive policy review.



## Greenwell Point Community Association

PO Box 68, Greenwell Point, NSW 2540

ABN 84 102 326 427  
greenwellpoint@gmail.com  
www.greenwellpoint.info

Greenwell Point Community Association (GPCA)

Councils Reference: 3220E (D18/331849)

By email only: Jessica.volkovski@shoalhaven.nsw.gov.au

Dear Shoalhaven City Council.

Thank you for sending the **Resolved Notice of Motion Re Dogs on Leash Adelaide Street Reserve Greenwell Point.**

As you are now aware, the GPCA have been reviewing and collecting Data for this proposal for the past few months via our Subcommittee. (**Dog Off Leash Subcommittee**). This proposal was to look at where the best area or areas would be for having dogs off leash at Greenwell Point.

It would have been helpful had council members consulted with the GPCA before placing a motion before council without looking at our survey results and considered views.

The GPCA set up this **Dog Off Leash Subcommittee** with local people that door-knocked and set in place a questionnaire on the back of volume 137 of the Greenwell Point Gazette (a copy of which Council received). This questionnaire was for the community to give their opinions as to what they think about such a proposal. There were a variety of questions, some most relevant to the need of the community re this proposal are listed below.

I have listed below the answers to Questions most relevant. We had 115 returned Survey forms. There are approximately 570 residences in the village.

**Question 1**      **How do you feel about having a designated Dog off-leash area;**

**Answers**      **81** Great Idea    **32** would you use it    **8** Don't care    **26** Strongly object.

**Question 5**      **What are your Preferences for Off-Leashed area.**

**Answers**      **73** Wanted Fenced      **29** Wanted Unfenced.

**Question 6**      **What are your Preferences for the proposed off-Leash areas.**

**Answers**      Anzac Park      West Street      Gordon Ravell Oval      Crookhaven Drive.

First Choice      **33**      **46**      **18**      **10**

The GPCA agrees with the policy of council as stated in the **Advice of Council Decision** at the Council's Strategy and assets meeting on 18th September 2018.

It has always been the aim of the GPCA to work closely with Council to obtain a dog off Leash area located in Greenwell Point.

The numbers we have from the community and Council's position re a Dog Off Leash area are pointing to West Street in Greenwell Point as being the most appropriate place.

A couple of years ago the GPCA placed dog poo-bag dispenser stations in Anzac Park and Crookhaven drive to try and reduce the dog poo situation in our parks and streets, but it seems that people will let their dogs do their business anywhere and not pick up after them. The GPCA pay for poo bags at these stations, but we do not seem to be stopping the ongoing situation of dogs leaving us their poo.

We would hope that a dog off leash area should help keep the dog poo in one area and thus reduce it being spread more widely.

The GPCA would like to add some extra suggestions:

- a) Extra Rangers to come out to Greenwell Point. (Weekends as well as through the week).
- b) Fine dog owners without warning if caught with a dog off a leash. (No second chances).
- c) Fine dog owners if they do not have a doggie poo bag on them, if questioned by a Ranger.
- d) Better Signage at our Parks stating what the fines are.
- e) Signage on pathways for dog on Leash owners to follow.

Dog owners that have their dogs on a leash seem to be the people that pick up after their dogs. Those that have their dogs off leash in our parks and streets seem to lose sight of their pet, and that is the most likely time that they poo, and the owner does not see that the dog has done its business. However, I have personally seen dog owners watch their dog do its business, even though there was a poo bag station at arm's length away. These owners just pretend that it's not their problem.

The GPCA looks forward to discussing with Council the logistics of having a fenced dog off leash area in Greenwell Point at the West Street park area.

Yours Sincerely

Grahame Ross

President GPCA

9 October 2018

Greenwell Point Gazette

Volume 137 - July 2018 p12

## August 2017 Dog-Off-Leash Zones Survey

(Please return by Monday 13th August so that responses can be collated for the next GPCA meeting on 16th August.)

There are 22 off-leash dog areas in The Shoalhaven but none approved in Greenwell Point. Designated off-leash areas must be approved by the Council and are subject to strict laws governing their use including dogs being under effective control of a responsible person at all times.

1. How do you feel about having a designated off-leash area or areas in Greenwell Point?

- It's a great idea ☐  
Yes, I would use an off-leash area / areas ☐  
I don't care ☐  
I strongly object ☐

2. Are you a dog owner?

Yes ☐ No ☐

3. How often do you walk your dogs?

Once a day ☐ More than once a day ☐ 1 - 2 times per week ☐ 3 - 4 times per week ☐

5. What are your preferences for off-leash areas?

Fenced ☐ Unfenced ☐ None ☐

6. What are your preferences for the proposed off-leash areas? (Please number 1 to 4 in order of preference)

- Anzac Park, Titania Park and Adelaide Street foreshore reserve before 8 AM / after 4PM with signed on-leash zones from the wharf to past the boat ramp ☐
- A fenced area at West Street Boat ramp overflow parking area ☐
- Gordon Ravell Oval when not being used for sporting events ☐
- Crookhaven Reserve ☐

7. Some general information about your residency of Greenwell Point:

Full-time? ☐ Part time? ☐ Visitor? ☐  
How long have you been a resident of Greenwell Point? \_\_\_\_\_ years

8. Additional comments:-----

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(Add extra sheets if required)

Please complete the survey and return it to GPCA, PO Box 68, Greenwell Point, NSW 2540, or by TXT or Email as per the list on page 2. Alternatively, put it in the box at Bryce's Butcher's shop.

SA18.234 - Attachment 1

**Survey Responses**

F = FORESHORE UNFENCED

W = WEST FENCED

G = Gordon Ravell Fenced

C= Crookhaven

Q1	Y	N	DON T CARE	OBJEC T	Q4	NON E	FENCE D	UNFENCE D	Q6	1ST PREFERENC E	
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2	1						1		C		2
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4	1							1	C		4
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6	1						1		C		6
7	1						1	1	C		7
8	1						1		C		8
9				1			1		C		9
10				1			1		C		10
11	1							1	F		1
12	1							1	F		2
13	1							1	F		3
14	1							1	F		4
15	1							1	F		5
16	1							1	F		6
17	1								F		7
18	1								F		8
19	1								F		9
20	1							1	F		10
21	1							1	F		11
22	1							1	F		12

23	1						1	F	13
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25	1						1	F	15
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27	1						1	F	17
28	1						1	F	18
29	1						1	F	19
30	1						1	F	20
31	1						1	F	21
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33	1						1	F	23
34	1						1	F	24
35	1						1	F	25
36	1					1		F	26
37	1				1			F	27
38	1				1			F	28
39	1						1	F	29
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41	1					1		F	31
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43		1				1		F	33
44	1					1		G	1
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50	1					1		G	7
51	1					1		G	8
52	1					1		G	9
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56	1					1	G	13
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58						1	G	15
59			1			1	G	16
60			1			1	G	17
61		1				1	G	18
62	1					1	W	1
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64	1					1	W	3
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66	1					1	W	5
67	1					1	W	6
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69	1					1	W	8
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91				1		1		W	30
92				1		1		W	31
93				1		1		W	32
94				1		1		W	33
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97				1		1		W	36
98				1		1		W	37
99				1		1		W	38
100				1		1		W	39
101				1		1		W	40
102			1			1		W	41
103			1			1		W	42
104			1			1		W	43
105			1			1		W	44
106			1			1		W	45
107			1			1		W	46
108	1					1			
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	81	0	8	26	9	73	29			
			115							

## **SA18.235 Installation of Bollards - Marine Vegetation Protection - Jacob Ellmoos Reserve, Sussex Inlet**

**HPERM Ref:** D18/326935

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

**Attachments:** 1. Saltmarsh Brochure - DPI Fisheries [↓](#)  
2. Permit to Harm - Jacob Ellmoos Reserve - Sussex Inlet - DPI Fisheries  
[↓](#)

### **Purpose / Summary**

To report to Council prior to the installation of bollards and signage to demarcate and protect coastal Saltmarsh in Jacob Ellmoos Reserve, Sussex Inlet - in accordance with MIN18.475.

### **Recommendation**

That Council:

1. Install bollards and signage at Jacob Ellmoos Reserve, Sussex Inlet, to comply with NSW DPI Fisheries (Fisheries) issued Permit: PN18/22 in order to protect identified coastal Saltmarsh protected areas, aligning with the Fisheries recommended course of action.
2. Notify neighbouring residents of Council's Resolution prior to installation and provide Fisheries' brochure for their information.
3. Hold a workshop with relevant staff in 2019 to discuss potential Policy changes that may reflect Council's intent and outcomes expected when decisions are made on bollard placement within reserves and Parks.

### **Options**

1. Install bollard barriers to protect identified Saltmarsh areas at Jacob Ellmoos Reserve to comply with NSW DPI Fisheries (Fisheries) issued Permit: PN18/22 in order to protect identified coastal Saltmarsh protected areas – this is the Fisheries recommended course of action. Notify neighbouring residents of Council's Resolution prior to installation and provide Fisheries' brochure for their information.

Implications: Bollard barriers will be installed at the foreshore reserve. Effective protection of Saltmarsh communities in compliance with Fisheries Permit. Clear demarcation of protected areas for Council mowing staff will reduce potential for penalties. Potential opposition from residents.

2. Install Fisheries signage at key entry points to the area.

Implications: Education of local community regarding legislation and penalties associated with protected areas of Saltmarsh.

3. Install continuous fencing around protected Saltmarsh areas. Install Fisheries signage at close intervals along fencing.

SA18.235

Implications: Additional infrastructure at coastal reserves. May incur additional cost – no quotes sought by staff at this time. Unsightly infrastructure, and likely strong community opposition. Clear demarcation of protected areas for Council mowing staff will reduce potential for penalties.

4. Do not install barriers around protected Saltmarsh areas. Install Fisheries supplied signage at entry points to reserve.

Implications: Saltmarsh areas remain vulnerable to continued harm. Thorough training and awareness required for all relevant Council staff to not mow in protected areas. Failure to protect Saltmarsh areas leaves Council liable to penalties from Fisheries if protected areas are damaged. Members of the public may be more likely to incur penalties due to being unaware of protected areas.

## Background

This Report is to advise Council of the proposed installation of bollards at Jacob Ellmoos Reserve, Sussex Inlet, in accordance with the Resolution from Council's Ordinary Meeting of 26 June 2018, MIN18.475:

*That:*

3. *Prior to bollards being installed in foreshore reserves, a report be provided to Council on their location.*

Installation is proposed due to the requirement under the Fisheries Management Act 1994 No 38 Part 7, that Council ensures the protection of marine vegetation on foreshore reserves. The applicable Section of the Act is as follows:

### **Fisheries Management Act 1994 No 38**

#### **Part 7 Protection of aquatic habitats**

#### **Division 4 Protection of mangroves and certain other marine vegetation**

#### **204 Application and interpretation**

- (2) In this Division:

***Foreshore*** means any land adjacent to public water land, or adjacent to an area that is the subject of an aquaculture lease, that is below the highest astronomical tide level of the waters by which the land or area is submerged.

***Harm*** has the same meaning it has in Part 7A.

***marine vegetation*** means marine vegetation, whether living or dead.

***protected area*** means any public water land, or any area that is the subject of an aquaculture lease, and includes:

- (a) that part of the foreshore of any public water land or area that is the subject of an aquaculture lease that is below the mean high water mark of the waters by which the land or area is submerged, and
- (b) any other part of the foreshore of any public water land or area that is the subject of an aquaculture lease that is declared by the Minister, by order published in the Gazette, to be a protected area.

#### **205 Marine vegetation—regulation of harm**

- (1) This section applies to:

- (a) mangroves, or

- (b) seagrasses, or
  - (c) any other marine vegetation declared by the regulations to be marine vegetation to which this section applies,
- but does not apply to protected marine vegetation under section 204A.
- (2) A person must not harm any such marine vegetation in a protected area, except under the authority of a permit issued by the Minister under this Part.
- Maximum penalty: In the case of a corporation, 2,000 penalty units or, in any other case, 1,000 penalty units.

The current rate of “penalty units” is \$110 per unit, resulting in penalties of up to \$220,000 for corporations and \$110,000 in any other case.

### *Saltmarsh Flora and Fauna*

The foreshores of Sussex Inlet are a major asset to the community and visitors to the area. Coastal Saltmarsh is a low growing intertidal community of plants providing habitat and food for marine and land animals. Saltmarsh communities can be found growing in patches inundated by the highest astronomical tides (spring tides) along the foreshore reserve.

Saltmarsh performs a pivotal role in the conservation of fish stocks. It provides habitat, shelter and food and is a key component in the life cycle of species such as Yellowfin Bream, Mullet, Garfish, Sand Whiting, and Prawns. Saltmarsh protects the fragile ecological zone between the marine environment and the land and ensures the Sussex Inlet waterways stay healthy and productive.

Due to historical loss and continuing threats to Saltmarsh areas, along with the recognition of its importance in maintaining healthy estuaries and fish stocks, Saltmarsh has been classified as an ‘Endangered Ecological Community’. It is protected under:

- the NSW Fisheries Management Act 1994,
- the NSW Threatened Species Conservation Act, and
- the Federal Environment Protection and Biodiversity Conservation Act.

This means that Council is obliged to protect areas of Saltmarsh within public reserves to assist in regeneration of the communities. The Department of Primary Industries, Fisheries regulates compliance with this legislation.

### *Mowing*

Historical practice at the reserve has included the mowing of large areas of Saltmarsh by both Council staff and local residents who have at times undertaken mowing without Council permission.

Upon advice from Fisheries in 2017, Council staff ceased mowing activities at the reserve. Staff received complaints from members of the public that the mowing had not been maintained.

In response to community requests, Council contacted the Fisheries to request permission to continue to mow the reserve. Staff have been liaising with Fisheries staff to assess the condition of the Saltmarsh in the reserve and identify areas suitable for regeneration, along with areas where Council can continue to mow.

Council has now been issued with Permit PN18/22 from Fisheries (attached). The Permit gives permission to mow certain areas of the reserve and specifies other areas within which Council is now required to cease mowing to ensure the protection of the Saltmarsh plant communities.

Due to the historical practice of mowing the reserve, it is anticipated that there may be some continued opposition to the initiative by members of the public, and it is likely that some local residents may undertake mowing in the protected areas.

In order to meet Council's obligation to protect the vegetation, it is proposed that protected areas are clearly designated and signposted for the information of the public. This will ensure that:

- members of the public are alerted to the legislative requirements and penalties that apply,
- Council has done everything it can to protect the public from incurring penalties due to people being unaware of the legislation and the manner in which it applies to the reserve,
- clear demarcation of protected areas for Council mowing staff will reduce potential for penalties,
- Saltmarsh areas are protected.

It is proposed that protected areas within the reserve be identified with spaced bollards and 3 Fisheries-supplied signs be located at key points to the area. This signage warns of the penalties applicable to individual members of the public.



Council will cease mowing the protected areas. Sixty six (66) individual bollards with chamfered top edge (1,200mm x 150mm x 100mm treated pine), will be concreted 600mm in the ground. The above-ground height will be 600mm and the bollards will be spaced at four (4) metre intervals surrounding the designated coastal Saltmarsh protected areas.

### *Views and Environment*

Council recognises the importance of community access and views to Sussex Inlet, and has considered these in liaison with Fisheries, when identifying Saltmarsh areas to be protected. Saltmarsh is a predominantly low growing community, the largest rushes reaching less than 1m in height.

A brochure will be provided to neighbouring residents that provides detailed information regarding the Saltmarsh (attached). This brochure illustrates that mature, protected Saltmarsh is an attractive foliage, providing numerous benefits for seaside environments.

Council has committed to the regular removal of any Casuarina (She-Oak) saplings that may sprout within the area protected by the bollards, along with the maintenance of existing access tracks to the Inlet. This will ensure that the height of the regenerating foliage stays low.

Mowing and maintenance of the reserve and Saltmarsh areas can only be undertaken by Council. It is proposed that Council display signage to inform residents that it is an offence under the Fisheries Management Act 1994 to cause harm to Saltmarsh or any other marine vegetation without a permit.

### **Community Engagement**

Due to the extended time since initial advice to residents was issued, staff propose to send further notification to residents on when the installation is scheduled. The attached brochure will be included.

The advice will also be sent to the Community Consultative Body, Sussex Inlet and District Community Forum, and signage as above will be erected in the reserve.

### **Policy Implications**

Council will meet legislative requirements.

### **Financial Implications**

Council has obtained a quote to install 66 individual bollards, at \$5,227.20 (GST Incl), and signage to be installed by staff, quoted at \$270. The works can be funded from Council's Minor Improvements Budget.

#### *Breach of Permit:*

Maximum penalty for breach of Permit by Council staff is 1,000 penalty units. The current rate of "penalty units" is \$110 per unit, resulting in penalties of up to \$110,000.

### **Risk Implications**

Failure to implement PN18/22 may result in loss of habitat for native flora and fauna.

Financial implications may be applied to Council if Fisheries deem that a breach of Permit has occurred.

## What is Coastal Saltmarsh?



Coastal Saltmarsh is the name given to a particular group of plants that grow together on the tidal flats and edges of estuaries and **Intermittently Closed and Open Lakes or Lagoons (ICOLLS)**.

It's made up of salt-tolerant, grasses, sedges and succulent herbs.

## For more information

To become a Bushcare volunteer, and contribute to protecting our unique environment, contact the Shoalhaven Bushcare Coordinator, [bushcare@shoalhaven.nsw.gov.au](mailto:bushcare@shoalhaven.nsw.gov.au) or 4429 3592 or visit [www.shoalhaven.nsw.gov.au/environment/bushcare](http://www.shoalhaven.nsw.gov.au/environment/bushcare)



**Local Land  
Services**  
South East

This brochure was produced and printed with funding from South East Local Land Services and support from the Australian Government.



Bridge Road, Nowra NSW 2541  
P: (02) 4429 3111 | [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

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



ENVIRONMENTAL SERVICES

## Protecting our Coastal Saltmarshes



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

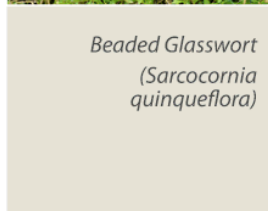


## Identifying Coastal Saltmarsh

Some common plants found in Coastal Saltmarsh communities:



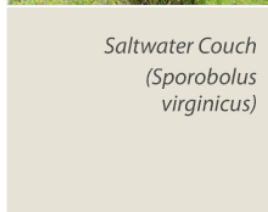
Creeping Brookweed  
(*Samolus repens*)



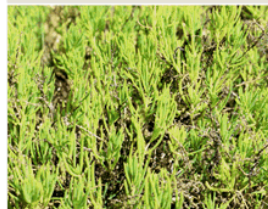
Beaded Glasswort  
(*Sarcocornia quinqueflora*)



Sea Rush  
(*Juncus kraussii*)



Saltwater Couch  
(*Sporobolus virginicus*)



Austral Seablite  
(*Suaeda australis*)

## Why is Coastal Saltmarsh important?

- It protects water quality because it acts as a filter for urban runoff. This reduces the amount of nutrients and sediment entering lakes and rivers.
- It protects foreshores from erosion by trapping and binding sediments. This also assists in the process of land building.
- It's an important food source for juvenile fish, crustaceans, birds and bats.
- It provides habitat for marine and terrestrial organisms, which are themselves endangered and protected.

Coastal Saltmarsh is an Endangered Ecological Community and is protected by NSW legislation.

## Threats to Coastal Saltmarsh

In the past Coastal Saltmarsh was extensively filled in for development.

Current threats include damage by vehicles, mowing, dumping of rubbish and garden waste, weed invasion, boating activities, building jetties, trampling and grazing by domestic animals.

## How you can help

- Do not mow or walk on Coastal Saltmarsh
- Do not drive on Coastal Saltmarsh
- Only use designated boat ramps, walking tracks and lake / river access points
- Keep dogs on leash
- Do not dump garden waste
- Join a local Bushcare Group to learn more and help protect local vegetation.

## What is Council doing to protect Coastal Saltmarsh?

Shoalhaven City Council protects Saltmarsh through

- Installing vehicle barriers such as the one below at Lake Wollumboola



- Establishing 'no mow' zones
- Installing educational signage such as the one below at Burrill Lake



- Supporting the Bushcare program, in which volunteers restore and protect all kinds of vegetation in natural areas, including Coastal Saltmarsh
- Implementing Council's Foreshore Policy and Natural Areas Plan of Management, which include the protection of endangered plant communities such as Coastal Saltmarsh.
- Resourcing Ranger patrols at sensitive locations

Department of  
Primary Industries

30 January 2018

Beth Britton  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Dear Ms Britton,

**RE: Permit: PN18/22 – to harm marine vegetation associated with mowing of authorised foreshore area at Jacob Elmoos Reserve, Sussex Inlet, within and adjacent to Lot 7023 DP1057156**

I refer to your application received on 19 December 2017 for a permit under Part 7 of the *Fisheries Management Act 1994* (FM Act). DPI Fisheries, a division of NSW Department of Primary Industries, assesses applications to harm marine vegetation in accordance with Part 7 of the FM Act, Part 14 of the *Fisheries Management (General) Regulation 2010* and the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.

This application attracts a fee of \$348.00. The fee comprises \$174.00 application fee plus \$174.00 for the first three hours of assessment. An invoice for \$348.00 has been raised and will be posted separately.

The environmental assessment has been completed and it has been determined that a permit can be issued. The permit is attached.

Please carefully read and note the conditions included in the permit. **If you agree that all the conditions are reasonable, appropriate and achievable, you must sign and date the attached form (Acceptance of Conditions) and return it to the Departmental Contact Officer as soon as possible. If you believe that you cannot comply with all the Conditions then you must not commence work.** Instead, you should contact the Contact Officer listed on the first page of the permit so that your concerns can be considered.

If you intend to have the work undertaken by a contractor, please ensure that the contractor receives a full copy of the permit and understands the importance of abiding by the conditions. As the permit holder, you are responsible for ensuring compliance with all conditions therein and with any other relevant legislative obligations. **Breaching a condition of a permit can incur an on-the-spot penalty notice of \$500 or up to \$11,000 through the courts in accordance with clause 259 of the *Fisheries Management (General) Regulation 2010*.**

The extent of work is to be restricted to that outlined in the application and plans submitted to the Department. **If for any reason, other works are required, or the works need to be extended to other areas, you must seek specific approval beforehand.** DPI Fisheries will require a justification for these variations and may charge additional assessment fees as outlined in the permit application. Similarly **please note the expiry date** on the permit. If the works are not completed by the expiry date you will need to obtain an extension. **Requests for an extension after the expiry date will incur the \$174.00 permit application fee. Requests for an extension before the expiry date will not incur an application fee.**

If you have any queries please call Jillian Reynolds on (02) 4428 3406.

Yours sincerely,



**Allan Lugg**  
**Senior Fisheries Manager – Aquatic Ecosystems, South**  
Authorised delegate of the Minister for Primary Industries

cc: Glenn Staples, District Fisheries Officer, Shoalhaven Fisheries Office

cc: Emma Corfield, Senior Fisheries Manager, Illawarra

SA18.235 - Attachment 2



## Department of Primary Industries

### Permit under Part 7 of the **FISHERIES MANAGEMENT ACT 1994**

<b>Permit Number:</b>	PN18/22
<b>Permit Holder:</b>	Shoalhaven City Council PO Box 42 NOWRA NSW 2541 RESPONSIBLE PERSON: Social Infrastructure Officer Ph (02) 4429 3463
<b>Permit Area:</b>	Jacob Ellmoos Reserve – River Road, Sussex Inlet, within and adjacent to Lot 7023 DP1057156 – See Figure 1
<b>Permit Activity:</b>	to harm marine vegetation in association with or in relation to mowing of authorised foreshore area
<b>Departmental Contact Officer:</b>	Jillian Reynolds Ph: (02) 4428 3406 Email : jillian.reynolds@dpi.nsw.gov.au
<b>District Fisheries Officer:</b>	Glenn Staples Ph: (02) 4428 3404 Email: glenn.staples@dpi.nsw.gov.au
<b>Expiry Date:</b>	Unless cancelled or suspended sooner, this permit shall remain in force until 31 January 2023

This permit is subject to the following Conditions:

#### ADMINISTRATIVE CONDITIONS

- 1) The **Acceptance of Conditions** form (attached) must be completed and returned to the Officers listed at the bottom of the form before commencing any works authorised by this permit.  
*Reason – To remove any doubt that the Permit Holder understands and accepts the Conditions before work commences.*
- 2) This permit (or a true copy) must be carried by the permit holder or sub-contractor operating on-site at all times during work activity in the permit area.  
*Reason – DPI Fisheries staff may wish to check compliance of works with imposed conditions.*

#### NATURE AND EXTENT OF WORKS

- 3) The permit holder must ensure that all works associated with this permit are restricted to the permit area and are undertaken in a manner consistent with those described in the application made to the Department of Primary Industries dated 13 November 2017 and the attached diagrams. In particular, harm to marine vegetation (saltmarsh) is only to occur within the agreed mowing and vegetation maintenance areas of the reserve. Mowing is not to occur in areas shaded in green in the attached Figure 2 diagram.  
*Reason – This permit has been granted following an assessment of the potential impacts of the described works upon the aquatic and neighbouring environments. Other works, which were not described in the application have not been assessed and may have significant adverse impacts.*
- 4) This permit (or a true copy) including the attached Figures 1 and 2 must be provided by the permit holder to all Council staff or sub-contractors prior to them undertaking any

activity authorised by this permit within the permit area.

*Reason – To ensure that all individuals undertaking activities authorised by this permit understand and adhere to the conditions of the permit.*

#### AVOIDING HARM TO MARINE AND RIPARIAN VEGETATION

- 5) Harm to marine vegetation (saltmarsh) from mowing activities must only occur within the agreed areas of the reserve, as shown in orange shading in the attached Figure 2 diagram. Areas shaded in green are not to be mown. The areas in green are to be clearly delineated by Council, or appropriate education and information is to be provided to staff or sub-contractors undertaking the works.  
*Reason – To restrict and minimise harm to saltmarsh plants from ongoing mowing and vegetation maintenance activities.*
- 6) Mowing or trimming of saltmarsh or other vegetation in the reserve is only to be undertaken by Shoalhaven City Council staff or sub-contractors registered by Shoalhaven City Council.  
*Reason – To ensure that all individuals undertaking activities authorised by this permit understand and adhere to the conditions of the permit.*
- 7) In the areas of the Council reserve where mowing or trimming of saltmarsh or other vegetation is permitted, mowing or trimming must be undertaken to a height of no lower than 100mm.  
*Reason – To minimise harm to saltmarsh plants from ongoing mowing and vegetation maintenance activities.*
- 8) Mowing or trimming of saltmarsh or other vegetation in the reserve is not to be undertaken more than once per calendar month.  
*Reason – To minimise harm to saltmarsh plants from ongoing mowing and vegetation maintenance activities.*
- 9) Harm to saltmarsh, other marine vegetation, riparian vegetation or water land outside the work footprint approved under the authority of this permit is not permitted and any harm caused is to be documented and reported to the contact officer. Any harm caused is to be restored in accordance with directions provided by the contact officer.  
*Reason – To ensure that impacts on aquatic habitats and the riparian zone are minimised.*

#### FISH KILL CONTINGENCY

- 10) A visual inspection of the waterway for dead or distressed fish (indicated by fish gasping at the water surface, fish crowding in pools or at the creek's banks) is to be undertaken daily during the works. **Observations of dead or distressed fish are to be immediately reported to the Contact Officer by the Permit Holder.** In such a case all works are to cease until the issue is rectified and approval is given to proceed. If requested, the Permit Holder is to commit resources to the satisfaction of the Contact Officer for an effective fish rescue, if in the view of that officer, a fish kill event is imminent and likely to occur within or adjacent to the works area due to conditions associated with weather, water quality and other parameters.  
*Reason – DPI Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

#### IMPORTANT NOTE:

In the event of any inconsistency between the conditions of this approval and:

- the drawings / documents referred to above, the conditions of this approval prevail to the extent of the inconsistency;
- any Government publication referred to in this permit, the most recent document shall prevail to the extent of the inconsistency; and
- the proponent's mitigation measures outlined in the application, the conditions of this approval prevail to the extent of the inconsistency.



**STOP WORK ORDERS**

A Fisheries Officer or other appropriate delegate, who has reasonable cause to suspect that the conditions of this permit have not been complied with, **may order the work to stop immediately**. The order may be given to the permit holder or any person who informs the officer that they are acting in any capacity on behalf of the permit holder. Any damage caused to the habitat outside the specified permit area, or the carrying out of works not in accordance with the conditions specified in this permit and/or the application and that were accepted by the permit holder, could result in a breach of the *Fisheries Management Act 1994* or *Regulations*, and penalties of up to \$220,000 may apply. Orders may also be made requiring work to rectify any damage caused by unauthorised works. **Breaching a condition of a permit can incur an on-the-spot penalty notice of \$500 or up to \$11,000 through the courts pursuant to clause 259 of the *Fisheries Management (General) Regulation 2010*.**

Yours sincerely,



**Allan Lugg**  
**Senior Fisheries Manager – Aquatic Ecosystems, South**  
Authorised delegate of the Minister for Primary Industries

30 January 2018

cc: Glenn Staples, District Fisheries Officer, Shoalhaven Fisheries Office

cc: Emma Corfield, Senior Fisheries Manager, Illawarra, Senior Fisheries Officer – Illawarra

SA18.235 - Attachment 2





## Department of Primary Industries

Figure 2 - Mowing Areas where Harm to Marine Vegetation is permitted







## Department of Primary Industries

### Permit No. PN18/22 issued under Part 7 of the *Fisheries Management Act 1994*

PLEASE COMPLETE THIS PAGE AND RETURN TO DPI Fisheries

**To harm marine vegetation associated with mowing of authorised foreshore area at  
William Mulligan Reserve, Sussex Inlet, within and adjacent to Lot 7023 DP7156**

### Acceptance of Conditions Form

I the undersigned, acknowledge that I have read and understood and agree to comply with the conditions specified. I understand that penalties can be imposed for non compliance with conditions.

Responsible Officer's name: \_\_\_\_\_

Responsible Officer's signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Please ensure you have SIGNED this page and RETAINED a  
copy for your records before you email or fax it to:**

District Fisheries Officer, ShoalhavenShoalhaven Fisheries Office  
Email: glenn.staples@dpi.nsw.gov.au  
Fax: (02) 4441 8961

Departmental Contact Officer: Jillian Reynolds  
Email: jillian.reynolds@dpi.nsw.gov.au  
Fax No: (02) 4441 8961

## SA18.236 Establishment of Alcohol Prohibited Area - Huskisson Carnival

**HPERM Ref:** D18/330739

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

**Attachments:** 1. Audit Report - Huskisson Carnival (Confidential - under separate cover)

### Purpose / Summary

To consider a proposal to establish an Alcohol Prohibited Area for the duration of the Huskisson Carnival annually during December and January.

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

That Council establish an Alcohol Prohibited Area for the duration of Huskisson Carnival at Huskisson Oval annually during December and January.

### Options

1. As recommended.

Implications: Reduction of risk of harm to patrons and general public at and in the environs of the annual Huskisson Carnival.

2. That Council not proceed with the establishment of the Alcohol Prohibited Area for the Huskisson Carnival.

Implications: May result in the increase of anti-social behaviour, injury and property damage resulting from irresponsible drinking. This would not give the necessary powers to Police to restrict anti-social behaviour.

### Background

Following a disturbance on Australia Day outside the perimeter of the Huskisson Carnival 2018, it was requested that a Risk Assessment Audit Report be conducted for the purpose of review by Shoalhaven City Council and NSW Police with the need to evaluate the recommended strategies to reduce or control risk of public disturbance. The Risk Assessment Audit Report from Joylands Amusements Pty Ltd for the Huskisson Carnival is attached (confidential).

The Report identifies specific Risks and Hazards, as well as Potential Risks of Harm. Hazards identified included:

- Public bringing alcohol onto carnival site,
- Intoxication – alcohol and drugs,
- Underage Intoxication.

Potential Risks of Harm included:

- Business damage, infringements,
- Intoxication risks,
- Patron dissatisfaction (disharmony based on behaviour of intoxicated patrons),
- Patron injury (resultant from intoxication, violence, slips, trips and falls),
- Patron illness (dehydration, headaches),
- Patron overdose and potential fatality,
- Asset loss (future claims and PR/damage),
- Patron dissatisfaction – behavioural change, patron and crowd degeneration,
- Patron Injury (aggression and affray).

At a meeting on the 6 July 2018, Council staff and NSW Police representatives met to discuss the Risk Management Audit Report. The following issues were discussed and identified for action:

- An Alcohol Prohibited Area be established during the December/January holiday period on the oval where the Carnival is located, including the toilets,
- Temporary lighting poles will be installed to illuminate the toilet area to discourage this area being used as a gathering point for the consumption of alcohol and anti-social behaviour,
- Temporary fencing will be investigated to be installed around the toilet area,
- One entrance into the Carnival and one entrance out will be established as a security check point.

The Alcohol Prohibited Area will be established in alignment with Section 632A of the Local Government Act 1993 on the Huskisson Oval as the map indicates below.



Lot 1 DP 1169683  
Park St, HUSKISSON 2540

SA18.236

The Local Area Commander requested and endorsed this decision. NSW Police have advised (9 February 2018), that the zone will enable Police enforcement.

### **Community Engagement**

This matter was raised with Council by the NSW Police Local Area Command arising from an incident on Australia Day and relates only to the Huskisson Carnival. The proposed actions are in response to concerns for public safety and are based on a risk audit. The signage will be erected at Huskisson Oval for the duration of the Carnival during December and January, annually. The proposed actions have the support of the NSW Police Local Area Commander and will give them the necessary powers to restrict anti-social behaviour. The local Community Consultative Bodies have been contacted to advise them of this report going to Council.

### **Policy Implications**

Recommendation aligns with Council's Event Management Policy.

**Financial Implications**

The direct costs associated with the establishment of the Alcohol Prohibited Area includes general administration costs and the erection or placement of a sticker on signs, which can be funded within the current year's budget.

**Risk Implications**

Recommendation will promote risk minimisation at annual Huskisson Carnival event.

SA18.236

## SA18.237 Proposed Pump Track at Jerry Bailey Oval, Shoalhaven Heads - Community Consultation Outcomes and Next Steps

**HPERM Ref:** D18/290897

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

**Attachments:**

1. Request for BMX Pump Track - Shoalhaven Heads Community Forum [↓](#)
2. Proposed Plans for BMX Pump Track - Shoalhaven Heads Community Forum [↓](#)
3. Proposed Activation Strategy for BMX Pump Track - Shoalhaven Heads Community Forum [↓](#)
4. Summary of Submissions [↓](#)
5. Summary of Survey Responses [↓](#)
6. Behaviour Mapping Outcomes [↓](#)

### Purpose / Summary

The purpose of this report is to inform Council of the Shoalhaven Heads Community Forum's proposal to construct a BMX Pump Track on Jerry Bailey Oval, Shoalhaven Heads and to provide a summary of the community consultation outcomes and to recommend a way forward.

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

That Council supports the proposal by Shoalhaven Heads Community Forum to construct a BMX Pump Track on Jerry Bailey Oval, Shoalhaven Heads, subject to Shoalhaven Heads Community Forum supplying Council with:

1. Revised Activation Strategy to include a five-year plan for activating the BMX Pump Track;
2. Evaluation Criteria as per Council's Policy; and
3. Confirmation that they have secured donations and in-kind contributions to fund and deliver the project.

### Options

1. Council supports the proposal for the Shoalhaven Heads Community Forum to implement a local BMX Pump Track at Jerry Bailey Oval, Shoalhaven Heads, per the proposal and revised plans, which can be viewed in Attachment 1 and Attachment 2.

Implications: This is the preferred option as the proposal is generally consistent with Council's Policy, and community consultation undertaken by Council staff has indicated that majority of the community are in support of the proposal.

2. Adopt an alternative solution to support the proposal and provide a monetary contribution of \$7,000.

Implications: Council does not have any funds available in the BMX budget in order to provide a monetary contribution of \$7,000. Council would need to identify an alternative budget source if they are to adopt this option.

SA18.237

3. Adopt an alternative solution to not support the proposal.

Implications: Whilst there have been objections in relation to the proposal from the Save Jerry Bailey Oval Inc and other submitters, the community consultation outcomes have indicated majority support for the proposal.

## Background

On 8 December 2016, the Shoalhaven Heads Community Forum sent a proposal to Shoalhaven City Council for the construction of an asphalt pump track to be constructed on Jerry Bailey Oval, Shoalhaven Heads. The proposal was assessed against Council's Provision of Local Area BMX Circuits Policy, where it was determined that the proposal was inconsistent with the Policy, predominantly due to the use of asphalt material.

On 7 June 2017 the Shoalhaven Heads Community Forum presented the proposal to the Shoalhaven Sports Board, where it was resolved (SB17.9, D17/88428) to:

*"Support in principle the proposed Heads pump track and look forward to seeing this project go ahead."*

On 8 March 2018 the Shoalhaven Heads Community Forum submitted a request for a revised BMX Pump Track proposal, taking into consideration Council's previous comments relating to the asphalt material. The revised proposal was for an unsealed pump track to be constructed on Jerry Bailey Oval, Shoalhaven Heads. A copy is provided at **Attachment 1**. The plans for this proposal were forwarded to Council on 2 June 2018. A copy of the plans for the unsealed pump track is provided at **Attachment 2**. As per Council's Policy, the Shoalhaven Heads Community Forum also provided an Activation Strategy on 17 September 2018 for the proposed BMX Pump Track which outlines how they plan to fund the development of the proposal, as well as how to ensure that it remains well used. The Activation Strategy is provided at **Attachment 3**.

## Policy Considerations

Council's Policy Provision of Local Area BMX Circuits specifies the requirements in considering a BMX Pump Track in terms of eligibility, site selection criteria and construction guidelines.

The proposed BMX Pump Track is generally consistent with the site selection criteria and construction guidelines. It is noted that the information submitted by the Shoalhaven Heads Community Forum does not include evaluation criteria, and the activation strategy submitted is not a 5-year strategy. If Council resolve to support the proposed BMX Pump Track, this information will need to be provided as a condition of support.

The proposal is deemed to comply with the eligibility, site selection criteria, and construction guidelines outlined in the policy.

## Other Considerations

### *Native Title*

Jerry Bailey Oval is Crown Land in which Council is the Crown Land Manager. Any works undertaken on Crown Land must be assessed against Native Title, which Council's Native Title Manager completes. This proposal was referred to the Native Title Manager to assess the potential impacts of the proposal on Native Title. The assessment deemed:

- Construction and operation of the BMX Pump Track is consistent with the Reserve purpose, being public recreation;

- The proposed BMX track does not fall within the definition of “public works”, as it is not a fixture or major earth work and could be removed if required; and
- Under Subdivision J of the *Native Title Act 1993*, the non-extinguishment principal will apply and no notification to native title parties is required.

### *Aboriginal Land Claim*

Jerry Bailey Oval is subject to an existing Aboriginal Land Claim (ALC), being the 2017 blanket claim. The reserve was lawfully utilised for recreation prior to the land claim and on the date the claim was lodged. The proposal does not modify the use of the site for public recreation, in accordance with the Reserve purpose.

### *Review of Environmental Factors*

A Review of Environmental Factors (REF) has been completed for the proposed BMX Pump Track by Council’s Environmental Officer. The REF determined:

- The impact is considered acceptable considering the nature and purpose of the impact and benefits it would provide;
- The impact would only affect a small number of people in opposition to the facility, whilst the facility would benefit the whole of the community;
- The impact is unlikely to result in a threat to the health and safety of individuals or the community;
- An assessment of the statutory matters of consideration reveals no potential medium or high adverse impacts;
- All identified potential negligible or low adverse impacts are considered acceptable considering the need for the activity; and
- The proposed activity is unlikely to have a significant effect on threatened species or endangered ecological communities.

### **Community Engagement**

In considering the proposal from the Shoalhaven Heads Community Forum, Council undertook community consultation on the proposed BMX Pump Track between 22 August and 7 September 2018 (inclusive). During this time, a Get Involved page was established which allowed community members to view the submitted documents, make a submission on the proposal and complete a survey. The community consultation period was advertised in the local newspaper (Heads News), with supplementary letters sent to the Community Consultative Body and other community groups, door knocks to adjacent properties, and social media posts on Council’s Facebook page.

During the community consultation period, a total of 15 submissions were received from 14 individuals. Each submission received has been summarised and responded to in **Attachment 4**. Copies of the submissions will be available in the Councillors’ Room prior to the Strategy and Assets Committee Meeting. From these submissions, 9 were in opposition to the proposal and 6 were in support. The themes of the submissions in opposition to the proposal were as follows:

- No evidence to suggest the need for the track, the demographic of the locality does not warrant it, and existing facilities at Jerry Bailey Oval are under-utilised.
- Destruction of open space that is used for activities and the nearby vegetation.
- Proximity to residential land use and impact to residents including acoustic, dust, amenity and other impact.



- There is a current lack of parking options and there will be increased parking and traffic issues as a result of the facility.
- The pump track will provide a space for adolescents to gather of evenings.

During the community consultation period, the survey was completed by 263 people, 161 of whom reside in Shoalhaven Heads. The survey results revealed a converse outcome to the written submissions received. A total of 81% of the survey participants currently use or visit Jerry Bailey Oval, with 91% believing the Shoalhaven Heads community would use and benefit from a pump track. A total of 82% of participants would either use the pump track themselves or have someone in their household who would use it. Of the survey participants who are not residents of Shoalhaven Heads, 89% would travel there to use the pump track. A full summary of the survey results is included in **Attachment 5**.

In addition, the *South Coast Register* published an article on the proposal on 1 September 2018 which contained a poll, asking “Do you think in general the local community will benefit from a BMX Pump Track at Jerry Bailey Oval?”. As of 17 September 2018, 86.23% voted “Yes” and 13.77% voted “No”.

Council staff conducted a door knock of the houses directly affected by the proposal on Wagin Street and Woolstencraft Street, Shoalhaven Heads during the community consultation period (5 September 2018). This door knock was aimed at raising awareness of the proposal and ensuring that nearby residents had the opportunity to be involved in the community consultation. It was noted that all of the residents spoken to had knowledge of the proposal, and many had either completed the survey or sent a submission to Council.

Behaviour mapping was conducted by Council staff over four site visits at Jerry Bailey Oval to determine how the space is currently used, and the levels of passive surveillance provided by these users. It was noted that the site of the proposed pump track was only observed to be used occasionally by people passing through the oval or walking their dogs. The amount of people using the oval in general would provide adequate passive surveillance to the facility. It is noted that the findings of the behaviour mapping are limited due to the mid-week timing. A summary of the behaviour mapping is provided at **Attachment 6**.

## Community Groups

A number of community groups and organisations separately organised their own petitions in relation to the proposed BMX Pump Track. The outcomes of these are outlined below. It should be noted that whilst these have been identified in this report, the petitions were not considered as formal submissions, with the exception of the Shoalhaven Heads Public School which was identified as a single submission.

### *Shoalhaven Heads Community Forum*

The Shoalhaven Heads Community Forum organised a petition in support of the proposed BMX Pump Track, which had 972 signatures. This petition was undertaken prior to Council conducting the community consultation period.

The Shoalhaven Heads Community Forum have also held several community meetings and drop-in sessions to determine community support and volunteers for fundraising, planning and construction of the track. Flyers and newsletters with information on the proposal were distributed by the Shoalhaven Heads Community Forum around the community.

The “Shoalhaven Heads” Facebook page created an online poll, seeking feedback on “Are you in favour of the construction of the BMX Pump Track on Jerry Bailey Oval?”. This poll received a 90% vote of “Yes” and a 10% vote of “No” as of 7 September 2018.

### *Save Jerry Bailey Oval Inc.*

Save Jerry Bailey Oval Inc. organised a petition in opposition to the proposed BMX Pump Track, which had 118 signatures. This petition was undertaken prior to Council conducting the community consultation period.

As part of this campaign, the group distributed flyers around the community with information on why the proposal should not go ahead, as well as providing numerous submissions to Council providing reasons why they oppose the construction of the track.

