Strategy and Assets Committee

Meeting Date: Tuesday, 23 July, 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 5)
Clr John Wells - Chairperson
Clr Bob Proudfoot
All Councillors
Chief Executive Officer or nominee

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

Agenda

1. Apologies / Leave of Absence
2. Confirmation of Minutes
   - Strategy and Assets Committee - 11 June 2019..............................................................1
3. Declarations of Interest
4. Call Over of the Business Paper
5. Mayoral Minute
   Mayoral Minute
   MMS19.3 Mayoral Minute - Farewell Carmel Krogh OAM ..................................................17
6. Deputations and Presentations
7. Notices of Motion / Questions on Notice
   Notices of Motion / Questions on Notice
   SA19.91 Notice of Motion - Safe Navigable Entrance - Sussex Inlet.................................19
   SA19.92 Notice of Motion - 2019 Fire & Rescue NSW - Firefighters Championships - Berry.................................................................20
   SA19.93 Notice of Motion - Pedestrian / Cyclist Safety - Erowal Bay Road ..................22
   SA19.94 Notice of Motion - Local Government NSW Annual Conference - Motion.................................................................23
8. Committee Reports
   HT19.4   SALT Reboot Program
9. Reports
   CEO Group
   SA19.96  Hyams Beach - Peak Tourist Period Management - Progress Update ......25
   SA19.97  Risk and Audit Committee Charter Amendments ................................33
   Finance Corporate & Community Services
   SA19.98  Donation Request - Currarong Community Association - New Year's
            Eve Fireworks 2019 ...........................................................................43
   SA19.99  Donation Request - Shoalhaven Art Society ..................................52
   SA19.100 Sustainability Initiatives ................................................................59
   Assets & Works
   SA19.101 Sale of Council Land to RMS - New Shoalhaven River Bridge - Nowra.....66
   SA19.102 Update on Proposed Classification & Categorisation of Crown Land
            as a consequence of the Crown Land Management Act 2016 ...............102
   SA19.103 Options - Grant Funding Proposal - Curraonr Road ........................113
   SA19.104 Community Connect, Bawley Point to Kioloa shared pathway project -
            Lot 1 DP 782318 - Australian National University Licence to Shoalhaven City Council .................................................................117
   SA19.105 Kerb & Gutter Construction - Ratepayer Advance - 35 Elizabeth Dr
            Vincentia ...............................................................................................120
   SA19.106 Proposed Lease - 3 Stewart Place Nowra ........................................122
   SA19.107 Notification to Council - EOI for Lease & Management of Building 3,
            80 Park Road, Nowra - Authorisation of Lease .......................................126
   SA19.108 Solar Garden Update ......................................................................129
   SA19.109 Processing of Kerbside Collected Recycling .................................144
   Planning Environment & Development
   SA19.110 Request - Emergency Helicopter Utilisation - Nowra Showgrounds ....145
   SA19.111 Readoption of Council Policy for Waiving of Development Application
            Fees and Other Fees ............................................................................157
   SA19.112 Draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy ......161
   Shoalhaven Water
   SA19.113 Acquisition of Easement for Water Supply - Lot 174 DP755952 - 67
            Wogamia Road Longreach .....................................................................164
   SA19.114 Review Policy - Water and Sewerage Headworks Charges (Section
            64 Contributions) Assistance for Developments ....................................167
   SA19.115 Energy Management Update ..........................................................172
10. Confidential Reports

CSA19.7 Processing of kerbside collected recycling - Confidential Report

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.
Strategy and Assets Committee

Delegation:
pursuant to s377 (1) of the Local Government Act 1993 the Committee is delegated the functions conferred on Council by the Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;

ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;

iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and

iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Councils corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Councils community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;

b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental, natural resources / assets, floodplain, estuary and coastal management and sustainability matters that are dealt with by the Development and Environment Committee.

c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Councils next operational plan within the meaning of s405 of the LG Act;

d. Monitor, review and consider matters relating to the operations and strategic direction of Councils Holiday Haven Tourist Parks Group;

e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the ‘Crown Land Manager’ under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or cannot be delegated by Council;

f. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;

g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Councils adopted Development Servicing Plan and other relevant adopted Council policies;

h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;

i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.

k. Review and make recommendations to Council in relation to:

l. The sale prices of land in connection with residential and industrial Council subdivisions;

m. The sale of Council property or the purchase or resumption of land;

n. The compensation to be offered in respect of land resumed by Council; and

o. Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

p. To determine and accept all tenders with a value of $1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).
MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 11 June 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Acting General Manager

Apologies / Leave of Absence

An apology was received from Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN19.385

That the Minutes of the Strategy and Assets Committee held on Tuesday 14 May 2019 be confirmed.

CARRIED

Declarations of Interest

Nil
Call Over of the Business Paper

The following items were called up for debate:


The following items were resolved en bloc (Clr Proudfoot / Clr Findley) at this time. They are marked with an asterisk (*) in these minutes:


MAYORAL MINUTES

MMS19.2  Mayoral Minute - Request for Nowra Youth Services Inc variation to lease

Recommendation (item to be determined under delegated authority)

That the General Manager offer the Nowra Youth Services Inc a variation to their lease which drops their rent to the Statutory Minimum.

RESOLVED (Clr Findley / Clr Digiglio)  MIN19.386

That:

1. The General Manager offer the Nowra Youth Services Inc. a variation to their lease which drops their rent to $500 per annum after submitting a comparative report to Council on the number of other lease agreements across the City that are on the statutory minimum or less.

2. This report be presented to the Ordinary meeting of Council in June.

3. A deputation be sought from the Nowra Youth Centre.

CARRIED

DEPUTATIONS AND PRESENTATIONS

SA19.69 Update on the Review Access Areas for Dogs Policy (POL16/173) (page 18)

Mr Simon Twitchen, representing the Paws for Thought committee, addressed the meeting and spoke against the recommendation.

Mr David Holland addressed the meeting and spoke against the recommendation.

Mr Jeff Bird, representing the dog owners using Nowra Showground, addressed the meeting and spoke for the recommendation.

SA19.70 Request for Naming of Show Court - Shoalhaven Indoor Sports Centre (page 26)

Mr Tom Pottenger addressed the meeting and spoke for the recommendation.

SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated (page 79)

Ms Debbi Szota, representing Nowra Players, addressed the meeting and spoke for the recommendation.
**Minutes of the Strategy and Assets Committee 11 June 2019**

**Minutes Confirmed Tuesday 23 July 2019**

**Chairperson .................................................................**

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**Procedural Motion - Bring Item Forward**

**RESOLVED (Clr Pakes / Clr White) MIN19.387**

That the following items be brought forward for consideration:

- SA19.67 Question on Notice - Water Storage in Shoalhaven LGA
- SA19.68 Report of the Shoalhaven Arts Board - 23 May 2019
- SA19.69 Update on the Review Access Areas for Dogs Policy (POL16/173)
- SA19.70 Request for Naming of Show Court - Shoalhaven Indoor Sports Centre
- SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated

CARRIED

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**SA19.67 Question on Notice - Water Storage in Shoalhaven LGA**

**HPERM Ref: D19/177233**

**Question**

1. Could the Director of Shoalhaven Water please inform Council of the state of water storage in the Shoalhaven LGA, given the lack of rainfall to date in May, and modelling of the Bureau of Meteorology which predicts below average rainfall throughout winter and spring?

2. Is the campaign to understand how precious water is working?

3. Is our community responding by reducing water consumption? Is this reduction significant enough given the continuing low rainfall outlook?

4. Does Council need to do more to conserve our water supply given these predicted dry conditions?

**Background:**

The Bureau of Meteorology has downgraded its ENSO status from Alert to El Niño Watch.

The BOM website states: “This means the chance of El Niño developing in 2019 is approximately 50%, which is still double the normal likelihood.” As we know, El Niño brings drier conditions over winter and spring.

Further, the IOD (Indian Ocean Dipole) is predicted to trend positive over winter and spring; this also indicates less than average rainfall for winter and spring in southern Australia.

**Response**

1. Danjera Dam – 83.8%
   Bamarang Dam – 81.2%
   Porters Creek Dam – 73.7%
   Flow into Tallowa Dam – at 4 June 2019, 400 ML/day (prior to recent rain was less than 90ML/day, therefore no pumping from Shoalhaven River).
   Tallowa Dam water level – 0.4m below top water level.
   Overall, Shoalhaven Storages are at 81.1% of capacity.

2. Shoalhaven Water has a range of strategies to encourage water conservation. In addition to raising awareness with school children through the popular Tapstar Waterwise education program, water accounts are issued with a range of topical information flyers each quarter. Together with regular updates to the Shoalhaven Water website and Council social media,
Customers can stay informed and understand the issues around water and sewerage services. The campaign of awareness and information is escalated as part of the Drought Management Planning arrangements.

3. The chart below shows Shoalhaven residential consumption per property compares favourably with national water usage, other medium water utilities, and other Council’s/Water Utilities in our area.

4. The Shoalhaven Water Drought Management Plan (DMP) establishes how our water supply schemes are managed, particularly during extended dry periods. The plan is activated when it is perceived there is a high probability that, if there is no rainfall, water restrictions may be imposed. The drought management team have been closely monitoring the water situation in recent times, particularly as the flow into Tallowa dam reduced to below 90 ML/day (the trigger to stop pumping from the Shoalhaven River to Bamarang Dam). The recent rainfall in early June will delay further actions to implement water restrictions until the trigger levels contained within the DMP necessitate such action.

### Recommendations

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

That Council:

1. Approve the appointment of a second two (2) year term ending June 2021 for the following expiring Community Members who have advised that they wish to continue on the Board in accordance with the Arts Board Terms of Reference:
   a. Peter Lavelle
   b. Alison Chiam
   c. Karen Akehurst

2. Note advice from Barbara Dawson that she does not wish to reapply and thank her for her service to the Shoalhaven Arts Board.

3. Call for Expressions of Interest for Community Members on the Shoalhaven Arts Board for the remaining two (2) positions now vacant on the Board.

**RESOLVED** (Clr Wells / Clr Pakes)

That Council:

1. Approve the appointment of a second two (2) year term ending June 2021 for the following expiring Community Members who have advised that they wish to continue on the Board in
accordance with the Arts Board Terms of Reference:
   a. Peter Lavelle
   b. Alison Chiam
   c. Karen Akehurst
2. Note advice from Barbara Dawson that she does not wish to reapply and thank her for her service to the Shoalhaven Arts Board.
3. Call for Expressions of Interest for Community Members on the Shoalhaven Arts Board for the remaining two (2) positions now vacant on the Board.
CARRIED

AB19.9 Recommendation from Aboriginal Advisory Committee - HPERM Ref: D19/8169
Membership - Representation

Recommendation (Item to be determined under delegated authority)
That Council:
1. Appoint Paul McLeod to the Aboriginal Local Community Member position of the Shoalhaven Arts Board as recommended by the Aboriginal Advisory Committee for a period of 2 years ending June 2021.
2. Amend the Terms of Reference of the Shoalhaven Arts Board to appoint an additional two (2) Aboriginal Local Community Members (as alternates) in accordance with the request from the Aboriginal Advisory Committee.

RESOLVED (Clr Wells / Clr Pakes) MIN19.389
That Council:
1. Appoint Paul McLeod to the Aboriginal Local Community Member position of the Shoalhaven Arts Board as recommended by the Aboriginal Advisory Committee for a period of 2 years ending June 2021.
2. Amend the Terms of Reference of the Shoalhaven Arts Board to appoint an additional two (2) Aboriginal Local Community Members (as alternates) in accordance with the request from the Aboriginal Advisory Committee.
CARRIED

SA19.69 Update on the Review Access Areas for Dogs Policy (POL16/173) HPERM Ref: D19/141317

Recommendation (Item to be determined under delegated authority)
That Council:
1. Engage the consultant Balancing Act to commence the review of the Access Areas for Dogs Policy (POL16/173) and allocate $50,000 from savings at the June 2019 Quarterly Budget Review.
2. Ensure extensive community consultation throughout the region, including the use of:
   a. One (1) Community Focus Group, with the members identified in Attachment 1;
3. Receive a report on the draft Policy and Guidelines to Council prior to public exhibition.
MIN19.390

RESOLVED (Clr Pakes / Clr Proudfoot)

That Council:

1. Not proceed with the review of Council’s Dog Off Leash Policy.
2. Staff research and consult with community providing additional off leash areas on a case by case basis, and report back findings to Council with estimated costings in the first half of 2020.
3. Recommence the trial of the pathway street signage on the Adelaide Street Reserve, Greenwell Point.
4. Receive a further report setting out the business case for increasing funding for Ranger Services to educate and enforce existing dogs off leash areas.

CARRIED

SA19.70 Request for Naming of Show Court - Shoalhaven Indoor Sports Centre

HPERM Ref: D19/146413

Recommendation (Item to be determined under delegated authority)

That Council support the proposal from Shoalhaven Basketball Association Inc., that Court No 1, the “Show Court”, of the new Shoalhaven Indoor Sports Centre be named the “John Martin Court” in honour and recognition of the significant contribution Mr John Martin has made to basketball.

MIN19.391

RESOLVED (Clr Gash / Clr White)

That Council support the proposal from Shoalhaven Basketball Association Inc., that Court No 1, the “Show Court”, of the new Shoalhaven Indoor Sports Centre be named the “John Martin Court” in honour and recognition of the significant contribution Mr John Martin has made to basketball.

CARRIED

SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated

HPERM Ref: D19/149228

Recommendation

That Council resolve to:

1. Enter into a twenty (20) year lease agreement over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry with Nowra Players Incorporated at a commencement rent of $3,636.36 per annum plus GST with annual CPI increases.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

RECOMMENDATION (Clr Pakes / Clr Proudfoot)

That Council resolve to:

1. Enter into a twenty (20) year lease agreement over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry with Nowra Players Incorporated at a commencement rent of $3,636.36 per annum plus GST with annual CPI increases.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.
SA19.74 Low Cost Loans Initiative Funding Agreement

**Recommendation**
That the Seal of Council be affixed to the Low-Cost Loan Initiative Funding Agreement for the Moss Vale Road South project with the Mayor and General Manager signing the agreement.

**RECOMMENDATION** (Clr Proudfoot / Clr White)
That the Seal of Council be affixed to the Low-Cost Loan Initiative Funding Agreement for the Moss Vale Road South project with the Mayor and General Manager signing the agreement.
CARRIED

SA19.75 Solar PV Installations on Council Assets and Revolving Energy Fund

**Recommendation**
That Council:
1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a $230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of $230,000 for the establishment of the REFund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.
4. Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.

**RECOMMENDATION** (Clr Gartner / Clr Findley)
That Council:
1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a $230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of $230,000 for the establishment of the REFund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.
4. Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.
CARRIED
**SA19.76 Accelerated Replacement of Public Street Lighting with Energy Efficient LEDs**

**Recommendation**

That Council:

1. Enter into an agreement with Endeavour Energy to implement the accelerated street lighting program to change 4,231 Mercury Vapour (MV) residential class street lights (50 and 80 Watts) to 17 Watt energy efficient LED technology at a cost of $1.2M.

2. Delegate to the General Manager the authority to:
   a. Finalise and execute the contract and any other documentation required to give effect to this resolution
   b. Apply to NSW Office of Environment and Heritage to participate in the Accelerated Public Lighting Program to replace lights with a payback period of 5 years or less

3. Request to borrow $1.2M from TCorp as a loan to fund the implementation of this program, with all savings from it to be directed back to loan repayments as they are realised.

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

That Council:

1. Enter into an agreement with Endeavour Energy to implement the accelerated street lighting program to change 4,231 Mercury Vapour (MV) residential class street lights (50 and 80 Watts) to 17 Watt energy efficient LED technology at a cost of $1.2M.

2. Delegate to the General Manager the authority to:
   a. Finalise and execute the contract and any other documentation required to give effect to this resolution
   b. Apply to NSW Office of Environment and Heritage to participate in the Accelerated Public Lighting Program to replace lights with a payback period of 5 years or less

3. Request to borrow $1.2M from TCorp as a loan to fund the implementation of this program, with all savings from it to be directed back to loan repayments as they are realised.

**CARRIED**

**SA19.86 NSW Government Safer Roads Program 2018-19 Approved Variations**

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

That:

1. Council accepts the grant funding variations approved under the NSW Government Safer Roads Program as follows:
   a. An additional $40,000 for the Bolong Road (east of Broughton Creek) project (chainage 8-9km east of the Princes Highway), originally $430,000 approved under the Safer Roads Program ($5,000 for design in 2016-17, $300,000 to commence construction in 2017-18, and $125,000 to complete construction in 2018-19), the additional funds now adjusting the 2018-19 budget from $125,000 to $165,000 to allow completion of the project in 2018-19 and authorises the expenditure on job number 86637 (funding already received)
   b. No additional funds have been approved for the Illaroo Road and Page Avenue intersection, North Nowra, (roundabout) project, originally $130,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $40,000 approved to allow completion of the project in 2019-20), and authorises the
expenditure on job number 86665 (2018-19 funding component to be claimed in June, 2019)

c. No additional funds have been approved for the Mitchell Parade and Donlan Road (south), Mollymook, intersection (roundabout) project, originally $140,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $50,000 approved to allow completion of the project in 2019-20), and authorises the expenditure on job number 86665 (2018-19 funding component to be claimed in June, 2019)

d. No additional funds have been approved for the Green Street and Warden Street, Ulladulla, intersection (roundabout) project, originally $240,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $150,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 86675 (2018-19 funding component to be claimed in June, 2019)

2. The General Manager (Director Assets & Works) write to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the NSW Government Safer Roads Program and for the support of RMS staff in reviewing Council’s variations for these important local road safety improvements.

