

Ordinary Meeting

Meeting Date: Tuesday, 27 August, 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 7)
All Councillors

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. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting - 30 July 2019
6. **Declarations of Interest**
7. **Call Over of the Business Paper**
8. **Presentation of Petitions**
9. **Mayoral Minute**

Mayoral Minute

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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.

Reports

- CCL19.17 Tenders – Management and Operation - Holiday Haven Culburra
Beach

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

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

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MM19.14 Mayoral Minute - 2019 Regional NAIDOC Awards

HPERM Ref: D19/281286

Recommendation

That Council receives the report for information and the Mayor send congratulatory letters to the winners of the 2019 NAIDOC Awards.

Details

On Saturday, 27 July 2019, our Council was fortunate enough to host the 2019 Regional NAIDOC Awards at the Shoalhaven Entertainment Centre. The awards are a collaborative event that is organised by Wollongong, Shellharbour, Kiama and Shoalhaven City Councils. The theme for this year was 'Voice. Treaty. Truth. *Let's work together for a shared future.*'

The Awards provide an opportunity for celebrating NAIDOC week and for promoting and recognising the talents, excellence, and significant contributions that Aboriginal and Torres Strait Islander people and their organisations make to their own and broader communities in the Illawarra and Shoalhaven regions. This event serves a very important role in promoting regional cooperation between Aboriginal and non-Aboriginal people, local councils and other organisations and businesses.

On behalf of Council, I would like to congratulate the following Shoalhaven Award Recipients:

Organisation of the Year:

Oolong House

Young Achiever of the Year (Female)

Ms Kalinda Wills

Worker of the Year

Mr Charlie Ashby

Outstanding Contribution to Reconciliation

Mr Noel Butler

Elder of the Year (Female)

Aunty Lynn Wellington

I would also like to give a huge thank you to Margaret Simoes, Aboriginal Community Development Officer, and her team on organising such a wonderful event; you should be extremely proud of yourselves.

MM19.14

MM19.15 Mayoral Minute -Shoalhaven Crookhaven Rivers Shellfish Quality Assurance Program (SQAP) - Request for Assistance

HPERM Ref: D19/282379

Recommendation

That Council:

1. Receive the report for information.
2. Provide funding of \$20,000 to the SQAP for 2019/20 from the September Quarterly Budget Review.
3. Consider future years funding as part of the annual budget deliberations.

Details

Representatives of the SQAP met with me recently to seek assistance in funding the operation of the SQAP.

In NSW all commercially produced oysters must be harvested in accordance with the NSW Shellfish Program administered by NSW Food Authority under the Food Act 2003 and Regulation 2015. This program and legislation require each estuary to establish a quality assurance program (QAP) that has established harvest zones through ongoing testing.

The Shoalhaven-Crookhaven River System has seven zones. Each zone must be routinely tested for toxic algae, biotoxin and bacteria. The testing involves collection of water and meat samples, packaging and sending to NATA Accredited Laboratories for results. To their knowledge the Shellfish QAP is the only group undertaking algae and biotoxin testing in the Shoalhaven/Crookhaven Rivers. This data is shared with the Food Authority and available to Council.

Should testing detect elevated levels of biotoxin, notices will be issued to the general public, protecting all those who take shellfish from local rocks on the banks or the river. There are 561 routine samples taken every year. In addition to routine testing there are additional testing requirements after certain rainfall events, sewerage spills, adverse weather, pollution incidents such as sinking boats or fishing competitions, and algal outbreaks. Two of the harvest zones have now achieved export approval.

There are many environmental, economic and social benefits to the Shoalhaven region by supporting the local oyster industry through the Shellfish QAP. There are 13 Oyster farming businesses on the Shoalhaven at Greenwell Point providing local employment for 35 people.

Oyster farming offers jobs to people who often find it hard to find employment in 'mainstream' employment positions. The 13 Oyster farmers act as caretakers of the river notifying relevant authorities of risks to water quality and actively work with other river stakeholders and neighbours to improve the management of the river system. Whilst this is to the benefit of farmers there are also many positive flow on effects for others who all rely on a continued healthy river system such as:

- tourism operators,
- accommodation providers,
- shop owners, and
- restaurants

Other direct users who benefit from the QAP include:

- recreational fishers,
- commercial fisherman,
- river festival participants
- canoers/kayakers, and
- water skiers.

Of considerable concern to farmers is the increase in urbanisation of our area and the potential impact it is having on the estuary. Every person in every house and property within the catchment of the Shoalhaven/Crookhaven river contributes to water runoff from their property which eventually ends up one way or another in our rivers. This runoff contributes to the lowering of salinity levels and increased bacteria levels in the estuary when it rains and therefore increases in pollution.

The QAP Program dictates that oysters cannot be sold until the salinity is at the required level and the bacteria, E.coli and biotoxin levels are proven to be below the criteria. Farmers believe that it is fair that everyone that impacts on the catchment of the Shoalhaven and Crookhaven Rivers should contribute to the QAP.

Two of the seven harvest zones are now classified as direct harvest and export approved due to the previous years funding. The aim is to gain reclassification of a further three harvest zones to direct harvest and export within the next few years depending on test results. This will increase the productivity of the local oyster industry and the overall economic value. Currently many leases in areas that are not direct harvest are underutilised and limit the local oyster industry.

The SQAP costs around \$100,000 to administer and undertake testing. Financial assistance provided to the SQAP by:

- Safefoods NSW - \$25,000
- Shoalhaven Water - \$15,000.

Following two climatic events in 2016, DPI called the parties together as the local oyster industry was devastated and realistically would produce virtually no product for 2-3 years, but during that time the SQAP needed to be maintained or there was a possibility that their accreditation would lapse and would be hard to re-establish it.

Being an emergency situation, it was agreed that for each of three years (2016/17, 2017/18 and 2018/19) \$20,000 +GST would be paid from the Economic Development (ED) operational budget to assist the group in sustaining the SQAP. This constrained the ED activities but the SQAP accreditation was sustained.

Funding from this ED source is no longer available as it is or has now been committed to other ED activities such as strategic planning and submission preparation for marine infrastructure, transport infrastructure, Nowra revitalisation (Stewart Place), Nowra waterfront and similar projects. Generally the ED budget towards business development and training is allocated as broadly as can be done to allow as many businesses as possible to benefit.

I recommend that Council provide funding of \$20,000 to the SQAP for 2019/20 from the September Quarterly Budget Review and consider future years funding as part of the annual budget deliberations.

Submitted for consideration.

MM19.16 Mayoral Minute - Farewell Lynne Locke

HPERM Ref: D19/287362

Recommendation

That Council note the retirement of Lynne Locke, CEO of Shoalhaven City Turf Club and acknowledge her contribution to the Shoalhaven with a certificate of appreciation and a morning tea to be arranged with Councillors.

Details

Mrs Locke's retirement and subsequent relocation out of the Shoalhaven will be a significant loss as she has offered a great volunteer contribution to the Shoalhaven.

Some of Mrs Locke's contributions were:

- Mentor and sponsor for Y-Quest, a program for young women, mentoring through public speaking and building resilience and other qualities for self development.
- Former Chair of the Shoalhaven Tourism Board.
- Together with Catherine Shields, helped create the River Festival and was the Chair for some years.
- Mrs Locke also ran programs at the race track to include all levels of inclusivity, disability access, programs for local indigenous youth to gain employment with track work horse-familiarisation and riding.

I recommend that Council acknowledge Lynne Locke's contribution to the Shoalhaven with a certificate of appreciation and a morning tea to be arranged with Councillors.

CL19.193 Notice of Motion - Supporting Local Op-Shops

HPERM Ref: D19/275303

Submitted by: Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation

That Council's Waste services team provide to council options of the following

1. Possibility of setting up a program to assist volunteer Op-Shops with Tipping fees.
2. Options for providing volunteer Op-Shops with tipping vouchers.
3. Costs associated with the above options

Background

I have received correspondence and have also visited local volunteer Op-Shops who are struggling to continue to provide services to their communities due to many factors.

One factor is a large amount of rubbish dumped at sites that then requires the volunteers to transport it to local waste stations.

Most Op-Shops have asked me what the council could do to assist them.

I am only asking for options and possible cost to assist the local community Op-shops.

Note by the CEO

Council already has in place options for reducing the costs of managing waste for the opportunity shops. In Council's Delivery Program & Operational Plan Opportunity Shops are dealt with as follows:

Registered charitable organisations shall be charged the nominal scale of rates for waste disposal charges arising from opportunity shops with a reduction to their annual waste disposal account of an amount equivalent to 50% of the total charge up to a maximum of \$2,500 unless Council has resolved to reduce the charge by an additional amount.

Further to the relief provided by Council, Op Shops are able to apply to the EPA for exemption from the EPA levy. Current exemptions are in place for op shops run by St. Vincent de Paul, Anglicare and the Salvation Army. Other Op Shops can approach the EPA to obtain an exemption, but they would need to open up a Tip Account with Council's Waste Services, so that the exemption can be effected by Council's waste tracking system.

The effect of the EPA levy exemption and Council's 50% discount results in a 71% reduction in their tipping fee. The dumping of rubbish is a shared responsibility and the small remaining cost is intended to encourage the Op Shops to think of different solutions to reduce illegal dumping and therefore their own costs.

Note that the domestic voucher policy is intended for providing a method for ratepayers to clean bulky rubbish that cannot fit into the garbage bin (from their home/garden or garage). The Policy does not extend to using vouchers as a means to help community groups in lieu of a donation.

CL19.193

CL19.194 Notice of Motion - Shoalhaven Heads Community Centre Extensions

HPERM Ref: D19/275315

Submitted by: Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation

That Council

1. Gives in-principle support to the future extensions of the Shoalhaven Heads Community Centre.
2. Undertakes investigations to identify plans that were provided some time ago for the possible extensions to the Shoalhaven Heads Community Centre.
3. Makes representation to the State Member for Kiama, Mr Gareth Ward to seek funding for the project.

Background

Councillors would be aware of the many user groups that utilise the Shoalhaven Heads Community Centre.

It has been identified that the community of Shoalhaven Heads has now outgrown the centre.

While I understand there is no immediate funding to undertake this project I believe if we give it in principle support it will increase the chances of state government funding through our state member.

Note by the CEO

Council staff support the investigation of an extension - however, the property is on Crown Land. It is recommended that Council allow staff to prepare a report to Strategy and Assets Committee including some additional information on the user groups, usage rates, shortfalls of the current buildings and demand. It is proposed that this report would also include an outline of steps that would need to be undertaken to make extensions to a building on Crown Land and an estimated cost involved to have the project ready for grant funding applications.

As suggested, a revised Recommendation for Council's consideration is as follows:

"That Council:

1. *Gives in-principle support to investigate the future extensions of the Shoalhaven Heads Community Centre.*
2. *Receive a report at the November Strategy & Assets Committee Meeting that provides:*
 - a. *Information on the user groups, usage rates, shortfalls of the current buildings and demand at the Shoalhaven Heads Community Centre.*

CL19.194

- b. *An outline of steps that would need to be undertaken to make extensions to the building on Crown Land and an estimated cost involved to have the project ready for grant funding applications.*
- c. *Details of investigations to identify plans that were provided some time ago for the possible extensions to the Centre.”*

CL19.195 Notice of Motion - Donation - Berry Small Farm Field Days

HPERM Ref: D19/281079

Submitted by: Cllr John Wells

Purpose / Summary

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

Recommendation

That Council support Berry Rotary Small Farm Field Day event by voting \$2,500 from the unallocated donations vote.

Background

The Berry Small Farm Field Days (BSFFD) are a community initiative of the Rotary Club of Berry and will be held on Friday 6th & Saturday 7th September 2019 at the Berry Showground. This year is the eighth holding of the event, with each year building on the success of previous years.

There are only four similar field day events held in NSW aimed specifically at the small landholders, however the BSFFD is the only event providing suppliers the opportunity to showcase their products and services to small landholders in the Illawarra/Shoalhaven/South Coast region. Last year the BSFFD attracted crowds of around 4000 people, together with over 100 exhibitors who travelled from as far as Victoria, Queensland and various other parts of NSW.

The Shoalhaven and surrounds is increasingly being populated by small acreage farmers, all of whom are looking for machinery, equipment, products, services and advice to assist them in carrying out the farming pursuits they desire. As one would expect, lectures, demonstrations, product samples, literature and case studies are all part of the BSFFD scene.

In 2017 Berry Rotary launched a new initiative in showcasing a range of exhibits under the "eat food" banner, highlighting locally produced food including olives, olive oils, cheese and dairy products, wine, meat, grains, honey and fruits. Their products were supported by an enhanced program of demonstrations and talks to provide visitors to better understand product applications and benefits. Council sponsored this initiative in 2017 and 2018 and has been requested to again support this major feature of the event. The "eat food" showcase was so successful it is being held again in 2019 – hopefully even bigger and better than previous years.

A sum of \$2,500 is requested in return for which Council has been given program and signage recognition as well as recognition rights on the marquee with the following wording:

"Eat Local"- supported by Shoalhaven City Council.

Note by the CEO

As at the time of preparing this note, the current balance of the Unallocated Donations budget was \$16,030.20. There are a number of donation commitments pending following approval by Council, hence the available balance stands at \$11,387.20.

CL19.195

CL19.196 Notice of Motion - Ulladulla Swimming Club

HPERM Ref: D19/281047

Submitted by: Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council provide a donation of \$3,000 to the Ulladulla Swimming Club from Council's unallocated donations to assist with the purchase of new electronic starting equipment for the Ulladulla Swimming Club members and club events held at Ulladulla Leisure Centre.

Background

The Ulladulla Swimming Club is desperately seeking funds to purchase new electronic starting equipment. The club's equipment was knocked into the pool by an unsuspecting passer-by and they have been battling through with an old one, but it is playing up and not reliable for club nights and when the club host major carnivals at the Ulladulla Leisure Centre (up to four times per year).

The Club has a quote to purchase a new system and are requesting funds of \$3,000 to assist to replacement the equipment.

Ulladulla Swimming Club is a small club, but their young swimmers are gaining fantastic results at local, regional, state, country and national level and the committee would be very grateful for your support.

Note by the CEO

The Ulladulla Swimming Club is valued in the community and operates on a year-round basis, holding competitions every second Friday night between 6.30pm and 7.30pm with approximately 20 to 25 participants at present.

The Swimming Club, along with the other three (3) Swim Clubs using Council aquatic and leisure facilities, also lend their starting equipment to the community for use by local school carnivals and large events as needed. This type of starting equipment is typically purchased and owned by each Swim Club.

Approval of this donation request may set expectations with the other three (3) Swim Clubs.

As at the time of preparing this note, the current balance of the Unallocated Donations budget was \$16,030.20. There are a number of donation commitments pending following approval by Council, hence the available balance stands at \$11,387.20.

CL19.196

CL19.197 Notice of Motion - Loralyn Ave Reserve Fencing

HPERM Ref: D19/281602

Submitted by: Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council

1. Investigate options for the construction of appropriate fencing and signage along the boundaries of Council reserves at 72 Loralyn Avenue and Lot 123 DP 17823 Loralyn Ave and existing property owners.
2. CEO provide a report back to Council on fencing/signage options available and costs to resolve the issues of trespassing onto private property from the Council reserves.

Background

Residents who reside and own properties from numbers 84 to 122 on Loralyn Avenue St Georges Basin are located on the waterfront with their boundaries to the Basin being the high tide water mark.

Residents are being constantly harassed by trespassers who walk across their private backyards entering from the Council reserves. This has been an ongoing issue for many years.

In recent times, Police have been notified of the trespassing and well as items being stolen from backyards.

Residents are requesting Council to provide boundary fencing and signage between the Reserve areas (noted in the Recommendation) and the private properties.

A map of this location shows there is a large reserve just east to the private properties which allows people to walk around the Basin area on the waterfront. There is no need for people to be walking in private backyards.

Note by the CEO

Staff will aim to have this report available to the November 2019 Strategy and Assets Meeting.

The report is likely to be quite complex as there is a plethora of Council reserves along the shores of St Georges Basin especially along Greville Ave, Walmer Ave, Loralyn Ave, Island Point Road, Sanctuary Point Road and St Georges Road to name a few and contributing to the cost of a dividing fence, where Council's adjoining land is "Community land" and thus Council is exempt, could have significant budgetary implications.

CL19.197

CL19.198 Notice of Motion - Callala Bay Boat Ramp - Installation of Bollards

HPERM Ref: D19/281633

Submitted by: Cllr Patricia White
Cllr Joanna Gash
Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation

That Council

1. Install bollards at Callala Bay Boat Ramp on the grass area between the fish cleaning table and new seats recently installed by the Callala Bay Community Forum as a matter of urgency. Council staff to work with the Community Forum Executive to ensure the correct location of the bollards.
2. Congratulate the Callala Bay Community Forum for their excellent work in securing funding and installing for the recreational outdoor furniture.

Background

The Callala Bay Community Forum have recently completed the installation of recreational community outdoor furniture including tables & chairs and seating along the reserves around the Callala Bay boat ramp area for which they obtained community grant funding.

The Community Forum had requested Council to install some bollards in the carpark grassed area to protect the seatings from cars reversing their boat trailers into the new seats. Council had informed the Executive that they were unable to install bollards as the land was not owned or managed by Council and they would need to contact Crown Lands.

At a recent on-site meeting was held with Crown Lands, Forum Executive Members and Cllrs White & Gash it was ascertained by Crown Lands that the land in question is Crown Land managed by Council.

In addition, the bollards will also protect the beach area where cars back their boat trailers over the beach to enter the water when the boat ramp area is busy.

The Callala Bay Community Forum is to be congratulated for their continued support of their community and residents in obtaining grant funding and installing the recreational outdoor furniture for their community.

Note by the CEO

As a result of earthworks on the Callala Bay Boat Ramp, a survey to redefine the High-Water line and thus the boundary between the Crown Land managed by Council and the land comprising the Jervis Bay Marine State Park managed by Crown Lands Office is required. Crown Lands Office have indicated they will undertake this survey.

CL19.198

Notwithstanding the above, to ensure the community is not restricted or denied its request for the installation of bollards, as an interim solution Crown Lands Office has agreed, subject to an application from Council, to grant a short term licence over the area where the bollards are to be constructed. This application has been lodged and should be approved in a matter of days.

Once the licence is granted the installation of the bollards will be able to occur.

Staff understand that a line approximately 45m long requires bollard and that the approximate cost to install this many bollards is \$15,000.

The proposed works would be funded from the Park Enhancement Program for the 2019/20 financial year.

CL19.199 Notice of Motion - Sanctuary Point Shopping Centre

HPERM Ref: D19/284696

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That Council staff clearly establish the road reserve / property boundary at the rear of the Sanctuary Point Shopping Centre, adjacent to Francis Ryan Reserve on the southern side. Once complete and marked appropriately a meeting be convened with both owners and tenants to find a way forward in and endeavour to "soften" the untidy appearance at the rear of the shops. This may include subtle fencing, minor landscaping or simply a regular programme to keep the area more tidy and better organised.

CL19.199

CL19.200 Notice of Motion - Clifton Street Park, Sanctuary Point

HPERM Ref: D19/284736

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That Council staff investigate ways of providing additional shelters and tables at Clifton Street Park, Sanctuary Point at little or no cost to Council. Part of the investigation would include liaising with Sanctuary Point Community Pride and working with them to achieve the best outcome.

Background

The park at Clifton Street has proven to be an incredibly popular park with younger children and their families, and there is now a demonstrated need for additional shelter areas, especially during special occasions such as birthday parties. This topic is constantly raised informally at community gatherings and really does need to be addressed.

Note by the CEO

Staff will add this to their current work program, and explore opportunities in collaboration with the local community and Sanctuary Point Pride with the aim to achieve this by the close of the calendar year.

CL19.200

CL19.201 Notice of Motion - Dog on leash access - Narrawallee Beach from Surfers Ave

HPERM Ref: D19/286036

Submitted by: Cllr Bob Proudfoot
Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council conduct a six months trial for dog walkers who desire to access Narrawallee Beach from Surfers Avenue. The trial period would mandate the following:

1. The trial access journey plan from Surfers Avenue is stipulated via the Shoalhaven Water thoroughfare to its end, then onto the rear of the beach keeping close to the escarpment, proceeding to the foot of the Victor Avenue stairs and then onto the designated "dog area" to the north.
2. In walking from Surfers Avenue to the Victor Avenue stairs all dogs must be kept on a lead.
3. The trial would not commence until all necessary signage was installed, access from the Shoal Water track to the beach was made good and around five bollards were put in place along the rear of the beach (base of escarpment) to the Victor Avenue stairs. Note that pictorial bollard signage directing dog walkers to keep to the escarpment side would be an essential element of the trial.

CL19.201

CL19.202 Notice of Motion - Homeless Shelter Funding

HPERM Ref: D19/285978

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation

That SCC make representation to the Hon Gareth Ward, Minister for Families, Communities and Disability Services, and the Hon Shelley Hancock, Minister for Local Government seeking support for funding of a full-time co-ordinator for the Homeless Shelter.

