

## Ordinary Meeting

**Meeting Date:** Tuesday, 22 May, 2018  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.00pm

**Membership** (Quorum - 7)  
All Councillors

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

## Agenda

1. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
  - Ordinary Meeting - 24 April 2018
  - Extra Ordinary Meeting - 15 May 2018
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
10. **Notices of Motion / Questions on Notice**
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  - CL18.108 Notice of Motion - Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works ..... 2
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  - SA18.99 Notice of Motion - Beach Access Warrain Beach, Currarong
  - SA18.103 Requests for Donations - SeeChange Festival and Nowra Waterdragons Dragonboat and Outrigger Canoe Club

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SA18.108	Positive Covenant - Asset Protection Zone - Over Part Council Road - Park Way, Old Erowal Bay	
SA18.109	Establishment of Feral Animal Control All Areas Parkcare Group and Waratah Park Parkcare Group	
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SA18.111	Land Classification Lot 159 DP 11629 - Rolfe Street, Tomerong	
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SA18.113	Proposed Licence - R & B Packer Pty Limited - Mt Cambewarra Lookout Tearooms & Residence	
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### Committee Reports

#### CCL18.9 Report of the Strategy & Assets Committee - 15 May 2018

#### CSA18.10 Potential site for the Sanctuary Point Library

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

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

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

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

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

Reports

- CCL18.10 Tenders - Shoalhaven Indoor Sports Centre - Trade Package No. 20 - Internal Wall and Ceiling Linings

*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.*

- CCL18.11 Tenders – Management & Operation of the Shoalhaven Animal Shelter

*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.*

## **CL18.107    Rescission Motion - CL18.95 - Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works**

**HPERM Ref:**     D18/141350

**Submitted by:**    Clr Mitchell Pakes  
                             Clr Greg Watson  
                             Clr Andrew Guile

This item was deferred from the Extra Ordinary Meeting held Tuesday 15 May 2018.

### **Purpose / Summary**

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

### **Recommendation**

That Council rescind the Motion relating to Item CL18.95 of the Council Meeting held on Tuesday 24 April 2018.

### **Background**

The following resolution was adopted at the Council Meeting held Tuesday 24 April 2018 (MIN18.314).

*That Council advises the District Manager, Shoalhaven RFS that Council is unable to fund the estimated \$400,000 (exc GST) additional cost of the Berry & Broughton Vale Rural Fire Service Station.*

CL18.107

## **CL18.108 Notice of Motion - Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works**

**HPERM Ref:** D18/141366

**Submitted by:** Cllr Mitchell Pakes  
Cllr Greg Watson  
Cllr Andrew Guile

This item was deferred from the Extra Ordinary Meeting held Tuesday 15 May 2018.

### **Purpose / Summary**

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

### **Recommendation**

That Council advises the District Manager, Shoalhaven RFS that Council will fund the estimated \$400,000 (exc GST) additional cost of the Berry & Broughton Vale Rural Fire Service Station, via a specific allocation in the 2018-2019 financial year.

### **Note by the General Manager**

This Notice of Motion will be dealt with if the presiding Rescission Motion is carried.

CL18.108

## CL18.110 Report of the Strategy & Assets Committee - 15 May 2018

HPERM Ref: D18/164774

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

HPERM Ref:  
D18/138448

#### Recommendation

That Council

1. Urgently fund the upgrade or replacement of two access points to Warrain Beach, Currarong (making the total of 5 beach access points).
2. Consider funding the project from the 2018/19 Operational Budget, Holiday Haven.
3. Consider some sand / beach nourishment to Currarong Beach if necessary.

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

HPERM Ref:  
D18/142247

#### Recommendation

That Council declines the following requests for donations to:

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

### SA18.104 March 2018 Quarterly Budget Review

HPERM Ref:  
D18/149865

#### Recommendation

That Council:

1. Receive the March Quarterly Budget Review information
2. Adopt the adjustments, including movements to and from Reserves, as outlined in the March Quarterly Budget Review Statement.
3. That Councillors be provided with a list of revoted projects/ funding from the 2017-18 to 2018-19 Budget.

CL18.110

**SA18.107 Shoalhaven River Pontoons****HPERM Ref:  
D18/141315****Recommendation**

That Council

1. Not proceed with the additional pontoon project at Greys Beach.
2. Proceed with the Shoalhaven River special event pontoon project minimising costs by using flexible anchorage. This will require approximately \$63,000 (exc GST) in additional funding and that budget shortfall is to be addressed as part of the June 2018 budget quarterly review.

**SA18.108 Positive Covenant - Asset Protection Zone - Over  
Part Council Road - Park Way, Old Erowal Bay****HPERM Ref:  
D18/66652****Recommendation**

That Council:

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

**SA18.109 Establishment of Feral Animal Control All Areas  
Parkcare Group and Waratah Park Parkcare Group****HPERM Ref:  
D18/102063****Recommendation**

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

**SA18.110 Compulsory Acquisition of Right of Access for  
Bushfire Vehicles at Jerberra Estate - Lot 57  
DP11629, Invermay Ave, Tomerong****HPERM Ref:  
D18/110179****Recommendation**

That Council:

1. Resolve to compulsorily acquire a right of access for bushfire vehicles over part of Lot 57 DP 11629, known as Lot 57 Invermay Ave, Tomerong (Jerberra Estate).

CL18.110



2. Pay compensation for the acquisition including all ancillary costs, in accordance with the determination of the Valuer General under the terms and conditions of the Land Acquisition (Just Terms) Compensation Act 1991 from job number 85291;
3. Approve the making of the necessary applications to the Minister for Local Government and the Governor; and
4. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

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

**HPERM Ref:  
D18/122156**

**Recommendation**

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

**SA18.112 Proposed Sale - 76 Bridge Road Nowra**

**HPERM Ref:  
D18/126506**

**Recommendation**

That Council

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

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

**HPERM Ref:  
D18/125929**

**Recommendation**

That Council:

1. Enter into a licence agreement with R & B Packer Pty Limited for the use and occupation of Part Lot 2 in Deposited Plan 849185 known as 182 Cambewarra Lookout Rd, Beaumont for an initial term of three (3) years with two (2) option periods of three (3) years each (i.e. 3 + 3 + 3 year licence) with gross rent for the first three years as follows:
  - a. Year 1 - \$21,635.37 + GST;
  - b. Year 2 - \$33,757.00 + CPI + GST;
  - c. Year 3 – (\$33,757.00 + CPI) + CPI + GST;

CL18.110

- and with market rent review at end of year 3 and year 6, and with CPI increases annually from the commencement of the option period;
2. Approve the allocation of rent received under the licence agreement into the Property Reserve restricted account;
  3. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

**SA18.114 Proposed Retail Lease of Shop 37a/43 Kinghorne Street Nowra****HPERM Ref:  
D18/129736****Recommendation**

That Council:

1. Enter into a lease with Amie Gibson (trading as Beloved Scents and Beloved Boho) for two (2) years with a two (2) year option at a commencing gross rent of \$21,000 (including outgoings) per annum, plus GST, with annual 3% fixed increases; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

**SA18.118 Potential site for the Sanctuary Point Library****HPERM Ref:  
D18/137306****Recommendation**

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

**SA18.122 Milestone 6 Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra****HPERM Ref:  
D18/146579****Recommendation**

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

CL18.110

## CL18.111 Report of the Shoalhaven Natural Resources & Floodplain Management Committee - 18 April 2018

HPERM Ref: D18/141564

**SN18.3 Safe Navigation Action Group (SNAG) - Sussex Inlet Dredging Plan 2017**

**HPERM Ref: D18/13156**

### Recommendation

That:

1. The Committee receive the report on the Safe Navigation Action Group's Sussex Inlet Dredging Plan 2017 for information.
2. Further engagement between Council staff and SNAG take place.
3. Following the consultation between SNAG and SCC, that a further report be brought back to this Committee.
  - a. The Committee notes that any future dredging program needs to be strategically considered within Council's coastal management program.

**SN18.5 Citizen Science - Utilising Technology to Monitor the Coast**

**HPERM Ref: D18/80832**

### Recommendation

That:

1. Council endorse the opportunity to engage in a citizen science project by taking up the three-month free trial offered for the Photomon App;
2. Council seek an expression of interest through the Shoalhaven Natural Resources & Floodplain Management Committee, Community Consultative Bodies and Shoalhaven Bushcare Groups for volunteers to be involved in the citizen science project via the Photomon App; and
3. A further report be provided to the Shoalhaven Natural Resources & Floodplain Committee and Council on the outcomes of the trial in order to determine whether to proceed with a full subscription for future coastal monitoring.

**SN18.9 Technical peer review of the River Road Foreshore Shoalhaven Heads: Assessment of the Coastal Management Options Report by MHL.**

**HPERM Ref: D18/75302**

### Recommendation

That Council

1. Receive the Manly Hydraulics Laboratory technical review of the WRL River Road Coastal Option Report titled *MHL2595 – Review of River Road Foreshore, Shoalhaven Heads: Assessment of Coastal Management Options Report dated February 2018*, for

CL18.111

- information; and
2. Subject to availability of funding, incorporate the following technical information in the detailed design of any future coastal erosion remediation control structure at the River Road foreshore precinct:
    - a. Coastal erosion remediation structure be designed for a more conservative large river entrance opening to reduce the risk of failure.
    - b. A minimum design life of 25 years for coastal erosion remediation structure be adopted.

**SN18.10 Undertaking a Scientific Analysis of the Shoalhaven Dredging Program****HPERM Ref:  
D18/80719****Recommendation**

That Council receive the report for information.

**SN18.11 Proposed Millards Creek and Currarong Creek Flood Study Projects****HPERM Ref:  
D18/68633****Recommendation**

That Council:

1. Accept the OEH grant of \$88,666 toward the cost of the flood study for Millards Creek;
2. Allocate \$44,333 from the 2017/18 Flood Programme budget (Job Number 15706) as Council's contribution to the Millards Creek Flood Study;
3. Accept the OEH grant of \$77,000 toward the cost of the flood study for Currarong Creek; and
4. Allocate \$38,500 from the 2017/18 Flood Programme budget (Job Number 15706) as Council's contribution to the Currarong Creek Flood Study.

CL18.111

## **CL18.112 Report of the Aboriginal Advisory Committee - 7 May 2018**

**HPERM Ref:** D18/160514

**Attachments:**

1. POL16/145 - Australian Aboriginal Flag Protocol [↓](#)
2. The Protocols for the Appropriate Use and Flying of the Flag (under separate cover)

**AA18.14 Review of Australian Aboriginal Flag Protocol**

**HPERM Ref:**  
**D18/88310**

### **Recommendation**

That Council re-adopt the existing Australian Aboriginal Flag Protocol Policy POL16/145 (Attached) without amendment.

CL18.112



**City Administrative Centre**  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

**Southern District Office**  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

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

For more information contact the Finance Corporate & Community Services Group

## Australian Aboriginal Flag Protocol

**Policy Number:** POL16/145 • **Adopted:** 21/10/1997 • **Reaffirmed:** 31/8/2004 • **Amended:** 28/04/2009, 26/03/2013 • **Minute Number:** MIN97.1897, MIN04.985, MIN09.488, MIN13.257 • **File:** 3821E • **Produced By:** Finance Corporate & Community Group • **Review Date:**

### 1. PURPOSE

To recognise the significance of the Aboriginal and Torres Strait Islander population in the Shoalhaven context.

### 2. STATEMENT

Council recognises the significance of the original custodians of our land and their importance in our community and its history.

### 3. PROVISIONS

- 3.1. The Australian Aboriginal Flag will be flown on all days of the year in conjunction with the Australian National Flag and Council's own Flag in accordance with established flag protocol.
- 3.2. The Australian Aboriginal Flag will be flown at half mast upon the death of a local Elder until the end of the working week.
- 3.3. The Torres Strait and other flags will be flown on other significant days as notified by the Commonwealth Flag Network, Department of Prime Minister and cabinet.

### 4. IMPLEMENTATION

The Finance Corporate & Community Services Group have responsibility for implementing this policy.

### 5. REVIEW

The Finance Corporate & Community Services Group will review this policy within one year of the election of every new Council.

### 6. APPLICATION OF ESD PRINCIPLES

None applicable.