RESOLVED (Clr Proudfoot / Clr Kitchener) MIN19.392

That:

1. Council accepts the grant funding variations approved under the NSW Government Safer Roads Program as follows:

   a. An additional $40,000 for the Bolong Road (east of Broughton Creek) project (chainage 8-9km east of the Princes Highway), originally $430,000 approved under the Safer Roads Program ($5,000 for design in 2016-17, $300,000 to commence construction in 2017-18, and $125,000 to complete construction in 2018-19), the additional funds now adjusting the 2018-19 budget from $125,000 to $165,000 to allow completion of the project in 2018-19) and authorises the expenditure on job number 86637 (funding already received)

   b. No additional funds have been approved for the Illaroo Road and Page Avenue intersection, North Nowra, (roundabout) project, originally $130,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $40,000 approved to allow completion of the project in 2019-20), and authorises the expenditure on job number 86665 (2018-19 funding component to be claimed in June, 2019)

   c. No additional funds have been approved for the Mitchell Parade and Donlan Road (south), Mollymook, intersection (roundabout) project, originally $140,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $50,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 86668 (2018-19 funding component to be claimed in June, 2019)

   d. No additional funds have been approved for the Green Street and Warden Street, Ulladulla, intersection (roundabout) project, originally $240,000 in 2018-19, however the budget has been revised to allow an extension of time ($90,000 in 2018-19 and $150,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 86675 (2018-19 funding component to be claimed in June, 2019)

2. The General Manager (Director Assets & Works) write to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the NSW Government Safer Roads Program and for the support of RMS staff in reviewing Council’s variations for these important local road safety improvements.

CARRIED
NOTICES OF MOTION / QUESTIONS ON NOTICE

SA19.67  Question on Notice - Water Storage In Shoalhaven LGA

Item dealt with earlier in the meeting.

REPORT OF THE SHOALHAVEN ARTS BOARD - 23 MAY 2019

AB19.8  Shoalhaven Arts Board - Membership - Term Expires June 2019 - Call for Expression of Interest

Item dealt with earlier in the meeting see MIN19.388

AB19.9  Recommendation From Aboriginal Advisory Committee - Membership - Representation

Item dealt with earlier in the meeting see MIN19.389

REPORTS

SA19.69  Update on the Review Access Areas for Dogs Policy (POL16/173)

Item dealt with earlier in the meeting see MIN19.390

SA19.70  Request for Naming Of Show Court - Shoalhaven Indoor Sports Centre

Item dealt with earlier in the meeting see MIN19.391

The following items were moved en bloc and are marked with an asterisk (*):

SA19.71  Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees - 2019/2020

RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That Council:

1. Notes the Local Government Remuneration Tribunal’s Annual Report and Determination dated 15 April 2019

2. Agrees to adjust the Councillor Fee to $20,280 and the Additional Mayoral Fee to $44,250 for the 2019/2020 financial year.

3. Make a submission to the Local Government Remuneration Tribunal as part of the 2020 Review on the basis that the current categorisation of Shoalhaven City Council does not adequately reflect the attributes, challenges and responsibilities of the Council.

CARRIED
### SA19.72 19th International Cities, Town Centres and Communities Conference

**RESOLVED** (Clr Proudfoot / Clr Findley) MIN19.393

That Council

1. Notes the details of the 19th International Cities, Town Centres and Communities Conference scheduled for 23 to 25 October 2019 in Townsville, QLD.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

**CARRIED**

### SA19.73 Sponsorship Request - Rotary - Shoalhaven Emergency Services Community Awards

**RECOMMENDATION** (Clr Proudfoot / Clr Findley)

That Council:

1. Accept the invitation to be a Partner of the Shoalhaven Emergency Services Community Awards as a Silver Awards Partner ($2,000).
2. Fund the sponsorship from the Unallocated Donations Budget for 2019/20.

**CARRIED**

### SA19.74 Low Cost Loans Initiative Funding Agreement

Item dealt with earlier in the meeting.

### SA19.75 Solar PV Installations on Council Assets and Revolving Energy Fund

Item dealt with earlier in the meeting.

### SA19.76 Accelerated Replacement Of Public Street Lighting With Energy Efficient LEDS

Item dealt with earlier in the meeting.
SA19.77 Proposed Lease of Part 108 DP131063 - Narang Road
Bomaderry - Shoalhaven District Tennis Association

HPERM Ref: D19/145603

RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That Council:

1. Enter into a three (3) year lease agreement over Part Lot 108 DP131063, Narang Road, Bomaderry with two (2) x three (3) year option periods with Shoalhaven District Tennis Association at a commencement rent of $21,996.00 per annum plus GST with annual CPI increases.

2. Approve the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated

HPERM REF: D19/149228

Item dealt with earlier in the meeting.

SA19.79 Public Road - Douglas Paddock Road, Coolumburra - Redefinition of Boundaries and acquisition

HPERM Ref: D19/172301

RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That Council

1. Approve draft survey plan DP 1253398 redefining Douglas Park Road boundaries (shown as proposed Lot 1), for registration per S.21 of the Roads Act 1993.

2. Resolve to acquire from Gary & Maureen Hansell proposed Lot 2 DP 1253398 for $1.00 (plus GST if applicable) and upon conclusion of the acquisition dedicate same as a public road per S.10 of the Roads Act 1993;

3. Affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

SA19.80 Proposed Lease - Bomaderry Community Preschool - 5 Birriley Street, Bomaderry

HPERM Ref: D19/168439

RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That Council:

1. Enter into a five (5) year lease agreement with a five (5) year option period with Nowra Anglican College Ltd for the continued use and occupation of part 5 Birriley Street, Bomaderry as the Bomaderry Community Preschool, with an initial rent of $7,357.09 plus GST, with annual CPI increases,

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.

CARRIED
SA19.81 Proposed Licence - Part of Lot 374 DP 755952 & Part of Lot 7323 DP 116817, West St Nowra - Nowra Communal Hall Nowra Showground

**RECOMMENDATION*** (Clr Proudfoot / Clr Findley)

That Council:

1. Enter into a one-year short term Crown Land licence agreement over part of Lot 374 DP 755952 and part of Lot 7323 DP 116817, West St Nowra, known as Nowra Communal Hall Nowra Showground, to Shoalhaven Citizens Youth Club trading as Nowra Gymnastics for an annual rent of $25,000 (twenty-five thousand dollars) plus GST.

2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any document necessary to give effect to this resolution.

CARRIED

SA19.82 Classification of Land - Lot 616 DP 1249606 & Lot 617 DP 1249606 Red Gum Drive Ulladulla

**RECOMMENDATION*** (Clr Proudfoot / Clr Findley)

That Council resolve to classify the land, Lot 616 & Lot 617 DP 1249606 Red Gum Drive Ulladulla in SF9275 as Community Land.

CARRIED

SA19.83 Proposed Acquisition of Land - Ulladulla

**RESOLVED*** (Clr Proudfoot / Clr Findley)

That Council, in accordance with Section 10A(2)(a) of the LGA 1993 consider a separate confidential report in relation to property acquisition matters in the locality of Ulladulla.

CARRIED

SA19.84 Parking Spaces - Petition - Moss Street / North Street - Nowra

**RESOLVED*** (Clr Proudfoot / Clr Findley)

That in response to two petitions presented to the Ordinary Meeting on the 26 March 2019, the General Manager (Director, Assets & Works) carry out community consultation on a proposal to time restrict three (3) all day parking spaces to 2P (2 hour) on the southern side of Moss St, Nowra (immediately east of Kinghorne St), prior to consideration of the proposal by the Shoalhaven Traffic Committee and subsequent consideration by Council.

CARRIED
Minutes Confirmed Tuesday 23 July 2019 – Chairperson .................................

SA19.85  Australian Government Blackspot Program 2018-19 - Approved Variations  HPERM Ref: D19/167524

RESOLVED* (Clr Proudfoot / Clr Findley) MIN19.396

That:

1. Council accepts the grant funding variations approved under the Australian Government Blackspot Program as follows:
   a. an additional $70,000 for the Jervis Bay Road (south of Woollamia Road), Falls Creek project, originally $480,000 in 2017-18, making total revised budget $550,000 ($480,000 in 2017-18 and $70,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86666 (funding already received)
   b. an additional $275,000 for the Wheelbarrow Road, Woodburn project (Chainage 2.0-3.2km east of Woodburn Road), originally $210,000 in 2017-18, making total revised budget $485,000 ($100,000 in 2017-18 and $385,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86671 (2018-19 funding component to be claimed in June 2019)
   c. an additional $160,000 for the Paradise Beach Road & Kingsford Smith Crescent, Sanctuary Point, roundabout project, originally $190,000 in 2017-18, making total revised budget $350,000 ($40,000 in 2017-18 and $310,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86669 (funding already received)
   d. an additional $70,000 for the North Street & Kinghorne Street, Nowra (traffic signals) project, originally $260,000 in 2018-19, making total revised budget $330,000 ($45,000 in 2018-19 and $285,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 85163 (2018-19 funding component to be claimed in June 2019)

2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, thanking them for their ongoing support of the Shoalhaven Community in reviewing and supporting Council’s variations for these important local road safety improvements.

CARRIED


Item dealt with earlier in the meeting see MIN19.392

SA19.87  NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Options  HPERM Ref: D19/167539

RESOLVED* (Clr Proudfoot / Clr Findley) MIN19.397

That:

1. Council proceed to install a bus shelter in the road reserve fronting 167 Moss Vale Road (Option 1 of the recent community consultation); and

2. The General Manager (Director Assets & Works) advise the community of the outcome of the community consultation process, and of Council’s decision

CARRIED
SA19.88  Grant of Easement for Underground Cables to Endeavour Energy - Moss Vale Rd Kangaroo Valley

RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That Council
1. Grant an Easement in favour of Endeavour Energy for underground cables 1 metre wide over Lot 16 DP 773481 Moss Vale Road, Kangaroo Valley and accept compensation of $2,500 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and all legal costs are met by the registered proprietor of Lot 14 DP 773481.
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.

CARRIED

SA19.89  Fee Waiver - St Andrews Way, Coolangatta - Sewer Scheme

RESOLVED* (Clr Proudfoot / Clr Findley) MIN19.398

That Council endorse to waive the final drainage inspection fee of $135 for 6 months, for the following existing residential dwellings located on the following lots:
1. Lots 1 to 22 of DP 1090614 - St Andrews Way Coolangatta and;
3. 11 properties known as 1260 – 1280 Bolong Rd, Coolangatta.

CARRIED


RECOMMENDATION* (Clr Proudfoot / Clr Findley)

That:
1. Council, in accordance with Council’s Policy POL18/19, refund application fees identified in the report for:
   a. Nowra Baptist Christian School Ltd. amounting to $3,523.00; and
   b. Nowra Rifle Club Inc. amounting to $132.00.
2. The refund for the Application Fees be sourced from the proposed 2019/2020 Unallocated Donations Budget Allocation.

CARRIED
CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public made representations.

RESOLVED (Clr Pakes / Clr Gash) MIN19.399

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA19.6 Proposed Acquisition of Land - Ulladulla

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

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.

CARRIED

The meeting moved into confidential the time being 6.49.

The meeting moved into open session, the time being 6.51.

There being no further business, the meeting concluded, the time being 6.51pm.

Clr Wells
CHAIRPERSON
MMS19.3  Mayoral Minute - Farewell Carmel Krogh OAM

HPERM Ref:  D19/211759

Recommendation (Item to be determined under delegated authority)

That Council receive the report for information and congratulate Carmel Krogh OAM on her service to Council over the past 12 years.

Details

This meeting marks the last meeting for much loved Director of Shoalhaven Water Carmel Krogh OAM. Carmel is finishing her career to dedicate her time to her role as President of the Australian Water Association. The outgoing President of the AWA was spot on when he declared that there were no better hands that the association could be passed into than Carmel’s.

As a water professional, with 35 years in the industry, Carmel is completely committed to great human outcomes from delivering the necessary infrastructure, great product and strategic planning, but it is Carmel’s commitment to the people around her that sees her standing within the industry as a great leader.

In the years that I have been part of Shoalhaven City Council I have witnessed the strong and effective leadership that Carmel has delivered to her team. Tough and unwavering when required, focused on getting the work done, and a strong developmental focus for the workforce. Carmel makes sure that her teams are given the opportunities to grow and develop, by empowering, listening, encouraging and guiding. Carmel has ensured that a total of 86 trainees have graduated through Shoalhaven Water with 70% of these trainees continuing on to full time employment. Watching the people around her grow professionally with confidence has been a great source of inspiration to me and I very much appreciate, on a personal level, the mentorship that Carmel has provided to me.

It is hard not to feel a sense of pride for Carmel and her achievements and the accolades that have come her way in the last six months are indeed a reflection on her lifetime commitment to the water industry which Carmel is clearly committed to.

Carmel’s career has been one of diversity and I know that her work with AusAid will always remain a highlight for her. Here at Shoalhaven we have Carmel to thank for so many major projects – in particular the recent milestone for the REMs Scheme under river crossing I’m sure provided a sigh of relief for all involved. Porters Creek Dam was also one of those projects that Carmel will be able to look back on with immense pride and understanding the depth of involvement Shoalhaven Water gave to this immense piece of work.

There is no doubt that Carmel will be missed in this organisation, not just by the staff of ShoalWater but across the whole organisation; we will be saddened to see you go Carmel, but understand that life calls us in different ways and the legacy that you leave here is one that the whole city has and will continue to benefit from for many years to come.

Thank you, Carmel, for your steadfast service to this organisation, for your professionalism, continuous strive to do better, mentorship and friendship. We wish Carmel and Eddy all the very best in this exciting new chapter and offer our deepest gratitude for the longevity of your commitment to the Shoalhaven.

Some of Carmel’s personal achievements include:

- First female to graduate from the NSW Institute of Technology (now UTS) in Civil Engineering
• Hastings Business Woman of the Year – 2001
• Ministers Award for Women in Local Government in NSW – 2013
• AWA - NSW Water Professional of the Year – 2017
• Medal of the Order of Australia (OAM) in recognition for her service to civil engineering – 2019
• Named President of the Australian Water Association at the OzWater 2019 Water Industry Conference – 2019
• Office of Local Government – Ministers Women’s Awards 2019 – Special Achievement Award - 2019
SA19.91 Notice of Motion - Safe Navigable Entrance - Sussex Inlet

HPERM Ref: D19/222866

Submitted by: Clr Greg Watson
Clr Patricia White

Purpose / Summary
The following Notice of Motion, of which due notice has been given, is submitted for Council’s consideration.

Recommendation (Item to be determined under delegated authority)
That
1. The Chief Executive Officer report to Council regarding the possibility of having a preliminary design done aimed at achieving a reasonably safe navigable entrance for the River at Sussex Inlet.
2. Consideration also be given to the possibility of obtaining a grant to meet part of the cost of the study/design.
3. Council express concern to the relevant State Government Minister regarding St Georges Basin and River as an ICOLL in a Government map, as the River has never closed in recorded memory.

Background
It is my understanding that the listing of a waterway as an ICOLL removes any obligation for Waterways to maintain a lake or river in a safe navigable state and removes the ability for a successful grant application.
SA19.92  Notice of Motion - 2019 Fire & Rescue NSW - Firefighters Championships - Berry

HPERM Ref: D19/230987
Submitted by: Clr Mitchell Pakes

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

Recommendation (Item to be determined under delegated authority)
That Council
1. Support the 2019 Fire and Rescue NSW Firefighters Championships being held in Berry.
2. Allocate $3000 from the unallocated donations fund to support the running of the event.

Background
I have received correspondence from the Nowra 405 Station Officer who outlined the following request for funding for the Fire and Rescue NSW Firefighters Regional Championships:

“The Fire and Rescue NSW Firefighters Championships Southern Region competition will be held at the Berry Showground 3rd and 4th of August 2019. As you are aware, these championships are well supported by our local stations of Nowra, Berry and Ulladulla. All three of our local teams regularly travel throughout NSW competing at regional championships. This will be the third regional championships held at Berry since 2010 and the previous all being an outstanding success.

The format for this year’s event at Berry will be similar to previous years with a few additions.