### *Shoalhaven Heads Public School*

The Shoalhaven Heads Public School have a petition in support of the proposed BMX Pump Track, which has 175 signatures from staff and students. In 2017, the school had approximately 195 students enrolled from years K-6.

## **Policy Implications**

As described above, the proposal has been assessed against Council's *Provision of Local Area BMX Circuits Policy* and is considered to be generally in accordance with the Policy.

## **Financial Implications**

Council's Policy specifies that a maximum Council contribution of up to \$7,000 can be provided however it is noted that the BMX Budget was not replenished this Financial Year, therefore there are no available funds for this project. Alternatively, Council could provide in-kind contributions through the provision of soil for the proposal, if suitable excess soil is available.

The proposed pump track at Jerry Bailey Oval is a community lead project, being pursued by the Shoalhaven Heads Community Forum. The Shoalhaven Heads Community Forum have received a \$10,000 grant to assist with the initial design and survey. It is proposed to complete the project by sourcing further grant funding, donations and in-kind assistance.

Below is a breakdown and estimate of costs, provided by the Shoalhaven Heads Community Forum, which is described in more detail in **Attachment 3**.

<b>Item</b>	<b>Estimated cost</b>	<b>Funding source</b>
Site Survey	Not specified	Completed by LBG at no cost
Initial design and construction supervision	\$10,000	Funded by \$10,000 grant received from Gareth Ward
Soil/clay/gravel	\$20,000	Proposed to be sourced as in-kind donations from Environmental and Natural Resource Solutions
Civil construction and equipment	\$30,000 - \$40,000	Proposed to be provided as in-kind donations from local contractors
Labour	\$10,000 - \$15,000	Proposed to be provided as in-kind works by local volunteers
Landscaping	Not specified	-Pending \$7,000 Council contribution as per the Policy. -Donations and in-kind support from businesses and volunteer groups

**Conclusion**

The proposed BMX Pump Track generally is in accordance with the Provision of Local Area BMX Circuits Policy. Community consultation undertaken by Council staff has indicated that the majority of the community are in support of the track, with a high percentage of residents and visitors indicating that they will frequently use the track. It is recommended that Council support the proposal by Shoalhaven Heads Community Forum.

It is noted that many of the proposed in-kind works and donations identified by the Shoalhaven Heads Community Forum do not appear to have been confirmed. Council must ensure that the Shoalhaven Heads Community Forum has the capacity to fully deliver the project prior to formal approval.



## SHOALHAVEN HEADS COMMUNITY FORUM

Email: shoalhavenheadsforum@gmail.com    Postal address: P O Box 14, Shoalhaven Heads NSW 2535  
Telephone: 44487208 or  
0410441410

President: Robyn Flack • Vice-President: Laurie Talbot • Secretary: Rob Bell • Treasurer: Janice Turbill

8<sup>th</sup> March 2018.

The General Manager,  
Shoalhaven City Council.

Dear Mr Pigg,

### RE: BMX/PUMP TRACK – JERRY BAILEY OVAL SHOALHAVEN HEADS

I advise that at the Forum meeting last night the following resolution was passed:

That the Community Forum correspond with Shoalhaven Council to request that Council formally endorses the proposed pump track to be constructed on Jerry Bailey Oval as an initial dirt track with the possibility of it being covered with bitumen at a later date.

Moved Ann Burke    Sec Jenny Edwards For 18 Against 0 Passed.

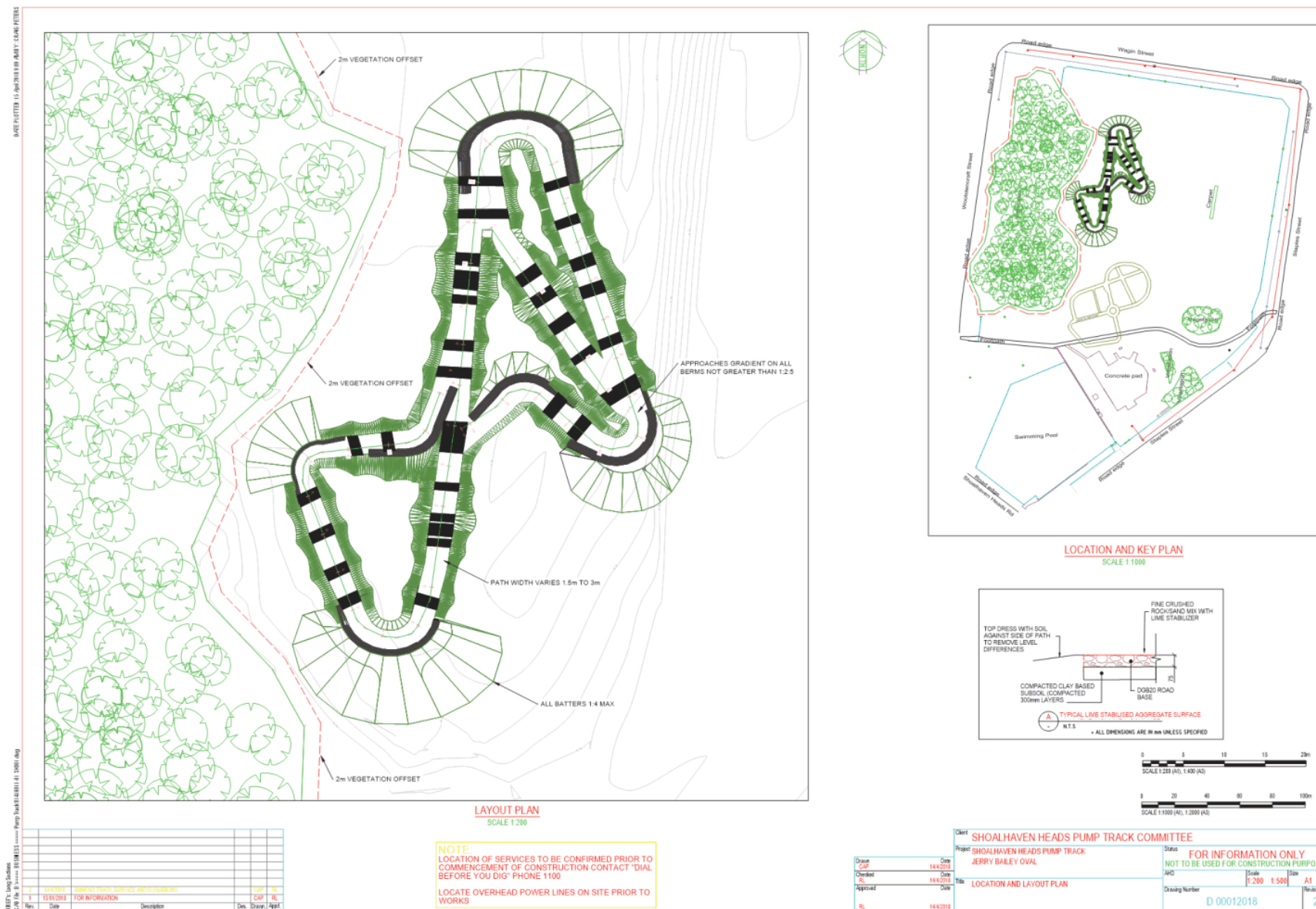
This project has widespread support from the Shoalhaven Heads community as demonstrated from the community consultation meetings and surveys that have been conducted by the sub-committee formed to oversee the project which was included in the "Shoalhaven Heads Landscape Plan" prepared by Council staff in March 2014.

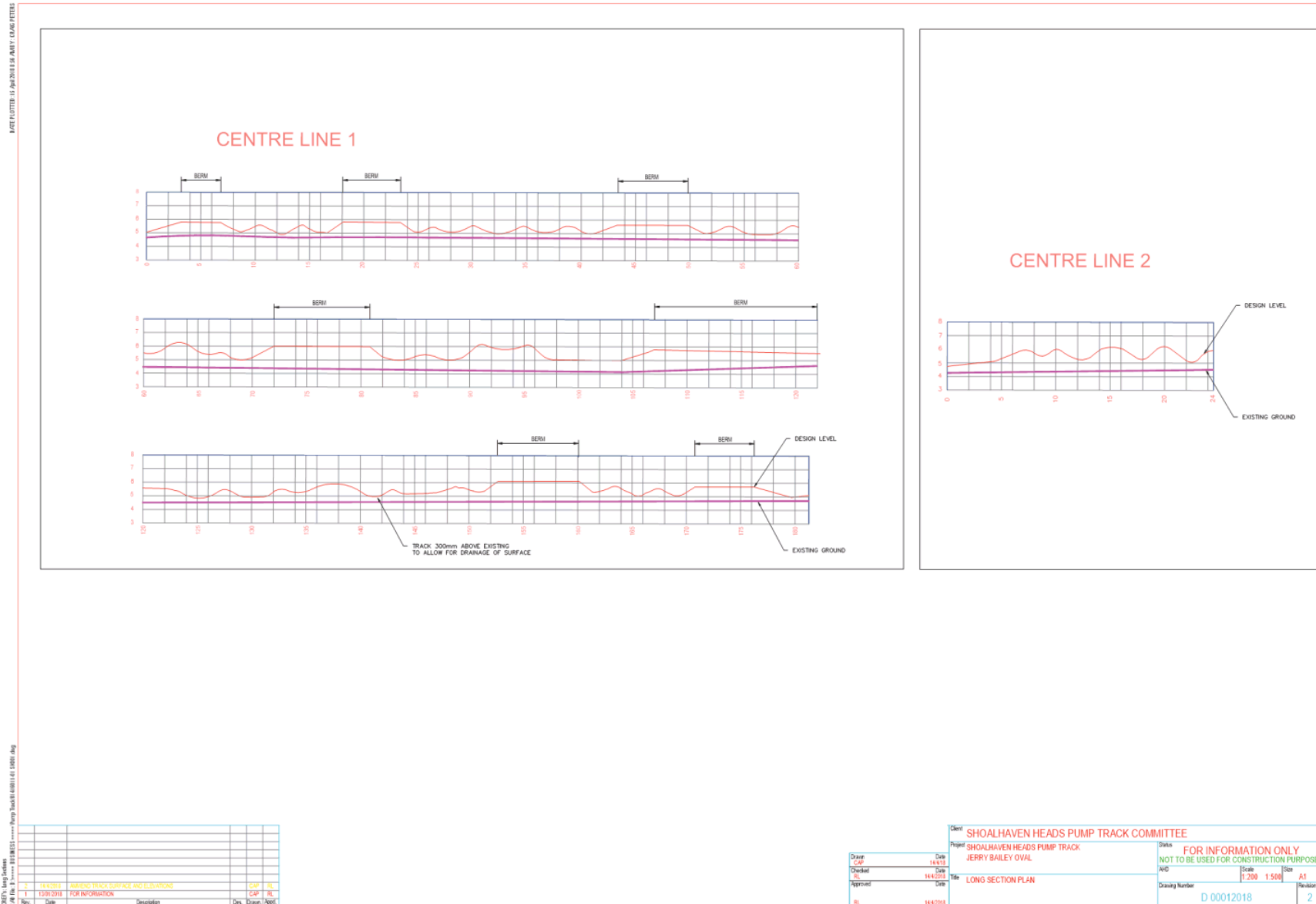
Could you please put this request to the Council at the earliest opportunity to allow this community project to be delivered to Shoalhaven Heads.

Regards  
*Robyn Flack*

Robyn Flack  
President

ATT: Letter to Council 8<sup>th</sup> December 2016





## ACTIVATION STRATEGY - SHOALHAVEN HEADS BICYCLE PUMP TRACK



(Prepared by the Pump Track Sub-Committee of the Shoalhaven Heads Community Forum)

Issue/Item	Action	Person responsible	Timeframe	Outcome	Further Action
How will the community ensure the Pump Track is well used.	<ul style="list-style-type: none"> <li>The track has overwhelming support from the local youth (demonstrated through recent school petition) who are waiting for the track to be built and will be able to visit the site after school as the site is in a central location close to residential areas.</li> <li>It is being built in a public space and will be advertised through social media on the Heads FB, S.H. News &amp; various other interest group social media pages.</li> </ul>	The Pump Track Sub-Committee of the Shoalhaven Heads Community Forum (comprised of local residents)	Pre-build timing subject to Council approval. Post subject to completion date.	Positive community sentiment towards council for listening to and supporting this project that has received overwhelming community support	<b>Build Phase</b> <ul style="list-style-type: none"> <li>Social posts content plan will be developed to showcase the construction phase of the track build</li> </ul> <b>Post Opening</b> <ul style="list-style-type: none"> <li>Regular Heads News articles showcasing the use of the track</li> <li>Social media content plan to showcase community use, across the broad range of demographics who intend to use the facility.</li> </ul>
	<ul style="list-style-type: none"> <li>Pending council approval the sub-committee would hold an open day to celebrate and publicise the opening of the track.</li> </ul>		Subject to build completion date	<ul style="list-style-type: none"> <li>Broad publicity to the S'Heads community and wider Shoalhaven community, that the track is now open;</li> <li>Media coverage (social/print/TV...</li> </ul>	Committee to formulate opening day plan, inc invitations list to local members, mayor/councillors, Council Staff, S'Heads Forum committee, local community members, S'Heads public school, Shoalhaven heads and Berry chambers of commerce, local bike riders groups for training and demonstrations, bike retail outlets

Issue/Item	Action	Person responsible	Timeframe	Outcome	Further Action
Initial funding arrangements including any in-kind or cost works that will be provided by local companies.	<ul style="list-style-type: none"> <li>The track has received many offers of support from companies including Lend Lease, Fulton Hogan, DSWJV, Jirgens Civil, JBG etc however final details are pending Council approval. Current offers include engineering advice, on site labour, provision of materials and civil construction works.</li> <li>JBG has already surveyed the site for no cost (JBG are currently working on the ShoalWater REMS projects)</li> <li>Soil materials will be provided from local projects under management by ENRS (we currently have VENM shale/clay from the Correction Centre and can source other materials pending timing of approval)</li> <li>Other non-civil business have also pledged financial support including real-estates, bike shops, and caravan parks.</li> <li>Note the project has already received a Grant of \$10K from G.Ward MP Member for Kiama.</li> <li>Confirm contribution from Shoalhaven Council (BMX Policy allows for funding) eg \$20K+ as indicated at commencement of project in <u>August 2016</u> by Council.</li> </ul>	<p>The Pump Track Sub-Committee of the Shoalhaven Heads Community Forum (comprised of local residents)</p> <p>Shoalhaven City Council</p>	Subject to council approval.	Delivery on time and on budget.	Once Council approval received – provide council documentation confirming approval to proceed to finalise company contributions. Engage with other non-civil supports to confirm contributions whether in kind or monetary. Progress reporting to office of Gareth Ward MP and other significant contributors with details of expenditure and project progress.
Information that about tracks that are current used	<ul style="list-style-type: none"> <li>There are no other Pump Tracks in the area.</li> <li>The nearest good quality BMX style track is in Albion park</li> </ul>	N/A	N/A	N/A	N/A



Issue/Item	Action	Person responsible	Timeframe	Outcome	Further Action
by people in the area (location etc).	<ul style="list-style-type: none"> <li>The BMX tracks visited with Council and sub-committee members at commencement of this project (August 2016) are too far from Shoalhaven Heads to justify travelling.</li> <li>The proposed location and style of facility will complement the adjacent learn to ride trail for early riders and fill a void where the skate bowl and ramps are too difficult for most intermediate riders.</li> <li>Bike riders from Shoalhaven Heads with fat bikes ride &amp; maintain the 7-mile beach bush track to Gerroa and Comerong Island. Whilst, Mountain bikers frequent the SCUM tracks in Sth Nowra.</li> <li>There is a large number of people (of all ages) who cycle around the streets of Shoalhaven Heads.</li> <li>Shoalhaven Heads is also a start &amp; end point for many road riders who do loops around Berry/Gerroa/Gerringong/Kangaroo Valley/Bomaderry ...</li> </ul>				
Detailed design for the proposed track.	<ul style="list-style-type: none"> <li>Track has been designed by <a href="https://www.dirtztrack.com">Dirtz (https://www.dirtztrack.com)</a> – experienced company with built examples for councils around Australia.</li> <li>Already provided to Council and downgraded to dirt surface – although bitumen will be more durable and aesthetically pleasing</li> </ul>	Professional track design firm – commissioned by the Pump Track Sub-Committee of the Shoalhaven Heads Community Forum (comprised of local residents)	Complete	Professional, high quality, durable and aesthetically sympathetic facility	Implement construction inline with design parameters and principles.

Issue/Item	Action	Person responsible	Timeframe	Outcome	Further Action
	to members of the community who have concerns about the Track. The bitumen surface will also support a wider range of users and age groups including young kids on scooters.	Supporting computer design and civil drawing/caad provided in kind by C.Peters (S'Heads resident and parent).			
Cost estimate.	<ul style="list-style-type: none"> <li>Approximately \$10K for design and construction supervision by Dirtz to ensure high quality Track (costs covered from donations from local businesses and a \$10K Grant from NSW State Government);</li> <li>Soil/clay/gravel, sourced from local civil projects by ENRS (equivalent to 20K in kind)</li> <li>Civil construction &amp; equipment (provided in kind from local contractors (equivalent 30-40K in kind)</li> <li>Labour, manual shaping by local volunteers (equivalent 10-15K inkind)</li> <li>Landscaping (pending 7K from Council – or donations from local businesses and in kind support from volunteer groups, including SH lions, SH Botanical Garden and SH Community Forum Bush Care group)</li> </ul>	The Pump Track Sub-Committee of the Shoalhaven Heads Community Forum (comprised of local residents)	N/A	Delivered on time and on budget	N/A
Timeline for proposed construction.	<ul style="list-style-type: none"> <li>Pending approval to proceed</li> <li>Local businesses have donated ENM/VENM (clean certified soil);</li> <li>Pending booking site inspections and supervision by Dirtz</li> </ul>	Lead proponent is the Pump Track Sub-Committee of the Shoalhaven Heads Community Forum (comprised of local residents).	Assume 6-8 weeks construction excluding landscaping	Delivered on time and on budget	N/A

Issue/Item	Action	Person responsible	Timeframe	Outcome	Further Action
	<ul style="list-style-type: none"> <li>Pending scheduling and availability of construction contractors and community members.</li> </ul>	A large number of community members & contractors have pledged to supervise and undertake works.			

## Strategy and Assets Committee – 16 October 2018

Summary of Submissions – BMX Pump Track – Shoalhaven Heads		
No.	Summary	Comment/Recommendation
1	<p>Oppose</p> <ul style="list-style-type: none"> <li>-The track is not needed due to the demographic and other similar facilities at the location are under-utilised.</li> <li>-Destruction of green open space that is currently used for activities.</li> <li>-The track is too close to homes and will impact on residents.</li> </ul>	<p>Comments are acknowledged.</p> <p>The proposed facility will provide a different type of use for a different user group that is currently not catered for. The construction of a pump track will not have a significant effect on the open space and the loss of open space area is considered to be marginal. Impact from the pump track is not considered to cause significantly greater than the existing use of the park.</p>
2	<p>Support</p> <ul style="list-style-type: none"> <li>-The track will be used by residents and attract visitors.</li> <li>-The track will attract clubs for competitions</li> </ul>	<p>Comments are acknowledged. The proposed design does not meet the standards for a track used in competitions, as set by BMX Australia.</p>
3	<p>Oppose</p> <ul style="list-style-type: none"> <li>-The track could end up being a failure and a drug/alcohol hang out.</li> <li>-The open space is currently used for residents walking their dogs.</li> <li>-Dust from the track will blow into residential areas.</li> <li>-The development could disturb the wildlife in the nearby bushland.</li> <li>-Current lack of car parking options.</li> <li>-The track will cause issues at night, which already occur at the skate park.</li> </ul>	<p>Comments are acknowledged.</p> <p>The REF states that significant environmental impacts are unlikely. Safeguards have been provided, that must be adopted.</p> <p>The proposed facility will provide a different type of use for a different user group that is currently not catered for. The construction of a pump track will not result in a significant loss of open space area. No additional lighting of the park is proposed, opportunities for use at night will be limited.</p>
4	<p>Support</p> <ul style="list-style-type: none"> <li>-Excited about the proposal as they used to live near a pump track prior to moving to the area.</li> <li>-Requested a higher resolution plan.</li> </ul>	<p>Comments are acknowledged.</p> <p>A higher resolution plan was sent as requested.</p>
5	<p>Oppose</p> <ul style="list-style-type: none"> <li>-Too close to their home, as they live 50m from the site.</li> <li>-The track will be a late night hang out for teenagers.</li> <li>-Dust from the track will blow onto nearby residential properties.</li> <li>-If it does go ahead, it should be sealed and landscaped.</li> </ul>	<p>Comments are acknowledged.</p> <p>No additional lighting of the park is proposed, opportunities for use at night will be limited.</p> <p>The construction of the track will use a specific type of soil to ensure it can be compacted and minimise dust impact. Sealing of the track is inconsistent with Council's policy. Landscaping however is part of the delivery plan by the community group.</p>

## Strategy and Assets Committee – 16 October 2018

6	<p>Oppose</p> <ul style="list-style-type: none"> <li>-Loss of green open space</li> <li>-Loss of beauty, peace and tranquillity</li> <li>-Resident will no longer wish to reside in Shoalhaven Heads if it goes ahead</li> </ul>	<p>Comments are acknowledged.</p> <p>The construction of a pump track will not have a significant effect on the open space and the loss of open space area is considered to be marginal. The park is already a hub of activity with the skate park and learn to ride, the addition of the pump track is not considered to result in significant impact.</p>
7	<p>Support</p> <ul style="list-style-type: none"> <li>-Provided a petition from Shoalhaven Heads Public School in support of the proposal with 175 signatures.</li> </ul>	<p>Comments are acknowledged. The results of the petition have been included in this report.</p>
8	<p>Oppose</p> <ul style="list-style-type: none"> <li>-Not an ideal location for the track. The track should be away from residences.</li> <li>-Loss of well utilised green open space</li> <li>-Dust from the track will blow onto residential properties.</li> <li>-If the track is sealed in the future, it will no longer be a local youth facility.</li> <li>-Increased traffic and parking issues.</li> </ul>	<p>Comments are acknowledged.</p> <p>The track must be in an area that offset casual supervision. The construction of a pump track will not result in a significant loss of open space area. The construction of the track will use a specific type of soil to ensure it can be compacted and minimise dust impact.</p>
9	<p>Oppose</p> <ul style="list-style-type: none"> <li>-Residents prefer the existing bushland to be left intact.</li> <li>-Support the preservation of bushland in Shoalhaven Heads.</li> </ul>	<p>Comments are acknowledged.</p> <p>The proposal is unlikely to have a significant effect on the nearby Bangalay Sand Forrest.</p>
10	<p>Oppose</p> <ul style="list-style-type: none"> <li>-Loss of green open space.</li> <li>-The track is not visually appealing.</li> <li>-The track will cause issues with dust and litter.</li> <li>-The track will not be used and will not attract a significant number of visitors.</li> </ul>	<p>Comments are acknowledged.</p> <p>The construction of a pump track will not result in a significant loss of open space area. The proposal does not include any removal of vegetation. The proposed facility will provide a different type of use for a different user group that is currently not catered for.</p>
11	<p>Oppose</p> <ul style="list-style-type: none"> <li>-The track is not visually appealing and will add to the issues already present at the oval.</li> <li>-There is no evidence to suggest that the track is needed and will be used.</li> <li>-Nearby residents will have the responsibility of providing surveillance to the track.</li> <li>-The track will threaten the nearby bushland.</li> <li>-Shoalhaven Heads has an older age demographic with a steady population.</li> <li>-Loss of green open space.</li> <li>-The track discriminates against females and people with a disability.</li> <li>-No nearby amenities, rubbish bins or indication of maintenance costs.</li> </ul>	<p>Comments are acknowledged.</p> <p>The proposal is unlikely to have a significant effect on the nearby Bangalay Sand Forrest. It should be noted that there is no proposed removal of vegetation. The construction of a pump track will not result in a significant loss of open space area. The proposed facility will provide a different type of use for a different user group that is currently not catered for. It is unclear how the track will discriminate against females, as there will be potential for females to use the track. There are existing facilities within the park which will be utilised by pump track users. Costs have been provided by the community group in the Activation Strategy.</p>

## Strategy and Assets Committee – 16 October 2018

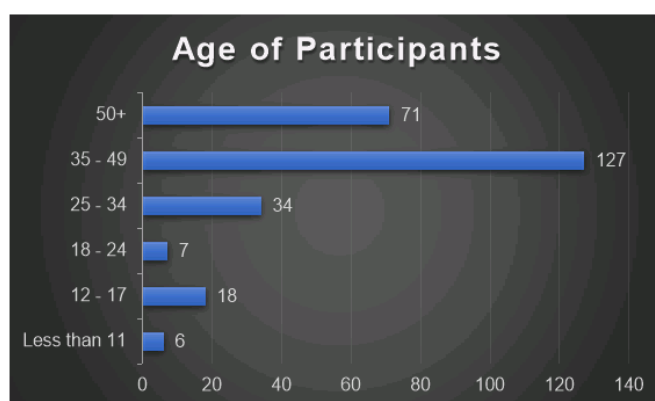
12	<p>Oppose</p> <ul style="list-style-type: none"> <li>-There are enough facilities for bike riders in Shoalhaven Heads.</li> <li>-Waste of money and loss of open space.</li> </ul>	<p>Comments are acknowledged.</p> <p>The facility has been funded by the community with both monetary and in-kind contributions. The proposal is generally in accordance with Council's Policy. The construction of a pump track will not result in a significant loss of open space area.</p>
13	<p>Support</p> <ul style="list-style-type: none"> <li>-Good venue for kids and adults.</li> </ul>	<p>Comments are acknowledged.</p>
14	<p>Support</p> <ul style="list-style-type: none"> <li>-The track will be well used, especially during holiday periods.</li> <li>- Grandchildren will use the track.</li> </ul>	<p>Comments are acknowledged.</p>
15	<p>Support</p> <ul style="list-style-type: none"> <li>-Grant funding has been received to support the design and development of the track.</li> <li>-There is a strong community support for the track.</li> <li>-Polls and surveys from the South Coast Register, Facebook and SurveyMonkey have all had a majority of votes in support of the track.</li> </ul>	<p>Comments are acknowledged.</p> <p>A \$10,000 grant was received by the Community Forum for initial design and survey. Results of polls/surveys are included in the report.</p>

### Summary of Community Consultation

263 responses to the survey were recorded on Get Involved.

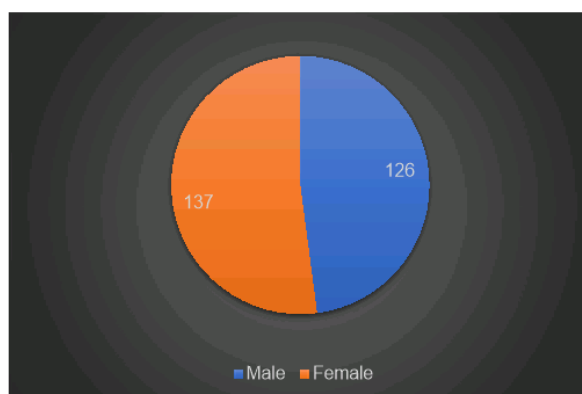
#### Q1 - What is your age group?

Age group	Number	Percentage
Less than 11	6	2%
12 - 17	18	7%
18 - 24	7	3%
25 - 34	34	13%
35 - 49	127	48%
50+	71	27%



#### Q2 - What is your gender?

Gender	Number	Percent
Male	126	48%
Female	137	52%

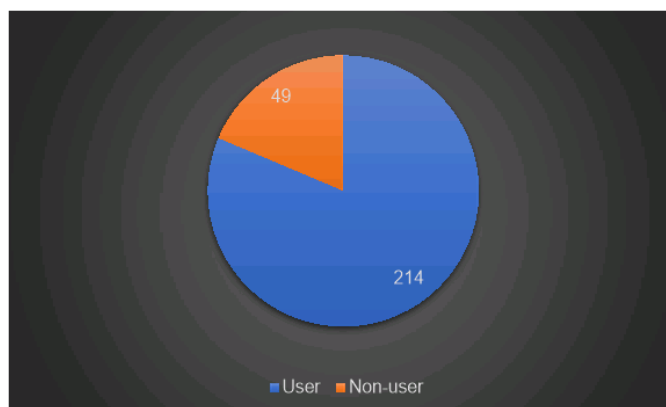


**Q3 - What is your town of residence?**

Town / Area	Number	Percent
Shoalhaven Heads	161	61%
Kiama/Jamberoo/Gerroa/Gerringong/Jerrara	27	10%
Berry/Foxground/Kangaroo Valley	18	7%
Nowra (North, South, West) / Worrige	17	6%
Bomaderry/Bolong/Cambewarra	12	5%
Coolangatta/Far Meadow/Meroo Meadow	6	2%
Sydney Metropolitan Area	6	2%
Bay and Basin region	4	2%
Callala/Culburra/Currarong	4	2%
Ulladulla and surrounds	4	2%
Wollongong and surrounds	3	1%

**Q4 - Do you currently use or visit Jerry Bailey Oval, McIntosh St, Shoalhaven Heads?**

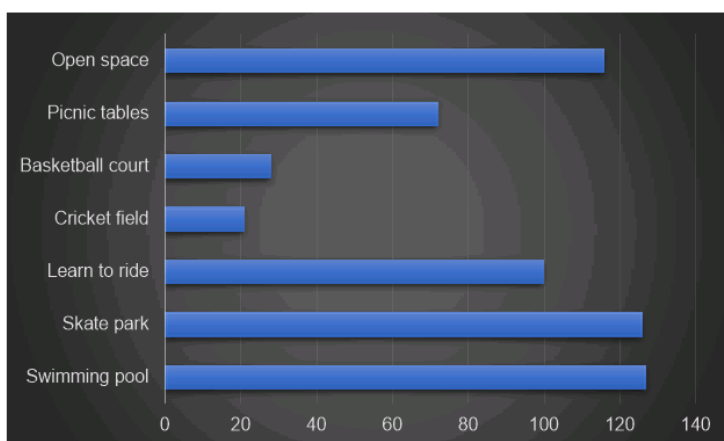
Answer	Number	Percent
Yes	214	81%
No	49	19%





**Q4a - If yes, which facilities do you use at the oval?**

Facility	Number	Percent (I/235)
Swimming pool	127	54%
Skate park	126	54%
Learn to ride	100	43%
Cricket field	21	9%
Basketball court	28	12%
Picnic tables	72	31%
Open space	116	49%



**Q5 – What do you currently like about Jerry Bailey Oval?**

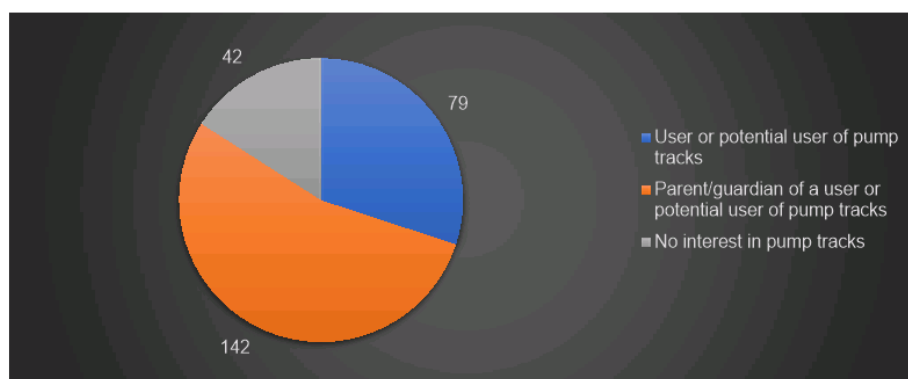
Reason	Count
Good facilities/place for physical activity	157
Green open space	57
Location	39
Bushland/Nature/Beauty	17
Dog off leash area	9
Safe area	7
Well used area	4
Quiet space	4
Ample parking	2

**Q6 – What do you currently dislike about Jerry Bailey Oval?**

Reason	Count
Wasted space/under utilised	69
Not enough facilities	62
Lack of maintenance	26
Not enough trees/perimeter plantings/shade	18
No public toilet	17
Antisocial behaviour	7
Not enough bins	7
Not enough parking	5
Overcrowded	4

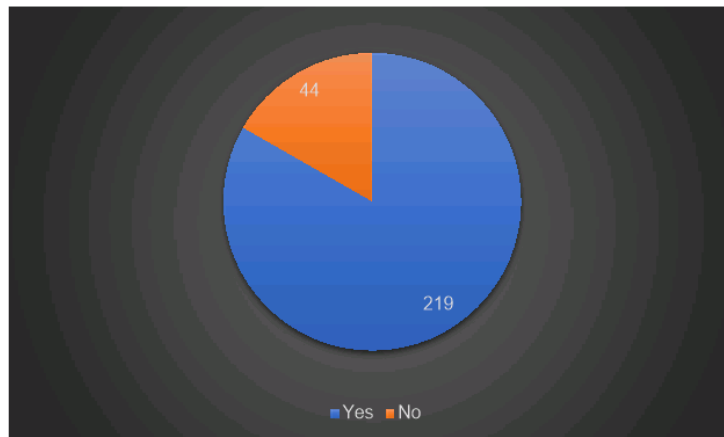
**Q7 - Please choose the option that best describes you.**

Option	Number	Percent
I am a user or potential user of BMX pump tracks	79	30%
I am a parent/guardian of a user or potential user of BMX pump tracks	142	54%
I have no interest in, or connection to BMX pump tracks	42	16%



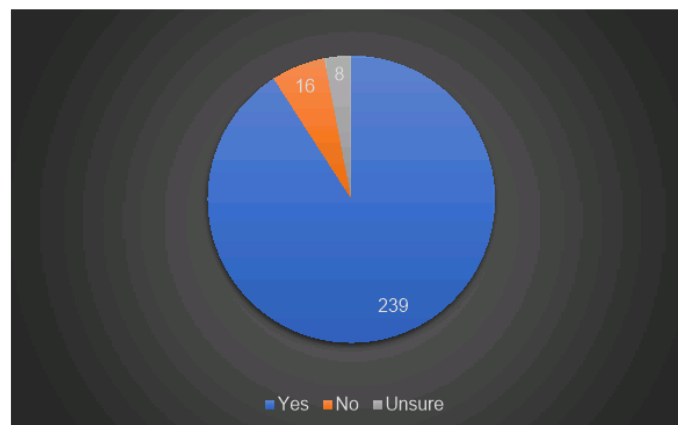
**Q8 - Do you own a BMX, mountain bike, scooter, skateboard etc. that could be used on a pump track?**

Answer	Number	Percent
Yes	219	83%
No	44	17%



**Q9 - Do you think that the Shoalhaven Heads community would use and benefit from a facility such as the proposed BMX pump track at Jerry Bailey Oval?**

Answer	Number	Percent
Yes	239	91%
No	16	6%
Unsure	8	3%



**Q10 - List the positive impacts that that you believe a BMX Pump Track would have on the Shoalhaven Heads Community?**

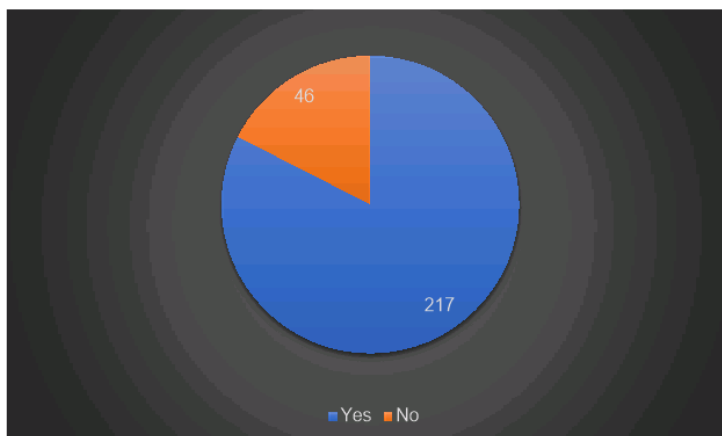
Issue / Theme	Count
Health & fitness benefits / social interaction / another fitness facility	223
Increased tourism / activity for visitors	85
Benefits to local businesses / economy	30
Positive asset/attraction for the town	12
No positive effects	10
Increased use of the oval / space	9

**Q11 - List the negative impacts that you believe a BMX Pump Track would have on the Shoalhaven Heads Community?**

Issue / Theme	Count
No negative effects	177
Rubbish	23
Crime/loitering/antisocial behaviour	17
Parking/traffic issues	13
Loss of open space	12
Noise	11
Low use/exclusive	9
Dust	8
Ugly/eyesore	8
Injuries/insurance/safety	6
Environmental impacts	5
No toilets/water nearby	3
Too close to residence	3

**Q12 - If there was a BMX pump track at Jerry Baily Oval, would anyone in your household use it?**

Answer	Number	Percent
Yes	217	82.5%
No	46	17.5%



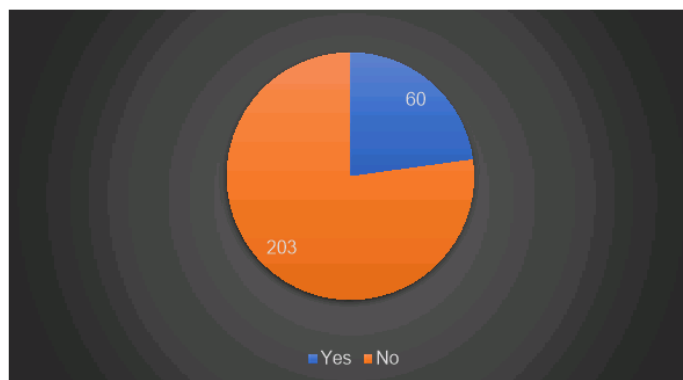
**Q12a - If yes, please provide details of who and expected usage rates.**

Who	Number
Myself	124
Partner	50
Children	149
Grandchildren	17
Friends	22

When	Number
Daily	3
Weekly	94
Monthly	29
Holidays	4

**Q13 - Do you currently use any other BMX pump tracks?**

Answer	Number	Percent
Yes	60	23%
No	203	77%

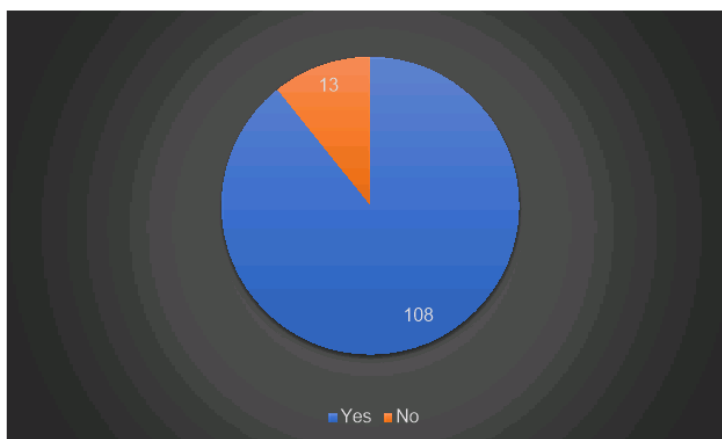


**Q13a – If yes, please provide details**

Location	Number
Croome/Albion Park	17
Sydney Metropolitan	17
Another state	7
Bay and Basin region	5
Private track	5
South Coast NSW	4
Kangaroo Valley	2
Culburra	2

**Q14 - If you are not a resident of Shoalhaven Heads, would you travel there to use a BMX pump track?**

Answer	Number	Percent (/121)
Yes	108	89%
No	13	11%



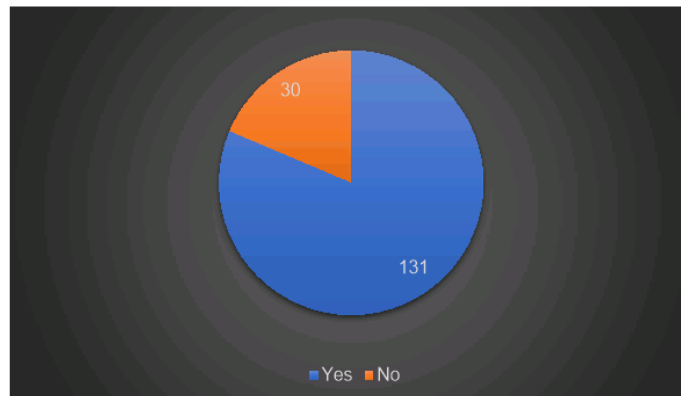
**Q15 - What other types of equipment or activities would you like to see at Jerry Bailey Oval?**

Suggestion	Count
Playground	69
Seating/Gazebos/benches	51
More landscaping	22
BBQ facilities	20
Toilets	17
Exercise equipment	16
Water station	16
Baseball/Cricket/Soccer/AFL/Netball facilities	14
Dog agility park	10
Heated/Enclosed pool	5
Bins	4

### Shoalhaven Heads resident's responses

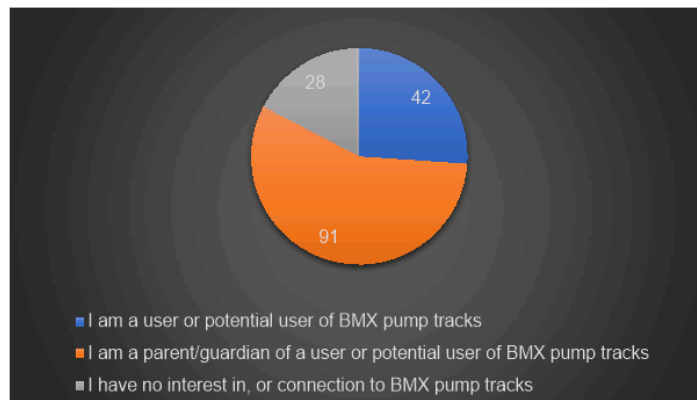
Do you currently use or visit Jerry Bailey Oval, McIntosh St, Shoalhaven Heads?

Answer	Number	Percent
Yes	131	81%
No	30	19%



Please choose the option that best describes you.

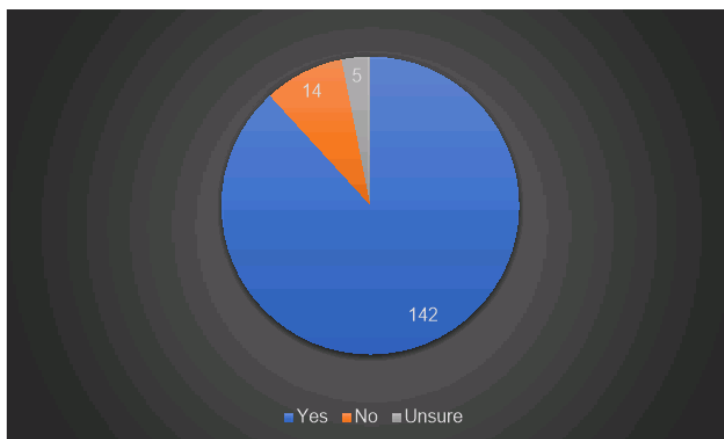
Option	Number	Percent
I am a user or potential user of BMX pump tracks	42	26%
I am a parent/guardian of a user or potential user of BMX pump tracks	91	57%
I have no interest in, or connection to BMX pump tracks	28	17%





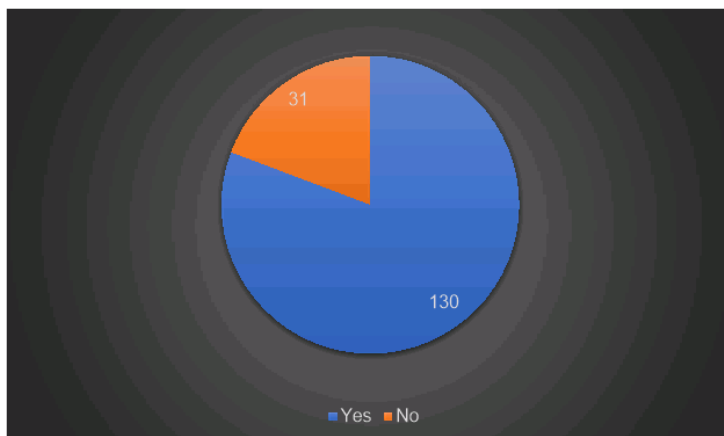
**Do you think that the Shoalhaven Heads community would use and benefit from a facility such as the proposed BMX pump track at Jerry Bailey Oval?**

Answer	Number	Percent
Yes	142	88%
No	14	9%
Unsure	5	3%



**If there was a BMX pump track at Jerry Baily Oval, would anyone in your household use it?**

Answer	Number	Percent
Yes	130	81%
No	31	19%



### Jerry Bailey Oval – Behaviour Mapping Outcomes

#### Overview

- 4 visits were conducted between 28/08/2018 and 05/09/2018
- Visits were 1 hour sessions on weekday afternoons
- Behaviour mapping was not conducted over the weekends, however usage rates during weekends would be expected to be higher than weekdays.
- Visits included the weather conditions of sunshine, overcast and rain.
- A total of 46 people were observed using the oval during the study
- The green open space on the northern half of the oval was primarily used by people passing through the oval by foot, and by people walking their dogs.