## CL18.113 Report of the Shoalhaven Traffic Committee - 8 May 2018

**HPERM Ref:** D18/153944

- Attachments:**
1. TRAF 2018-28 - No Stopping zone - Central Ave South Nowra [↓](#)
  2. TRAF 2018-29 - No Stopping zone - Cnr Bunberra & Barwon Sts Bomaderry [↓](#)
  3. TRAF 2018-30 - Centre line marking - Quinns Ln South Nowra [↓](#)
  4. TRAF 2018-31 - Centre line marking - Chisholm St Callala Bay [↓](#)
  5. TRAF 2018-32 - Yellow No Stopping zone - Wells Place Shoalhaven Heads [↓](#)
  6. TRAF 2018-33 - No Parking zone - Allerton Ln Culburra Beach [↓](#)
  7. TRAF 2018-34 - No Parking - Electric - Albany St Berry [↓](#)
  8. TRAF 2018-35 - No Stopping zone - Quinns Lane South Nowra [↓](#)

*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](#)*

**TC18.47 No Stopping Zone - Corner of Bunberra & Barwon Streets, Bomaderry (PN 3480)**

**HPERM Ref:**  
**D18/143421**

### **Recommendation**

That the General Manager (Director Assets & Works) be requested to arrange for the installation of a 30m (approx.) No Stopping zone in the form of yellow line marking on the eastern corner, extending 15m (approx.) north and 15m (approx.) east of the corner of Bunberra Street and Barwon Street, Bomaderry, as detailed in the attached plan TRAF2018/29.

**TC18.48 Centre Line Marking - Quinns Lane - Old Southern Rd to Princes Highway, South Nowra (PN 3481)**

**HPERM Ref:**  
**D18/143445**

### **Recommendation**

That the General Manager (Director Assets & works) be requested to arrange for the installation of double barrier (BB), double one-way barrier (BS) and single (S1) centre line

CL18.113

marking along Quinns Lane, South Nowra, between its intersections with the Princes Highway and Old Southern Road, as detailed in the attached plan TRAF2018/30.

**TC18.49 Centre line marking - Chisholm St - Callala Bay (PN 3482)**

**HPERM Ref:  
D18/143452**

**Recommendation**

That the General Manager (Director Assets & Works) be requested to arrange for the installation of 20m (approx.) double barrier (BB) centre line marking along Chisholm Street, at its intersection with Emmett Street, Callala Bay, as detailed in the attached plan TRAF2018/31.

**TC18.50 No Stopping Zone - Wells PI Shoalhaven Heads (PN 3483)**

**HPERM Ref:  
D18/143460**

**Recommendation**

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 20m (approx.) No Stopping yellow line marking in the default No Stopping zone at the intersection of Wells Place and Explorer Boulevard, Shoalhaven Heads, to reinforce the existing parking restrictions at this location, as detailed in the attached plan TRAF2018/32.

**TC18.51 No Parking zone, Allerton Lane, Culburra Beach (PN 3484)**

**HPERM Ref:  
D18/143469**

**Recommendation**

That the General Manager (Director Assets & Works) be requested to arrange for the installation of a No Parking zone for the length of Allerton Lane, Culburra Beach, as detailed in the attached plan TRAF2018/33.

**TC18.52 No Parking - Electric - Albany Street, Berry (PN 3486)**

**HPERM Ref:  
D18/143476**

**Recommendation**

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage and line marking including the use of No Parking 'Electric vehicles excepted only while charging' restriction on Albany Street, Berry, in conjunction with the vehicle charging station as detailed in the attached plan TRAF2018/34, subject to consultation with relevant stakeholders.

**TC18.53 No Stopping Zone - Quinns Lane, South Nowra (PN 3488)**

**HPERM Ref:  
D18/143489**

**Recommendation**

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed No Stopping zone signage on Quinns Lane, South Nowra as part of the ongoing Green Orchids Subdivision, as detailed in the attached plan TRAF2018/35.

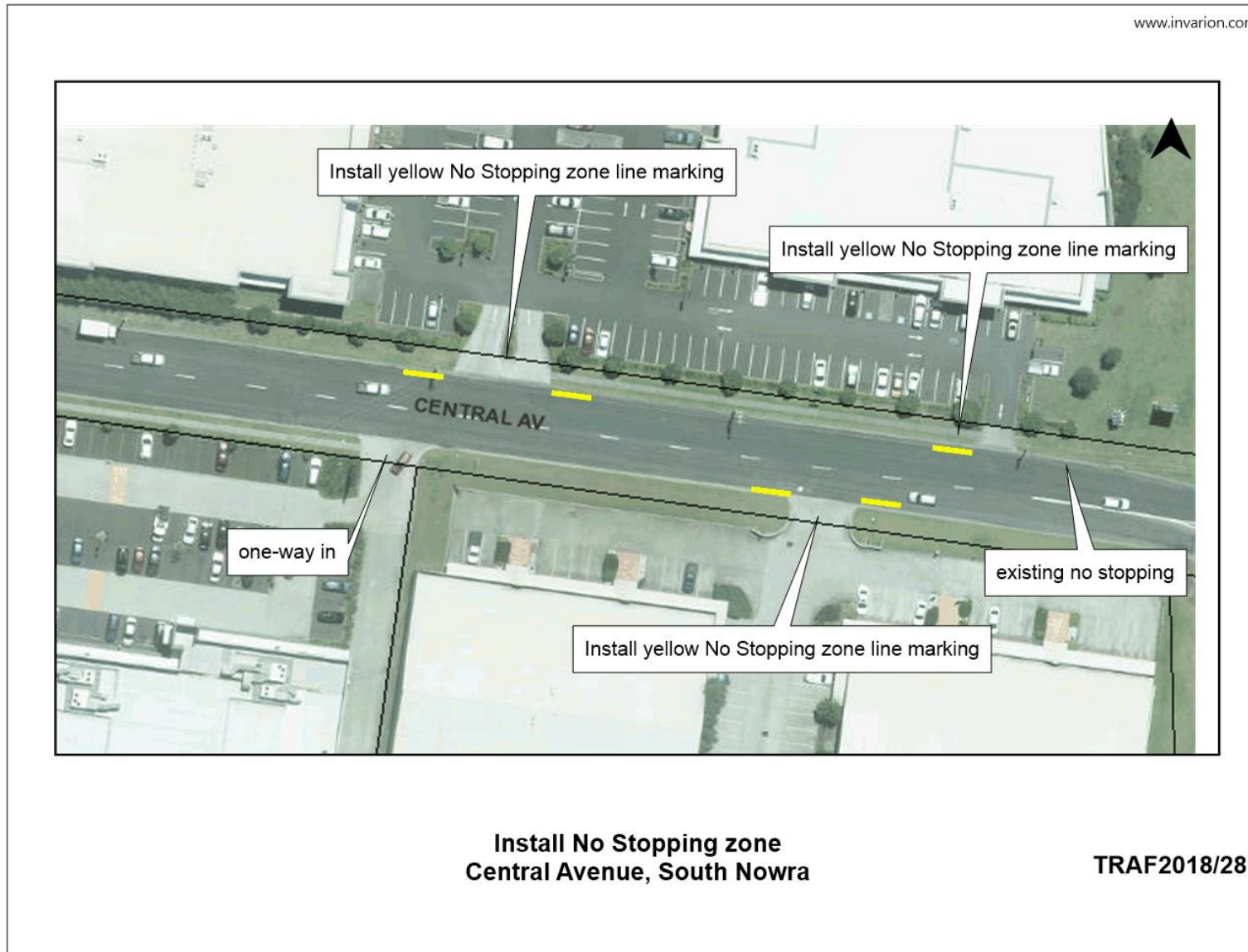
CL18.113



**TC18.54 No Stopping zone - 28 Central Avenue - South  
Nowra (PN 3469)****HPERM Ref:  
D18/143610****Recommendation**

That the General Manager (Director Assets & Works) be requested to arrange for the installation of Yellow No stopping linemarking across the commercial car park accesses, extending 6m either side of the access driveways and extending to the Princes Highway roundabout to the east along Central Avenue between the Princes Highway and Bellevue Street, South Nowra, as detailed in the attached plan TRAF2018/28.