• Commencing midweek will be fire safety education for local schools including Havenlee and the Budawang School from Ulladulla.
• Friday the 2nd will see specialist appliances and staff converge for further fire and safety demonstrations for school children.
• Friday will also see the arrival of the 25 to 30 teams competing from throughout NSW and attending a welcome function at the Berry Bowling Club.
• Saturday will see the competition event commence with the first five events conducted.
• During this day further fire fighting displays and education will be undertaken for members of the public.
• At the conclusion of the day’s event the teams and their families will again attend the Berry Bowling club for an official function.
• Sunday will see the final 5 events conducted with fire education display again available for the public as well as the spectacle of seeing the best fire fighting teams in NSW compete.
Over the weekend approximately 300 competitors, their families and officials will be visiting the Shoalhaven and contributing to the local economy. The Berry showground will be a hive of activity at this time with local Rugby league games played on the adjoining showground on the Saturday and the Berry Markets being held at the same location on the Sunday. As with previous years, these concurrent events generate large crowds which value adds to one of our main goals which is community fire safety and education.

The running of such an event cannot be done without the dedication and hard work of our volunteer officials, competitors and others. We do have some very generous sponsors but these only cover a small portion of costs to keep such a large event running. As always, the Fire fighter championship association (FCA) try to assist competitors and families with some financial assistance through very modest prize money. These small amounts go towards alleviating the costs of accommodation, meals and travel which is invested into the event hosts community.

Can I ask that you investigate the possibility of Council or one of their organisations assisting us with the running of the event through financial sponsorship. At this time we do not have a local sponsor to support us but we are hoping this can be secured in the near future.

I support the request in full and would like Council to fund this important community event.

Note by the CEO

The Director – Shoalhaven Water has advised that Shoalhaven Water would be happy to sponsor this event. (Job # 17925/ Act. 229714)

Therefore, the following alternate wording is proposed for consideration by the Council:

“That Council support the 2019 Fire and Rescue NSW Firefighters Southern Region Championships by way of a Sponsorship of $3000 from Shoalhaven Water.”
SA19.93 Notice of Motion - Pedestrian / Cyclist Safety - Erowal Bay Road

HPERM Ref: D19/239993

Submitted by: Clr John Levett

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

Recommendation (Item to be determined under delegated authority)
That a report come back to Council from appropriate Staff on the feasibility, options and costings of providing safe pedestrian and cycle access across the creek at the western end of Erowal Bay Road where it meets Naval Parade at the entrance to Erowal Bay Village.

Background
The existing bridge is designed for vehicle access only and to cross the creek pedestrians and cyclists must be either on the road or very close to it on the narrow shoulder. This is the only access to the villages of Erowal Bay, Bream Beach and Wrights Beach. The speed limit down the hill on Erowal Bay Road from Jervis Bay Road is 80km per hour but my observation is that motorists often exceed that limit. The limit reduces to 50 km per hour a mere 160 metres from the bridge on a blind bend… this is an inherently dangerous situation.

The unsafe access into Erowal Bay has been raised a number of times at Basin Villages Forum. Rectification of this issue would stimulate the development of alternative transport options by way of more shared pathways within and beyond the village.
SA19.94 Notice of Motion - Local Government NSW Annual Conference - Motion

HPERM Ref: D19/241508

Submitted by: Cllr John Levett

Purpose / Summary
The following Notice of Motion, of which due notice has been given, is submitted for Council’s consideration.

Recommendation (Item to be determined under delegated authority)
That Shoalhaven City Council puts a Motion to the Local Government NSW Annual Conference urging the State Government to change the Companion Animals Act so that domestic cats are no longer free to wander and are confined to the house of their owner and/or an appropriate meshed cat run.

Background
We in the Shoalhaven are custodians of one of the most important biodiversity regions in Australia including around 300,000 hectares of National Parks and State Forests. The area is home to approximately 390 bird species, 61 of which are threatened and 17 of those 61 species are on both NSW and Commonwealth Endangered Species lists. Within one kilometre of Hyams Beach 139 species have been catalogued and 78 species within the same distance from Bherwerre Wetland at Sanctuary Point. Cats on the loose provide a major threat to not only birdlife but ground mammals, frogs, snakes and lizards. The number of feral and stray cats in Australia is almost impossible to calculate but in 2014 Greg Hunt, the then Federal Environment Minister, said that estimates put it at around 20 million and these were killing up to 20 billion animals per year.

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

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

That the Homelessness Taskforce recommend that Council:

1. Note that the Shoalhaven Homelessness Interagency is to facilitate an event to bring together relevant organisations, including business chambers and the Shoalhaven Professional Business Association, to receive information including a presentation on the SALT RE-BOOT Program and tour of existing homeless services.

2. By way of support of the RE-BOOT Program, write to the appropriate members of Parliament, including Local Members, to encourage their attendance at the Homelessness Interagency event.

3. Staff work with SALT to source possible opportunities for a building that may be capable of supporting the RE-BOOT program.

Note by the Chief Executive Officer:

During Homelessness Week 4-10 August 2019, the Shoalhaven Homelessness and Good Living Conditions Interagency is facilitating an event - the Shoalhaven Homeless Service Tour and Lunch.

The event will provide an opportunity to look through some of Shoalhaven’s crisis accommodation options and speak with local homeless services to learn more about how they work to prevent and resolve homelessness in the Shoalhaven. At this event SALT Care will have the opportunity to present its RE-BOOT* Intensive Community Reiteration Service program.

*RE-BOOT is a proposed 12-month live-in accommodation and assistance service with individualised mentoring, training and skill development, volunteer work, with a range of partners with expertise in working with homeless people to enable participants to successfully transition back into the community and move into sustainable employment.
SA19.96  Hyams Beach - Peak Tourist Period Management - Progress Update

HPERM Ref: D19/169635

Group: General Manager's Group
Section: Tourism

Purpose / Summary
To provide Council with feedback on the Easter Peak Tourist Period at Hyams Beach and update Council on progress that has been made on the previous resolution of Council.

Recommendation (Item to be determined under delegated authority)
That Council:
1. Note that given the complexity and expertise required to progress the following "long-term solutions", separate reports to future Strategy & Assets meetings are being prepared, and that the outcomes of deliberations on those further reports will be consolidated into the Draft Hyams Beach Access and Management Master Plan:
   a. Out of village parking: Actively pursue options for parking outside of Hyams Beach Village.
   b. Options for traffic management long term: Feasibility, funding and installation of a permanent roundabout to ease traffic congestion and control access into Hyams Beach at peak holiday times.
   c. Paid parking: Continue to actively investigate the viability of paid parking through the required traffic studies.
   d. Illegal Camping and installation of a gate at Seamans Beach carpark: Installation of a gate on Seamans Beach carpark with associated options and costings, including locking toilets, additional disabled parking and additional line-marking.
   e. Funding opportunities: Outcomes of the Restart NSW Environment and Tourism fund.
   f. Smart Technology: EOI process to identify potential Smart Technology solutions to challenges faced in Hyams Beach peak tourist periods.
   g. Additional parking in the village: There is mixed feedback about carparking and various options that have been discussed.
   h. Amenities: Planned upgrades, timeframes and additional opportunities for improvements.
   i. Footpaths and pedestrian access around the village: options and associated costs.
   j. Community Hall: Community requests for access to the hall, identified challenges and associated costs.
2. Note that ultimately the Draft Hyams Beach Access and Management Master Plan will be presented to Council for adoption following a formal public consultation process.

Options
1. As recommended.

Implications: Specialist staff will report directly to Council on each project.
2. Receive the report for information only.
   **Implications:** Absence of strategic direction.

3. An alternative proposal.
   **Implications:** Unknown.

**Background**

Hyams Beach has become such a popular destination for day trippers and holiday makers that in peak visitation times, residential amenity is significantly impacted and pressures on infrastructure and service provision are extreme. There has been significant traffic congestion, lack of parking, illegal parking, illegal camping, high levels of waste generation and littering during peak visitation periods.

In response to these conditions, additional management strategies have been implemented over the October 2018 long weekend, 2018/2019 summer period and 2019 Easter school holiday period. Community feedback on the Easter holiday period management strategies is discussed further under the heading "Community Consultation".

**Council resolution 26 March 2019 [MIN19.162]**

That Council:

1. Receive the report on the results of management strategies implemented over the peak tourism period to manage traffic, safety and local amenity concerns in high visitation areas.

2. Continue to manage short term high tourism visitation challenges over the next 12 months throughout the Shoalhaven Region and continue to provide a net budget allocation of $150,000 in the 2019/20 financial year to ensure the standard of service and improvements made over the last 12 months are maintained.

3. Commit to ongoing priority be given to resolving Hyams Beach challenges through continued investigation of long-term solutions as follows:
   
   i. Actively pursue options for parking outside of Hyams Beach Village with walk in and/or a shuttle bus service, with preference given to two identified potential sites owned by Jerrinja Land Council and National Parks and Wildlife Service respectively.

   ii. Actively work on feasibility, funding and installation of a permanent roundabout to ease traffic congestion and control access into Hyams Beach at peak holiday times.

   iii. Continue to actively investigate the viability of paid parking through the required traffic studies and report back to council in due course.

4. Note that in relation to issues with illegal camping and noise complaints within the Seaman’s Carpark and in response to strong representations from the community to limit use of the carpark to be open only during daylight hours, the following key actions will be trialled:
   
   i. Installation of a gate on the carpark and lock the gate – carpark only open during daylight hours

   ii. Lock toilets – open only during daylight hours

   iii. Investigate the ability to issue higher dollar infringements for illegal camping
5. Receive a further report on the outcomes of the grant application for infrastructure upgrades under the “Shoalhaven Sustainable Tourism Infrastructure Package” as part of the Restart NSW Environment and Tourism fund

6. Actively seek ongoing funding for tourism related infrastructure improvement projects as opportunities arise.

7. Proceed with a limited Expressions of Interest process to identify potential Smart Technology Solutions available to assist in solving the very high visitation challenges identified at Hyams Beach and report findings with estimated budgets back to council and the community via the Hyams Beach CCB.

8. That Council continue to work with the businesses of Hyams Beach in reducing any perceived impacts of the peak tourist management period.

**Status of actions**

*Continue to manage short term high tourism visitation challenges to ensure standard of service and improvements is maintained*

Traffic management, additional ranger services, temporary portable toilets and additional waste services provided over the summer period were provided at Hyams Beach over the Easter school holiday period to continue to manage short term high visitation challenges.

Temperatures over Easter were warmer than average (25-28 degrees Celsius) for this time of year (historical average 22 degrees Celsius). Roads were closed for three hours on Saturday (approximately 12pm-3pm) and Sunday (approximately 11.30am-2.30pm). Hyams Beach did not reach full parking capacity on other days.

Feedback from residents and businesses about the implementation of management strategies was positive and is covered in further detail below under the heading “Community Consultation”.

Members of the community have raised concerns about the October long weekend and October school holidays. Plans are in place for traffic management over the October long weekend, Friday 4 – Monday 7 October 2019. It is believed that weather will not be warm enough to have traffic management in place for the whole school holidays.

**Out of area parking**

Council staff held initial discussions with the Jerrinja Local Aboriginal Land Council on 9 April 2019 regarding possible future use opportunities for land now in their ownership to the East of Naval College Road and South of Booderee Avenue.

Council wrote to the National Parks & Wildlife Service on 22 May 2019 to enquire whether NPWS would be supportive of partnering in further investigation into a carpark on a site bordered by Naval College Road and St George Avenue, or an alternative site. NPWS and Council representatives met on-site on 17 June 2019.

Council resolved on 25 June 2019 [MIN19.410]

*That in relation to the item Peak Tourist Management Package SA19.24, endorsed by Council at the 26 March 2019 Ordinary Meeting, Council expunges, or does not act upon Part 3(i) of the resolution which indicates a preference for two identified potential sites owned by the Jerrinja Local Aboriginal Lands Council and the National Parks and Wildlife Service.*

An alternative option that is being explored is making use of the existing carpark at Vincentia High School and operating a shuttle bus service. An advantage of using this site, if agreement could be reached with the Department of Education and Training, is that the carpark is already in place. A disadvantage is the cost and practicalities of operating a shuttle bus and making this an attractive option for visitors.
Council wrote to the Department of Education and Training on 11 June 2019 to enquire whether DET would be supportive of Council using the carpark during the summer school holidays. Challenges include school security, public liability and potential deterioration of the asset from increased use.

Representatives from School Infrastructure NSW have expressed support for further investigation into this option and meeting onsite. A separate report on this long-term option will be presented to a future Strategy and Assets Committee Meeting.

**Permanent roundabout(s)**

The cost for survey and design work has been estimated at $45,000. This includes preparation of construction ready drawings ready for grant application. If approved, the survey and design work could be completed by 30 June 2020 and construction funding applied for.

The appropriate location for a permanent roundabout has not been determined. To prevent deterioration of Naval College Road from the use of a temporary roundabout over the summer period, additional sealing may be required. A separate report on this long-term, permanent solution will be presented to a future Strategy and Assets Committee meeting.

**Continue to investigate the viability of paid parking**

$20,000 has been spent on traffic surveys to date and surveys are progressing. It is estimated that an additional $20,000 will be required to complete further surveys to November 2019 and an estimated $40,000 for a consultant to complete the parking study and prepare a report for Council, subject to quotations. The studies are required to support an application to the RMS to implement paid parking. If funds are available, the study could be complete by June 2020 and outcomes reported to Council for next steps. Council will continue to fund traffic surveys unless there is a decision to the contrary. A separate report on this long term, permanent solution will be presented to a future Strategy and Assets Committee meeting.

**Installation of a gate on Seamans Beach carpark**

Since the Council resolution of 26 March 2019, several matters have been identified as practical challenges associated with installation of a gate. Due to the width of the entrance to the Seamans Beach carpark, a traffic island to support the gate would be necessary. This would limit the access width to the carpark and reduce available car parking spaces, for the island and the opening and closing of the gate.

If this is the preferred option, designs will need to be completed and approved through Council’s Traffic Committee and funding will need to be sought by Council for construction. Cost of design for the traffic island and gate is estimated at $10,000. Design could be complete by December 2019, including reporting and approval by the Shoalhaven Traffic Committee.

Alternative options include a boom gate and retractable bollards, which are potentially an expensive solution. A separate report on this long term, permanent solution will be presented to a future Strategy and Assets Committee meeting.

**Locking Seamans Beach toilets overnight**

The trial was discussed with representatives of the Villagers Association on 15 April 2019. Representatives were concerned about locking the toilets in the absence of other measures, such as a lockable gate, and suggested that Council delay a trial of locking the toilets until a gate is in place to close the carpark.
A quote to lock the toilets was obtained from a local security company, who estimated the cost to lock the toilets in the evening and unlock in the morning every day of the year at $70,000 as it would occur on the change of shift. Costings for locking the toilets during the peak tourist period only are $7,480 plus GST. The community has indicated that this is a year-round problem.

There are toilets within other regions with automatic locking systems. This is something that can be explored further in the design stage. A separate report on long term plans for toilets, including upgrades and options for locking will be presented to a future Strategy and Assets Committee meeting.

**Investigate the ability to issue higher dollar infringements for illegal camping**

Camping on Council public land may be prohibited by the local Council erecting signage under section 632 of the *Local Government Act 1993*. Signage has been erected across the Shoalhaven prohibiting camping Council's reserves, beaches and public areas, including at Hyams Beach.

A person who, in a public place within the area of a Council, fails to comply with the terms of a notice erected by the Council is guilty of an offence. Council rangers are authorised to issue "on the spot" penalty notices for this offence carrying a $110 fine.

This is the only legislative provision available to local government to combat illegal camping. The penalty amount is set by the NSW Government legislation. As Councils do not set the amount of a penalty notice they are unable to vary the amount of the fine.

An alternative option might have been to make the car park a no-stopping zone overnight, and the penalty amount of $112 would normally apply. This amount is only marginally higher, and Council resolved on 26 March 2019 to reduce penalty notice charges for overtime carparking, overtime street parking and not stand vehicle within marked space by 25%, so the penalty amount would be $84.

**Representations have been received from members of the community to convert Seamans Beach carpark to disabled parking only.**

An infringement for illegally parking in a disabled parking space is $561 and 1 demerit point.

Council’s DCP, Chapter G21 provides “a minimum of one space for the disabled is required and thereafter one additional space for every 100 spaces or part thereof.”

Seamans Beach carpark has 8-12 available parking spaces, including 1 disabled parking space. It appears that the provision of disabled car parking within the Seamans Beach carpark complies with Council’s DCP. More broadly, there are approximately 500 on street parking spaces in Hyams Beach.

A separate report on options for disabled parking changes to the Seamans Beach carpark will be presented to a future Strategy and Assets Committee meeting.

**Restart NSW Environment and Tourism fund grant**

Outcomes are expected to be announced in July and a further report will go to Council as soon as information becomes available.

**Expression of Interest to identify potential Smart Technology Solutions**

At the time of writing, a draft Expression of Interest and required procurement documentation are being prepared. The draft will be forwarded to representatives from the Hyams Beach Villagers Association for consultation and feedback prior to going out to the market in August 2019.
Hyams Beach Access and Management Master Plan

Staff and community members over the past few years have identified the need for a whole town approach to planning. An Access and Management Master Plan has been identified as a possible solution. The suggestion for a Master Plan was included in the community consultation analysed by Micromex Research and was broadly supported by the community.