#### Observed uses of Jerry Bailey Oval

Users of the oval were participating in one or several of the following activities:

Activity	Number of people observed	Percentage
Walking dog/s	19	41%
Skate park	15	33%
Walking through	10	22%
Learn to ride	5	11%
Basketball	1	2%
Cycling	1	2%
Rest/relax	1	2%

Estimated age group of users:

Age group	Number	Percentage
Less than 12	5	11%
12 – 17	4	9%
18 – 24	5	11%
25 – 34	3	7%
35 – 49	8	17%
50+	21	46%

Gender of users.

Gender	Number	Percentage
Male	28	61%
Female	18	39%

Frequently used areas/facilities

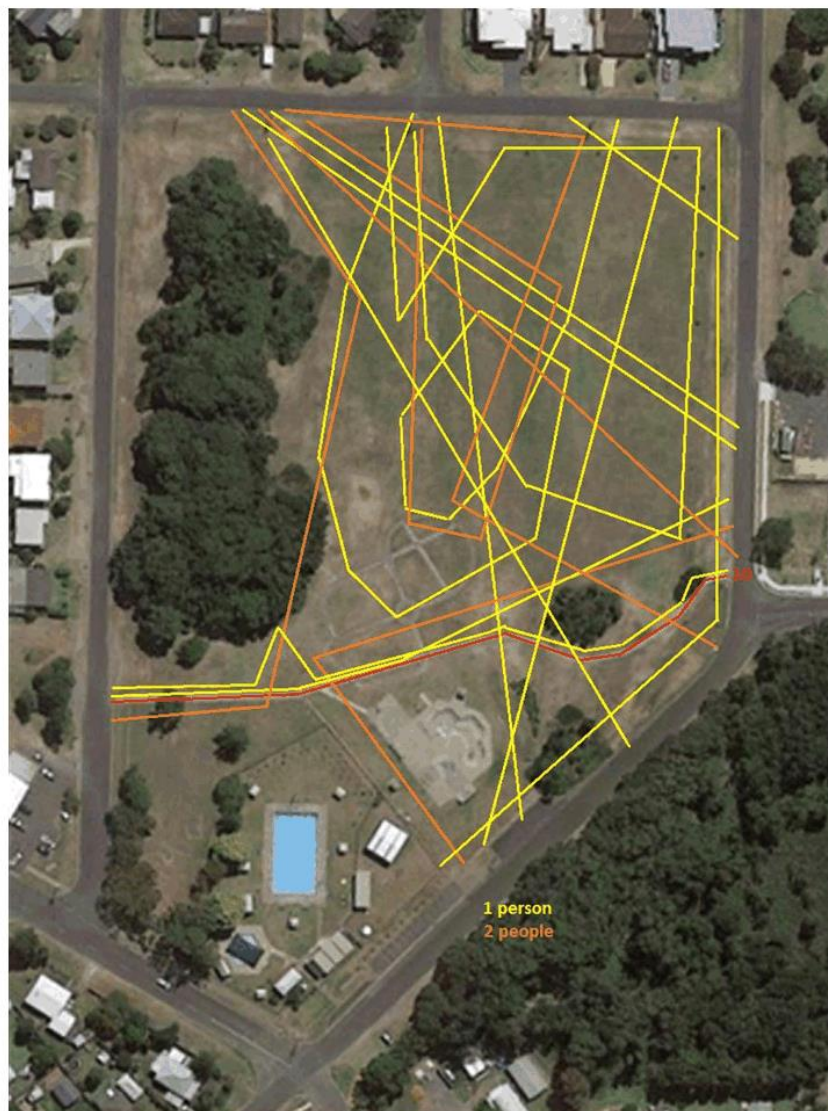


Number	Description	Number of noted uses	Percentage
1	Skate park	15	33%
2	Learn to ride circuit	5	11%
3	Open space	19	41%
4	Basketball half court	1	2%
5	Pathway	13	28%
6	Park benches	1	2%

15 people were observed using either the skate park, learn to ride circuit, or both. Of these people, their chosen method was:

Method	Number	Percent
Bicycle	6	40%
Walking/running	4	27%
Skateboard	3	20%
Scooter	2	13%

Paths of travel of people either walking through the reserve or walking their dogs:



## **SA18.238 Ulladulla Skate Park - Audit Report and Recommendations for Facility Update**

**HPERM Ref:** D18/322224

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

**Section:** Recreation Community & Culture

**Attachments:** 1. Audit Report - Ulladulla Skate Park (under separate cover) [↗](#)

### **Purpose / Summary**

To determine a solution to return the skatepark infrastructure at Ulladulla Sports Park to a high standard and to seek direction for expansion.

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

That Council:

1. Receive the Ulladulla Skate Park Audit Report for information and note that the report identifies the estimated end of the useful life of the facility will be reached at the end of 2023.
2. Limit repairs to the existing facility at this time to repairs that the General Manager (Director Finance, Corporate & Community Services) deems appropriate to address high risk defects.
3. Utilise the current budget allocation of \$200,000 to engage a consultant to prepare a concept and detail design for the construction of a replacement facility of the Ulladulla Skate Park that considers the recommendations of the Ulladulla Skate Park Audit Report and in consultation with community. Prior to proceeding to detail design, Council receive a report with the concept design for endorsement.
4. Develop a funding plan for the replacement of the Ulladulla Skate Park facility that identifies funding sources, including grant funding opportunities, over a number of budget cycles commencing 2019/20 for inclusion in Council's long-term financial plan.
5. Commence the preparation of the master plan for the Ulladulla Sports Park using any savings from the current budget allocation of \$200,000 for the Ulladulla Skate Park.

### **Options**

1. Adopt the recommendation.

Implications: This option is generally in accordance with Council's previous minute from February 2018 seeking to upgrade the skate park facility, however the recommendation seeks to establish the level of upgrade in consultation with community. This recommendation seeks to avoid any repairs at such time as the options to construct a new district or regional level facility will result in the demolition of the existing facility.

2. Adopt an alternative recommendation seeking to repair the existing facility as per Option 1 of the Audit Report.

Implications: This option addresses rectification of condition items only. The refurbishment can be carried out at different levels depending on the desired lifespan that is required of the facility. This option is a short-term solution to fix high priority safety hazards. These works are deemed as the minimum required works to ensure the facility

**SA18.238**

can fulfil its remaining life. This option is not considered to be in line with community expectations.

## Background

The Ulladulla Skate Park facility at the Ulladulla Sports Park was built in approximately 1997/1998. The Ulladulla Skate Park was once considered to be in the top 10 of skate facilities, but over the last decade it has become somewhat run down and in dire need of repair to reduce the risk of injury to individuals who use the facility. The community who use the facility anticipated that the cause of the condition of the skate park was due to concrete cancer.

In February 2017, a Mayoral Minute was considered by the Ordinary Council in relation to the Ulladulla Skate Park. The Ordinary Council resolved (MIN18.109) that:

1. *The West Ulladulla Skate Park funding opportunities and plans for the extension be subject to a Councillor Briefing.*
2. *Council support a budget allocation of \$400,000 over a two-year budget cycle commencing in 2018/2019 to upgrade the West Ulladulla Skate park to become the regional facility that has been promised since the first stage over 20 years ago.*
3. *This project be partially funded from the Skate Park Funds and an additional capital works for the 2019/2020 budget and that Council work towards obtaining grant funding and the physical work be undertaken in one stage.*
4. *Council also undertake urgent repairs on the Ulladulla Skate Park to ensure that the users are not at undue risk due to surface damage. This could be funded from the balance of the funds in the skate funds.*

Following the Council resolution, Convic (project consultant) was engaged to undertake an Audit Report of the facility. The report provides a condition and function assessment of the existing facility and makes recommendations regarding rectification and redevelopment work. Undertaking this report prior to making any decisions to repair and extend the facility was considered important to ensure that any works would be the more efficient and effective way of moving forward. A copy of the Audit Report is provided at **Attachment 1**.

## Audit Report – Findings

The Audit Report made the following findings in relation to the condition of the facility, and specifically its features, obstacles and landscape:

- There is evidence of ground water seeping through the bowl which is displacing the transition slabs.
- The concrete surface is worn in most areas of the facility, with substantial cracking, chipping and differential settlement.
- Concrete to coping deterioration is apparent throughout the entire skate park.
- Coping in the bowl is rusted through, while the coping tolerance across the facility is not to standard practices.
- Expansion joints have widened to a width that is not acceptable for skate surfaces.
- Concrete cancer was not deemed to be present at the facility.
- There is erosion present around the perimeter of the facility.
- The south eastern section of the facility appears to be graded incorrectly, and as such does not drain storm water sufficiently.



The Audit Report made the following findings in relation to the function of the facility and specifically its skate function, overall design and layout, and landscape and amenity.

- Most of the facility functions adequately, however there are some areas particularly within the street area that are outdated.
- There is little to no allowance for beginners.
- There are limited flow lines around the facility, directly affecting the potential user capacity. Users tend to travel along two main flow lines, disregarding the majority of the park.
- There are limited refuge areas for users.
- The facility has on site car parking.
- The facility is fenced in, with a back of house feel.
- There is no DDA access to the facility.
- There is no toilet facility.
- The facility has two bins, a drinking fountain and a small shelter.
- The facility has limited seating.
- There is no safety signage upon entry to the facility.

Based on the key condition and function findings, the facility was given a 'poor' rating for condition which suggests that the asset is in poor condition with severe serviceability problems and needing rehabilitation immediately. There is a risk to the community if the facility is to remain unrepaired and in service (25% of life remaining – approximately 5 years). The facility was also given a 'poor' rating for function, which suggest that there are extensive design and layout flaws with major improvements necessary, and minimal on-site amenities. Overall, the facility has been given a 'poor' rating.

### **Audit Report – Recommendation**

The Audit Report has identified three options with respect to the repair and redevelopment of the skate park facility. Each of the options seek to improve the safety, condition and function of the facility to varying levels. In considering each of the options, the project consultant has suggested that further community engagement should be incorporated in the process to gauge the community response.

#### *Option 1: Repairs of Condition Findings Only*

This option will rectify the condition items as identified in the Audit Report, however will not address the functional issues. This option is considered to be a short-term solution to address the high priority safety hazards and groundwater issues. If undertaken with regular maintenance, these works are the minimum required works to ensure the facility can fulfil its remaining life with the potential to extend the life span of the facility by a further 2 to 4 years.

The cost of this option is \$300,000 - \$400,000.

#### *Option 2: Construction of a New District Level Facility*

This option involves the demolition of the existing facility, addressing any existing groundwater issues, and the construction of a modern, district level youth precinct. The new facility would be comparable to the existing facility in capacity and function with the addition of catering to various user skill levels.

Additional landscape conditions such as lighting, seating, shade, improved access and repositioning of the facilities would be considered as part of this option. The scope of this facility should be determined once a budget is allocated, and community engagement is undertaken.

This option is recommended by the project consultant as it is considered to be the most cost effective whilst addressing all of the condition and function issues outlined in the Audit Report and extending the life span of the facility by a further 15 to 20 years.

The cost of this option is \$655,000 - \$930,000.

#### *Option 3: Construction of a New Regional Level Facility*

This option involves the demolition of the existing facility, addressing any existing groundwater issues, and the construction of a larger, regional level youth precinct. The new facility would introduce modern style skate features to the skate park, while also catering to various user skill levels. Additional youth activation and recreation such as parkour, half-court basketball, ping pong tables, and BBQ and picnic areas could also be considered.

Additional landscape conditions such as lighting, seating, shade, improved access and repositioning of the facilities would be considered as part of this option. The scope of this facility should be determined once a budget is allocated, and community engagement is undertaken. This option will extend the life span of the facility by a further 15-20 years.

This option is approximately \$990,000 - \$1,480,000.

#### **Next Steps**

In proceeding with any redesign or redevelopment of the skate park facility it is considered necessary to investigate the broader master plan for the Ulladulla Sports Park. Council's adopted Community Infrastructure Strategic Plan identifies the park as having the potential to increase usage capacity of the park through the provision of additional sporting facilities thereby making it a multi user facility. It is recommended as part of the next steps that Council commence the process of preparing a masterplan for the Ulladulla sports park which will incorporate the new skate park facility, croquet courts, netball courts, internal paths and more.

It should also be noted that Council are currently working with Illawarra-Shoalhaven Joint Organisation, Office of Sport, Venues NSW and Illawarra-Shoalhaven Councils to prepare a Sports Facility Plan for the Illawarra-Shoalhaven Region. The plan will identify the priority facilities for various sports which currently host or have the potential to host regional, state and national level competition and events. Through this process, skate parks will be considered for inclusion in the Plan given the recent inclusion of skateboarding as an Olympic sport. Including the Ulladulla Skate Park in this process would ensure that the project has strategic merit, Local and State Government endorsement and bolster Council's position in making any grant funding applications for the facility.

#### **Community Engagement**

Council staff have provided regular updates to community members with regards to the progress of the audit report.

The community is committed to improving the skate park and has created a "Ulladulla Skate Park Expansion 2018" Facebook page to document Council's progress in finding a solution to this problem with the infrastructure.



The community also mentions continually the onset of skateboarding in the 2020 Olympics and how this could be an opportunity for the youth in the southern Shoalhaven should the facility improve through embellishments and expansion.

In planning for a new district or regional facility, further community engagement is required in order to coordinate the new layout and design with the users of the facility.

In preparing a master plan for the Ulladulla Sports Park Council would need to undertake community consultation with user groups and the broader community.

### **Financial Implications**

The Audit Report identifies three options in proceeding forward, which each have an approximate budget. The anticipated costs (exclusive of GST) as specified by the project consultant are as follows:

- *Option 1* Repairs of Condition Findings Only: \$300,000 - \$400,000
- *Option 2* Construction of a New District Level Facility: \$655,000 - \$930,000
- *Option 3* Construction of a New Regional Level Facility: \$990,000 - \$1,480,000

The previous Council resolution allocated a total of \$400,000 budget over a two-year budget cycle between 2018/19 and 2019/20. This budget allocation will only cover Option 1 Repairs of Condition Findings Only which would be inconsistent with the Council resolution that seeks to establish a regional facility at Ulladulla Sports Park.

Funding to upgrade the skate park to a district or regional level facility will require an additional capital works budget. It is recommended that a funding plan is prepared which considers funding sources for a replacement skate park facility. The funding plan should consider identifying funding sources over a number of budget cycles commencing 2019/20 for inclusion in Council's long-term financial plan and also include grant funding opportunities.

Further reports to Council once a concept plan has been developed for a replacement facility will ensure Council is able to allocate an appropriate budget for the construction of the facility. The recommendation will see the project become shovel ready which will ensure eligibility for future grant funding initiatives.

### **Risk Implications**

Due to the condition of the existing facility, there is risk of injury to users.

## **SA18.239 Milton Ulladulla Croquet Club Construction - Stage 1 - Revised Timeframes for Completion**

**HPERM Ref:** D18/323950

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

### **Purpose / Summary**

To provide Council with an update on the timeframes for the construction of Stage 1 of the Milton Ulladulla Croquet Courts.

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

That Council revise the timeframe for the construction of the croquet courts as detailed in Part 4 of MIN17.323 to :

1. Commence construction in fourth quarter of 2018/19 and
2. Complete construction by of the courts in second quarter of 2019/20.

### **Options**

1. Adopt the recommendation.

Implications: This is the preferred option as it allows Council staff to proceed with the current project as planned.

2. Adopt an alternative recommendation.

Implications: Depending on the nature of the alternative recommendation, this may result in further delays or potentially overspending the existing budget.

### **Background**

In October 2016, Council's Strategy and Assets Committee received a report in relation to croquet court expansion options at the Milton Showground. Following an assessment of the impact of the expansion on the Showground, feedback received from adjacent property owners and review of alternative options, Council staff reported the investigation to Council's Ordinary Meeting on 26 April 2017. At this meeting Council resolved (MIN17.323) to:

1. *Decline the opportunity to construct a second croquet court at Milton Showground.*
2. *Actively work with Milton Croquet Club to relocate the croquet facilities to suitable venue within 18 months. The new location is to contain sufficient land for construction of two courts and four courts in the future, a suitably sized club house, fencing of an area for four courts; car parking spaces, landscaping and other comparable facilities to those that the Club already has at the Milton Showground.*
3. *Establish a working group of available Councillors, Executive of Milton Croquet Club and Council staff to facilitate the relocation.*
4. *Allocate funding for project planning in 2017/2018; and construction of two croquet courts to commence in the first quarter of 2018/2019, with the courts and facilities completed by the end of the third quarter of 2018/2019.*

SA18.239

5. *Continue to work with the Showground Management Committee and owners adjacent to Milton Showground to formalise offsite parking options via a licence agreement to increase capacity for future large events at the Showground.*
6. *Review the Milton Showground Management Plan within 12 months, in consultation with the Showground Management Committee.*
7. *Advise both the Milton Ulladulla Croquet Club & Milton Showground Management Committee of the above Council resolution.*
8. *Receive a further report on the financing options for the new facility.*

Following the Council resolution, an investigation was undertaken by Council staff which led to the identification of Ulladulla Sports Park. However the site came with conditions in that there was an existing stockpile which required relocation to enable use and construction of croquet courts. The site was considered to be the best location and was ultimately supported by Milton Ulladulla Croquet Club (MUCC) committee members.

A subsequent report was considered by Council's Strategy and Assets Committee on 19 August 2017 where it resolved (MIN17.788) to endorse the relocation of the MUCC from Milton Showground to Ulladulla Sports Park, and allocated a budget of \$350,000 to relocate the existing stockpile on the site, \$15,000 for the detail design of the two croquet courts, and \$750,000 for the construction of the courts. Allocated monies towards the removal of the stockpile were significantly less than the required amount by approximately \$150,000 and the provision of funds for the court construction exclude any clubhouse facilities.

### **Current Status of Croquet Court Construction**

#### *Stockpile Relocation*

Council commenced the relocation of the stockpile in August 2018. This commencement was delayed as a result of additional funding needing to be identified for the stockpile removal. It is expected that the stockpile relocation will be complete by November 2018. The relocation of the stockpile was not anticipated as part of the original timeframe which informed the Council resolution from April 2017, therefore this resulted in a delay of the entire croquet project commencing.

#### *Detail Design*

The detail design of the croquet courts was completed in June 2018.

#### *Croquet Court Construction*

The construction of the croquet courts will be subject to a tender process. It is expected that this process will commence in December 2018 following the completion of the stockpile removal. This is expected to be a prolonged process as it will coincide with the Christmas / New Year shut down period. It is expected that the construction of the croquet courts will commence in April 2019 with completion in November 2019.

The proposed timeframes require a revision to Part 4 of MIN17.323 to ensure that it reflects a timeframe that is achievable.

### **Community Engagement**

Throughout the detail design and works process, Council staff have continually engaged with MUCC, including providing updates at extraordinary Committee Meetings. Through this engagement, MUCC have noted their disappointment in the delayed timeframes.

**Financial Implications**

A budget for the Milton Ulladulla Croquet Club Construction Stage 1 has already been allocated which will include the relocation of the stockpile, detail design and the construction of two croquet courts. As noted previously, the budget allocation for the construction of the croquet courts will not enable the provision of amenities / clubhouse. As a separate exercise, Council staff have made an application to the Community Sport Infrastructure Program through Sport Australia in September, seeking grant funding for the provision of an accessible clubhouse facility at Ulladulla Sports Park.

## SA18.240 Shoalhaven Tennis - Decommission 2 Courts and Waive Outstanding Loan

**HPERM Ref:** D18/326924

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

**Attachments:** 1. Heads News Article - A Double Fault - Volume 14, Issue 8, September 2018 [↓](#)

### Purpose / Summary

To seek direction regarding outstanding loan to Shoalhaven Heads Tennis Courts Management Committee.

To advise and seek support to the decommissioning of Courts 3 & 4 at the Shoalhaven Heads Tennis Courts.

### Recommendation

That Council

1. Waive the outstanding loan amount of \$7,500 to Shoalhaven Heads Tennis Courts Management Committee,
2. Proceed to decommission Courts 3 & 4 at Shoalhaven Heads Tennis Courts.

### Options

1. Adopt the recommendation.

Implications: Shoalhaven Heads Tennis Courts Management Committee will be enabled to conduct sound financial management of the two Tennis Courts in current usage.

2. Do not waive the outstanding loan and continue to pursue recovery, assisting the Management Committee with financial management of the debt.

Implications: The Management Committee will be unable to meet future financial costs of maintaining the facility and future resurfacing of Courts 1 and 2.

3. Do not decommission Courts 3 and 4.

Implications: Increased financial burden for Council. Maintenance of community infrastructure that is not justified by historical records of usage and future projections. There would be significant costs to resurface 4 courts which cannot be funded by the Management Committee with current usage.

### Background

In 1975 Courts 1 & 2 were constructed with a concrete base.

In 1995 Courts 3 & 4 were constructed with fibre crete base. The Management Committee obtained a loan from Council for \$45,000 to install.

In 2009 all four courts were resurfaced.

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Council has been successful in a Stronger Country Communities Fund grant application for resurfacing of Courts 1 and 2. A contribution from the Management Committee will be requested towards the works.

#### *Closure of Courts 3 and 4 in 2016*

All four courts were resurfaced in 2009. The surface of the courts was estimated to have a life of 10 years, however cracks in the base prevented use on Courts 3 and 4 by 2016.

The fibre crete base originally installed on Courts 3 and 4 has failed. This is a concrete product that was not reinforced with mesh and had small fibres in the concrete. With a reactive ground underneath the slab, it has cracked and does not have steel reinforcement to hold it together. Courts 1 and 2 have the steel reinforcement.

In 2016 the Management Committee advised that the courts had become unplayable, with trip hazards identified. An inspection of the facility by Council staff identified the courts were in poor condition. Staff directed the Management Committee to discontinue use of Courts 3 and 4 due to the WHS hazard which presented a risk to users, and the courts were locked against further use at that time.

#### *Consultation with the Shoalhaven Heads Tennis Courts Management Committee:*

Discussions with the Management Committee and Tennis Club in 2016 determined that usage rates at the facility were low and further works on Courts 3 and 4 were unjustified based on current usage rates.

The Management Committee have been and are supportive of the decision to decommission the courts, most recently expressed in a meeting with the Secretary and Treasurer in early August 2018. At this meeting it was agreed that staff would pursue options to decommission Courts 3 and 4, and that comment would be welcome from the community regarding any future use of the decommissioned courts. Staff are aware of some discussion within the community regarding possible use of the courts as a community garden space; however to date no community members have approached Council or the Community Consultative Body, offering to project manage this initiative.

The Management Committee currently have an outstanding loan of \$7,500 from Council, being the balance of the loan used to resurface the courts. As usage has decreased, income at the facility has dropped and the Committee has found it increasingly difficult to service the loan. When Courts 3 and 4 became unplayable, the Committee requested that the excess loan amount be waived, as the repayments were no longer supported by income from the courts, and income from Courts 1 and 2 is required to be held against future resurfacing of these courts.

The Management Committee have advised Council that they would enjoy the use of four courts again if that were an option, but they advise that usage rates are unlikely to provide sufficient income to fund ongoing maintenance costs of four courts. Management Committees are responsible for all operational maintenance, including resurfacing of tennis courts.

The Management Committee's 2017/2018 Financial reports show a significant increase in the balances held due to reduced maintenance costs. They started the financial year with \$258.35 in the bank and finished with \$2,018.44, with income generated from Courts 1 and 2.

During 2017/2018, across Courts 1 and 2, Casual Hire generated \$1,688.50 (yearly average of 5 hours/week), and Competition Hire generated \$1,470 (yearly average of 2 hours/ week).

## Community Engagement

Since the closure of Courts 3 & 4 in 2016 until August 2018, Council has received no requests from the community to re-open the courts, and no complaints.

After the meeting with the Management Committee in August 2018, staff received a phone call from a member of the public, who identified himself as a resident of Shoalhaven Heads. The gentleman expressed support of the idea that a multi-purpose court rather than a community garden be installed at the site. Staff invited him to submit a request/comment in writing to Council, which has not been received to date. To make Courts 3 and 4 into multi-purpose courts would require the resurfacing.

The 'Heads News' newsletter published an article (Volume 14, Issue 8, September 2018) with the heading "Decommissioning two of the tennis courts is a double fault" (attached). The article was submitted by the Shoalhaven Heads Chamber of Commerce and forwarded to staff by the Management Committee. No other comments on the decommissioning have been received by Council from the community to date.

The idea presented in this article regarding multi line-marked courts could be undertaken on Courts 1 and 2. Courts 3 and 4 are unfit for use and would need resurfacing works prior to multi-line marking, which has been identified as cost prohibitive by the Management Committee. When the courts are resurfaced with the current grant funding, Council could undertake community consultation regarding making these multi-sports courts with line marking.

Staff have submitted a response to the 'Heads News', which was approved by the Management Committee. It provides facts to counter various misinformation included in the original article regarding projected costs and utilisation at the facility. The Shoalhaven Heads Tennis Club also drafted a statement to the 'Heads News' recognising that the Club's numbers have declined and stating they would accept funding to renew the courts, pending Council approval.

Formal decommissioning of Courts 3 and 4 involves display of signage at the facility for a period of 3 months, prior to the Asset being removed from Council's Asset Register. The signs have not yet been installed, pending the outcome of this Report to Council.

## Policy Implications

Decommissioning of Courts 3 and 4 aligns with the Community Infrastructure Strategic Plan 2017-36.

## Financial Implications

### *Waiver of Outstanding Loan*

\$7,500                      Waiver of the outstanding loan amount can be funded from Council's operational sportsgrounds budget 2018/19.

### *Recommissioning of Courts 3 and 4*

Recommissioning is estimated to cost \$203,400 for initial reinstatement, identified as:

2 x \$11,700              Court surface replacement - Average of \$18.12pm<sup>2</sup> x average size of 650m<sup>2</sup>

2 x \$65,000              Court Base installation - Average of \$100pm<sup>2</sup> x 650m<sup>2</sup>

2 x \$25,000              Removal and replacement of fencing - \$187 per lineal meter

**Total \$203,400**

Further ongoing maintenance costs will apply if the courts are returned to use.

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**Risk Implications**

Financial costs to Council if the courts are recommissioned.

WHS and hazard risk to users if the courts are reactivated without further works.

Financial cost burden to the Management Committee that they would be unable to service if the loan is not waived.

Financial cost burden for maintenance and future asset replacement by the Management Committee that they would be unable to meet based on current and projected usage if courts 3 & 4 are recommissioned.



Fire Brigade Colouring Competition - see page 24 BMX / Pump Track Council Survey - see page 7



# HEADS NEWS

Shoalhaven Heads Community Newsletter produced by a local for the locals

September 2018

Established 2004

Volume 14 - Issue 8

## DECOMMISSIONING TWO OF THE TENNIS COURTS IS A DOUBLE FAULT

Shoalhaven Heads has four tennis courts. Two were built by locals and they're in great condition. Two were built by Shoalhaven City Council and they have been unplayable for years due to large cracks in the playing surface. The cracks are so large that it is dangerous to use the courts.

Anyone that has picked up a racquet or watched a game of tennis, be it local or Wimbledon, would be disappointed to learn that there is a proposal to decommission the two cracked courts into community raised gardens or open space.

Before the decommission is voted upon at Council, the issues our community must discuss, debate and act on include:

- This land is already used for sporting facilities, has excellent fencing and lighting. The 2 court area would have a value of over \$1M based on existing land and additions
- The existing Laykold surface needs repair which is not cost prohibitive
- Repair costs would not exceed \$10,000 if resurfacing/repairing the existing Laykold
- Synthetic grass is another option, however this would require funding of \$50,000
- Sporting Grants are available and should be sought through the State Government, Tennis Australia and potential community, Clubs and local business support
- The Council has recently appointed a Grants officer

See the current grant offerings on pages 4 and 7. It is proposed that 1 or 2 multi-game courts (tennis, basketball, volleyball, netball or Mini soccer Futsal) could be easily installed at a moderate cost not exceeding \$20,000.

Most community members recognise in the day of iPads and smart phones, our youth need to be encouraged to be



An example of a Multi-Game court that can cater for 5 or more types of games

active and social using outdoor facilities.

Shoalhaven Heads does not have a netball or basketball court, both these sports are the fastest growing participation and viewed sports in Australia.

Keeping 4 tennis courts allows participation in the Australian tennis Veterans/Seniors annual tennis tournament circuit. This alone could bring 150-200 players and a spend of \$40k per annum into our business community.

Now is the time for the community to register their support for maintaining the 2 tennis courts for a multi-purpose sport facility in Shoalhaven Heads.

Send an email to [heads.tennis@gmail.com](mailto:heads.tennis@gmail.com) with your name, address and a response to the following:

- I support a Multi-Game court or courts
- I do not support maintaining or a multi-game court
- The 2 court areas should be used for.....

Thank you for your response and comments.

Shoalhaven Heads Chamber of Commerce



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SA18.240 - Attachment 1

## SA18.241 Nowra Showground Buildings Budget

**HPERM Ref:** D18/330889

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

**Attachments:** 1. Proposed Budget - Hydraulic Fire Service Upgrade - Nowra Showground  
↓  
2. Proposed Site Plan - Hydraulic Fire Service Upgrade - Nowra Showground ↓

### Purpose / Summary

To seek a resolution regarding expenditure of Council's 2018/19 Special Rate Variation Nowra Showground Buildings Budget of \$600,000.

### Recommendation

That Council:

1. Expend up to \$400,000 of the \$600,000 2018/19 Special Rate Variation Nowra Showground Buildings Budget on Fire Services Upgrade for the Nowra Showground in order to comply with Building Code of Australia and Local Government Camping Grounds Regulation 2005 requirements.
2. Expend all remaining funds on grandstand leak repair, painting external buildings, roof cleaning and internal painting of Pavilion, Committee Room and Warriors buildings, to the extent that funding permits.

### Options

1. As recommended.

Implications: Ensure compliance with fire-fighting legislation and provide some visual enhancements to the Nowra Showground. Upgrade of camping amenities will not be met by this budget.

2. Allocate funding of up to \$400,000 for Fire Services Upgrade from alternate source to ensure compliance with fire-fighting legislation. Full \$600,000 Special Rate Variation Nowra Showground Buildings budget be expended on building enhancements and upgrades.

Implications: Council's 2018/19 expenditure may be increased by allocation of additional funds of \$400,000 for Fire Services Upgrade - no source of funds identified. Upgrades to showground buildings, including provision of camping amenities will be implemented.

### Background

Recent inspection of the Nowra Showground fire hydrants system found that the infrastructure does not comply with current legislative requirements (Building Code of Australia (BCA) and Local Government Camping Ground Regulation 2005) for the following reasons:

- The hydrants are required to be mounted on an above-ground standpipe,

- The system failed the 'flow test'. It is likely that the underground pipe has been crushed or broken and is consequently not able to perform to required flow rates,
- Hydrants and hose reels are not placed as required.

## BCA Requirements

### *E1.3 Fire hydrants*

- (a) A fire hydrant system must be provided to serve a building—
- (i) having a total floor area greater than 500 m<sup>2</sup>; and
  - (ii) where a fire brigade is available to attend a building fire.

## Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

### *128 Fire hydrants*

- (1) No part of a dwelling site, camp site or community building within a caravan park or camping ground may be situated more than 90 metres from a fire hydrant.
- (2) Any fire hydrant located within a caravan park or camping ground must:
  - (a) be a double-headed pillar-type fire hydrant, and
  - (b) be maintained to the standard specified in the approval for the caravan park or camping ground.

### *129 Fire hose reels*

- (1) Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose.
- (2) The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, Fire hose reels and installed in accordance with AS 2441—1988, Installation of fire hose reels, as in force on 1 September 2005.
- (3) The holder of the approval for the caravan park or camping ground must cause the council to be given a certificate (a fire hose reel certificate) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.
- (4) A fire hose reel certificate is to state, in relation to each fire hose reel installed in the caravan park or camping ground:
  - (a) that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and
  - (b) that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to perform to a standard not less than that required by this Regulation.

Staff have engaged a consultant to provide compliance designs for a comprehensive fire services upgrade for the Nowra Showground. Design and cost estimates are attached. The new system will ensure legislative compliance with modern, effective firefighting infrastructure for asset protection for the Nowra Showground.

The cost estimate provided is \$378,480. This expenditure is not currently funded.

### Nowra Showground Buildings Budget

The Nowra Showground Buildings budget for 2018/19 is \$600,000. This budget was provided as part of the funding from the approved Special Rate Variation and is available for the renewal of the Nowra showground buildings and public amenities. It is considered that this essential hydraulic fire service upgrade compliance work is replacement of an existing building system that is at the end of its useful life and therefore represents appropriate use of the SRV allocation.

However, the options open to Council are:

#### *Option 1*

- Council expend up to \$400,000 (based on the \$378,480 estimate) of the 2018/19 Nowra Showground Buildings Budget on Fire Services Upgrade for the Nowra Showground.
- Council expend all remaining funds on grandstand leak repair, painting external buildings, roof cleaning and internal painting of Pavilion, Committee Room and Warriors buildings, to the extent that funding permits.

Staff estimate that if this budget is used for the essential upgrade of the fire hydrant system, the remaining \$200,000 will be sufficient to fund:

- repair of a leak from the grandstand into the Pavilion building,
- external painting and roof-cleaning of these buildings at the Nowra Showground:
  - Pavilion,
  - Committee Room,
  - Warriors Building.

The cost of these works is estimated to be high due to the need for the hire of equipment to work at heights. The painting work required is intricate, with a lot of work cutting in, and it will not be possible to use a spray gun for the works.

It is proposed that if funds are remaining, these funds be spent on internal painting of the Pavilion and Committee Room.

#### *Option 2*

- Allocate additional funding for Fire Services Upgrade from alternate source. Full \$600,000 Nowra Showground Buildings budget be expended on building enhancements and upgrades.

This will require Council sourcing and allocating funds to deliver the essential Fire Services Upgrade to ensure compliance with legislation – no source of funds identified.

Staff estimate that the full \$600,000 budget will be sufficient to fund:

- \$220,000 Repair of a leak from the grandstand into the Pavilion building, external painting and roof-cleaning of these buildings at the Nowra Showground:
  - Pavilion,
  - Committee Room,
  - Warriors Building,
- \$ 70,000 Internal Painting of Pavilion and Committee Room,

- \$310,000 Upgrade amenities building for camping (including 6 shower and 10 toilets).

Upgrades to the amenities at Nowra Showground must comply with “Access to Premises” Building Standards 2010 which requires higher standards than the BCA and refers to Australian Standards 1428 “Design for Access and Mobility”.

#### *Pending Tourism and Environment grant application*

Council has applied to the Tourism and Environment Grant program, seeking funding for an upgrade of facilities at the showground’s cattle yards, including:

- \$100,000 Judging room improvements
- \$175,000 Kitchen upgrade
- \$100,000 Amenities block upgrade
- \$164,000 New amenities block
- \$ 47,000 Fencing - cattle judging yard & perimeter
- \$105,300 Seating - general & inclusive
- \$150,000 Drainage - cattle wash down
- \$ 80,000 Cattle stall guttering, drainage & connection to stormwater
- \$ 20,000 Cattle ramp improvements

Should this funding application be successful, further community consultation and a masterplan for the entire Nowra Showground site will be undertaken prior to the upgrade of infrastructure.

### **Community Engagement**

Nowra Showground Ideas Day, held in 2017, resulted in positive feedback regarding the Nowra Showground and requests for added enhancements and an improvement to the visual amenity of the facility.

In the event of successful funding from the Tourism and Environment grant application, community consultation will be undertaken towards development of a masterplan for Nowra Showground, prior to upgrade facilities and amenities.

### **Policy Implications**

Upgrade to the Fire Services infrastructure will ensure compliance with legislated firefighting requirements.

### **Financial Implications**

- Option 1 Expenditure of current budgets, \$600,000 funded from the approved Special Rate Variation specifically for the Nowra Showground.
- Option 2 Requires allocation of additional funding of up to \$400,000 for Fire Services Upgrade, enabling the SRV funding of \$600,00 to be spent on the Pavilion, Committee Rooms and amenities for camping.

In the absence of an identified alternate funding source for the essential hydraulic fire service upgrade compliance work, it is recommended that Council proceed with Option 1 in order to

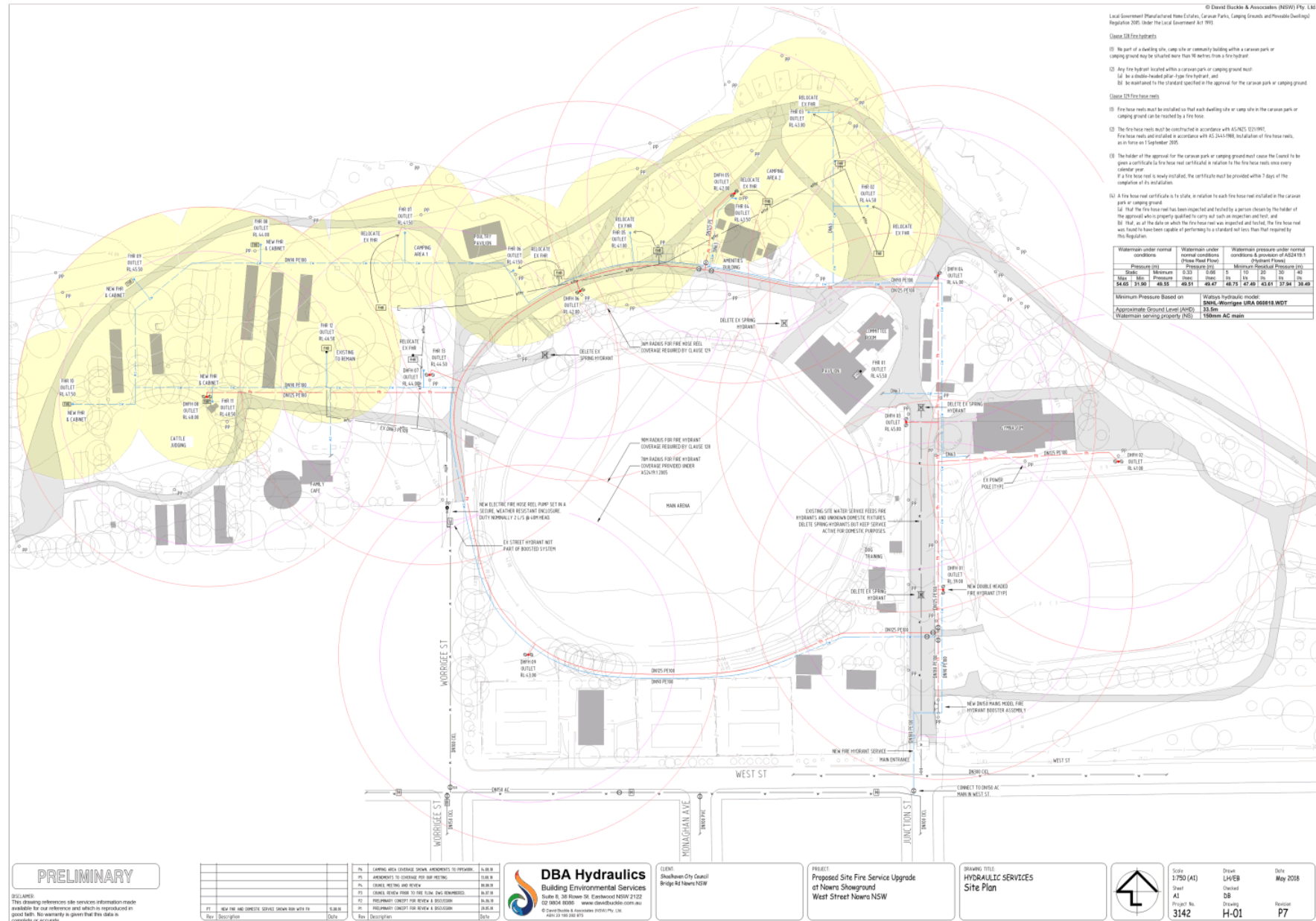
comply with Building Code of Australia and Local Government Camping Grounds Regulation 2005 requirements.

**Risk Implications**

Non-compliance with legislated firefighting requirements.

Non-compliance with legislated camping requirements.

Project	Nowra Showground FH Upgrade		Hydraulics Budget Estimate			
Stage	Preliminary			Date	1/08/18	
Reference drawings	DBA dwg 3142 H01 [P3]					
Area / Item	Description	Size	No.	Rate	Total	
<b>Hydrant service</b>	<i>Fusion welded PE in trench ave. 600 deep.</i>					
	Primary Ring Main	125	780	150	117000	
	Booster to Main	125	40	150	6000	
	Branch to Cattle Judging	125	130	150	19500	
	Branch to Camping Area 2	125	36	150	5400	
	Sundry offsets etc	125	20	150	3000	
	Double Headed FH	100	7	2500	17500	
	Stop Valves in Path Boxes	100	10	750	7500	
	New DN100 Booster and BFP	100	1	7500	7500	
	New Town main connection	125	1	10000	10000	
<b>FHR Service</b>	<i>Fusion welded PE in trench ave. 600 deep.</i>					
	Branches to reels	63	200	70	14000	
	Cut-ins for branches	63	6	500	3000	
	New FHR Assembly to match Ex	36m	2	2500	5000	
					0	
<b>CW Service</b>	<i>Fusion welded PE in trench ave. 600 deep.</i>				0	
	Optional to replace all ex in ground mains				0	
	Subject to design, budget est only	75	1000	80	80000	
	Intercept connections to buildings etc		20	1000	20000	
	Domestic pump assumed not required		0	5000	0	
Diesel Fire Pump	Assumed not required		0	20000	0	
Pump House	Assumed not required		0	10000	0	
					Sub total	315400
	Contingency				20%	63080
Comments:	Above does not include builders profit and overheads				<b>Total</b>	<b>378480</b>
					Say	<b>400k</b>





## SA18.242 Shoalhaven Affordable Housing Strategy - Property Acquisition Matters

**HPERM Ref:** D18/338075

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

**Attachments:** 1. GIS Aerial View - 49 Meroo Street, Bomaderry [↓](#)

### Purpose / Summary

To provide Council with the opportunity to consider acquiring additional properties in Bomaderry for consolidation with Council's existing land holdings in Coomea Street to facilitate the proposed Shoalhaven Affordable Housing Strategy.

The recommendation for consideration is provided in a separate confidential report, this is in accordance with section 10A(2)(C) of the Local Government Act 1993, if the information was disclosed, this would confer a commercial advantage on a person with whom council is conducting (or proposes to 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 the acquisition of additional properties in Bomaderry to facilitate the proposed Shoalhaven Affordable Housing Strategy.

### Options

1. Council Accept the recommendation as presented  
Implications: Council will consider a separate confidential report outlining the proposal
2. Not adopt the recommendation  
Implications: Provide further direction to staff and propose an alternative.

### Background

Council resolved at its Ordinary meeting dated 28 March 2017 to (MIN17.215):

*"That should opportunities arise for Council to further consolidate its land holdings in Coomea Street Bomaderry then the opportunities be reported to Council for consideration and that funding for such a project be from the Strategic Lands Reserve"*

The presentation to Council of a confidential report seeking resolution of the matter by the Council.