CL18.113







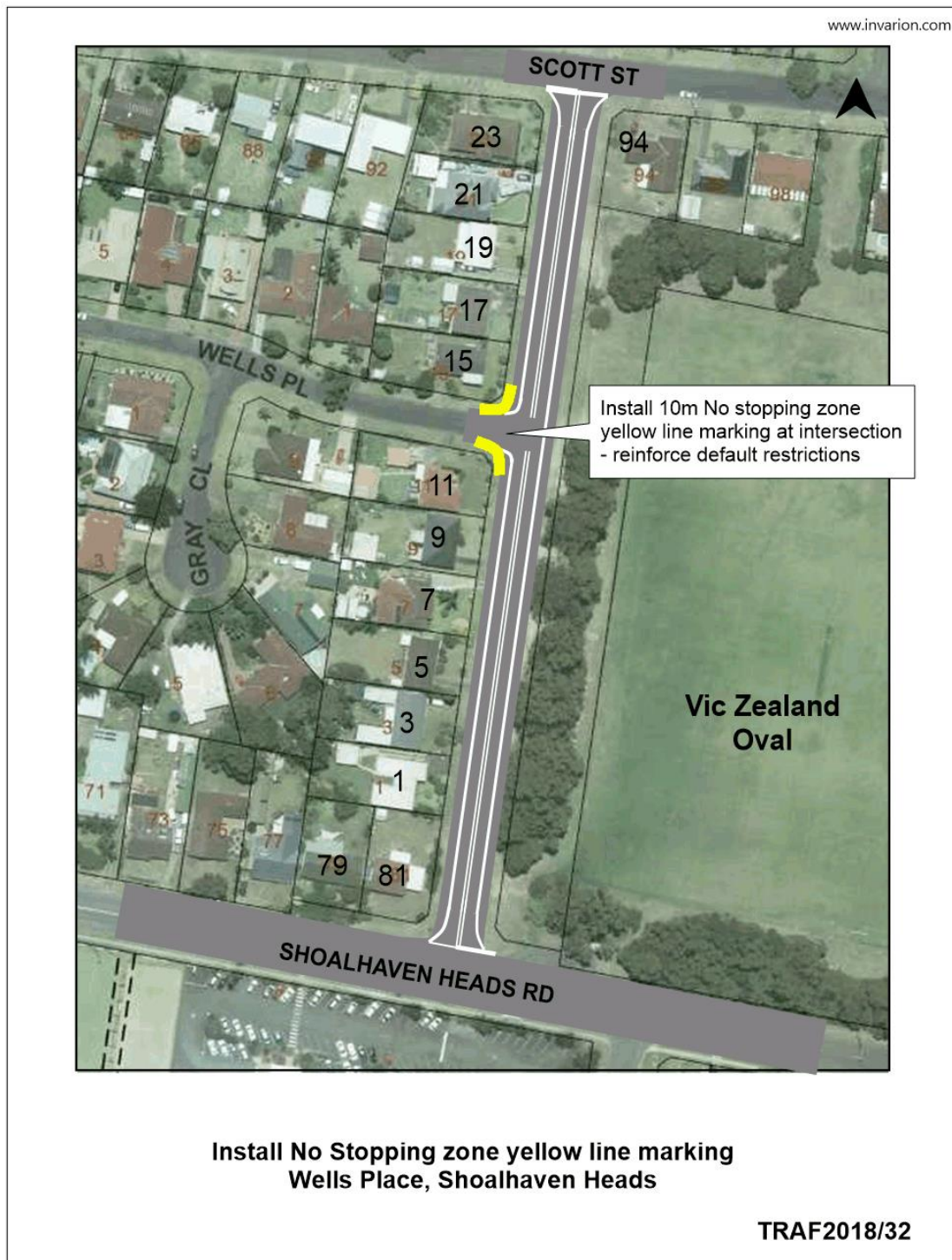


**Install centre line marking  
Quinns Lane, South Nowra**

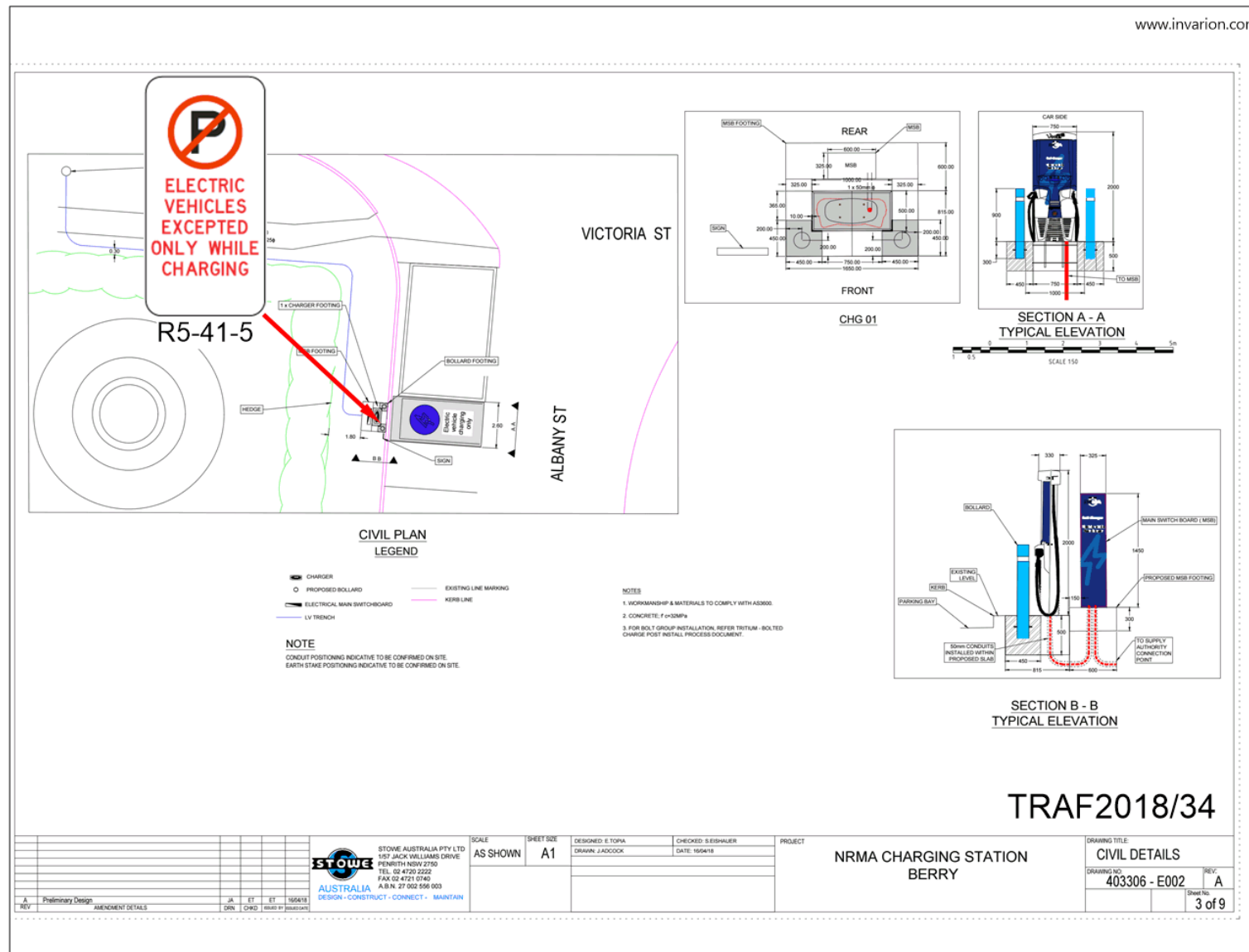
**TRAF2018/30**



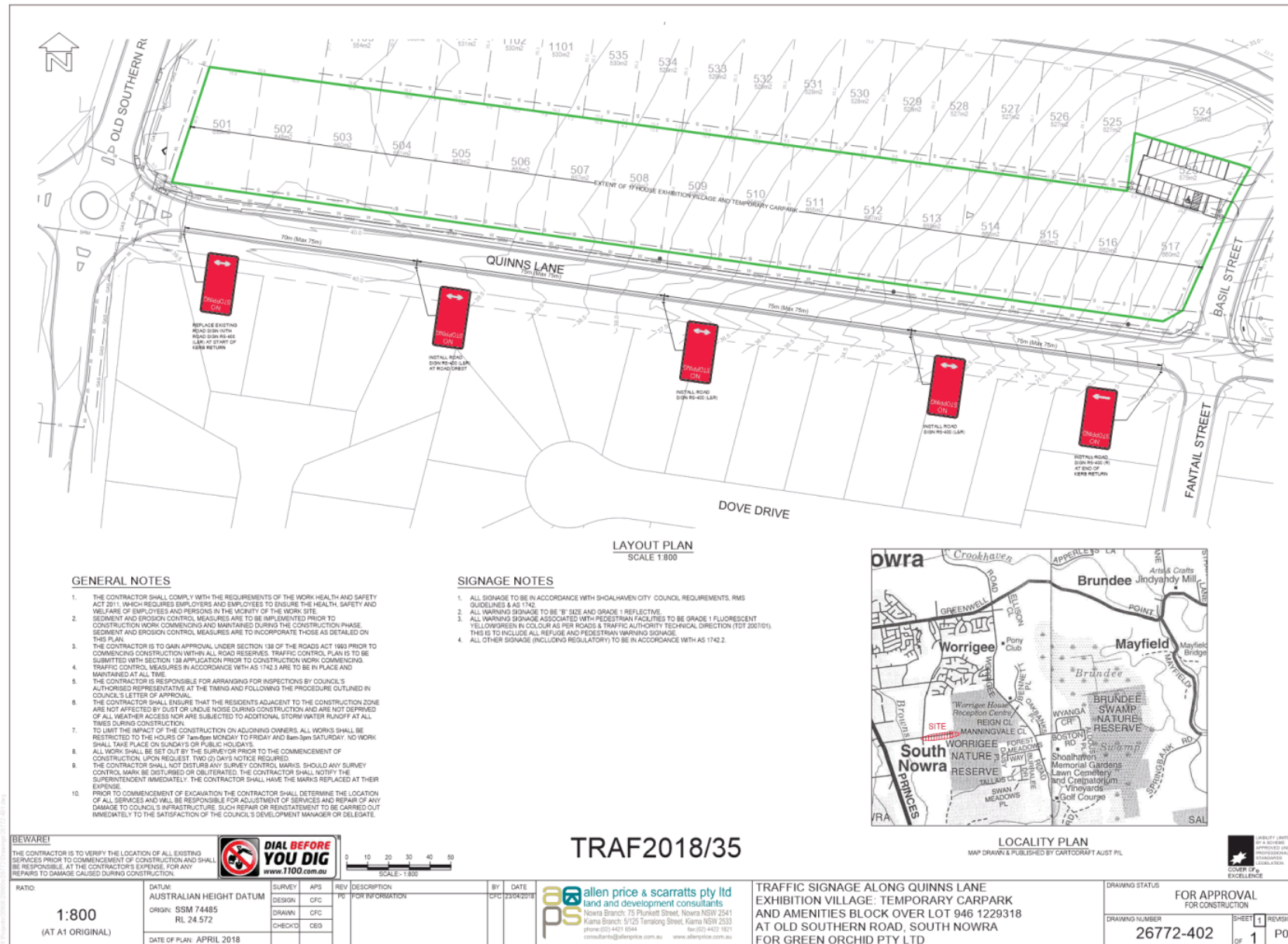












## **CL18.114 Draft Integrated Strategic Plan Chapter 1 (CSP) and Chapter 2 (DPOP)- Public Exhibition**

**HPERM Ref:** D18/156417

**Group:** General Manager's Group  
**Section:** Executive Strategy

**Attachments:** 1. Chapter 1- Community Strategic Plan (under separate cover)  
2. Chapter 2 - Delivery Program & Operational Plan 2018-19 (under separate cover)

### **Purpose / Summary**

To seek Council support for the adoption of the draft Integrated Strategic Plan (Chapter 1 and Chapter 2) for exhibition, in accordance with the requirements of the Integrated Planning and Reporting framework.

### **Recommendation**

That Council:

1. Adopt the proposed changes to the draft Integrated Strategic Plan Chapter 1 and Chapter 2 for exhibition purposes;
2. Publish the updated document and proceed with exhibition and consultation to inform the community about the proposed document changes and updates.

### **Options**

1. Adopt the draft Integrated Strategic Plan for exhibition  
Implications: This will enable Council to meet the requirements set by the Office of Local Government and within the Integrated Planning and Reporting framework
2. Make additional changes to the draft Integrated Strategic Plan  
Implications: There is a very limited timeframe in which Council must meet the requirements of the Office of Local Government. Any delay in publishing the document will result in Council not meeting the requirements set for it by the State Government.

### **Background**

The Integrated Strategic Plan is Council's primary strategic planning document that outlines the community's aspirations and long-term vision for the City. It is prepared by Council in collaboration with and on behalf of residents, businesses, all levels of government and local agencies, to help build and maintain a vibrant and sustainable future for the local community.

The Integrated Strategic Plan was most recently exhibited in October/November of 2017. This exhibition period occurred as part of the consultation process undertaken for the Special Rate Variation (SRV). At this time the documents allowed Council to explain to the community the proposed impacts of the SRV. The documents also outlined the way in which the proposed additional SRV funds would be expended if Council was successful in its application to the Independent Pricing and Regulatory Tribunal (IPART).

CL18.114

Each year, as part of the planning for the future financial year, Council reviews the Integrated Strategic Planning documents (DPOP, Budget, Fees and Charges, Financial) and sets the budget for the new financial year. The Operational Plan Actions are reviewed as part of this process, to set out the proposed actions that will be undertaken over the 2018/19 financial year, in accordance with the proposed budget.

This review is now complete and is provided to Council for consideration and adoption to allow for information about the proposed changes to be outlined to the community.

### **Proposed Changes – Chapter 1 Community Strategic Plan**

Under the requirements of the Integrated Strategic Planning Framework the Community Strategic Plan is set for a 10-year period. The development of Chapter 1 – Our Priorities Community Strategic Plan, was undertaken through an extensive consultation process which occurred in 2016. Further consultation was also undertaken in 2017.

In accordance with the Integrated Strategic Plan Framework Council's should only make limited changes to this document over the four-year term of Council. As such, only minor amendments to descriptive text have been made to Chapter 1 in the annual review process. The Themes and Priorities contained within the document remain unchanged.

### **Proposed Changes – Chapter 2 – Delivery Program and Operational Plan Actions**

Actions contained within Chapter 2 (DPOP) cover every Group of Council. All Council staff have an action within the draft ISP, that they refer to as part of their core duties. Key projects have also been outlined within the actions including key capital works projects, roads projects and other infrastructure delivery.

The intention is to clearly show the strategic direction of Council for the next financial year and into the remaining years of this term of Council. Additional actions and goals have therefore been added to Chapter 2 to more clearly articulate the work that Council will be doing over the next year.

The key changes that have been made to the document include:

- Additional detail including descriptive and introductory comments
- Additional Delivery Program Goals
- Review and addition of new Operational Plan Actions

### **Key Highlights Operational Plan Actions**

The Operational Plan actions that have been included within this years program are focused on showing to the community the key actions that will be undertaken by staff in the coming year. Some key areas for highlight include:

- Delivery of a comprehensive capital works program
- Completion of the Local Road Repair Program
- Prepare and maintain strategies and plans outlined in the Strategic Planning works program
- Enhance digital services for our customers \
- Deliver services through our business units
- Commence site investigations for Artie Smith Oval and Shoalhaven Athletics track
- Complete detailed design for Berry District Park and Croquet Courts at Ulladulla
- Deliver programs and events for the community

- Continue to grow our local economy
- Support tourism growth and management
- Deliver the Shoalhaven indoor sports centre
- Deliver the 18/19 Blackspot program and Active transport program
- Develop the Water and Sewerage Capital Works Portfolio
- Review our Community Engagement Strategy
- Delivery of projects highlighted through the SRV application
- Continue with day to day business of Council

There are many other actions that are further detailed in the attachments. It is also important to note that sitting behind these actions are individual tasks and work plans which further articulate the projects and tasks that will be undertaken by each group of Council. The actions within the DPOP are in no way a reflection of everything that Council is doing, rather they are a high level snapshot of the key focus areas for the year.