A Master Plan would connect existing and proposed amenities, facilities and pathways. An adopted Master Plan would also assist a strategic and organised approach to infrastructure upgrades as well as providing a strong case for future grant applications and shovel-ready projects.

It is proposed that outcomes of all long-term solutions noted above will be collated and form the basis of the Hyams Beach Access and Management Master Plan.

Additional community requests

Moving the Google Pin

Members of the Hyams Beach Villagers Association asked Council to move the Google pin from its current location near the Seamans Beach carpark to the boat ramp as there is less on-street parking available around Silver Strand Circuit than there is further along Cyrus Street, and members have observed numerous drivers attempting U-turns at the intersection of Bayview Avenue, near the entrance to Seamans Beach carpark. Members also raised concerns for pedestrian safety at this intersection.

Council can make representations to Google to move the town pin, although ultimately it is a decision for Google.

Council’s Traffic Investigation Officer and Transport Engineer raised concerns about the proposed location in that it may increase dangerous U-turns at the intersection, increase congestion, pose a safety threat to pedestrians and may add to visitor confusion. This is especially so when the Traffic Management Plan and one-way controls are in place, when visitor numbers and traffic congestion are at their highest.

An alternative location for the town pin was suggested with the HBVA. That is to move it onto Booderee Avenue, between Moonah Road and Cyrus Street. The advantage of this option is that visitors have time before arriving at the intersection of Booderee Avenue and Cyrus Street to decide which way to turn and they will be able to see the beach. Directional signage down at the intersection could be installed to inform visitors that there are beaches and amenities in both directions.

The HBVA have advised staff that at its general meeting on 8 June 2019 members voted unanimously to support Council making representations to Google to move the town pin onto Booderee Avenue, between Moonah Road and Cyrus Street.

Shoalhaven City Council staff have made representation to Google, requesting the pin location be changed. At the time of writing this report, the Google location pin is still directing traffic to the corner of Cyrus Street and Bayview Avenue.

CCTV at Seamans Beach carpark

Members of the Hyams Beach Villagers Association have suggested that CCTV is necessary at the Seamans Beach carpark to prevent illegal camping.

Council has no immediate plans to install CCTV at Hyams Beach. Council’s CCTV Policy outlines the process to investigate installation of CCTV. This includes working with the NSW Police Force to investigate locations that have ongoing safety issues, backed by Police data. It also includes Council conducting a safety audit of the site and examining alternative
options to reduce crime at the site. Community engagement by Council is a further component of this process. This Policy is currently under review.

Council’s Crime Prevention Plan identifies Huskisson CBD and Nowra CBD as sites for safety audits. As part of Council’s Safer Communities Fund Round 3 grant applications, 10 priority sites across the Shoalhaven were identified in conjunction with NSW Police; these did not include Seamans Beach carpark. However, the potential inclusion of Seamans Beach will be discussed with NSW Police in any future rounds of the Safer Communities Fund.

Access to the Hyams Beach Community Hall

Members of the Hyams Beach Villagers Association have expressed frustration that the community has not been able to access the community hall for a number of years.

A portion of the land that the hall sits on was part of a successful Aboriginal land claim by Jerrinja Local Aboriginal Land Council. Whilst the claim was subject to legal proceedings Council was unable to access the building. The land claim has recently been awarded and the title in the process of being handed back to the Jerrinja Local Aboriginal Land Council.

The land is also subject to a broader land claim by the South Coast People. This means that Jerrinja Local Aboriginal Land Council cannot conduct any dealings on the land until the Federal Court has resolved all matters. This is expected to take years. This means that Council cannot negotiate with Jerrinja Local Aboriginal Land Council to formally rent the proportion of the hall that is on their land.

The Property Unit has made representations to Jerrinja Local Aboriginal Land Council to enter into a ‘temporary licence agreement’. This is less formal than a lease and would allow community to use of the hall until legal proceedings have resolved.

If agreed and a licence is created, Council can then look at what needs to be done to make the building safe and costings. It appears that there is work to be done with asbestos removal, external cladding for fire safety compliance and provision of disability access.

A separate report on options will be presented to a future Strategy and Assets Committee meeting.

Additional line-marking on Cyrus Street and Silver Strand Circuit

Members of the Hyams Beach Villagers Association have reported concerns about dangerous U-turns at the intersection of Bayview and Cyrus Streets, near the entrance to Seamans Beach carpark. There have also been reports of numerous U-turn attempts in Silver Strand Circuit, which is permanently one-way.

The traffic island and gate to Seamans Beach carpark design could incorporate features to reduce the likelihood that drivers will attempt U-turns. Double line-marking could also be considered, which would add to cost. Line-marking would need to go through the Traffic Committee for approval. The separate report on the long-term option of carpark gate installation will include information on this issue and will be presented to a future Strategy and Assets Committee meeting.

Community Engagement

As part of Council’s community engagement process, Council conducted a survey from 3 October to 13 November 2018 on various short and long term options at Hyams Beach. Micromex Research analysed the responses and prepared a survey report for Council on 10 December 2018, published on Council’s website.

The Tourism Manager and Project Officer met with the Hyams Beach Villagers Association before the Easter long weekend, on Monday 15 April 2019.
The Tourism Project Officer was in Hyams Beach for part of every day from 19 to 26 April 2019. Feedback received from residents was that the traffic management in Hyams Beach was working well. Feedback received on continuing challenges included enforcement of illegal camping, particularly in the Seamans Beach carpark, and illegal parking.

The Acting General Manager, Tourism Manager and Tourism Project Officer met with representatives of the Hyams Beach Villagers Association on 13 May 2019 to gauge feedback on the Easter peak period management.

Representatives of the Hyams Beach Villagers Association reported that the Easter period was quieter than previous years and quieter than the summer peak period. They also supported continuing with the traffic control measures implemented over the summer and Easter peak periods.

Council wrote to business operators at Hyams Beach on 22 May 2019 to seek feedback on the Easter peak period management. Of those that responded, the traffic management was said to be an “excellent solution” and it was supported to continue in the future.

Council staff continue to liaise with community and businesses in the area on long term solutions.
**SA19.97 Risk and Audit Committee Charter Amendments**

**HPERM Ref:** D19/193770  
**Group:** General Manager’s Group  
**Section:** Executive Strategy

**Attachments:** 1. Risk & Audit Committee Charter Revision May 2019

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**Purpose / Summary**
The purpose of this report is to seek Council’s endorsement on the proposed amendments to the Risk and Audit Committee Charter.

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**Recommendation**
That Council:
1. Receive the report.  
2. Endorse the proposed amendments to the Risk and Audit Committee Charter.

---

**Options**
1. Receive the report.  
2. Endorse the proposed changes to the Risk and Audit Committee Charter.  
3. Pursue further information in relation to the matter.

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**Background**

*Risk and Audit Committee Charter Proposed Changes*
The Risk and Audit Committee Charter sets out the authority and responsibilities of the committee. The Charter has been developed in accordance with the 'Internal Audit Guidelines September 2010' which are issued by the Office of Local Government (OLG). The Charter was last revised in 2017. With new committee members and other recent changes, it was considered timely for a review of the Charter to be undertaken.

The proposed Charter has been updated and amended in consultation with the independent members of the committee and endorsed by the committee at the 03 June 2019 meeting.

The following key areas are proposed to be amended:

<table>
<thead>
<tr>
<th>Charter Ref No:</th>
<th>Proposed Change</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Name change of the Committee to Audit, Risk and Improvement Committee</td>
<td>This is proposed to be consistent with the Local Government Amendment (Governance and Planning) Act 2016 No 38</td>
</tr>
<tr>
<td>1</td>
<td>Objective of the Committee to include business improvement related matters</td>
<td>To be in consistent with the Local Government Amendment (Governance and Planning) Act 2016 No 38.</td>
</tr>
</tbody>
</table>
### Future Changes

There will need to be further amendments made to the Charter once the S428A of the LG Act and Local Government Amendment (Governance and Planning) Act 2016 No 38 comes into effect (6 months after the next Council election). It is expected that the following additions will need to be added to the Charter:

- Implementation of the strategic plan, delivery program and strategies
- Service reviews
- Collection of performance measurement data by the Council
- Any other matters prescribed by law
- Provision of general information to the Council, for the purpose of improving the Council’s performance of its functions.

New or amended Guidelines have not yet been issued by the OLG to outline the specific additional changes that will need to be made to the Charter, considering the above legislative change. Once this advice has been received, a further review will be undertaken of the Charter and proposed amendments made accordingly.

The Risk and Audit Committee Charter with the proposed changes is attached for consideration by Council.
1. Objective
The objective of the Risk and Audit Committee (the Committee) is to provide independent assurance and assistance to Shoalhaven City Council on risk management, control, governance, business improvement related matters and external accountability responsibilities.

2. Authority
The Council authorises the Committee, within the scope of its role and responsibilities to:

2.1 Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).

2.2 Discuss any matters with the internal or external auditor or other external parties (subject to confidentiality considerations).

2.3 Request the attendance of any employee or councillor at Committee meetings.

2.4 Obtain external legal or other professional advice considered necessary to meet its responsibilities.

3. Composition and Tenure
The Committee will consist of:

3.1 Members (voting)

Three independent external members and two Councillors. The Councillors may have alternates, elected at the time of appointment of Councillor members to the Committee.

The Council will appoint committee members and the committee chair. One of the independent external members will be the Chair. The Committee will select its own Chair and the report would will be provided to Council for determination.

A vacancy for an independent member of the committee may occur upon the resignations of the member, expiry of a term of appointment, death of the member, failure to attend without a cause three consecutive meetings without prior approval from the Chair, or by removal by resolution of Council.

A selection panel would will be convened comprising:

3.1.1 Current Chair of the Committee (or other Independent Member where the Chair is not able to participate or it is inappropriate for the Chair to participate).

3.1.2 General Manager or their Delegate (e.g. Manager or staff member from relevant Group); and

3.1.3 Mayor or nominee.
Vacancies for independent members on the Committee will be filled following public advertisement inviting Expression of Interest. The selection panel will submit their recommendation to the Council for determination.

The independent external members are appointed for a period of 4 years, after which they will be eligible for extension or re-appointment following a formal review of their performance by the General Manager in consultation with the Committee Chairperson and/or Councillor members on the Committee. The Risk and Audit Committee has decided that the maximum period for membership by Independent Members shall be 8 years.

Past employees and Councillors of Shoalhaven City Council are eligible for appointment as Independent Risk and Audit Committee members only if there has been a minimum of four years ‘break of service’.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Shoalhaven City Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

3.2 Attendee (non-voting)

- General Manager, Executive
- Strategy Manager
- Manager Communications
- Director Corporate & Community Services
- Director Planning & Development
- Director Works & Services
- Director Shoalhaven Water
- Chief Financial Officer
- Section Manager HR Governance & Customer Service
- and Internal Audit Program Coordinator

Attendance is required when appropriate agenda items or content is relevant to the position.

3.3 Invitees (non-voting) for specific Agenda items

Representatives of the external auditor.

Other officers may attend by invitation as requested by the Committee.

4. Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee’s responsibilities are:

4.1 Risk Management

4.1.1 Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.

4.1.2 Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
4.1.3 Review the impact of the risk management framework on its Council's control environment and insurance arrangements, and

4.1.4 Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

4.2 Control Framework

4.2.1 Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;

4.2.2 Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;

4.2.3 Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;

4.2.4 Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and

4.2.5 Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour and their effectiveness.

4.3 External Accountability

4.3.1 Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and are supported by appropriate management sign-off on the statements and the adequacy of internal controls;

4.3.2 Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.

4.3.3 To consider contentious financial reporting matters in conjunction with the Council's management and external auditors;

4.3.4 Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements;

4.3.5 Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.

4.3.6 Satisfy itself there is a performance management framework linked to organisational objectives and outcomes and their effectiveness.

4.4 Legislative Compliance

4.4.1 Determine whether management has an appropriately framework in place to considered legal and compliance risks as part of risk assessment and management arrangements.

4.4.2 Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

4.5 Internal Audit

4.5.1 Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit on matters relevant to the ARIC's role.
4.5.2 Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan.

4.5.3 Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan and make recommendations to Council as necessary.

4.5.4 Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.

4.5.5 Monitor the implementation of internal audit recommendations by management.

4.5.6 Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.

4.5.7 Periodically review the performance of Internal Audit.

4.6 External Audit

4.6.1 Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit on matters relevant to the ARIC’s role.

4.6.2 Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.

4.6.3 Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.

4.6.4 Consider significant issues raised in relevant external audit reports and better practice guides, and ensure whether appropriate action is taken.

4.7 Responsibilities of Members

4.7.1 Members of the Committee are expected to:

4.7.2 Understand the relevant legislative and regulatory requirements appropriate to Shoalhaven City Council.

4.7.3 Contribute the time needed to study and understand the papers provided.

4.7.4 Apply good analytical skills, objectivity and good judgment.

4.7.5 Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

5. Reporting

5.1 The Committee will report regularly, and at least annually, to the governing body of council on the management of risk and internal controls and improvement.

5.2 The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.
5.22 The minutes of Committee meetings will be provided to Councillors and Council’s Executive Management for information.

6. Administrative arrangements

6.1 Meetings
The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Risk and Audit Committee Charter. The agenda items for the meetings will be developed prior to the meeting in consultation with the Risk and Audit Committee Chair.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

6.2 Attendance at Meetings and Quorums
A quorum will consist of a majority of Committee members, including at least one independent member and one Councillor member. Meetings can be held in person, by telephone or by video conference.

The Internal Auditor will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Chief Finance Officer or any other employee to participate in certain agenda items, as well as the external auditor.

The General Manager may attend each meeting but will permit the Committee to meet separately with the Internal Auditor and the External Auditor in the absence of management on at least one occasion per year.

6.3 Secretariat
The Committee has appointed the Internal Audit Program Coordinator to be responsible for ensuring that the Committee has accurate secretariat support. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least two (2) weeks before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

6.4 Conflict of Interests
Councillors, council staff and members of council committees must comply with the applicable provisions of Council’s code of conduct in carrying out the functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.
Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

6.5 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.6 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

6.7 Review of Risk and Audit Committee

At least once every two years the Risk and Audit Committee will review the Risk and Audit Committee Charter. The Risk and Audit Committee will approve any changes to this Risk and Audit Committee Charter.

Approved: Risk and Audit Committee Chair Date: 27 March 2017

Adopted by Council: Strategy & Assets Committee Date: 18 April 2017

Appendix 1

Risk and Audit Committee (R&ACARIC)

Communications Guidelines

The following diagram depicts communication channels:
Communication channels for Audit, Risk and Improvement Committee

<table>
<thead>
<tr>
<th>Audit Risk and Improvement Committee (ARC)</th>
<th>Internal Audit</th>
<th>SCC Executive Management Team</th>
<th>Council</th>
<th>External Audit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Manager - Communications</td>
<td>Internal Audit</td>
<td>Executive Manager - Communications</td>
<td>Mayor</td>
<td>External Auditor</td>
</tr>
<tr>
<td>Administrative Reporting</td>
<td>Functional Reporting</td>
<td>SCC Executive Management Team</td>
<td>External Auditor</td>
<td></td>
</tr>
<tr>
<td>Audit Risk and Improvement Committee</td>
<td>Internal Audit</td>
<td>Executive Manager - Communications</td>
<td>Council</td>
<td></td>
</tr>
<tr>
<td>Reports and ongoing communication</td>
<td>Communication</td>
<td>SCC Executive Management Team</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Manager (EME)</td>
<td>External Auditor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication and report at least twice a year on the Financial Statements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication and report at least twice a year on the Financial Statements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Internal Auditor:
- Primary responsibility is to service all the R&ACARIC’s needs to meet the R&ACARICCharter.
- Will report to the R&ACARIC with full independence from Council, management and staff.
- Will seek information from staff or request staff to report on certain matters to the R&ACARIC.
- Will provide feedback or direction to staff from decisions / recommendations by the R&ACARIC.
- Attends all R&ACARIC meetings.

Executive Support Manager/Manager Communications:
- Provides “administration” supervision and direction to the Internal Auditor.
- Assists the R&AC ARIC if required and attends meetings as necessary.

General Manager:
- Reports directly to the R&ACARIC on strategic risks as requested by the R&ACARIC.
- Attends R&ACARIC meetings (unless excluded by Committee).

Group Directors:
- Report directly to the R&ACARIC on strategic risks within their responsibility areas as requested by the R&ACARIC or General Manager.
- Attend R&ACARIC meetings (unless excluded by Committee).