### Background Pride of Bomaderry – 49 Meroo Street, Bomaderry

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

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

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

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

*"..is not anxious to sell the property at the moment unless an offer well above market value is made."* In February 2016, Gareth Ward MP, Member for Kiama, made representations to Council on behalf of a constituent for Council to purchase 49 Merroo St, Bomaderry.

Council's response in part by letter dated 24 February 2016 was:

*"Council does not have any current nor future plans to acquire the property."*

In November 2016 the Pride of Bomaderry wrote to Council with a request that Council purchase 49 Merroo St, Bomaderry. The response was:

*"Given the property is privately owned and zoned for Mixed Use development, it has not been identified on any future planning documents as a potential park in this location. There is Open Space identified nearby, being Walsh Park (Memorial Park) approximately 200m to the south east along with numerous other community spaces throughout Bomaderry."*

*Council recently received an unsolicited approach from Raine & Horne on behalf of the owner offering the property to Council at a value of \$450,000. This offer was respectfully declined."*

*There are no current or future plans to acquire this property or additional open space in the Bomaderry locale."*

In April 2017 the Pride of Bomaderry sent Council an email raising concerns that the owners may consider revoking the informal agreement to provide their private land for public use due to an increase in Public Liability insurance premiums.

The increase was attributed to the insurer being made aware that the use of the land had changed from private vacant land to publicly accessible land.

At this point the purchase option was again considered and again rejected in recognition of the flexibility which could be gained through a licence agreement and the payment of a licence fee equivalent to the owners' increase in insurance premium.

Based on the above, Council resolved in part at its Ordinary Council meeting dated 23 May 2017 (MIN17.409) to:

- "2. Request the Pride of Bomaderry form a parkcare group for the ongoing maintenance of Waratah Park;*
- 3. Enter into a licence with the owners of Waratah Park at 49 Merroo St, Bomaderry for the ongoing public use of the land and delegate authority to the General Manager or his nominee to finalise the details of any agreement."*

A licence was entered into and subsequently in May of 2018 Council (MIN18.379) endorsed the parkcare plan for Waratah Park.

Council's current position is to not support acquisition of the property at 49 Merroo St, Bomaderry for a park and this is supported by recommendations in the:

1. "Community Infrastructure Strategic Plan 2017" which identifies and recommends the rationalisation (sale) of the following parks in Bomaderry:

- i. Reid Park – located on the corner of Bunberra and Tallayang Streets comprised of 809 sqm of “Community land”;
  - ii. Mulgen Street Reserve – located in Mulgen Street, 295sqm of “Community land”;
  - iii. Leonard Street Reserve – located in Leonard St, 1,195 sqm of “Community land”;
2. Consultancy firm “Acclimate’s” Master Plan for the Shoalhaven Community & Sports Precinct (SCaRP) which identified nine (9) Council properties ideally suitable for rationalisation.

### 50 Coomea Street, Bomaderry

The potential affordable housing development on Council land in Coomea Street (42 to 46) is a short term priority in the Shoalhaven Affordable Housing Strategy that included pursuing, in partnership with others (e.g. Southern Cross Housing), the acquisition of additional land.

Within the Shoalhaven Affordable Housing Strategy adopted in December 2017 Council believes that:

*“An effective way of delivering affordable housing is through the development of affordable housing on Council land in partnership with a community housing provider such as Southern Cross Community Housing and possibly also the private sector.*

*The under used Council land at 42-46 Coomea Street, Bomaderry could be redeveloped to increase the supply of affordable housing in Shoalhaven.*

*The project area could be expanded via the acquisition of adjacent privately-owned land, specifically 48-52 Coomea Street and/or 49 Meroo Street.*

*Given the location, the land is suitable for a financially viable affordable housing project and has the potential to initiate and assist with revitalising the Bomaderry Town Centre, which has been requested by and has the support of the local community group.*

*State Government funding would assist Council and possible partner organisations to implement a much-needed affordable housing project.”*

Based on the above, Council at its Ordinary meeting dated 28 March 2017 resolved (MIN17.215):

*“That should opportunities arise for Council to further consolidate its land holdings in Coomea St Bomaderry then the opportunities be reported to Council for consideration and that funding for such a project be from the Strategic Lands Reserve.”*

An outcome of this resolution was correspondence being sent to each of the property owners in Coomea Street advising of Council’s interest in purchasing their properties in the event they considered selling.

In August 2018 the owner of 50 Coomea Street responded to Council’s approach. This response was an offer to sell the property to Council, subject to agreement on price and terms.

### Councillor Briefing

A Councillor briefing was held on 13 September 2018 to discuss the request by the Pride of Bomaderry to purchase Waratah Park for public recreation space and provide an update on the approach by the owner of 50 Coomea Street.

The outcome of the briefing confirmed the opinion of Council staff that no further open space was required in Bomaderry; however two alternate options were considered:

1. Acquire Meroo Street (Waratah Park) and other lots as a strategic land development initiative with retention of existing zonings and seek “operational” classification that reserved Council’s right to develop the lands as part of the Shoalhaven Affordable Housing Strategy. This included the possibility of an arcade and a pedestrian link to the council car park in Coomea Street; or
2. Not acquire Meroo Street but continue with the acquisition of other lots in Coomea Street as a strategic land development initiative.



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### Community Engagement

There has been no community engagement undertaken in relation to this matter.

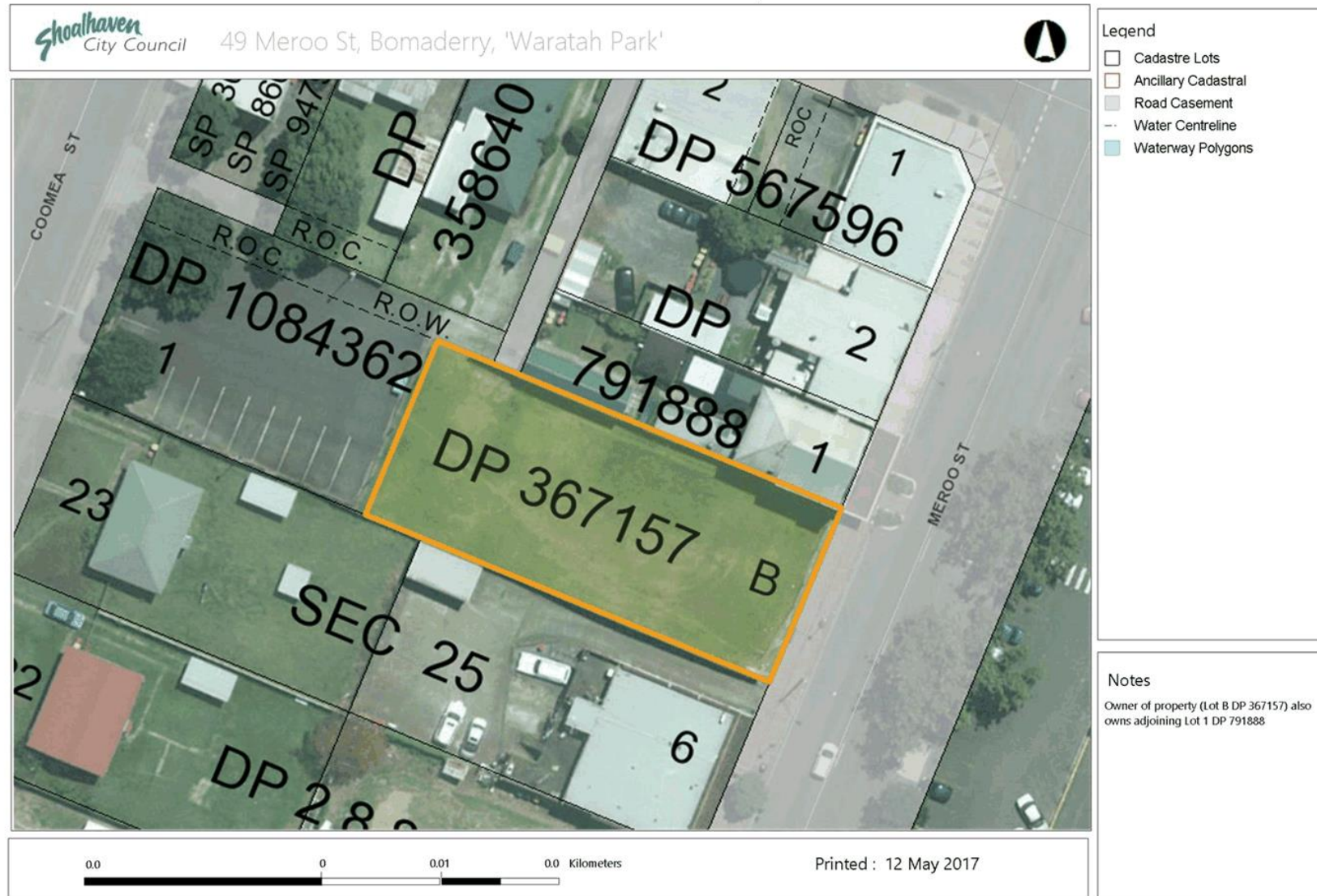
### Financial Implications

Council’s Strategic Property Reserve has a balance of \$523,000 as at 31 August 2018. The Reserve has been depleted of late with numerous strategic acquisitions occurring over the past two years.

Notwithstanding there may be insufficient funds to cover the purchase of both properties, Council can expect an injection of funds of \$735,000 into the Property Reserve from the upcoming disposals of land at Broadview Ave, Culburra Beach and Bridge Road, Nowra.



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



## SA18.243 Sale - Council Land - Lot 1 DP579906 at 27c Broadview Ave Culburra Beach

**HPERM Ref:** D18/295498

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

**Attachments:**

1. Aerial view - access highlighted [↓](#)
2. Sketch showing location of Lo1 DP579906 [↓](#)
3. Copy of DP 579906 [↓](#)
4. Copy of Dealing P448482 relating to DP579906 [↓](#)

### Purpose / Summary

This report provides Council with the opportunity to consider approving the sale of Lot 1 DP 579906, 27c Broadview Ave, Culburra Beach, formerly known as 10 Jopejija Crescent, to Janet & Paul Francis for \$235,000.

### Recommendation

That Council resolves to:

1. Authorise the sale of the land comprised in Lot 1 DP 579906 at 27c Broadview Ave (formerly known as 10 Jopejija Crescent), Culburra Beach to Janet & Paul Francis for \$235,000 (inclusive of GST if applicable); and
2. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed; and
3. Rescind MIN17.1020 (1) & (2).

### Options

1. Adopt the recommendation.  
Implications: This property is surplus to operational needs and disposal will generate additional income for Council and reduce Council's ongoing maintenance burden.
2. Not adopt the recommendation and defer a decision on the matter pending discussion at a Councillor Briefing.  
Implications: Not adopting this recommendation will result in the matter reverting to the standing Council resolution MIN17.1020 which requires that the property be sold via public auction. Council may continue negotiations with the owners of 27a Broadview Ave, Culburra Beach, Paul and Janet Francis, for the acquisition of a 300sqm easement over their property for the purposes of access and services to the adjoining Lot 1 DP 579906, the subject land.

### Background

Council adopted the following recommendations at the Ordinary meeting of Council on 28 November 2017 (MIN17.1020):

- "1. Resolve to dispose of 10 Jopejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);

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2. *Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;*
3. *Fund all costs associated with the sale of 10 Jopejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;*
4. *Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;*
5. *Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and*
6. *Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed."*

**NOTE:** Actions under (4) & (5) above were concluded upon registration of dealing AN128082, a transfer releasing easement, in March 2018.

The address 10 Jopejija Crescent, Culburra Beach was changed to 27c Broadview Ave, Culburra Beach to assist identification of the property, to match the point of legal access from Broadview Ave and to remove any confusion about the street name and access point.

The subject property comprises a single parcel of vacant land described as Lot 1 DP579906 and is 929 sqm in area. The land is classified Operational with a zoning of R2 Low Density Residential under Shoalhaven LEP 2014.

This property was acquired in 1976 for a water reservoir, with underground connections installed, but no reservoir was ever built. Shoalwater has confirmed that the property is surplus to current and future operational needs. Shoalwater has endorsed the sale as the ongoing maintenance and encroachment issues have become a burden on its operational team.

Due diligence investigations in preparing the property for disposal by public auction revealed that an easement for access and water supply, granted under Dealing P448482 (refer to attachments 3 & 4) and burdening the adjoining property comprised in Lot 10 DP 261880 is of benefit to Council only. Further, legal advice confirms that the benefit granted to Council pursuant to the easement does not transfer as a right to any subsequent owner(s). This would result in:

1. An as yet unquantified reduction in the value of Council's property because the property becomes land-locked if it is transferred to another party as a result of a sale; and
2. The need for a purchaser to enter into negotiations with the adjoining owner (Francis) for a new easement (with the purchaser being in a very poor position from which to negotiate) for access and services.

Considering the above and given the closeness of the access to the Francis' residence (refer to photo 2 below) consideration was given to disposal of the property to Mr and Mrs Francis and negotiations commenced with them subject to Council approval.

### **Basis of Sale**

Market appraisals were provided by Ray White, First National and Elders Real Estate offices.

- Ray White - \$300,000 - \$350,000
- First National - \$350,000 - \$375,000
- Elders - \$320,000 - \$360,000

Midpoint values of the three market appraisals ranged from \$325,000 - \$362,500. These values assumed full and unimpeded access and land which is unencumbered.

Based on valuation and legal advice, the final cost to a new owner of the Council property of acquiring an easement for access and services could be within the vicinity of \$150,000.

Paul and Janet Francis approached Council with an offer to purchase 27c Broadview Ave with an initial offer of \$180,000. Further discussions resulted in two more offers of \$215,000 in July and a final offer of \$235,000 in August.

In the circumstances of this case, a sale to the adjoining owners is the most logical means of achieving an outcome which disposes of a property regarded as surplus to requirement. This action accords with Council's POL16/256 – Development and/or Disposal of Council Lands under point 3(o) – *“direct negotiations under exceptional circumstance....”* and the ICAC guidelines for managing risk in direct negotiations (May 2006).

The proposed sale price is supported by the following calculations:

The midpoint of values of 27c Broadview Ave	\$325,000 to \$362,500
less 27a Broadview Ave easement acquisition	\$150,000
Property Price Range	\$175,000 to \$212,500

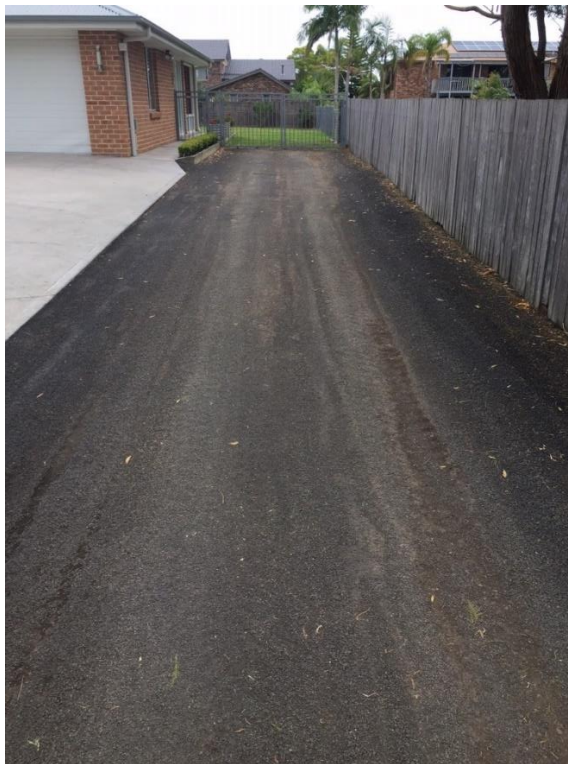
The sale price of \$235,000 represents a better return than the high end of this range which is \$212,500.

By resolving to deal with the owners of 27a Broadview Ave and accepting the offer to purchase, Council does not have to acquire an easement for access and services in order to sell the land nor is it required to meet costs associated with marketing the property for sale.



Photo 1: View from Council's property looking towards Janet & Paul Francis' house





*Photo 2: Shared driveway from Broadview Ave for access and services to Janet & Paul Francis' house on the left and Council's property on right at the end of the paling fence*



*Photo 3: Council's property on right through gate*

### **Community Engagement**

The Proposed Sale of the subject land is a local area low impact issue as outlined in Council's Community Engagement Policy. There has been an appropriate level of community engagement as per resolution

There are six adjoining Property owners, all of whom have been individually contacted and notified of Council's intention to dispose of this lot.

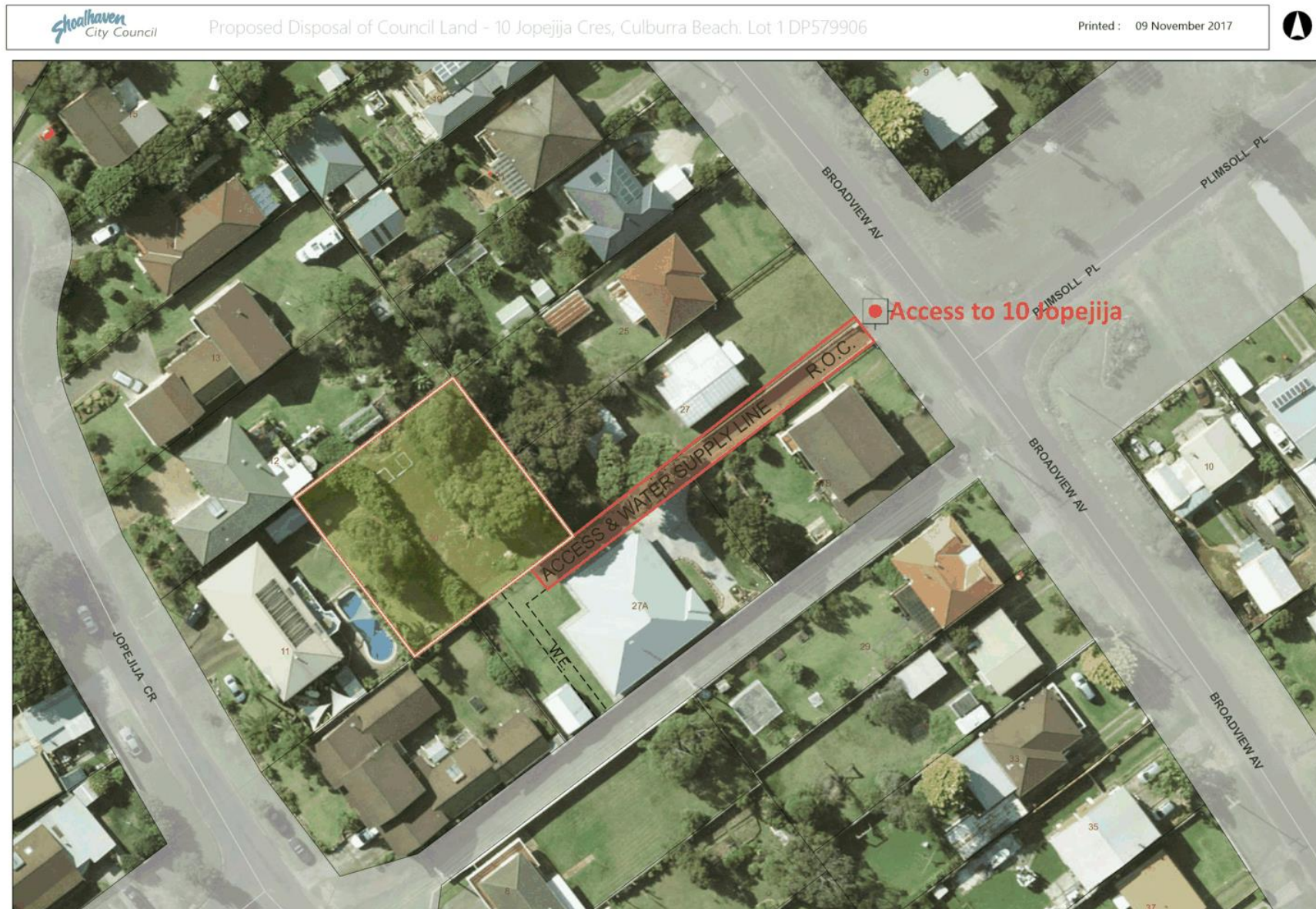
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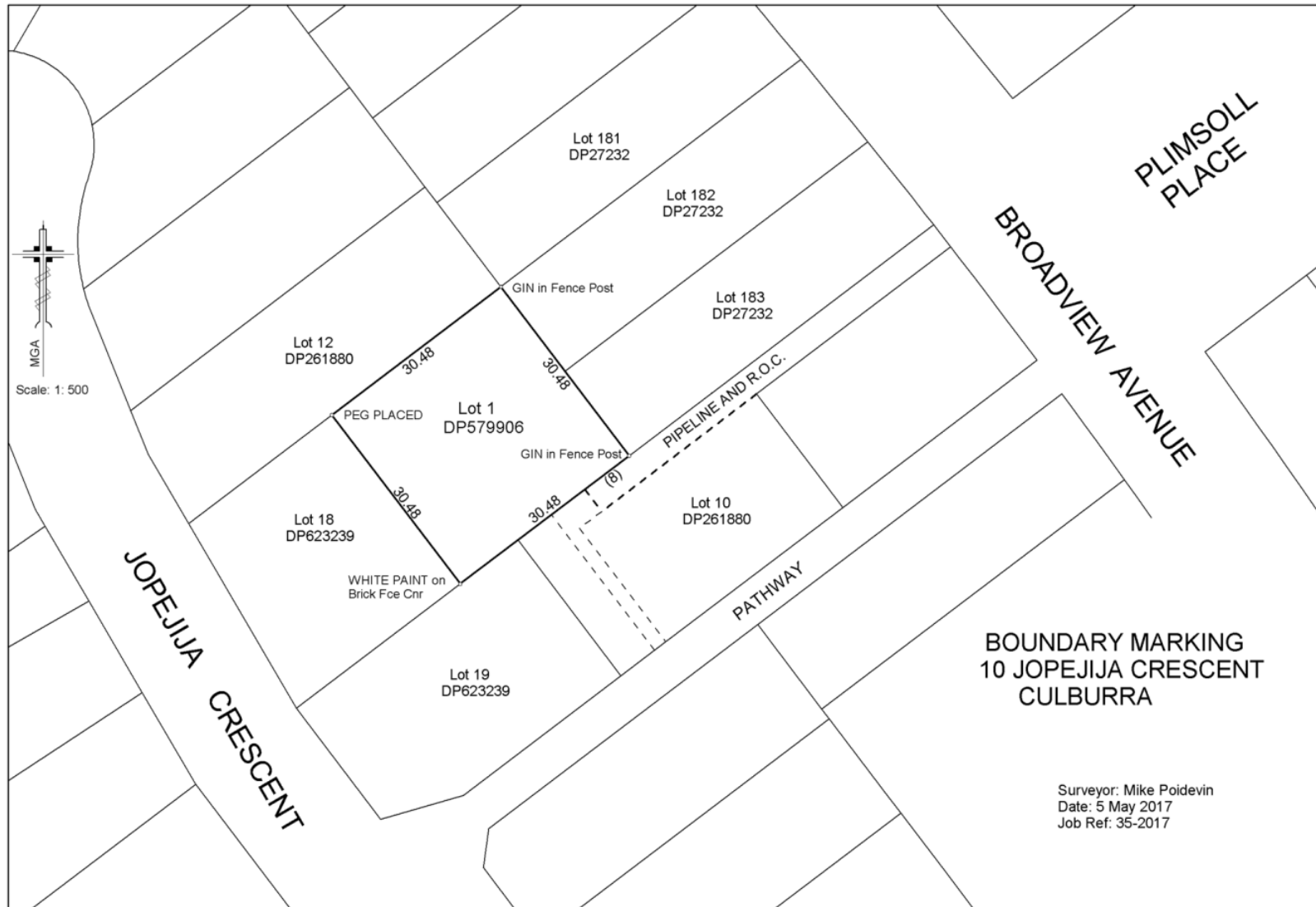
**Financial Implications**

The proposed sale of this land will generate extra income for Council to set aside for future land development and disposal projects. This represents potential for an improved return on assets which is in the best interests of the wider community.

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1, Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 13th day of October, 1975.

Req:R583703 /Doc:DL P448482 /Rev:31-Aug-2011 /Sts:OK.SC /Pgs:ALL /Prt:27-Apr-2017 16:49 /Seq:1 of 3  
Ref:diposal Jozejija /Src:M



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INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER INTENDED  
TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

(Sheet 1 of 2 Sheets)

PART 1

Plan: DP579906

Subdivision of Lot 228 on Deposited Plan No. 27232 in the Shire of Shoalhaven situate at Culburra in the Parish of Wollumboola County of St. Vincent and comprised in Certificate of Title Volume 3485 Folio 194 and covered by the Shire Clerk's Certificate No. 3997 and dated the 30th October, 1974.

Full Name and Address of  
Proprietor of the Land:

THE GATES OF CANBERRA LIMITED having its registered office at 271 Elizabeth Street, Sydney.

1. Identity of easement or  
restriction firstly referred  
to in abovementioned Plan:

Easement for access and water supply pipeline 4 metres wide.

Schedule of Lots etc. Affected

Lots Burdened

Lots, name of road, or authority, benefitted

2

The Council of the Shire of Shoalhaven.

PART 2

Plan-D.P.

~~Covered by Council Clerk's Certificate No. 3997 dated the 30th October, 1974.~~

1. Terms of easement for access and water supply pipeline referred to in abovementioned Plan

~~Easement for Right of Carriageway within the meaning of Section 181A of the Conveyancing Act, 1919-1969, and as follows~~

2. Terms of easement secondly referred to in the abovementioned Plan:

FULL AND FREE RIGHT AND LIBERTY for the Council of the Shire of Shoalhaven (hereinafter called the Council) its officers servants and agents to lay down pipes for water supply line purposes and to use and maintain such pipes through and under ALL THAT piece of land shown as "Easement for water supply pipeline 4 metres wide" in Deposited Plan No. (hereinafter referred to as "the servient tenement") TOGETHER WITH FULL AND FREE RIGHT AND LIBERTY from time to time and at all times to inspect the condition of the pipes and to cleanse maintain mend repair and re-lay such pipes or any part thereof and for such purposes or any of them at all reasonable times with or without surveyors workmen materials machinery implements and other persons and things to pass and re-pass and with or without vehicles to enter into and upon the servient tenement and to bring and place and have thereon to remove therefrom carry away use and leave any of the clay sand gravel stones and earth which shall be taken out of the land comprising the servient tenement and to do all such acts and things which may be deemed necessary for the above purposes by the Council PROVIDED THAT in carrying out or performing any such inspection cleansing maintenance mending renewing repairing re-laying or replacing such line of pipes and excavating taking up renewing repairing or replacing the surface of the servient tenement the Council shall make as little disturbance on or do as little damage as possible to the servient tenement and shall with all practicable speed restore and make good all or any such damage or disturbance and as far as practicable and with all reasonable speed restore the surface of the servient tenement to its former state and condition and the owner or owners for the time being of the servient tenement for themselves their executors administrators and assigns to the intent that this covenant shall be binding on them and on their assigns and on the land and all successive owners and tenants thereof DO HEREBY COVENANT with the Council and its successors that they will not:-

THIS IS Sheet 1 of a 2 Sheet Instrument

Noted  
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SA18.243 - Attachment 4



Req:R583703 /Doc:DL P448482 /Rev:31-Aug-2011 /Sts:OK.SC /Pgs:ALL /Prt:27-Apr-2017 16:49 /Seq:2 of 3  
Ref:diposal Jozejija /Src:M

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER INTENDED  
TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919

(Sheet 2 of 2 Sheets)

Plan D.P. DP579906

Subdivision covered by Council Clerk's  
Certificate No. 3997 dated the 30th  
October, 1974.

Terms of easement secondly referred to in the abovementioned Plan: (continued)

- (a) Do permit or knowingly suffer to be done any act deed matter or thing whereby the said pipes shall or shall be likely to become damaged or injured or whereby the Council shall be prevented from or hampered in mending repairing or re-laying the said pipes or any part thereof.
- (b) Interfere in any way with the free flow of water through the said pipes.
- (c) Erect or permit or suffer to be erected on or over any part or parts of the servient tenement any building or other erection of any kind without the consent in writing of the Council.

AND IT IS HEREBY AGREED AND DECLARED that if the owner or owners for the time being of the servient tenement shall in any way breach the foregoing covenants then the owner or owners for the time being shall at their his or her own expense properly and substantially repair and make good such damage and restore the free flow of water through the said pipes and do all things necessary and expedient for such purposes.

Name of person empowered to release vary or modify restrictions firstly and secondly referred to in the abovementioned Plan:

THE COUNCIL OF THE SHIRE OF SHOALHAVEN.

GIVEN under  
THE COMMON SEAL OF THE GATES OF

CANBERRA LIMITED

~~as authorised by the Board of Directors~~

~~at Sydney this~~  
5th day of SEPTEMBER 1975  
in the presence of

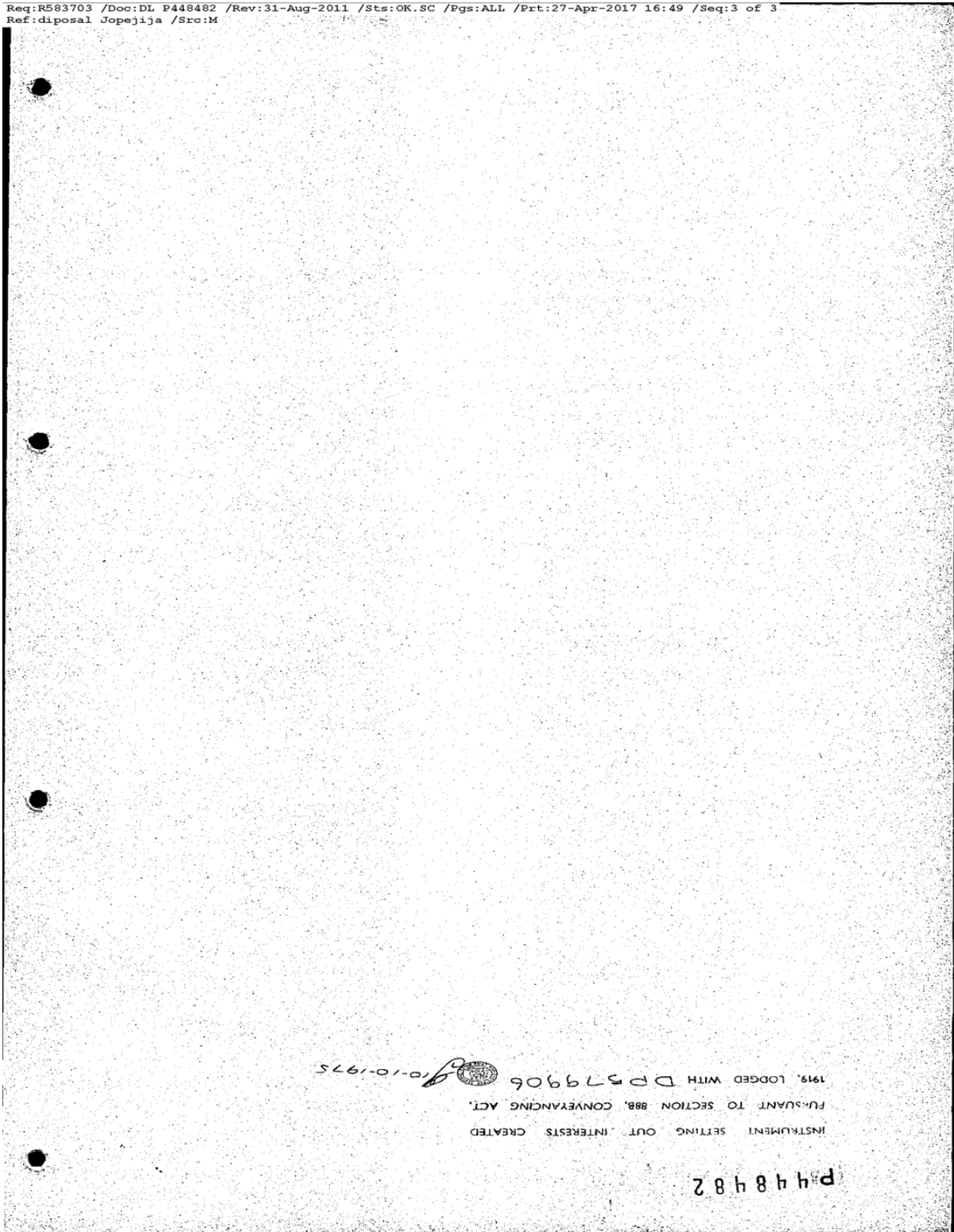
Secretary



Directors.

SA18.243 - Attachment 4

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Ref:diposal Jozejija /Src:M



SA18.243 - Attachment 4



## SA18.244 Pilot Project- Council Land Review Sanctuary Point & St Georges Basin

**HPERM Ref:** D18/339002

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

**Attachments:**

1. Pilot Project - Council Land Review Report SA18.154 [↓](#)
2. Sanctuary Point & St Georges Basin Pilot Area Properties [↓](#)
3. Council owned Community Land Pilot Maps - Sanctuary Point - St Georges Basin [↓](#)

### Purpose / Summary

This report provides Council with the opportunity to consider clarifications and additional information requested when Council deferred consideration of the report presented to the Strategy and Assets Committee on 12 June 2018 (refer to Attachment 1 - SA18.154) on this matter.

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

That:

1. Council endorse Sanctuary Point and St Georges Basin as the location of the Land Review Pilot Project;
2. Staff engage with the community and residents of Sanctuary Point and St Georges Basin to understand:
  - a. community expectations with regard to parks and reserves generally;
  - b. the appetite of the community to consider disposal of under performing community land assets to fund improvements to under utilised and/or under developed parks and reserves;
3. Staff undertake detailed investigation of community land within the Pilot Area including those reserves identified in the *Community Infrastructure Strategic Plan 2017-2036* to identify which land may be suitable for full or partial disposal; and
4. Council receive a further report detailing outcomes of the community consultation and the detailed investigation of community land within the pilot area.

### Options

1. Resolve as recommended.

Implications: Key outcomes recommended in the Shoalhaven City Council Property Strategy will be delivered. Council will be provided with an opportunity to engage with the communities of Sanctuary Point and St Georges Basin and make recommendations regarding parks and reserves which are not meeting residents' expectations.

2. Not resolve as recommended and resolve along the following lines:

"That the General Manager (Director Works and Assets) prepares a report which identifies an alternative pilot area to Sanctuary Point and St Georges Basin as the preferred location of the Land Review Pilot Project."

SA18.244

Implications: Council will be provided with an opportunity to engage with the community of another locality and to make recommendations regarding the parks and reserves which are not meeting residents' expectations.

## **Background**

A report was submitted to Council's Strategy and Assets Committee on 12 June 2018 seeking endorsement of Sanctuary Point as the Pilot area for the Council Land Review Pilot Project.

At the meeting Council resolved (MIN18.449) to defer consideration of this project pending:

- "1. More details of scope and population needs;*
- 2. Review of the boundaries; and*
- 3. Familiarisation tour."*

Discussion at the meeting revolved around requesting additional information on population growth in the region, a boundary review and a physical site inspection of the proposed pilot project area.

Based on the above request, local demographics, the boundaries of the project and the integrity of the population figures provided in the initial report to Strategy and Assets were reviewed.

Additionally, extensive mapping information was also provided to Councillors who requested same to enable individual familiarisation tours.

## **Population Needs**

The Population Figures provided in this report are the research and demography statistics collated and used by the NSW Department of Planning and Environment. The population growth figures are derived from their 2016 NSW Population projections using modelling that ranges from Low to High growth rates over a twenty-five-year period from 2011 to 2036 within the Shoalhaven Region.

These growth rates and population projections assist in determining the open space required in this region as shown in the table below.

The decision to choose St Georges Basin and Sanctuary Point for the Pilot Program was based on a manageable geographic test area and the conglomeration of community land suitable for such a land review pilot within these boundaries.

## **Location – Pilot Area**

The Pilot Area is defined as all land within the suburbs of Sanctuary Point and St Georges Basin.

It should be noted that as the pilot implementation progresses it may become necessary to consult or consider properties on the edges of the Pilot Area such as Basin View and Erowal Bay. Hence the boundaries might be considered as flexible to allow for assessment of other community land adjacent to or within close proximity of the pilot project area.

## **Updated Open Space Requirements for Sanctuary Point & St Georges Basin**

The Sanctuary Point and St Georges Basin suburbs have a current population of 11,033\* and a forecast population of 11,885\* by 2036\* according to figures and projections obtained

from NSW Department of Planning and Environment NSW Population Statistics & Projections (2016).

The Community Infrastructure Community Plan (CISP) identified an overall surplus of open space (both sports and recreation) within Planning Area Three<sup>1</sup>. According to best practice, the following are the standards for the provision of open space within the Sanctuary Point and St Georges Basin areas:

Open Space Type	Hierarchy	Provision Standard	Area Required (based on 2036 forecast population)
Recreation Parks	Local	0.5ha per 1,000 people	5.94ha
	District	0.6ha per 1,000 people	7.13ha
	Regional	0.2ha per 1,000 people	2.37ha
Sports Parks	District	1.3ha per 1,000 people	15.45ha
	Regional	0.6ha per 1,000 people	7.13ha
TOTAL OPEN SPACE REQUIRED – SANCT POINT /ST G BASIN			38.02ha
TOTAL AREA- ALL COMMUNITY LAND- SANCT POINT / ST G BASIN			64.76ha

The above is a high-level assessment of open space within Sanctuary Point and St Georges Basin and lends weight to this area being an ideal location to use for the Pilot Project. A detailed list of the properties comprising the total area of 64.76Ha for Sanctuary Point and St Georges Basin is found at Attachment 2. Plans showing Community land at Sanctuary Point and St Georges Basin is found at Attachment 3.

Specifically, the detailed review of Council land in the Pilot Area is seeking to identify land which offers limited recreational use by the community and may present opportunities for divestment and/or conversion to another use/purpose.

<sup>1</sup> Planning Area Three comprises the following localities: Basin View, Bewong, Erowal Bay, Huskisson, Hyams Beach, Old Erowal Bay, Sanctuary Point, St Georges Basin, Tomerong, Vincentia, Wandandian, Woollamia, Wrights Beach.

## **SA18.154 Pilot Project- Council Land Review Sanctuary Point**

**HPERM Ref:** D18/163855

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

**Attachments:** 1. Map - Pilot Project Area  
2. SA17.157 Shoalhaven City Council Property Strategy - Public Exhibition

### **Purpose / Summary**

This report provides Council with the opportunity to endorse Sanctuary Point as the location of the Land Review Pilot Project to test the outcomes proposed in the Shoalhaven City Council Property Strategy.

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

That:

1. Council endorse Sanctuary Point as the location of the Land Review Pilot Project;
2. Staff engage with the community and residents of Sanctuary Point to identify:
  - a. community expectations with regard to parks and reserves;
  - b. the appetite of the community to dispose of some Community land to fund improvements to underutilised or underembellished parks and reserves;
3. Staff undertake detailed investigation of Community land within the Pilot Area including those identified in the *Community Infrastructure Strategic Plan 2017-2036* to identify which land may be suitable for full or partial disposal; and
4. Council receive a further report detailing outcomes of the community consultation and the detailed investigation of land.

### **Options**

1. Resolve as recommended.

Implications: Key outcomes recommended in the Shoalhaven City Council Property Strategy will be delivered. Council will be provided with an opportunity to engage with the community of Sanctuary Point and to make recommendations regarding the parks and reserves that are not meeting residents' expectations.

2. Not resolve as recommended and resolve along the following lines:

"That the General Manager (Director Works and Assets) prepares a report that identifies an alternative pilot area to Sanctuary Point as the preferred location of the Land Review Pilot Project."

Implications: Council will be provided with an opportunity to engage with the community of another locality and to make recommendations regarding the parks and reserves that are not meeting residents' expectations.

### Background

In 2015 the Council Land Review was initiated as a joint task between various sections of Council to undertake an audit of all Council owned land. The Property Unit completed the Land Review in 2017.

The [Shoalhaven City Council Property Strategy](#) was drafted in late 2016 and considered at the Strategy and Assets Committee meeting on 13 June 2017, where Council resolved as follows (*vide minute no MIN17.505*):

#### That

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

The report presented to the Strategy and Assets Committee is provided for Councillors' information as attachment 2.

### Key Outcomes of the Property Strategy

- Define one area to conduct a Pilot Project to:
  - test the findings of the Land Review and implementation of the Strategy and;
  - test the recommendations from Council's other Plans including the *Community Infrastructure Strategic Plan 2017-2036*;
  - gather feedback on the community's priorities;
  - identify the availability and suitability of Council owned land parcels in the suburb; and
  - gauge community support for funding quality improvements in their suburb, by selling some or part of the Council owned land that is not meeting the Community's current needs.

### Location – Pilot Area

The Pilot Area is defined as all land within the suburb of Sanctuary Point and also includes land between The Basin Rd, Island Point Rd, The Wool Rd and St Georges Basin (refer Attachment 1).

It should be noted that as the pilot implementation progresses it may become necessary to consult or consider properties on the edges on the Pilot Area. Hence the boundaries should not be considered as hard boundaries.

### Council Land within the Pilot Area

Land Classification	No. of Council Properties	Total Area
Community Land	148	62.2 ha
Operational Land	31	41.9 ha
<b>TOTAL</b>	179	104.1 ha

#### Community Infrastructure Strategic Plan 2017-2036 (CISP)

Delivering upon the recommendations of the CISP is a key driver of the Property Strategy as well as the selection of Sanctuary Point as the location of the Pilot Project. Sanctuary Point is located within Planning Area Three within the CISP. Sports and recreation parks within Planning Area Three were described in the CISP as follows:

*“There is a current surplus of land for recreation and sports parks in planning area three. Despite this, the recreation parks, in particular, are well dispersed around the planning area, with many district parks located along the foreshore.*

*Consistent with the trend across Shoalhaven, the level of embellishments in a number of recreation parks do not meet the desired standard. Just over two thirds of residents in planning area three are happy with the quality of the recreation parks in the area, however, with the influx of tourists during the warmer months, greater pressure will be placed on the existing network. Upgrading the embellishments within a number of parks, particularly foreshore parks, will create popular, high quality, destination parks that residents and tourists will want to visit and return too. With an ageing population, embellishments should also support low impact activities such as walking and cycling, as well as play opportunities.*

*Promotion of the foreshore recreation parks would also increase their usage. Many of the linear parks are located behind residential properties, with some residents’ backyards encroaching onto Council open space land.”*

#### Community Sport & Recreation Infrastructure

Among the 148 Community land parcels within Sanctuary Point there are:

- 3 district sports parks
- 3 district recreation parks
- 2 local recreation parks

#### Open Space Requirements for Sanctuary Point

Sanctuary Point has a current population of 7,407 and a forecast population of 7,709 by 2036. The CISP identified an overall surplus of open space (both sports and recreation) within Planning Area Three. Using best practice, the following are the provision standards for open space as applied to Sanctuary Point.

Open Space Type	Hierarchy	Provision Standard	Area Required (based on 2036 forecast population)
Recreation Parks	Local	0.5ha per 1,000 people	3.85ha
	District	0.6ha per 1,000 people	4.62ha
	Regional	0.2ha per 1,000 people	1.54ha
Sports Parks	District	1.3ha per 1,000 people	10.01ha
	Regional	0.6ha per 1,000 people	4.62ha
TOTAL OPEN SPACE REQUIRED – SANCT. POINT			24.64ha
TOTAL AREA- ALL COMMUNITY LAND- SANCT. POINT			62.2ha

The above is a high level assessment of open space within Sanctuary Point and lends weight to Sanctuary Point being an ideal locality to use for the Pilot Project. Specifically the detailed review of Council land in the Pilot Area is seeking to identify land which offers limited recreational use by the community and may present opportunities for divestment and/or conversion to another purpose.