Background

On Friday August 9th, Councillors and staff accompanied Minister Ward on a tour of the excellent facilities that service those in our community experiencing homelessness.

The Homeless Shelter has been fully occupied every night since its initial operation in the hall of the Uniting Church.

It is entirely operated by volunteers. The tasks of recruiting, training and rostering these volunteers is also done by volunteers. Understandably, this task has become too much for one volunteer, and the Shelter is now at risk of closing due to the lack of any volunteer able to take on the co-ordinator role.

The Homeless Shelter is well supported by Council and the community. However, the amount of work involved in keeping the Homeless Shelter running is significant and requires a full-time worker. The Homeless Shelter currently receives no government funding.

This Notice of Motion seeks Council's commitment to advocate for funding for the Homeless Shelter. The Shelter has made a huge difference to those experiencing homelessness. It has eased the burden on Council staff who were previously managing homeless people at the Nowra Showground. It has allowed the Showground users and local residents to resume their activities and regain the enjoyment of their neighbourhood.

The loss of the Homeless Shelter will risk the return of people sleeping rough, camping at the Showground and community unrest.

CL19.202

CL19.203 Notice of Motion - NSW Sustainability of Energy Supplies

HPERM Ref: D19/286016

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation

That Council makes a submission to the Parliamentary Inquiry into Sustainability of energy supply and resources in NSW, including discussion of Council's

1. Record, achievements and commitment to environmental sustainability;
2. Sustainable Energy Policy and target of zero net emissions by 2050;
3. Strong concern regarding the impact of current energy prices, particularly gas, on the operation of local industry;
4. Strong support for Community based renewable energy projects, particularly the Social equity solar garden project;
5. Strong concerns for the availability of affordable renewable energy for our aging community;
6. Revolving Energy Fund to re-invest energy savings into new energy saving projects.

Background

The Sustainability of energy supply and resources in NSW inquiry is looking at the capacity and economic opportunities of renewable energy. It will also cover trends in energy supply and exports, including investment and other financial arrangements, and effects on regional communities, water security, the environment and public health. The Committee will also consider options to support sustainable economic development in communities affected by changing energy and resource markets, including the role of government policies.

Terms of Reference

1. The capacity and economic opportunities of renewable energy.
2. Emerging trends in energy supply and exports, including investment and other financial arrangements.
3. The status of and forecasts for energy and resource markets.
4. Effects on regional communities, water security, the environment and public health.
5. Opportunities to support sustainable economic development in regional and other communities likely to be affected by changing energy and resource markets, including the role of government policies.
6. Any other related matters.

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2542#tab-termsreference>

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CL19.204 Report of the Strategy & Assets Committee - 13 August 2019

HPERM Ref: D19/277542

SA19.116 Quarterly Progress Report - Councillors' Notices of Motion

HPERM Ref:
D19/262044

Recommendation

That the Progress report on Councillors' Notices of Motion be received for information and given further consideration at the Ordinary Meeting, following the Councillor Briefing scheduled for 22 August 2019.

SA19.117 Milton Ulladulla Croquet Club Facility Update

HPERM Ref:
D19/97008

Recommendation

That Council:

1. Accept the report for information.
2. Maintain status quo with the Milton Ulladulla Croquet Club continuing to use the court at the Milton Showground, whilst further investigating to confirm the possibility for 4 courts at the Ulladulla Sports Park, following an on-site meeting.
3. Council receive a further report on outcomes of environmental investigation at Ulladulla Sports Park with the aim to definitively confirm the possibility of 4 courts at the site under the current legislation requirements.
4. Subject to funding, Council commence the construction of courts 1 and 2 at the Ulladulla Sports Park without delay.
5. Subject to consultation with the Croquet Club and following the on-site meeting a report be submitted to the September Strategy and Assets meeting.

Note by the CEO:

An on-site meeting was held at Ulladulla Sports Park on Wednesday 21 August. In attendance were 6 representatives from the executive of the Milton Ulladulla Croquet Club (MUCC), 4 Council staff, 2 Councillors from Ward 3 and an apology from a Ward 2 Councillor.

The meeting covered:

- *The proposed location, site constraints and potential design changes raised by MUCC, further information to be provided by MUCC*
- *Car Park and lighting requirements, and clarification on the usage and playing times of MUCC which may influence the requirements therein*
- *Clarification on design, costing and purpose of use for the Club House, with further details and quotations to be supplied by MUCC*
- *Options for delivery of the project, discussion on a staged approach and the implications of this on the clubs ability to operate*
- *Next steps:*
 - *Council staff will prepare a report for the September Strategy and Assets*

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- Meeting*
- *MUCC will provide further information to Council staff as above for consideration in the report to the Strategy and Assets Meeting*

SA19.122 Donation Request - Salt Care RE-BOOT Program - Training Costs

**HPERM Ref:
D19/200517**

Recommendation

That Council provide a donation of \$2,000 to Salt Care to contribute to travel and accommodation costs of training in the delivery of a community reintegration service for people who are homeless, from the Unallocated Donations Budget.

SA19.127 Classification of Land - Lot 1 DP797111, Lot 1 DP199958 and Lot 2 DP199958, 39-43 Bridge Road Nowra

**HPERM Ref:
D19/172316**

Recommendation

That Council resolve to classify the land described as Lot 1 DP767111, Lot 1 DP199958 and Lot 2 DP199958, 39-43 Bridge Road, Nowra as Operational Land.

SA19.128 Classification of Land - Proposed Lot 23 DP in SF10380, Matron Porter Drive, Narawallee

**HPERM Ref:
D19/215026**

Recommendation

That Council resolve to classify the land described as proposed Lot 23 of SF10380 Matron Porter Drive, Narawallee as Community Land.

SA19.129 Classification of Land - Lot 1 DP 1128146 111 Taylors Lane Cambewarra

**HPERM Ref:
D19/252567**

Recommendation

That Council resolve to classify the land, Lot 1 DP 1128146, 111 Taylors Lane Cambewarra, as part Operational Land being 7604.41m² subject to survey, and part Community Land being 2,742m² identified as "open space", subject to survey.

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CL19.205 Report of the Council Bushcare Representatives Group - 24 July 2019

HPERM Ref: D19/269555

Attachments: 1. BR19.3 - Draft Bushcare/Parkcare Procedures (under separate cover) [⇒](#)

BR19.1 Resignation - Bryan Lenne – Kelly Cowlshaw - Council Bushcare Representatives Group

HPERM Ref:
D19/116137

Recommendation

That Council:

1. Accept the resignation from Mr Bryan Lenne and Ms Kelly Cowlshaw from the Council Bushcare Representative Group
2. Call for nominations from local interested Bushcare groups, for replacement members.
3. Develop a Terms of Reference to be brought back to a future meeting for the Committee to endorse.

BR19.2 Bushcare Program Update

HPERM Ref:
D19/217868

Recommendation

That:

1. The report regarding Bushcare Program Update be received for information.
2. Council write to Office of Fiona Phillips Federal Member for Gilmore regarding the Expressions of Interest (EOI) – Community Environment Program that was initiated by the previous member and seek an update.

BR19.3 Review of Bushcare/Parkcare Procedures

HPERM Ref:
D19/220263

Recommendation

That:

1. The Procedures be amended to include clarification in relation to rubbish removal.
2. Subject to the amendment in part 1 of the recommendation, Council endorse the Shoalhaven Bushcare/Parkcare Procedure, with the amendments outlined in the Review of Bushcare/Parkcare Procedures report (BR19.3).

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CL19.206 Report of the Inclusion & Access Advisory Group - 5 August 2019

HPERM Ref: D19/270435

IA19.30 Additional Item - Working Group Formation - Mandatory Access Levels for Housing

The Group discussed this matter during the Action Table Item regarding IA19.6. It was suggested that a Working Group be formed to make a submission.

It was suggested that the Working Group consist of the IAAG Chairperson, Council Staff, Industry Representatives (Builders/Developers) a minimum of two (2) IAAG members.

A targeted Expression of Interest be called and IAAG members be notified once the application process is open.

Recommendation

That:

1. Council form a Working Group to review the Australian Building Codes Board (ABCB) draft requirements for Mandatory Access Levels for Housing. This Working Group will consist of the following members:
 - a. Inclusion and Access Advisory Chairperson
 - b. Key Staff
 - c. Industry Representatives (Building and Developers)
 - d. A Minimum of two (2) IAAG members
2. Membership of the Working Group be established by a targeted EOI process and IAAG members be notified once applications are open.
3. The aim of the Working Group is to collaborate and form a submission regarding the Australian Building Codes Board – Mandatory Access Levels for Housing.

IA19.32 Additional Item - Membership - Invitation - Gareth Ward MP and Shelley Hancock MP

Recommendation

That Council invite The Hon Gareth Ward and The Hon Shelley Hancock to nominate a representative to be members of the Inclusion and Access Advisory Group.

IA19.33 Additional Item - Parking - Mollymook Cemetery - Maintenance - Kerb/Gutter

Recommendation

That Council note the dirt car park at Mollymook cemetery needs upgrading and that staff provide advice to the IAAG in relation to the dirt car park and making it more accessible.

Note by the CEO:

There is a sealed car park in the centre of the cemetery, plus verge parking along the internal

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roads. There is no dirt carpark in the Mollymook Cemetery.

There is an area at the corner of Ocean Street and Mitchell Parade (within the cemetery site) that, despite bollards being in place, people use at times as an unauthorised carpark. This area is for much needed future expansion of the Lawn Cemetery.

There is also vacant land at the corner on the opposite side of the road which is sometimes used as an unauthorised carpark. This land is private land however and thus Council cannot carry out improvements on this land.

Kerb and Guttering along Ocean Street would provide on street parking however this is quite expensive. Council has considered this to be a high priority but sought to fund the works from Developer Contributions. This is now not likely in the short to medium term (possibly the next three years) thus Council will include the work on its capital works listing.

IA19.35 Additional Item - Update Nowra CBD

Recommendation

That the CEO (Director of Assets and Works) investigate amending the car parking signs in the Nowra CBD to identify the number of accessible parking spaces within each carpark.

IA19.38 Additional Item - Pedestrian Lights Crossing - Princes Highway / Junction Street - Timing/Phasing - Investigate

Recommendation

That Council make representations to the RMS seeking a safe amount of time to cross at the pedestrian lights at Princess Highway and Junction Streets.

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CL19.207 Report of the Shoalhaven Traffic Committee - 13 August 2019

HPERM Ref: D19/281019

Attachments:

1. PN3545 Plan [↓](#)
2. PN3555 Plan [↓](#)
3. PN3556 Plan [↓](#)

The Shoalhaven Traffic Committee is a technical review committee not a committee of Council under the Local Government Act, 1993.

The Roads and Maritime Services has delegated certain powers to Council under the Transport Administration Act 1988 (Section 50). A condition of this delegation is that Council must take into account the Traffic Committee recommendations.

IMPORTANT NOTE:

Council cannot amend a Traffic Committee recommendation. The Council can only:

- 1. Adopt the Traffic Committee recommendation;*
- 2. Not Adopt the Traffic Committee recommendation; or*
- 3. Request the Traffic Committee reconsider the issue.*

Other issues can be raised as Additional Business at the Ordinary Meeting.

The full guide to the delegation to Council's for the regulation of traffic can be viewed at: [RMS Website](#)

TC19.41 Bus Zone Relocation - 82 Greenwell Point Road - Greenwell Point (PN 3545)

HPERM Ref:
D19/269356

Recommendation

That the CEO (Director Assets and Works) be requested to arrange for the relocation of the existing bus zone from the frontage of 92 Greenwell Point Road to 82 Greenwell Point road including the installation of signage, as detailed in the attached plan in TC19.25.

TC19.42 Time Restricted Parking - Service Road South Nowra (PN 3555)

HPERM Ref:
D19/269374

Recommendation

That the CEO (Director Assets and Works) be requested to arrange for the installation of time limited parking '1P II 7am - 5pm' along Service Road, South Nowra adjacent to the South Nowra Bunnings, as detailed in the attached plan.

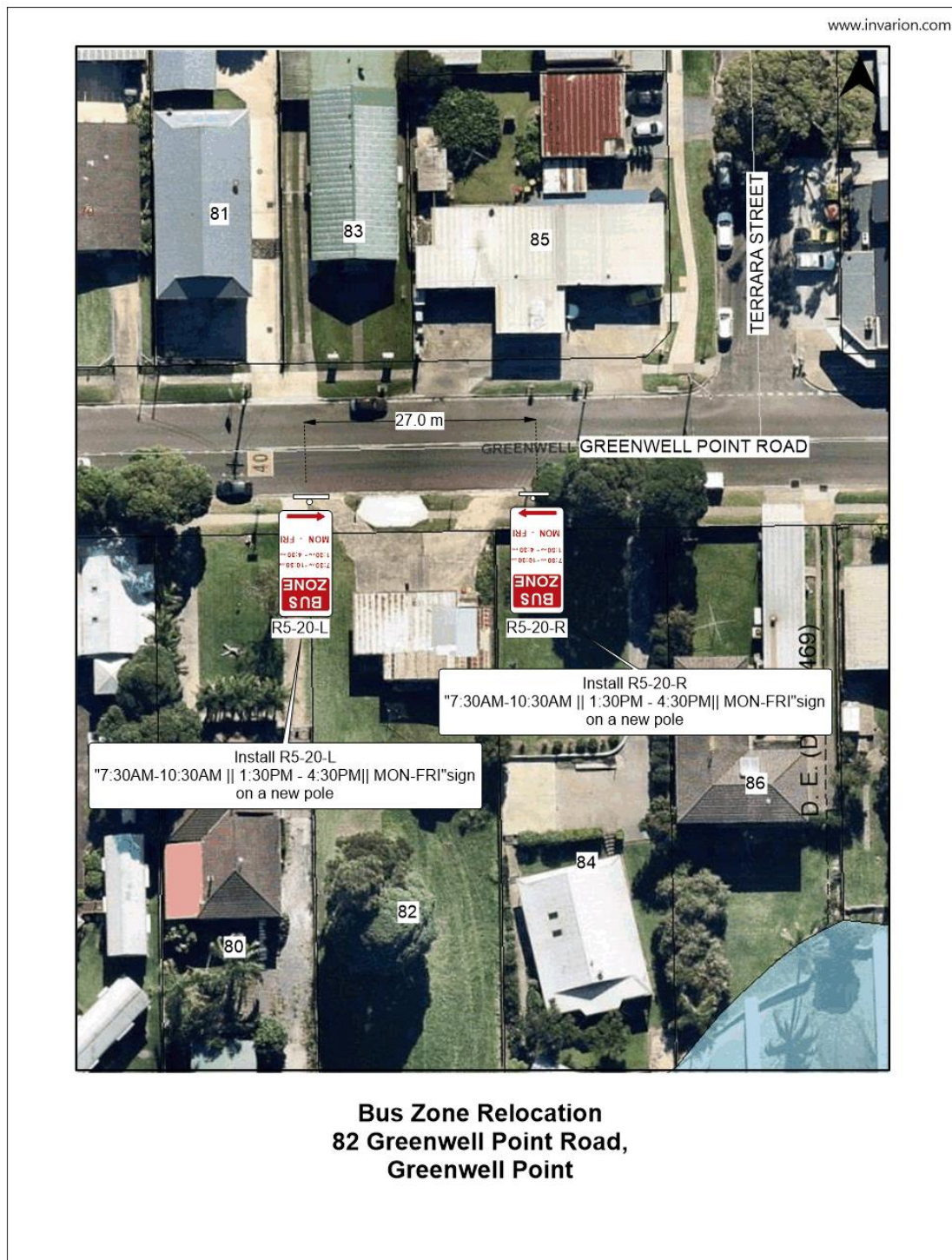
TC19.43 Signage Plan - Western Side Footpath Upgrade- Berry Street Nowra (PN 3556)

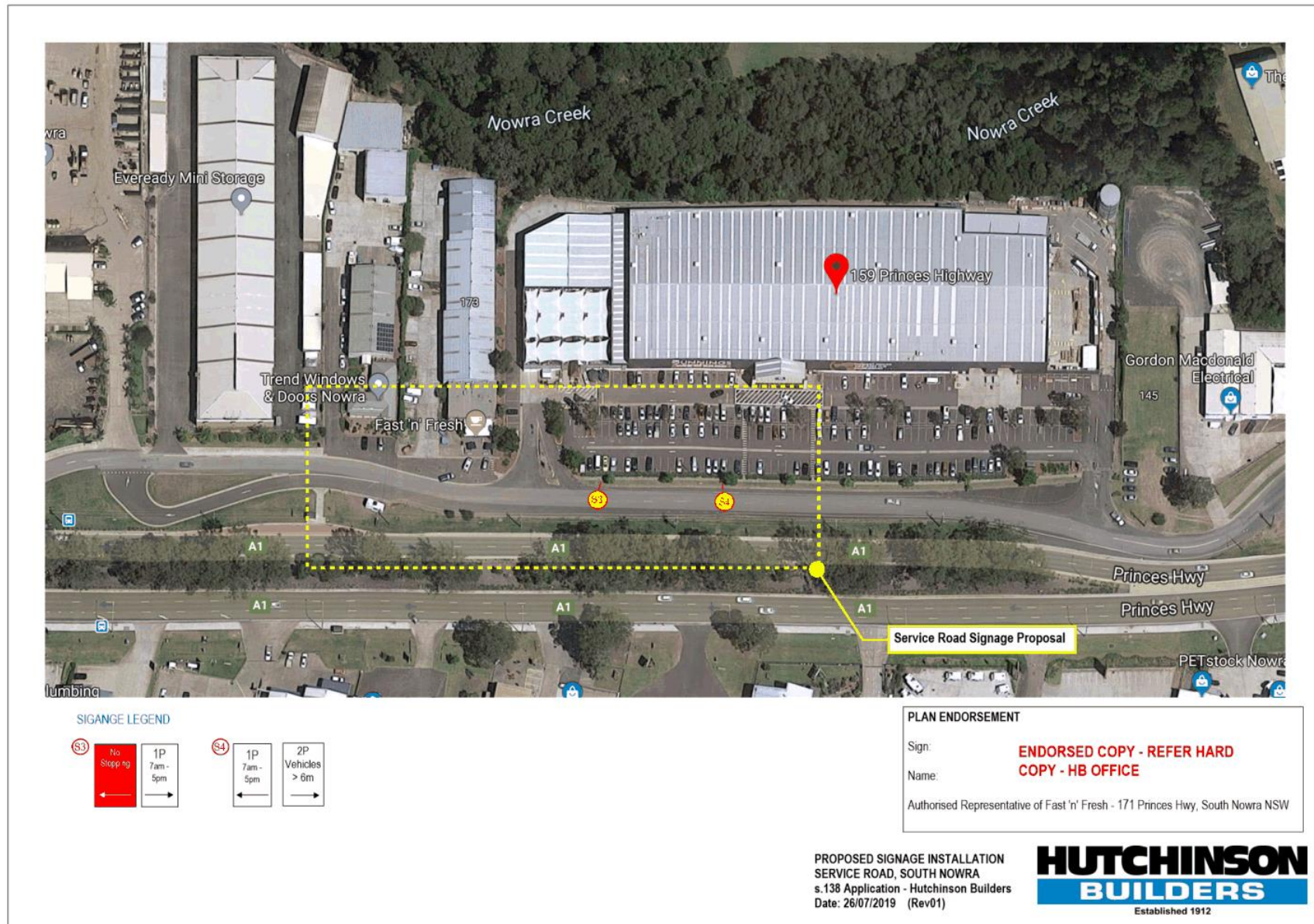
HPERM Ref:
D19/269661

Recommendation

That that the CEO (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage installation along Berry Street Nowra, as detailed in the attached plan.

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CL19.208 Restart NSW - Growing Local Economies - application update

HPERM Ref: D19/282445

Group: CEO Group
Section: Economic Development

Purpose / Summary

To bring Council up to date with recent determinations of Council's Growing Local Economy applications to NSW Government and to accept the Government's latest offer of assistance.

Recommendation

That Council

1. Improve commercial boating infrastructure at Woollamia Council and:
 - a. Accept the offer of a grant from Infrastructure NSW under the Growing Local Economies Fund for \$1,025,000
 - b. Source its financial contribution to the works from the Economic Development Reserve
 - c. Authorise the Chief Executive Officer to sign the funding deed with the NSW Government
 - d. Thank the Member for South Coast, The Hon Shelley Hancock MP, for her assistance in the matter.
2. In respect of the Ulladulla Harbour project:
 - a. Seek the assistance of the Member for South Coast to have the application outcome reviewed in light of:
 - i. The Action 2.2 in the NSW South Coast Marine Tourism Strategy
 - ii. The application of the GLE assessment criteria to discount benefits accruing to a project that emanate from the growth of an emerging industry sector
 - iii. The support for the project from users of the facility and the broader community
 - iv. Other aspects that Council or the community may raise
 - b. Inform the Australian Government of the current GLE decision, and in doing so:
 - i. Seek to have the funding commitment retained for a period up to the end of February 2020 to allow the NSW Government to identify the additional funding commitment.
 - ii. seek the assistance of the Member for Gilmore in this endeavour.
 - c. Inform NSW Crown Lands of the current GLE decision but seek to have the funding commitment retained for a period up to the end of February 2020 to allow the NSW Government to identify the additional funding commitment.