Risk and AuditAudit Risk and Improvement Committee:
- Undertakes role in accordance with R&ACARIC Charter.
- Reports annually to Council (in November after final audit) on its annual activities. The ARIC annual report is presented.
- Chairman meets the external auditor at least twice per year to discuss the financial statements.
- Chairman meets with Mayor at least twice per year.
- Chairman meets with the General Manager regularly, at least four occasions each year.
SA19.98 Donation Request - Currarong Community Association - New Year’s Eve Fireworks 2019

HPERM Ref: D19/184706

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

Attachments: 1. Donation Request and Application Form

Purpose / Summary
To advise Council of a donation request received from Currarong Community Association for their 2019 New Year's Eve Fireworks and seek Council’s decision in relation to that request.

Recommendation (Item to be determined under delegated authority)
That Council provide a donation of $5,000 to Currarong Community Association for their 2019 New Year’s Eve Fireworks, from the 2019/2020 Unallocated Donations Budget.

Options
1. As recommended.
   Implications: The unallocated donations budget would be reduced by $5,000.

2. Provide a donation of another amount.

3. Not provide a donation.

Background
Shoalhaven City Council received a donation request, on 23 May 2019, from Currarong Community Association for a contribution towards their 2019 New Year’s Eve Fireworks event.

Council previously made a one-off unallocated donation to this event in 2018, following the resolution of the Ordinary Meeting of 28 June 2018 (MIN18.509). Currarong Community Association are seeking the same amount of funding for this year’s event.

Allocated donations have been made in recent years to five other organisations across the Shoalhaven for New Year’s Eve Fireworks. Following the Resolution of the Council on 30 April 2019 to defer the implementation of a new Donations Policy (MIN19.234), the New Year’s Eve Fireworks donations and other ‘Allocated’ donations have been included in the current Draft Delivery Program, Operational Plan and Budget 2019/20.

The New Year’s Eve Firework ‘Allocated’ Donations total $36,000 and are as follows:

- Huskisson Chamber of Commerce: $7,500
- Shoalhaven City Turf Club: $7,500
- Milton Ulladulla Business Chamber: $8,500
- The Rotary Club of Berry: $7,500
- Shoalhaven Heads Chamber of Commerce & Tourism: $5,000
Financial Implications
Council has already resolved to fund donations of $6,128 from the 2019-2020 Unallocated Donations Budget. The actual amount expended is $5,905 (due to lower venue hire fees). The remaining Unallocated Donations budget totals $22,809 for the current financial year. This may be impacted by other donations considered at this meeting.

Policy Implications
The application for donation has been completed and is compliant with the current Donations Policy (POL12/299).
Sara McMahon  
Governance Business Unit Manager/ Public Officer  
Shoalhaven City Council

Re: Currajong New Year’s Eve Fireworks 2019

Dear Sara,

As discussed Currajong is very appreciative of receiving Council funding of $5000 for the 2018 NYE fireworks display. The community also contributed around $4000 towards the event and volunteers assisted on the night to ensure everyone had a safe and memorable time.

Because of this the event was a great success with large crowds of residents and visitors. We received very positive feedback and acknowledged Council’s funding contribution at our meetings, on our public notice boards and website.

As we have previously highlighted around 7000 to 8000 residents and visitors are in Currajong during this time. As you would also be aware, because of our relative isolation it is difficult for people to travel to other sites to view firework displays. It is also a great event for the guests staying at the Council owned Holiday Haven Currajong, particularly families with children.

We would like to run the event again at the end of this year and we ask that Council again provides $5000 towards the event. I have attached the Application for Financial Assistance/Donation with this letter and can send any required documents that Council doesn’t have on request. Once we receive approval we can then start the process of completing all necessary event applications. Also our licenced fireworks contractor undertakes the necessary applications specifically for the show.

Thank you for your assistance and I look forward to hearing from Council. If you require any further information please don’t hesitate to contact me on 0412353605 or at tonylund55@gmail.com. If I’m away you can also contact our Events Chair Linette Hardcastle on 0414525453.

Yours faithfully,

Tony Lund  
President  
Currajong Community Association

23 May 2019
Appendix C

Application for Financial Assistance/Donation

File 4771E

Please complete the following application form where assistance from Council is requested. This information is the minimum required for an application. Please attach additional information as requested within the Guidelines and Procedures for Annual Donations, Sponsorships and Subsidies document under “Checklist of documents to be forwarded with application”.

Date: 22 May 2019

Details of Organisation/Individual:

1. Name of Applicant/Organisation responsible for the event/activity:

   Currarong Community Organisation Inc.

   Contact person: Tony Lund

   Signature: ____________

2. Mailing address: 60-62 Walton Way, Currarong, 2540

3. Phone: (Home): 0412 353 605, (Business): 0412 353 605

4. Amount of assistance being sought: $ 5000.00

5. Organisation composition
   - Non Profit, Charity, Incorporated (please circle)

   Commercial undertaking: YES
   Do membership fees apply: YES
   Amount charged for membership: $5.00
   Number of people in organisation/members

6. Office bearers of organisation (President, Secretary, Treasurer or Project Manager):

   Tony Lund - President John Harrington - Vice President, Anthony Becker - Treasurer
   Gayle Smith - Secretary, Ginnette Hardcastle - Events Chair

Title of Event/Project

1. Please give a brief description of the event/project for which assistance is sought:

   New Year's Eve Fireworks Display

2. Is this proposed to be an annual event/project?

   YES  NO
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dates of the proposed event/project</td>
<td>NYE - 31 Dec 2019</td>
</tr>
<tr>
<td>Where will the event/project take place?</td>
<td>DOLPHIN RESERVE, CORRABONG</td>
</tr>
<tr>
<td>Name of Public Liability Insurer</td>
<td>CGU</td>
</tr>
<tr>
<td>Amount of insurance cover</td>
<td>$30 million</td>
</tr>
<tr>
<td>Will the event/project support charities</td>
<td>YES/NO</td>
</tr>
<tr>
<td>If YES, value of support</td>
<td>$...</td>
</tr>
</tbody>
</table>

**Funding**

1. Cost of the total event/project                                       | $8,700 - 8,900 |
2. Funds available at present to go towards event                        | $3,800 - 8,000 |
3. How are funds to be raised?                                            | THROUGH COMMUNITY DONATIONS |

4. Has Council previously assisted your organisation?                    | YES/NO |
5. What was the amount (per annum) of the assistance from Council?       | $5,000 - 8,000 |
6. What were the dates for the assistance?                               | 2019-2020 FInANCIAL YEar |
7. Is funding from Council for this activity likely to be ongoing?       | YES/NO |
8. Have you applied for funding from other Sections of Council or other organisations? | YES/NO |
9. Was your application successful?                                       | YES/NO |
   If YES, what was the amount allocated                                  | $... |
   Name of Council Section or organisation                                |... |
10. Will this event/project be self-funding in the future?                | YES/NO |
    If NO, will the event/project be dependent of future funding from Council? | YES/NO |
11. If Council assisted your event previously, please provide a cash flow statement of income and expenditure for the event. |... |
12. How do you intend to give public recognition to the financial assistance received from Council and acknowledge Council’s financial assistance on any related promotional or other material? | ASSOCIATION WEBSITE, PUBLIC NOTICE, BOARDS, ACKNOWLEDGE IN COMMUNITY MEETINGS, MEMBERS ON-LINE MESSAGES... ALL THIS WAS DONE LAST YEAR... |


Please provide details of how this event/project will meet Council’s objectives of the financial assistance/donations program:

Objective 1: To consider financial assistance by way of donations, sponsorships and subsidies to local service, cultural, sporting, charitable or non-profit organisations who operate within or provide benefit to the residents of Shoalhaven City.

Currambene Community Association (CCA) is a non-profit incorporated association of CCB. Our objectives are to support the community and hold events in the interests of the community.

Objective 2: To consider assistance to organisations to conduct quality cultural, sporting and community service programs or events who cannot attract sufficient funds from other sources.

To stage a quality fireworks event requires significant funds. The CCA cannot raise this total from donations but does contribute what it can.

Objective 3: To address targets specified within the Council’s Community Strategic Plan or Shoalhaven City Council’s Operational Plan objectives including access and usage of community resources, services and facilities, and equity of access for special needs groups.

Currambene has a holiday population of over 2000 people, including special needs groups. It is not feasible to run the interests of safety for people to travel to other sites in the Shoalhaven.

Objective 4: To consider funding to encourage and enable broad community participation in cultural, sporting and community service programs.

The fireworks is a cultural event where many thousands of people gather on the beach to socialise and wait for the 9 pm show. This time allows families with children to enjoy it.
### Event/Project Budget Information

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Wages/Salaries/Contractors (give details)</td>
<td></td>
</tr>
<tr>
<td>2. (a) Other staff related costs:</td>
<td></td>
</tr>
<tr>
<td>On Costs</td>
<td></td>
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<tr>
<td>Travel</td>
<td></td>
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<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>(b) Value of voluntary labour</td>
<td></td>
</tr>
<tr>
<td>3. Administration</td>
<td></td>
</tr>
<tr>
<td>Accountant/Audit fees</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
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<tr>
<td>4. Hire of Hall/Venue</td>
<td></td>
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<tr>
<td>5. Equipment/Materials</td>
<td></td>
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<tr>
<td>Purchase</td>
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<td>Hire</td>
<td></td>
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<tr>
<td>6. Advertising/Promotion</td>
<td></td>
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<tr>
<td>7. Other Project/Operating Costs (give details)</td>
<td></td>
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<tr>
<td>………………………………………………………………………………………..</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,800.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Income</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sponsorship (nominate sponsor)</td>
<td></td>
</tr>
<tr>
<td>2. Donations</td>
<td>5,000.00</td>
</tr>
<tr>
<td>3. Sales</td>
<td></td>
</tr>
<tr>
<td>4. Admission Fees/Ticket Sales</td>
<td></td>
</tr>
<tr>
<td>5. Other income (give details)</td>
<td></td>
</tr>
<tr>
<td>FROM CCA FUNDS</td>
<td>3,800.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,800.00</td>
</tr>
</tbody>
</table>
Shoalhaven City Council – Donations Policy – Application for Financial Assistance/Donation

In making this application I confirm that this event will comply with Council's Sustainable Events policy. I also confirm that no other financial assistance is being sought from Council for this event and undertake to provide an acquittal of the funding within 60 days of the event.

Signed by [Signature] on behalf of [organisation name] (name of organisation)

Signature: [Signature] Date: 22 May 2019

Checklist of documents to be forwarded with application:

1. For first time applicants, a copy of their organisation’s constitution and if that constitution changes then an updated copy of it is to be forwarded with any subsequent application.
2. A copy of the most recent annual report (including financial statements of income and expenditure) – preferably audited.
3. Copy of notification of ABN No. and GST registration (if applicable) from the Australian Tax Office.
4. Evidence of incorporation.
5. A copy of the applicant's current public liability insurance policy (ie Certificate of Currency).
6. Where the applicant is a registered public charity, a copy of the registration certificate.
### CURRARONG NYE FIREWORKS EVENT

#### INCOME & EXPENDITURE STATEMENT

<table>
<thead>
<tr>
<th>INCOME</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SCC DONATION</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>CCA COMMUNITY DONATIONS</td>
<td>3,800.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,800.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MR BOOM BOOM FIREWORKS</td>
<td>8,800.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,800.00</td>
</tr>
</tbody>
</table>

| BALANCE                       | 0              |

**NOTES:**

1. PAYMENT OF $8,800.00 TO THE LICENCED FIREWORK PROVIDER COVERED ALL COSTS IN STAGING THE SHOW. THE PROVIDER HELD ALL RELEVANT INSURANCES, APPLIED AND HELD ALL PERMITS NEEDED, BOUGHT AND SET UP ALL FIREWORKS ACCORDING TO REGULATIONS AND EMPLOYED THE NECESSARY STAFF.

2. CCA PAID FOR ALL ADVERTISING AND PROMOTION OF THE EVENT.

3. CCA ALSO APPLIED FOR ALL NECESSARY PERMITS AS THE ORGANISER OF THE EVENT AND HOLDS APPROPRIATE PUBLIC LIABILITY INSURANCE.

4. DONATIONS WERE RAISED BY THE CCA FOR THE BALANCE OF THE EXPENDITURE THROUGH COMMUNITY FUNDRAISING EVENTS.
SA19.99 Donation Request - Shoalhaven Art Society

HPERM Ref: D19/226232

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

Attachments: 1. Donation Application - Shoalhaven Art Society

Purpose / Summary
To outline a request from the Shoalhaven Art Society to provide funding of $2,500 used for prize money by way of sponsorship of the 54th Annual Open Art Exhibition which is to be held at the Shoalhaven Regional Gallery from 3 to 31 August 2019.

Recommendation
That Council provide sponsorship of $2,500 to the Shoalhaven Art Society for the 54th Annual Open Art Exhibition held from 3 to 31 August 2019, from the Unallocated Donations Budget.

Options
1. That Council provided the requested amount (Recommended)
   Implications: The Unallocated Donations Budget will be reduced by $2,500

2. That Council provide a donation of another amount.

3. That Council not provide a donation.

Background
The 2019 event is the 54th Annual Open Art Exhibition run by the Shoalhaven Art Society which is to be held at the Shoalhaven Regional Gallery to be held from 3 to 31 August 2019.

This large annual exhibition draws entries Australia wide, with a particular focus on local talent. The exhibition explores painting in all its forms and invites a large variety of subject matter. A number of prizes are awarded, including a junior section for artists between the ages of 14 and 18.

For a number of years, Holiday Haven has sponsored the event, providing $2,500 each year to be used as prize money for the exhibition. In 2018 Holiday Haven ceased the practice of providing financial contributions, now employing a policy of providing sponsorship for various clubs and activities in the form of accommodation vouchers.

The Shoalhaven Arts Society’s application for funding seeks $2,500 to be used as prize money in the form of sponsorship for the event, with the Council receiving recognition at the Awards Ceremony, on the official logo and sponsorship board and on the website and social media platforms.

Policy Implications
The Application submitted by the Shoalhaven Art Society sets out the funding requested and financials of the organisation.
The application is eligible for consideration under the Donations Policy as:

- The Shoalhaven Arts Society is a locally based voluntary community organisation
- The event will encourage community participation in cultural activities.

**Financial Implications**

Council has already resolved to fund donations of $6,128 from the 2019-2020 Unallocated Donations Budget. The actual amount expended is $5,905 (due to lower venue hire fees for one donation). The remaining Unallocated Donations budget totals $22,809 for the current financial year. This may be impacted by other donations considered at this meeting.
Application for Financial Assistance/Donation

File 4771E  
Financial Year __2019__

Please complete the following application form where assistance from Council is requested. This information is the minimum required for an application. Please attach additional information as requested within the Guidelines and Procedures for Annual Donations, Sponsorships and Subsidies document under “Checklist of documents to be forwarded with application”.

Date: June 26, 2019

Details of Organisation/Individual:

1. Name of Applicant/Organisation responsible for the event/activity: Shoalhaven Art Society 54th Annual Open Art Exhibition
   Contact person: Alison Stewart  
   Signature:

2. Mailing address: PO BOX 240, Nowra NSW 2541

3. Phone: (Home) ........................................... (Business) 0414188962

4. Amount of assistance being sought: $ 2,500

5. Organisation composition: 
   - Non Profit
   - Charity/Incorporated/other (please circle)
   - Commercial undertaking
   - Do membership fees apply
   - Amount charged for membership $ 30 full membership
   - Number of people in organisation/members 80

6. Office bearers of organisation (President, Secretary, Treasurer or Project Manager):
   Alison Stewart, President  
   Roslyn Wilson, Secretary
   Anne Fry, Vice President  
   Ann Norman, Sponsorship Officer
   Anne Gardner, Secretary

Title of Event/Project

1. Please give a brief description of the event/project for which assistance is sought:
   We seek financial assistance to ward prize money for the Shoalhaven 54th Annual Open Art Exhibition, which is held at the Shoalhaven Regional Gallery- August 3-31, 2019.

2. Is this proposed to be an annual event/project? 
   YES NO
3. Date/s of the proposed event/project: August 3-31, 2019
4. Where will the event/project take place?: Shoalhaven Regional Gallery
5. Name of Public Liability Insurer: Austcover
6. Amount of insurance cover: $20,000,000
7. Will the event/project support charities: YES/NO

If YES, value of support: $

Funding
1. Cost of the total event/project: $11,100 approx
2. Funds available at present to go towards event: $5,000
3. How are funds to be raised?: We have sought sponsorship from local business, in the form of cash and vouchers, Berry Community Group, raising our own finance through workshops, exhibition entry fees, memberships.
4. Has Council previously assisted your organisation?: YES/NO
5. What was the amount (per annum) of the assistance from Council?: $2,500
6. What were the dates for the assistance? July 2018
7. Is funding from Council for this activity likely to be ongoing?: YES/NO
8. Have you applied for funding from other Sections of Council or other organisations?: YES/NO
9. Was your application successful?: YES/NO

If YES, what was the amount allocated: $

Name of Council Section or organisation:

10. Will this event/project be self-funding in the future?: YES/NO

If NO, will the event/project be dependent of future funding from Council?: YES/NO

11. If Council assisted your event previously, please provide a cash flow statement of income and expenditure for the event.