#### Delivering Community Outcomes - Community Consultation

The community consultation undertaken for the CISP identified a number of opportunities to embellish sport and recreation spaces within Sanctuary Point. Of late there has also been an upswell of support for improvements to Council facilities including foreshore reserve activation and the creation of a boardwalk at Larmer Ave Reserve.

Further community consultation within the Pilot Project is proposed to gather feedback on the community's recreation priorities and to gauge community support for funding quality improvements to open spaces in their suburb, by selling some of the Council owned land that is not meeting the Community's current recreation needs.

#### Possible Future Disposals

Should the community engagement and the detailed property investigation identify any Community land deemed to be surplus to needs, no such Community land can be sold without extensive community support, reclassification and possibly rezoning (via a Council endorsed Planning Proposal). It should be noted that as per the adoption of the CISP at Council's Strategy & Assets Committee meeting on 21 February 2017, Council resolved in part (MIN17.103 (8)):

*"Before Council plans to sell, rationalise, or close any park, reserve or community hall that it be the subject of a separate report to Council."*

#### **Community Engagement**

A community engagement plan will be drafted as a result of this report prior to any community engagement.

#### **Policy Implications**

The recommendations of this report are in accordance with POL16/256 - *Development and/or Disposal of Council Lands*.

CLASSIFICATION	CATEGORY	SUB CATEGORY	COMMON NAME	DESCRIPTION	ADDRESS	SUBURB	SLEP 2014 ZONE	TITLE AREA M2
Community Land	Park		PALM BEACH RESERVE	Lot 28A DP 27212	Greville Ave	SANCTUARY POINT	RE1	392.04
Community Land	General Community Use			Lot 783 DP 1228508	Wullun Cl	SANCTUARY POINT	R1	306.1
Community Land	Natural Area			Lot 319 DP 1228721	Links Ave	SANCTUARY POINT	R1	918.5
Community Land	Park		PALM BEACH RESERVE	Lot 29A DP 27212	Greville Ave	SANCTUARY POINT	RE1	373.07
Community Land	Park		PALM BEACH RESERVE	Lot 32A DP 27212	Greville Ave	SANCTUARY POINT	RE1	373.07
Community Land	Park		PARADISE BEACH RD RESERVE	Lot 2741 DP 235031	68 Paradise Beach Rd	SANCTUARY POINT	R2	411.01
Community Land	Park		KERRY ST RESERVE	Lot 96 DP 31614	85 Kerry St	SANCTUARY POINT	RE1	1207.73
Community Land	Park		PALM BEACH RESERVE	Lot 459 DP 654689	Greville Ave	SANCTUARY POINT	RE1	297.15
Community Land	Natural Area	Bushland	ATTUNGA AVE RESERVE	Lot 154 DP 26483	8 Attunga Ave	SANCTUARY POINT	RE1	1024.36
Community Land	General Community Use		FLAMINGO AVE RESERVE	Lot 2502 DP 216525	Flamingo Ave	SANCTUARY POINT	RE1	499.53
Community Land	Park		PALM BEACH RESERVE	Lot 1 DP 505342	Greville Ave	SANCTUARY POINT	RE1	56.91
Community Land	Natural Area	Bushland	IRENE ST RESERVE	Lot 1 DP 580255	Irene St	SANCTUARY POINT	RE1	3147
Community Land	Natural Area	Foreshore	THE PARK DR RESERVE	Lot 1629 DP 216922	The Park Dr	SANCTUARY POINT	RE1	8239.15
Community Land	Sportsground		WOOL LANE SPORTING COMPLEX	Lot 23 DP 241970	91 The Wool Lane	SANCTUARY POINT	RE1	45147.74
Community Land	Natural Area	Bushland	THE WOOL RD RESERVE	Lot 156 DP 249202	The Wool Rd	SANCTUARY POINT	RE1	16230
Community Land	Park		VOST DR RESERVE	Lot 152 DP 249202	The Wool Rd	SANCTUARY POINT	RE1	8398.7
Community Land	Natural Area	Foreshore	THE WOOL RD RESERVE	Lot 118 DP 247696	The Wool Rd	SANCTUARY POINT	RE1	11300



Community Land	Park		SANCTUARY POINT PUBLIC RESERVE	Lot 14 DP 8365 Sec D	Walmer Ave	SANCTUARY POINT	RE1	2497.67
Community Land	Park		SANCTUARY POINT PUBLIC RESERVE	Lot 15 DP 8365 Sec D	179 Walmer Ave	SANCTUARY POINT	RE1	1966.52
Community Land	Park		SANCTUARY POINT PUBLIC RESERVE	Lot 16 DP 8365 Sec D	177 Walmer Ave	SANCTUARY POINT	RE1	1827.41
Community Land	Park		SANCTUARY POINT PUBLIC RESERVE	Lot 17 DP 8365 Sec D	175 Walmer Ave	SANCTUARY POINT	RE1	1688.3
Community Land	Park		SANCTUARY POINT PUBLIC RESERVE	Lot 18 DP 8365 Sec D	173 Walmer Ave	SANCTUARY POINT	RE1	1549.19
Community Land	Park		EDMUND ST RESERVE	Lot 894 DP 26989	Edmund St	SANCTUARY POINT	RE1	7069.35
Community Land	Park		ANSON ST RESERVE	Lot 117 DP 25863	Loralyn Ave	SANCTUARY POINT	RE1	1466.99
Community Land	Park		KERRY ST RESERVE	Lot 56 DP 28596	14 Macleans	SANCTUARY POINT	RE1	1138.18
Community Land	Park		SANCTUARY POINT RD RESERVE	Lot 2228 DP 216524	13 Sanctuary Point Rd	SANCTUARY POINT	RE1	14366.34
Community Land	Park		WALMER AVE RESERVE	Lot 97 DP 31614	Walmer Ave	SANCTUARY POINT	RE1	1542.86
Community Land	Park		WALMER AVE RESERVE	Lot 55 DP 28596	Walmer Ave	SANCTUARY POINT	RE1	594.38
Community Land	Park		PARADISE BEACH RESERVE	Lot 1 DP 615586	181 Walmer Ave	SANCTUARY POINT	RE1	2172
Community Land	Park		PARADISE BEACH RESERVE	Lot 2 DP 615586	183 Walmer Ave	SANCTUARY POINT	RE1	1067
Community Land	Park		PALM BEACH RESERVE	Lot 2 DP 505342	Greville Ave	SANCTUARY POINT	RE1	107.49
Community Land	Park		PALM BEACH RESERVE	Lot 3 DP 505342	Greville Ave	SANCTUARY POINT	RE1	164.4
Community Land	Park		PALM BEACH RESERVE	Lot 4 DP 505342	Greville Ave	SANCTUARY POINT	RE1	221.31
Community Land	Park		PALM BEACH RESERVE	Lot 5 DP 505342	Greville Ave	SANCTUARY POINT	RE1	278.22

Community Land	Park		PALM BEACH RESERVE	Lot 6 DP 505342	Greville Ave	SANCTUARY POINT	RE1	328.81
Community Land	General Community Use		CLIFTON PARK	Lot 2625 DP 235029	Clifton St	SANCTUARY POINT	RE1	11609.42
Community Land	Park		ANSON ST RESERVE	Lot 94 DP 31614	Kerry St	SANCTUARY POINT	RE1	2978.23
Community Land	Park		ANSON ST RESERVE NORTH	Lot 95 DP 31614	Kerry St	SANCTUARY POINT	RE1	1504.92
Community Land	General Community Use			Lot 1870 DP 31816	Waratah Cres	SANCTUARY POINT	RE1	246.61
Community Land	Park		BOOBOOK RESERVE	Lot 461 DP 16557	Sanctuary Point	SANCTUARY POINT	RE1	8688.09
Community Land	General Community Use		CLIFTON PARK	Lot 703 DP 27855	Clifton St	SANCTUARY POINT	RE1	25646.95
Community Land	Park		PALM BEACH RESERVE	Lot 2 DP 505343	Greville Ave	SANCTUARY POINT	RE1	442.62
Community Land	Park		PALM BEACH RESERVE	Lot 3 DP 505343	Greville Ave	SANCTUARY POINT	RE1	373.07
Community Land	Park		PAUL BLAND RESERVE	Lot 707 DP 28131	Walmer Ave	SANCTUARY POINT	RE1	581.74
Community Land	Sportsground		WOOL LANE SPORTING COMPLEX	Lot 29 DP 803861	Cammaray Dr	SANCTUARY POINT	R2	366.7
Community Land	Natural Area	Bushland		Lot 100 DP 1037709	Anson St	SANCTUARY POINT	E2	24630
Community Land	Natural Area	Bushland		Lot 232 DP 1071257	The Wool Rd	SANCTUARY POINT	E2	37550
Community Land	General Community Use			Lot 233 DP 1071257	Anson St	SANCTUARY POINT	R2	424.8
Community Land	Natural Area	Bushland		Lot 440 DP 1070880	Vost Dr	SANCTUARY POINT	R2	111.1
Community Land	Natural Area	Bushland		Lot 441 DP 1070880	Yallara Cres	SANCTUARY POINT	R2	135.3
Community Land	Park		PALM BEACH RESERVE	Lot 4 DP 505343	Greville Ave	SANCTUARY POINT	RE1	259.25
Community Land	Sportsground		SANCTUARY POINT OVAL	Lot 1525 DP 236518	129 Larmer Ave	SANCTUARY POINT	RE1	28568.27
Community Land	Sportsground		SANCTUARY POINT CRICKET GROUND	Lot 1598 DP 216922	Larmer Ave	SANCTUARY POINT	RE1	49207.24
Community Land	Park		EDMUND ST DRAINAGE RESERVE	Lot 895 DP 26989	40 Edmund St	SANCTUARY POINT	RE1	3231.16
Community Land	Park		KERRY ST DRAINAGE RESERVE	Lot 118 DP 25863	Loralyn Ave	SANCTUARY POINT	RE1	499.53

Community Land	Park		ANSON ST DRAINAGE RESERVE	Lot 116 DP 25863	Loralyn Ave	SANCTUARY POINT	RE1	1542.86
Community Land	Park		SANCTUARY POINT FORESHORE RESERVE	Lot 462 DP 16557	Sanctuary Point Rd	SANCTUARY POINT	RE1	22763.57
Community Land	Park		JOHN WILLIAMS RESERVE	Lot 460 DP 16557	Sanctuary Point Rd	SANCTUARY POINT	RE1	3989.95
Community Land	Natural Area	Foreshore		Lot 566 DP 24760	The Park Dr	SANCTUARY POINT	RE1	20721.17
Community Land	Park		MCLEAN ST DRAINAGE RESERVE	Lot 704 DP 27855	Walmer Ave	SANCTUARY POINT	RE1	2345.91
Community Land	Park		PAUL BLAND RESERVE	Lot 705 DP 27855	Walmer Ave	SANCTUARY POINT	R2/RE1	3901.42
Community Land	Natural Area	Bushland		Lot 886 DP 28031	Walmer Ave	SANCTUARY POINT	RE1	2921.32
Community Land	Park		WALMER AVE RESERVE	Lot 57 DP 28596	Walmer Ave	SANCTUARY POINT	RE1	234
Community Land	Natural Area	Bushland	ATTUNGA AVE RESERVE	Lot 155 DP 26483	7 Attunga Ave	SANCTUARY POINT	RE1	910.54
Community Land	Natural Area	Bushland	ATTUNGA AVE RESERVE	Lot 156 DP 26483	6 Attunga Ave	SANCTUARY POINT	RE1	1258.32
Community Land	Natural Area	Bushland	ATTUNGA AVE RESERVE	Lot 157 DP 26483	5 Attunga Ave	SANCTUARY POINT	RE1	1340.52
Community Land	Natural Area	Foreshore	SANCTUARY POINT DRAINAGE RESERVE	Lot 562 DP 24760	The Park Dr	SANCTUARY POINT	RE1	241.55
Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 563 DP 24760	Mountain St	SANCTUARY POINT	RE1	284.3
Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 564 DP 24760	Mountain St	SANCTUARY POINT	RE1	284.3
Community Land	General Community Use		SANCTUARY POINT PATHWAY	Lot 76A DP 31614	Kerry St	SANCTUARY POINT	RE1	139.11
Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 887 DP 28031	Walmer Ave	SANCTUARY POINT	RE1	483.1
Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 885 DP 28031	Macleans Point Rd	SANCTUARY POINT	RE1	485.4

Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 706 DP 27855	Walmer Ave	SANCTUARY POINT	RE1	419.5
Community Land	General Community Use			Lot 707 DP 27855	Macleans Point	SANCTUARY POINT	RE1	484.6
Community Land	General Community Use		SANCTUARY POINT DRAINAGE RESERVE	Lot 708 DP 27855	Kerry St	SANCTUARY POINT	RE1	490.2
Community Land	Park		PALM BEACH RESERVE	Lot 2 DP 564428	Greville Ave	SANCTUARY POINT	RE1	44.26
Community Land	Park		PALM BEACH RESERVE	Lot 3 DP 559448	Greville Ave	SANCTUARY POINT	RE1	51.6
Community Land	General Community Use			Lot 1868 DP 31816	Waratah Cres	SANCTUARY POINT	RE1	259.25
Community Land	General Community Use			Lot 1869 DP 31816	Waratah Cres	SANCTUARY POINT	RE1	562.77
Community Land	General Community Use			Lot 1 DP 719698	Greville Ave	SANCTUARY POINT	RE1	288
Community Land	General Community Use			Lot 2 DP 719698	Greville Ave	SANCTUARY POINT	RE1	279.2
Community Land	General Community Use			Lot 3 DP 719698	Sanctuary Point	SANCTUARY POINT	RE1	153
Community Land	General Community Use			Lot 4 DP 719698	Sanctuary Point	SANCTUARY POINT	RE1	165
Community Land	General Community Use			Lot 28 DP 803861	Forrester Ct	SANCTUARY POINT	RE1	189.1
Community Land	General Community Use			Lot 34 DP 803714	Kenneth Ave	SANCTUARY POINT	RE1	367.1
Community Land	Sportsground		FRANCIS RYAN RESERVE	Lot 4 DP 806393	Kerry St	SANCTUARY POINT	RE1	45230
Community Land	Park		PALM BEACH RESERVE	Lot 459 DP 654690	Greville Ave	SANCTUARY POINT	RE1	657.54
Community Land	Natural Area	Bushland		Lot 2 DP 131002	Irene St	SANCTUARY POINT	RE1	822
Community Land	Natural Area	Bushland		Lot 2 DP 882745	Irene St	SANCTUARY POINT	RE1	4247
Community Land	General Community Use		YELLOW BELLIED GLIDER RESERVE	Lot 715 DP 1019410	Maxwell Cres	SANCTUARY POINT	RE1	14090
Community Land	General Community Use			Lot 91 DP 1066068	Anabel Pl	SANCTUARY POINT	RE1	312.4
Community Land	General Community Use			Lot 92 DP 1066068	Anabel Pl	SANCTUARY POINT	RE1	254
Community Land	General Community Use			Lot 93 DP 1066068	Anson St	SANCTUARY POINT	RE1	3202
Community Land	General Community Use			Lot 94 DP 1066068	Belpitt Pl	SANCTUARY POINT	RE1	65.8
Community Land	General Community Use			Lot 95 DP 1066068	Belpitt Pl	SANCTUARY POINT	RE1	303.9
Community Land	General Community Use			Lot 323 DP 1064120	Capeland Ave	SANCTUARY POINT	RE1	481.6
Community Land	Natural Area	Bushland		Lot 122 DP 1094994	Links Ave	SANCTUARY POINT	RE1	13310

Community Land	Park		BLACKET PARK SOUTH	Lot 8 DP 247250	Rauch Cl	ST GEORGES BASIN	RE1	4171
Community Land	Park		ST GEORGES RD RESERVE	Lot 3 DP 560561	St Georges Rd	ST GEORGES BASIN	RE1	613
Community Land	Park		BLACKET PARK	Lot 42 DP 24608	Graham Ave	ST GEORGES BASIN	RE1	999.07
Community Land	Park		BLACKET PARK NORTH	Lot 111 DP 25769	Kevin Cres	ST GEORGES BASIN	RE1	1549.19
Community Land	Park		GRASS TREE RESERVE	Lot 26 DP 24608	St Georges Rd	ST GEORGES BASIN	RE1	1005.39
Community Land	Park		TASMAN RD RESERVE, ST GEORGES BASIN BUSH FIRE STN (former)	Lot 110 DP 25769	41 Tasman Rd	ST GEORGES BASIN	RE1	2845.45
Community Land	Park		THE WOOL RD RESERVE	Lot 35 DP 243903	The Wool Rd	ST GEORGES BASIN	RE1	6101.9
Community Land	Natural Area	Bushland	THE OLD WOOL ROAD RESERVE	Lot 70 DP 25550	The Old Wool Rd	ST GEORGES BASIN	RE1	22004.78
Community Land	Park		LORALYN AVE RESERVE	Lot 121 DP 17823	72 Loralyn Ave	ST GEORGES BASIN	RE1	6816.42
Community Land	Park		KINGFISHER PARK	Lot 6 DP 225886	1 Island Point Rd	ST GEORGES BASIN	RE1	1713.59
Community Land	Park		KINGFISHER RESERVE	Lot 5 DP 225886	3 Island Point Rd	ST GEORGES BASIN	RE1	1150.82
Community Land	Park		BLUE WRENS RETREAT	Lot 31 DP 208804	185 Island Point Rd	ST GEORGES BASIN	RE1	1669.33
Community Land	Park		BLACKET PARK	Lot 3 DP 554976	9 Collett Pl	ST GEORGES BASIN	RE1	3307.04
Community Land	Park		BLACKET PARK	Lot 41 DP 23629	Lachlan Cres	ST GEORGES BASIN	RE1	6449.68
Community Land	Natural Area	Watercourse		Lot 123 DP 17823	Loralyn Ave	ST GEORGES BASIN	RE1	2219
Community Land	Natural Area	Watercourse		Lot 122 DP 17823	Loralyn Ave	ST GEORGES BASIN	RE1	1343.4
Community Land	General Community Use		WAHROONGA CL RESERVE	Lot 32 DP 730378	Wahroonga Cl	ST GEORGES BASIN	RE1	196.2
Community Land	Natural Area	Bushland	FIRETAIL CREEK RESERVE	Lot 33 DP 730378	Cammaray Dr	ST GEORGES BASIN	RE1	10710

Community Land	Park		WONGA PL RESERVE	Lot 31 DP 778355	4 Jackson Cl	ST GEORGES BASIN	RE1	594.8
Community Land	Park		NULLA PL RESERVE	Lot 237 DP 788157	27 The Wool	ST GEORGES BASIN	RE1	8757
Community Land	Park		WONGA PL RESERVE	Lot 105 DP 788879	31 Cammaray Dr	ST GEORGES BASIN	RE1	1102
Community Land	General Community Use		CAMMARAY DR RESERVE	Lot 106 DP 788879	Hurst Pl	ST GEORGES BASIN	RE1	198.8
Community Land	General Community Use		WONGA PL RESERVE	Lot 104 DP 791649	Cammaray Dr	ST GEORGES BASIN	RE1	304
Community Land	General Community Use		WONGA PL RESERVE	Lot 103 DP 791649	Wonga Pl	ST GEORGES BASIN	RE1	236.2
Community Land	Park		WONGA PL RESERVE	Lot 102 DP 791649	Wonga Pl	ST GEORGES BASIN	RE1	1046
Community Land	Park		WONGA PL RESERVE	Lot 188 DP 801410	Claylands Dr	ST GEORGES BASIN	RE1	6553
Community Land	General Community Use		CLAYLANDS DR RESERVE	Lot 189 DP 801410	Kurraba Pl	ST GEORGES BASIN	RE1	194.6
Community Land	Park		DURNFORD PL RESERVE SOUTH	Lot 365 DP 804059	Durnford Pl	ST GEORGES BASIN	RE1	627.9
Community Land	Park		DURNFORD PL RESERVE WEST	Lot 366 DP 804059	Durnford Pl	ST GEORGES BASIN	RE1	1021
Community Land	General Community Use			Lot 367 DP 804059	Durnford Pl	ST GEORGES BASIN	R2	316
Community Land	General Community Use			Lot 368 DP 804059	Durnford Pl	ST GEORGES BASIN	RE1	227.4
Community Land	Park		DURNFORD PL RESERVE NORTH	Lot 369 DP 804059	Durnford Pl	ST GEORGES BASIN	RE1	3306
Community Land	Park		NULLA PL RESERVE	Lot 27 DP 807457	Nulla Pl	ST GEORGES BASIN	RE1	13640
Community Land	Park		NULLA PL RESERVE	Lot 28 DP 807457	Nulla Pl	ST GEORGES BASIN	RE1	242.7
Community Land	Natural Area	Bushland	FIRETAIL CREEK RESERVE	Lot 2 DP 810976	Loralyn Ave	ST GEORGES BASIN	RE1	10180
Community Land	Natural Area	Bushland	TILBROOK AVENUE RESERVE	Lot 337 DP 813805	Tilbrook Ave	ST GEORGES BASIN	RE1	4180
Community Land	Natural Area	Bushland	TILBROOK AVENUE RESERVE	Lot 338 DP 813805	Tilbrook Ave	ST GEORGES BASIN	RE1	1237
Community Land	Sportsground		WOOL LANE SPORTING COMPLEX	Lot 13 DP 832577	Hewitt Ave	ST GEORGES BASIN	RE1	23310
Community Land	General Community Use			Lot 9 DP 843362	Turvey Cres	ST GEORGES BASIN	RE1	359.3
Community Land	General Community Use			Lot 58 DP 1035336	Turvey Cres	ST GEORGES BASIN	RE1	333.9
Community Land	General Community Use			Lot 59 DP 1035336	Turvey Cres	ST GEORGES BASIN	RE1	213.6
Community Land	General Community Use			Lot 60 DP 1035336	Turvey Cres	ST GEORGES BASIN	R2	153.5

Community Land	Natural Area	Bushland		Lot 61 DP 1035336	Turvey Cres	ST GEORGES BASIN	RE1	1862
Community Land	General Community Use			Lot 162 DP 1049679	Anson St	ST GEORGES BASIN	R2	320
Community Land	General Community Use			Lot 163 DP 1049679	Anson St	ST GEORGES BASIN	RE1	1355
Community Land	General Community Use			Lot 164 DP 1049679	Firman Glen	ST GEORGES BASIN	RE1	744.9
Community Land	General Community Use			Lot 165 DP 1049679	Anson St	ST GEORGES BASIN	R2	148
Community Land	Park		DURNFORD PL RESERVE NORTH	Lot 204 DP 1056358	Anson St	ST GEORGES BASIN	RE1	1780
Community Land	General Community Use			Lot 205 DP 1056358	13 Carver Ct	ST GEORGES BASIN	RE1	290.1
Community Land	General Community Use			Lot 206 DP 1056358	155 Anson St	ST GEORGES BASIN	RE1	227.8
Community Land	General Community Use			Lot 207 DP 1056358	12 Carver Ct	ST GEORGES BASIN	RE1	322.4
Community Land	Park		ANSON ST RESERVE WEST	Lot 208 DP 1056358	Anson St	ST GEORGES BASIN	RE1	1393

647643.8

TOTAL 64.76HA

Council owned - Community Land - Pilot Project Land Review

Sanctuary Point / St Georges Basin



St Georges Basin





Basin View



## SA18.245 Proposed Sale of Lot 4 DP 550354 Island Point Road, St Georges Basin

**HPERM Ref:** D18/309787

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

**Attachments:** 1. Proposed Sale - Lot 4 DP 550354 Island Point Rd, St Georges Basin [↓](#)  
2. Proposed Subdivision - Lot 4 DP 550354 Island Point Rd, St Georges Basin [↓](#)

### Purpose / Summary

To provide Council with an opportunity to consider a proposal to subdivide Lot 4 DP550354 Island Point Road, St Georges Basin into three (3) for the purpose of selling each lot to the adjoining owner.

### Recommendation

That Council:

1. Approve, in principle, the sale of Council land comprised in a three (3) lot subdivision of Lot 4 DP 550354 Island Point Road, St Georges Basin;
2. Receive a further report in due course regarding the subdivision and final terms and conditions of the proposed sales to adjoining owner(s).

### Options

1. Resolve as recommended.

Implications: The proceeds of the sale of the land will increase Council 's revenue base.

2. Not resolve as recommended.

Implications: Council will retain ownership of the surplus land and continue to be liable for all costs associated with it into the future. Council will also forego the opportunity to maximise income generated through the sale of the land.

### Background

The subject land is currently vacant, has an area of 354.1 sq metres and is zoned Business B4 Mixed Use. It is land locked with no legal vehicle or pedestrian access from Island Point Road but does however have water access from St Georges Basin.

As part of the 2017 Planning Proposal to amend Shoalhaven Local Environmental Plan 2014 (PP010 – Council Land Reclassification – Housekeeping), the land was reclassified from community land to operational land. The public notice for the reclassification provided the following information:

Council's interests in land – when and how it was acquired	This lot was dedicated to Council as public reserve in 1971 under subdivision No. 3071.
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SA18.245

Any agreements over the land	No.
Anticipated development	Unknown; No change to zone proposed.
Asset management objectives	Disposal of surplus land through investigation of sale of land to adjoining land owner.
Financial implications	Small financial gain if sold to adjoining land owner(s).

As a result of the public notice, three adjoining property owners (16, 16A & 18 Island Point Road) indicated to Council their interest in purchasing part of the land following subdivision of same.

Given the above, the best result for Council is to undertake a three (3) lot subdivision (the B4 zoning has no minimum lot size with the lot sizes ranging from 82 sq metres to 108 sq metres) and negotiate the sale of the 3 allotments directly with the adjoining owners (16, 16A & 18 Island Point Road). This will result in these three properties becoming absolute water front.

A plan of a proposed subdivision is shown on Attachment 2. It is intended to negotiate the sale of each of the newly created lots directly with the adjoining owner(s) on the provision the newly created lots are consolidated with their current holding in each case.

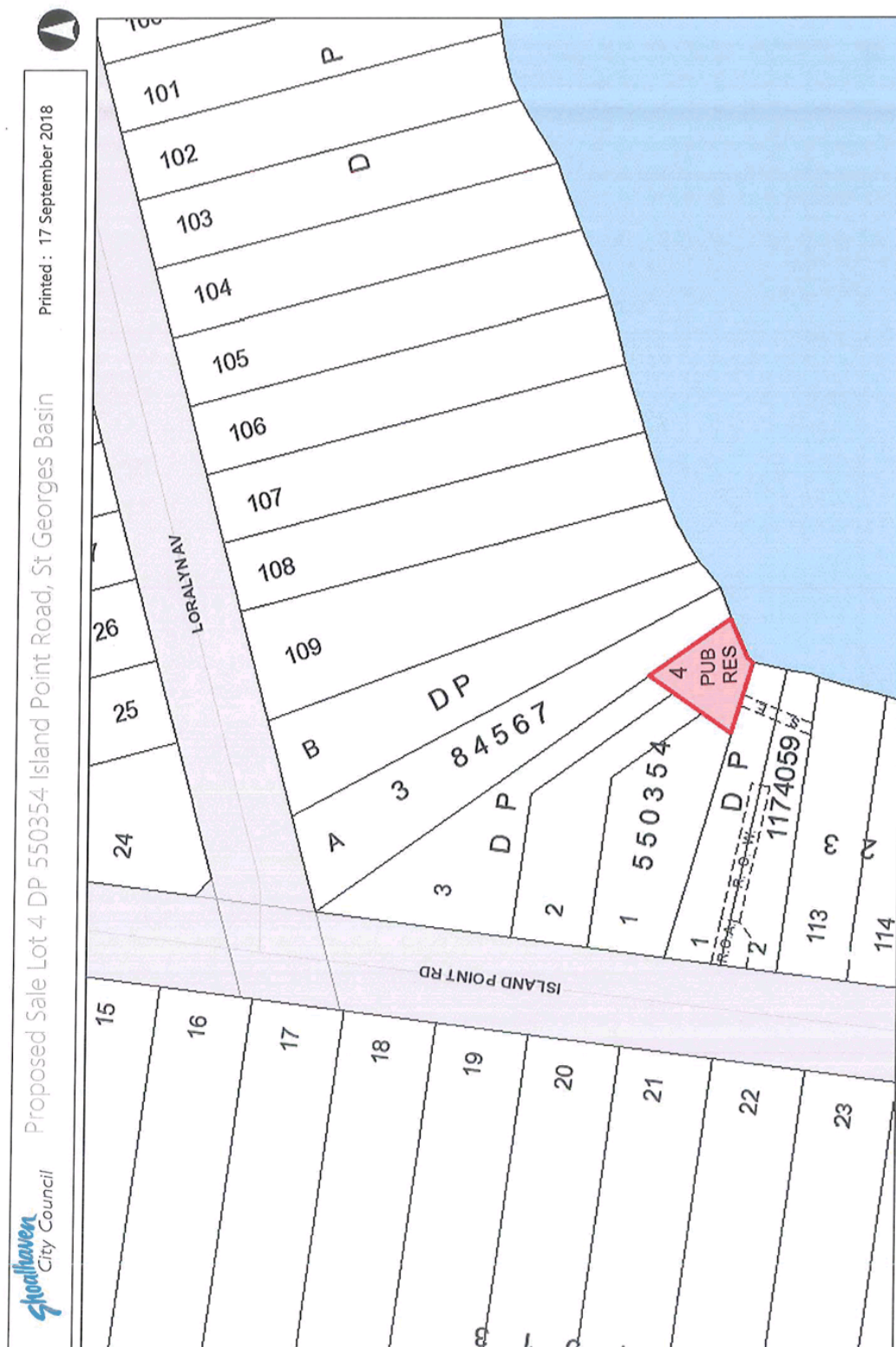
### Community Engagement

The proposed sale of this land is considered to be a local area low impact issue as outlined in Council's Community Engagement Policy and Handbook, therefore before placing the property on the market there will be an appropriate level of community engagement including newspaper advertising, notification on Council's website and informing the local Community Consultative Bodies.

### Financial Implications

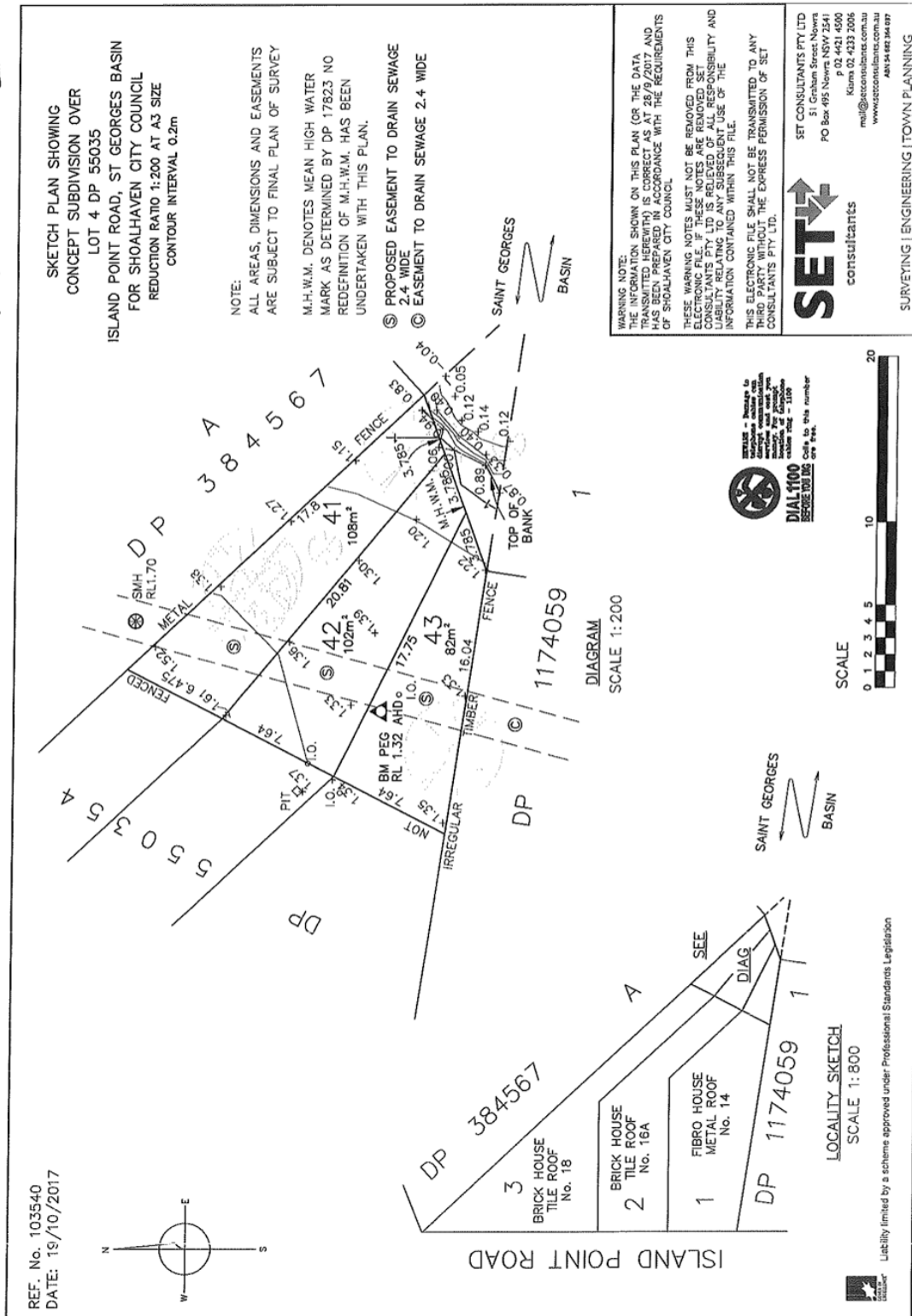
The proposed sale of this land will generate additional income for Council and this will be placed in the Property Reserve for future property projects.

Attachment 1



SA18.245 - Attachment 1

Attachment 2



SA18.245 - Attachment 2

## SA18.246 Grant of Electricity Easement for Pad Mount Substation and Restriction on the Use of Land to Endeavour Energy - Lot 1 DP860791 - 92 Albatross Road, South Nowra

**HPERM Ref:** D18/321907

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

**Attachments:** 1. Proposed Pad Mount Substation Easement and Restriction on Use of Land - Lot 1 DP 860791 South Nowra [↓](#)

### Purpose / Summary

This report provides Council with an opportunity to consider granting an Easement for a Pad Mount Substation and Restriction on the Use of Land in favour of Endeavour Energy over Council owned Operational land comprised in Lot 1 DP860791 at 92 Albatross Road, South Nowra as shown and marked (A) and (B) on Attachment 1.

### Recommendation

That:

1. Council grant an Easement in favour of Endeavour Energy for a Pad Mount Substation and Restriction on the Use of Land over Council owned land at Lot 1 DP860791, 92 Albatross Road, South Nowra; 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.

### Options

1. Resolve as recommended.

Implications: The easements are required to provide Endeavour Energy with legal access for the operation and maintenance of its essential public infrastructure.

2. Not resolve as recommended.

Implications: Endeavour Energy will not have guaranteed access to maintain the public infrastructure which may have a negative impact on the operation of the Integrated Emergency Management Centre.

### Background

A tender for the Integrated Emergency Management Centre Pad Mount Substation was considered by Council on 27 June 2017 when it was resolved as follows (MIN17.602C):

- "1. Council accept the Tender from Great Southern Electrical Pty Ltd for the IEMC Pad Mount Sub Station a total cost of \$361,028.00 (excluding GST)."*

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2. *The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation.*
3. *Council vote additional funds of \$80,000 from the S94 Recoupment Reserve with these funds being recouped from future contributions being received on project CWFIRE2002.”*

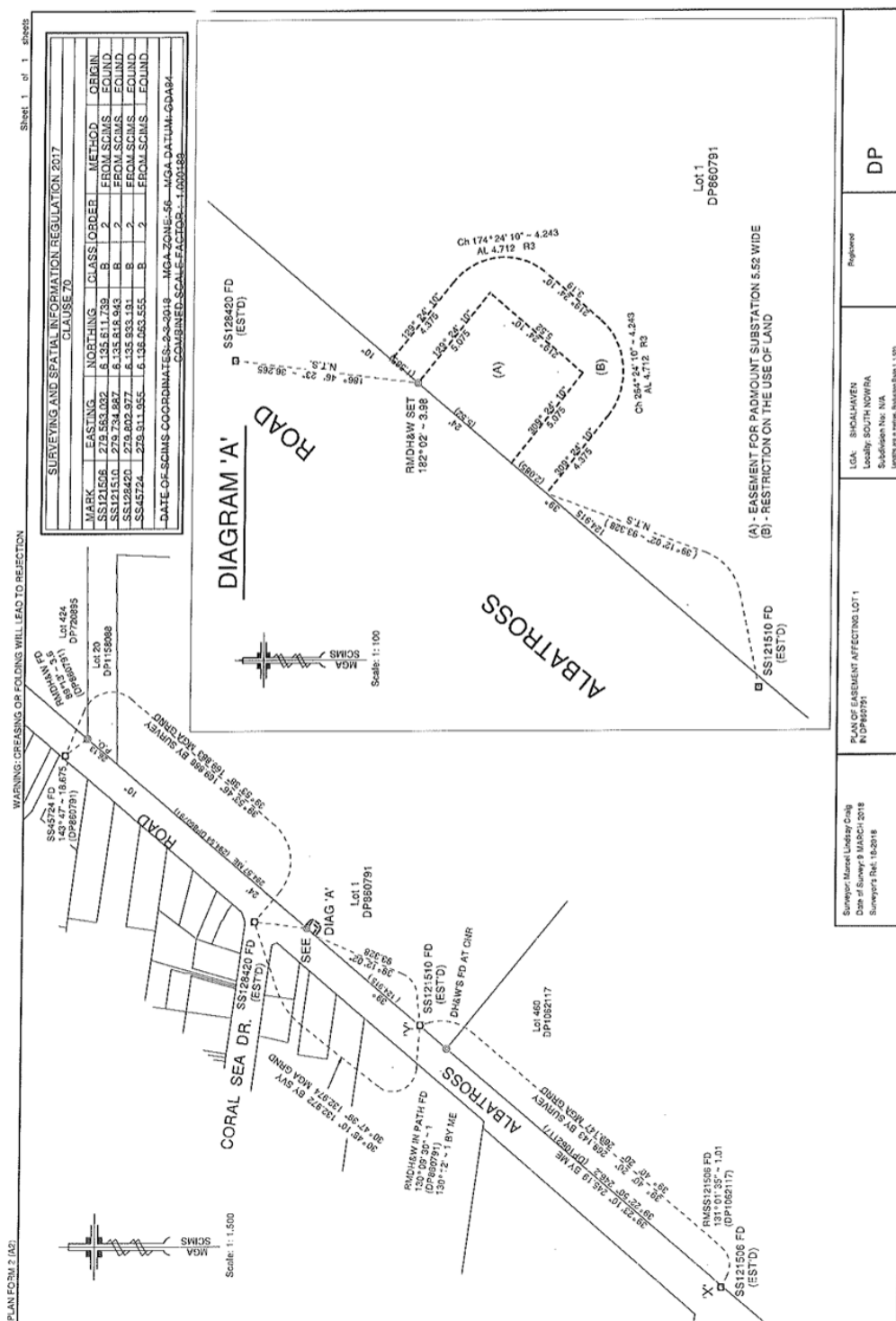
Pursuant to Council resolution, an easement is now required over Council owned operational land for the pad mount substation and a restriction on the use of the surrounding land to ensure Endeavour Energy has legal access for the operation and maintenance of its essential public infrastructure.

The easement is required as a condition of supply (upgrade) of electricity by Endeavour Energy in connection with the development of the emergency management centre and is to be created at no cost to Endeavour Energy.

### **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.





# SA18.246 - Attachment 1



## SA18.247 Grant of Easement for Underground Cables to Endeavour Energy - Lot 49 DP243033 - North Nowra

**HPERM Ref:** D18/277754

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

**Attachments:** 1. Proposed Easement - Endeavour Energy - Lot 49 DP243033 - North Nowra [↓](#)

### Purpose / Summary

This report provides Council with an opportunity to consider the granting of an easement over a Council public reserve at North Nowra in favour of Endeavour Energy.

### Recommendation

That:

1. Council grant an Easement in favour of Endeavour Energy for underground cables 2 metres wide and overhead cables 9 metres wide (per Endeavour Energy plan Ref: 511156 dated June 2018) over Lot 49 DP243033 (Council public reserve located between Philip Dr and Walsh Cres, North Nowra) and accept compensation of \$7,000 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.

### Options

1. Resolve as recommended.

Implications: This easement is required to provide Endeavour Energy with legal access for the operation and maintenance of its essential public infrastructure.

2. Not resolve as recommended and that Council defer a determination / decision on the matter pending discussion at a Councillor briefing.

Implications: Endeavour Energy will not have guaranteed access to maintain the public infrastructure.

### Background

Endeavour Energy is undertaking a project to improve the reliability and security of the electricity network to the residential area around Philip Drive and Walsh Crescent, North Nowra.

The project involves the construction of a high voltage cross feeder tie to link 2 existing substations. One substation is located in Philip Drive and the other is located in Walsh Crescent at Illaroo Road Public School. Both these substations are located at the end of a spur line in the high voltage electricity network.

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The preferred route will pass through a Council public reserve located between Philip Drive and Walsh Crescent. The affected Council land is comprised in Lot 49 DP243033. The route through the reserve will follow the edge of the concrete footpath from the Philip Drive boundary to a location just beyond the playground before heading to the existing power pole adjacent to that playground. From this pole, overhead conductors will run to the east side of Walsh Crescent.

Compensation for the granting of the easement has been assessed at \$7,000 plus GST by Walsh & Monaghan Valuers Pty Ltd. Endeavour Energy has given approval to the payment of that amount in compensation and accepts responsibility for all costs associated with the creation of the easement. Endeavour Energy has agreed to repair / replace any infrastructure damaged in the construction.

The underground conduits and subsequent easements will run through and be over Council land categorised as “Community Land”. The granting of a lease, licence or estate in respect of community land is permissible under Clause 46 (1) (a) of the Local Government Act 1993 which states:

*“A lease, licence or other estate in respect of community land may be granted for the provision of public utilities and works associated with or ancillary to public utilities.”*

In this case, the granting of the easement for underground cables falls under the definition of other estate.