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Options for Part 1

1. Suggest alternate wording to improve the resolution

Implications: The Council should accept that part of the motion and move forward with the project at Woollamia.

Options for Part 2

2. Select appropriate wording alternatives to either:

- a. Request a review of the application, (as printed)
- b. Move on with the project with what money Council has assembled and Council contribute the additional sum to complete the project
- c. Abandon the project and advise the current partners (NSW Crown Lands & Australian Dept of Regional Development & Infrastructure) of this decision.

Implications: The above alternatives have quite different outcomes which need to be considered in light of the community opinion and the opinion of the local State Member and other political implications.

Background

The Growing Local Economies Fund is part of the NSW Government's \$1.3 billion Regional Growth Fund.

Funding will be made available through the Growing Local Economies Fund over four years to turbocharge new regional economic opportunities and enliven local economies. The NSW government has taken a new approach toward the allocation of Growing Local Economies funding. The government has provided an allocation to each Functional Economic Region (FER). A FER is an area that has common similarities and linkages, including: historical, regional geography, natural resources, agricultural production, tourism and local administration, and the spatial definition (area) of the region captures these similarities. Most FERs consist of more than one local government area. The Shoalhaven is fortunate in that we are our own FER with our own funding allocation thus making project identification a much more straightforward process.

Following the Government's approving of the Shoalhaven's Regional Economic Development Strategy (REDS) in July/August 2017, Council has lodged the following applications under the GLE program:

Application	Amount sought under GLE	Amount of SCC contribution (25%)	Determination
Employment Land Activation Strategy	\$10,000,000	\$9,650,000	
Woollamia Stages 5 & 5A			Under assessment
South Nowra Stage 10			Under assessment
AATP Stage 5			\$4,950,000 approved & accepted
Ulladulla STP			Under assessment
Woollamia Commercial Boating Infrastructure	\$1,025,000	\$342,000	\$1.025,000 Approval announced

Construction of Berths in Ulladulla Harbour	\$1,358,000	\$400,000 – SCC \$789,000 – NSRF \$400,000 – Crown Lands	Refusal advised
Stewart Place Activation Strategy	\$3,750,000	\$1,250,000	Under assessment
Shoalhaven River Activation Strategy	\$3,750,000	\$1,250,000	Under assessment
East Nowra Sub Arterial			
Stage 1 only	\$13,000,000	Nil	Under assessment
Full Project	\$45,982,900	Nil	Under assessment

In total, applications lodged come to \$32,883,000 (with ENSA Stage 1 only) which is in excess of the Shoalhaven allocation of \$23,073,364 under GLE.

Construction of Berths in Ulladulla Harbour

Council has been advised that this application has not been successful.

The Regional Development Office of DPIE, in a feedback session advised:

- The project met the eligibility requirements
- The project was then assessed against four criteria
 - Economic benefits
 - Strategic Alignment
 - Affordability
 - Deliverability
- The project scored very highly in three of the four categories
 - Strategic Alignment (to the REDS criteria)
 - Affordability (as costed by Council and assessed by PWD) and
 - Deliverability (Council's reputation and ability to deliver)
- The project did not meet the Economic Benefit criteria or have a BCR greater than 1

Feedback on Economic Assessment

The project's economic benefit was assessed using use and non-use Willingness to Pay (WTP) methodology as well as Induced Visitor Expenditure.

The assessors applied a Social Welfare Cost Benefit and assessed the project on its benefits to all NSW residents and takes into account displacement impacts. That is, the project needs to generate an economic return to the state of NSW. For example, a fishing charter boat operator at Byron Bay moving to Ulladulla for part of the season would NOT create a net gain for NSW. Similarly, a group from Wagga Wagga visiting Ulladulla for a game fishing charter also would not result in a net economic gain for NSW.

Generally, the above economic assessment does not take into consideration growing a new industry sector in the local economy such as marine tourism (and the game fishing and charter fishing form part of this) as does the chartered skipper sailing market to the Australian east coast.

In the recently released NSW South Coast Marine Tourism Strategy 2019 one of the actions identified was:

Action 2.2 Explore opportunities for harbour activation in major hubs, including Wollongong, Kiama, Ulladulla, Eden and Batemans Bay, through the enhancement of

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working waterfront space, moorings, storage, support services and amenities. (Lead Agency identified as Dept of Industry, now DPIE)

Council needs to determine whether it takes one of three basic courses of action:

1. Request a review of the application, something that a number of departmental and political advisors are suggesting
2. Move on with the project with what money Council has assembled and Council contribute the additional sum to complete the project
3. Abandon the project and advise the current partners (NSW Crown Lands & Australian Dept of Regional Development & Infrastructure) of this decision.

Woollamia Commercial Boating Infrastructure

Jervis Bay is a growing centre for commercial boating activities focussed around marine tourism, aquaculture, diving, whale/dolphin watching, fishing etc. Within Jervis Bay there is limited wharf access for commercial craft and no lift out facilities. This is stifling growth in aquaculture, marine tourism and associated industries such as food processing, boat repair and maintenance and lifting of heavy equipment from vessels like engines or life raft pods

This project consists of the construction of a 20t loading dock and associated parking at Woollamia on the banks of Currumbene Creek, Jervis Bay. This project will facilitate the establishment of a mussel farming operation in Jervis Bay by providing an area for lift out creating 13 FTEs in one business alone. Other commercial fishers and marine businesses would also be able to use these commercial facilities. The loading dock can also be used for boat maintenance including the stepping of masts. This will facilitate the creation of jobs in industries such as boat construction and repair.

Following assessment of the application, Infrastructure NSW has made an offer to Council of \$1,025,000 towards this project estimated to cost \$1,367,000. This project can proceed as soon as the contractual matters are finalised with NSW Treasury.

The resolution to accept this grant is included in the recommendation.

Community Engagement

The Ulladulla Harbour project has created a strong degree of support from within the Ulladulla community and beyond. The stakeholder consultations have been very supportive and there was strong interest in these wet berth spaces.

Policy Implications

Both projects were elements within the Economic Development Strategy to drive a marine tourism industry within the Shoalhaven and along the NSW coast.

Financial Implications

For the Ulladulla Harbour project, funds were to be made available from the Economic Development Reserve.

For the Woollamia project, funds are available for this within the Economic Development Reserve.

Risk Implications

Should Council decide to proceed with the project at Ulladulla Harbour utilising additional Council funds, then clear identification of where this money is to come from needs to be articulated in any rewording of the resolution. These additional funds are not available from the Economic Development Reserve nor from the Industrial Land Development Reserve because of existing and forward commitments.

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CL19.209 Ongoing Register of Pecuniary Interest Returns - May to July 2019

HPERM Ref: D19/105245

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

Purpose / Summary

To provide the Council with the Register of Pecuniary Interest Returns lodged with the Chief Executive Officer for the period of 1 May 2019 to 5 August 2019 as required under Section 440AAB of the Local Government Act 1993 and Part 4.26 of the Model Code of Conduct.

Recommendation

That the report regarding the Register of Pecuniary Interest Returns lodged for the period of 1 May 2019 to 5 August 2019 be received for information.

Options

1. As Recommended

Implications: The requirements of the new Code of Conduct will be adhered to.

2. Alternative Recommendation

Implications: Not known

Background

Under Section 440AAB of The Local Government Act 1993 and Part 4.26 of the Model Code of Conduct, designated persons are required to complete a Pecuniary Interest Return within 3 months of becoming a designated person.

Section 440AAB(2) of The Local Government Act 1993 states:

Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged.

Part 4.26 of the Model Code of Conduct states:

Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.

This report is one of a series of reports of this nature which will be provided throughout the year to align with the legislative requirements. Council has been ensuring that Initial Returns of Councillors and Designated Officers have been submitted within the required 3 months from commencement; however, they have not been reported regularly to the Council. The requirement to do so has been identified in a review of legislative requirements and as the result of the incorporation of provisions with respect to the returns moving into the Code of Conduct.

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A further report will be provided to the Council at the conclusion of the Return period for Annual Returns in September 2019.

Those persons who had an obligation to lodge an initial pecuniary interest return within the period are listed below:

Group	Name	Returned
Assets and Works	Jonathan Ash	Yes
Finance Corporate & Community Services	Kevin Voegt	Yes
Planning Environment & Development	Jason Wyllie	Yes
Planning Environment & Development	Shane Gillespie	Yes
Planning Environment & Development	Anthony Blood	Yes
Planning Environment & Development	Matthew Rose	Yes
Planning Environment & Development	Hannah Painter	Yes
Planning Environment & Development	Nathaly Jones	Yes
Planning Environment & Development	Alice Martin	Yes
Planning Environment & Development	Robert Domm	Yes
Planning Environment & Development	Stephanie Wood	Yes
Planning Environment & Development	Rachel Taylor	Yes
Planning Environment & Development	Belinda Keech	Yes
Planning Environment & Development	Ariann Fernie	Yes

As outlined in the table, all of the listed staff completed their requirement to lodge a return within the period.

Advice provided to Council by the Office of Local Government in September 2015 was that 'hard copies' of returns are no longer required to be tabled at the Council meeting. Therefore, the register of returns for this period is listed and tabled and electronic versions of the documents may be viewed upon request.

Risk Implications

A failure of meeting the obligations with respect to the Pecuniary Interest Returns by a designated officer leaves Council at risk of non-compliance with legislative requirements, conflicts of interest and limited transparency.

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CL19.210 Ward Boundaries Adjustments

HPERM Ref: D19/277328

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

Attachments: 1. Map of proposed Ward Boundary Adjustments [↓](#)
2. Map of Impacts of Proposed Ward Changes [↓](#)

Purpose / Summary

To provide the Council with a proposed Model of Ward Boundary Adjustments for adoption prior to the 2020 Local Government Election.

Recommendation

That Council:

1. Notes the proposed alterations to the draft Ward Boundary Plan pursuant to the provisions of Section 211 of the *Local Government Act 1993*;
2. Forward the draft Ward Boundary Plan to the Electoral Commissioner and Australian Statistician for comment;
3. Exhibit the proposed draft Ward Boundary Plan subject to the concurrence of the Electoral Commission for a period of 42 days inviting public submissions; and
4. Receive a further report at the completion of the exhibition period in order to consider all submissions received and make a final determination.

Options

1. As recommended by the report and discussed at the Councillor Briefing held on 6 August 2019.

Implications: The proposal will be forwarded as the Council's proposed model for Ward Boundary adjustments. The proposal meets the legislative requirements with respect to variance between elector numbers in wards.

2. Alternate Ward Boundary Adjustments are proposed

Implications: In order to check the newly proposed boundaries reflect legislative requirements, any proposal for alternate wards should include a deferral of the decision on boundaries to allow a further report back to the Council.

Background

Shoalhaven City Council is divided into three (3) wards for electoral purposes.

At the Ordinary Meeting of the Council held on 30 July 2019 (MIN19.598) Council considered a report on a number of electoral matters, including the ward system, councillor numbers and election of the Mayor. The Council resolved to not proceed with any constitutional referendum and thereby to retain a three (3) Ward System, with the maintenance of the names of the wards as Ward 1, Ward 2 and Ward 3.

Section 211 of the Local Government Act deals with Ward Boundaries and states that:

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- (1) *The council of an area divided into wards must keep the ward boundaries under review.*
- (2) *If:*
 - (a) *during a council's term of office, the council becomes aware that the number of electors in one ward in its area differs by more than 10% from the number of electors in any other ward in its area, and*
 - (b) *that difference remains at the end of the first year of the following term of office of the council,*

the council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10% from the number of electors in each other ward in the area.
- (3) *Nothing in this subsection (2) prevents a council that has become aware of the discrepancy referred to in subsection (2) (a) from altering its ward boundaries before the end of the first year of the following term of office of the council.*

Council last adjusted its ward boundaries in 2014. This adjusted the boundaries between Wards 1 and 2, specifically in the localities of Nowra and Tomerong. This resulted in a 6.9% variance of electors between the wards. Since that time, no further boundary adjustments have been made.

At the time of the Council elections in September 2016, the number of electors between the wards varied by 9%.

Elector numbers within the Shoalhaven have increased by approximately 3,200 electors since the 2016 election as outlined below:

WARD	Sept 2016 (Last Election)	Sept 2017	Jan 2019	July 2019
Ward 1	24554	24747	24542	24815
Ward 2	26345	26925	27300	27809
Ward 3	27034	27683	28111	28513
TOTAL	77933	79355	79953	81160

The variance has increased further with the latest figures (as at 23/7/19) showing a 15% variance. Given this figure the Council is required to undertake an adjustment process.

Methodology to be used to change the ward boundaries

Since the last Ward Boundary adjustment of the Council, the geographical areas used for the mapping of electoral areas has changed. Prior to 2016 and therefore the last time the Council conducted adjustments; the areas were called Census Collector Districts (CCDs). The boundaries of each CCD were based on a variety of cadastral features including rivers, creeks and gullies.

Since 2016, all local government areas have been composed of a group of Statistical Areas (SAs) which are small sections of the area. This new model is considered an improvement for Ward mapping purposes as the boundaries of the new SAs are aligned with suburb boundaries used for postal purposes.

In undertaking the review of our boundaries, councils are requested to align their ward boundaries to SAs as far as practicable. It is best that ward boundaries correspond with SAs because they provide the only database for elector population statistics, thus making it easier to determine the number of electors in each ward, by adding the total number of electors in each SA.

Proposed Ward Boundaries

Briefing sessions were held with Councillors in February and again on 6 August 2019 to discuss proposed adjustments. The proposed map provided as **Attachment 1** to this report outlines the adjustments proposed at the briefings.

In summary the adjustments:

- Reflect the new SA1 Statistical areas and align with the request made by the Council to ensure that no suburbs or towns are split between wards. This means that it will be clearer to individuals which ward they are in as there will be no 'split' suburbs.
- Achieve a variance of 4.17% which will allow for elector number fluctuations in the next 12-month period before the 2020 Local Government elections.

The complete suburbs in each proposed ward (Refer Attachment 1) are as follows:

Ward 1 - Shown in pink in the Proposed Boundary Map, comprises the following suburbs:

Back Forest, Budderoo (part), Budgong, Buddero, Bundewallah, Bangalee, Barrengarry, Barren Grounds (part), Beaumont, Bellawongarah, Berry, Berry Mountain, Bolong, Bomaderry, Brogers Creek (part), Broughton, Broughton Vale, Broughton Village (part), Browns Mountain, Buangla, Cambewarra, Cambewarra Village, Coolangatta, Far Meadow, Illaroo, Jaspers Brush, Kangaroo Valley, Meroo Meadow, Moollattoo, Mundamia, North Nowra, Nowra, Red Rocks, Shoalhaven Heads, Tapitallee, Upper Kangaroo River, Watersleigh, Wattamolla, West Nowra, and Woodhill.

Ward 2 - Shown in green in the Proposed Boundary Map, comprises the following suburbs:

Bamarang, Barringella, Beecroft Peninsula, Bream Beach, Brundee, Bulee, Burrier, Burrill Lake, Callala Bay, Callala Beach, Comberton, Comerong Island, Conjola, Conjola Park, Culburra Beach, Currarong, Erowal Bay, Ettrema, Falls Creek, Greenwell Point, Huskisson, Hyams Beach, Kinghorne, Longreach, Mayfield, Nowra Hill, Numbaa, Old Erowal Bay, Orient Point, Parma, Pyree, Quiera, Sanctuary Point, South Nowra, Tallowal, Terara, Tolwong, Touga, Vincentia, Wollumboola, Woollamia, Worrigee, Worrowing Heights, Wrights Beach, Yalwal, and Yerriyong.

Ward 3 - Shown in yellow in the Proposed Boundary Map, comprises the following suburbs:

Basin View, Bawley Point, Bendalong, Berrara, Berringer Lake, Bewong, Boolijah, Brooman, Budawang (Part), Cockwhy, Coolumburra, Croobyar, Cudmirrah, Cunjurong Point, Currowan (part), Depot Beach, Dolphin Point, Durras North, East Lynne, Endrick, Fishermans Paradise, Jerrawangala, Kings Point, Kioloa, Lake Conjola, Lake Tabourie, Little Forest, Manyana, Milton, Mogood, Mollymook, Mollymook Beach, Mondayong, Morton, Mount Kingiman, Myola, Narrawallee, Pebbly Beach, Pointer Mountain, Porters Creek, Pretty Beach, Sassafras, St George, St Georges Basin, Sussex Inlet, Swanhaven, Termeil, Tianjara, Tomerong, Tullarwalla, Twelve Mile Peg, Ulladulla, Wandandian, Woodburn, Woodstock, Yadboro, and Yatte Yattah.

The impacts of the Ward Boundary adjustments:

The proposed adjustments will impact upon 6,118 electors in total. The locations subject to adjustments are outlined in the Map of Impacts of Proposed Ward Changes provided as **Attachment 2** to the report. This map shows both the current ward boundaries in red and the proposed ward boundaries in tan.

CL19.210

Most impacted electors are the result of implementing the required new SA1 Statistical Areas which align with the suburb boundaries, together with splitting the north western areas of the Shoalhaven where there is little population to align with a request by the Council at briefing.

In summary the impacted areas (Refer Attachment 2) are as follows:

Ward 1 to Ward 2 Adjustments:

A total of 961 electors are impacted in the areas of Bamarang (part), Barringella (part) Bulee, Burrier, Longreach (part), Nowra Hill, Parma (part), Quiera, South Nowra, Touga, and Tolwong.

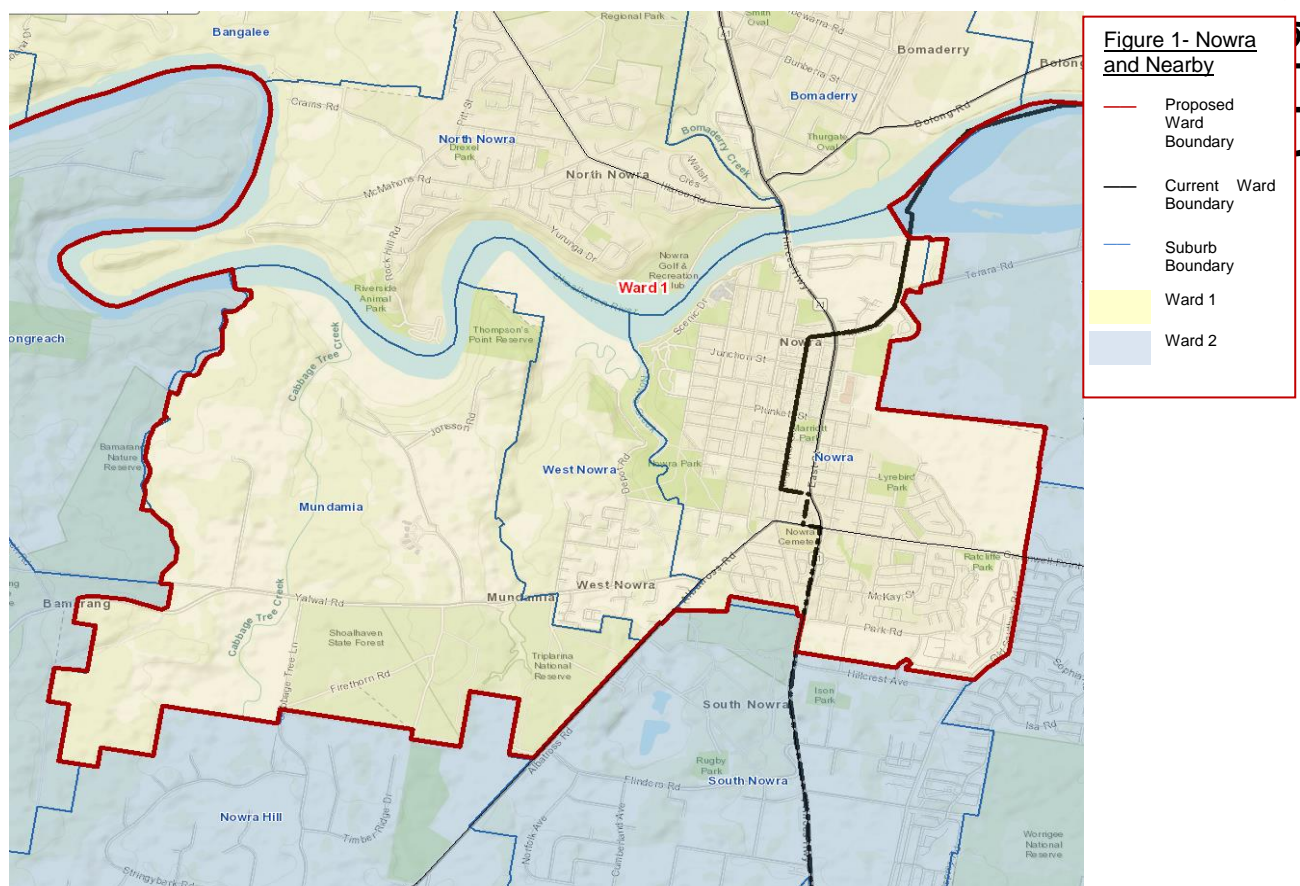
Ward 1 to Ward 3 Adjustments:

A total of 80 electors are impacted in the areas of Coolumburra, St George and Sassafras.