### **Document Display**

A text version of Chapter 1 and Chapter 2 is provided as an Attachment to the business paper. This text version will be used as part of the community exhibition process. This approach will be used to enable the community to feel that they can provide suggested changes to the actions and that the document is in draft form. Additional graphic design elements will be incorporated into the document once the exhibition period is completed. This is a more efficient approach given the limited timeframe that has been provided following the announcement of the Special Rate Variation.

### **Community Engagement**

An information and exhibition process will be undertaken to explain the proposed changes in the document to the community. This year the traditional public meetings will be replaced with Community Information Nights where a range of Council projects will be exhibited. Information will be available to the community and the opportunity to speak with councillors and staff provided.

Copies of the document will also be made available on Council's Website, Get Involved Page and at Council's Administration Centres.

## CL18.115 Growing Local Economies

**HPERM Ref:** D18/161808

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

**Attachments:** 1. Council Report - Planning for Current and Future Funding Opportunities  
[↓](#)  
2. Councillor presentation - Growing Local Economies 10/5/2018 [↓](#)

### Purpose / Summary

This is a follow on report to a report on Planning for Current and Future Funding Opportunities that was submitted to Council in March 2018. It also follows a Councillor briefing on 10<sup>th</sup> May.

### Recommendation

That Council:

1. Endorse the following projects to proceed to Expression of Interest under the Growing Local Economies Fund:
  - a. Employment Lands Project to the value of \$17.15m, seeking grant funding of \$7.5m with the Council contribution of \$9.85m coming from the Industrial Lands Development Reserve over the period 2018/9 to 2021/2.
  - b. Marine Infrastructure Project to the value of \$6.99m, seeking \$3.03m with the Council contribution of \$1.85m coming from the Economic Development Reserve and the Industrial Land Development Reserve over the period 2018/9 to 2021/2 (Note that Council has already been granted \$2.11m from other government funding sources).
  - c. Nowra Key Road Project (ENSA) to the value of \$25.0m, seeking grant funding of \$20.0m with the Council contribution of \$5.0m coming from the Strategic Projects Reserve over the period 2018/9 to 2021/2.
2. Endorse the following projects to be worked up to Expression of Interest as reserve projects under Growing Local Economies Fund if needed, as outlined in this and preceding reports:
  - a. Nowra CBD.
  - b. Nowra Waterfront.
  - c. Vincentia Plaza makeover.

### Options

1. The recommendation be accepted as written.
2. An alternative recommendation be determined.

### Background

In April it was reported to Council that funding opportunities were available to Council under the NSW Regional Growth Fund through the "Growing Local Economies" program.

CL18.115

<https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-growth-fund/growing-local-economies/>

This program was announced in late 2017 and a councillor/stakeholder workshop was held with consultants engaged by the State to prepare a Regional Economic Development Strategy.

Growing Local Economies (GLE) is to develop the enabling infrastructure to grow regional centres. This fund will invest in the crucial projects needed to support job creation and economic growth in regional NSW.

Growing Local Economies fund will run over four years to turbocharge new regional economic opportunities and enliven local economies.

Growing Local Economies is designed to unlock growth in regional NSW by delivering the infrastructure that supports projects of economic significance.

The Criteria was reported to Council in April and again in the Councillor briefing – see attachments.

The Growing Local Economies fund is open to projects that:

- have the capacity to deliver jobs and economic growth
- help regional communities capitalise on their strengths or broaden and reposition their industry base
- demonstrate benefits beyond one organisation
- have a minimum project size of \$1 million
- align with state and regional priorities and achieve Benefit to Cost Ratio greater than 1.0

#### GLE Application Process

Applications are open NOW.

The first stage is an Expression of Interest that will be assessed by the Office of Regional Development to establish eligibility, a BCR >1.0, financial viability and deliverability.

If approved, the applicant will be invited to submit a full business case.

#### Projects

As outlined in the previous report and presentation, the following projects fit the criteria and can deliver the desired outcomes:

1. Employment Land Expansion
  - Sth Nowra; Huskisson; Yerrilyong; Ulladulla STP
  - \$17.15m project - 4 year delivery
    - 61 new industrial lots
    - Firefighting water to AATP
  - 1,124 FTE ongoing jobs over 10 years (1500 FTE Indirect)
    - 6,843 man years of direct job outcomes after 10<sup>th</sup> year
2. Marine Industry Infrastructure & Support
  - Ulladulla; Woollamia; ~~Greenwell Point~~
  - \$6.99m Project – 3 year delivery
  - 31 new berths; Boat maintenance base -7

- 56 FTE ongoing jobs over 5 years
- 3. Nowra Key Road Projects
  - ENSA; ~~Kalandar St, Yalwal Rd~~;
  - \$25m project – 2-3 year delivery
- 4. Urban Revitalisation
  - Stewart Place – mixed devt
  - Nowra Waterfront – mixed devt
  - Vincentia – Plaza makeover
  - Each of these projects require an initial investigative stage before they can be “development ready” and as such are not eligible in their current form. Once the investigative work is completed the next stage of utility rationalisation and repositioning could be eligible

#### Need for a Decision

There has been a deal of consultation on these and other projects across a range of funding programs. These projects fit the criteria and can be progressed quickly to an application once a Council decision is made. The NSW Government are keen to have projects underway in the Shoalhaven that create long term employment opportunities.

This funding will bring forward parts of the above projects that could be 5 or more years away without grant funds. In the case of the decommissioning and decontamination of the former Ulladulla STP site and a firefighting water supply system at the AATP they will not proceed without grant funding.

#### **Community Engagement**

Consultation amongst business, Council’s Business & Employment Committee, government agencies has been held over the last 6 months or so. Council previously received a report and a presentation to Councillors (attached).

#### **Policy Implications**

Council has a commitment to Economic Development and has a long history of developing employment land to support business. Marine infrastructure to support agribusiness and commercial tourism businesses is also consistent with the Shoalhaven Economic Strategy 2017-2026 and other regional and local strategies.

The improvement to the road network within Nowra was adopted as part of the Nowra Key Projects document in May 2017.

#### **Financial Implications**

Whilst dependent of consistent future land sales, the employment lands project is affordable and viable and will unlock industrial land in Ulladulla and at the AATP provide a firefighting water supply to meet the Dept of Defence requirement without large onsite water storage reservoirs.

The marine infrastructure upgrades have been based on a business model that will generate income to Council to provide for ongoing maintenance and provision of other similar assets.

The ENSA project is required to alleviate the Kalandar St intersection issues. The Council contribution of around \$5m will need to be provided.

**Risk Implications**

The effort in preparing and submitting applications is a minimal cost to bear given the funding available. There will be project risks however these will be managed as part of each project.

Once the project works through the contract and design issues at the commencement and the projects physically commence, the deliverables are what Council does on a daily basis and form part of its project management challenges.

CL18.115



## **CL18.74 Planning for current and future funding opportunities**

**HPERM Ref:** D18/93253

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

**Attachments:** 1. RCC - Stronger Country Communities Fund

### **Purpose / Summary**

1. To seek some direction from Council for projects to be submitted under several grant programs.
2. To alert Council to the pressing need to better resource the organisation, and budget, to be able to prepare projects to a "shovel ready" stage to enable a stronger case in the various grant programs at a Federal and State government level.

### **Recommendation**

1. That Council note the report for consideration during the budget discussions for 2018/19 especially related to funding projects to progress to "shovel ready" stage;
2. That the following projects be worked up for submission as an EoI under the specific programs as soon as possible:
  - a. Regional Growth Fund (Australia)
    - i. No Council project, but support be given to other organisations submitting projects for development within the Shoalhaven & wider region
  - b. Growing Local Economies (NSW)
    - i. Council's Industrial estate development program and ancillary works (eg NBN to AATP, Sth Nowra roads, )
    - ii. Nowra Key Road Projects
  - c. Stronger Country Communities Fund (NSW)
    - i. As listed in the attachment to the report
  - d. Heavy Vehicle Safety Productivity Program (Aust) & Fixing Country Roads (NSW)
    - i. Slaughterhouse Rd, Milton
    - ii. Yalwal Rd intersection with Albatross Rd and upgrade of Yalwal Rd to Flat Rock Dam.
    - iii. Projects within the Nowra Key Road Projects
  - e. Regional Sports Infrastructure Fund
    - i) No Council project, but support be given to any sporting association wishing to submit an application for a project on council sports fields or facilities;
3. Other projects to be added to the above list for future funding applications once worked up to a sufficient level to support an application.

### Options

1. As recommended
2. That council identify immediate needs and provide direction accordingly.

### Background

In many respects there is a “flood of money” becoming available through various grant programs from both the State and Federal Governments. Council needs to prepare a strategic response to identify priority projects and to have the documentation and approvals in place to ensure that the priority projects are shovel ready.

With regard to major applications, Council has the following still under consideration by Government:

- Building Better Regions 2:
  - Converting a decommissioned asset into employment land at Ulladulla
  - Nowra Revitalisation Project
- Restart NSW Regional Growth – Environment and Tourism Round 1
  - Shoalhaven Heads River Road Foreshore Precinct.

Recently two projects were approved under the South Coast Regional Jobs Initiative.

An overview of the major funding programs open to Council at this time is outlined below.

### Regional Growth Fund (Australia) – one round only

<http://regional.gov.au/regional/programs/regional-growth-fund.aspx>

- Closing date - 27/4/2018 – EoI due
- Total four year funding pool is \$272.2M
- Minimum grant funding request \$10M (\$20m project)
- 50% funding contribution required – cash
- This is a competitive funding program across Australia

Estimated time to prepare an EoI - 40 hours

### Criteria:

“for major transformational projects which support long-term economic growth and create jobs in regions undergoing structural adjustment”

- The Program will fund projects across a range of key economic categories including, but not limited to: transport and communications, tourism, manufacturing and primary industries.
- The Program will fund projects that are for ‘common-use’ infrastructure or private use infrastructure that will deliver significant and sustainable benefits to the region by creating jobs and flow-on benefits to the economy. E.g.
  - Freight hubs
  - Roads
  - Ports and terminals
  - Civil works for a new development
  - Sewerage system, dams, water reservoirs, pipelines
  - Gas pipelines
  - Communication infrastructure
  - Integrated tourism activities and assets that enhance and support Australia’s regional tourism experience

- The Program is open to state and territory governments, local governments, the private sector and not-for-profit organisations.
- **Must be ready to commence within 12 weeks of entering funding agreement** (need to assume mid-late 2018)

Merit criteria

- Create Jobs (20 points)
- Drive Economic Growth (20 points)
- Build Stronger Regional Communities (10 points)

Projects will need to be **investment ready** with all additional funding confirmed, required regulatory and/or development approvals identified, local, state or territory government support confirmed and will need to demonstrate robust planning, in order to commence following execution of a Grant Agreement.

Stage 2 application MUST include ALL regulatory approvals.

Estimated time to prepare EoI - 40 hours

To work up the final application after it has been accepted under the EoI stage will take approximately 50-75 hours for each project.

Examples of industry projects that council may support:

- Shaolin Temple – Grant guidelines have been forwarded to Shaolin project group
- A transport intermodal at Bomaderry – Manildra have the approval, Grant guidelines have been forwarded

**Growing Local Economies (NSW)**

<https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-growth-fund/growing-local-economies/>

This program was announced in late 2017 and a councillor/stakeholder workshop was held with consultants engaged by the State to prepare a Regional Economic Development Strategy. A draft Regional Economic Development Strategy has been received and a report is being prepared.