12. How do you intend to give public recognition to the financial assistance received from Council and acknowledge Council’s financial assistance on any related promotional or other material?: We expect approx. 150 attendees at our opening. We will acknowledge the contribution of Shoalhaven Council at the award’s ceremony, invite Council dignitaries, SCC logo on sponsorship board and on the official logo. Recognition on the Shoalhaven Art Society website and social media platforms.
Please provide details of how this event/project will meet Council’s objectives of the financial assistance/donations program:

**Objective 1:** To consider financial assistance by way of donations, sponsorships and subsidies to local service, cultural, sporting, charitable or non-profit organisations who operate within or provide benefit to the residents of Shoalhaven City.

The donation will cement long term support and partnership with Shoalhaven City Council and the Shoalhaven Art Society. 95% of our members reside in the Shoalhaven. The continued donation would ensure ongoing support for these members in the development of a strong culture in Visual Arts in the region. The Open Art Exhibition also incorporates the Shoalhaven Youth Art Prize, attracting 30 entries from local High School Students.

**Objective 2:** To consider assistance to organisations to conduct quality cultural, sporting and community service programs or events who cannot attract sufficient funds from other sources.

The art prize attracts entrants with an interest in fine art. The quality of art represented both locally and Australia wide requires substantial financial awards to prize winners in keeping with similar significant regional art prizes of this calibre around the country.

The Art Society has aimed to raise funds privately, however, this has become difficult considering Shoalhaven City Council (Holiday Haven) was a major sponsor up until 2018.

**Objective 3:** To address targets specified within the Council’s Community Strategic Plan or Shoalhaven City Council’s Operational Plan objectives including access and usage of community resources, services and facilities, and equity of access for special needs groups.

Shoalhaven Art Society is an active community group within the Shoalhaven Local Government Area. We seek to exhibit high quality works in partnership with Council’s Shoalhaven Regional Gallery. We rent the community facility for market price which is $2000 forming a large proportion of the required funds.

**Objective 4:** To consider funding to encourage and enable broad community participation in cultural, sporting and community service programs.

Last year, the 53rd Annual Open Art Exhibition attracted over 110 artworks and was a significant cultural event for community engagement in the Visual Arts in the region. Considering the broad attraction of both entrants and visitors to the gallery, we consider this year’s 54th Open Annual Exhibition to attract the interest of same and engage broad community participation.
## Event/Project Budget Information

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Wages/Salaries/Contractors (give details)</td>
<td>Nil</td>
</tr>
<tr>
<td>2. (a) Other staff related costs:</td>
<td>Nil</td>
</tr>
<tr>
<td>On Costs</td>
<td>Nil</td>
</tr>
<tr>
<td>Travel</td>
<td>Nil</td>
</tr>
<tr>
<td>Other</td>
<td>Nil</td>
</tr>
<tr>
<td>(b) Value of voluntary labour</td>
<td>$1000</td>
</tr>
<tr>
<td>3. Administration Printing Costs</td>
<td>$500</td>
</tr>
<tr>
<td>Accountant/Audit fees</td>
<td>Nil</td>
</tr>
<tr>
<td>Other (Insurance)</td>
<td>$1500</td>
</tr>
<tr>
<td>4. Hire of Hall/Venue</td>
<td>$2000</td>
</tr>
<tr>
<td>5. Equipment/Materials</td>
<td>Nil</td>
</tr>
<tr>
<td>Purchase</td>
<td>Nil</td>
</tr>
<tr>
<td>Hire</td>
<td>Nil</td>
</tr>
<tr>
<td>6. Advertising/Promotion</td>
<td>$1000</td>
</tr>
<tr>
<td>7. Other Project/Operating Costs (give details)</td>
<td>$3,000</td>
</tr>
<tr>
<td>Prize money (based on 2018 Price list)</td>
<td>$100</td>
</tr>
<tr>
<td>Catering</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$11,100</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Income</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sponsorship (nominate sponsor) Berry Community Group and Private Enterprise</td>
<td>$4450 approx</td>
</tr>
<tr>
<td>2. Donations</td>
<td>$3500 approx.</td>
</tr>
<tr>
<td>3. Sales Income - commission on sales (based on 2018 figures)</td>
<td>$3,965</td>
</tr>
<tr>
<td>4. Admission Fees/Ticket Sales (Exhibitors Entry Fees)</td>
<td>$1995</td>
</tr>
<tr>
<td>5. Other Income (give details)</td>
<td></td>
</tr>
<tr>
<td>Funds raised via raffle</td>
<td>$300 approx.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$13,940</strong></td>
</tr>
</tbody>
</table>
Shoalhaven City Council – Donations Policy – Application for Financial Assistance/Donation

In making this application I confirm that this event will comply with Council's Sustainable Events policy. I also confirm that no other financial assistance is being sought from Council for this event and undertake to provide an acquittal of the funding within 60 days of the event.

Signed by: [Alison Stewart] on behalf of Shoalhaven Art Society [name of organisation]

Signature: [Signature] Date: [26.7.19]

Checklist of documents to be forwarded with application:

1. For first time applicants, a copy of their organisation's constitution and if that constitution changes then an updated copy of it is to be forwarded with any subsequent application.

2. A copy of the most recent annual report (including financial statements of income and expenditure) – preferably audited.

3. Copy of notification of ABN No. and GST registration (if applicable) from the Australian Tax Office.

4. Evidence of incorporation.

5. A copy of the applicant's current public liability insurance policy (i.e. Certificate of Currency).

6. Where the applicant is a registered public charity, a copy of the registration certificate.
SA19.100 Sustainability Initiatives

HPERM Ref: D19/238223

Group: Finance Corporate & Community Services Group

Attachments: 1. Purchase of Environment Friendly Multi-Functional Devices
2. IT Support Sustainability
3. Shoalhaven Entertainment Centre Joins Responsible Cafe Movement
4. Improving Pool Water Heating Efficiencies - Nowra Aquatic Park
5. Sustainable Fleet Initiatives

Purpose / Summary
In response to a Resolution received from the Ordinary Council Meeting held on 13 November 2018, Group Directors were asked to prepare a report for a future Strategy and Assets Committee meeting as to what each Group has pursued or is currently pursuing in the sustainability space.

Recommendation (Item to be determined under delegated authority)
That the Committee receive the Sustainability Initiatives report for information.

Options
1. As recommended.
   Implications: Council remains informed on progress on a regular basis.

2. Request further information or give other direction.
   Implications: Staff can provide further detail on any Council request.

Background
A number of areas of Council have been pursuing a range of sustainability initiatives throughout 2018/19 and into 2019/20. This is to maintain a leadership role in championing sustainability in the community and to support efficient operations across Council business.

Recent Sustainability Initiatives that have been introduced into Councils operations are:

Shoalhaven Entertainment Centre joins Responsible Café Movement
Shoalhaven Entertainment Centre has joined the Responsible Café movement which includes more than 4,500 barista outlets in Australia where customers are financially rewarded for bringing their own keep cup.

Improving Pool Water Heating Efficiencies – Nowra Aquatic Park
Nowra Aquatic Park is currently investigating initiatives for improving the efficiency of pool water heating. One of these initiatives is to make adjustments to the Centre’s Building Management System (BMS) to identify any potential efficiencies in energy consumption and associated billing.
Secondly, Nowra Aquatic Park is looking at options to improve the efficiency of the solar heating system by potentially upgrading the current heat exchangers which are not converting energy (heat) effectively.

**Sustainable Fleet Initiatives**

Over 8 years we have reduced the vehicle choice from 28 to 11 models, removing all 6 and 8 cylinder cars, now offering more fuel efficient 4 cylinder cars. Fewer models means fewer parts to stock and streamline servicing.

Over the last 5 years we have reduced the petrol vehicle choice from 9 to 5 models; this includes 2 hybrids. The move towards other fuel source provides greater fuel economy and longer servicing intervals.

Three Electric vehicles arrived in June: two are being offered as pool cars within Council while the third vehicle is being utilised by our Mayor.

Fleet are working with Strategic Planning rolling out charging points, e.g. Bomaderry Depot, SEC & Visitors’ Centre Ulladulla.

Fleet are currently adopting new technology offered by some manufacturers (Mitsubishi Triton, Subaru Outback & Hino) offering eyesight technology aiding the driver awareness and providing a safer driver experience. Embracing this new technology will hopefully see residuals maintain high levels as buyers will demand it in the future.

**Purchase of new Environment Friendly Multi-Functional Devices**

Council recently purchased 27 new Multi-Functional Devices that have the following properties:

- Lower Power Consumption
- Eco-Friendly Toner
- Eco Scan
- Power ON/OFF Schedule
- Eco Recommendation

IT have also been able to implement Paper Cut on all printing devices across Council to:

- Reduce unnecessary printing
- Allow future software upgrades to be implemented with TRIM.

**Community Engagement**

There has been limited community engagement on the individual initiatives above and they are part of the organisation’s response to the community aspirations relating to sustainable living, sustainable development and sustainable energy use, as articulated in Council’s adopted Integrated Strategic Plan.

**Policy Implications**

The initiatives reflect Council’s overarching strategic direction.

**Financial Implications**

All initiatives are endeavouring to deliver financial benefits as well as environmental and social benefits for the community.
SUSTAINABILITY INITIATIVES

Summary:
Council recently purchased 27 new Multi-functional Devices.

Lower Power Consumption
To reduce power consumption, Sharp has applied its advanced technologies across all areas of this MFD, including the hardware, software, electrical system and supplies. As a result, the printers deliver exceptional energy efficiency.

Eco-Friendly Toner
Mycrostoner-Crystal is filled with low-melting-point material. This toner is able to fuse at low temperatures, resulting in reduced energy consumption.

Automatic Toner Cartridge Eject Function
This function expels completely empty cartridges in preparation for replacement. The cartridge is replaced only after all the toner has been consumed, thereby ensuring efficient use of toner. You can tell at a glance when cartridges are empty, they are fast and easy to replace.

Eco Scan
The Eco Scan function saves energy by keeping the fusing system shut down during jobs that don’t require it’s use. For example, during image sending and document filing.

Reflex Carbon Neutral Paper
The paper used throughout Council is Australian made Reflex carbon neutral.

Papercut
Implement Paper Cut on all high volume multi-functional printing devices across Council to:

- Reduce unnecessary printing
- Allow future software upgrades to be implemented with TRIM

Power ON / OFF Schedule
This function automatically turns the MFD on or off per administrator-set schedules.

Eco Recommendation
This function suggests environmentally friendly settings before a print/copy command is executed from the control panel.

Benefits:
- Reduced power consumption by implementing low power modes
- Reduced print charges and reduced ongoing service charges

Project Team:
Mark Kiely – Procurement Supervisor
Paul French – Manager Supply Chain
Daniel Jones – Unit Manager – IT Support

Progress:

<table>
<thead>
<tr>
<th>Year</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>27 Printers in Administration Building, Crematorium &amp; SEC replaced</td>
</tr>
<tr>
<td>2020</td>
<td>Looking at replacing the rest of Council’s MFD’s</td>
</tr>
</tbody>
</table>
SUSTAINABILITY INITIATIVES

Summary:

A new Air Conditioning system has been installed in our Server room. Not only is the new system more power efficient the cooling has been targeted towards the critical devices to reduce the heat more efficiently. The end result is reduced power consumption.

IT has updated Council’s main Server and Storage devices into a consolidated unit. Initial power tests have revealed that our power consumption has halved. Equipment at our Disaster Recovery site is to be replaced which will also see significant power savings.

All In One computer systems have been chosen as our default computer system replacing a traditional desktop computer and monitor. Tests indicate that power consumption is about one third to fifty percent of its counterpart.

Sustainability Advantage Member

Project Team:
Daniel Jones – IT Support Unit Manager

Progress:
2019/20: Further replacement of desktop computers
2019/20: Transfer of servers to the Data Recover Site
Project Title: Shoalhaven Entertainment Centre joins Responsible Café movement

Summary:
Shoalhaven Entertainment Centre has joined the Responsible Café movement which includes more than 4,500 barista outlets in Australia where customers are financially rewarded for bringing their own keep cup.

Functions and Events assistant Leah Foley introduced the initiative to the Entertainment Centre’s Encore Café & Bar and the early results are positive.

Under the Responsible Cafes scheme caffeine-lovers receive a 50c discount each time they order a coffee and use their own cup, rather than contributing to landfill with disposables.

Responsible Cafes, an initiative of the award-winning not-for-profit Responsible Runners, was founded in 2013.

The group is committed to reducing plastic waste from oceans and neighbourhoods. In the first 59 days of the Responsible Cafes BYO Cup & Save campaign the Entertainment Centre’s baristas have made 1,542 cups of coffee in keep cups.

On a per annum pro-rata basis this would save 6,323 disposable cups and lids from landfill.

Café staff have been actively promoting the deal, which has seen a high take-up from Council staff.

Due to the success of this program, consideration is being given to rolling it out at other sites where Council provides Café services.

Conscious consumers:
Functions and Events Assistant Leah Foley serves two happy customers, saving their pockets and reducing landfill waste by participating in the Responsible Cafes campaign.

To fight the War on Waste and find your nearest Responsible Café wherever you are in Australia go to: www.responsiblecafes.org

Benefits:
- Reducing landfill
- Reducing purchase and usage of single use plastics and paper cups

Project Team:
Leah Foley, Functions & Events Assistant
Shane Spencer, Operations Coordinator
Erica Warren, Food & Beverage Coordinator

Future Projects:
The Entertainment Centre is also exploring options to introduce bins which encourage patrons to sort rubbish ready for recycling.

For more information contact: karen.patterson@shoalhaven.nsw.gov.au
SUSTAINABILITY INITIATIVES

**Summary:**
Nowra Aquatic Park is currently investigating initiatives for improving the efficiency of pool water heating.

One of these initiatives is to make adjustments to the centre’s Building Management System (BMS) to identify any potential efficiencies in energy consumption and associated billing.

This trial is scheduled to commence for the month of August 2019, after which a review will be conducted to determine whether any efficiencies were gained, as well as identify any potential operational impacts on water temperature maintenance.

Secondly, Nowra Aquatic Park is looking at options to improve the efficiency of the solar heating system by potentially upgrading the current heat exchangers which are not converting energy (heat) effectively.

In undertaking this investigation and seeking to upgrade the system, effective heat exchange through suitably designed heat exchangers will allow for further energy efficiency gains to be achieved.

**Benefits:**
- Reduced energy costs
- Efficient use of energy between solar and heat pumps systems
- Improved environmental footprint through reduced energy consumption

**Project Team:**
- Jaimie-Lee Harding – Northern Leisure Manager (NAP)
- Kevin Norwood – Shoalhaven Swim, Sport, & Fitness Manager

**Progress:**
- July 2019: Investigation/Review of solar system
- August 2019: 1 month trial of adjusted BMS settings
Project Title: Sustainable Fleet Initiatives

Summary:
Over 8 years we have reduced the vehicle choice from 28 to 11 models, removing all 8 and 8 cylinder cars, now offering more fuel efficient 4 cylinder cars. Less models means less parts to stock and streamline servicing.

Over the last 5 years we have reduced the petrol vehicle choice from 9 to 5 models, this includes 2 hybrids. The move towards other fuel source provides greater fuel economy and longer servicing intervals.

Vehicle residuals have increased to 59% for 2018/19 financial year. We contribute this to the vehicle choice being offered taking into consideration what the market is demanding, and extended warranty offered by certain manufacturers.

Total fuel usage is similar across the last 5 years, however total kilometres travel is up. Showing an increase in fuel economy.

Toyota has released its new Toyota RAV4 SUV in a hybrid variant, currently Fleet is investigating this as an alternative option.

Three Electric vehicles arrived in June, two are being offered as pool cars within Council while the 3rd vehicle is being utilised by our Mayor.

Fleet are working with Strategic Planning rolling out charging points e.g. Bomaderry Depot, SEC & Visitors Centre Ulladulla.

Fleet are currently adopting new technology offered by some manufactures (Mitsubishi Triton, Subaru Outback & Hino) offering eyesight technology aiding the driver awareness and providing a safer driver experience. Embracing this new technology will hopefully see residuals maintain high levels as buyers will demand it in the future.

Benefits:
Better fuel economy, increased residuals, reduced servicing and environmentally friendly.

Project Team:
Mark Andriske – Coordinator Fleet Services
Markus Tarrant – Team Supervisor, Plant & Fleet
**SA19.101 Sale of Council Land to RMS - New Shoalhaven River Bridge - Nowra**

**HPERM Ref:** D19/212516

**Group:** Assets & Works Group  
**Section:** Technical Services

**Attachments:**  
1. Letter from RMS dated 17 June 2019  
2. Letter from RMS dated 24 June 2019  
3. Acquisition Plans  
4. Letter from Mcdonald Contracting dated 10 April 2019  
5. Nowra Bridge Landscape - Cost estimate report

**Purpose / Summary**

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

**Recommendation**

That Council:

1. Approve the sale of the following land parcels to the NSW Roads & Maritime Services. The land parcels to be compulsorily acquired at the agreed compensation of $2,618,500 (excl GST):
   a. Lot 1 DP1127316,  
   b. Lot 6 DP813461,  
   c. Lot 5 DP813461,  
   d. Lot 5 DP262460,  
   e. Lot 3 DP625514,  
   f. Lots 25, 29 and 35 DP1245213,  
   g. Lots 18, 19, 20, 21, 22, 23, 26 and 31 DP1254210.