Ward 2 to Ward 1 Adjustments:

A total of 2,559 electors in part of Nowra are impacted. The adjustments remove the previous split of the suburb across Wards 1 and 2 in the central Nowra area. For clarity, the amendments to the areas around Nowra are provided in detail in the Figure 1 below.

Figure 1. Nowra and Surrounds

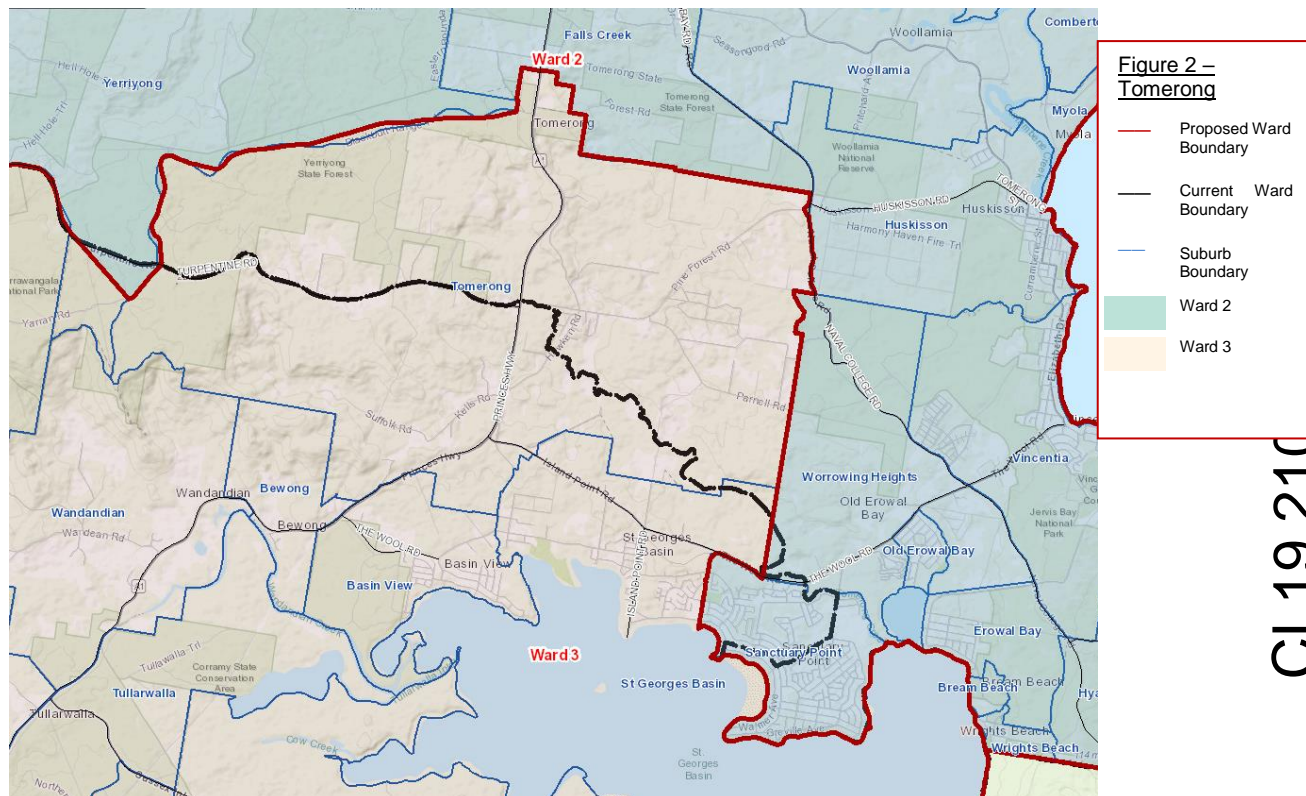


Ward 2 to Ward 3 Adjustments:

A total of 535 electors are impacted by adjusting the boundary of Ward 3 to include all of the suburb of Tomerong. For clarity, the amendments to the areas around Tomerong are provided in detail in the Figure 2 below.

CLTS.210

Figure 2: Tomerong



Ward 3 to Ward 1 Adjustments:

A total of 3 electors are impacted by adjusting the boundary of Ward 1 to capture all of Buangla which was previously split across wards.

Ward 2 to Ward 3 Adjustments:

A total of 1,980 electors are impacted by adjusting the boundary to remove a split of the suburbs of Sanctuary Point and Yalwal across wards. The detail of the adjustment to Sanctuary Point can be seen in Figure 2 above.

Process for Ward Boundary Adjustments

There are several steps to be followed in the Ward Boundary adjustment process. From this point the following steps are required:

1. Resolution of the Council to endorse proposed Ward Boundary Plan for public exhibition
2. NSW Electoral Commission (NSWEC) and Australian Bureau of Statistics (ABS) approval for Plan sought
3. Subject to advice from NSWEC and ABS - Public Exhibition / Submission period of 42 days in accordance with [Section 210A of the Local Government Act](#).
4. Report to Council with submissions seeking to have the proposed Map endorsed for application to the NSWEC for adjustment
5. Formal Application made to the NSWEC – this must be made by 9 December 2019
6. Electoral Roll updated by NSWEC in preparation for 2020 election

CL19.210

Summary

The proposed plan reflects the suggestions of Councillors at Councillor Briefings, addresses the required minimisation of variance between ward elector numbers and the existing issue of lack of clarity around the split of suburbs between wards.

It is recommended that the proposed alterations to the ward boundaries be forwarded to the Electoral Commissioner and Australian Statistician for comment; and subject to their concurrence, advertise the options for 42 days inviting public submissions. Following the advertisement period, a further report will be submitted to Council outlining any submissions received and for a final determination.

Community Engagement

As outlined in Step 3 of the process above, under Section 210A of the Local Government Act, the plan must be exhibited for 28 days and submissions on the proposal must be permitted for a 42-day period.

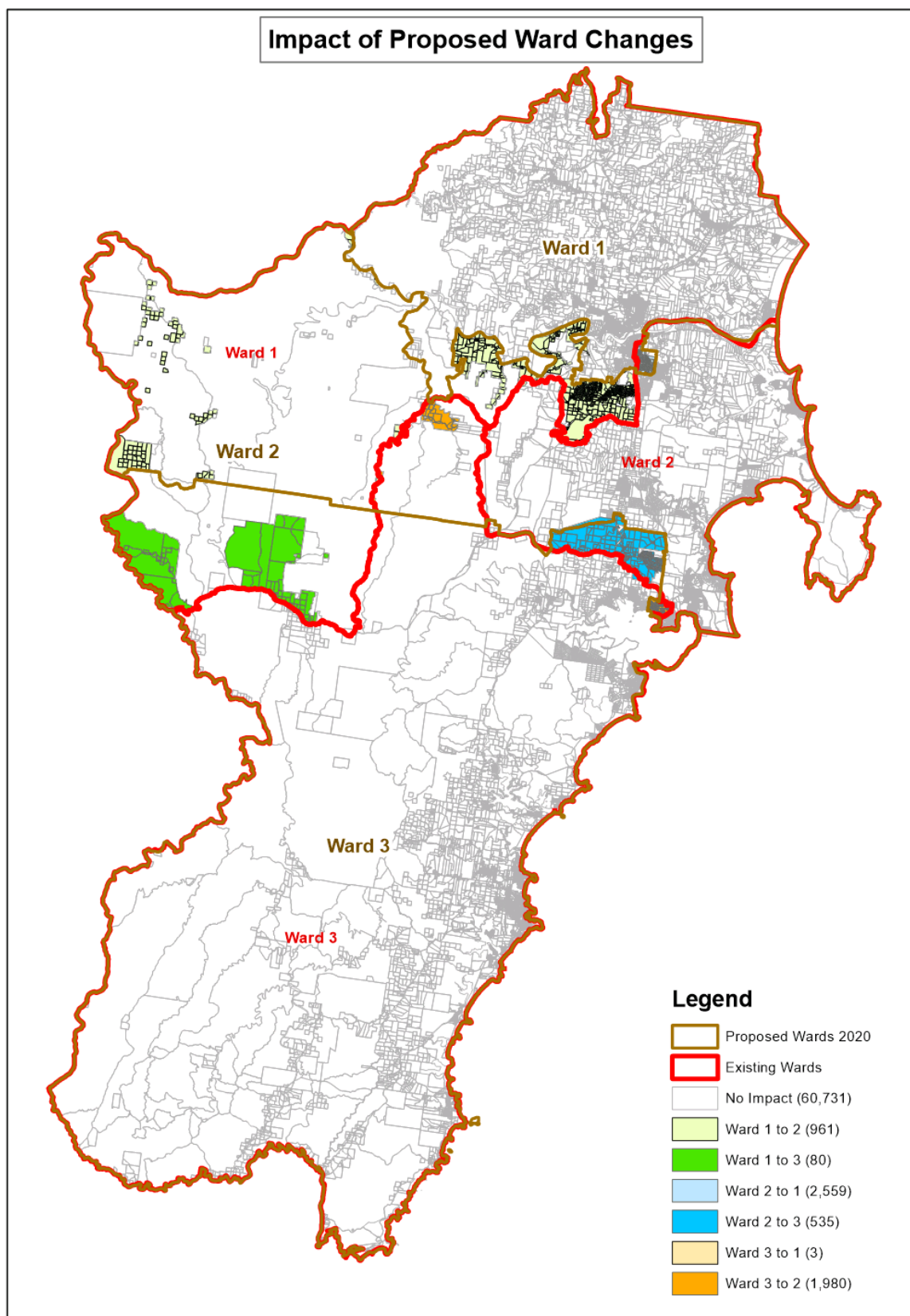
A range of community engagement methods will be used to ensure the community is advised and able to comment on the proposed changes to the ward boundaries. This will include provision of information to CCBs, Committees of Council and other community groups. Online methods, traditional advertising and other communication tools will also be utilised, to provide information to the community about the change. In addition to this, all electors who would be directly affected by the proposed amendments, will be informed in writing of the proposal and provided details of how to make a submission to Council.

Financial Implications

There will be a cost of notification of affected residents of the proposed ward boundary plan. Costs will be mainly for printing, postage and advertising charges which can be financed from Council's existing Election budget.

CL19.210





CL19.211 2019 Local Government NSW Annual Conference - Motions, Delegates and Attendance

HPERM Ref: D19/278871

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

Attachments: 1. Draft Conference Program [↓](#)
2. Motions Submission Guide (under separate cover) [⇒](#)

Purpose / Summary

For the Council to consider the proposed motions, nominate voting delegates and attendance at the 2019 Local Government NSW Annual Conference to be held at the William Inglis Hotel, Warwick Farm, Sydney on 14 to 16 October 2019.

Recommendation

That Council

1. Approve attendance by all interested Councillors at the 2019 LGNSW Annual Conference, and such attendance be deemed as Council Business
2. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy
3. Confirm one of the voting delegates at the LGNSW Conference to be the Mayor
4. Determine the other four (4) Councillors to attend the conference as Council's voting delegates as follows:
 - a.
 - b.
 - c.
 - d.
5. Adopt the proposed motions in the report for submission to the 2019 LG NSW Business Paper
6. Determine any additional motions for submission at this meeting
7. That the Mayor be given delegated authority to submit any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.

Options

1. As per the recommendation.

Implications: none

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

Implications: The Council is required to approve Motions by resolution, so the complete wording of the motions will need to be provided and agreed prior to the requested submission date of 16 September 2019.

CL19.211

Background

The 2019 LG NSW Annual Conference will be held from 14 to 16 October 2019 at the William Inglis Hotel, Warwick Farm, Sydney.

The conference is the pre-eminent policy making event for the NSW local government sector.

Delegates will vote on motions which help determine the policies and priorities for LG NSW and the sector. It is a key event for local government where Councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

For Council to participate fully in the conference, it is recommended the Council register attendees, nominate voting delegates and submit motions for debate within the timeframes specified in this paper.

Registration to attend the Conference

Costs associated with the conference are estimated as follows:

- Registration: \$840 (Early Bird – paid by 9 September 2019)
\$940 (Standard)
- Official functions, optional: President's Opening Reception \$88
Conference Dinner \$110
ALGWA breakfast \$55
Councillor Training sessions \$44
- Travel, accommodation and out of pocket expenses: not yet determined.

The 2019/20 Council budget contains provision for all Councillors to attend the conference should they wish to do so.

Attached to this report is a copy of the draft program for the Conference (Attachment 1).

The Business Day sessions of the Conference are held on 15 and 16 October 2019, with additional activities on 14 October 2019. There are no scheduled meetings of the Council or Committees during the conference.

Motions:

Local Government NSW (LG NSW) has called for the submission of Motions, and councils are encouraged to formulate motions submitted in terms of the current policy statements. (See Attachment 2)

LG NSW has requested that councils submit motions by **19 August 2019, however Council briefing and meeting timeframes have not permitted this to occur**. In line with the LG NSW rules, the latest date that motions can be accepted for inclusion in the Conference Business Paper is 12 midnight AEST, Monday 16 September 2019. All motions must be adopted by Council before submission.

At the Ordinary Meeting of the Council held on 23 July 2019, Council resolved (MIN19.480) to adopt the following Motion, following a Notice of Motion being submitted by Council Levett:

MOTION 1

That the NSW State Government change the Companion Animals Act so that domestic cats are no longer free to wander and are confined to the house of their owner and/or an appropriate meshed cat run.

Background

The number of feral and stray cats in Australia is almost impossible to calculate but in 2014 Greg Hunt, the then Federal Environment Minister, said that estimates put it at around 20 million and these were killing up to 20 billion animals per year.

As an example, in the Shoalhaven, we are custodians of one of the most important biodiversity regions in Australia including around 300,000 hectares of National Parks and State Forests. The area is home to approximately 390 bird species, 61 of which are threatened and 17 of those 61 species are on both NSW and Commonwealth Endangered Species lists. Within one kilometre of Hyams Beach 139 species have been catalogued and 78 species within the same distance from Bherwerre Wetland at Sanctuary Point. Cats on the loose provide a major threat to not only birdlife but ground mammals, frogs, snakes and lizards.

Council Rangers across NSW do not have the same rights to impound cats as they have for dogs and can only do so if a cat is declared to be a “nuisance”.

The law needs to change so that local councils can make a more useful contribution to curbing Australia’s extinction crisis.

The following seven (7) motions were proposed at the Councillor briefing held on 6 August 2019:

MOTION 2:

That in the face of the proposed increases to NSW Local Government Election Costs, the NSW Government review the electoral framework of Local Government in NSW and commit to funding the Local Government elections required to be conducted under that regime.

Background

Following the Draft Report on Local Government Electoral Costs of the Independent Pricing and Regulatory Tribunal, Councils have significant concerns about the cost and delivery framework of Local Government Elections.

The draft Report recommended an increase of between 8% and 306% on the election costs of previous elections to NSW Councils. Such recommendations do not demonstrate/represent innovation or improvements in electoral practices, or greater assurance for the Community in electoral processes.

A review of the electoral framework for NSW Local Government Elections is required on the basis that

- NSW is the only state to allow non-electoral commission electoral management.
- The benefit of ‘competitive’ service arrangements has not been justified.
- The costs per Elector for Local Government Elections in NSW is greater than any other State or Territory in Australia (As confirmed by the IPART Panel at the Public Forum on 2 July 2019). Such a review is required to give assurance that best efforts are being made to reduce the cost of local government elections to ratepayers in NSW and to improve the results of future elections on democracy.

It should be recognised that the ‘impactor’ in terms of the proposed model of Election funding with respect to Local Government Elections is the NSW Government which establishes the legislative framework in which they are conducted and to which Councils cannot make change.

MOTION 3:

That the NSW Government bring the framework for Solar power in line with the Victorian Government Provisions to allow local government to participate in a wider range of community Solar power initiatives.

Background

In 2014, Darebin City Council in Victoria established that a Special Charge Scheme (SCS) could be used to install solar photovoltaic (PV) systems on ratepayers' homes. Council offered the service to low-income households who repay the cost of the system over 10 years – interest free. This was the first time in Australia a local government has used a SCS for an environmental program – specifically to install solar PV installation. Darebin Solar continued, and the scheme expanded for 2017-2019 with an estimated 2,000 participants benefiting from the \$10M program. Council facilitates access to suppliers and installers, quality solar panels and inverters and extended warranties through the establishment of a tender panel.

According to Section 163 of the Victorian Local Government Act 1989, Councils can establish a Special Charge Scheme (SCS) to recover the costs associated with works or programs. Typically, Councils would introduce a SCS for an infrastructure project, such as drainage or footpaths. In NSW, the establishment of a Special Charge Scheme is not available under the provisions of the NSW Local Government Act 1993. There are no similar mechanisms under the NSW LGA 1993 to enable a similar program of repayments via rates notices.

The NSW Government is encouraged to consider future legal reforms to the NSW Local Government Act 1993 to enable repayments via rates notices for worthwhile investments such as residential solar panels.

MOTION 4:

That the State Government assist marine parks to manage the impact of Jet-Ski use within the parks.

Background

Councils often receive reports of compliance issues on its lakes, waterways and marine parks. These reports are that jet skiers are not adhering to NSW laws and requirements for the use of personal watercraft (jet skis). It appears that the number of jet skis in use is increasing and riders are displaying reckless behaviour, such as approaching dolphins and scaring them away from tourist dolphin watch boats. There is concern that Jet ski riders are not adhering to the Australian National Guidelines for Whale and Dolphin Watching which stipulate jet ski drivers must stay at least 300m from dolphins, 500m from white whales and 300m from other whale species. The State Government should assist NSW Marine Parks to reduce the impacts of jet ski use on the marine life, visitors and community in Marine Parks.

MOTION 5:

That State Government allocate Waste Levy funding towards research and development into front- end packaging to reduce land fill

Background

Two years ago, China was the primary destination for recyclable materials internationally. However, due to excess contamination within the recyclable materials, the Chinese government introduced "the China National Sword Policy" in January 2018, where imports of recyclable waste are banned if contamination levels exceed 0.5%. Other destinations for these recyclable materials are following suit and unless Australia can lift its game and produce high quality sorted recyclable materials, there will soon be no viable option for recycling. Most of the recyclable material coming from the yellow lidded recycling bin is packaging.

The reduction in international options for recycling materials has identified that Australia must do more to improve the quality of sorted recycling and to reduce the

complexity of packaging materials so that they can be more readily recycled. The improvement of front-end packaging standards and their integration is key to this improvement and funds from the Waste Levy at a State level are required to do so.

MOTION 6:

- 1. That the NSW Government provide ongoing funding of \$300K per annum for each Joint Organisation commencing in 2019/2020, indexed with the rate peg or CPI AND**
- 2. That a 4-year funding agreement be developed with agreed performance measures between the NSW Government and each Joint Organisation.**

Background

Joint Organisations have been established to undertake key inter-governmental collaboration with members of their representative Councils and to obtain efficiencies for their member Councils.

There is much work to be done and there are clear areas where efficiencies, economies of scale and synergies can be established for the betterment of our local communities and the state.

However, despite the realisation of what can be achieved, there is an ongoing concern of the financial viability of these organisations.

The level of financial commitment required from councils to adequately resource the Joint Organisations threatens the stability of the new organisations. It is recognised that it will take time to build relationships and sustainability across the JO network to deliver ongoing outcomes for regional and rural NSW, however it is essential that ongoing funding is provided to Joint Organisations to provide the best chance of success.

We are seeking an annual contribution for each Joint Organisation so that both councils and the NSW Government share the costs of Joint Organisations delivering benefits across regional NSW.

MOTION 7:

That the NSW Government lead the strategic rollout of electric vehicle (EV) charging stations across the state.

Background

With a greater range and more affordable EV models now becoming available, the availability of EV charging infrastructure remains one of the main deterrents for the uptake of EVs in Australia. 'Range anxiety' limits EV owners travel into regional areas for fear of running out of battery power before finding suitable charging stations.

As an election promise in early 2019, the Berejiklian government pledged \$3 million in the form of a co-investment to fund EV fast chargers on major regional corridors including the Newell, Great Western, New England, Pacific and Princes Highways and the Hume Motorway. Another \$2 million will fund charging points in commuter car parks such as at train stations. The funding forms part of the NSW Government's Electric and Hybrid Vehicle Plan.

NRMA is progressing their own plans with the installation of 40 DC Fast EV Chargers across NSW. These are DC fast chargers (50kW) so only take up to 1 hour to recharge an EV, as opposed to AC chargers that may take >5 hours to recharge. Tesla have also installed a small number of EV superchargers in regional areas which are exclusively for Tesla vehicles.

Financial assistance and strategic direction from the NSW Government is required to 'drive' the uptake of EVs in NSW by establishing an extensive EV charging network.