- The Shoalhaven has a substantial \$ allocation, not yet publicly announced.
- Minimum project size \$1M
- This funding program is not competitive outside Shoalhaven but criteria and BCR >1 must be met.
- Need to submit applications in as soon as possible

Criteria:

- Have the capacity to deliver jobs and economic growth
- help regional communities capitalise on their strengths or broaden and reposition their industry base
- demonstrate benefits beyond one organisation
- align with state and regional priorities and achieve Benefit to Cost Ratio greater than 1.0.
- Project applications eligible from local government; Aboriginal Land Councils and other Aboriginal and Torres Strait Islander groups; infrastructure providers, such as telecommunication firms; incorporated associations, including business, industry and community organisations; cooperatives; educational institutions and non-government organisations. Partnerships between groups are encouraged.
- Two step application process

- Infrastructure that will improve economic growth and productivity

Estimated time to prepare EoI – 25-30 hours

Suggested projects

Worked up and ready to go:

- Woollamia Stage 5 Industrial Estate – DA approved, lot layout complete, ready to commence work, meets objectives of grant
- Flinders Stage 10 – DA approved, in process of finalising lot layout, ready to commence work, meets objectives of grant.
- Decommissioning the Ulladulla STP & creating an industrial subdivision – business case worked up and ready to go, meets objectives of grant.
- South Nowra Rest Area (may be difficult to demonstrate BCR > 1.0) - business case worked up
- Rail upgrades – Bomaderry signals, Berry to Bomaderry upgrade, Passing loops on Moss Vale Line, Unanderra siding, Dunmore siding – all lodged by Manildra under Fixing Country Rail

Projects being worked up from concept phase but eligibility and CBA to be tested:

- Yalwal Road/Albatross Rd intersection upgrade & upgrade to Yalwal Rd.
- South Nowra Industrial Roads (may fit better under Fixing Country Roads) but designs, costings to be developed
- Utility upgrades to various commercial centres – Huskisson, Milton and new URAs
- Road upgrades – linkages to Hume Hwy; Nowra internal road network, first/last mile to industry;
- Health infrastructure – working with ISLAHS on Nowra campus
- NBN (fibre) to AATP
- Masterplan for Nowra waterfront
- Masterplan for Stewart Place, followed by business case for development
- Makeover of Vincentia Plaza
- Ulladulla CBD upgrade – finish boardwalk
- Construct a new 'Bay and Basin' civic centre and council service hub, Vincentia.
- ....

To work up the final application after it has been accepted under the EoI stage will take approximately 50-75 hours for each project.

#### **Stronger Country Communities Fund (NSW)**

<https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-growth-fund/stronger-country-communities/>

- Opened 12 March 2018
- Close 4 May 2018
- \$937,691 was made available in Round 1 for Chris Creek;
- \$2,729,422 is available to SCC for Round 2; This fund is not competitive within Shoalhaven, but project criteria must be met.
- Councils are expected to work with sporting and other community groups to identify priority projects and submit applications on behalf of these organisations;
- Applications seeking between \$50,000 and \$1 million can be for the entire project cost as a grant. Projects requiring grant funding of over \$1 million will only be considered where there is a minimum financial co-contribution towards the project of 25 per cent of the total grant amount. The financial co-contribution to the project can be from council or other funding sources, but must be confirmed.
- For general community amenity and local sporting infrastructure Projects;
- Projects must be for:

- construction of new or refurbishment/upgrade of existing community infrastructure
- construction of new or refurbishment/upgrade of existing local sporting infrastructure
- capital works related to street beautification and public 'place making'.
- Councils are required to submit sport-related projects that total at least 50 per cent of their total Round Two allocation.
- Project examples include:
  - Community halls
  - Indoor sports facilities
  - Town and tourism signage
  - Aquatic facilities and pools
  - Accessibility upgrades
  - Playgrounds and parks
  - Memorials or statues

Attached to this report is a list of projects to be submitted by Council under this program.

#### **Heavy Vehicle Safety Productivity Program (Australia)**

The Heavy Vehicle Safety and Productivity Program (HVSPP) is an Australian Government initiative to fund infrastructure projects that improve productivity and safety outcomes of heavy vehicle operations across Australia.

- HVSPP funds are being used to upgrade the Sth Nowra Freight Corridor – Flinders Rd
- Round 6 closes - 30 March 2018
- \$40M per year committed
- Max \$5M per project
- 50% funding contribution required
- This is a competitive funding program across Australia
- Construction must commence by the 1<sup>st</sup> July 2019. Construction means on ground works at project site
- The following types of projects are eligible for funding:
  - rest areas
  - parking/decoupling bays
  - technology trials o road enhancements
  - demonstration projects
  - livestock vehicle effluent collection and treatment facilities (provided such a facility is associated with a road and access is similar to that of a traditional rest area)
- Evidence required includes (independent evidence is highly regarded):
  - Annual average daily traffic (AADT) readings.
  - Executive summary page of Quantity Surveyor costing.
  - Letters from local business providing data on current and future usage, or restrictions in increasing usage.
  - Geo-spatial maps of agricultural usage surrounding the area.
  - Executive summary or selected pages of regional strategic plans referencing the route.
  - Maps showing alternative routes if the road is not available.

Estimated time to prepare application – 30-50 hours

Suggested project:

- Yalwal Road intersection & Yalwal Rd upgrade to Flat Rock Dam

#### **Fixing Country Roads (NSW)**

Fixing Country Roads is a key NSW Government program for unlocking the economic potential of regional NSW by building efficient freight transport networks to reduce costs for businesses.

Fixing Country Roads provides targeted funding to local councils to better connect Local and Regional roads to key freight hubs and State Roads. These hubs might include silos, saleyards, rail heads, supermarket distribution centres, industrial parks and depots.

- FCR funds are being used to upgrade the Sth Nowra Freight Corridor – Flinders Rd
- Can apply for funding at any time (new initiative)
- Guidelines are currently being reviewed. Previously required a 50% contribution.
- Can be matched with federal government HVSPF funding
- Will need traffic unit information and industry support
- Applications will be assessed for eligibility against the following four program criteria:
  - Access, Productivity and Safety Benefits
  - Growth and Economic Benefits
  - Strategic Alignment
  - Deliverability and Affordability
- This is a competitive funding program across NSW

#### **Suggested projects:**

- Project identified in the Nowra Key Road Projects
  - Moss Vale Rd duplication
  - PH Upgrade – Cambewarra Rd to Warra Warra Rd
  - ENSA
  - Kalandar ST intersection
  - Yalwal Rd Upgrade
  - ...
- Sth Nowra Industrial links – Bellevue, Central to Sextant
- Slaughterhouse Rd, Milton

#### **Other funding programs include:**

- Coastal & Estuary grants
- Public Reserves fund
- Better Boating
- Various community type grants
- And many more

#### **Regional Sports infrastructure Fund**

##### **Timeframe:**

- Expression of Interest due 4 May 2018
- Shortlisted projects notified in June 2018
- Detailed application or business case due end of August 2018

<https://sport.nsw.gov.au/clubs/grants/regional-sports-infrastructure>

##### **Funding provided in 2 categories:**

- Regional Sports Hubs
- Regionally Significant Sports Facilities

**Funding Purpose:**

- The fund will increase the number and type of regional sporting facilities
- Improve the standard of existing regional sporting facilities
- Increase participation in sport

**Funding Criteria:**

- Provides funding for projects between \$1 million - \$10 million
- A minimum co-contribution towards the project of 25% (unless financial hardship can be demonstrated)
- Funding spent within 3 years of approval being granted
- Projects involving partnerships between groups are encouraged

**Eligibility:**

- LGA's
- NSW state sporting organisations
- Incorporated, community based, not for profit sporting organisations (clubs and associations) and organisation providing programs that benefit the community – e.g. PCYC's, YMCA's etc
- TAFE / Universities
- Private enterprise

**Land – Eligibility**

- Projects must be on land (and clubs / organisations must have evidence of tenure) that is:
  - Crown Reserve land
  - LGA owned
  - Land held for public purposes
  - Land vested in ALC's
  - Private land that benefits the community's interests in sport and recreation

**Priority for funding:**

- To establish regional sporting hubs
- To enhance or establish regionally significant sporting facilities
- To enable multi-use – used by more than one sporting code
- Alignment with facility plans of State and / or National sporting organisations
- Financially sustainable and provide infrastructure that enables economic growth
- Increasing participation opportunities in sport

Council currently does not have any projects that meet the requirements of this funding program, however, Council staff have held discussions with representatives from the Office of Sport of two (2) potential projects that are led by the relevant sports organisations in the Shoalhaven who have approached Council, that could be submitted as Expression of Interests.

Staff will hold further discussions with Shoalhaven District Football Association and Shoalhaven Mariners Baseball for developments at Ison Park to include:

- Replacement amenities block,
- Upgrade of floodlighting to LED - this will floodlighting to enable a higher standard of competition to be held at the venue
- Installation of floodlighting – baseball field
- Installation of batting cages – baseball field



Additionally Council has received representation for four (4) Tennis Clubs who currently lease facilities from Council to develop their sites and enhance their facilities further for the benefit of their members. The Office of Sport and indicated that potentially this could be a partnership application by Tennis in the Shoalhaven to develop and improve facilities for tennis across the Shoalhaven. Council staff will hold further discussion with Shoalhaven District Tennis Association Incorporated - Narang Road Tennis Complex, Kangaroo Valley Tennis Club Inc, One Door Mental Health - West Street Nowra Milton-Ulladulla District Tennis Association Incorporated.

The developments sought include:

Narang Road:

- Club House Improvement
- Seating & Shade

Kangaroo Valley:

- Floodlighting

West Street:

- Accessibility upgrade to amenities

Milton Ulladulla:

- Fencing
- Lighting
- Landscaping
- Seating
- Outdoor Fitness equipment

Council has also been approached by the Dunn Lewis Centre in Ulladulla; their application under Round 1 of the Regional Sporting Infrastructure Program has passed to the next stage of this funding program and they are seeking a letter of support from Council. A letter will be provided.

Conclusion:

Many of these grant opportunities are highly competitive and Council needs to ensure that we are ready to take advantage of strategic opportunities as they arise. The selection of projects that are "best fit" against criteria is also important.

Council may support some projects that are reasonably advanced in planning stages and also consider funding in the 2018/19 budget to enable other projects to proceed to detailed design and 'shovel ready' stages.

### **Community Engagement**

No community engagement has occurred specifically to this report however the individual projects mentioned have had varying degrees of community engagement in recent years.

### **Financial Implications**

This will be dependent on the projects selected. Proposed to use existing program budgets wherever possible as council's co-contribution.

**Risk Implications**

Without adequate forward planning and budgeting to progress key strategic projects to a 'shovel ready' stage the risk is council not being able to attract grant funds.

## Growing Local Economies

Briefing for MPs &  
Councillors  
10<sup>th</sup> May 2018

## Overview

- Recent Context for Economic Infrastructure
- Regional Growth Fund
- Growing Local Economies
  - Eligibility
  - Purpose of the Fund
  - Assessment
  - Application Process

## Recent Context – Economic Infrastructure - approvals

- Freight transport/roads – Flinders Rd intersection; Sth Nowra Freight Corridor
  - Marine Infrastructure – Ulladulla Hbr Berthing; Greenwell Pt Berthing; Woollamia vessel maintenance facility
  - Employment Land - AATP
- Approx \$16m projects - \$12m grant funding

## Recent context – Economic Infrastructure - applications

- NSW Fixing Country Rail
- Freight transport/rail: 6 projects on Sth Coast line, Moss Vale line & western line
- CoA Building Better Regions
- Employment land – Ulladulla STP;
  - Urban Revitalisation – Nowra CBD & Riverfront
- Approx \$34m projects - \$30m funding

## Regional Growth Fund

The NSW Government is investing an additional \$1.3 billion in regional infrastructure to support growing regional centres, activate local economies and improve services.

- Regional Sports Infrastructure
- Stronger Country Communities Fund
- Resources for Regions
- Regional Cultural Fund
- Connecting Country Communities
- Growing Local Economies

## Regional Growth Fund

The NSW Government is investing an additional \$1.3 billion in regional infrastructure to support growing regional centres, activate local economies and improve services.

- Regional Sports Infrastructure
- Stronger Country Communities Fund
- Resources for Regions
- Regional Cultural Fund
- Connecting Country Communities
- **Growing Local Economies**

## Growing Local Economies

To develop the enabling infrastructure to grow regional centres. This fund will invest in the crucial projects needed to support job creation and economic growth in regional NSW.

Growing Local Economies fund will run over four years to turbocharge new regional economic opportunities and enliven local economies.

Growing Local Economies is designed to unlock growth in regional NSW by delivering the infrastructure that supports projects of economic significance.

This could include road works, natural gas mains and pipelines, water supply, sewerage connections and telecommunications (including data networks). The program is expected to deliver long-term growth benefits.