2. Accept, in addition to 1 above, compensation for disturbance (Sec 55(d)) under the Land Acquisition (Just Terms) Compensation Act covering:
   a. Council’s legal and valuation fees at cost  
   b. Playground equipment: $48,000 (Located on Lot 1 DP 1127316)  
   c. Toilet block: $120,000 (Located on Lot 7302 DP 1164490 being Crown Land)

3. Approve the granting of a temporary construction lease of the following land parcels to the NSW Roads and Maritime Services from 1 July 2019 to 30 June 2022 at a rental of $52,200 plus GST per annum:
   a. Lots A & B DP158942,  
   b. Lot 11 DP1254213,  
   c. Lot 4 DP1254210,  
   d. Lot 5 DP1254210.

4. Require all costs associated with the sale of Council land parcels to be paid by Roads
and Maritime Services;

5. Authorise the allocation of proceeds from part 1 above as follows:
   a. $425,000 towards a new structure to house the “Shoalhaven flood boat”;
   b. $930,000 (excl GST) repaid to the Industrial Land Development Reserve; and
   c. The residual placed in the Property Reserve for future property acquisitions.

6. Approve the affixing of the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed, otherwise the Chief Executive Officer is authorised to sign any documentation necessary to give effect to the resolution.

Options

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

2. Not proceed as recommended.
   
   Implications: RMS may proceed to issue Council with a Proposed Acquisition Notice (PAN) in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991. If Council’s interest is compulsorily acquired, all prior RMS offers will be withdrawn and compensation will be determined by the Valuer General.

Background

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

3. Request RMS agreement to further discuss its requirements for the occupation of Council owned land and to negotiate agreements subject to formal Council approval, for the acquisition of various properties.

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

1. A further report be submitted to Council in relation to the relocation of parking, public toilets and the Rotary monument near the bridge in Illaroo Road and on the relocation, replacement or demolition of the Captain Cook Memorial which is currently located in Moorhouse Park.

2. Council advise RMS that Council does not support any proposal to use Harry Sawkins Park as a car park but otherwise has no objection to the proposed amendments to the areas required for acquisition and leasing as set out in Attachment 1.

3. Council advise RMS that all landscape design work in relation to the Nowra entry, Moorhouse Park and Paringa Park is to be carried out by Council in consultation with RMS at RMS’s cost.

Over the past four (4) months Council staff have continued to discuss unresolved issues which are detailed hereunder and contained within correspondence from RMS dated 17 and 24 June 2019 (refer to attachments 1 & 2), negotiate with RMS on the important aspects of the Nowra Bridge project that affects Council, confer on land acquisitions and respective
compensation amounts, and define the occupation of Council owned land under lease agreements and the rents payable for same.

**Updated acquisition and lease plans**

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

<table>
<thead>
<tr>
<th>Land acquired (Updated legal description)</th>
<th>Area to be acquired</th>
<th>Value of area acquired</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1 DP 1127316 (unchanged)</td>
<td>413.4m²</td>
<td>$56,500</td>
<td>Scenic Drive - Moorhouse Park – occupied partially by a children’s playground</td>
</tr>
<tr>
<td>Lot 29 DP 1254213</td>
<td>214.2m² Part</td>
<td>$56,500</td>
<td>Bolong Road, Bomaderry (cnr Princes Hwy) – part of Sewer Pump Station No 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Part lot 1 DP 397062</td>
</tr>
<tr>
<td>Lot 25 DP 1254213</td>
<td>22.86m² Part</td>
<td>$56,500</td>
<td>Princes Highway, Bomaderry – part of Sewer Pump Station No 6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Part Lot 1 DP569158</td>
</tr>
<tr>
<td>Lot 35 DP1254213</td>
<td>870.4m² Part</td>
<td>$56,500</td>
<td>Illaroo Road, North Nowra (cnr Fairway Drive)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Part Lot 1 DP438034</td>
</tr>
<tr>
<td>Land acquired (Updated legal description)</td>
<td>Area to be acquired</td>
<td>Value of area acquired</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>---------------------</td>
<td>------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Lot 20 DP1254210</td>
<td>1,214m² (Part)</td>
<td>$425,000</td>
<td>Graham Street, Nowra – Part of the Council administration building site adjacent the Highway Part Lot 51 DP209295</td>
</tr>
<tr>
<td>Lot 21 DP1254210</td>
<td>293m² (Part)</td>
<td>$75,000</td>
<td>Graham Street, Nowra – Part of Harry Sawkins Park adjacent the Highway Part Lot 52 DP209295</td>
</tr>
<tr>
<td>Lot 22 DP1254210</td>
<td>451m² (Part)</td>
<td></td>
<td>East Street, Nowra – between the pond in Harry Sawkins Park and the Highway Part Lot 5 DP208897</td>
</tr>
<tr>
<td>Lot 23 DP1254210</td>
<td>508m² (Part)</td>
<td></td>
<td>McGrath Avenue, Nowra – land between the pond in Harry Sawkins Park and the Highway, just north of the skate park Part Lot 2 DP802068</td>
</tr>
<tr>
<td>Land acquired (Updated legal description)</td>
<td>Area to be acquired</td>
<td>Value of area acquired</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------</td>
<td>------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Lot 5 DP262460</td>
<td>2,571m² (whole)</td>
<td>$425,000</td>
<td>Bridge Road, Nowra – cnr of the Highway – known as Moorhouse Park and home to the Captain Cook Bicentennial Memorial and Shoalhaven Flood Boat</td>
</tr>
<tr>
<td>Lot 6 DP813461 &amp; Lots 3, 17, 18 &amp; 19 DP 1254210</td>
<td>2,856.7m² (Various)</td>
<td>$1,200,000</td>
<td>Bridge Road, Nowra – Former Hotel site currently used as Nowra entry garden and overflow staff car parking</td>
</tr>
<tr>
<td>Lots 25, 26, 30 &amp; 31 DP 1254210</td>
<td>9,556m²</td>
<td>$437,000</td>
<td>Moss Street &amp; Lyrebird Drive, Nowra – Parts of Gateway Park</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Part Lot 100 DP1071707</td>
</tr>
<tr>
<td>Land acquired (Updated legal description)</td>
<td>Area to be acquired</td>
<td>Value of area acquired</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------</td>
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</tr>
<tr>
<td>Part Lot 3 DP625514</td>
<td></td>
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<tr>
<td>Part Lot 8 DP809132</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LEASED PROPERTIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot 11 DP1254213</td>
<td>81.65m²</td>
<td>$52,200 plus GST per annum</td>
<td>Part Lot 1 DP 569158</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Princes Highway, Bomaderry – residual of Sewer Pump Station No 6 – adjacent to Bomaderry Creek</td>
</tr>
<tr>
<td>Lots 4 &amp; 5 DP 1254210</td>
<td>3,381m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot A &amp; B DP 158942</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land acquired (Updated legal description)</td>
<td>Area to be acquired</td>
<td>Value of area acquired</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------------</td>
<td>------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Lot A &amp; B DP 158942</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part Lot 5 DP 1112482</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part Lot 1 DP 194884</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28, 30 &amp; 30A Bridge Road, Nowra – residual former Hotel site north of the Shoalhaven Entertainment Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Industrial Land Development Reserve Replenishment**

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

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

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

**Public Toilets at Rotary Park**

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

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

**Captain Cook Memorial and Shoalhaven Flood Boat**

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

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

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

Given the inability structurally to relocate the memorial, the Shoalhaven flood boat will need to be housed elsewhere. As no value was placed on the memorial, Council staff have proposed allocating the compensation for the land upon which the memorial and flood boat where situated towards a new structure. The location and design of same to be in consultation with the Shoalhaven Historical Society.
Public Playground at Moorhouse Park
Relocation of the play equipment is not desirable and would need to be replaced with new equipment to meet current standards. Notwithstanding, RMS has agreed to compensate Council for the existing equipment.

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

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

Pedestrian Restraint Fencing at Rotary Park
At RMS cost, any fencing will be replaced with standard RMS pedestrian fencing.

Nowra Sign and Landscaping at Bridge Road
RMS advised that there would be a period where the Nowra Sign would be removed for construction. The new Shoalhaven Bridge is a Design and Construct project. At this point in time detailed plans are not available as the project is currently within RMS’s tender process. Landscaping plans will be developed in conjunction with the detailed design of the bridge project. At that time, Council will have an opportunity to comment and provide feedback on the final landscape and urban design plans.
RMS has agreed to meet the costs in relation to the Nowra Entrance signage and landscaping. The replacement sign and landscaping will be undertaken by Council in consultation with RMS.
Council obtained a cost estimate from WT Partnership (refer to Attachment 5) to replace the existing landscape on the Southern side of the Shoalhaven Bridge. RMS have indicated that the quote is excessive. RMS has advised that a copy of the scope of works be provided to RMS for concurrence prior to obtaining three (3) quotes for the works to RMS’s satisfaction.

Ancillary Sites and alternative parking locations
Council land north of Shoalhaven Entertainment Centre
The areas to be acquired and/or leased by RMS are outlined above and identified in the acquisition plans (refer to Attachment 3).
RMS has based the offer to acquire and /or lease the subject land on the highest and best use as a redevelopment site zoned B4 Mixed Use. The highest and best use overrides the current use as an unofficial carpark. No value is assigned to temporary car parking.
RMS’s position is that it could be considered, the rental to be paid could be used to establish additional car parking.

Other Council land and private blocks south of Aquatic Park
RMS investigation determined flood immunity as problematic and withdrew its interest in this area.

Gasworks block
RMS noted this site, determining it will not be a primary source of parking.
Grey’s Beach
Council had advised that this area is under a lot of stress during holiday periods and requested that RMS Design and Construct contractor provide a management plan for this precinct for Council approval.
RMS has removed its interest in this area.

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

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

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

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

General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Shoalhaven City Council

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

Dear Sir,

I refer to your letter dated 18 April 2019 and respond to the points raised in each paragraph as follows:

Car Parking Assessment

- RMS has based the offer to acquire the subject land on the highest and best use as a re-development site zoned B4 Mixed Use. This highest and best use overrides the current use as an unofficial car parking. No value is assigned to temporary car parking. However it could be considered the rental to be paid on the additional area that is to be leased could be utilised to establish additional car parking should Council wish. To pay rent and then assign additional compensation would be considered double dipping.

- Any plans by Council to develop additional car parking are noted but not part of an RMS acquisition.

- Council’s recommendation:
  1. The acquisition by Council of Lots 1 & 2 DP199958 and Lot1 DP797111 is a separate matter outside the project.
  2. Market value at the highest and best use under the zoning has been offered for the subject land. Any additional Council car parking will be at Council’s cost.

- RMS can only acquire land for project purposes and not for other parties. As stated above, as fair market value has been paid for the subject land it is for Council to decide how it wishes to spend those funds.

Strategic Planning and Direction

1. Heritage Impact – RMS will as part of the Project work, will place an interpretive heritage display in relation to the Captain Cook Bicentennial Memorial. The final design will be developed in consultation with the Shoalhaven Historical Society and Shoalhaven City Council. RMS has attended and addressed a meeting of the Shoalhaven Historical Society in relation to this matter.

- As stated in previous meetings the Nowra Bridge is a Design and Construct Project. At this point in time detailed plans are not available as the Project is currently has only recently called for tenders. Landscaping plans will be developed with the detailed design of the Project. Council will have the

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

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

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

Compensation

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

Lease

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

Actions

1. It is expected that access to the leased land located north of the Council Building, will be from both the existing highway and Bridge Road during construction of the bridge. Access with be under Traffic Control arrangements.
2. Market value has been paid for the land so no additional works will be provided.
3. Addressed above. A copy of the current consultant’s report is attached.
4. Addressed above.
5. Addressed above.
6. Addressed above
7. RMS has received an independent costing to provide a toilet block to current standards. Council may supply 3 independent quotes for a toilet block should it wish to claim additional compensation than that offered by RMS under Section 55(d) Land Acquisition Just Terms Compensation Act, 1991.
8. The amount of compensation offered for the replacement playground equipment in Moorhouse was based on independent costs. Council may supply 3 independent quotes for similar playground equipment should it wish to claim additional compensation than that offered by RMS under Section 55(d) Land Acquisition Just Terms Compensation Act, 1991.
9. RMS agrees that works in relation to the Nowra Entrance signage and landscaping will be undertaken by Shoalhaven City Council in consultation with RMS. This is subject to RMS agreeing to the cost of such work prior to commencement. In relation to Moorhouse Park playground, the re-establishment of replacement improvements have been compensated for as part of the acquisition. It is noted that Paringa Park is outside the impacts of the Project.
10. Copy of structural engineers report for the Captain Cook Memorial attached.
In discussions with Property staff it was raised that RMS acquire the whole of Lot 5 DP813461 as road. This would allow the residue to be declared road reserve. This land could then be utilised by Council as the “Entrance to Nowra” with signage and landscaping as previously mentioned above located on this land.

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

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

Yours sincerely

WJ Healy
Property Acquisition Manager

Roads and Maritime Services
T 4221 2492 M 0413 601 629
PO Box 477 Wollongong NSW 2520
10th April 2019

RMS

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

Subject: Captain Cook Memorial

Our Ref# MCDCON100419-1

Good afternoon Dan

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

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

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

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

Kind Regards
Chantel McDonald

7-5-19

SA19.101 - Attachment 1
ROADS AND MARITIME SERVICES

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

AGREEMENT made the ........................ of ...................................................., Two Thousand and Nineteen

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

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

i. RMS agrees to pay as rent $4,350 (Four Thousand Three Hundred and Fifty Dollars) per calendar month, paid 3 months in advance ($13,050 for 3 months);

ii. The rent provide in Clause (i) is exclusive of GST. If the landlord advises that GST will be payable on the rent and provides an appropriate tax invoice, RMS agrees to increase the rent by an amount equal to the GST payable ($4,785 per calendar month);

iii. The Landlord to pay rates and taxes;

iv. This Lease will be terminated on one month’s written notice from RMS. Any payments made in advance will not need to be adjusted;

v. RMS shall indemnify and keep indemnified the landlord from any liability in respect of claims, actions or proceedings that may be commenced taken or continued by any person or persons against the landlord in respect of any action or omission arising out of the negligence of RMS, its employees, servants and contractors or which the landlord may suffer or incur due to or arising from the occupation of the land by RMS;

vi. At the expiry of the lease RMS shall surrender up to the landlord the land in a clean and tidy condition and reinstate it to a similar or better condition that existed prior to the commencement of the lease.

THE SCHEDULE HEREBFFORE REFERRED TO:

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

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

in the presence of:

.................................................. (Council’s Representative Name)

.................................................. (Witness)

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

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

General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

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

Dear Sir,

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

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec 55 (a) Market Value</td>
<td>$2,618,500</td>
</tr>
<tr>
<td>Sec 55 (b) Special Value</td>
<td>$nil</td>
</tr>
<tr>
<td>Sec 55 (c) Severance</td>
<td>$nil</td>
</tr>
<tr>
<td>Sec 55 (d) Disturbance</td>
<td>$195,500</td>
</tr>
<tr>
<td>Including:</td>
<td></td>
</tr>
<tr>
<td>Legal &amp; Conveyance to RMS</td>
<td>$5,500</td>
</tr>
<tr>
<td>Valuation Fees</td>
<td>$22,000</td>
</tr>
<tr>
<td>Replacement playground</td>
<td></td>
</tr>
<tr>
<td>(Equipment, installation and site preparation)</td>
<td>$48,000</td>
</tr>
<tr>
<td>Replacement toilet block</td>
<td>$120,000</td>
</tr>
<tr>
<td>* includes GST</td>
<td></td>
</tr>
<tr>
<td>Sec 55 (e) Solatium</td>
<td>$nil</td>
</tr>
<tr>
<td>Sec 55 (f) Any increase or decrease in value</td>
<td>$nil</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,814,000</strong></td>
</tr>
</tbody>
</table>

2. Vacant possession to be given on completion.

3. RMS and its agents to have the right of entry from the date of exchange of contracts for road and ancillary works.

rms.nsw.gov.au
4. RMS to pay an allowance at settlement for legal advice and conveyancing fees to a maximum of $5,500 inclusive of disbursements and GST subject to the provision of the appropriate tax invoice. These allowances are included in clause 1. above.

5. RMS at settlement to reimburse valuation fees up to the amount of $22,000, subject to receipt of suitable valuers report in accordance with RMS Land Acquisition Policy Statement. Valuation fees above this allowance will be the vendor’s responsibility. This amount is included in clause 1. above.