MOTION 8:

That the State Government:

- 1. Stage the impost of the increases to the Emergency Services Levy to Local Government over a number of years.**
- 2. Request that the IPART factor the increase in the Emergency Services Levy into their determinations with respect to Rate Pegging.**

Background

The timing of the notification from the State Government of the 2019/2020 Emergency Services Levy in early June 2019 was of great concern given that the regulatory framework of councils required that councils' Draft Budgets were to be finalised and placed on exhibition by that time. To their credit, the State Government recognised the impact on councils and, in August, announced that councils' additional contribution would be fully funded by the State Government in 2019/20.

Given the size of the projected increase (for example, an increase of 20.45% for Shoalhaven City Council) from 2020/21 onward, the State Government should stage the increase on councils over three to five years and direct IPART to factor the increase into the calculation of the rate peg from 2020/21 onward.

CL19.211



Local Government NSW Annual Conference 2019

Monday 14 – Wednesday 16 October 2019

Main conference venue is The William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm, NSW 2170

DRAFT PROGRAM (as of 11 July 2019)

MONDAY 14 OCTOBER 2019 William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm	
7.00am – 9.30am	<p>Meet the Politicians Breakfast, <i>Sales Arena</i></p> <p>Addresses from The Hon Gladys Berejiklian MP, Premier of NSW (invited), The Hon. Shelley Hancock MP, Minister for Local Government (invited) and other Ministers representing key portfolios of importance to local government.</p> <p>The breakfast is an optional event as part of the LGNSW Annual Conference program and attendance is free to all members registered to attend the Conference. You will be able to RSVP for the breakfast as part of your Conference registration.</p>
9.30am – 4.30pm	Registration opens, <i>outdoor covered area between conference room and exhibition</i>
10.00am – 4.30pm	<p>Councillor Training Workshops</p> <p>Access to training workshops will be for ticket holders only. Tickets can be purchased in advance when registering for the conference.</p>
10.00am – 12.00pm	<p>Workshop 1a - Financial Decision-Making in Local Government, <i>Garden Pavilion</i></p> <p>Workshop 1b - Understanding and Measuring Social Impact, <i>Grand Arme</i></p>
1.00pm – 2.30pm	<p>Workshop 2a - Land Use Planning for Councillors, <i>Garden Pavilion</i></p> <p>Workshop 2b - Update on the Code of Conduct, <i>Grand Arme</i></p>
3.00pm – 4.30pm	<p>Workshop 3a - Local Government Procurement: Efficiencies and Opportunities, <i>Garden Pavilion</i></p> <p>Workshop 3b - Speaking and Debating Skills, <i>Grand Arme</i></p>
1.00pm – 4.30pm	Delegate Lounge sponsored by Transport for NSW open for networking, <i>Pavilion B</i>
From 5.30pm	Bus transfers to Casula Powerhouse for welcome reception begin Departing from William Inglis Hotel and will loop to all conference hotels listed on website
Welcome reception Casula Powerhouse Arts Centre, 1 Powerhouse Road, Casula (Enter via Shepherd Street, Liverpool)	
6.00pm – 8.00pm	<p>President's Opening Ceremony followed by welcome reception:</p> <ul style="list-style-type: none"> Address from Cr Linda Scott, President, LGNSW Welcome from Cr Wendy Waller, Mayor, Liverpool City Council Sponsor Address from Ms Rebecca Ryan, Chair, Statewide Mutual and General Manager, Blayney Shire Council <p>Registration will be available at this event.</p>
From 7.30pm	Bus transfers back to conference hotels begin

TUESDAY 15 OCTOBER 2019 – Business Session Day 1 William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm	
7.30am – 5.00pm	Registration opens, <i>outdoor covered area between conference room and exhibition</i>
8.00am – 9.00am	Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors, <i>Garden Pavilion</i> Voting for all positions at the one time
8.00am – 9.00am	Trade exhibition opens, <i>The Big Barn and Exhibition Stables</i>
8.45am	Doors open for conference official proceedings, <i>Sales Arena</i> Distribution of voting materials and electronic handsets
9.05am – 9.10am	Conference introduction Tara McCarthy , Chief Executive, LGNSW
9.10am – 9.15am	Welcome to Country on behalf of Gandangara Aboriginal Land Council, Uncle Malcolm Maccoll
9.15am - 11.00am	Address from Cr Linda Scott , President, LGNSW Opening of the Federal Conference, chaired by Cr Linda Scott , including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business session and consideration of motions. Opening of the State Conference, chaired by Cr Linda Scott , including adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business sessions, and consideration of motions.
11.00am – 11.30am	Morning tea in trade exhibition, <i>The Big Barn and Exhibition Stables</i> Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors, <i>Garden Pavilion</i>
11.30am – 1.00pm	Consideration of conference business continued, chaired by LGNSW President
1.00pm – 2.00pm	Lunch in trade exhibition, <i>The Big Barn and Exhibition Stables</i> Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors, <i>Garden Pavilion</i>
2.00pm – 3.30pm	Consideration of conference business continued, chaired by LGNSW President
3.30pm – 4.00pm	Afternoon tea in trade exhibition, <i>The Big Barn and Exhibition Stables</i> Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors, <i>Garden Pavilion</i>
4.00pm – 5.00pm	Consideration of conference business continued, chaired by LGNSW President Collection of all electronic handsets and motions voting cards Conference business session closes
5.00pm - 6.00pm	Transfer buses begin to conference hotels

Conference Dinner William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm	
7.00pm	Outdoor pre-dinner drinks, <i>The Two Figs (weather dependant)</i>
7.30pm	Doors open for dinner, <i>Sales Arena</i>
8.00pm	LGNSW President introduces Elite Sponsor, StateCover Mutual Limited LGNSW President and Elite Sponsor present the AR Bluett Awards, Outstanding Service Awards and Executive Certificates for elected members
8.30pm	Dinner and entertainment
10.00pm	Transfer buses begin to conference hotels
11.00pm	Dinner closes
WEDNESDAY 16 October 2019 – Business Session Day 2 William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm	
7.30am – 5.00pm	Conference registration opens, <i>outdoor covered area between conference room and exhibition</i>
7.30am – 8.45am	Australian Local Government Women's Association (ALGWA NSW) Breakfast, <i>The Big Barn</i> Women in Leadership Panel: Facilitated by Ellen Fanning . The panel will feature three inspiring women, who will share their journeys, challenges and advice. Ellen Fanning will facilitate an interactive discussion between the panel and audience. The Big Barn exhibition area will be closed during this event and access will be for ticket holders only. Tickets can be purchased in advance when registering for the conference.
8.15am – 4.00pm	Trade exhibition opens, <i>The Stables</i>
8.45am – 4.00pm	ALGWA breakfast closes, trade exhibition opens, <i>The Big Barn</i>
8.45am	Doors open for conference official proceedings, <i>Sales Arena</i> Distribution of voting materials and electronic handsets if required
9.15am	Introduction by Ms Ellen Fanning , Master of Ceremonies
9.20am – 10.00am	Opening keynote: Innovation topic: Speaker to be confirmed
10.00am – 10.25am	Address from Cr Linda Scott , President, LGNSW, on Association Initiatives
10.25am – 10.35am	Treasurer's report
10.35am – 11.00am	Morning tea in trade exhibition sponsored by NSW Small Business Commission, <i>The Big Barn and Exhibition Stables</i>

11.00am – 11.45pm	<p>Presentation from Mr Paul Hawkins, Chief Combobulator, Crazy Might Work</p> <p>Disruptive by Design: A Collaborative Approach to Solving Wicked Problems. This case study will inspire you to harness world-leading innovation frameworks, social and neuroscience to tackle the most complex of community challenges. You will learn:</p> <ul style="list-style-type: none"> • Why change is painful; • How to innovate collaboratively; • How to drive effective behavioural change
11.45am – 12.45pm	<p>Innovation Spotlight. Panel facilitated by Ellen Fanning</p> <p>A panel shining a spotlight on councils who have used innovative approaches to tackle common problems facing local government.</p>
12.45pm – 1.45pm	Lunch in trade exhibition, sponsored by JLT, <i>The Big Barn and Exhibition Stables</i>
12.45pm – 1.45pm	General Managers Lunch, sponsored by StateCover, <i>Garden Pavilion</i>
1.45pm – 2.15pm	Speaker to Be confirmed
2.15pm – 3.20pm	<p>Closing Keynote address: Mr Chris Riddell, Global Futurist</p> <p>Chris spends his life connecting with businesses and individuals, across industries, and around our hyper connected digital world. With a talent for analysing emerging trends, patterns and behaviours, Chris's insights are compelling, thought provoking and inspirational.</p>
3.20pm – 3.30pm	Close of conference, Cr Linda Scott , LGNSW President
3.30pm – 4.00pm	Afternoon tea in trade exhibition sponsored by LG Super

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

CL19.212 Investment Report - July 2019

HPERM Ref: D19/278970

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Monthly Investment Report - July 2019 (under separate cover) [⇒](#)

Purpose / Summary

In accordance with section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation, a written report is provided to Council setting out the details of all money it has invested.

Recommendation

That the report of the Chief Executive Officer (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 31 July 2019 be received for information.

Options

1. The report on the Record of Investments for the period to 31 July 2019 be received for information.

Implications: Nil

2. Further information regarding the Record of Investments for the period to 31 July 2019 be requested.

Implications: Nil

3. The report of the Record of Investments for the period to 31 July 2019 be received for information, with any changes requested for the Record of Investments to be reflected in the report for the period to 31 August 2019.

Implications: Nil

Background

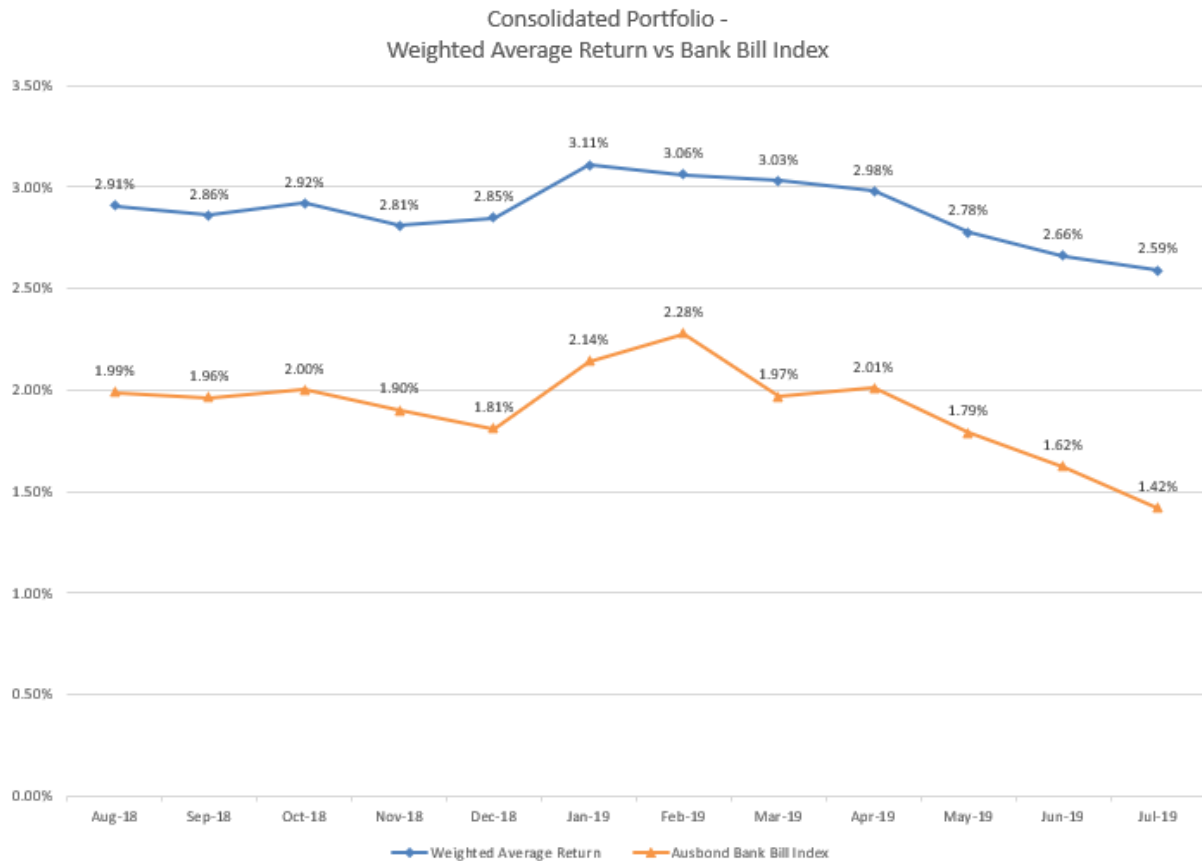
Please refer to the attached monthly report provided by Council's Investment Advisor, CPG Research and Advisory Pty Ltd. A Councillor Briefing with Andrew Vallner, Managing Director CPG, was held on 20 June 2019 that identified a number of options for Council to consider when it revises its Investment Policy. The attached monthly report from CPG states that "Council's Policy will be amended to place precedence on ESG-certified complying products". It should be noted that a decision has not been taken on the final form of the recommended revision of Council's Investment Policy.

An evaluation of the options presented by Mr Vallner is under way and will be the subject of a report to Strategy and Assets Committee later this calendar year. CPG's feedback will be included in the report. Council will then be able to consider the options and resolve to accept any recommended changes to the Policy.

CL19.212

Council's investment portfolio returned a strong 2.59% for the month of July 2019, exceeding the benchmark AusBond Bank Bill Index (1.42% pa) by 117 basis points (1.17%).

The following graph shows the performance of Council's investment portfolio against the benchmark on a rolling twelve (12) month basis. As can be seen, performance has consistently exceeded the benchmark due to the mix of Council's investment portfolio.



The interest earned to the month of July was \$440,932, 9.7% of the current full year budget.

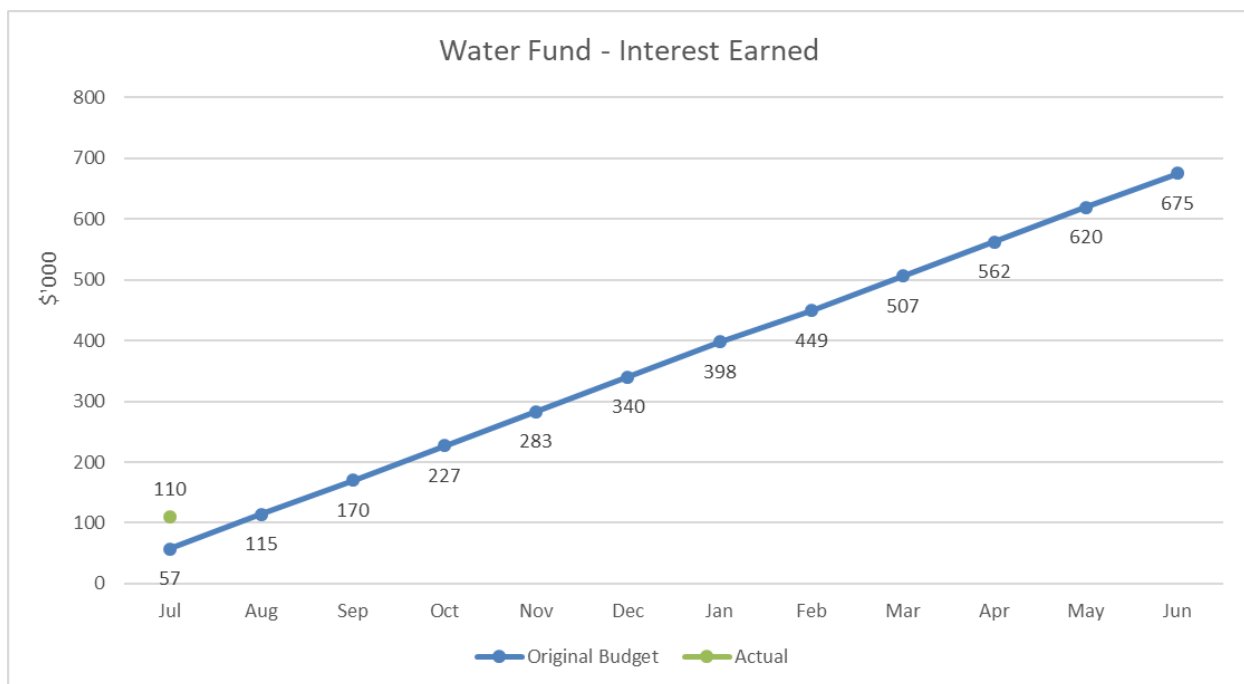
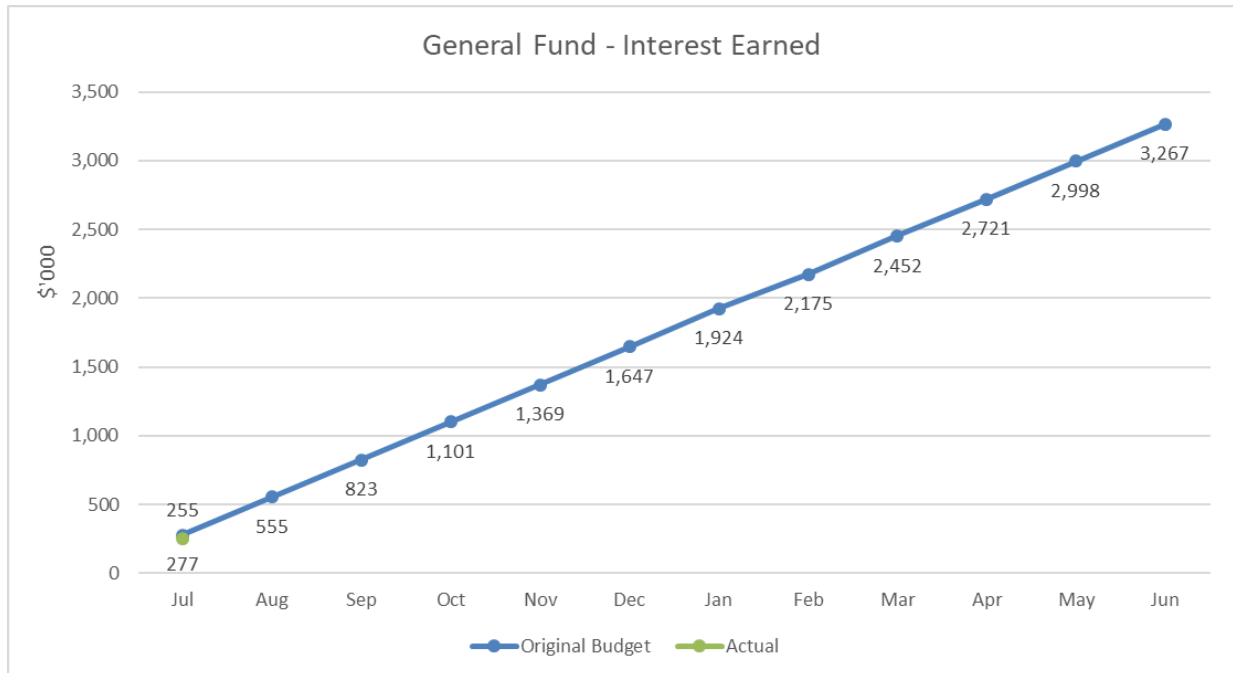
Fund	Original Budget	Actual	%
General	\$3,266,999	\$254,551	7.79%
Water	\$675,000	\$110,007	16.30%
Sewer	\$600,000	\$76,374	12.73%
Total	\$4,541,999	\$440,932	9.71%

The interest earned for the month of July was \$440,932; which was \$55,174 above the current budget.

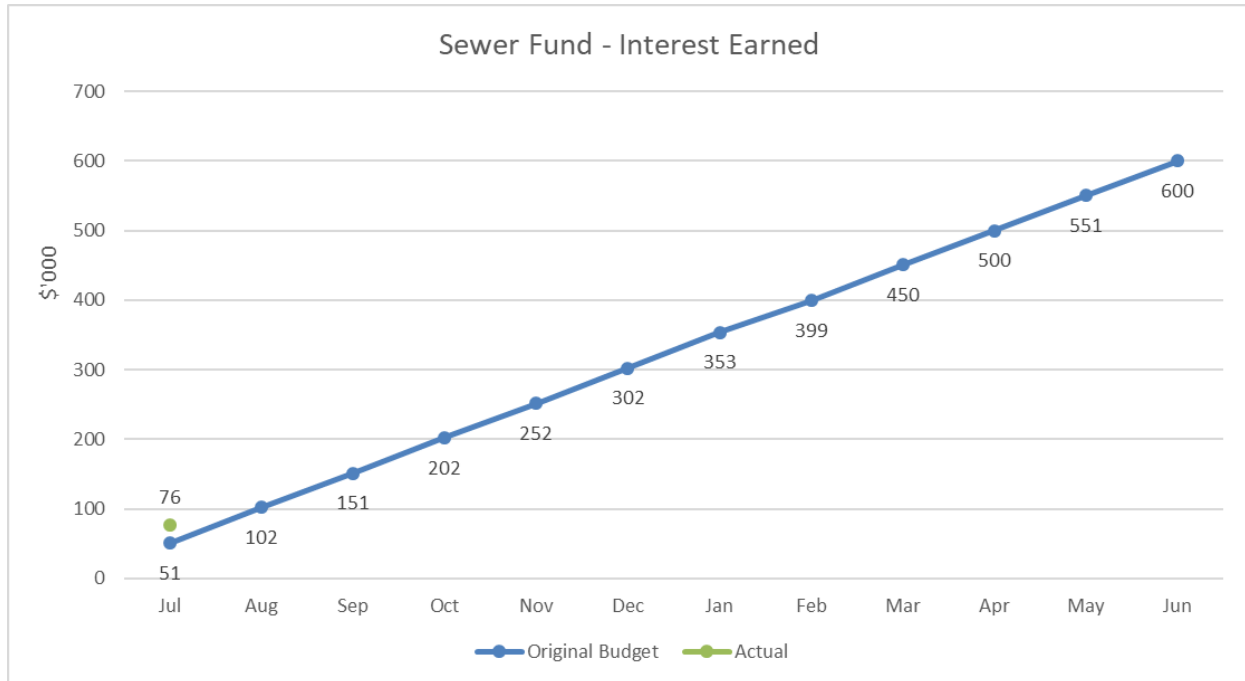
CL19.212

Fund	Original Monthly	Actual	Difference
General	\$277,471.15	\$254,551	-\$22,920
Water	\$57,329	\$110,007	\$52,678
Sewer	\$50,959	\$76,374	\$25,415
Total	\$385,759	\$440,932	\$55,174

The graphs below illustrate the cumulative interest earned for the year for each Fund against original and adjusted budgets.