## Growing Local Economies

To develop the enabling infrastructure to grow regional centres. This fund will invest in the crucial projects needed to support job creation and economic growth in regional NSW.

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This could include road works, natural gas mains and pipelines, water supply, sewerage connections and telecommunications (including data networks). The program is expected to deliver long-term growth benefits.



## Growing Local Economies

### Eligibility

- Applications for GLE funding must show how projects will improve economic outcomes for communities. Wherever possible, projects should support local procurement, job creation and skills development.



## Growing Local Economies

### Purpose of funds

- The Growing Local Economies fund is open to projects that:
  - have the capacity to deliver jobs and economic growth
  - help regional communities capitalise on their strengths or broaden and reposition their industry base
  - demonstrate benefits beyond one organisation
  - have a minimum project size of \$1 million
  - align with state and regional priorities and achieve Benefit to Cost Ratio greater than 1.0.



## Growing Local Economies

### Assessment

- Eligible projects will be assessed against four program criteria.
  - Strategic assessment – Alignment with regional priorities (Regional Economic Development Strategy)
  - Economic assessment – BCR >1.0
  - Affordability – financially viable incl net lifecycle costs (Since April 2018 requires 25% contribution by applicant)
  - Deliverability - capacity and capability to deliver the project



## Growing Local Economies

### Application Process

- Open now, rolling fund with no closing date
- Expression of Interest submitted to Office of Regional Development to establish eligibility - 30-50 Hrs
- Eligible applicants will progress to the next stage, where they will have to submit a business case - 50-100 Hrs
- Funding allocation for Shoalhaven is \$24m (over 4 years)



## Council GLE Proposals

### Employment Land expansion

- Sth Nowra; Huskisson; Yerriyong; Ulladulla STP
- \$17.15m project - 4 year delivery
  - 61 new industrial lots
  - Firefighting water to AATP
- 1,124 FTE ongoing jobs over 10 years (1500 FTE Indirect)
  - 6,843 man years of direct job outcomes after 10<sup>th</sup> year

### Possible extension to include Crown Employment Lands:

- Shoalhaven Heads; Basin View; Sussex Inlet; Ulladulla



## Council GLE Proposals

### Marine Industry Infrastructure & Support

- Ulladulla; Woollamia; Greenwell Point
- \$6.99m Project – 3 year delivery
- 31 new berths; Boat maintenance base -7
- 56 FTE ongoing jobs over 5 years

### Possible extension to include:

- Sussex Inlet; Nowra waterfront



## Council GLE Proposals

### Nowra Key Road Projects:

- ENSA; Kalandar St; Yalwal Rd;
- \$25m project – 2-3 year delivery

### Possible CoA funding under Regional Growth Fund (RMS need to apply)

### Another consideration

- Central/Bellevue/Prosperity/Sextant Sts



## Council GLE Proposals

### Urban revitalisation

- Stewart Place – mixed devt – (\$10m)\*
- Nowra Waterfront – mixed devt – (\$10m)\*
- Vincentia – Plaza makeover – (\$3m)\*\*
- Ulladulla – complete boardwalk

### \$23m project

\* Need investigative studies beforehand (current BBRF application)

\*\* Need design. Also where does SCC \$s come from.



## Council GLE Proposals

Project	Total cost	GLE request	New FTE jobs	New FTE Indirect	BCR (>1 ~10 yr)
Employment Land	\$17.15m	\$7.5m	1124	1500	15.4 (J STP – 24.2)
Marine Infrastructure	\$6.99m (\$2.11m)	\$3.03m	56		GPE – 24.2 Wool – 7.9 Ull – 10.5
Nowra Key Roads	\$25m	\$20.0m			
Nowra CBD	\$10m	\$7.5m			
Nowra Waterfront	\$10m	\$7.5m			
Vincentia	\$3.0m	\$2.0m			
<b>Total</b>	<b>\$71.93m</b>	<b>\$49.2m</b>			<b>68.4%</b>



## Complementary programs

- Regional Growth Fund - Federal min \$20m
  - RMS – Kalandar St ? Not in 2018
  - Shaolin – project infrastructure ? Not in 2018
- Heavy Vehicle Safety Productivity Program
  - Slaughterhouse Rd, Milton – 2019 (\$1m)
  - Central/Bellevue/Prosperity/Sextant Sts – 2019 (\$8m)
- Fixing Country Roads
  - Slaughterhouse Rd, Milton – 2019
  - Central/Bellevue/Prosperity/Sextant Sts - 2019
- Fixing Country Rail



### New CoA Programs

- Smart Cities & Infrastructure – smart tech
- Roads of Strategic Importance
- Building Better Regions 3
- Stronger Communities Fund 4
- Decentralisation agenda –Govt agencies

Discussion



## CL18.116 Shoalhaven Family Day Care - Advice of Successful Funding Application

**HPERM Ref:** D18/140883

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

### Purpose / Summary

To advise Council of Shoalhaven Family Day Care's (SFDC) successful funding application to the Department of Education and Training for the Community Child Care Fund (CCCF) and ask that Council accept the funding offered.

### Recommendation

That Council:

1. Accepts the funding from the Department of Education and Training CCCF Sustainability Support when the Grant Agreement is received in May 2018.
2. Writes to the Minister for the Department of Education and Training to thank them for the funding.

### Options

3. That Council accepts the funding from the Department of Education and Training CCCF when the Grant Agreement is received in May 2018, subject to approval of the funding agreement.

Implications: That SFDC achieves financial sustainability for the next three financial years and mitigates the need for financial input from Council.

4. That Council does not accept the funding from the Department of Education and Training CCCF and provides further direction to staff.

Implications: Financial input would be required from Council to sustain the SFDC service.

### Background

SFDC currently receives Community Support Programme (CSP) Funding that supplements the income raised by the service. The current funding is capped at \$136,000 per annum, this ceases at the end of the 2017/18 financial year.

In April 2018 staff reported to the Strategy & Assets Committee to inform Council that the current funding would cease and that an application for funding through the Department of Education and Training CCCF Element: Sustainability Support had been applied for.

The funding application is only available to services losing CSP Funding and was sought over a period of (5) five years to help meet the financial shortfall when the funding ceases from July 2018. Notwithstanding the offer of grant funding, the SFDC goal remains to increase Educator numbers over this period and continue to improve efficiencies.

Funding sought from the Community Support Programme:

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2018-19	2019-20	2020-21	2021-22	2022-23	Total
\$112,390	\$82,651	\$68,725	\$50,261	\$32,246	\$346,273

On Tuesday 24<sup>th</sup> April 2018 SFDC received an email from Community Grants Hub advising that the application for funding under the CCCF Sustainability Support element had been successful, however the funding awarded has been issued only for the years 2018/19, 2019/20 and 2020/21.

Funding provided is:

2018-19	2019-20	2020-21	2021-22	2022-23
\$112,390	\$82,651	\$68,725	No Funding	No Funding

Staff have contacted the funding body requesting information on whether there is any possibility of applying for the further 2 years funding at a later date. No advice has been received to date.

The Grant Agreement is expected in May 2018. This will be reviewed and any concerns / clarifications raised with the funding body prior to the agreement being accepted and signed.

### Financial Implications

The CCCF Sustainability Support funding is currently available until 2021 and SFDC is continuing to focus on increasing Educator numbers and improving efficiencies.

A report to the Strategy and Assets Committee Tuesday 17 April 2018 presented a number of financial implications assuming that funding was awarded. (D18/24260)

Table 1, below shows the 2018/19 budget forecast, showing that with this grant funding the service should not require any additional funding from Council.

Based on the budget modelling provided, along with increased efficiencies tabled in the previous report to this Committee, staff believe that SFDC are well placed financially to continue the service for the next 3 years.

Table 1. Shoalhaven Family Day Care Budget 2018/19 with CCCF funding

	<b>Budget 2018/19 With Funding</b>
<b><u>REVENUE</u></b>	
Educators Levy	33,600
Administration Levy	245,797
CCCF (funding)	112,390
Smalls Office rent	10,660
Meeting and Playroom Hire	4,200
Childcare Assistance	1,182,000
Sundry income	6,525
<b>Total</b>	<b>\$1,595,172</b>
<b><u>EXPENSES</u></b>	
Wages & on costs	331,692
Casual Wages	0
Childcare Assistance	1,182,000
Other expenses	55,000
<b>Total</b>	<b>\$1,568,692</b>
<b><u>NET RETURN</u></b>	<b>\$26,480</b>
<b><u>Assumptions</u></b>	
Number of children per educator cap	4.0
Utilisation	93%
Number of children per educator	3.8
Number of Educators	35
Worked hours per educator	36
Av. Weeks Worked per Educator	48
Number of families enrolling	110
No of New Educators training	8
Family Enrolment Fee	\$27.00
Educator Registration Fee pa	\$33.00
Educators Levy per educator	\$20.00
Educator Training Fees	\$300.00
Administration levy per hour	\$1.15

### Risk Implications

Financial risk implications were outlined in the previous report to Council, (D18/24260).

Further to this advice, there is a risk to the continuity of the service after the 3 years funding agreement is reached and expired should no new funding opportunities become available.

Council staff will report on this matter further as required.

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## **CL18.117 Australian Local Government Association - National Local Roads & Transport Congress 2018**

**HPERM Ref:** D18/144988

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

### **Purpose / Summary**

To consider Councillor attendance at the National Local Roads & Transport Congress scheduled for 20-22 November 2018 in Alice Springs, Northern Territory.

### **Recommendation**

That Council

1. Notes the details of the National Local Roads & Transport Congress scheduled for 20-22 November 2018 in Alice Springs, Northern Territory.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

### **Options**

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

### **Background**

The National Local Roads & Transport Congress is considered relevant to local government. The program for the congress has not been released at this time. Further information relating to the congress can be found on the Australian Local Government Association website <https://alga.asn.au/?ID=16584>.

Costs associated with the conference are estimated as follows:

- registration: \$890 (Prior to 12 October 2018)  
\$990 (After 12 October 2018)
- travel, accommodation and out of pocket expenses: not yet determined.

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

The following Council Business is scheduled within the period of the conference:

- Risk & Audit Committee 19 November 2018.
- Business & Employment Development Committee 21 November 2018.

### **Policy Implications**

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

### **Financial Implications:**

Funds are available for Councillors to attend this conference.

## CL18.118 Investment Report - April 2018

**HPERM Ref:** D18/153316

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

**Attachments:** 1. Monthly Report - Shoalhaven City Council - April 2018 (under separate cover)

### Purpose / Summary

Under Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation, it is a requirement to provide a written report to Council.

### Recommendation

That the report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 30 April 2018 be received for information.

### Options

1. The Report on the Record of Investments for the period to 30 April 2018 be received for information.

Implications: Nil.

2. Further information regarding the Record of Investments for the period to 30 April 2018 be requested.

Implications: Nil.

3. The report on the Record of Investments for the period to 30 April 2018 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 31 May 2018.

Implications: Nil.

### Background

Please refer to the attached monthly report provided by Council's Investment Advisor – CPG Research and Advisory Pty Ltd.

CPG Research and Advisory Pty Ltd includes a section on Council's investment in institutions who fund the fossil fuel industry (see page 12). There was an increase in Council's fossil fuels exposure due to the drawdown of loans into the TCorp fund; this will drop as the loan funds are spent on the REMS project.

The investment interest earned to the month of April was \$4,549,743 which represents 86.5% of the full year budget though it should be noted that General Fund is tracking slightly under budget.

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Fund	Budget	Actual	%
General	\$3,114,058	\$2,537,589	81.49%
Water	\$1,066,000	\$1,029,245	96.55%
Sewer	\$1,080,000	\$982,909	91.01%
<b>Total</b>	<b>\$5,260,058</b>	<b>\$4,549,743</b>	<b>86.50%</b>

The investment interest earned for the month of April was \$493,102, which was \$60,769 above budget.