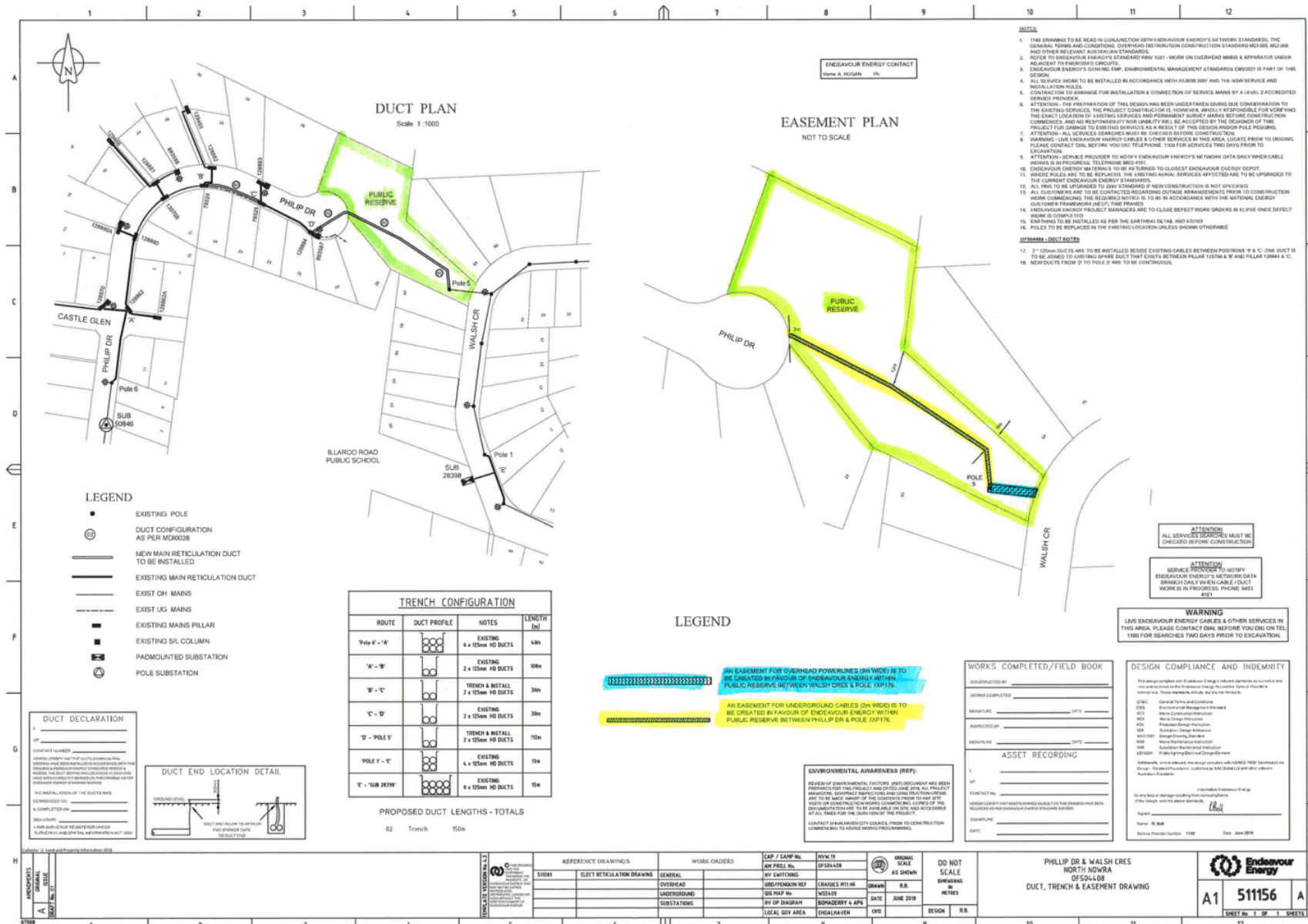
### **Community Engagement**

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.

### **Financial Implications**

All costs associated with the granting of the easement are to be met by Endeavour Energy.

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## SA18.248 Positive Covenant - Asset Protection Zone - Over Part Crown land - Reserve R89771 - adjoining 2 Greville Ave, Sanctuary Point

**HPERM Ref:** D18/285234

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

**Attachments:** 1. Proposed APZ - Crown land Reserve adjoining 2 Greville Ave, Sanctuary Point [↓](#)

### Purpose / Summary

This report provides Council with an opportunity to consider approving the creation of a Positive Covenant in accordance with Section 88E, Conveyancing Act 1919 for an Asset Protection Zone (APZ) over part of Council managed Crown land Reserve R89771 to benefit the adjoining land comprised in Lot 1 Sec A DP8366 at 2 Greville Ave Sanctuary Point.

### Recommendation

That Council:

1. Resolve to approve the creation of a variable width Asset Protection Zone over part of Crown Reserve R89771 adjoining the western boundary of Lot 1 Sec A DP8366 by way of a positive covenant in accordance with the provisions of Section 88E, Conveyancing Act 1919;
2. Require the owners of the benefitting land comprised in Lot 1 Sec A DP8366, David and Linda Fletcher, to pay compensation to Council in the amount of \$500.00 plus GST (if applicable) and to meet all costs associated with the creation of the positive covenant;
3. Require that the owners of Lot 1 Sec A DP8366 indemnify Council against any loss, injury or damages incurred whilst on Council managed land and undertaking the activities defined in the APZ Management Plan; 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 this 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-40.

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

*"That Council:*

*Refuse the application for the creation of a variable width Asset Protection Zone over part of Council managed Crown Land Reserve R89771 adjoining the common western boundary of Lot 1 Sec A DP8366."*

Implications: Refusing the APZ application will not stop the development from proceeding but rather retain the construction standard at BAL-Flame Zone. This will

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require David and Linda Fletcher to meet the additional costs of construction to a standard required to protect their development.

3. That Council/Committee defer a determination/decision on the matter pending discussion at a Councillor briefing.

## Background

At the Ordinary Council meeting of 26 June 2018, it was resolved that Council (MIN18.474):

1. “Supports the establishment of a “positive covenant” on the land title at 2 Greville Avenue, Sanctuary Point, to enable the current owners and future owners to manage bushfire hazard reduction in the adjacent reserve, to ensure that the bushfire classification of the site is no longer that of “Flame Zone”.”

Council has received an application for consent (DA18/1072) to demolish an existing dwelling and erect a new dwelling on 2 Greville Ave, Sanctuary Point (Lot 1 DP8366 Sec A). The assessment of the DA has determined the bushfire construction level as “Flame Zone” which requires the use of building materials that are highly flame resistant and which carry 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 Council managed Crown land Reserve adjoining the site to the west.



*Area of positive covenant along western boundary looking south from Greville Ave*

To reduce the Bushfire construction level, the owners of 2 Greville Ave, Sanctuary Point have made an application to Council for the creation of an Asset Protection Zone over the adjoining Council managed Crown land Reserve. Development Staff have advised the maintenance of a variable width strip over the Crown land will reduce the bushfire construction level to BAL-40, therefore changing the types of materials used to construct the dwelling and providing significant savings on construction costs.

The owners of 2 Greville Avenue will be required to create the positive covenant over their property, Lot 1 Sec A DP8366, which is to provide for maintenance of the adjoining Crown land for as long as the covenant exists. The positive covenant can only be released, varied or modified by Council. All costs and maintenance associated with the APZ will be the responsibility of the owner of 2 Greville Ave, Sanctuary Point.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd has assessed compensation for the positive covenant at \$500.00 (excluding GST) for an area of approximately 700m<sup>2</sup>.

It should be noted that a refusal to grant the APZ will not stop the development from occurring provided David and Linda Fletcher pay 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.





## SA18.249 Proposed Ground Licence to Sussex Inlet Men's Shed Inc. - Thomson Street Sporting Complex - 29 Thomson Street Sussex Inlet

**HPERM Ref:** D18/331087

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

**Attachments:** 1. Proposed Licence Plan [↓](#)

### Purpose / Summary

This report provides Council with an opportunity to consider an approval to grant a ground licence over Part Lot 2 DP 1062625 – Thomson Street Sporting Complex, 29 Thomson Street Sussex Inlet (refer to attachment 1) to the Sussex Inlet Men's Shed for a one year short term licence, at an annual rent of \$493 plus GST, with annual CPI increases.

### Recommendation

That Council:

1. Enter into a one year short term ground licence over Part Lot 2 DP 1062625 Thomson Street Sporting Complex with Sussex Inlet Men's Shed for an annual rent of \$493 plus GST, with annual CPI increases, for the purpose of operating a men's shed.
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. Adopt the recommendation.

Implications: The ground licence will allow the Licensee to continue to occupy the premises and provide a place for men to gather, converse, share skills and provide a safe and secure facility for storage of tools, equipment including a bus trailer.

2. Not adopt the recommendation.

Implications: The Licensee will be required to find alternate premises for single use occupation to enable use and provide safe and secure storage of tools, equipment and bus trailer.

### Background

Sussex Inlet Men's Shed provides a place for local men to meet and enjoy the company of other men with similar interests, encourage an environment to discuss men's health, both mental and physical, and the sharing of skills learnt over a working lifetime within the wider community. The Sussex Inlet Men's Shed provides a support network to the male residents of Sussex Inlet, Cudmirrah, Berrara, Wandandian, Basin View and Fisherman's Paradise

The Sussex Inlet Men's Shed was formed circa 2007, and initially occupied the premises identified as the shed adjoining the eastern side of the tennis club house. In 2012, the Men's

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Shed was the driving force for obtaining development consent for and construction of a purpose built 3 bay garage for storage of a bus trailer and equipment, and additionally, it gave an opportunity to provide extra bays for sporting and/or community groups.

Due to the nature of the existing occupancy, that being use of tools and machinery for the purpose of operating a “Men’s Shed”, the facility occupied by the Sussex Inlet Men’s Shed is not available for public hire and therefore does not fall under a public facility definition. Therefore a formal licence agreement is required to cover the ongoing occupation of the facility

Council’s Property Unit and the Sussex Inlet Men’s Shed have worked together to negotiate a ground licence for the area currently occupied at the Thomson Street Sporting Complex. The schedule of agreed terms is provided below:

#### Terms Schedule

<b>Licensor:</b>	The Council of the City of Shoalhaven as Crown Land Manager – R180065 – Thomson Street Sporting Complex.  Administration Building 42 Bridge Road, Nowra, NSW, 2541 Tel: 02 4429 3111 Fax: 02 4422 1816  Email <a href="mailto:Council@shoalhaven.nsw.gov.au">Council@shoalhaven.nsw.gov.au</a>
<b>Licensee:</b>	Sussex Inlet Men’s Shed ABN: 30 832 610 991  Thomson St Sporting Complex Sussex Inlet Telephone: 02 4441 0090 (Shed – 8am to 12 noon Mon, Wed, Fri) Mobile: 0457 996 775 Email: <a href="mailto:kevftho84@gmail.com">kevftho84@gmail.com</a>
<b>Premises:</b>	Part Lot 2 DP 1062625
<b>Licence Term:</b>	1 year
<b>Commencing date:</b>	TBA
<b>Terminating date:</b>	TBA
<b>Licence preparation fee:</b>	\$350.00
<b>Rent:</b>	Statutory Minimum \$493.00 plus GST per annum
<b>Rent Assessment:</b>	Not applicable
<b>Fee review</b>	Annually in accordance with CPI
<b>Outgoings:</b>	100%
<b>Permitted use:</b>	Community not for profit organisation - Men’s Shed

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	meetings and all activities incidental thereto.
<b>Limit of liability under insurance:</b>	\$20 Million

Initial licence negotiation with Sussex Inlet Men's Shed was prior to the commencement of the Crown Land Management Act 2016 (CLM Act) on 1 July 2018. The CLM Act authorises councils that are appointed to manage dedicated or reserved Crown land as if it were community land under the Local Government Act and a plan of management must be adopted for that community land. A transition period of 3 years applies, and a plan of management must be in place within that time.

Prior to the adoption of a plan of management, Council under the Act can only issue a new short-term licence for a maximum period of one year if the licence is for a prescribed purpose under the CLM Act. Therefore the initial term of 5 years as requested by the Sussex Inlet Men's Shed will now be revised to a one year short-term licence that will need to be renewed each year until a plan of management is approved by the Minister; a longer term agreement can then be entered into.

### Community Engagement

In accordance with Section 47A of the Local Government Act, a public notice of the proposed licence was physically attached to both the 3 bay garage and existing shed that adjoins the eastern side of the tennis clubhouse, as well as public notification by way of newspaper advertising in the *South Coast Register* and *Milton Ulladulla Times* on Wednesday 1 August 2018 for a period of 28 days. Adjoining property owners, Sussex Inlet and District Community Forum and the Thomson Street Sporting Complex Management Committee have also been notified.

Three submissions were received and raised the following concerns:

<b>Issue</b>	The complex is a community facility and should remain under the control of the Council delegated committee i.e. Sussex Inlet Thomson Street Facilities Management Committee.
<i>Council response</i>	The facility occupied by the Sussex Inlet Men's Shed is not available for public hire and therefore does not fall under the term "public facility". A formal Licence agreement is required.
<b>Issue</b>	The Management Committee needs to be part of the process for leasing of the complex so other community groups are not disadvantaged or a precedent is set.
<i>Council response</i>	Although the Management Committee represents Council, it is not a separate entity and has no authority to execute leases/licences. The input of the Management Committee has been requested through informal request for comment and formal public notification.
<b>Issue</b>	Dissatisfaction with the state of the complex; number of extra buildings being erected; lack of consistency in building materials and construction; appearing to look more and more industrial in nature; considerable deterioration of standard of buildings at the complex.
<i>Council response</i>	The proposed ground licence is to formalise an existing occupation.

	No new building is proposed.
<b>Issue</b>	Public notice implied the proposed ground licence was for the whole of the Sussex Inlet Thomson Street Sporting Complex. However, if the ground licence is only for the existing facilities used by the Sussex Inlet Men's Shed, then no comment.
<i>Council response</i>	It is confirmed that the proposed licence is for the existing occupation of facilities.
<b>Issue</b>	Initial concerns raised over control of the 3 bays in the garage.
<i>Council response</i>	<p>The licence is a ground licence only. A special condition is to be included in the licence to address concerns about usage of the 3 bay garage by sporting and/or community groups.</p> <p>Special Condition:</p> <p><i>The hebel, concrete and steel garage identified as the western licenced area is to be occupied as follows:</i></p> <p><i>Sussex Inlet Men's Shed ..... approximately 50%</i></p> <p><i>Rotary Club ..... approximately 25%</i></p> <p><i>Community groups..... approximately 25%</i></p> <p><i>As per the existing configuration.</i></p> <p><i>The Rotary Club and Community Groups will have unhindered access to their allocated storage areas for the term of any ground licence granted by Council.</i></p>

An acknowledgment letter has been sent to those who provided a submission during the public notification period and detailed response letter will be forwarded following resolution.

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## **SA18.250 Response - MIN18.290 regarding various issues in the Huskisson Area**

**HPERM Ref:** D18/206735

**Group:** Assets & Works Group

**Attachments:** 1. JBMM Banner Bracket Policy 2017 [↓](#)

### **Purpose / Summary**

The following is a response to the 24 April 2018 Resolution (Min18.290) regarding various issues in the Huskisson area.

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

That Council note the responses to the 24 April 2018 Resolution (MIN18.290) regarding various issues in the Huskisson area.

### **Background**

At the Ordinary Meeting on 24 April 2018, Council resolved as follows (MIN18.290):

*That:*

1. *Council recognises and gives priority consideration in the budget process to the following (noting the importance of item 1a as a priority)*
  - a. *Prepare a comprehensive current traffic/parking control plan and fund and construct a roundabout at the intersection of Owen/Sydney/Tomerong streets (Picture Theatre corner).*
  - b. *Remove the existing work/dump area at the entrance to Husky Road north side (opposite the new sign) and replant with trees to compliment the other side.*
  - c. *Sports fields public amenities upgrade*
2. *The following items be costed and reported to Council*
  - a. *Outdoor gym equipment in Voyager Park.*
  - b. *Car Parking solutions (a significant on-going issue)*
  - c. *Add trees to village entrance on south side near the Bowling Club to create an avenue.*
  - d. *Install banners in Owen street on power poles for holidays/ white sands carnival.*

Responses are provided by various officers as follows;

1. *Council recognises and gives priority consideration in the budget process to the following (noting the importance of item 1a as a priority)*
  - a. *Prepare a comprehensive current traffic/parking control plan and fund and construct a roundabout at the intersection of Owen/Sydney/Tomerong streets (Picture Theatre corner).*

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**Response: Director Assets and Works**

The construction of a roundabout at the intersection of Owen / Sydney / Tomerong Streets Huskisson has been noted as a priority for consideration / inclusion in future budget with an allocation of \$800,000. See item 2b for car parking study / control plan.

Economic Development will be seeking funding opportunities by submitting applications through Building Better Regions Program and Stronger Country Communities Fund when opportunities arise.

The June Quarterly Budget Review also has provided funding of \$25,000 for design and costing so that the construction of a roundabout can be “shovel ready”.

- b. *Remove the existing work/dump area at the entrance to Husky Road north side (opposite the new sign) and replant with trees to compliment the other side.*

**Response: Director Assets and Works**

There is a designated stockpile site at the intersection of Pine Forest Road and Naval College Road.

The verge on the north side of Huskisson Rd is generally not used for stockpiling of material, although has been used for a temporary works compound at various times during construction projects.

Staff are currently finalising a list of citywide streetscape improvement projects for the FY18/19 streetscape budget and this project will be nominated for consideration by Council.

- c. *Sports fields public amenities upgrade*

**Response: Director Finance Corporate & Community**

It is understood that this item specifically relates to the Huskisson Sporting Fields. The community representatives have suggested that: *“the current facility has a feel of the 1960’s. There is now 400 registered soccer players, plus market attendees and carnival attendees using the facilities. There are only 2 female cubicles in these facilities. People now use the Bowlo’s facilities as public facilities seem inadequate”*.

The amenities were updated in 2008 and are not programmed for any further works this financial year. The current arrangement meets the requirements of 180 persons. The facilities are only opened to patrons of the Huskisson sports fields when it is in use. They are not considered Public Amenities as they specifically service the sporting fields.

Council's Community Infrastructure Strategic Plan 2017-2036 notes no further works or recommendations for upgrades for the Huskisson Sports Ground. The 2017 Seasonal Allocation Form identifies 368 registered players and two fields.

The appropriate manner to deal with this issue would be to directly engage with the users groups when Council's Community Infrastructure Strategic Plan is reviewed. This is expected to occur in 2021 following the next local government elections.

- 2. *The following items be costed and reported to Council*

- a. *Outdoor gym equipment in Voyager Park.*

**Response: Director Finance Corporate & Community**

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Council staff are currently finalising the detail design for Voyager Park, and have commenced the construction works to complete the HMAS Voyager memorial, park entrance and path in line with funding received from the Commonwealth Government under the Community Development Grants Program. In addition, the concept plan for Voyager Park also includes an extension to the existing playground and water play facility. Considering any additional infrastructure in this location is not recommended as it may result in overcrowding of facilities and detract from the ambience of Voyager Park. Delivering the masterplan is consistent with Council's adopted Community Infrastructure Strategic Plan.

Other areas in Huskisson should be considered for such facilities, including White Sands Park or Moona Moona Creek Reserve. Installation of outdoor gym equipment should be considered along established shared paths rather than as a single station with multiple equipment types. This provides users the opportunity to travel along the paths, stop for a specified exercise and continue on. This option also limits the amount of space required for the facility, which is a necessary consideration for these open space areas in Huskisson which are highly utilised for events, and reduces the impact from a noise and congestion perspective on the surrounding sensitive land uses such as residential dwellings. An indicative cost for the supply and install of facility which includes approximately eight to ten outdoor gym equipment pieces is approximately \$75,000.

Council's Community Infrastructure Strategic Plan 2017-2036 does not identify this facility as a requirement in Huskisson. Existing outdoor exercise equipment is provided in the Bay & Basin area at Plantation Point, Vincentia, and Paradise Beach, Sanctuary Point.

The appropriate manner to deal with this issue would be to directly engage with the users groups when Council's Community Infrastructure Strategic Plan is reviewed. This is expected to occur in 2021.

*b. Car Parking solutions (a significant on-going issue)*

**Response: Director Assets and Works**

The Huskisson Traffic and Parking study was completed in December 2016. Council resolved 20 December 2016 (MIN16.1048)

*That*

- 1. The Huskisson Traffic and Parking Study be made publicly available*
- 2. Commence survey design and consultation for all short-term pedestrian and traffic management options in accordance with the recommended strategy*
- 3. Consider reviewing the Development Control Plan and Contributions Plan projects related to car parking and traffic facilities*
- 4. As part of the next major review of the Shoalhaven Local Environmental Plan, based on the study findings consider planning for the long-term provision of a Huskisson Bypass (alternative road access around the town centre for through traffic)*

The study identified (based on Council's current policy/CAR parking rates) that there is currently adequate parking in Huskisson. It is the demand "over and above" those minimum rates, particularly on weekends and holidays that creates the current angst in Huskisson.

However, city-wide the Development Control Plan (DCP) and Contributions Plan (CP) do not provide for those higher levels of demand. Generally, if Council wanted to satisfy those higher level demands this would have to be funded separately (in addition to car parking projects identified in the DCP/CP), and subject to considering city wide priorities (the higher levels of parking demand experienced in Huskisson is common in many of Shoalhaven's towns and villages).

Because a key outcome of the analysis was that parking supply in Huskisson was currently sufficient (in accordance with Council policy), there was no resolution in December 2016 to address parking in the short term (item 3 of the resolution intended to address strategic planning for future car parking provision).

At the time the Huskisson Traffic and Parking study was completed, it was unknown what the future direction was in regards to

- #59 Owen Street (the study considers both with/without),
- it was assumed the Church and Crown land (Currumbene Street) would both be required as part as part of the future car parking strategy (now uncertain whether this can be achieved), and
- it was reported that an additional 40 spaces (approximately) could be created on the same land as the existing Owen Street car park by reconfiguring the existing car park to create a fourth aisle of parking to minimum Australian Standards (the car park immediately adjacent to the bottle shop). The Owen Street car park option (although available as a short term option) was never pursued by Council as it considered the future development potential of that land.

The study was comprehensive and provided all the supply/demand numbers for Council to consider, however the Strategy remains unresolved.

Because of uncertainties over key parcels of land historically considered to be options for a Huskisson car parking strategy, the DCP and CP has been unable to be progressed because the DCP and CP reviews are effectively later steps when Council resolves its actual carparking strategy for Huskisson. Before the reviews can be undertaken, actual sites and intended works, with indicative costings, need to be known.

The following provides further commentary in relation to the above "unresolved" sites:

### **The Church and Crown Lands (Currumbene Street)**

The study envisaged being able to provide 80 spaces on each parcel, 160 in total if both developed to full potential, as car parking.

However, the land referred to as Crown Land in the study is now in the ownership of the Jerrinja Local Aboriginal Land Council (LALC). Additionally, it is understood that the Church are in the process of selling their land to a developer who may ultimately pursue its development. As such the use and availability of both parcels is unknown at this point.

Regarding the LALC lot, initial discussions have been held regarding Council's desire to use this parcel as a car park in the longer term. Following the recent completion of the Memorandum of Understanding (MoU) with the LALC, Council's staff will continue to liaise with them re the use of this site. It may be that they could ultimately be interested in leasing the land to Council for this purpose to create an income stream rather than a one-off purchase. It should



be noted that before the LALC can deal in this land that it needs to be surveyed and other procedural steps taken. Council staff will report back separately on this in due course. However, the potential number of spaces on this LALC land is unknown at this point as there are, for example, several unmarked graves on the land, and environmental issues to be considered (there are a significant number of, and some very large trees on the land, which may not be suitable to coexist in a car park).

### **The Existing Owen Street Car Park (next to bottle shop)**

At this point the land is commercially zoned and Council needs to clarify whether it wishes to pursue development of this nature, which could possibly include car parking. Council has always required any development of public car parks to provide both replacement public car parking and any parking required by the actual development. It is likely that if Council were to pursue a redevelopment of this site that it would take many years to realise.

Currently the adopted contributions plan for Huskisson car parking (03CARP2002) only includes one project (to provide a minimum of 87 spaces over the three parcels of land immediately adjacent to the bottle shop); this only includes the land subject of the existing car park immediately adjacent the bottle shop, and does not include the two parcels of land later purchased between the existing car park and Sydney Street (currently used as temporary overflow car parking). There is currently \$656,144.96 available to the 03CARP2002 project. A design has been prepared identifying 42 spaces that can be created over the existing car park land, at an estimated cost of \$170,000 (adjusted from an earlier estimate in 2015, and contingency added).

As such in the interim the provision of an additional 40+ spaces is still an option for Council to consider.

### **59 Owen Street**

Council was briefed on the status of 59 Owen Street recently. At this briefing staff advised that before the site is redeveloped for a community use (i.e. park or similar) that the car parking strategy for Huskisson needs to be clarified and replacement parking identified and constructed before the existing parking on 59 Owen Street is removed. Councillors were provided with a range of information on the site at 59 Owen Street and its history. The consensus at the briefing was the Councillors wanted a half day workshop (4-7pm) to discuss and ventilate the range of issues associated with the site and the adjacent areas, including carparking. The workshop is still to be scheduled.

### **Huskisson Streets**

The Huskisson Traffic and Parking study identified that a significant amount of on street car parking could be provided in the streets around the Huskisson town centre, but strongly recommended that Council should not include their provision in its DCP/CP (which is meant to provide for the minimum levels of demand in off street car parking locations). The on street car parking locations will be an important future stock of car parking supply to address demands higher than Council's minimum rates but will need to be funded separate to the DCP/CP to avoid a significant encroachment of car parking in the future on the surrounding residential area.

Following the Huskisson Traffic and Parking study a design was prepared for 90 degree car parking at the northern end of Currumbene Street (between Owen

and Morton Streets). The Western side was constructed immediately following, and the eastern side remains outstanding (but design is construction ready). The design kerb line is set back to a new alignment along Currumbene Street that will facilitate 90 degree car parking along its whole length (ultimately to Bowen Street) on both sides. \$100,000 is required to be allocated by Council if they want to proceed with the works (just the eastern side between Morton and Owen Street).

### **Options**

A report outlining short term car parking options will be compiled for Council's consideration in October and November and thus provide early consideration for the 2019 - 2020 budget.

- c. *Add trees to village entrance on south side near the Bowling Club to create an avenue.*

#### **Response: Director Assets and Works**

It is proposed to remove the existing Liquid Amber trees on the southern side of Huskisson Road from the entry into the Huskisson Bowling Club to Kioloa Street. These trees are many decades old, have been heavily lopped and disfigured, due to Endeavour Energy pruning beneath overhead power lines.

In addition, it is intended to replace the trees on the northern side of the road (directly opposite) which are failing to thrive. This will afford the opportunity of creating an avenue of more suitable trees leading into Huskisson.

A concept diagram of proposed works and planting species will be prepared and presented to Huskisson Chamber of Commerce and the CCB.

Following consultation, landscape works will proceed when conditions are suitable to planting between March and April, using funding held in the Streetscape Renewal budget of \$512K.

- d. *Install banners in Owen street on power poles for holidays/ white sands carnival.*

#### **Response: Director Finance Corporate & Community**

Banners are already installed on Owen Street, and can be booked for advertising, managed by the Jervis Bay Maritime Museum (JBMM). The attached document provides details on the JBMM Policy and associated costs.

## JERVIS BAY | MARITIME MUSEUM

### OWEN STREET BANNER POLICY & PROCESS

#### BANNER POLICY AND PROCESS 2017

##### 1. OBJECTIVES

Huskisson / Jervis Bay Maritime Museum street banner program is designed to:

- promote significant events affecting Jervis Bay
- visually enhance Huskisson's streetscape
- create a sense of community and a sense of place within Jervis Bay
- promote major arts, cultural activities and sporting events of public interest
- stimulate local economic activity.

##### 2.0 BACKGROUND

Jervis Bay Maritime Museum has 5 banner brackets across Owen Street. The banner poles fly street banners 2000 x 700mm wide and are an important part of the museum's cultural communication strategy to activate and visually enhance Huskisson as a vibrant and dynamic community.

The Museum will use the banner poles within the Endeavor Energy and State NSW Legislation to promote significant events and non-commercial (they cannot be used for commercial advertising) activities.

The poles are available for hire by not-for-profit groups for purposes consistent with Council's requirements.

The banner poles are located at key areas along major transport corridors, in town centers or at tourist destinations like local beaches.

The banners are an effective form of communication for visitors and locals on a daily basis.

Jervis Bay Maritime Museum has contracted a professional company to install/remove all street banners as required as required by Endeavor Energy

##### 3.0 JERVIS BAY MARITIME MUSEUM RESPONSIBILITY

The JBMM is responsible for managing the banner schedule and will have priority booking for particular times of the year within the Shoalhaven City Guidelines.

##### 4.0 HIRING STREET BANNER BRACKETS

External organisations may make application to hire street banner poles when not in use for JBMM events and activities.

Unique Document Number : 01 C 17	Policy Owner: Board Group: Communications	Responsible For Implementation: Board	Reference: JBMM PC32	
Adopted:	Last Amended: 11 July 2017	Review Date:	Version:	Page 1 of 4

## JERVIS BAY | MARITIME MUSEUM

### 4.1 HIRING PROCESS

Applicants can enquire about street banner availability by calling the Marketing Officer or Director of the Jervis bay Maritime Museum at ph: 4441 5675

- Applicants are required to fill out a street banner booking form, available online, from the Communications Unit.
- Bookings must be made to book all five banners.
- The minimum booking period is four weeks and the maximum is twelve weeks.
- It is recommended applications be submitted at least two months before the intended installation date because of production times and limited banner availability.
- Jervis Bay Maritime Museum reserves the right to decline any booking request that is not consistent with the purposes of this policy.
- All artwork requires approval by the Director prior to printing.
- Logo recognition on banners must be limited to a maximum of 10 per cent of the size of the banner.
- The preferred logo placement is along the bottom of the banner. No more than three logos are allowed per banner.
- Booking periods commence on Mondays with installation occurring on the Sunday night or Monday morning.

### 4.2 COSTS

Hirers are required to pay all costs relating to the printing, storage and delivery of the banners.

JBMM charges a small administration fee for the hiring of the banner poles as per its fees and charges.

Costs to install and dismantle banners are also charged to hirers.

Full payment to hire, install and dismantle banners is required upfront and bookings are not final until payment is received.

### 4.3 DESIGN

Effective banner designs feature simple and bold graphics with limited use of text to event names or short 'grabs'.

Unique Document Number : 01 C 17	Policy Owner: Board Group: Communications	Responsible For Implementation: Board	Reference: JBMM PC32	
Adopted:	Last Amended: 11 July 2017	Review Date:	Version:	Page 2 of 4

## JERVIS BAY | MARITIME MUSEUM

### 4.4 APPROVAL

Hirers are required to seek approval of the final artwork by the Director, JBMM.

Jervis Bay Maritime Museum reserves the right to reject, at its discretion, any banner design that does not comply with the street banner policy or is considered unsuitable.

The banner program is not intended to be an advertising medium for commercial products and services.

### 4.5 INSTALLATION

Will be by the EE Licensed / JBMM approved contractor.

- Installation typically occurs on Sunday evening/Monday morning.
- Installation of banners can also be dependent on traffic, weather conditions, the number of banners to be installed and other external factors. Hirers should allow up to two days variance on the installation date.

### 4.6 STREET BANNERS POLICY

- Hirers are required to send their banners to the contractor by the Friday prior to installation.
- Hirers are responsible for collecting their banners from the contractor as soon as possible once they have been removed. JBMM and its contractor will not be held responsible for uncollected banners. Banners not collected within one month after their dismantling date will be disposed.
- Jervis Bay Maritime Museum reserves the right to have any installed banners that are badly torn dismantled prior to the scheduled dismantling date.

### 4.7 RE-USE POLICY

- JBMM recommends that you either recycle or reuse your banners after they have been dismantled.
- JBMM can recommend recycling options for your banners or put you in contact with organisations that make old banners into banner bags and other products.

PLEASE NOTE: Community Groups should ensure they have written confirmation of their booking and design approval, prior to proceeding with banner production.

### 5.0 PAYMENT OF FEES

A 30% deposit of the installation cost is required. Your booking will not be confirmed until this payment has been received. An invoice for the deposit will be sent to the subscriber. Once the banners have been installed, an invoice for the balance of the costs will be sent to the subscriber.

### 6.0 CANCELLATIONS

All cancellations must be made in writing to [marketing@jbmm.asn.au](mailto:marketing@jbmm.asn.au) at least two weeks prior to the scheduled installation date.

Unique Document Number : 01 C 17	Policy Owner: Board Group: Communications	Responsible For Implementation: Board	Reference: JBMM PC32	
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## JERVIS BAY | MARITIME MUSEUM

**GENERAL INDEMNITY CLAUSE** The subscriber is required to sign an Indemnity Form to indemnify the JBMM against any damage or injury to Person or property associated with the display of the banner.

**The Indemnity Form must be forwarded to the JBMM, along with a copy of the subscriber's** Certificate of Currency for Public Liability insurance (acceptable level of insurance equals ten million dollars) at least two weeks prior to the scheduled installation of the banners.

### 7.0 PAYMENT TERMS

Payment is required in advance of installation

JBMM Administration Fee per Hire	\$200.00
Banner Installation / change-over fee	\$550.00*

\*This fee is based on a contractors pre-agreed quotation, and Certified for installation on Endeavour Energy Poles. This fee will be subject to annual CPI increases.

The Jervis Bay Maritime Museum will organise the installation and be the liaison with the installer.

### BANNER DESIGN

Size: 700mm x 2000mm

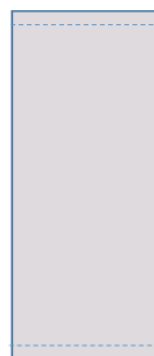
Quantity: 5

Double sided print, block-out vinyl,

Triple stitched sleeve top and bottom. This is due to wind shear in Owen Street.

Single eyelet for cable tie (at top)

Artwork needs to allow 100mm clear top and bottom of any wording, so it doesn't interrupt the stitch line.



### BANNER PRODUCTION

Banner production lead times need to be taken into consideration

Banner production and design can be organised by the JBMM **Cost \$1,065 +GST**

**Revised: JANUARY 2017**

<b>Unique Document Number:</b> 01 C 17	<b>Policy Owner:</b> Board <b>Group:</b> Communications	<b>Responsible For Implementation:</b> Board	<b>Reference:</b> JBMM PC32	
<b>Adopted:</b>	<b>Last Amended:</b> 11 July 2017	Review Date:	<b>Version:</b>	Page 4 of 4

## SA18.251 Proposed Road Closure & Subdivision - Part North Crescent, Culburra Beach

**HPERM Ref:** D18/127393

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

**Attachments:** 1. Aerial View of North Crescent Culburra [↓](#)  
2. Plan - Proposed 5 Lot Subdivision [↓](#)

### Purpose / Summary

This report provides Council with the opportunity to approve the closure of the surplus road reserve at North Crescent, Culburra Beach shown as per Attachment 1, with the intention to create a 5 lot subdivision for Council to sell to reinvest in future roads projects.

### Recommendation

That Council:

1. Resolve, as Roads Authority, to close the surplus road reserve at North Crescent Culburra Beach, adjacent to Lot 738 DP 12278, Lot 1 DP 286157, Lots 7621 and 7622 DP 1205582 and Lots 1 and 2 DP 526508 by a notice published in the Government Gazette.
2. 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. Resolve as recommended.

Implications: The closure of North Crescent and subsequent subdivision and sale of 5 residential lots (subject to separate Council approval) will provide Council an opportunity to generate income to reinvest into future road projects.

2. Not adopt the recommendation and maintain the status quo.

Implications: Council will miss a commercial opportunity to generate income to invest in future road projects.

### Background

The subject road reserve is zoned R2 Low Density Residential under the Shoalhaven LEP 2014. The proposal is to close the road reserve, create 5 new residential allotments ranging from approximately 620m<sup>2</sup> to 800m<sup>2</sup> in area and provide a new road alignment and reserve. The subdivision of the land would be subject to a Development Application and subsequent separate Council approval for the sale of the five allotments.

The proposal to close this section of road has been considered by the various departments of Council and no objection to the closure has been raised.

There is no objection to the closure from any of the notifiable authorities.

## Community Engagement

The road closure process required public notification and advertising calling for submissions by any interested parties on the merits of the proposal. This consultation has been undertaken and the submission period closed on 15 March 2016. Several submissions were received from interested parties; results of which are detailed in the table below:

### Submissions

#### Issue - 37 Allerton Avenue – Privacy

The property owner of 37 Allerton Avenue, Culburra Beach expressed privacy concerns due to their home being east facing, which will result in their balcony overlooking the backyard of the newly created lots.

#### Resolution

Council staff have agreed with the property owner to provide a 1.5metre boundary adjustment as per attachment 2 and highlighted in green, in favour of the property owner, to allow for the planting of trees for the purpose of privacy screening.

Any proposed sale to the adjoining owner would be at agreed value, subject to separate Council approval and all costs associated with the sale transaction (legal, valuation, subdivision plans) are to be borne by the property owner.

#### Issue - 112 Penguin Head Road – Garage Access and Privacy

The property owner at 112 Penguin Head Road (Lot 738 DP 12278) expressed concerns over their driveway access. The property owner asserts that the creation of the new lots will shorten their driveway to the south boundary making it difficult for them to exit their garage.

#### Resolution

Council staff have agreed to provide the property owner a 3 metre boundary adjustment as per attachment 2 and highlighted in blue, in favour of the property owner, to allow for a generous turning circle and unobstructed access to their garage, along with the ability to plant trees for privacy screening.

Any proposed sale to the adjoining owner would be at agreed value and subject to separate Council approval and all costs associated with the sale transaction (legal, valuation, subdivision plans) are to be borne by the property owner.

#### Issue - 188 Marina Lane – Loss of Amenity and View

The property owner at 188 Marina Lane Culburra Beach (Lot 7621 DP 1205582) expressed concerns over the loss of amenity and view given the attraction of the block of land was because of its corner aspect, with ocean views.

Council staff consulted with the property owner over many months and presented several options to the property owner for consideration, being:

#### Option 1

That access be provided to the property via a rear access “handle”.



**Option 2**

Council consider selling a wedge of land to the property owner, as per attachment 2 and highlighted in yellow, of approximately 300m<sup>2</sup> which would preserve the accustomed ocean views.

**Option 3**

Council consider a boundary adjustment in favour of the property owner of approximately 108m<sup>2</sup> which would result in a 3 metre extension of the eastern boundary.

**Resolution**

Council staff have agreed to **Option 2**, to ensure the protection of the property owner's amenity and view and provide unobstructed access to garage.

Any proposed sale to the adjoining owner would be at agreed value and subject to separate Council approval and all costs associated with the sale transaction (legal, valuation, subdivision plans) are to be borne by the property owner.

**General Issues raised during the submission period**

During the submission period several residents expressed concerns over the current drainage and existing kerb & guttering.

**Resolution**

Property owners and concerned residents were all advised that kerb and gutter will be provided to both sides of North Crescent as part of the proposed subdivision and drainage is to be incorporated into the subdivision design.

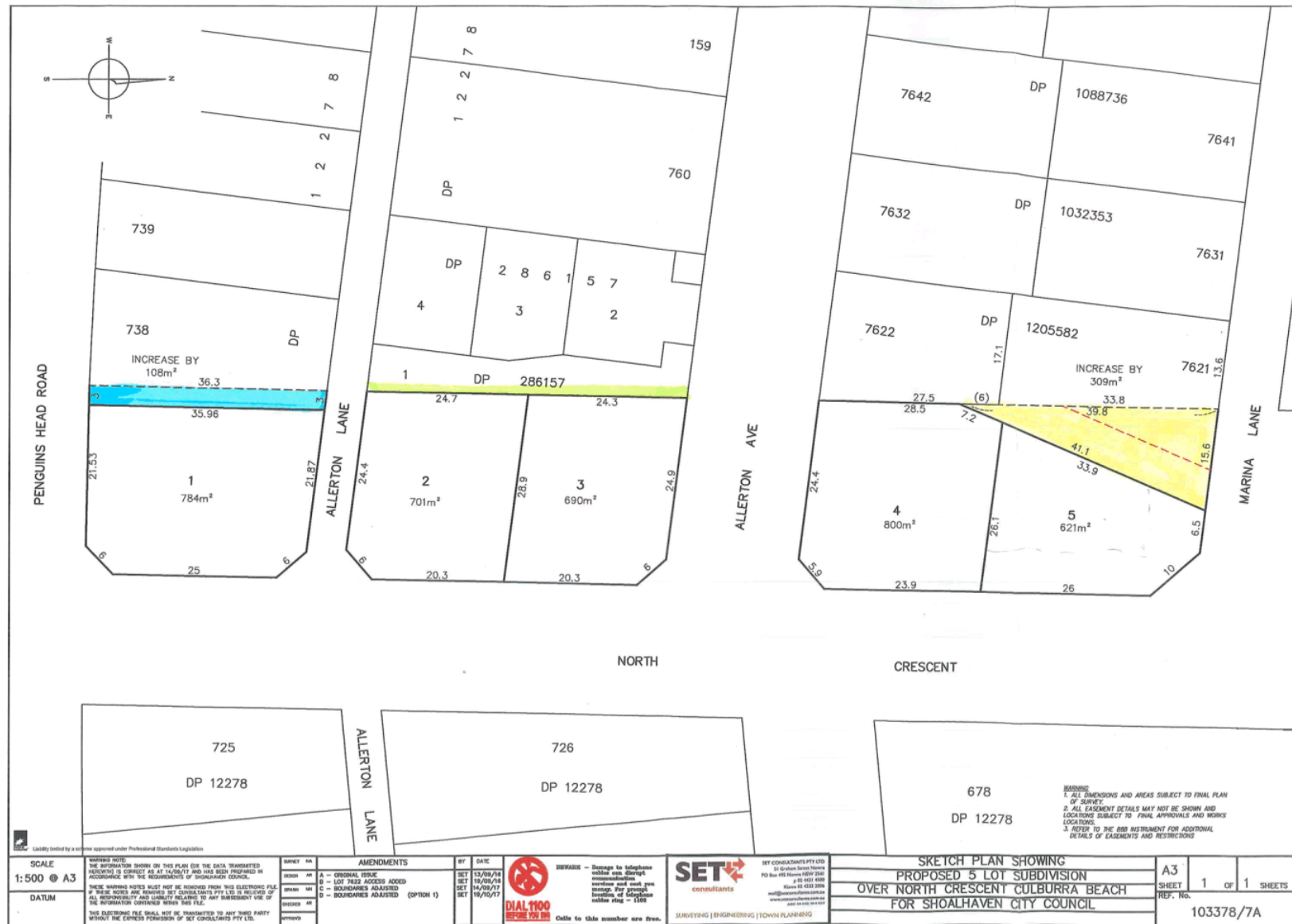
**Financial Implications**

If the road is closed and a subdivision created, Council will receive proceeds for the sale of 5 residential parcels of land. The sale proceeds will be transferred to an appropriate reserve for use on future road projects in accordance with Section 43 of the Roads Act 1993.

SA18.251

**AERIAL VIEW OF NORTH CRESCENT CULURRA BEACH**





Attachment B

## SA18.252 NSW Government Saving Lives on Country Roads Program 2018-19 and 2019-20

HPERM Ref: D18/329298

Group: Assets & Works Group  
Section: Asset Management

### Purpose / Summary

To approve the 2018/19 and 2019/20 Assets & Works (NSW Government Saving Lives on Country Roads) program.

### Recommendation

That:

1. Council accepts the offers of funding from the NSW Government under the new Saving Lives on Country Roads Program, as follows:
  - a. \$770,000 to upgrade Sussex Inlet Road in the vicinity of Old Berrara Road (safety barriers, delineation, sealed shoulders, and intersection improvements), and authorises the expenditure (\$80,000 in 2018-19 and \$690,000 in 2019-20).
  - b. \$740,000 for the shoulder widening and sealing on Greenwell Point Road to the east of Jindy Andy Lane, and including vehicle activated signage on Greenwell Point Road (on the approaches to the Jindy Andy Lane intersection), and authorises the expenditure (\$200,000 in 2018-19 and \$540,000 in 2019-20).
  - c. \$555,000 for the removal of the hazardous crest on Forest Road (to improve safety in one of the few overtaking zones on Forest Road), and authorises the expenditure (\$80,000 in 2018-19 and \$475,000 in 2019-20).
  - d. \$260,000 to extend the existing guardrail and install profile edge and centre lines over the 2.2km length of Naval College Road (to the south of The Wool Road), and authorises the expenditure (completion in 2018-19).
  - e. \$800,000 for the shoulder widening and sealing on Coonemia Road (the first 2km to the south of Culburra Road), and authorises the expenditure (\$100,000 in 2018-19 and \$700,000 in 2019-20).
2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the new NSW Government Saving Lives on Country Roads Program, and for the support of RMS staff in reviewing and supporting Council's nominations for these important local road safety improvements.

### Options

1. Adopt the recommendation
2. Not accept the recommendation

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

SA18.252

## Background

A report was presented to the Council's Strategy & Assets Committee meeting on 24 July 2018 after a media announcement in June about the NSW Government's new "Saving Lives on Country Roads" program, and after the RMS advised Council a letter of offer would follow within a few weeks.