CL19.212



CL19.212

RECORD OF INVESTMENTS Cash and Investment Balances

	July 2019	June 2019
Cash And Investments Held		
Cash at Bank - Transactional Account	\$9,358,123	\$8,258,585
Cash at Bank - Trust Fund	\$0	\$0
Cash on Hand	\$32,490	\$45,640
Other Cash and Investments	\$196,041,765	\$199,968,239
	\$205,432,378	\$208,272,464
 Fair Value Adjustment	 \$524,623	 \$345,453
Bank Reconciliation	\$2,183	\$409,474
	\$526,806	\$754,927
 Book Value of Cash and Investments	 \$205,959,184	 \$209,027,390
 Less Cash & Investments Held In Relation To Restricted Assets		
Employee Leave Entitlements	\$8,136,913	\$8,136,913
Land Decontamination	\$707,210	\$969,027
Critical Asset Compliance	\$1,840,546	\$1,989,041
North Nowra Link Road	\$463,014	\$456,381
Other Internal Reserves	\$8,946,094	\$8,278,876
Section 7.11 Matching Funds	\$311,194	\$311,169
Strategic Projects General	\$1,167,044	\$1,477,183
Industrial Land Development Reserve	\$6,212,019	\$6,209,842
Plant Replacement	\$2,677,908	\$2,156,038
Financial Assistance Grant	\$6,300,442	\$0
S7.11 Recoupment	\$26,700,328	\$1,591,833
Commitment To Capital Works	\$2,024,305	\$2,494,017
Property Reserve	\$285,617	\$280,980
Total Internally Restricted	\$65,772,634	\$34,351,301
 Loans - General Fund	 \$13,330,040	 \$8,044,228
Self Insurance Liability	\$1,346,039	\$1,502,302
Grant reserve	\$8,672,390	\$12,881,090
Section 7.11	\$9,488,296	\$33,924,072
Storm Water Levy	\$1,170,996	\$1,183,274
Trust - Mayors Relief Fund	\$88,729	\$88,713
Trust - General Trust	\$3,298,061	\$3,350,978
Waste Disposal	\$7,959,857	\$7,503,028
Sewer Fund	\$35,695,552	\$36,569,333
Sewer Plant Fund	\$2,977,121	\$2,866,007
Section 64 Water	\$19,415,485	\$19,359,898
Water Fund	\$25,841,314	\$26,794,573
Water Communication Towers	\$2,205,267	\$1,903,035
Water Plant Fund	\$3,233,257	\$3,090,845
Total Externally Restricted	\$134,722,407	\$159,061,375
 Total Restricted	 \$200,495,041	 \$193,412,676
 Unrestricted Cash And Investments		
General Fund	\$5,464,143	\$15,614,714

CL19.212

The table below lists the major movements:

Total Cash	-\$3,068,206	
Financial Assistance Grant	+\$6,300,442	2019/20 grant received in June, transferred to reserve
S7.11 Recoupment	+\$25,108,495	Transfer deleted projects balances from S7.11 as per revised contributions plan
Loans	+\$5,285,812	Receipt of loans
Grants	-\$4,208,700	Expenditure on grant projects
Section 7.11	-\$24,435,775	Net effect of contributions received, reduction in expenditure on projects due to reallocation of expenditure and transfer of deleted projects balances to recoupment as per revised contributions plan
Unrestricted Cash	-\$10,150,571	Transfer advanced FAG to reserve and general expenditure during a non-rates instalment month

CL19.212

Financial Implications

It is important for Council to be informed about its investments on a regular basis. Revenue from interest forms a vital part of Council's revenue stream.

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy POL18/57.



Michael Pennisi
Chief Financial Officer

SA19.101 Sale of Council Land to RMS - New Shoalhaven River Bridge - Nowra

HPERM Ref: D19/212516

Group: Assets & Works Group
Section: Technical Services

Attachments:

1. Letter from RMS dated 17 June 2019 [↓](#)
2. Letter from RMS dated 24 June 2019 [↓](#)
3. Acquisition Plans [↓](#)
4. Letter from Mcdonald Contracting dated 10 April 2019 [↓](#)
5. Nowra Bridge Landscape - Cost estimate report [↓](#)

Purpose / Summary

The report provides Council with an opportunity to approve the sale and lease of various Council land parcels to Roads and Maritime Services (RMS) and provide an update on other matters relating to the New Shoalhaven Bridge project.

Recommendation

That Council:

1. Approve the sale of the following land parcels to the NSW Roads & Maritime Services. The land parcels to be compulsorily acquired at the agreed compensation of \$2,618,500 (excl GST):
 - a. Lot 1 DP1127316,
 - b. Lot 6 DP813461,
 - c. Lot 5 DP813461,
 - d. Lot 5 DP262460,
 - e. Lot 3 DP625514,
 - f. Lots 25, 29 and 35 DP1245213,
 - g. Lots 18, 19, 20, 21, 22, 23, 26 and 31 DP1254210.
2. Accept, in addition to 1 above, compensation for disturbance (Sec 55(d)) under the Land Acquisition (Just Terms) Compensation Act covering:
 - a. Council's legal and valuation fees at cost
 - b. Playground equipment: \$48,000 (Located on Lot 1 DP 1127316)
 - c. Toilet block: \$120,000 (Located on Lot 7302 DP 1164490 being Crown Land)
3. Approve the granting of a temporary construction lease of the following land parcels to the NSW Roads and Maritime Services from 1 July 2019 to 30 June 2022 at a rental of \$52,200 plus GST per annum:
 - a. Lots A & B DP158942,
 - b. Lot 11 DP1254213,
 - c. Lot 4 DP1254210,
 - d. Lot 5 DP1254210.

4. Require all costs associated with the sale of Council land parcels to be paid by Roads and Maritime Services;
5. Authorise the allocation of proceeds from part 1 above as follows:
 - a. \$425,000 towards a new structure to house the “Shoalhaven flood boat”;
 - b. \$930,000 (excl GST) repaid to the Industrial Land Development Reserve; and
 - c. The residual placed in the Property Reserve for future property acquisitions.
6. Approve the affixing of the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed, otherwise the Chief Executive Officer is authorised to sign any documentation necessary to give effect to the resolution.

Options

1. Adopt the recommendation.

Implications: RMS will be able to meet its program for planning and design for the new Shoalhaven Bridge.

2. Not proceed as recommended.

Implications: RMS may proceed to issue Council with a Proposed Acquisition Notice (PAN) in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. If Council's interest is compulsorily acquired, all prior RMS offers will be withdrawn and compensation will be determined by the Valuer General.

Background

In September 2018 a report was submitted to Council's Strategy & Assets Committee meeting raising proposals by RMS for the acquisition and/or occupation of Council owned land in connection with the Nowra Bridge project. The Committee under delegation resolved in part (MIN18.704 (3)) to:

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.*

After the above, a report was submitted to Council's Ordinary meeting of 29 January 2019 providing an update on information relating to some important aspects of the Nowra Bridge project. Council resolved in part (MIN19.39) to:








1. *A further report be submitted to Council in relation to the relocation of parking, public toilets and the Rotary monument near the bridge in Illaroo Road and on the relocation, replacement or demolition of the Captain Cook Memorial which is currently located in Moorhouse Park.*
2. *Council advise RMS that Council does not support any proposal to use Harry Sawkins Park as a car park but otherwise has no objection to the proposed amendments to the areas required for acquisition and leasing as set out in Attachment 1.*
3. *Council advise RMS that all landscape design work in relation to the Nowra entry, Moorhouse Park and Paringa Park is to be carried out by Council in consultation with RMS at RMS's cost.*

Over the past four (4) months Council staff have continued to discuss unresolved issues which are detailed hereunder and contained within correspondence from RMS dated 17 and

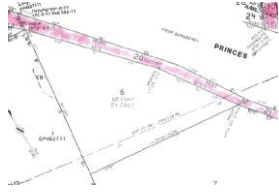


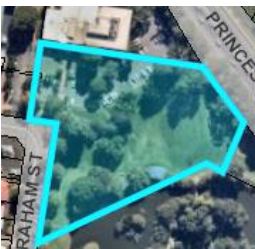
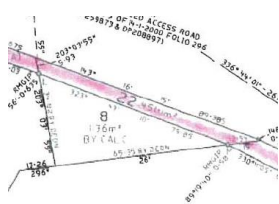

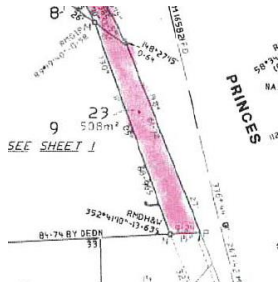

24 June 2019 (refer to attachments 1 & 2), negotiate with RMS on the important aspects of the Nowra Bridge project that affects Council, confer on land acquisitions and respective compensation amounts, and define the occupation of Council owned land under lease agreements and the rents payable for same.

Updated acquisition and lease plans





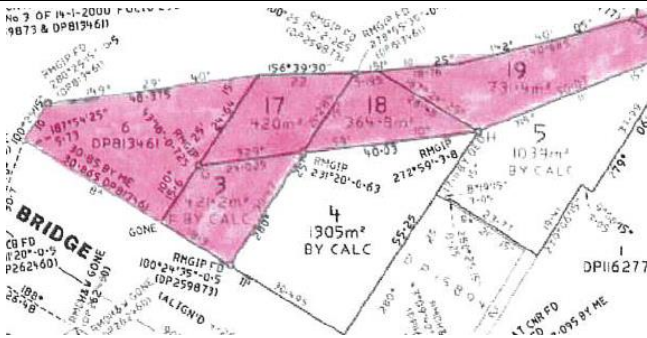
Recently RMS has registered acquisition plans (refer to attachment 3) creating, in the case of partial acquisitions new Lot and DP numbers. For clarity, below is a comparative table of previous and current land parcels, the area to be acquired and its respective compensation value:

Land acquired (Updated legal description)	Area to be acquired	Value of area acquired	Description
Lot 1 DP 1127316 (unchanged)	413.4m2 (whole)	\$56,500	Scenic Drive - Moorhouse Park – occupied partially by a children's playground 
Lot 29 DP 1254213 	214.2m2 (Part)		Bolong Road, Bomaderry (cnr Princes Hwy) – part of Sewer Pump Station No 5 Part lot 1 DP 397062 
Lot 25 DP 1254213 	22.86m2 (Part)		Princes Highway, Bomaderry – part of Sewer Pump Station No 6 Part Lot 1 DP569158 
Lot 35 DP1254213 	870.4m2 (Part)		Illaroo Road, North Nowra (cnr Fairway Drive) Part Lot 1 DP438034 



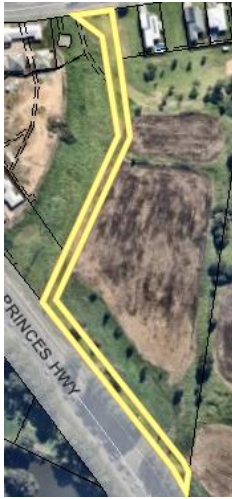
SA19.101

Land acquired (Updated legal description)	Area to be acquired	Value of area acquired	Description
<p>Lot 20 DP1254210</p> 	1,214m2 (Part)	\$425,000	<p>Graham Street, Nowra – Part of the Council administration building site adjacent the Highway Part Lot 51 DP209295</p> 
<p>Lot 21 DP1254210</p> 	293m2 (Part)	\$75,000	<p>Graham Street, Nowra – Part of Harry Sawkins Park adjacent the Highway Part Lot 52 DP209295</p> 
<p>Lot 22 DP1254210</p> 	451m2 (Part)		<p>East Street, Nowra – between the pond in Harry Sawkins Park and the Highway Part Lot 5 DP208897</p> 
<p>Lot 23 DP1254210</p> 	508m2 (Part)		<p>McGrath Avenue, Nowra – land between the pond in Harry Sawkins Park and the Highway, just north of the skate park Part Lot 2 DP802068</p> 




SA19.101

Land acquired (Updated legal description)	Area to be acquired	Value of area acquired	Description
Lot 5 DP262460	2,571m ² (whole)	\$425,000	Bridge Road, Nowra – cnr of the Highway – known as Moorhouse Park and home to the Captain Cook Bicentennial Memorial and Shoalhaven Flood Boat 
Lot 6 DP813461 & Lots 3, 17, 18 & 19 DP 1254210	2,856.7m ² (Various)	\$1,200,000	Bridge Road, Nowra – Former Hotel site currently used as Nowra entry garden and overflow staff car parking Lots 6 & 5 DP813461 Part Lot 1 DP194884 Part Lot 5 DP 1112482   
			
Lots 25, 26, 30 & 31 DP 1254210	9,556m ²	\$437,000	Moss Street & Lyrebird Drive, Nowra – Parts of Gateway Park Part Lot 100 DP1071707


SA19.101

Land acquired (Updated legal description)	Area to be acquired	Value of area acquired	Description
			<p>Part Lot 3 DP625514 Part Lot 8 DP809132</p>  

LEASED PROPERTIES

Lot 11 DP1254213	81.65m2		 <p>Part Lot 1 DP 569158 Princes Highway, Bomaderry – residual of Sewer Pump Station No 6 – adjacent to Bomaderry Creek</p>
<p>Lots 4 & 5 DP 1254210 Lot A & B DP 158942</p>	3,381m2	\$52,200 plus GST per annum	 

SA19.101

Land acquired (Updated legal description)	Area to be acquired	Value of area acquired	Description
			 <p>Lot A & B DP 158942 Part Lot 5 DP 1112482 Part Lot 1 DP 194884 28, 30 & 30A Bridge Road, Nowra – residual former Hotel site north of the Shoalhaven Entertainment Centre</p>

Industrial Land Development Reserve Replenishment

Council at its 26 February 2019 Ordinary meeting resolved to acquire 39-43 Bridge Road, Nowra which in part (MIN19.92c) stated:

3. Fund all associated costs with the acquisition from the Industrial Land Development Reserve with the Reserve to be replenished when Council is compensated by RMS for land acquired for the Nowra Bridge project.

It is now proposed to replenish the Industrial Land Development Reserve from the proceeds.

Public Toilets at Rotary Park

RMS was advised that the public toilet needs to be removed or relocated near its current location. RMS advised that if the toilet needs to be relocated; it prefers Council completes the works and RMS reimburse Council's costs due to Council having the expertise in building public toilets to Council's specifications

RMS has placed a value of \$120,000 on the existing toilet block.

Captain Cook Memorial and Shoalhaven Flood Boat

RMS advised that the Captain Cook Memorial is directly impacted and needs to be demolished. RMS has assessed the feasibility of being able to relocate the structure (refer to attachment 4) and determined that the structure is unable to be relocated.

RMS will place an interpretive heritage display near the existing Memorial with the final design to be developed in consultation with the Shoalhaven Historical Society and Council. These discussions have already commenced.

Based on compensation being determined at \$425,000, RMS state that no additional allowance has been made for the Captain Cook Memorial located in Moorhouse Park as the land has been assessed on a highest and best use value, as land with development potential.

Given the inability structurally to relocate the memorial, the Shoalhaven flood boat will need to be housed elsewhere. As no value was placed on the memorial, Council staff have proposed allocating the compensation for the land upon which the memorial and flood boat were situated towards a new structure. The location and design of same to be in consultation with the Shoalhaven Historical Society.

Public Playground at Moorhouse Park

Relocation of the play equipment is not desirable and would need to be replaced with new equipment to meet current standards. Notwithstanding, RMS has agreed to compensate Council for the existing equipment.

RMS has placed a value of \$48,000 on the existing playground equipment.

Rotary Park Sign/Structure/Monument

The Rotary Park sign will be impacted by the Illaroo Rd realignment; and it has been agreed in consultation with RMS, Council and Rotary, that the monument will be relocated to a suitable location.

Pedestrian Restraint Fencing at Rotary Park

At RMS cost, any fencing will be replaced with standard RMS pedestrian fencing.

Nowra Sign and Landscaping at Bridge Road

RMS advised that there would be a period where the Nowra Sign would be removed for construction. The new Shoalhaven Bridge is a Design and Construct project. At this point in time detailed plans are not available as the project is currently within RMS's tender process. Landscaping plans will be developed in conjunction with the detailed design of the bridge project. At that time, Council will have an opportunity to comment and provide feedback on the final landscape and urban design plans.

RMS has agreed to meet the costs in relation to the Nowra Entrance signage and landscaping. The replacement sign and landscaping will be undertaken by Council in consultation with RMS.

Council obtained a cost estimate from WT Partnership (refer to Attachment 5) to replace the existing landscape on the Southern side of the Shoalhaven Bridge. RMS have indicated that the quote is excessive. RMS has advised that a copy of the scope of works be provided to RMS for concurrence prior to obtaining three (3) quotes for the works to RMS's satisfaction.

Ancillary Sites and alternative parking locations

Council land north of Shoalhaven Entertainment Centre

The areas to be acquired and/or leased by RMS are outlined above and identified in the acquisition plans (refer to Attachment 3).

RMS has based the offer to acquire and /or lease the subject land on the highest and best use as a redevelopment site zoned B4 Mixed Use. The highest and best use overrides the current use as an unofficial carpark. No value is assigned to temporary car parking.

RMS's position is that it could be considered, the rental to be paid could be used to establish additional car parking.

Other Council land and private blocks south of Aquatic Park

RMS investigation determined flood immunity as problematic and withdrew its interest in this area.

Gasworks block

RMS noted this site, determining it will not be a primary source of parking.

Grey's Beach

Council had advised that this area is under a lot of stress during holiday periods and requested that RMS Design and Construct contractor provide a management plan for this precinct for Council approval.

RMS has removed its interest in this area.

Gateway Park

Discussion around proposed new local road and impact on current designs undertaken. No actions arising.

Sound Attenuation

RMS confirm that during its Review of Environmental Factors, there are no sound attenuation measures required in relation to Council's administrative building.

Financial Implications

Council should note, the \$2,814,000 of compensation from RMS is for the land acquisitions and disturbance. In addition to this compensation will be the annual lease rental fee of \$52,500, replacement of the Nowra Sign and landscaping at the agreed value, and reimbursement of legal and valuation fees.



**Transport
Roads & Maritime
Services**

17 June 2019
Our Reference: SF2018/252666/1
Brianna Royal (02) 4221 2498

Shoalhaven City Council

Received

21 JUN 2019

File No. 28985e

Referred to: L. Ho

General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

NOWRA BRIDGE PROJECT – PRINCES HIGHWAY UPGRADE . LOCAL GOVERNMENT AREA OF SHOALHAVEN. ACQUISITIONS AND LEASE OF VARIOUS AREAS FROM SHOALHAVEN CITY COUNCIL.

Dear Sir,

I refer to your letter dated 16 April 2019 and respond to the points raised in each paragraph as follows:

Car Parking Assessment

- RMS has based the offer to acquire the subject land on the highest and best use as a re-development site zoned B4 Mixed Use. This highest and best use overrides the current use as an unofficial car parking. No value is assigned to temporary car parking. However it could be considered the rental to be paid on the additional area that is to be leased could be utilised to establish additional car parking should Council wish. To pay rent and then assign additional compensation would be considered double dipping.
- Any plans by Council to develop additional car parking are noted but not part of an RMS acquisition.
- Council's recommendation:
 1. The acquisition by Council of Lots 1 & 2 DP199958 and Lot1 DP797111 is a separate matter outside the project.
 2. Market value at the highest and best use under the zoning has been offered for the subject land. Any additional Council car parking will be at Council's cost.
- RMS can only acquire land for project purposes and not for other parties. As stated above, as fair market value has been paid for the subject land it is for Council to decide how it wishes to spend those funds.