Fund	Monthly Budget	Actual	Difference
General	\$255,949.97	\$243,867	-\$12,083
Water	\$87,616.44	\$111,373	\$23,756
Sewer	\$88,767.12	\$137,862	\$49,095
<b>Total</b>	<b>\$432,334</b>	<b>\$493,102</b>	<b>\$60,769</b>

## RECORD OF INVESTMENTS

### Cash and Investment Balances

	April 2018	March 2018
<b>Cash And Investments Held</b>		
Cash at Bank - Transactional Account	\$3,552,358	\$4,917,676
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$62,020	\$32,320
Other Cash and Investments	\$208,895,968	\$214,191,478
	<b>\$212,511,586</b>	<b>\$219,142,713</b>
 Fair Value Adjustment	 \$201,789	 \$241,508
Bank Reconciliation	\$157,016	\$13,401
	\$358,805	\$254,908
 <b>Book Value of Cash and Investments</b>	 <b>\$212,870,391</b>	 <b>\$219,397,622</b>
 <b>Less Cash &amp; Investments Held In Relation To Restricted Assets</b>		
Employee Leave Entitlements	\$8,135,913	\$8,135,913
Land Decontamination	\$1,535,937	\$1,556,490
Critical Asset Compliance	\$2,345,817	\$2,353,580
North Nowra Link Road	\$473,199	\$473,216
Other Internal Reserves	\$7,527,293	\$7,315,299
Section 94 Matching Funds	\$340,808	\$340,808
Strategic Projects General	\$1,897,961	\$1,965,109
Industrial Land Development Reserve	\$6,234,157	\$6,237,762
Plant Replacement	\$1,335,172	\$1,449,950
Financial Assistance Grant	\$1,477,804	\$1,477,804
S94 Recoupment	\$784,924	\$864,924
Commitment To Capital Works	\$5,529,277	\$5,574,221
Property Reserve	\$1,284,512	\$1,308,106
<b>Total Internally Restricted</b>	<b>\$38,902,775</b>	<b>\$39,053,182</b>
 Loans - General Fund	 \$2,565,479	 \$508,640
Self Insurance Liability	\$1,354,019	\$1,418,724
Grant reserve	\$7,862,963	\$7,128,757
Section 94	\$32,011,748	\$31,536,496
Storm Water Levy	\$591,798	\$509,861
Trust - Mayors Relief Fund	\$72,793	\$77,793
Trust - General Trust	\$3,575,357	\$3,629,314
Waste Disposal	\$4,904,930	\$5,433,139
Sewer Fund	\$67,588,802	\$73,927,069
Sewer Plant Fund	\$1,959,715	\$1,969,370
Section 64 Water	\$18,248,927	\$17,887,448
Water Fund	\$26,214,385	\$25,052,887
Water Communication Towers	\$904,543	\$547,178
Water Plant Fund	\$1,615,143	\$1,477,691
<b>Total Externally Restricted</b>	<b>\$169,470,600</b>	<b>\$171,104,366</b>
 <b>Total Restricted</b>	 <b>\$208,373,374</b>	 <b>\$210,157,548</b>
 <b>Unrestricted Cash And Investments</b>		
General Fund	\$4,497,017	\$9,240,073

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The table below lists the major movements

Total Cash and Investments	-\$6,527,230	
Unrestricted cash	-\$4,743,056	Not a rates instalment month
Loans – General Fund	+\$2,056,839	Drawdown of Veron's Estate Loan
Sewer Fund	-\$6,338,267	Payment of REMS invoices

**Certification – Responsible Accounting Officer:**

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 number POL18/8.

*Michael Pennisi*

Michael Pennisi  
Chief Financial Officer

**Financial Implications**

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

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## CL18.119 Tenders - Shoalhaven Indoor Sports Centre - Trade Package No. 20 Internal Wall and Ceiling Linings

**HPERM Ref:** D18/150429

**Group:** Assets & Works Group  
**Section:** Project Delivery & Contract

### Purpose / Summary

To inform Council of the tender process for the Shoalhaven Indoor Sports Centre – Internal Wall and Ceiling Linings sub contract managed by Zauner Construction.

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

### Recommendation

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

### Options

1. Council accept the recommendation as presented.

Implications: A separate report will consider commercial information.

2. Council amend the recommendation.

Implications: This may delay these important works.

### Details

Shoalhaven Indoor Sports Centre – Internal Wall & Ceiling Linings sub contract package tenders were called by Zauner on 3 April 2018 and closed at 10:00am on 24 April 2018. The package was advertised in both local and metropolitan newspapers, and tenderers were directed to access the tender documents using the Zauner portal on Tenderlink. Two (2) conforming and two (2) non-conforming tenders were received.

### Tenders Received

Tenders were received from the following:

Tenderer	Location
ACT Interiors	Canberra
DLC Interiors	Sydney

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I Stevens Plastering	Towradgi
Kirk Interiors	Sydney

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

**Community Engagement:**

The effect on the public during construction is managed by the project communication plan through written notification, electronic media and provision of contact details for any concerns during the construction phase; these works will not impede the existing basketball stadium operations.

Regional Development Consent (RA15/1001) is approved for the Shoalhaven Indoor Sports Centre; community consultation consistent with that process has been undertaken.

**Financial Implications:**

Sufficient funds have been allocated in the Shoalhaven Indoor Sports Centre Capital Project budget for the years 2017/18 and 2018/19. Funding is available to cover the recommended amount including other project costs for civil works.

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## CL18.120 Coastal Zone Management Plan for the Shoalhaven Coastline 2018 - public exhibition

**HPERM Ref:** D18/156006

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

### Purpose / Summary

To seek endorsement from Council to place the revised Coastal Zone Management Plan (CZMP) for the Shoalhaven Coastline 2018 on public exhibition.

### Recommendation

That Council:

1. Endorse the subject draft Coastal Zone Management Plan (CZMP) for the Shoalhaven Coastline 2018 for public exhibition, for a minimum period of 21 days, in accordance with the Guidelines for preparing a CZMP.
2. Endorse the referral of the draft Coastal Zone Management Plan for the Shoalhaven Coastline 2018 to government agencies, including Crown Lands, and to seek letters of support from these agencies.
3. The matter be reported back to Council following exhibition for consideration of any submissions and to seek endorsement of the Plan by Council for certification by the Minister for Environment, The Hon Gabrielle Upton MP.

### Options

1. Proceed to public exhibition.

Implications: proceeding to public exhibition will allow time for staff to report the matter back to Council following exhibition, adjust the draft CZMP following consideration of submissions and forward the document to the NSW Government for certification within the requested time frame. OEH have advised Council that Council must obtain letters of support from relevant government agencies, in particular Crown Lands, since coastal management actions are often undertaken by Council's on Crown Land, before the Minister will certify the Plan. The draft Plan will be sent to agencies during the exhibition period to seek comment and letters of support. Due to time constraints and requirements of OEH, the Plan relates to the open coast, including Jervis Bay beaches, but does not include estuaries.

2. Not proceed to public exhibition.

Implications: a public exhibition period, prior to submitting the CZMP 2018 for certification, is an OEH requirement. Without public exhibition the NSW Government would not certify the document.

3. Defer consideration pending further modifications to the draft Plan.

Implications: Council has a limited timeframe to comply with the State Government's requirements; deferring consideration could jeopardise Council's ability to undertake the

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required public exhibition and have sufficient time to refer the document to State Government for certification.

## Background

In order to apply for the full range of grants available under NSW Coastal & Estuary Grants Program, Council is required to have a certified coastal zone management plan (CZMP). At the time of its completion, the original draft 2012 CZMP was not submitted to the NSW Government for certification, because the Stage 2 Coastal Reforms were announced and certification of CZMPs was put on hold until the Reforms were implemented.

In 2016, without any changes being made to the original document, Council resolved to submit the draft CZMP to the NSW Government for certification. Certification was not granted and OEH subsequently provided Council with a comprehensive list of changes that needed to be made before re-submission. A number of these requirements have required the engagement of external consultants to undertake additional investigations.

Due to the requirements of OEH, in particular, that Council's Estuary Management Plans have not been prepared in accordance with the requirements for preparing CZMP's (at the time of preparation they were not required to be prepared as a CZMP) and time constraints, the draft CZMP for the Shoalhaven Coastline 2018 only includes the 'open coast', this includes Jervis Bay, but does not include estuaries. It is envisaged that Council's future Coastal Management Program (CMP) will include 2 estuaries and funding will be sought to develop a separate CMP for the Shoalhaven River estuary due to the size of this catchment.

The Stage 2 Coastal Reforms are contained within the 2016 Coastal Management Act which came into effect on April 3, 2018. From that date Council had 6 months to have the draft CZMP certified by the Minister (ie. by 3 October 2018). The Office of Environment & Heritage (OEH) advised Council officers that the Department will need the CZMP for at least 2 months to properly undertake the certification process, so Council has less than 4 months to complete the review, place the document on public exhibition, prepare the final plan and submit the draft Plan to OEH.

To facilitate the required processing OEH have requested the finalised plan be submitted to the Department in June.

OEH have advised Council that Council must obtain letters of support from relevant government agencies, in particular Crown Lands since coastal management actions are often undertaken by Council's on Crown Land, before the Minister will certify the Plan. The draft Plan will be sent to agencies during the exhibition period to seek comment and letters of support.

Throughout the revision process Council officers have sought comment and feedback from OEH, Crown Lands, DPI Fisheries and Jervis Bay Marine Park Authority. This has included site visits with Crown Lands, meetings with OEH to work through revisions of the draft Plan and making adjustments to the Plan following feedback.

Staff began reviewing and editing the draft document last year and in January 2018, Tim Fletcher (former Group Director) was engaged to assist with the review. Coastal Engineering consultants Advisian and Royal Haskoning DHV were also engaged to update the coastal risk assessments, a required component of a CZMP, and other technical components of the document. Consultants Locale have also been engaged to assist with the review.

Fundamentally, the document needs to read and look like a new 2018 plan. However, given the scale and complexity of the CZMP document and the limited time available, the project team have had to largely work with the original 2012 material, supplemented and updated where applicable but not completely re-written.

Concurrently, staff are implementing a process to engage consultants to prepare the new Coastal Management Program (CMP), in a completely new format as required under the

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Coastal Management Act 2016. It's expected that the new CMP will be completed in 2021. The new Program must also be certified by the NSW Government.

Until that time Council will be reliant on the certified CZMP to continue to apply for grants and implement necessary coastal management works.

A Councillor briefing was held on 19<sup>th</sup> April and Councillor workshop held on 10<sup>th</sup> May to review the draft Plan, revised risk assessment and action tables.

### Summary of Modifications

The main changes to the original 2012 draft CZMP can be summarised as follows:

- Document updated to reflect Council's adopted sea level rise (SLR) projections as opposed to those originally used which were based on the State Government's previous policy position.
- Document updated to include new coastal hazard maps and other cliff stability requirements following study undertaken by Advisian in 2016 and 2018; and Royal Haskoning DHV in 2018.
- Document updated to reflect additional site-specific studies and other technical material obtained since 2012.
- Document updated following consideration of submissions made in 2012 and 2016.
- Structure of the document revised to provide a more logical, simplified format that is more user friendly.
- Rationalisation of the text, to reduce repetition and technical language.
- Document updated to reflect current legislative framework and legal references.
- Tables and Figures revised to improve comprehension and reflect current legislative and Council policy frameworks.
- Layout of the document revised to provide a more contemporary presentation.

### Community Engagement

Council's Communications and Media team is assisting Environmental Services to prepare an engagement plan which will include a "Get Involved" web page for information and feedback, a video explaining the what and why of the CZMP and FAQs. A formal 21-day public exhibition will also be undertaken.

### Policy Implications

Without a certified CZMP, Council is only eligible to apply for a very limited range of grant categories in the Coastal and Estuary Grants Program. This significantly reduces the range of coastal maintenance and capital works Council can implement.

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

### Financial Implications

The NSW Government Coastal and Estuary Grants Program, provides 50% of project funds. Without a certified CZMP, and the resultant eligibility for the full range of grant categories, Council would need to substantially reduce its current coastal works program or fully fund the

many projects that become necessary over the next 3-5 years, while the new CMP is being prepared and certified.

There are significant cost implications for Council in managing infrastructure along the coastline into the future. The draft CZMP 2018 contains implementation tables which set out priority actions for managing risks. During the first few years of implementation costs are estimated at more than \$3 million. This will need to be further prioritised to an achievable delivery cost for Council and co-funding sought from grants to leverage Council budget allocation.

### **Risk Implications**

There is a risk that Council may not obtain letters of support from relevant government agencies during the exhibition period. This could delay the certification process.