It was subsequently resolved:

*"That:*

1. *Once Council receives the final letter of offer from RMS under the NSW Government Saving Lives on Country Roads Program, that Council accepts the grant funding offers, as follows:*
  - a. *Either \$470,000 or \$770,000 (exc GST) will be approved, to upgrade Sussex Inlet Road in the vicinity of Old Berrara Road (the difference being whether a high friction seal component is approved to improve safety on the curve to the west of Old Berrara Road).*
  - b. *\$590,000 (exc GST) for the shoulder widening and sealing on Greenwell Point Road to the east of Jindy Andy Lane.*
  - c. *\$555,000 (exc GST) for the removal of the hazardous crest on Forest Road (to improve safety in one of the few overtaking zones on Forest Road).*
  - d. *\$260,000 (exc GST) to extend the existing guardrail and install profile edge and centre lines over the 2.2km length of Naval College Road (to the south of The Wool Road).*
  - e. *\$800,000 (exc GST) for the shoulder widening and sealing on Coonemia Road (the first 2km to the south of Culburra Road).*
2. *Once Council receives the final letter of offer from RMS, the General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the new NSW Government Saving Lives on Country Roads Program, and for the support of RMS staff in reviewing and supporting Council's nominations for these important local road safety improvements."*

Council received a letter of offer from RMS at the start of September. Although late to arrive the letter still outlined an expectation that all projects could commence construction in the 2018/19 financial year period.

Staff subsequently met with RMS to discuss a more achievable delivery of the approved projects, and a revised letter of offer from RMS was sent to Council on 18 September 2019, detailing a split of funds over two financial years.

A total of five projects are approved under the NSW Government's new "Saving Lives on Country Roads" program, as detailed in the proposed recommendation, totalling \$3,125,000 of additional grant funds for new road safety improvements.

These are the same projects reported to Council in July, although a revised funding profile has been approved (allowing the projects to be delivered more realistically over two years).

## Community Engagement

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

### **Financial Implications**

NSW Saving Lives on Country Roads Projects are 100% funded by the NSW State Government.

SA18.252

## SA18.253 Funding Request - Volunteer Adopt A Road Programme

HPERM Ref: D17/416011

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

### Purpose / Summary

To request Council to consider in principle support and funding in the 2019/2020 budget and future budgets for a volunteer Adopt A Road Programme on receipt of participation from Community Consultative Bodies.

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

That Council give in principle support to the creation of an Adopt a Road Program and that the General Manager (Assets and Works) develop a manual to cover the activities of community groups and consult with the CCBs to develop a budget consideration for the 2019/2020 financial year.

### Options

1. As recommended.

Implications: Undertake volunteer works which will reduce litter and rubbish alongside Council's roads which will greatly improve the aesthetics of roads and entrances to Shoalhaven towns and villages for an extended period of time. Allocation of \$6,000 annually to fund the programme

2. Council not support expanding the Adopt A Road Programme.

Implications: The level of litter and rubbish will remain similar or increase as tourism increases. Council may have to fund ad hoc staff clean ups to address community concerns.

### Background

Council is responsible for the maintenance of sealed and unsealed roads within the local government area. This does not include the Princes Highway, which is under Roads & Maritime Service delegation.

Throughout the year Council receives numerous complaints regarding the roadside litter along the entrance roads into villages, and Council does not have a routine programme (and budget) to clean up this litter on a regular basis.

Some time ago, Council had a Parkcare Group in the Basin area that did do a little bit of roadside litter collection as part of its voluntary work, but this group has not operated for some years. The Adopt A Road programme is a programme that has evolved to allow community groups to play an active role in the appearance of particular roads and has existed in other Councils throughout Australia but has not operated in the Shoalhaven.

The Adopt A Road programme is a great opportunity to empower community groups to collect litter and thus improve the appearance of entrance roads into villages in the Shoalhaven and enhance the natural beauty of the area for the enjoyment of residents and visitors.

Benefits would include:

- The cost effective reduction of litter “hot spots”.
- Increased awareness of effects of littering.
- Improved attractiveness of the Shoalhaven’s local roads.
- A sense of local pride and accomplishment for the community.

The Adopt A Road programme requires the development of a manual to cover group aims, best practices, WHS and responsibilities across the whole programme. This manual would need to include required training and traffic considerations etc.

Council would provide basic funding to cover the resources required by the community groups such as PPE, bags, minor tools, signage, training and any associated costs with the collected litter being delivered to a waste facility (if that was required).

The take up of such a programme is hard to estimate; however, an allocation of \$6,000 a year is likely.

### **Community Engagement**

Community Consultative Bodies (CCBs) will be encouraged to form an Adopt A Road Group for their area. The groups can be made up of members of the CCB and local residents.

Each group will be required to register along with individual members. Registration will be a simple form requesting a group to be established and the areas in which they would deem a litter hotspot to carry out their task. Each member registering will be required to complete a membership form that will include contact details. These details will be kept on a Council database along with a record of hours accomplished and a total of waste picked up.

All volunteers will also be required to complete the WHS Online Volunteer Induction and acknowledge they have read the Volunteer Handbook.

### **Financial Implications**

There will be ongoing yearly costs associated with participating groups with an estimate of \$6,000 per year depending on the amount of time volunteers spend on clean ups. This includes personal protective equipment, tools and waste tipping fees.

### **Risk Implications**

The Adopt A Road manual would include Safe Work Practices and standard traffic control plans which would be available for use by volunteers to mitigate risk of working within road reserves. Council staff would also be made available to assist with traffic control on major clean up days or events if required and there is a proven cost benefit to Council to do so.



## SA18.254 Shoalhaven Coastal Zone Management Plan - certification and gazettal

HPERM Ref: D18/334265

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

### Purpose / Summary

Provide Council with an update on the certification and gazettal of the Shoalhaven Coastal Zone Management Plan.

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

That Council receive the report on the certification and gazettal of the Shoalhaven Coastal Zone Management Plan for information.

### Options

1. Council accept the report for information

Implications: Nil

2. Council could choose to provide an alternative recommendation for future consideration by Council.

Implications: Would depend on the recommendation

### Background

After consideration of public submissions, Shoalhaven City Council adopted the Coastal Zone Management Plan 2018 (CZMP) on 26 June 2018.

On 29 June 2018 the CZMP, with appendices and agency letters of support, were submitted to the Minister for Environment, Heritage and Local Government, The Hon. Gabrielle Upton, for certification. On Friday 21 September 2018 the CZMP was published in the NSW Government Gazette.

### Community Engagement

The CZMP 2018, with appendices, was on public exhibition for 21 days from 23 May 2018 to 12 June 2018.

- The CZMP was posted on Council's website (Get Involved) during this time
- Hard copies were available at Council Administrative Offices in Nowra and Ulladulla and at Nowra, Sancturay Point, Ulladulla and Milton libraries
- Three community drop in sessions were held:
  - Nowra – 29 May 2018
  - Ulladulla - 31 May 2018
  - Vincentia – 7 June 2018

A submissions table (summarising 2016 and 2018 submissions) was included as Appendix 3 of the CZMP.

## Policy Implications

Staff are now able to seek resourcing to implement works under the Coastal Program, with clearly identified actions contained within the CZMP.

Staff have commenced implementing priority actions from the CZMP, including:

- preparing information for landholders living adjacent to geotechnical hazards (Action C6.4)
- incorporating a monitoring program for public land and infrastructure, including viewing platforms, stormwater drainage, sewer and water infrastructure in identified coastal cliffs and slopes risk areas, into Council's maintenance programs (Action 6.4)
- rehabilitating areas of public land at Inyadda Point and Mitchell Parade, Mollymook consistent with the Landslide Risk Assessment undertaken for this area as required (Actions LA4.5 & LA5.16).

Council has already approved the full-time position of Coastal Program Coordinator, which is currently being recruited. This position's key role will be the implementation of the CZMP and oversee the transition to a coastal management program as per the new Coastal Management Act 2016.

## Financial Implications

Now that the CZMP 2018 is certified and gazetted, Council is eligible to apply to the Coast & Estuaries Grant program.

Staff will prepare and submit grant applications for relevant projects. This includes projects that have been on hold, such as the preparation of a Coastal Management Program for the Lower Shoalhaven River Estuary.

The guidelines of the Coastal and Estuary Grant Program require Council to provide 50% of grant funds.

## SA18.255 Shoalhaven Coastal Management Projects Updates

**HPERM Ref:** D18/337229

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

**Attachments:** 1. South Mollymook Coastal Hazard Distribution Modelling - Study Method Approach Memo - RHDHV (under separate cover) [↗](#)  
2. Currarong Erosion Remediation Project - Q & A [↓](#)

### Purpose / Summary

Provide Council with a progress update on five (5) key coastal management projects, currently being delivered under the Council's Coast and Estuary Program, summarised as follows.

1. South Mollymook Cost Benefit and Distribution Analysis
2. Shoalhaven Heads – River Road Foreshore Precinct Restoration
3. Shoalhaven Coastal Management Program
4. Currarong Erosion Remediation Project
5. Shoalhaven Riverbank Restoration

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

That Council receive the updates on the Shoalhaven Coastal Management Projects for information.

### Options

1. As per the recommendation  
Implications – the five-key coastal management project would continue to progress.
2. Council consider alternative recommendations  
Implications – This would depend on the recommendation

### Background

For the purposes of this report, each of the five-coastal projects have been broken into the following sub-headings.

- i. Overview
- ii. Status
- iii. Future Progress

## South Mollymook Cost Benefit and Distribution Analysis

### i. Overview

On the southern end of Mollymook Beach, coastal protection is in place in the form of a gabion and sandstone seawall (in front of the golf club and Beach Rd) and a concrete seawall (in front of the Mollymook Surf Life Saving Club (SLSC)). Large parts of these seawalls have deteriorated to a point that a decision is required on the repair, removal or replacement of the coastal protection structures.

In 2016, Council engaged Royal Haskoning DHV (RHDHV) to prepare a report on the condition and replacement of these coastal protection structures. The report recommended replacement of two of the structures and repair of the third. The estimated full cost of doing this was \$4,752,810 for all three structures, with a 40% contingency for construction costs.

As per the NSW Coastal Management Manual – Part C, all coastal projects seeking grant funding over the value of \$1 million must undertake a Cost Benefit Analysis (CBA), using NSW OEH's Cost-Benefit Analysis to Assess Coastal Management Options: Guidance for Councils' and the NSW Treasury Guide to Cost-Benefit Analysis.

The CBA is to be undertaken to determine the cost of the coastal management option, weighted against the economic benefits the coastal protection options would provide. Council was awarded a \$50,000 grant from NSW OEH towards the cost of undertaking a CBA at South Mollymook, with \$50,000 contributed from Council coastal budget.

In October 2017, Origin Capital Group was engaged by Council to carry out a formal Cost Benefit Analysis (CBA) for several long-term options identified to manage coastal hazards at South Mollymook Beach. RHDHV was retained by Origin Capital Group to carry out a risk-based coastal hazard assessment, which includes coastal hazard mapping, for South Mollymook Beach to inform the CBA.

As a variation to the original project, the risk-based coastal hazard assessment mapping for South Mollymook Beach was expanded to include the whole of Mollymook Beach.

The mapping uses a different methodology, called "probabilistic" modelling, as opposed to "deterministic" modelling, previously used in the citywide coastal hazard review 2016 (undertaken by Advisian). For a full detailed description of the coastal mapping methodology and how it informs the CBA, please refer to the attached memo from RHDHV on the study approach used for the coastal hazard assessment.

In simple terms, probabilistic assessment is based on a group of techniques that incorporate variability and uncertainty into the **risk assessment process**. It provides estimates of the range and likelihood of a **hazard**, exposure or **risk**, rather than a single point estimate which is associated with deterministic assessment.

### ii. Status

The complexities experienced with the new coastal hazard modelling methodology have delayed the coastal hazard mapping project, and subsequently the South Mollymook CBA. The project has been delayed by six (6) months, with Council receiving approval from NSW OEH grants section to delay the finalisation of the grant project from 30/06/2018 until 22/12/2018. The draft coastal hazard mapping report is currently being reviewed by staff from both Council and NSW OEH, before being approved for use to inform the CBA.

### iii. Future Status

The draft CBA report is due to be completed by Origin Securities by October 2018. Once received, Council staff will review the report and then forward it to NSW OEH for final approval. The CBA draft report will be reported to Council for adoption. Final acquittal of the grant project is to be completed in December 2018.

## Shoalhaven Heads – River Road Foreshore Precinct Restoration

### i. Overview

The 2016 East Coast Low impacted on the banks of the Shoalhaven River at River Road, Shoalhaven Heads. This was due to a combination of factors including the opening of the Shoalhaven River mouth, the impact of swell within the River and large rainfall events impacting on the stability of the riverbank from three (3) storm water outlets. The result was moderate bank erosion, loss of vegetation along the riverbank, and direct threats to public assets, including public road, powerline utilities and storm water infrastructure.

Following community concern, Council commissioned the UNSW Water Research Laboratory (WRL) to assess the coastal management options for the River Road foreshore precinct; to address the erosion on the riverbank and assess the coastal protection options available to Council. The River Road Foreshore – Assessment of Coastal Management Options report was produced and reported to Council via the Shoalhaven Heads Estuary Taskforce in December 2017.

The report prioritised a 250 metre stretch (Zone 2b & 3a - see Figure 1) for construction of a rock protection structure, sand nourishment and storm water management, and the installation of recreational assets, such as viewing decks and beach access ways. This was based on a geotechnical risk assessment undertaken of the foreshore precinct by JK Geotechnics.

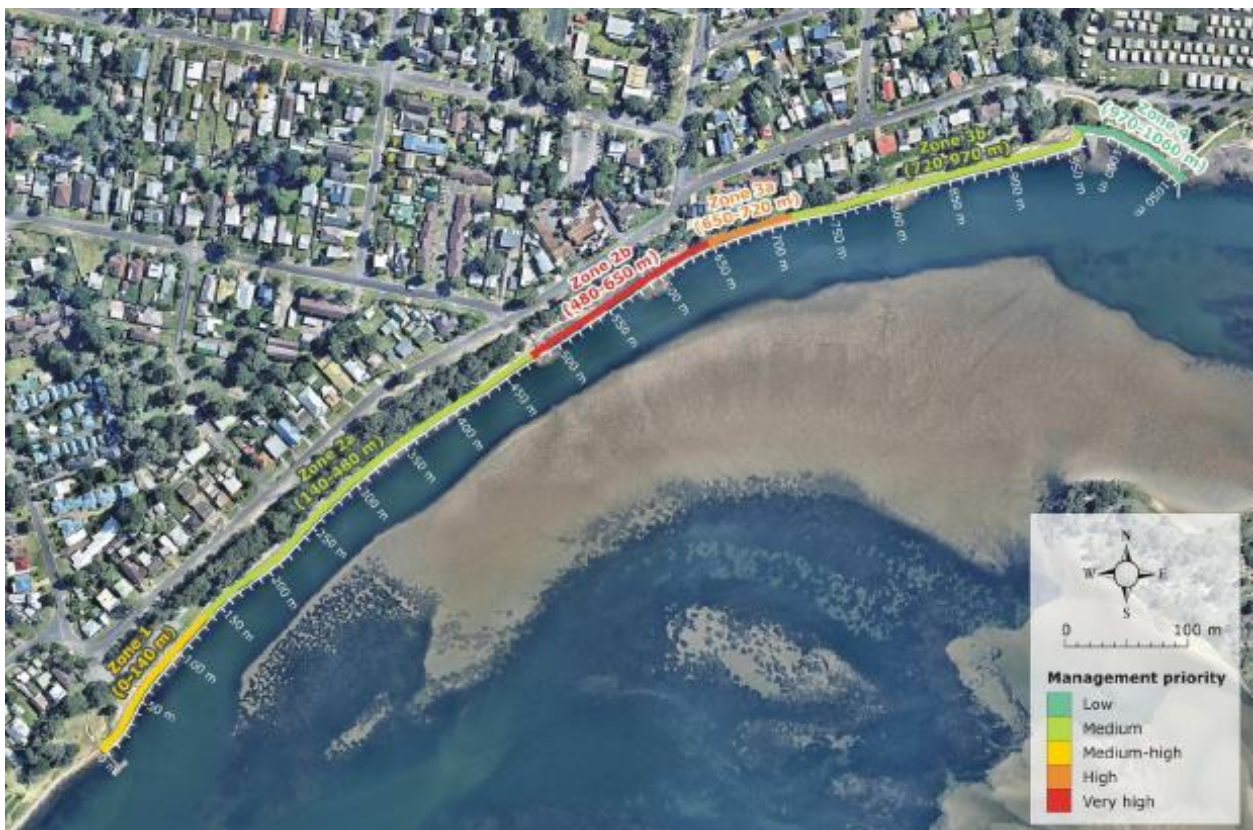


Figure 1: Prioritisation of management options for the River Road foreshore precinct, Source WRL, River Road Foreshore Assessment of Coastal Management Options.

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The report costing for the coastal protection, sand nourishment, storm water and recreation facilities was approximately \$1.7 million. Upon request from the Shoalhaven Heads Estuary Taskforce (SHET), the WRL report was peer reviewed by Manly Hydraulics Laboratory (MHL). It was recommended that the following technical information be incorporated into the detailed design of erosion remediation control structures at River Rd:

- a. Coastal erosion remediation structure be designed for a more conservative large river entrance opening to reduce the risk of failure; and
- b. A minimum design life of 25 years for coastal erosion remediation structure be adopted.

Following this, Council successfully applied for grant funding from Infrastructure NSW under its Restart NSW Tourism grants for the design and construction of the coastal protection, stormwater management and recreational infrastructure to the value of \$1.72 million dollars. Council contributed \$550,000 from the Coastal Reserve Budget and the Storm Water Reserve Fund. Planet Footprint have undertaken the hydraulic stormwater assessment and design.

Council put out a tender for the detailed design of:

- the coastal protection structure;
- stormwater management;
- sand nourishment;
- beach accessways and viewing platform; and
- Site rehabilitation.

The design is to also include a shared pedestrian access pathway, kerb and guttering and traffic calming devices on River Rd, however these additional features are currently unfunded.

## ii. Status

Council's Project Delivery Unit are managing and delivering the project and the Natural Resources and Floodplain Unit are undertaking the community consultation.

Council has awarded the tender for the detailed design to Magryn Engineering Consultants, see <https://www.magryn.com.au/projects>. An initial community consultation meeting was held on 28 September 2018, with Council staff and members of the Shoalhaven Heads Community Forum to refine the parameters of the detailed design.

## iii. Future Status

Currently the detailed design is due for 95% completion by the end of November 2018. Another community consultation meeting is scheduled for late October, at the 75% completion stage of the design. Table 1 below is a summary of the projects timeline.

Event	Start	Complete
Procurement of detailed design	August 2018	September 2018
Detail Design	September 2018	November 2018
Community Consultation on detailed design	October 2018	November 2018
REF, interagency approvals and procurement of construction works	November 2018	February 2019

Procurement of construction works	February 2019	March 2019
Site preparation and contractor preliminaries	April 2019	May 2019
Stormwater and road preparation	June 2019	July 2019
Construction of Rock protection works	July 2019	November 2019
Construction of boardwalk, access stairs, viewing platform	October 2019	November 2019
Beach scrapping works	November 2019	November 2019
Rehabilitation	March 2020	April 2020

*Table 1: Timeline - Shoalhaven Heads – River Road Foreshore Precinct Rehabilitation Restart NSW Grant Project*

## Shoalhaven Coastal Management Program

### i. Overview

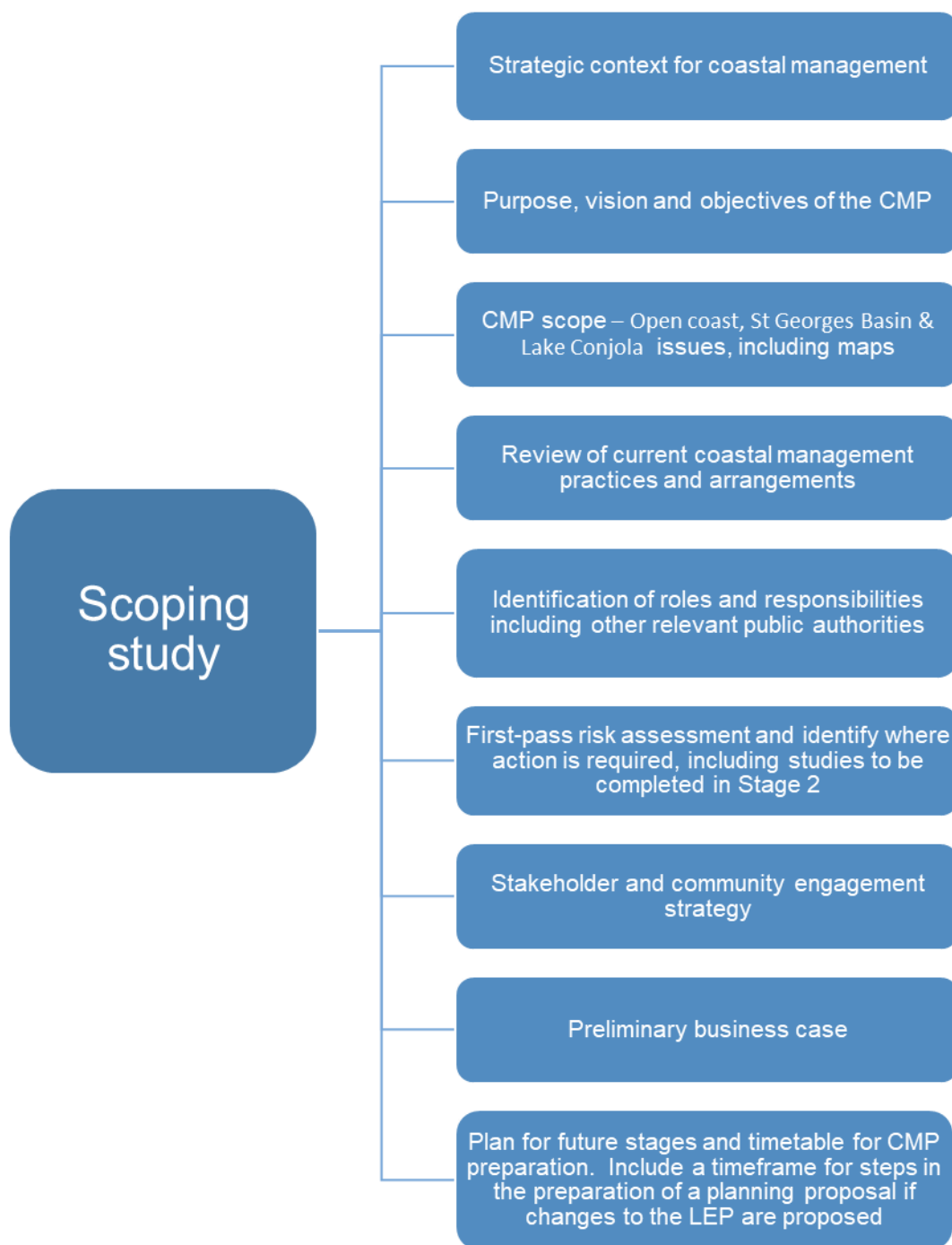
The NSW Coastal Management Act 2016 requires all coastal Councils to transition from a Coastal Zone Management Plan (CZMP) (as per the requirements of the now repealed Coastal Protection Act 1979) to a Coastal Management Program (CMP).

On 11 September 2018, the Shoalhaven Coastal Zone Management Plan was certified by the NSW Minister for the Environment and was gazetted on 23 September 2018. The CZMP will act as an interim coastal management plan until 2021, whilst Council transitions to Coastal Management Program, as per the requirements of the Coastal Management Manual.

In 2017 Council was awarded a \$100,000 grant from NSW OEH under the Coast and Estuary Grant stream to prepare a Coastal Management Program for the Shoalhaven LGA, with Council contributing \$100,000. The Coastal Management Manual requires that a scoping study is prepared prior to a Coastal Management Program being prepared. The key components of a coastal management program scoping study, as identified in the Coastal Manual, are outlined in Figure 2.

The three key components of a scoping study that require the largest investment of time and resources, are a first pass risk assessment to identify knowledge gaps; the preparation of stakeholder and community engagement strategy and a preliminary business case to access the economic, social and environmental cost.





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*Figure 2: Key components of the coastal management scoping study*

Council staff prepared a preliminary draft scoping study in 2017. A working group was formed, consisting of Council staff and members of the former Natural Resources and Floodplain Management Committee, to determine the geographical extent of the scoping study.

It was agreed by the working party that the geographical extent of the Coastal Management Program would be the open coast (not including estuary entrances), Lake Conjola and St Georges Basin estuaries.

Following a revision of Part B: stage 1 of the NSW Coastal Management Manual requirements for a first pass risk assessment, preparation of a stakeholders and community engagement strategy and a business plan, it was decided to outsource the preparation of the Scoping Study to an external consultant.



ii. Status

This project has had significant delays due to Council resources being allocated to the preparation of the CZMP for certification and to ongoing changes and updates to the NSW Coastal Management Manual.

Initially, the preparation of the scoping study and CMP were going to be tendered out as one project, with a holding period between the scoping study and CMP. However, NSW OEH advised against this, as there was concern that there may be too many variations required based on the unknown outcomes of the Scoping Study.

Accordingly, Council has split the Scoping Study and the preparation of the CMP into two separate tender/quotation processes, with the request for quotation for the preparation of the Scoping Study currently out and due to close on 23 October 2018.

iii. Future Status

The deadline for the preparation of the Scoping Study report is early April 2019. The preparation of the CMP will then be tendered out and the deadline for the completion of the CMP is November 2019. This original timeframe will need to be reviewed and initial discussions have been held with OEH in this regard.

## **Curarong Erosion Remediation Project**

i. Overview

In 2009, the final three preferred options following the preparation of the Curarong Coastal Erosion Options Report (SMEC) and the outcomes of a workshop held with the Shoalhaven Estuary Management Committee were:

1. Trial Groyne - A groyne located along at the eastern end of Warrain Beach, to allow natural build-up of sediment seaward of the area that is undergoing recession in addition to beach nourishment to minimise the impact on the beach down drift of the groyne;
2. Sand Nourishment - Beach nourishment at the central reef where the dwellings behind the dune are the closest to the beach; and
3. Dune Management- Maintain and improve the health of the dune vegetation.

This project was expedited in 2016 as a result of the damage from erosion caused by the 2016 East Coast Low (ECL). Following the ECL, a community meeting was held in October 2016 at the Curarong Community Hall, in which 120 residents attended. Community consensus at the meeting was that Council should pursue the project to design stage.

Council also undertook a community consultation via Council “Get Involved” platform, the results of the consultation were that 50% of the community were in favour of pursuing the Curarong Erosion Remediation Project (for details of the background and results of the project please see the attached Q & A Information sheet).

The certified Coastal Zone Management Plan (CZMP) identifies actions (LA3.2) in relation to the Warrain Beach and Beecroft Parade coastal protection options. These actions were changed from design and construct, by request from the NSW DoI – Land and Water following ongoing consultation during the development of the CZMP. This was following written advice from DoI – Land and Water’s Coastal Specialist, and their Coastal Engineer Specialist. The Department were of the view that the coastal risk was not as high as Council had initially thought and were of the view that Council still needed to continue to investigate coastal management options. The actions in the CZMP are as follows:

*“Undertake a detailed, technical investigation of coastal hazard management options for Curarong Beach and for the shoreline in front of Beecroft Parade. That are feasible for this*

*location, cognisant of coastal processes and risks (over defined timeframes), as well as the social, environmental and economic impacts of the options, including its benefits and costs. Develop and implement a management strategy in consultation with key stakeholders including Dol Crown Lands.”*

## ii. Status

On 16 August 2018, NSW DoI – Land and Water, as the land owner, met with Council and the two Coastal Engineering consultancies, Royal Haskoning DHV and Advisian, to discuss and consider the preferred options. The Department indicated that Council’s response may have been reactionary to the 2016 ECL storm and that a hard engineering solution may not be appropriate at this time. Following this general commentary, Council is now waiting on a formal letter of direction from DoI on how best to proceed.

Office of Environment & Heritage (OEH) advised that a reasonable interim response is to split the project into three (3) stages with separate Review of Environmental Factors (REFs) and Aboriginal Heritage Impact Permit (AHIP) applications:

Stage 1 Warrain Beach: sand nourishment and construction of the remaining two (2) beach access ways

Stage 2 Beecroft Parade: risk assessment and remediation options review and cost benefit analysis

Stage 3 Warrain Beach: options review and cost benefit analysis

Royal Haskoning DHV have provided cost estimates for Stage 1, estimated at \$10,000, to deliver the community priority of additional beach access points. However, Council are considering the possibility of undertaking the Review of Environmental Factors in-house.

Council is currently reviewing the geotechnical information in relation to the installation of the Currarong Sewage Scheme to assess the location/depth of the rock platform at Beecroft Parade foreshore and Warrain beach.

The reason for this is to see if Council can reassess the coastal hazard mapping, undertaken by Advisian given this new data and to assess if further geotechnical assessments are required.

## iii. Future Status

Currently Council is awaiting a formal written advice from the NSW DoI – Land and Water regarding the Department’s position on the project, given they are the land owners on which the coastal protection structures are proposed to be built.

Environmental Services is also in negotiations with Shoalhaven Water and Asset and Works Groups, to undertake a first pass basic Cost Benefit Analysis of relocating the public assets such as water lines, sewage lines and roads at Warrain Beach and Beecroft Parade, as a retreat option.

## Shoalhaven Riverbank Restoration

### i. Overview

In September 2017 Council received a \$300,000 grant from the Commonwealth Department of Industry, Innovation and Science under the Improving Your Local Parks and Environment grant program. The funding provided is to repair and restore a section of the Shoalhaven River bank adjacent to Bolong Road, just south of Broughton Creek.

The project will undertake riverbank restoration of 950 metres of the Shoalhaven River Estuary by combining new technologies of river bank revetment and the planting of marine

and terrestrial plants to reduce the effects of erosion following minor to moderate floods as well as improve riparian biodiversity within the River.

The project will be undertaken by Council in partnership with South East Local Land Services and Shoalhaven Riverwatch. Key activities of the project are:

- 950 metres of riverbank revetment erosion structure which incorporates erosion control and improvements to riverbank biodiversity;
- 950 metres of stock fencing; and
- Sand-filled geofabric bags to protect the 10,000 plants (mangroves, macrophytes & Swamp Oak) that will be planted by Riverwatch volunteers.

The work aligns with action 8.13 of the Shoalhaven River Estuary Management Plan Implementation Strategy, previously adopted by council. The total project cost is \$300,000, supplied in full by the Australian Government.

## ii. Current Status

Currently the project is running three (3) months behind schedule. In March 2018 Council tendered out the project management, erosion assessment, concept and detailed design, environmental assessment, construction and rehabilitation/revegetation of the Shoalhaven Riverbank Restoration Project. The tender was evaluated and under delegated authority the General Manager awarded the tender to Riparian Engineering Pty Ltd, a South Coast based engineering company, specialising in riparian and estuarine projects. See <http://riparianengineering.com> for further details.

Since being awarded the tender, Riparian Engineering have completed a riverbank erosion and geomorphological assessment to assess what natural forces are affecting the riverbank erosion at this reach of the river. This information has been used to inform a concept plan for the project, which has been approved by the project working group, consisting of representatives from Shoalhaven Riverwatch, SE Local Land Services and the property owner Mr Jim Knapp.

The project has now progressed, and a detailed design, preparation of the Review of Environmental Factors (REF) and Construction and Environmental Management Plan (CEMP) have all been completed. These documents have been sent to NSW DoI – Land and Water as supporting documents for an application of permanent lease for the construction erosion control structure and to NSW DPI Fisheries for a permit to harm marine vegetation under the NSW Fisheries Marine Management Act 1997. These applications are still pending.

Investigations into PASS (Potential Acid Sulphate Soils) have revealed that the site is affected by ASS (Acid Sulphate Soils) within a band of white clay soils that were used to construct a small levee from spoil from the construction of flood drainage channels. However, these will be able to be treated on-site and will not negatively impact on the river water quality.

## iii. Future Status

Once the approvals from NSW DoI – Land and Water and DPI Fisheries are received, it is envisaged that construction of the erosion control will commence in November 2018.

## Community Engagement

One of the principal methods of engaging with communities and State Agencies in regard to the type of projects outlined above, has been via the Natural Resource and Floodplain Management Committee. As this committee has now been disbanded, the options regarding community consultation are engagement with individual property owners and/or Community

Consultative Bodies. Such engagement however does not guarantee the involvement of State Agencies nor foster direct dialogue between the community and Agencies.

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Gary Blumberg of Royal Haskoning DHV will provide additional detail about coastal processes and the technical designs for Currarong Beach and Beecroft Parade.

**The story so far in a nutshell...**

Coastal hazards, and associated risks, at Currarong Beach have been extensively investigated by coastal experts since the mid-1990s and are reasonably well understood. Coastal erosion remediation options have been assessed and discussed with the community over many years since the Currarong Beach Erosion Design Study was completed by SMEC in 2011. Since then, following further assessment and ongoing community consultation, a trial geotextile groyne with beach nourishment is confirmed as the favoured option.

The June 2016 storm demonstrated and confirmed that we now need to act to mitigate the impacts of ongoing beach recession.

- **June 2016 storm and the response**

The 2016 storm destroyed all beach access stairs and left a major erosion scarp. It was estimated that 20,000 m<sup>3</sup> was eroded from Currarong Beach.

Emergency interim works were completed in December 2016 and proved to be reasonably effective. However, the beach remains vulnerable to future storm events.

As a result of the June 2016 storm, Council engaged Royal Haskoning (RHDHV) to further investigate adaptive responses and to assist with community consultation.





Currarong Beach post June 2016 storm

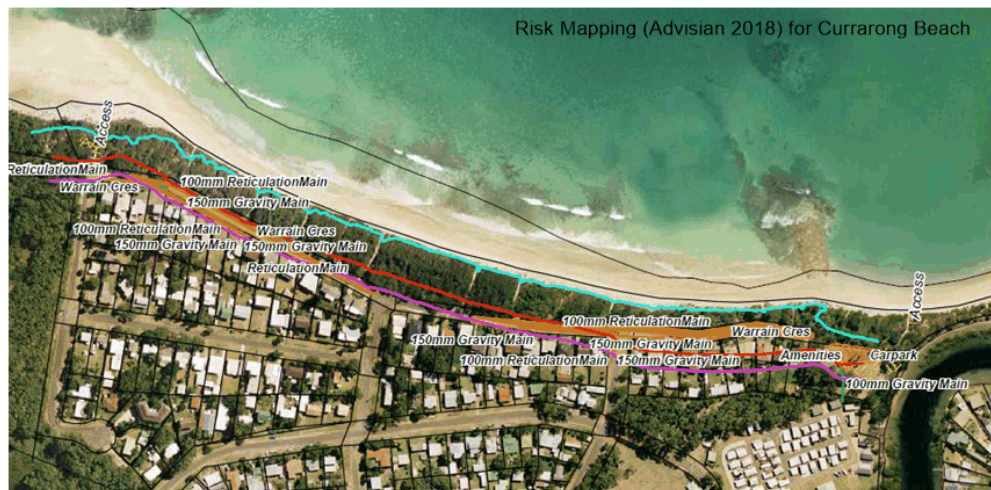
On October 14, a public meeting was held at Currarong and Gary Blumberg (Technical Director – Coastal for RHDHV) outlined all the work that had been undertaken over many years to understand the coastal processes and assess which remediation options are most feasible and effective for Currarong Beach.

Once again, the combination of a trial geotextile groyne with beach nourishment was confirmed as the favoured option.

- **Is 'Do Nothing' an option?**

Data collected over more than 60 years confirms that Currarong Beach is eroding. The coastal processes impacting the beach, particularly during storms, result in a beach that is gradually eroding and therefore receding.

The Coastal Risk Assessment (2018) for Currarong Beach states that the road, water supply infrastructure and 10 private properties at the eastern end of Warrain Crescent have a high risk rating by 2050 as shown in the 2018 risk map below.



Evidence shows that Currarong Beach is a receding beach and doing nothing has not been advised by any of the coastal experts who have studied this area.

- **Why a Groyne?**

Out of all the options considered by coastal experts, a trial geotextile groyne is considered to be necessary to mitigate the impacts of beach erosion and ongoing recession at Currarong.

The Currarong Beach Erosion Design Study undertaken by SMEC in 2011, presented an assessment of nineteen options of which nine were shortlisted as being potentially suitable for Currarong. The table below lists these 9 options and provides some comment about their application, feasibility and effectiveness.

Option	Comment	At Currarong?
Seawalls or revetments	This is a very expensive option and creates 'edge effects', meaning that the dune will erode at each end of the wall, requiring ongoing management and maintenance, adding to the cost. Eventually the beach is lost with ongoing recession.	No
Artificial reef	Worldwide, artificial reefs have proven to be ineffective in managing beach erosion. The risks of an artificial reef are too high and exposed for it to be supported as an option.	No
Trial geotextile groyne structures	Groynes have proven to be effective in trapping sand on a beach because of longshore sediment transport as happens at Currarong Beach.	Yes
Beach nourishment – on its own or accompanied with revegetation	Proven effective as a 'soft option', adding sand to the front of the dune improves dune resilience in preparation for the next storm.  To be effective It's been estimated that 15,000 m <sup>3</sup> of sand is required and that compatible sand of sufficient quantity could be sourced from Currarong Creek and Plutus Creek. A groyne is required to accompany beach nourishment to manage natural sand loss.	Yes
Dune management	This includes beach nourishment as well as enhancing dune vegetation cover to improve sand retention on the beach.  Dunes provide a natural defense for the land and assets behind the beach, so restoring and enhancing the dune system will assist in protecting valuable assets.	Yes
Planning controls	These are covered in the Citywide DCP chapter G6 – Coastal Management Areas.	Yes
Planned retreat – relocation of the road and/or property purchase	This is not a viable option for Currarong due to lack of feasible funding options	No
Relocate and train entrance to Currarong Creek	This is not a recommended option due to cost and environmental impacts	No
Do nothing	This is not recommended given the regular beach	No

	erosion and evidence of ongoing beach recession	
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Confirmed in the assessments by SMEC and followed by workshops with Council, Councils' Coastal Management Committee, community representatives and OEH officers, a combination of three of the options listed above were shortlisted for mitigating the impacts of beach recession at Currarong; a groyne, beach nourishment and dune management.

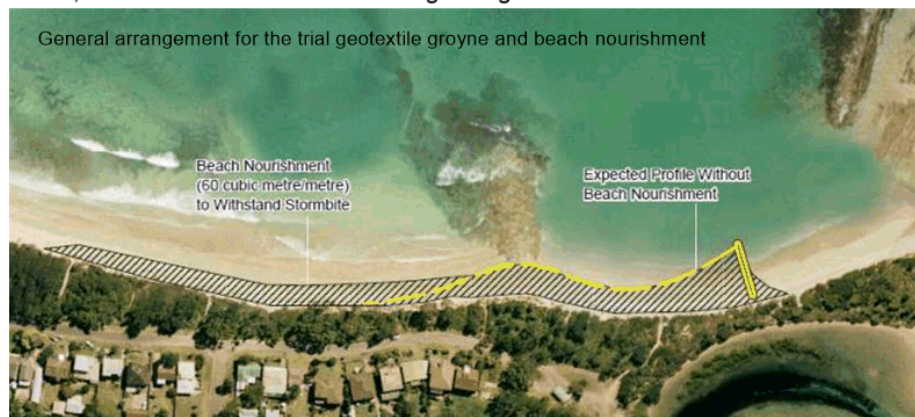
These options have been confirmed by the 2018 RHDHV document – Currarong Coastal Erosion Protection, Technical Design Report.

**Monitoring:** In addition to implementing these actions, a fourth component will be added – monitoring. Beach survey transects will be undertaken to monitor sand movement in order to understand if the project has been successful in its aim of keeping sand on the beach and mitigating the impacts of ongoing erosion and recession.

- **Is the groyne permanent?**

The current groyne design is temporary and easily removable. The purpose of the groyne is the keep sand on the beach and slow down, or prevent, sand loss which is driving beach recession.

Should the monitoring show that the groyne is ineffective in keeping sand on the beach, it can be removed with no lasting changes to the beach or dune.



- **When will the additional beach access ways be built ?**

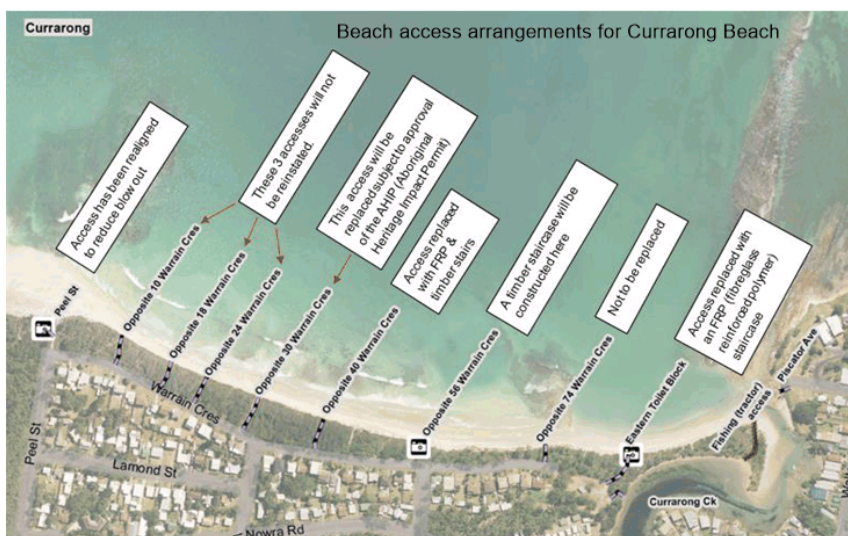
Since the June 2016 storm, 2 beach accesses have been rebuilt and the Peel St access has been realigned to limit blow out and sand loss.

There will be two additional accesses constructed.

- ✓ A treated pine staircase opposite 56 Warrain Crescent (to replace the lookout) and installed with minor sand nourishment from local beach scraping
- ✓ Opposite 30 Warrain Crescent, subject to the AHIP approval and funding availability.

Timing is dependent on approval of the AHIP and funding availability.





- **What is proposed for Beecroft Avenue erosion remediation ?**

The design is for a permanent rock revetment with a boardwalk onto the rock platform. As this area is naturally protected by the rock platform it remains a second priority after the Currarong Beach groyne/nourishment project.

The intention is to complete the whole remediation project in stages. The project is currently in the engineering design phase and explained in detail in the RHDHV presentation.

- **When will construction start ?**

Unfortunately, we are not able to confirm a construction timeframe due to the 2018 review of the Shoalhaven Coastal Zone Management Plan which is currently on public exhibition. Following public exhibition the Plan will be forwarded to the NSW Minister for Environment for certification. Without certification, Council will not be eligible for funding under the NSW Coast and Estuaries Program which is Council's main source of funding, especially for larger more costly coastal projects such as this one. With certification, Council can apply for funds to implement the project

The design process is approaching completion and, should the CZMP be certified, a project funding application will be submitted in June 2018. The application approval timeframe is likely to take some months, as will the tender process.

- **Can we walk on the beach?**

Due to standard public safety considerations, it's very likely that public access to the beach will be restricted during groyne construction and sand nourishment works. Both activities will require large machinery to be operating on the beach. Following construction the beach fill batters will easily allow walking over the groyne near the back of the beach.

Inconvenience will be minimised where possible.

Comments Welcome

## **SA18.256 Investigation - Repair Beach Access Ocean St Culburra**

**HPERM Ref:** D18/199224

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

**Attachments:** 1. Ocean St Culburra concept [↓](#)  
2. Email - Culburra Beach Progress Association - Request for meeting to discuss inclusive access at Culburra Beach [↓](#)

### **Purpose / Summary**

To report on the investigations into the upgrade of beach access only at Ocean Street, Culburra Beach (MIN16.959).

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

That Council continue with cyclic maintenance reshaping of the beach access at Ocean Street, Culburra to maintain an even sand ramp to the beach.

### **Options**

1. As recommended.

Implications: Due to beach aspect and shape, ongoing cyclic maintenance will need to be undertaken annually, as a minimum, as part of Council's ongoing coastal maintenance works.

2. Council make an alternative recommendation

Implications: Unknown and would depend on the recommendation.