Strategic Planning and Direction

1. Heritage Impact – RMS will as part of the Project work, will place an interpretive heritage display in relation to the Captain Cook Bicentennial Memorial. The final design will be developed in consultation with the Shoalhaven Historical Society and Shoalhaven City Council. RMS has attended and addressed a meeting of the Shoalhaven Historical Society in relation to this matter.
 - As stated in previous meetings the Nowra Bridge is a Design and Construct Project. At this point in time detailed plans are not available as the Project is currently has only recently called for tenders. Landscaping plans will be developed with the detailed design of the Project. Council will have the

opportunity to comment and give feedback on the final Landscape and Urban Design Plans for the Project.

There is no sound attenuation measures required in relation to the Council administration building. Details of the noise impacts of the Project are detailed within the Review of Environmental Factors.

- RMS is aware of the proposed Nowra Riverfront Entertainment and Leisure Precinct. The proposed Nowra Bridge Project works would not preclude Council proceeding with their plans.

Compensation

- In relation to Council infrastructure on Crown land, improvements such as footpaths, lights and CCTV will either, remain, be replicated or relocated by RMS. In relation to the compensation payable for the Crown land to be acquired for the project, any compensation will be determined by the Valuer General.
- In relation to the landscaping and "Entrance to Nowra" located on Lot 6 DP813461 and in the road reserve adjacent to Lot 5 DP262460 this is addressed in point 9 below.
- In relation to any loss of amenity or vegetation, this is encapsulated within market value at the highest and best use of the subject land.
- Sound attenuation is addressed above.
- In relation to valuation fees, all reasonable valuation fees for Councils consultant valuer will be met by RMS on production of the invoices. This will be paid at settlement as part of the acquisition process.

Lease

As discussed at the meeting, Lot 1 DP 738519 is not to be included in the land to be included in the lease agreement. However part Lot 1 DP569158 is to be included. A copy of the proposed lease is attached for your consideration.

Actions

1. It is expected that access to the leased land located north of the Council Building, will be from both the existing highway and Bridge Road during construction of the bridge. Access will be under Traffic Control arrangements.
2. Market value has been paid for the land so no additional works will be provided.
3. Addressed above. A copy of the current consultant's report is attached.
4. Addressed above.
5. Addressed above.
6. Addressed above.
7. RMS has received an independent costing to provide a toilet block to current standards. Council may supply 3 independent quotes for a toilet block should it wish to claim additional compensation than that offered by RMS under Section 55(d) Land Acquisition Just Terms Compensation Act, 1991.
8. The amount of compensation offered for the replacement playground equipment in Moorhouse was based on independent costs. Council may supply 3 independent quotes for similar playground equipment should it wish to claim additional compensation than that offered by RMS under Section 55(d) Land Acquisition Just Terms Compensation Act, 1991.
9. RMS agrees that works in relation to the Nowra Entrance signage and landscaping will be undertaken by Shoalhaven City Council in consultation with RMS. This is subject to RMS agreeing to the cost of such work prior to commencement. In relation to Moorhouse Park playground, the re-establishment of replacement improvements have been compensated for as part of the acquisition. It is noted that Paringa Park is outside the impacts of the Project.
10. Copy of structural engineers report for the Captain Cook Memorial attached.

In discussions with Property staff it was raised that RMS acquire the whole of Lot 5 DP813461 as road. This would allow the residue to be declared road reserve. This land could then be utilised by Council as the "Entrance to Nowra" with signage and landscaping as previously mentioned above located on this land.

RMS would be prepared to acquire the additional area of Lot 5 DP813461 for the amount of \$200,000. The attached lease has been amended to reflect this change in area from leased land to land to be acquired.

Thank you for your co-operation to date. Please contact Brianna Royal on 42212498 if there are any more details or information you require.

Yours sincerely



WJ Healy
Property Acquisition Manager

Roads and Maritime Services
T 4221 2492 M 0413 601 629
PO Box 477 Wollongong NSW 2520



10th April 2019

RMS

Attention: Dan McClure
Technical and Project Services
Phone: 02 4222 3242
Mobile: 0427 918 303

Subject: Captain Cook Memorial

Our Ref#MCDCON100419-1

Good afternoon Dan

Please see below with regards to the site inspection that was undertaken for the possible relocation of the Captain Cook Memorial;

As discussed on site at our meeting to assess the feasibility of the relocation of the structure further there would need to be test hole excavation to determine the concrete depth, as well as our structural engineer on site. This would cost approximately \$15,000.00 plus GST.

After the site meeting, we had discussions with our structural engineer and our method of works that was discussed on site would have been correct, however the condition of the concrete structure has left a small amount of doubt about the structural integrity of the concrete archway. There are a lot of cracks in the concrete and we have made a decision that the risk is too high for road transport, therefore, relocation of the structure would not be feasible.

If you require anything else, please advise the office by email and we will be able to assist you further.

Kind Regards
Chantel McDonald

Chantel McDonald
7-5-19

42-50 Torkington Road
Londonderry NSW 2753
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t | 02 4588 5366
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acn | 092207737
abn | 87 092207737

Proud member of the Housing Industry of Australia



SA19.101 - Attachment 1

ROADS AND MARITIME SERVICES

**AGREEMENT FOR LEASE (TO AUTHORITY) OF LAND
OTHER THAN CROWN LAND**

AGREEMENT made the of, Two Thousand and Nineteen

BETWEEN Shoalhaven City Council, in the state of New South Wales (hereinafter called the "Landlord") and **Roads and Maritime Services** (hereinafter called "RMS")

WITNESSETH that the Landlord lets and RMS takes the land in the Schedule hereto for the term of years, from 1 July 2019 to 30 June 2022, for the sum of \$52,200 per annum, then monthly (\$4,350) in advance if required to complete construction subject to the following conditions:-

- i. RMS agrees to pay as rent \$4,350 (Four Thousand Three Hundred and Fifty Dollars) per calendar month, paid 3 months in advance (\$13,050 for 3 months);
- ii. The rent provide in Clause (i) is exclusive of GST. If the landlord advises that GST will be payable on the rent and provides an appropriate tax invoice, RMS agrees to increase the rent by an amount equal to the GST payable (\$4,785 per calendar month);
- iii. The Landlord to pay rates and taxes;
- iv. This Lease will be terminated on one month's written notice from RMS. Any payments made in advance will not need to be adjusted;
- v. RMS shall indemnify and keep indemnified the landlord from any liability in respect of claims, actions or proceedings that may be commenced taken or continued by any person or persons against the landlord in respect of any action or omission arising out of the negligence of RMS, its employees, servants and contractors or which the landlord may suffer or incur due to or arising from the occupation of the land by RMS;
- vi. At the expiry of the lease RMS shall surrender up to the landlord the land in a clean and tidy condition and reinstate it to a similar or better condition that existed prior to the commencement of the lease.

THE SCHEDULE HEREINBEFORE REFERRED TO:

Part Lot 1 DP569158, Part Lot 1 DP 194884, Lots A and B DP 158942 & Part Lot 5 DP 1112482
as shown highlighted on attached plan

SIGNED by and on behalf
of Shoalhaven City Council
by authorised person

).....
)..... (Council's Representative Name)

in the presence of:

)..... (Witness)

SIGNED by
for and on behalf of the
Roads and Maritime
Services:

)
) (Witness)

SA19.101 - Attachment 1



**Transport
Roads & Maritime
Services**

24 June 2019
Our Reference: SF2018/252666/1
Brianna Royal (02) 4221 2498

General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Shoalhaven City Council
Received
- 1 JUL 2019
File No. 28985e 58939e
Referred to: N. Dikken

NOWRA BRIDGE PROJECT – PRINCES HIGHWAY UPGRADE . LOCAL GOVERNMENT AREA OF SHOALHAVEN. ACQUISITION FROM SHOALHAVEN CITY COUNCIL.

Dear Sir,

I refer to previous discussions and correspondence and wish to advise that Roads and Maritime Services (RMS) is prepared to purchase the subject lands on the attached table on following terms and conditions:-

1. Purchase the required land for a total amount of **\$2,814,000** in full satisfaction of all claims arising from the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991. The purchase price comprises:

Sec 55 (a) Market Value		\$ 2,618,500
Sec 55 (b) Special Value		\$nil
Sec 55 (c) Severance		\$nil
Sec 55 (d) Disturbance		\$195,500
Including:		
Legal & Conveyance to RMS	*\$ 5,500	
Valuation Fees	*\$ 22,000	
Replacement playground (Equipment, installation and site preparation)	*\$48,000	
Replacement toilet block	*\$120,000	
* includes GST		
Sec 55 (e) Solatium		\$nil
Sec 55 (f) Any increase or decrease in value		\$nil
Total		\$2,814,000

2. Vacant possession to be given on completion.
3. RMS and its agents to have the right of entry from the date of exchange of contracts for road and ancillary works.

4. RMS to pay an allowance at settlement for legal advice and conveyancing fees to a maximum of \$5,500 inclusive of disbursements and GST subject to the provision of the appropriate tax invoice. These allowances are included in clause 1. above.
5. RMS at settlement to reimburse valuation fees up to the amount of \$22,000, subject to receipt of suitable valuers report in accordance with RMS Land Acquisition Policy Statement. Valuation fees above this allowance will be the vendor's responsibility. This amount is included in clause 1. above.
6. RMS to pay an allowance at settlement for legal fees on repurchase to a maximum of \$5,500 inclusive of disbursements and GST. These amounts are included in clause 1. above.
7. RMS to pay an allowance at settlement for replacement and installation of the playground equipment off Scenic Drive in the amount of \$48,000. This amount is included in clause 1. above.
8. RMS to pay an allowance at settlement for replacement and installation of the male and female toilet block off Illaroo Road in the amount of \$120,000. This amount is included in clause 1. above.
9. RMS will consult with Council and Rotary regarding the relocation of the Rotary memorial currently located on Illaroo Road.
10. No additional allowance has been made for the structure located in Moorhouse Park as the land has been assessed on a highest and best use value, as land with potential development potential. It is noted the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Draft shows majority of the subject lot as an allowable building height of 5 storeys over the location of the concrete structure. Should Council wish to relocate the structure currently located on the subject land, RMS has no objection to its removal prior to RMS taking possession. RMS will as part of the Project work, place an interpretive heritage display in relation to the Captain Cook Bicentennial Memorial. The final design will be developed in consultation with the Shoalhaven Historical Society and Shoalhaven City Council.
11. This offer is for the whole of Lot 5 DP 262460.
12. This offer is for the whole of Lot 5 DP813461.

The above offer includes the amount of \$120,000 for the replacement of Council's toilet block located on Lot 7302 DP1164490, which is Crown Land. As the Trustee for this land RMS understands that Council's interest is limited to Council's improvements on any Crown land it is Trustee for. Improvements such as footpaths, lights and CCTV will either, remain, be replicated or relocated by RMS. In relation to any other compensation payable to Council's interest in the Crown lands, this will be determined separately by the Valuer General.

In regards to Lot 6 DP813461, RMS has offered market value at the highest and best use as zoned B4 Mixed Use. As such any improvements located on the subject land would be captured within current market value reflecting any development potential of the land. In relation to the landscaping and "Entrance to Nowra" currently located on Lot 6 DP813461 the Project Manager has agreed to meet costs in relation to the Nowra Entrance signage and landscaping. The replacement sign and landscaping will be undertaken by Shoalhaven City Council in consultation with RMS. This replacement entry will be of similar type and standard to the existing. A copy of the scope of works is requested for RMS concurrence prior to any further quotes being obtained. The quote submitted recently to RMS for the sign and landscaping works is considered excessive. RMS will require three quotes for consideration prior to giving any commitment to meet the cost of such work.

Under the relevant legislation there is no compensation payable for any improvements located in the road reserve. Paving and landscaping within the project boundaries will be addressed as part of the project.

In relation to Moorhouse Park playground, the re-establishment of replacement improvements has been compensated for as part of the acquisition. This amount is included in clause 1. above.

The above offer is subject to exchange of formal contract documents. On advice of acceptance contracts will be prepared and forwarded by the RMS solicitor. Early advice on this offer and your solicitor's details would be appreciated.

If Council considers that it has the ability under its plan of management to deal with RMS in respect of the proposed acquisition and wishes to engage in negotiations with a view to reaching agreement about the quantum of compensation for the acquisition of the subject land, prior to this land being compulsorily acquired, please reply in writing within 21 days from the date of this letter to confirm that this is the case.

However if RMS does not receive such written advice from Council within 21 days of the date of this letter, RMS will proceed to arrange the required compulsory acquisition with compensation to be determined by the Valuer General.

Thank you for your co-operation to date, and please contact Brianna Royal on 42212498 if there are any more details or information you require.

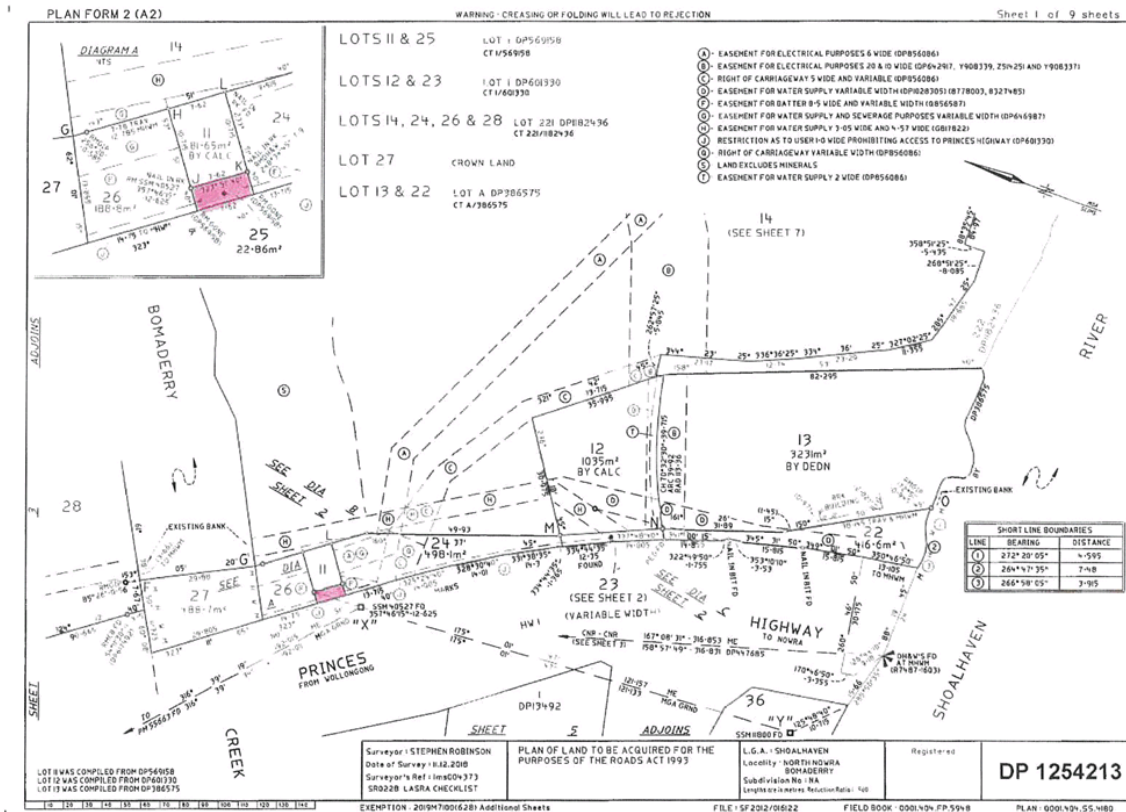
Yours sincerely

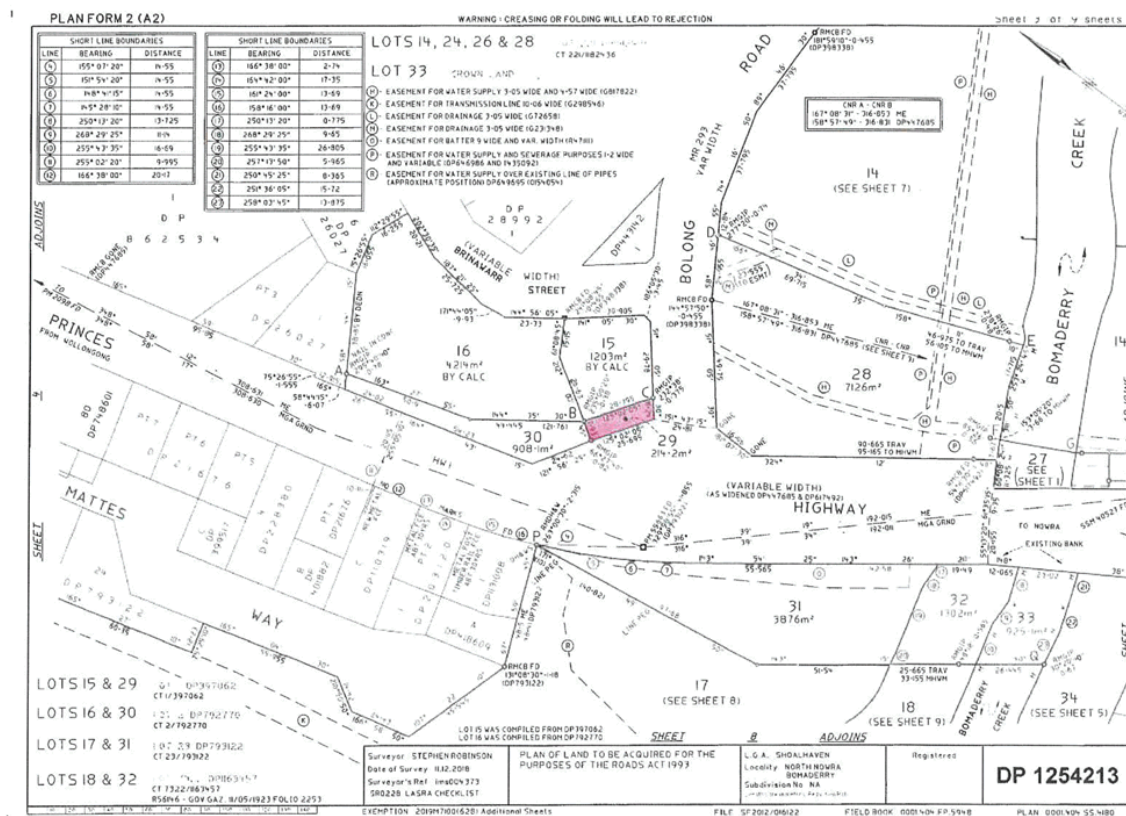


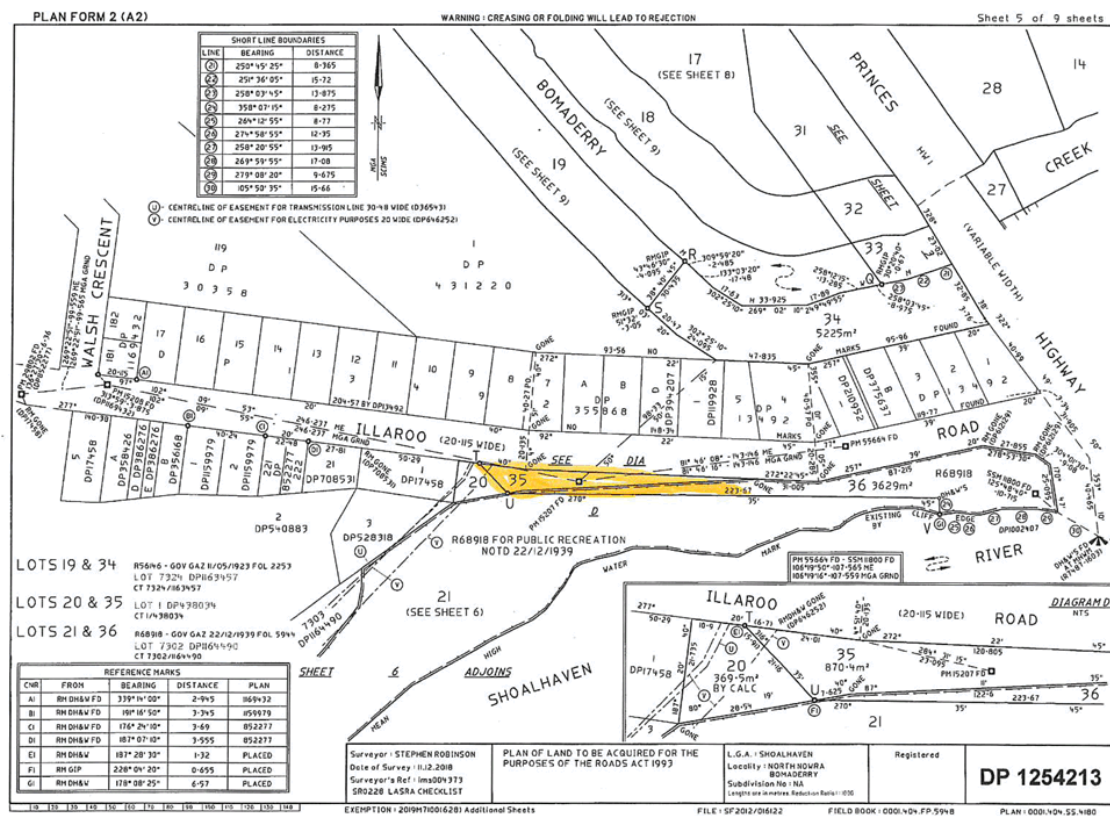
S Waugh
Property and Acquisition Manager
Property Manager
Roads and Maritime Services
T 4221 2492 M 0413 601 629
PO Box 477 Wollongong NSW 2520