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



**CL18.121 DA17/2242 – 160 Kinghorne Street, Nowra – Lot 2 DP 566370****DA. No:** RD18/1002/4**HPERM Ref:** D18/157864**Group:** Planning Environment & Development Group  
**Section:** Development Services**Attachments:** 1. DRAFT DEVELOPMENT CONSENT CONDITIONS (under separate cover)**Description of Development:** Demolition of Existing Dwelling and Ancillary Outbuildings and Construction of Multi Dwelling Housing – Six (6) Dwellings**Owner:** CJM Capital Pty Ltd  
**Applicant:** Helen Menegakis**Notification Dates:** 1 November 2017 to 16 November 20176 April 2018 to 21 April 2018 as part of section 8.2 application  
RD18/1002**No. of Submissions:** One (1) in objection**Purpose / Reason for consideration by Council**

Councillors called in the section 8.2 application (application to review a determination or decision of a consent authority under the Environmental Planning and Assessment Act 1979, being Development Application DA17/2242) due to “*significant public interest*” on 10 April 2018.

The matter was reported to Council on 8 May 2018. At that meeting, Council resolved to support the application in its current form and for the DA to be reported to this meeting for determination.

**Recommendation**

That determination of Development Application DA17/2242 to demolish the existing dwelling and ancillary outbuildings and construct multi dwelling housing comprising six (6) dwellings at Lot 2 DP 566370, 160 Kinghorne Street, Nowra be reviewed by granting approval subject to the recommended conditions of consent contained in Attachment 1 of this report.

**Options**

1. Approve the development application (DA) in accordance with the recommendation of this report.

Implications: This would allow the applicant to pursue construction of the development.

2. Refuse the application.

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**Implications:** Council would need to determine the grounds on which the application is refused, having regard to section 4.15 (formerly 79C) considerations.

### 3. Alternative recommendation.

Implications: Council will need to specify an alternative recommendation and advise staff accordingly.

### Figure 1 – Location Map



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## Background

### *Proposed Development*

DA17/2242 sought approval for the demolition of the existing dwelling and ancillary outbuildings and construction of multi dwelling housing – six (6) dwellings with:

- 6 x 3 bedrooms; and
- 8 car spaces.

## Division 8.2 Reviews, Environmental Planning and Assessment Act 1979

A section 8.2 application allows an applicant to request a consent authority review a determination or decision made by them. After conducting its review, the consent authority (in this instance Council) may confirm or change the determination or decision.

*Subject Land*

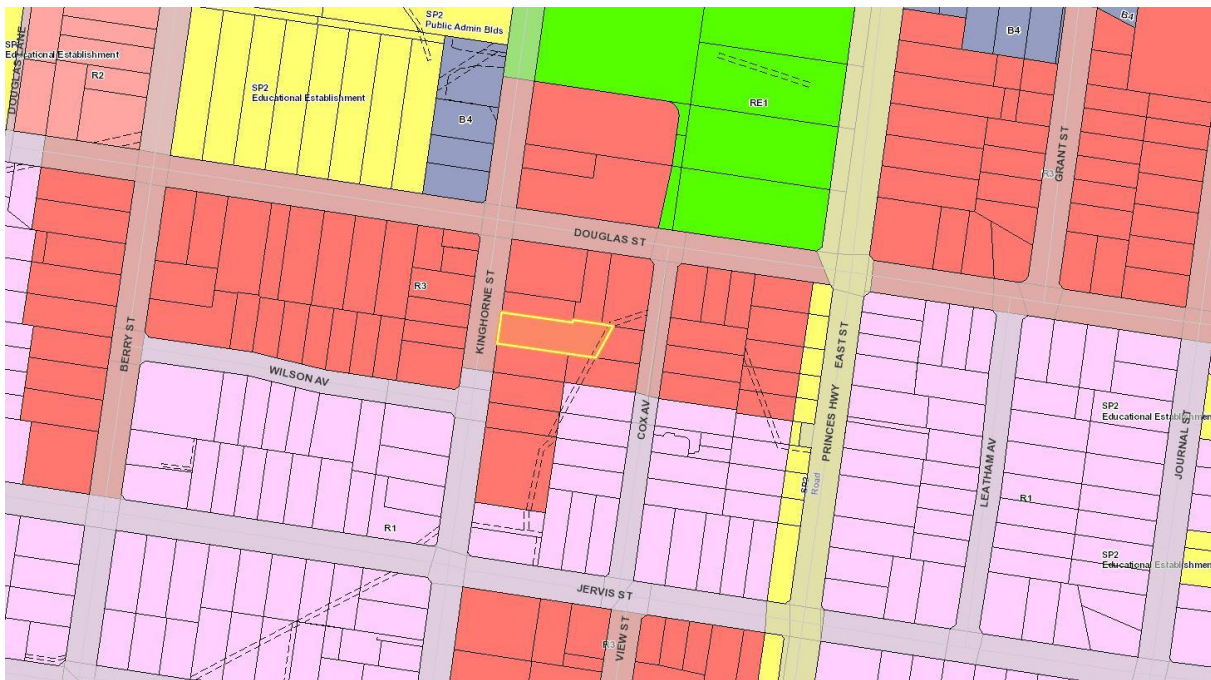
The development site comprises Lot 2 DP 566370 (160 Kinghorne Street, Nowra). Refer to Figure 1.

## Site & Context

The development site:

- Contains an existing dwelling with two (2) detached outbuildings and minimal established vegetation and slopes downhill from Kinghorne Street;
- Is zoned R3 Medium Density Residential and 1,382sqm in area;
- Has existing access from Kinghorne Street; and
- Adjoins land zoned R3 Medium Density Residential under the Shoalhaven Local Environmental Plan 2014 (SLEP 2014) as illustrated in Figure 2.

**Figure 2 – Zoning Extract**



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### History

The following provides details on post-lodgement actions and general site history for context:

- The DA was determined by refusal on 15 December 2017 for the following reasons:
  - “1. The development has not adequately addressed the provisions of Control 5 (of Chapter G7) of Shoalhaven Development Control Plan 2014. No waste minimisation and management plan has been submitted with the development application, particularly with regard to required demolition works, and reference to any asbestos or hazardous material that may be transported to any of the Council waste facilities. (Section 79C(1)(a)(iii) of Environmental Planning and Assessment Act, 1979).
  2. The development is inconsistent with the provisions of Controls 5.2.1, 5.2.2, 5.2.4, 5.2.5, 5.2.9 and 5.2.11 (of Chapter G14) of Shoalhaven Development Control Plan 2014. The proposed development will not integrate into the existing streetscape nor make a positive contribution to the character of the existing and desired future streetscape of the locality. The development is deficient in the provision of private open space with respect to the area, dimensions and amenity for future residents. There are multiple departures proposed to this Chapter which suggests an overdevelopment of the site. (Section 79C(1)(a)(iii) of Environmental Planning and Assessment Act, 1979).

3. *The development is inconsistent with the provisions of Controls 5.1, 5.4 and 5.7 (of Chapter G21) of Shoalhaven Development Control Plan 2014. The number of proposed onsite car parking spaces is deficient, the site is located outside of the 200m parking discount area and no discount for parking is available. (Section 79C(1)(a)(iii) of Environmental Planning and Assessment Act, 1979).*
  4. *The development application has not adequately demonstrated that the proposal will not have adverse environmental impacts on the built environment and social impacts on the locality. (Section 79C(1)(b) of Environmental Planning and Assessment Act, 1979.)*
  5. *The information submitted with the development application does not satisfactorily demonstrate that the site is suitable for the proposed use. (Section 79C(1)(c) of Environmental Planning and Assessment Act, 1979).*
  6. *Having regard to the information being submitted with the development application to address the relevant provisions of Shoalhaven Development Control Plan 2014, the granting of development consent is not considered to be in the public interest. (Section 79C(1)(e) of Environmental Planning and Assessment Act, 1979)."*
- The section 8.2 application to review this determination was lodged on 29 March 2018, disagreeing with the determination and offering up the following as addressing the reasons for refusal:
    - "1) *A detailed WMMP is not required at DA stage. Council should refer to its own waste management guidelines which form part of Chapter G7 of the SDCP 2014. The guidelines clearly state at Section 4.1 that for development where a Construction Certificate is required, a WP shall be submitted at the Construction Certificate Stage. This is not a valid reason for refusal. Additionally, it is not a document Council requires as part of an application for development consent, pursuant to Schedule 1 of the Environmental Planning and Assessment Regulation 2000.*
    - 2) *As Council would know, the Shoalhaven DCP 2014 is a performance based document. Section 4.15 (3A) of the EPA Act clearly states that where a DCP contains provisions that relate to the development that is the subject of a development application the consent authority [emphasis added]:*
      - (a) *if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
      - (b) *if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
      - (c) *may consider those provisions only in connection with the assessment of that development application.*

*In this subsection, **standards** include performance criteria.*

*The parts of the DCP referred to within reason 2 of the Refusal were addressed by the applicant and we stand by the assessment and subsequent additional information supplied to Council.*

*We refute the suggestion that the development would not be compatible with streetscape. The design of the development is sound, and to illustrate this, we have produced photomontages. These demonstrate, along with all other*

*information provided to Council with the development application that it fits comfortably within the streetscape. We stand by the commentary already provided to Council with respect to streetscape and the character of the area.*

*Further, we refute the suggestion that what is proposed represents an overdevelopment of the site. Sound justification for the proposal has been provided in this regard.*

- 3) *We provided detailed reasons and justification for the car parking arrangements proposed. We stand by this justification.*
  - 4) *The proposal will have only positive impacts on the built environment and the suggestion that this proposal may have negative social impacts on the locality is simply fanciful and is not supported on either legal or planning grounds. The proposal involves construction of what we believe to be much needed medium density housing within a designated medium density zone and within walking distance to the Nowra CBD.*
  - 5) *We have supplied ample information to the Council which clearly demonstrates the site is suitable for the proposed use. The Council came to the conclusion that the site was suitable for the proposed use 5 years ago when it approved the same plan set. This opinion was then later reaffirmed when the Council zoned the site R3 Medium Density in 2014.*
  - 6) *The proposal is clearly within the public interest. The proposal is consistent with the objectives of the R3 zone and permissible. The proposal in our view is consistent with Council's DCP 2014 – a performance based document that must be applied flexibly by the Council. Further to this, we note that there was no submission from members of the public or neighbouring property owners in response to the proposal."*
- The application was reported to the Development Committee Meeting on 8 May 2018, in which Council resolved that:
    - “1. *The proposal is considered capable of approval on the basis that the development will provide variety and increase in housing supply in Nowra; and*
    2. *A further report be provided to the May Ordinary Council meeting attaching conditions of consent."*

### **Planning Assessment**

The DA has been assessed under s4.15 of the Environmental Planning and Assessment Act 1979.

### **Financial Implications:**

There are potential cost implications for Council in the event of a refusal of the application. Such costs would be associated with defending any appeal in the Land and Environment Court of NSW.

### **Legal Implications**

An appeal with the Land and Environment Court is possible in the event of a refusal of the application.

### **Summary and Conclusion**

This application has been assessed by Council having regard for section 4.15(1) (Matters for consideration) under the Environmental Planning and Assessment Act 1979 and as highlighted by resolution of Councils Development Committee on 8 May 2018.

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## CL18.122 Tenders - Management and Operation - Shoalhaven Animal Shelter

**HPERM Ref:** D18/160804

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

### Purpose / Summary

To inform Council of the tender process for the Management & Operation of the Shoalhaven Animal Shelter.

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. Council accept the recommendation as presented (preferred option). Further details are provided in the confidential report.
2. Council adopt an alternative recommendation.

### Background

The tender for the provision of the management and operation of the Shoalhaven Animal Shelter was advertised on the 18 November 2017, with the closing date 14 December 2017.

### Tenders Received

No tenders were received during the second round of advertising. The report deals with Council's Ranger Services Unit temporarily managing the service.

Details relating to the costs associated with running this service are contained in the confidential report.

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## LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

### Chapter 3, Section 8A Guiding principles for councils

#### (1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

#### (2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

#### (3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

### Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services



**Chapter 3, 8C Integrated planning and reporting principles that apply to councils**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.