### **Background**

At the Strategy & Assets Committee on 13 December 2016, Council resolved that (MIN16.959):

1. *Council Staff to investigate and provide costs back to Council to repair the car park and access track to Ocean Street Beach so it can be utilised by disabled users, family access and emergency responders and general beach users.*
2. *The community and the CCB be included in any design ideas to create a user friendly area.*

During the past three (3) years, Nature Assisted Beach Enhancement (NABE), beach scraping, has been undertaken following major storms along Culburra Beach once a year. NABE has been identified in the Coastal Zone Management Plan, Emergency Action Sub-Plan for Culburra as an ongoing emergency response to coastal erosion.

The Ocean St beach access is currently 40 metres long, at a steep grade (1:4) from the reserve level, adjacent to the car park (see figure 1). Facing directly northeast, during summer large volumes of sand are windblown from the northeast and deposited up onto the car park, and grassed foreshore reserve.



*Figure 1: Photo of beach access from the beach showing the steep access*

Dune vegetation is an important stabilising feature that is maintained by Council to reduce the effects of windblown sand on the grassed areas and car-park; it also helps stabilise the access track

As the beach access track at Ocean St is utilised seasonally for surf life-saving patrols, a wider track width is required for access of surf life-saving equipment. The need to increase the width of the access track has resulted in a reduction in dune vegetation cover. This can affect dune stability, because it results in an increase in wind-blown sand filling the car park and grassed areas on the foreshore reserve (see figure 2).





*Figure 2: Increase in width of beach access track to allow access for surf life-saving equipment results in a reduction in stabilising dune vegetation cover.*

The release of stormwater from the car park and road, impacts the beach access track and is another challenge to beach management. Erosion during heavy rain continues to compromise the lower track condition at the beach level and steepens the whole beach profile.

The ongoing impacts from windblown sand, coastal erosion from storms and the road stormwater make any plans for inclusive access difficult if not impossible to achieve. On this basis, to design a compliant 1:14 grade inclusive access at the Ocean Street car park location would require an engineered structure like Lake Conjola boardwalk. The design would need to resolve these complex issues and include extensive dune vegetation clearing, Aboriginal Heritage assessment and consideration of a toilet block upgrade to disabled standard. The works are not currently resourced and due to the coastal hazards are not recommended at this site, due to high coastal hazard risks.

Environmental Services staff have been working with the Community, Culture and Recreation Unit and the Shoalhaven Access Advisory Committee to identify suitable locations for inclusive access.

At Warrain Beach, the Nowra Culburra Surf Lifesaving Club (SLSC) has been identified as the preferred location because there is currently a beach ramp, which is used by the SLSC to access the beach with their rescue craft. Beach wheelchairs are also available at this location during the patrolled season. The grade/slope of the beach at this location is more suited to the 1V:14H grade required for inclusive/disabled access (see figure 3).



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*Figure 3: Beach access ramp at Nowra – Culburra Beach SLSC.*

The other location considered by staff was Tilbury Cove reserve at the southern end of Culburra Beach. Unfortunately, the current reserve access road and concrete ramp onto the beach do not meet the 1V:14H grade standards for inclusive access and would require additional funding to bring them up to an acceptable standard.

This location does already have a toilet block with disabled access parking and improved picnic facilities. Swimming safety is variable and medium risk being on the open ocean with the natural rock bed making this option less attractive for assisted disabled swimming (see figures 4 – 6).





Figure 4: Tilbury Cove Reserve – Showing concrete access ramp



Figure 5: Tilbury Cove Reserve – Showing access road down to the water which doesn't meet the standard

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*Figure 6: Tilbury Cove Reserve – car park and disabled toilet block*

### **Policy Implications**

NABE (beach scraping) is an adaptive strategy deployed across the 40 Council managed beaches, to respond to remediation of beach access availability compromised by storm action.

The 2018 Coastal Zone Management Plan for the Open Coast, under the Local Area Plans for Culburra (LA2.4), includes an action to investigate suitable sites for disabled access to Warrain Beach at the Nowra-Culburra Surf Life Saving Club. This is supported by action A2.4.7 of Council's Disability Inclusion Action Plan 2017, which states the following.

*"Investigate options for beach access for people using wheelchairs and/or for access to calm water non-beach swim sites".*

### **Financial Implications**

The general estimated cost of upgrading the Ocean St beach access/car park and installation of disabled toilets is \$250,000, not including the costs of survey, design, environmental and Aboriginal Heritage assessment and licences and approvals that would be required. The potential for major damage to the engineered ramp is a high risk and

ongoing future cost to Council. Therefore it is not recommended that Council proceed with works at this location.

These implications should be compared to the annual cyclic maintenance of the existing Ocean St sand ramp beach access way that is in the order of \$5,000 annual cost and considered an adaptable management option.

### **Community Consultation**

Council staff e-mailed the Culburra Beach Progress Association on 12 September 2018 (see attached correspondence to Culburra Beach Progress Association) to request an on-site meeting to discuss the options for inclusive access at Culburra Beach. Council has received no response to date.

Council staff have and are in direct consultation with the Shoalhaven Access Advisory Group regarding the preferred locations for inclusive access at Culburra Beach.



**Ocean St Culburra Beach  
Beach access upgrade  
Concept plan**



Rock stormwater training wall extension to existing gabion basket



Beach access reshaped & widened to provide All Terrain Vehicle access



Bushcare regeneration site

**From:** Alasdair Stratton  
**Sent:** Wednesday, 12 September 2018 9:57 AM  
**To:** MCobcroftCCB  
**Cc:** Ray Massie; Kelie Clarke; Tom Dimec  
**Subject:** Request for on-site meeting - Discuss Ocean St Beach Access - Culburra Beach

Dear Marilyn

As per the attached Council minute, in which Council has asked staff to investigate the Ocean St beach access and car park, for utilisation of disabled access and report back to Council.

Myself and Ray Massie, Coast & Estuaries Officer, from the Natural Resources & Floodplain Unit, would like to meet with representative of the Culburra Beach Progress Association to discuss the beach access way and gain a better understanding, from the progress association perspective, of the local community concerns.

If you could please contact Karen Rourke on P – 44293392 to arrange a time that is convenient to meet on-site, thank you

Regards

**Alasdair Stratton**

Natural Resources & Floodplain Unit Manager  
Shoalhaven City Council

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

## SA18.257 Flood Program Progress Update

**HPERM Ref:** D18/337316

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

### Purpose / Summary

The purpose of this report is to inform the Committee about the updates on Shoalhaven Flood Program as follows:

- Lower Shoalhaven River Floodplain Risk Management Study and Plan Review;
- St Georges Basin Floodplain Risk Management Study and Plan Review;
- Millards Creek Flood Study; and
- Currarong Creek Flood Study.

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

That Council receive the report for information and consider the mechanism whereby communities and State agencies might come together, with Council, to consider and progress Flood and Estuary Management programs.

### Options

1. Council accept the report for information.

Implications: Nil.

2. Council accept the report for information and recommend the formation of a sub committee to deal with Flood and Estuary Management issues

Implications: A terms of reference and membership criteria would need to be drafted and adopted to facilitate the formation of such sub committee

3. Council could choose to provide an alternative recommendation for future consideration by Council.

Implications: Unknown.

### Background

Shoalhaven City Council has received financial support from the NSW State Floodplain Management program managed by the Office of Environment and Heritage (OEH) to undertake a flood investigation of the Shoalhaven River, St Georges Basin, Millards Creek – Ulladulla and Currarong Creek.

The primary objective of the NSW Government's Flood Prone Land Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible.

### Lower Shoalhaven River Floodplain Risk Management Study and Plan Review

Floodplain risk management in the lower Shoalhaven River floodplains has to date been based on a flood study finished in 1990 and a floodplain risk management study and plan completed in 2008.

Since that time there has been ongoing infill development in various areas and the occurrence of several recent significant flood events. This has led Council and the local community to form the view that it is an appropriate time to undertake a review of the adopted study and plan.

### St Georges Basin Floodplain Risk Management Study and Plan Review

Floodplain risk management in the St Georges Basin floodplains has to date been based on a flood study finished in 2001 and a floodplain risk management study and plan completed in 2006. This was based on a quasi-two-dimensional RUBICON model that was undertaken in the mid 1990's. There has been significant advancement in the two-dimensional model platforms and the RUBICON model was not configured to define velocity around the Basin over bank areas.

Since that time there has been ongoing infill development in various areas and the occurrence of several recent significant flood events which have led Council and the local community to form the view that it is an appropriate time to undertake a review of the adopted study and plan.

### Proposed Millards Creek Flood Study - Ulladulla

Council's only prior flood study for this area was in 1995. That study used hydrological and 1D hydrodynamic models that only provided peak flood flow, velocities and flood levels at a few key locations. Since that time there has been ongoing infill development in various areas. Therefore, to gain a contemporary understanding of the flood behaviour of Millards Creek and its tributaries, a detailed flood study is required. This will be the first stage of the Floodplain Management process.

### Proposed Currarong Creek Flood Study

Council has not previously undertaken any flood studies for this area. To gain a contemporary understanding of the flood behaviour of Currarong Creek and its tributaries, a detailed flood study is required. This will be the first stage of the Floodplain Management process.

The proposed flood study is to analyse the flood behaviour of Currarong Creek and its tributaries. Furthermore, the study will define overland flows generated across sub-catchments and identify the catchment response in various flood scenarios including storm surge in tidal reaches. The flood behaviour information available about this catchment is minimal and thus the flood study will provide Council with better intelligence.

Table 1 provides an outline of the progress to date of the subject studies.

Study	Progress	Estimate Completion	Comments
Lower Shoalhaven River Floodplain Risk Management Study and Plan	15%	June 2020	The project is behind schedule due to the performance of the consultant. Council has taken contractual action and is currently reviewing performance over a three (3) month period ending December 2018. If performance is not satisfactory, Council may take further

			contractual action.
St Georges Basin Floodplain Risk Management Study and Plan	15%	June 2020	The project is behind schedule due to the performance of the consultant. Council has taken contractual action and is currently reviewing performance over a three (3) month period ending December 2018. If performance is not satisfactory, Council may take further contractual action.
Millards Creek Flood Study	0%	December 2019	Not yet started. Council is currently assessing tender submissions.
Curragong Creek Flood Study	0%	December 2019	Not yet started. Council is currently assessing tender submissions.

Table 1 – outline of progress to date of the subject studies

### Community Engagement

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

The community will be engaged throughout the duration of the project. Typically, a flood project includes an initial mail-out and notifications via electronic media to inform residents and ratepayers within the flood study area. Community meetings and drop in sessions would typically be conducted throughout the project.

NSW Office of Environment and Heritage have been playing an integral collaborative role in the development and implementation of flood studies, as have other State agencies on an "as needs" basis.

In the past, much of the community engagement has been focused via community membership of the Natural Resource and Floodplain Management Committee. As this committee has now been disbanded, it is worth considering the mechanism whereby communities and State agencies might come together, with Council, to consider and progress Flood and Estuary Management programs. It is a recommendation of the Floodplain Development Manual that a specific forum (sub-committee) be established for this purpose.

### Financial Implications

\$132,999 funding for the projects has been provided for under the NSW State Government 'Floodplain Management Program' on a 2:1 basis. Council's matching contribution of \$115,000 comes from the existing general Floodplain Management Program budget.

### Risk Implications

Council has a statutory responsibility for land use planning and management under the Environmental Planning and Assessment Act. If Council did not undertake these studies, the risk may be poor land use planning and emergency management for these areas. In addition, obligations under the Floodplain Development Manual (2005) will not be met.

## SA18.258 Bushcare Program Update

HPERM Ref: D18/339148

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

### Purpose / Summary

To provide Council with an update on the Shoalhaven Bushcare Program.

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

That the Bushcare Program Update be received for information

### Options

1. Council accept the report for information.  
Implications: Nil.
2. Council could choose to provide an alternative recommendation for future consideration by Council.  
Implications: Unknown.

### Update

#### Bushcare Groups

There continues to be over 60 groups and 700 volunteers that are registered with Shoalhaven City Council's Bushcare Program. Over 50 of these groups are regularly active. These volunteers continue to do an amazing job to maintain and improve Council's reserves that are managed as Natural Areas.

Each group works at their own pace. Some groups work infrequently, when there is a particular need or event. Most meet regularly, with monthly through to weekly working bees.

So far, 3100 hours of volunteer effort have been recorded since the start of 2018. However, this is an underestimate of the contribution, as many Bushcare Group record sheets are yet to be submitted for the period. Even so, this volunteer labour contribution has been valued at \$93,000.

Three Bushcare Field Officers (Wendy Roberts – north; Rebecca Rudd – central; Cate Brooks – south) continue to work with the groups that are regularly active and require support. In total, 34 groups are supported by the Field Officers.

#### Bushcare/Parkcare Policy and Procedures

The revised Bushcare / Parkcare Policy was adopted by Council, following significant input by the Bushcare Reference Group. The policy is available at <http://doc.shoalhaven.nsw.gov.au/displaydoc.aspx?record=POL18/43>. The new policy includes a vision statement, re-worked aims, objectives, roles and responsibilities.

The procedures have been separated from the new policy but remain unchanged. It is intended to review these in the current financial year.

### Bushcare Group Action Plans

Four revised Bushcare plans were adopted by Council in March. These were Broughton Vale, Callala Boat Ramp Reserve, Mia Way (Culburra) and Tallyann Point. These are all available on Council's website.

Four Bushcare Group Action Plans are currently being reviewed. These are the Warden Head, Bomaderry Creek, Bangalee Reserve and The Grotto action plans, which will be reported to Council for adoption over the next three months.

### 2018 Events and Highlights

- Opening of the Callala Wetland Boardwalk – February 2018
- Links to Learning program Vincentia High School, rehabilitation planting within Heritage Estate, Vincentia – May 2018
- National Tree Day plantings were completed at Shoalhaven Heads over two days involving two schools (Kiama High and Shoalhaven Heads Public). National Tree Day plantings were also completed by Wrights Beach Bushcare Group and at Milton Rainforest – August 2018
- Other plantings completed at Bushcare sites this year include: Hyams Beach, Mia Way Culburra, Bangalee Reserve, Basin Walking Track, Wirricoo Walk (near Jervis Bay Maritime Museum), Huskisson Bushcare Group, Narrawallee Foreshore, Bomaderry Creek, Camp Quality (Bundewallah Ck, Berry), Twyford St Vincentia around new shared pathway, Millards Creek (Ulladulla) and Lower Mulgen Creek, Bomaderry
- Dyball Reserve Bushcare Group Open Day– September 2018

### Projects

The following projects have been completed to date in 2018:

- Completion of the weed control contract at Moeyan Hill by Proust Bushland Services.
- Involvement of volunteers in the release of Korean strain of the calicivirus for rabbit control.
- Monitoring of Bomaderry Zieria with Terry Barrett, following the recent fire.
- Planting along Coolangatta Road following roadworks and at Duck Creek following bridge works, by Indigenous Bush Regenerators crew.

### Communications

- The winter edition of Bushcare Links newsletter was produced. The spring edition is to be distributed soon.
- Maintained membership and attendance at meetings of Shoalhaven Landcare Association Support and communications around NatureMapr – Atlas of Budawang Coast. Attendance at Berry Small Farm Field Day.

### New Issues

A large area of the Bomaderry Creek Regional Park was affected by the bushfire in August. This included burnt areas of revegetation and naturally occurring Bomaderry Zieria. A meeting



will be held with Bomaderry Bushcare Group and NPWS to determine the next steps to be undertaken to address the damage caused by the fire.

*Photos*



Dyball Reserve Open Day



Enhancement planting at Millards Creek



National Tree planting day – Shoalhaven Heads



Bushcare Group plantings burnt at Bomaderry Creek



Bomaderry Zieria post-fire assessment



Vincentia Bushcare Group planting along the pathway

SA18.258



Hyams Bushcare group busily planting



The Grotto Bushcare group having a break

## SA18.259 Council's Bushfire Mitigation Program

**HPERM Ref:** D18/300995

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

**Attachments:** 1. SCC Firetrails 2018-19 [↓](#)  
2. RFS Determinations 01/07/2017-11/09/2018 [↓](#)

### Purpose / Summary

This report provides a summary of activities carried out to manage bushfire risks on Council owned and/or managed properties.

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

That Council's Bushfire Mitigation Program be received for information.

### Background

The *NSW Rural Fires Act 1997* (RF Act) imposes a duty on public authorities and owners and occupiers of land to prevent bush fires (section 63, RF Act). This duty is refined through the assessments done when preparing Bushfire Risk Management Plans (BRMPs) for each fire district in NSW.

District BRMPs identify assets of value to the community and set strategies and priorities to mitigate risk as well as identifying who is responsible for carrying out the treatments described. Council's Annual Bushfire Mitigation Program is guided by these strategies, treatments and priorities as partial fulfilment of its duty under s63 of the Act. The Shoalhaven district BRMP (the Plan) was developed in 2010 and a revised plan is due to go on public exhibition shortly.

Each land management agency runs and funds its own program of works, except for Crown Land whose annual works program is funded through the Bushfire Risk Mitigation & Resilience Grants Programme. Council's program consists of:

1. Ongoing vegetation management at 140 sites adjacent urban development i.e. Asset Protection Zones (APZs), fire-breaks, fence-line vegetation management – see attachment 1 for site lists or see Council's website for [maps of sites included in the program](#);
2. Assessment, planning and coordination of prescribed burning within Strategic Fire Advantage Zones identified in the BRMP;
3. Scheduled fuel/hazard/risk inspections of Council's specified fire trails, strategic communication infrastructure sites and Council owned-managed lands and assets;
4. Certification of hazard reduction activities, administration of customer requests, provision of advice to internal and external customers;
5. Reporting of bushfire hazard reduction activities in accordance with section 74 of the RF Act.
6. Pre-fire site preparation and post-fire rehabilitation.

Council's Bushfire Mitigation program seeks to apply a strategic approach to the assessment and amelioration of bushfire risk at the bushland interface. It aims to:



- Achieve the economic, strategic and sustainable management of interface areas through the active management of bushfire fuel
- predict and provide annual work programs and link with other bushland management programs
- provide transparency in fire management strategies
- fulfil Council's obligations in respect to the Shoalhaven Bushfire Risk Management Plan
- link Council's Bushfire Mitigation Strategy with RFS Community Education Programs

### **Bushfire mitigation activities on Council managed land - 2017-18 financial year**

#### Prescribed Burning

Two prescribed burns were undertaken in April 2018:

- 7000m<sup>2</sup> of land adjacent to the northern boundary of Havenlee School; and
- 1.5ha on the southern side of Mahogany Creek behind houses in Federation Place and Jamieson Rd.

Fire & Rescue NSW undertook the burns for Council. Both sites are being monitored and regenerating weeds will be treated as required.

#### Fire Trails

The list of fire trails that Council is responsible for maintaining is attached. Other Council unsealed roads are maintained through the Unsealed Roads Maintenance Program. These trails are inspected prior to the bushfire danger period.

Trails where works were completed during the 2017-18 financial year include the track on Council land that leads to the Huskisson and Bowling Club fire trails at Huskisson, the Murray St fire trail at Vincentia, and Pritchard Rd fire trail at Woollamia.

Council was successful in gaining \$268,980 from the Bushfire Risk Mitigation & Resilience Grants Program 2017-18 to upgrade the creek crossing on the Wattle Fire Trail at Yerriyong. Assets & Works will complete the upgrade during the 2018-19 financial year.

#### Annual ongoing maintenance program

The 2017-18 program saw 138 sites receive mowing/slashing during October to November 2017 and during February to March 2018.

Each site is assessed to ensure compliance with the Rural Fire Services (RFS) standards for asset protection zones and, if required, additional works are done. This includes tree trimming, crown raising and separating, tree removal, weed control and the investigation and removal of dumping and encroachments.

The increasing value of work done under this program triggered the need to run a formal tender process which was done during November 2017 through to January 2018. Current contracts will expire in 2020.

### **Bushfire mitigation activities on Council managed land - current financial year**

A proposed prescribed burn at North Nowra is now not required due to the August wildfire at West Cambewarra Road. Planning and assessment is underway for burn proposals at St Georges Basin, Bawley Point, Narrawallee and Coonemia.

Round 1 of the annual maintenance program was completed in August-September 2018, with round 2 scheduled to begin in mid-November prior to the holiday season in December/January 2018-19. Round 3 is generally done once plant growth rates decline around April.

Council continue to prioritise APZ and fire trail enhancements/improvements at those locations with the highest risk rankings.

### Bushfire Hazard Complaints

Section 74C of the RF Act requires that all bushfire hazard complaints be referred to the Commissioner within 14 days of receipt. Each complaint is investigated by an RFS Fire Mitigation Officer and a determination made. The outcome is relayed to both the customer and the land manager.

A list showing Determinations received during the 2017-18 financial year and the current financial year to date is contained in attachment 2. Works required are implemented to comply with the order and, if required, the site is added to the annual maintenance program.

Data compiled from the complaints records suggest that approximately 80% of the sites identified through the complaint process, and subsequently treated, are ranked as low risk in the BFMC.

A complaints-based approach can provide opportunities for engagement and education, albeit for those that are at relatively low risk from bushfire; however, allowing complaints to drive the mitigation program can:

- direct valuable resources away from strategic fuel management as guided by the Risk Management Plan;
- lead to ad-hoc works that waste time and money and cause negative environmental outcomes that require ongoing resources to manage.

### Financial Implications

The treatment of assets with a risk-ranking of high or above i.e. high, very high or extreme risk, are prioritised by the current and draft revised BRMP. This acknowledges the need to balance risk against resources and capacity to undertake the work as well as noting that areas of medium or low risk are likely to be managed by routine procedures and therefore do not require a specific application of resources.

However, the revised BRMP proposes to add a City-wide treatment that would require the ongoing monitoring of APZs that are *adjacent low, moderate or high-risk assets and the application of resources to maintain them according the RFS Standard for APZs*. It is noted that *'these APZs are generally not located on land that is the responsibility of the asset protected'* i.e. Council land or other tenures.

This new requirement, if adopted, will require an increase to the hazard reduction operational budget of at least 25%. The annual operational hazard reduction budget for 2018-19 is \$146,596 so a budget bid will be submitted in the new year.

### Risk Implications

This program ensures that Council's responsibilities in relation to the management of bushfire hazards on its land are met.

Failure to adequately address the bushfire risk on Council-managed properties may result in loss of life or property and damage to the environment.

No.	SUBURB	Name	Location	current strategic classification
1	BERRY	Moeyan Hill Bridle Trail	Berry	I
2	CALLALA BEACH	Silkwood Road Fire Trail	Callala Beach	E
3	CALLALA BEACH	Callala Beach APZ Fire trail	Callala Beach	I
4	MYOLA	Myola CP Fire trail	Myola	U
5	MYOLA	Myola Spit Access Road	Myola	U
6	WOOLLAMIA	Pritchard Fire Trail	Woollamia	I
7	HUSKISSON	Currambene St (part of Moona Moona F/T)	Huskisson	E
8	HUSKISSON	Kioloa St (unformed)/ Huskisson Oval	Huskisson	E
9	VINCENTIA	Bayswood FT Easement	Vincentia	E
10	VINCENTIA	Bayswood Walk (thru NPWS)	Vincentia	E
11	VINCENTIA	Murray St FT	Vincentia	E
12	WORROWING	Wanawong Bvd	Worrowing	I
13	WORROWING	Birriga Rd	Worrowing	E
14	NORTH BENDALONG	North Bendalong Fire Trail	North Bendalong	E
15	LAKE CONJOLA	Sandgroper Trail	Lake Conjola	E
16	NARRAWALLEE	Garrad Reserve Fire Trail	Narrawallee	I
17	NARRAWALLEE	Garrad Reserve Fire Trail	Narrawallee	I
18	ULLADULLA	Lighthouse Oval Trail	Ulladulla	I
19	ULLADULLA	North Head Shared Path	Ulladulla	I
20	KIOLOA	Forest Road Reserve FT north	Kioloa	E
21	KIOLOA	Forest Road Reserve FT south	Kioloa	E
22	YERRIYONG	Wattle F/T (east)	Yerriyong	E
<b>Strategic Classifications</b>			E = Essential U = Unknown I = Important	
<b>Access Type</b>			1 = Fire Trail 2 = Other Fire Access	

desired strategic classification	Access Type	Gate/s	Signage	Use (other than FT)	Other Comments
I	2	N	No	Bridle Trail;	
E	1	Y	No	0	Subd Approval, APZ AMS
I	1	Y	No	Public use (track)	APZ AMS
I	2	Y	No	REMS Pipeline, shared pathway	APZ AMS
I	2	N	No	Reserve Access;Public Use;	
E	1	Y	No	Pub Rd;Recreation	
E	1	Y	Yes (NPWS)	Pub Rd;Power Line Maint;Pipes	Leads to NPWS Trail
E	1	Y	Yes	Pub Rd;Recreation	Leads to NPWS Trail
E	2	Y	No	Op Land/Dr Res/Easmt	Subd Approval
E	2	Y	No	Pub Rd;Shared Pathway;Powerline;	maintained by others
E	1	Y	Yes	0	Previously called St Georges Avenue FT
I	1	Y	Yes	Pub Rd;	
E	2	Y	No	Pipeline	
E	1	Y	No	0	Subd Approval22
E	1	Y	No	0	Subd Approval, APZ AMS
I	1	Y	No	Biobank/public access track	
I	1	Y	No	Biobank/public access track	
I	1	Y	No	Reserve Maint Access	
I	2	Y	No	Reserve Access;Public Use;	
E	1	N	No		Subd Approval, APZ AMS
E	1	N	No	0	Subd Approval, APZ AMS
E	1	Y	Yes	Creek crossing upgrade 2018-19	Multi-tenure - NPWS & Crown



Date	Location	Significant bushfire threat present?
2017-18 FINANCIAL YEAR		
27/06/2017	Cammaray Dr St Georges Basin	yes
03/07/2017	Penguin Head Rd Culburra Beach	no
18/07/2017	Moss St Nowra	no
27/07/2017	Nellore PI North Nowra	no
15/08/2017	Island Pt Rd St Georges Basin	no
21/08/2017	Cambewarra Pony Club	no
24/08/2017	Bishop Dr Ulladulla	no
24/08/2017	Walpole Ave Ulladulla	yes
07/09/2017	Links Ave Sanctuary Point	no
18/09/2017	Discovery PI Shoalhaven Heads	no
18/09/2017	Wallace St Nowra	no
19/09/2017	Chisholm St Callala Bay	no
19/09/2017	Emmett St Callala Bay	no
29/09/2017	Yurunga Dr North Nowra	no
29/09/2017	Jervis St Nowra	no
29/09/2017	Theodore PI Bomaderry	no
29/09/2017	Village Dr Ulladulla	no
10/10/2017	Gypsy Point Rd Bangalee	no
11/10/2017	Leo Dr Narrawallee	no
12/10/2017	Duncan St Vincentia	no
13/10/2017	Larmer Ave Sanctuary Point	no
20/10/2017	Princes Hwy Burrill Lake	no
20/10/2017	Princes Hwy Burrill Lake	no
23/10/2017	Alata Cres South Nowra	no
24/10/2017	Surfers Ave Narrawallee	yes
01/11/2017	Malibu Dr x Marramarang Rd	no
10/11/2017	Admiralty Wharf Huskisson	no
14/11/2017	Jewel St Worrigea	no
14/11/2017	Ottawa St Cunjurong Point	no
30/11/2017	Macgibbon Pde Old Erowal Bay	no
15/01/2018	Tingira Dr Bawley Point	no
09/02/2018	Gardenia Cres Bomaderry	no
20/03/2018	Verge of Hwy near Orion St Lake Tabourie	no
20/03/2018	Princes Hwy Lake Tabourie	no
21/03/2018	The Park Dr Sanctuary Point	no
29/03/2018	Sanctuary Point Waste Depot	no
29/03/2018	Vost Dr Sanctuary Point	no
29/03/2018	Finkernagel Reserve Sussex Inlet	no

04/04/2018	Larmer Ave Sanctuary Point (Mountain St)	no
06/04/2018	Edwin Ave Lake Conjola	no
13/04/2018	York St Cunjarong Point	yes
30/04/2018	West Cambewarra Rd North Nowra	no
30/04/2018	Rockhill Rd Reserve (Murrell Pl)	no
03/05/2018	Sussex Inlet SLSC	no
24/05/2018	McArthur Dr Falls Creek (road)	no
20/06/2018	Johnston St Bawley Point	no
2018-19 FINANCIAL YEAR		
03/08/2018	Princess Ave Burrill Lake	yes
18/08/2018	Stuart King Reserve Vincentia	no
03/09/2018	West Cambewarra Rd Bomaderry	no
03/09/2018	West Cambewarra Rd Bomaderry	no
03/09/2018	Sheraton Circuit Bomaderry	no
03/09/2018	Tartarian Cres Bomaderry	no
03/09/2018	Bomaderry Creek	no
04/09/2018	Frederick St Vincentia	no
05/09/2018	Moss Vale Rd Bomaderry	no
11/09/2018	Malibu Dr Bawley Point	yes

## SA18.260 Acquisition of land and easements at Mundamia for University of Wollongong Shoalhaven Campus

**HPERM Ref:** D18/300657

**Group:** Shoalhaven Water Group  
**Section:** Water Asset Planning & Development

**Attachments:** 1. Draft Acquisition Plan [↓](#)  
2. Crown Lands Plan [↓](#)

### Purpose / Summary

This report is submitted to seek Council approval to the compulsory acquisition of:

1. Part of Lot 6 DP1156684 (for existing sewer pump station site) and easements for sewerage purposes, water supply, access, underground cables and right of way over Lot 6 DP1156684 at George Evans Drive Mundamia from the Minister for Education and Training, at the University of Wollongong (UOW) Shoalhaven Campus.
2. Easements for access and water supply over Crown land Lot 7319 DP1165060 at Yalwal Road Mundamia.

### Recommendation

That Council resolve:

1. To compulsorily acquire the following land and easements for Council infrastructure servicing the University of Wollongong Shoalhaven Campus on Lot 6 DP1156684, at nominal compensation of \$1:
  - a. Part of Lot 6 DP1156684, shown as proposed Lot 2 and coloured pink on the attached 'Draft Acquisition Plan'.
  - b. Easements for Sewerage Purposes & Access 6 wide, Sewerage Purposes 6 wide, Sewerage Purposes 3 wide, Access 15 wide & variable, and Underground Cables 1 wide, all shown coloured pink on the attached 'Draft Acquisition Plan'.
2. To compulsorily acquire the following easements for Council infrastructure over Lot 6 DP1156684, but not servicing the University of Wollongong Shoalhaven Campus, at compensation to be determined by the Valuer General:
  - a. A Right of Way variable width and Easements for Water Supply 2 wide, 3 wide and 8 wide, all shown coloured yellow on the attached 'Draft Acquisition Plan'.
  - b. An Easement for Sewerage Purposes 3 wide and an Easement for Water Supply 6 wide, shown coloured green and blue respectively on the attached 'Draft Acquisition Plan'.
3. To compulsorily acquire the following easements for Council infrastructure over Crown land Lot 7319 DP1165060, subject to resolving Aboriginal Land Claim and Native Title interests, at compensation determined by the Valuer General:
  - a. An Easement for Access 7m and 15m wide and an Easement for Water Supply 8m wide, shown edged red and blue respectively on the attached 'Crown Lands Plan'.
4. To pay compensation and costs associated with the acquisitions from Shoalhaven Water's Sewer and Water Funds. Compensation determined by the Valuer General to be in accordance with the provisions of the Land Acquisition (Just Terms Compensation)

SA18.260

Act 1991.

5. That the necessary applications be made to the Minister for Local Government and the Governor. The acquisitions are to be carried out under the Local Government Act 1993.
6. That the acquired land be classified Operational land in accordance with Section 31(2) of the Local Government Act.
7. That the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

## Options

1. Resolve as recommended. Acquisition of the land and easements are substantially required to formalise existing Shoalhaven Water infrastructure. Two easements are required for future infrastructure.
2. Not resolve as recommended and provide further directions to staff.

## Background

### University campus land

Approval was given to the University campus development at Mundamia in 1998 subject to Shoalhaven Water requirements that:

- Land be ceded to Council for a sewer pump station and associated facilities, and
- Easements be created over a sewer rising main and proposed gravity sewer system.

Council resolved by MIN02.1036 dated 27 August 2002 to acquire the pump station site (proposed Lot 2) and various easements from the Minister for Education and Training for \$nil consideration. The accompanying Council report states that Council provided infrastructure support for the establishment of the Education Complex and that the Department of Education and Training (DET) had given in-principle consent to the acquisition of the pump station site and easements at \$nil compensations, subject to all costs being borne by Council.

The acquisitions have not occurred, mainly due to:

- DET requested that it grant a long term lease of the pump station site and easements in lieu of acquisition by Council at \$nil consideration.
- Concerns raised that some of the easements approved in the 2002 Council Resolution were for existing infrastructure over the campus site but did not service the campus facilities.
- DET was split into two separate Departments – Education and TAFE, with associated reallocation of real estate assets.

The Mundamia campus site is occupied mainly by the UOW and by TAFE with a minor interest (lease of a child care centre only). On these grounds TAFE declined to accept ownership of the land and title to Lot 6 DP1156684 remains in the name of the Minister for Education and Training.

Following extensive negotiations an alternative proposal was submitted to DET to resolve the impasse. The proposal is in accordance with the above Recommendation and is to:

- Acquire the land and easements servicing the campus at \$nil consideration as originally agreed.
- Acquire the additional easements at compensation determined by the Valuer General, in accordance with normal practice.

As the affected land was acquired by DET under the University of Wollongong Act and the TAFE Commission Act it has been agreed that Council's acquisitions should be undertaken by the compulsory process of the Land Acquisition (Just terms Compensation) Act. UOW and TAFE have advised there is no objection to the acquisition proposal and DET has provided advice that it also has no objection and Council should proceed with the proposed compulsory acquisition.

The proposed easements for sewer and water coloured green and blue on the draft Acquisition Plan were not part of the original development approval. They are for future pipelines to service the Mundamia residential release area north of the campus site.

### Crown Land

The original approval included a proposed Easement for Access 15 metres wide from George Evans Road westerly to the sewer pump station. However, the campus development has since been expanded and vehicular access is no longer possible along the route of that access easement due to construction of a covered pedestrian walkway.

Access to the pump station is currently being obtained between the campus buildings and representations were made by the UOW for Shoalhaven Water to arrange an alternative route. Investigations determined the favoured option to be westerly from the pump station along an existing gravel track to Yalwal Road through adjoining Crown land, Lot 7319 DP1165060.

Crown Lands has provided consent to the acquisition of an Easement for Access 7m and 15m wide, edged red on the attached 'Crown Lands Plan'. It also provided consent for an Easement for Water Supply 8m wide, edged blue on that plan, to formalise an existing trunk water main. The consent was subject to Council resolving any Aboriginal Land Claims and Native Title issues over the land.

With respect to Native Title, NTSCorp representing the South Coast People have been notified of Council's actions and will be provided the same procedural rights as a freehold title owner under the Land Acquisition (Just Terms Compensation) Act.

If Council cannot resolve issues with the Crown land an alternative route is proposed along the sewer main extending southerly from the pump station to Yalwal Road. An Easement for Sewerage Purposes and Access 6 metres wide is to be acquired for that pipeline which could allow for the construction of an access track if required.

### **Financial Implications**

Compensation and all costs associated with the acquisition are to be funded from Shoalhaven Water's Sewer and Water funds. The compensation is at agreed nominal amount of \$1 or as determined by the Valuer General, as detailed in the above recommendation.

# DRAFT Acquisition Plan

PLAN FORM 2A

Plan Drawing only to appear in this space

OFFICE USE ONLY

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

No	BEARING	DISTANCE
1	325° 07' 35"	28.120
2	18° 56' 45"	35.135
3	287° 26' 20"	21.560
4	293° 34' 25"	24.575
5	2° 07' 40"	36.160
6	36° 50' 10"	20.785
7	355° 15' 35"	28.480
8	338° 02' 30"	41.995
9	270° 51' 55"	17.490
10	341° 47' 55"	36.830
11	0° 45' 05"	24.305
12	316° 52' 05"	71.175
13	269° 54' 40"	38.195

α - PROPOSED EASEMENT FOR SEWERAGE PURPOSES 6 WIDE.  
β - PROPOSED EASEMENT FOR SEWERAGE PURPOSES 3 WIDE.  
γ - PROPOSED EASEMENT FOR UNDERGROUND CABLES 1 WIDE.  
δ - PROPOSED EASEMENT FOR PADMOUNT SUBSTATION 3.5 WIDE.  
ε - PROPOSED EASEMENT FOR ACCESS 15 WIDE AND VARIABLE.  
ζ - PROPOSED RIGHT OF WAY VARIABLE WIDTH (DP875956)  
η - PROPOSED EASEMENT FOR UNDERGROUND CABLES 1 WIDE.

COMBINED SEA LEVEL SCALE FACTOR = 1.000197  
SOURCE : MGA COORDINATES ADOPTED FROM LIC ON 18-JUL-2002

REGISTERED:  
CA:  
Title System: TORRENS  
Purpose: ACQUISITION  
Ref Map: PARISH#  
Lost Plan: DP875956

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE L.G.A. 1993 AND PROPOSED EASEMENTS FOR SEWERAGE PURPOSES 6 WIDE & 3 WIDE AND PROPOSED EASEMENTS FOR UNDERGROUND CABLES 1 WIDE AND PROPOSED EASEMENT FOR PADMOUNT SUBSTATION 3.5 WIDE AND PROPOSED EASEMENT FOR ACCESS 15 WIDE & VARIABLE.

Lengths are in metres. Reduction Ratio 1:3000

L.G.A. SHOALHAVEN  
Locality: MUNDAMIA  
Parish: NOWRA  
County: ST.VINCENT(51)

This is sheet 1 of my plan in 3 sheets.  
(Date if inapplicable)

Surveyors (Practice) Regulation 2001.  
STEPHEN MICHAEL ROBINSON  
of SHOALHAVEN CITY COUNCIL  
P.O. BOX 42 NOWRA 2541  
a surveyor registered under the Surveyors Act 1939 Jersey, certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors (Practice) Regulation 2001 and was completed on 18/7/02.  
The survey relates to: LOTS 1 & 2  
AND PROPOSED EASEMENTS.  
(here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)  
Datum line: "X" - "Y"  
Zone: Suburban/Country 1(d)  
(Signature) Surveyor registered under the Surveyors Act 1939

Plans used in preparation of survey/compilation  
DP875956

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

LOT 2 IS TO BE ACQUIRED.

SHORT LINE TABLE

No	BEARING	DISTANCE
14	89° 54' 40"	80.640
15	98° 02' 40"	20.115
16	219° 23' 10"	28.740
17	3° 34' 35"	49.910
18	357° 18' 55"	58.735
19	353° 48' 25"	36.165
20	344° 35' 40"	45.040
21	12° 13' 20"	12.320
22	342° 41' 20"	27.005
23	290° 08' 15"	15.070
24	317° 24' 35"	38.720
25	315° 54' 45"	40.780
26	129° 06' 50"	81.085
27	124° 53' 50"	48.565
28	148° 26' 00"	75.065
29	137° 22' 40"	54.645
30	218° 00' 50"	55.430
31	340° 46' 50"	77.970
32	329° 04' 45"	31.910
33	323° 27' 55"	31.940
34	320° 03' 35"	130.565
35	89° 54' 40"	43.035

Crown Lands Office Approval

PLAN APPROVED

Land District: \_\_\_\_\_  
Paper No: \_\_\_\_\_  
Field Book: \_\_\_\_\_ pages

Subdivision Certificate

I certify that the provisions of s.100(1) of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

\* the proposed \_\_\_\_\_ set out herein and  
\* (from "subdivision" or "new road")  
\* the subdivision is for those purposes in accordance with s.23b of the Conveyancing Act 1999 \*

\* Authorised Person/Principal Manager/Accredited Certifier

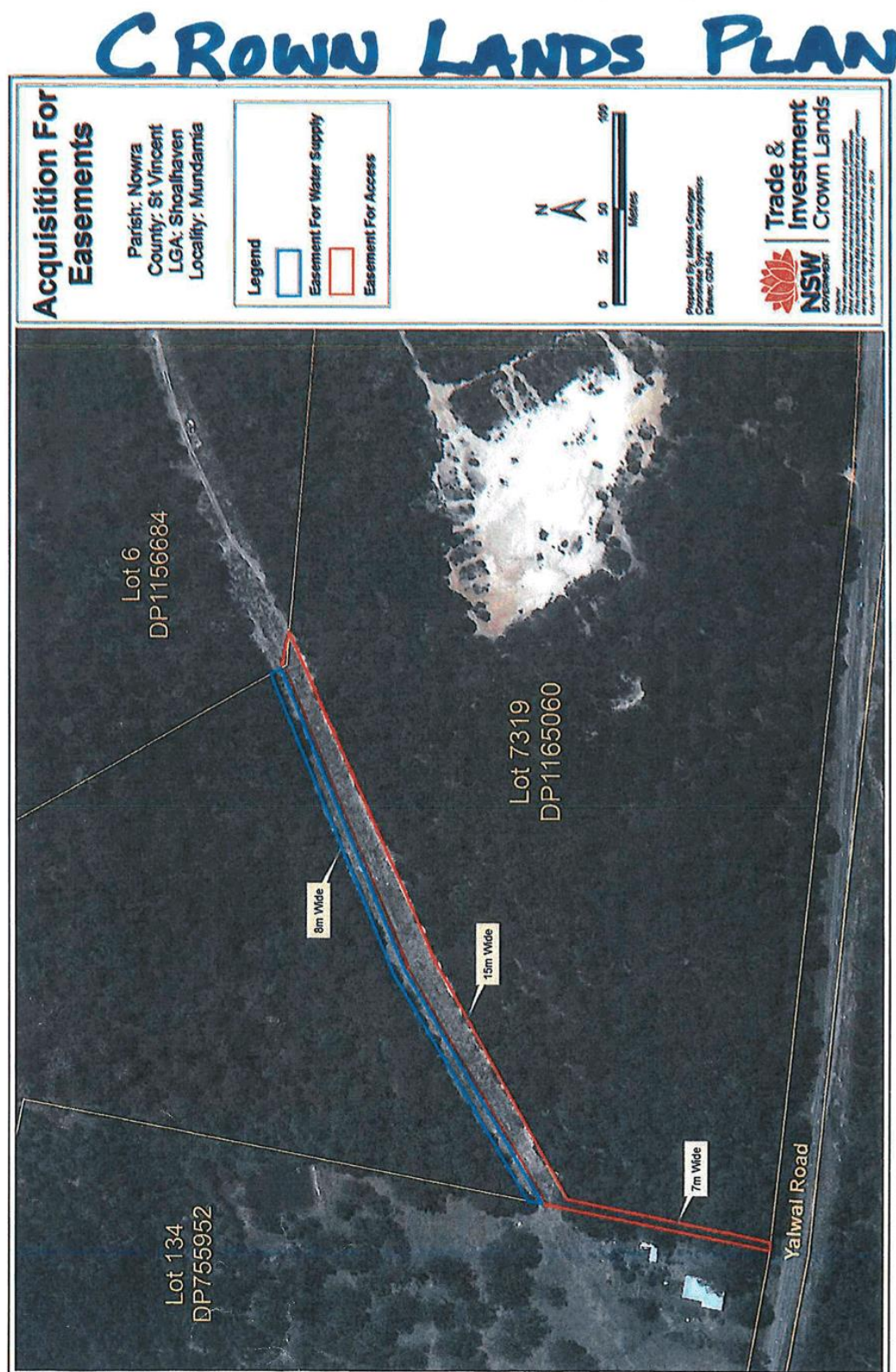
Consent Authority: \_\_\_\_\_  
Date of endorsement: \_\_\_\_\_  
Accreditation no: \_\_\_\_\_  
Subdivision Certificate no: SF9082  
File no: 1421

Note: When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format, approved by the Registrar-General.  
\* Date whenver is applicable.

SURVEYOR'S REFERENCE: SR40-2000 1421 "CHECKLIST PLAN ONLY"

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION







## 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.