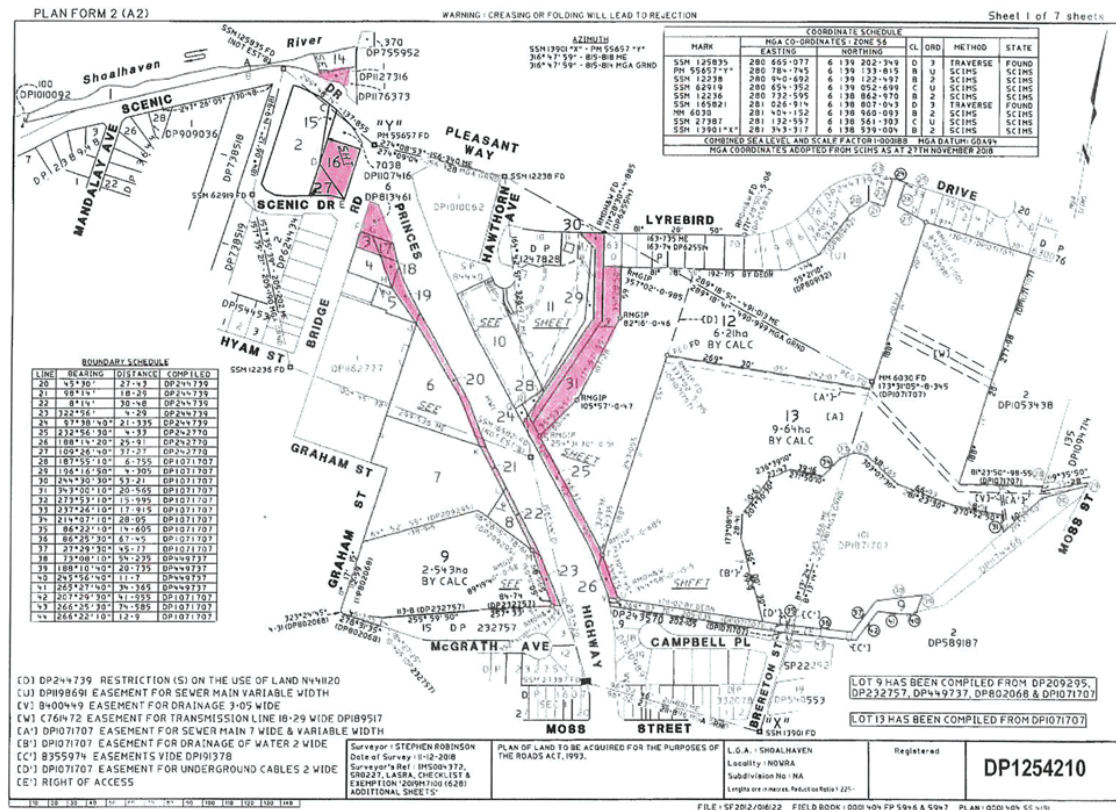
Land to be acquired from Shoalhaven City Council

Lot	DP	Area
Pt 1	397062	215
Pt 1	569158	23
Pt 1	438034	870
1	1127316	414
5	262460	2571
8	809132	4,641
6	813461	919
Pt 5	813461	419
Pt 1	194884	365
5	1112482	732
51	209295	1215
52	209295	293
5	208897	451
2	802068	509
3	625514	4476
100	1071707	439

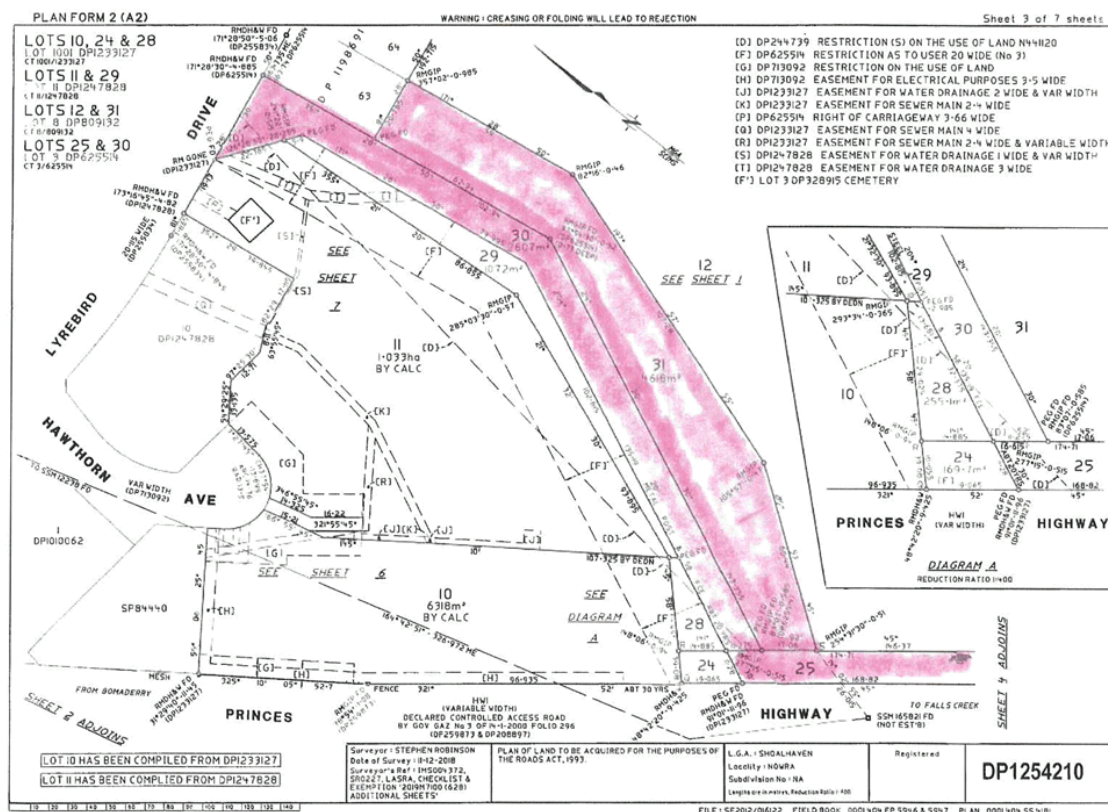


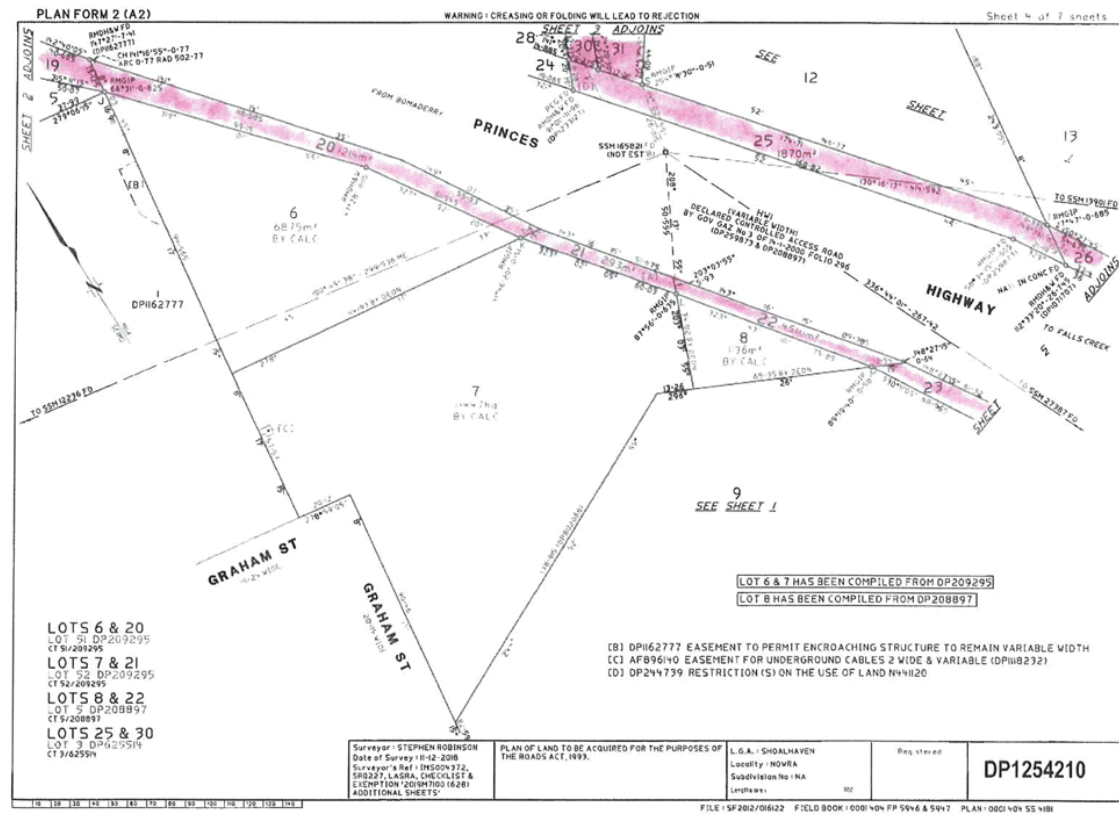


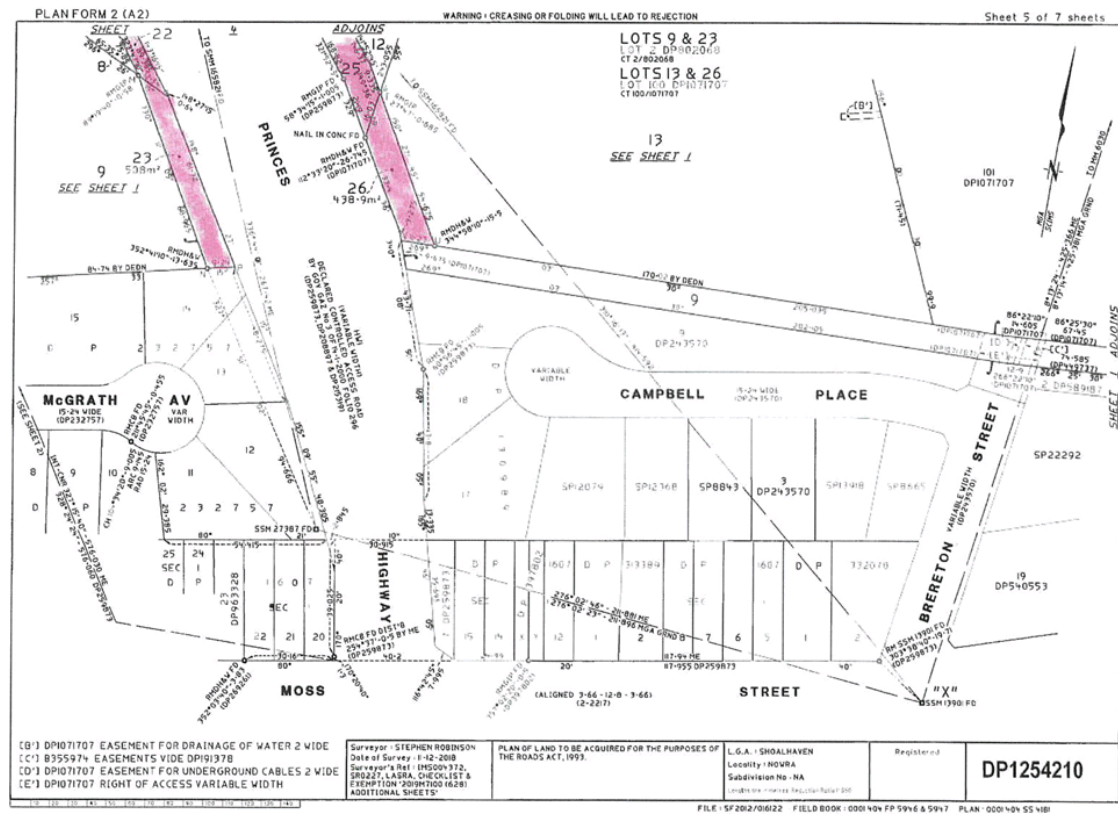
















10th April 2019

RMS

Attention: Dan McClure
Technical and Project Services
Phone: 02 4222 3242
Mobile: 0427 918 303

Subject: Captain Cook Memorial

Our Ref#MCDCON100419-1

Good afternoon Dan

Please see below with regards to the site inspection that was undertaken for the possible relocation of the Captain Cook Memorial;

As discussed on site at our meeting to assess the feasibility of the relocation of the structure further there would need to be test hole excavation to determine the concrete depth, as well as our structural engineer on site. This would cost approximately \$15,000.00 plus GST.

After the site meeting, we had discussions with our structural engineer and our method of works that was discussed on site would have been correct, however the condition of the concrete structure has left a small amount of doubt about the structural integrity of the concrete archway. There are a lot of cracks in the concrete and we have made a decision that the risk is too high for road transport, therefore, relocation of the structure would not be feasible.

If you require anything else, please advise the office by email and we will be able to assist you further.

Kind Regards
Chantel McDonald

Chantel McDonald
7-5-19

42-50 Torkington Road
Londonderry NSW 2753

PO Box 4212
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Proud member of the Housing Industry of Australia

198170 - Nowra Bridge Landscape

Job Reference: 198170

Date: June 14, 2019



WT Partnership

Level 10, 15 London Circuit
Canberra City, ACT 2601

www.wtpartnership.com.au

T +61 2 6282 3733

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

	Quantity	Unit	Rate (AUD)	Total
Concept Design Estimate Summary:				
1		Quality Assurance		0
2		Estimate Criteria		0
3		Signage		55,005
4		Hard Landscaping		303,695
5		Soft Landscaping		243,320
6		Subtotal		602,020
7		Preliminaries and Margin		90,303
8		Contingency – 10%		69,232
9		Estimate Total (Excl. GST)		761,555
Concept Design Estimate TOTAL				761,555

SA19.101 - Attachment 5

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
1	Quality Assurance				
1	<u>Project</u>				
2	198170 – Nowra Bridge Landscape				
3	<u>Client</u>				
4	Shoalhaven City Council				
5	<u>Location</u>				
6	Intersection of Princes Highway and Bridge Road Nowra				
7	<u>Service</u>				
8	Concept Design Estimate				
9	<u>WTP Reference</u>				
10	198170 – Nowra Bridge Landscape				
11	<u>WTP Author</u>				
12	Ruky Wang				
13	<u>WTP Review</u>				
14	James Osenton				
15	<u>Issued</u>				
16	June 2019				
Total Quality Assurance					0

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
2	Estimate Criteria				
1	<u>Documentation</u>				
2	2863_03 Nowra Gateway Landscape plan and details Inset B				
3	2863_04 Nowra Gateway Landscape plan and details Inset C				
4	2863_07 Norwa Gateway Sign Reinforcement Details				
5	2863_08 Norwa Gateway Sign Footing Details				
6	2863_09 Nowra Entry Stage 2 Revised Planting Scheme April 2003 Location Plan				
7	Emails from Shoalhaven City Council dated 11 – 13 June 2019				
8	<u>Exclusions</u>				
9	Testing for Hazmat				
10	Removal of HAZMAT and any other contaminants				
11	Make good costs to existing premises				
12	Strengthening / adjustments to existing surrounding structures				
13	Legal fees				
14	Finance Costs				
15	Unknown site conditions in excess of allowances made				
16	Staged delivery costs				
17	Client project contingency				
18	Client Representative Fees				
19	Prolongation and time extension costs				
20	Escalation in costs beyond allowances made in estimate (ie June 2019)				
21	GST				
22	Demolition				
23	Kerbs				
24	Reinstate of light poles and traffic lights				
25	Nightworks / Out of hours works				
26	Works to Inset A area				
27	Removal / replacement of helicopter				
28	<u>Comments</u>				
29	Your attention is drawn to the list of exclusions noted above. Separate provision should be made for any of these items if applicable.				
30	We confirm that due to the preliminary nature of the design documentation, we have had to make a number of assumptions with respect to structure and engineering services and that the suggested budgets may vary significantly depending on resolution of all aspects of the design.				

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
31	We therefore advise that this estimate should be regarded as indicative only and we would recommend that prior to finalising funding proposals and / or feasibility studies that a detailed estimate be prepared from further developed design documentation.				
Total Estimate Criteria					0

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
3	Signage				
1	Timber signage at corner of Princes Highway and Bridge Road	1	no	2,000.00	2,000
2	<u>Retaining wall under Nowra Sign</u>				
3	Excavation	22	m3	150.00	3,300
4	Backfill to create new ground level	27	m3	85.00	2,295
5	Dry stone wall to cover concrete plinth, approx. 500 thick	13	m2	250.00	3,250
6	Concrete to footing and retaining wall	13	m3	350.00	4,550
7	Reinforcement	1.12	t	2,600.00	2,912
8	Formwork to retaining wall	32	m2	140.00	4,480
9	Capping to concrete retaining wall, 450 wide	11	m	150.00	1,650
10	Render and paint to retaining walls	38	m2	80.00	3,040
11	100 dia Ag pipe	11	m	100.00	1,100
12	Geo textile fabric, assume 500 deep	6	m2	50.00	300
13	<u>Nowra Sign wall</u>				
14	Concrete	5	m3	350.00	1,750
15	Reinforcement	0.68	t	2,600.00	1,768
16	Cut lifting hooks and fill the recess with laticrete	2	no	250.00	500
17	Formwork	28	m2	140.00	3,920
18	Capping	11	m	150.00	1,650
19	Render and paint to sign walls	33	m2	80.00	2,640
20	Connect second stage concrete pier to sign wall including scarify surface	3	no	200.00	600
21	Allowance for connection of sign wall to the retaining wall below	11	m	300.00	3,300
22	"NOWRA" and Bird signage, to concrete wall (measured separately)	1	Item	10,000.00	10,000
23	All signage other than above are included in RMS scope, therefore it is excluded from this report		note		
				Total Signage	55,005

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
4	Hard Landscaping				
1	Plain concrete footpath including subbase	201	m2	150.00	30,150
2	Light stone colour full depth oxidised footpath including subbase	104	m2	170.00	17,680
3	90 x 90 x 70 deep granite setts footpath including subbase	179	m2	400.00	71,600
4	Dry sandstone retaining wall including footing and capping	81	m2	1,800.00	145,800
5	400 x 400 Carved sandstone pillar	2	no	1,500.00	3,000
6	Timber log barrier / Koppers fence	93	m	65.00	6,045
7	Flag poles	3	no	3,500.00	10,500
8	Treated pine edge	46	m	20.00	920
9	Concrete / masonry edging	82	m	50.00	4,100
10	Allowance to tie in new work to existing road	278	m	50.00	13,900
11	Re-instate street lights				Excluded
12	Re-instate traffic light				Excluded
13	Kerbs to footpath				Excluded
Total Hard Landscaping					303,695

PROJECT: 198170 - Nowra Bridge Landscape



REPORT: Concept Design Estimate

Code	Description	Quantity	Unit	Rate (AUD)	Total
5	Soft Landscaping				
1	Grass embankment on and including topsoil and imported fill	1,358	m2	50.00	67,900
2	Lawn area on and including topsoil and imported fill	1,948	m2	35.00	68,180
3	Hedge on and including topsoil and imported fill	26	m	170.00	4,420
4	Mature planting / shrubs on lawn area	976	m2	60.00	58,560
5	Mulch	976	m2	10.00	9,760
6	Mature trees including tree pits	23	no	1,500.00	34,500
	Total Soft Landscaping				243,320

CL19.213 Tenders - Management and Operation - Holiday Haven Culburra Beach

HPERM Ref: D19/259695

Group: Assets & Works Group
Section: Commercial Services

Purpose / Summary

To inform Council of the tender process for Management and Operation – Holiday Haven Culburra Beach.

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

This report is submitted directly to the Ordinary Council Meeting pursuant to Clause 3 of Council's "Acceptance of Tenders – Reports to Council" Policy.

Recommendation

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

Options

1. Accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

2. Defer a determination/decision on the matter pending discussion at a Councillor briefing.

Implications: This is not recommended as an extensive tender evaluation has been undertaken.

Details

Tenders for the management and operation of Holiday Haven Culburra Beach were advertised 11 June 2019; closing on 2 July 2019.

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

CL19.213

Tenders Received

Tenders were received from the following:

Tenderer	Location
SKB Park Life Pty Ltd	Culburra Beach
Gary Henderson and Nicole Van Polen	Mallacoota
Balfawk Operations Pty Ltd	Culburra Beach

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

Community Engagement:

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

Financial Implications:

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

CL19.213

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.