6. RMS to pay an allowance at settlement for legal fees on repurchase to a maximum of $5,500 inclusive of disbursements and GST. These amounts are included in clause 1. above.

7. RMS to pay an allowance at settlement for replacement and installation of the playground equipment off Scenic Drive in the amount of $48,000. This amount is included in clause 1. above.

8. RMS to pay an allowance at settlement for replacement and installation of the male and female toilet block off Illaroo Road in the amount of $120,000. This amount is included in clause 1. above.

9. RMS will consult with Council and Rotary regarding the relocation of the Rotary memorial currently located on Illaroo Road.

10. No additional allowance has been made for the structure located in Moorhouse Park as the land has been assessed on a highest and best use value, as land with potential development potential. It is noted the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Draft shows majority of the subject lot as an allowable building height of 5 storeys over the location of the concrete structure. Should Council wish to relocate the structure currently located on the subject land, RMS has no objection to its removal prior to RMS taking possession. RMS will as part of the Project work, place an interpretive heritage display in relation to the Captain Cook Bicentennial Memorial. The final design will be developed in consultation with the Shoalhaven Historical Society and Shoalhaven City Council.

11. This offer is for the whole of Lot 5 DP 262460.

12. This offer is for the whole of Lot 5 DP813461.

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

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

Under the relevant legislation there is no compensation payable for any improvements located in the road reserve. Paving and landscaping within the project boundaries will be addressed as part of the project.
In relation to Moorhouse Park playground, the re-establishment of replacement improvements has been compensated for as part of the acquisition. This amount is included in clause 1. above.

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

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

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

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

Yours sincerely

S Waugh
Property and Acquisition Manager
Property Manager
Roads and Maritime Services
T 4221 2492 M 0413 601 629
PO Box 477 Wollongong NSW 2520
## Land to be acquired from Shoalhaven City Council

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10th April 2019

RMS

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

Subject: Captain Cook Memorial

Our Ref# MCDCON100419-1

Good afternoon Dan

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

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

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

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

Kind Regards
Chantel McDonald

7-5-19
198170 - Nowra Bridge Landscape

Job Reference: 198170
Date: June 14, 2019

WT Partnership
Level 10, 15 London Circuit
Canberra City, ACT 2601

www.wtpartnership.com.au
T +61 2 6282 3733
### Concept Design Estimate Summary:

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Concept Design Estimate TOTAL: 761,555
**PROJECT:** 198170 - Nowra Bridge Landscape

**REPORT:** Concept Design Estimate

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<td>Make good costs to existing premises</td>
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<td>12</td>
<td>Strengthening / adjustments to existing surrounding structures</td>
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<td>Demolition</td>
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<td>Kerbs</td>
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<td>24</td>
<td>Reinstate of light poles and traffic lights</td>
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<td>25</td>
<td>Nightworks / Out of hours works</td>
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<td>Removal / replacement of helicopter</td>
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<td><strong>Comments</strong></td>
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<td>Your attention is drawn to the list of exclusions noted above. Separate provision should be made for any of these items if applicable.</td>
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<td>We confirm that due to the preliminary nature of the design documentation, we have had to make a number of assumptions with respect to structure and engineering services and that the suggested budgets may vary significantly depending on resolution of all aspects of the design.</td>
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**PROJECT:** 198170 - Nowra Bridge Landscape

**REPORT:** Concept Design Estimate

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<td>We therefore advise that this estimate should be regarded as indicative only and we would recommend that prior to finalising funding proposals and / or feasibility studies that a detailed estimate be prepared from further developed design documentation.</td>
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<td>Retaining wall under Nowra Sign</td>
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<td>Excavation</td>
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<td>&quot;NOWRA&quot; and Bird signage, to concrete wall (measured separately)</td>
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**Total Signage** 55,065
### Project: 198170 - Nowra Bridge Landscape

#### Report: Concept Design Estimate

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

**Total Hard Landscaping** 363,695
### Project: 198170 - Nowra Bridge Landscape

#### Report: Concept Design Estimate

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate (AUD)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Soft Landscaping</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Grass embankment on and including topsoil and imported fill</td>
<td>1,358</td>
<td>m2</td>
<td>50.00</td>
<td>67,000</td>
</tr>
<tr>
<td>2</td>
<td>Lawn area on and including topsoil and imported fill</td>
<td>1,948</td>
<td>m2</td>
<td>35.00</td>
<td>68,180</td>
</tr>
<tr>
<td>3</td>
<td>Hedge on and including topsoil and imported fill</td>
<td>26</td>
<td>m</td>
<td>170.00</td>
<td>4,420</td>
</tr>
<tr>
<td>4</td>
<td>Mature planting / shrubs on lawn area</td>
<td>976</td>
<td>m2</td>
<td>60.00</td>
<td>58,560</td>
</tr>
<tr>
<td>5</td>
<td>Mulch</td>
<td>976</td>
<td>m2</td>
<td>10.00</td>
<td>9,760</td>
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<tr>
<td>6</td>
<td>Mature trees including tree pits</td>
<td>23</td>
<td>no</td>
<td>1,500.00</td>
<td>34,500</td>
</tr>
<tr>
<td></td>
<td><strong>Total Soft Landscaping</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>243,320</strong></td>
</tr>
</tbody>
</table>

**Rev. 1**

WT Partnership / 198170

HPERM Ref: D19/172097
Group: Assets & Works Group
Section: Technical Services
Attachments: 1. Minister's response to Council Operational classification request - 30 Reserves
2. Crown Land Manager Initial Categorisation 107 reserves (under separate cover)

Purpose / Summary
Provide Council with the opportunity to consider a report outlining the progress to date on submissions to the Minister administering the Crown Lands Management Act 2016 on the classification and categorisation of Crown land under Council management and the next steps in achieving approved Plans of Management over same.

Recommendation
That Council receive the report on progress to date regarding the classification and categorisation of Crown land under Council management and note that further reports will be provided in due course.

Options
1. Accept the recommendation
   Implications: Council will receive an update on submissions to the Minister administering the Crown Land Management Act 2016 and what next steps are being undertaken to achieve approved Plans of Management for Crown land under Council management.

2. Not accept the recommendation
   Implications: Council will not receive an update.

Background
In September 2018 a report was submitted to Council outlining the processes Council needs to follow and issues associated with the implementation of the Crown Land Management Act 2016 (CLM Act) that commenced on 1 July 2018. In summary that report highlighted:

The CLM Act authorises Council to manage certain Crown Land as if it were public land under the Local Government Act 1993. Under the legislation, Council is required to classify the Crown Land either Community Land or Operational Land (subject to Ministerial approval), like the Council owned land managed under the Local Government Act 1993. Council is further required to provide an initial categorisation for the Community Land. Council is also required to prepare Plans of Management for the Crown Land which will occur over the coming years.
Based on the above Council’s Strategy & Assets Committee, under delegation resolved at its meeting on 18 September 2018 (MIN18.715):

“That the General Manager be authorised to make submissions to the Minister responsible for the administration of the Crown Lands Management Act 2016 in relation to:

a) The classification of specific Crown reserves as operational land;
b) The categorisation of specific Crown reserves which have been classified as community land; and

c) Proposed changes of reserve purpose(s).”

The Process for the Classification of Crown Land

In a limited number of circumstances, it is possible for Council to request from the Minister permission for Crown Land to be managed as if it were Operational Land under the LG Act. Where the Minister gives written consent to classify land as if it were Operational Land, Council has almost all the functions it has under the LG Act in relation to Operational Land. However, Council cannot sell the land without further Ministerial consent, nor do anything that contravenes:

- Any condition of the Council’s appointment instrument as a Crown Land Manager;
- The Crown Land Management Regulation 2018;
- Any applicable Crown Land Management rule, or
- Any applicable Plan of Management adopted under Division 3.6 of the CLM Act.

The NSW Department of Industry – Crown Lands will only issue Ministerial consent to manage land as Operational where a Council manager can demonstrate that the land either:

- Does not fall within any of the categories for Community Land under the LG Act, or
- Could not continue to be used and dealt with as it currently can, if it were required to be used and dealt with as Community Land.

The Department has provided advice that the following uses or developments may not fall within the categories of Community Land and may be approved as Operational Land:

- Caravan Parks;
- Coastal infrastructure;
- Emergency services;
- Quarries and gravel pits;
- Reservoirs;
- Sanitary purposes;
- Sewage works;
- Urban services; or
- Water infrastructure.

Unless and until written Ministerial consent is given, Council must continue to manage the land as Community Land and adhere to the applicable requirements of the CLM Act. Written consent under the CLM Act provides authorisation for Council to manage land as Operational from that point forward.

The flow chart below demonstrates the process by which Crown land can be classified, that is classified as either “operational” or “community” land in accordance with the CLM Act.
Based on the above noted process, Council initially submitted to the Minister per the table below thirty (30) requests for classification of all or part thereof of Crown reserves as operational land. The table also shows the result of that request.

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Reserve Name</th>
<th>Lots</th>
<th>Reserve Number</th>
<th>Purpose</th>
<th>Use</th>
<th>Minister’s consent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kangaroo Valley</td>
<td>KV Rubbish Depot Reserve</td>
<td>79/751262</td>
<td>R86837</td>
<td>Rubbish Depot</td>
<td>Rubbish Depot</td>
<td>Granted</td>
</tr>
<tr>
<td></td>
<td>KV Works Depot</td>
<td>239/751255</td>
<td>R89435</td>
<td>Local Government Purposes</td>
<td>Works Depot</td>
<td>Granted</td>
</tr>
<tr>
<td></td>
<td>Kangaroo Valley Tourist Park Reserve</td>
<td>245/821462</td>
<td>R56860</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td>Culburra Beach</td>
<td>Crookhaven Park Reserve</td>
<td>99/821450</td>
<td>R580073</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td></td>
<td>East Crescent Reserve</td>
<td>Part 7013/1126800</td>
<td>R580094</td>
<td>Public Recreation</td>
<td>Surf Club</td>
<td>Not granted</td>
</tr>
<tr>
<td>Lake Conjola</td>
<td>Lake Conjola Tourist Park</td>
<td>Part 486/861543</td>
<td>R62146</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td></td>
<td>Lake Conjola Waste Depot</td>
<td>2/777956</td>
<td>R87849</td>
<td>Rubbish Depot</td>
<td>Rubbish Depot</td>
<td>Council not Crown Land Manager</td>
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<tr>
<td></td>
<td>Lake Conjola Bush Fire Station</td>
<td>7027/1032113</td>
<td>R89096</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Service</td>
<td>Granted</td>
</tr>
<tr>
<td>Suburb</td>
<td>Reserve Name</td>
<td>Lots</td>
<td>Reserve Number</td>
<td>Purpose</td>
<td>Use</td>
<td>Minister’s consent</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------------------</td>
<td>-----------------------</td>
<td>----------------</td>
<td>-----------------------</td>
<td>------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Worrigee</td>
<td>Shoalhaven Memorial Gardens &amp; Lawn Cemetery</td>
<td>121 &amp; 122/46948</td>
<td>R97869</td>
<td>Cemetery</td>
<td>Crematorla &amp; Cemetery</td>
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<tr>
<td>Ulladulla</td>
<td>Ulladulla Pre-School</td>
<td>312/755967</td>
<td>R89226</td>
<td>Kindergarten</td>
<td>Kindergarten/pre-school</td>
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<tr>
<td></td>
<td>Ulladulla Headland Tourist Park</td>
<td>366/821493</td>
<td>R180007</td>
<td>Camping</td>
<td>Tourist Park</td>
<td>Deferred</td>
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<tr>
<td></td>
<td>Ulladulla Cemetery (old)</td>
<td>7012/1031353</td>
<td>R97733</td>
<td>Graves</td>
<td>Cemetery</td>
<td>Not granted</td>
</tr>
<tr>
<td>Shoalhaven Heads</td>
<td>Shoalhaven Heads Tourist Park</td>
<td>80/821472</td>
<td>R52855</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td>Nowra</td>
<td>Nowra Museum Reserve</td>
<td>1/1123776</td>
<td>R97921</td>
<td>Museum</td>
<td>Museum</td>
<td>Not granted</td>
</tr>
<tr>
<td>Lake Tabourie</td>
<td>Lake Tabourie Tourist Park</td>
<td>164 &amp; 165/729188 &amp; 2/1134134</td>
<td>R25398</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td>Currarong</td>
<td>Currarong Foreshore &amp; Tourist Park Reserve</td>
<td>116/821492 &amp; 7318/1160922</td>
<td>Pt R1003034</td>
<td>Public Recreation &amp; Coastal Environmental Protection</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td></td>
<td>Currarong Bush Fire Station</td>
<td>114/44317</td>
<td>R96145</td>
<td>Local Government Purposes</td>
<td>Rural Fire Services</td>
<td>Granted</td>
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<tr>
<td>Huskisson</td>
<td>Huskisson Beach &amp; White Sands Tourist Parks Reserve</td>
<td>Various</td>
<td>R76522</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td>Falls Creek</td>
<td>Falls Creek Bush Fire Station</td>
<td>175/46895</td>
<td>R97219</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Service</td>
<td>Granted</td>
</tr>
<tr>
<td>Depot Beach</td>
<td>Depot Beach Fire Station</td>
<td>134/45823</td>
<td>R96910</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Service</td>
<td>Granted</td>
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<tr>
<td>Cunjurong Point</td>
<td>Cunjurong Point Bush Fire Station</td>
<td>7028/1031109</td>
<td>R89231</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Service</td>
<td>Granted</td>
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<tr>
<td>Crookhaven Heads</td>
<td>Crookhaven Heads Pilot Station Reserve</td>
<td>Part 34/755971</td>
<td>R180073</td>
<td>Community Purposes</td>
<td>Marine Rescue and Plant Nursery</td>
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<tr>
<td>Burrill Lake</td>
<td>Burrill Lake Reserve</td>
<td>365/728040</td>
<td>R56477</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
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<tr>
<td>Berry</td>
<td>Harley Hill Road Cemetery</td>
<td>1/723973</td>
<td>R1003013</td>
<td>Cemetery</td>
<td>Cemetery</td>
<td>Not granted</td>
</tr>
<tr>
<td>Suburb</td>
<td>Reserve Name</td>
<td>Lots</td>
<td>Reserve Number</td>
<td>Purpose</td>
<td>Use</td>
<td>Minister’s consent</td>
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<td>---------------</td>
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<td>----------------</td>
<td>----------------------</td>
<td>----------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Bendalong</td>
<td>Bendalong Point, North Bendalong &amp; Inyadda Beach Reserve</td>
<td>Various</td>
<td>R61640</td>
<td>Public Recreation</td>
<td>Tourist Park</td>
<td>Deferred</td>
</tr>
<tr>
<td></td>
<td>Bendalong Waste Depot</td>
<td>471/41583</td>
<td>R94085</td>
<td>Rubbish Depot</td>
<td>Rubbish Depot</td>
<td>Granted</td>
</tr>
<tr>
<td>Bellawongarah</td>
<td>Beaumont Bush Fire Station</td>
<td>1/115445</td>
<td>R96710</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Services</td>
<td>Granted</td>
</tr>
<tr>
<td>Bawley Point</td>
<td>Bawley Point Rural Fire Station</td>
<td>706/1020715 &amp; 1/1139129</td>
<td>R96887</td>
<td>Bush Fire Brigade</td>
<td>Rural Fire Services</td>
<td>Granted</td>
</tr>
<tr>
<td>Basin View</td>
<td>Basin View Bush Fire Station</td>
<td>207/729159</td>
<td>R180053</td>
<td>Community Purposes</td>
<td>Rural Fire Services</td>
<td>Granted</td>
</tr>
<tr>
<td>Yalwal</td>
<td>Danjera Dam</td>
<td>Various</td>
<td>R91161</td>
<td>Water Supply</td>
<td>Dam</td>
<td>Granted</td>
</tr>
</tbody>
</table>

**Note:** Where the above decision was deferred, it is pending a Crown Lands Departmental Policy position on the future management of all caravan and tourist parks across NSW.

Refer to Attachment 1 for correspondence relating to the above Minister’s consent.

After the above notification, Council has submitted a request for Operational classification on a further seven (7) Reserves (in part or full), per the following:

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Reserve Name</th>
<th>Lots</th>
<th>Reserve Number</th>
<th>Purpose</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wandandian</td>
<td>Wandandian Recreation Area</td>
<td>5/1107700</td>
<td>R89890</td>
<td>Resting Place</td>
<td>Community centre, tennis court and Bush Fire Brigade</td>
</tr>
<tr>
<td>Kioloa</td>
<td>Kioloa/Bawley Point Community Centre, BFS</td>
<td>7005/1020466</td>
<td>R180011</td>
<td>Community Purposes</td>
<td>Community centre and Bush Fire Brigade</td>
</tr>
<tr>
<td>Cudmirrah</td>
<td></td>
<td>41/755927 &amp; 7004/1125731</td>
<td>R97001</td>
<td>Bush Fire Brigade Purposes, Community purposes and public recreation</td>
<td>Community centre, tennis court and Bush Fire Brigade</td>
</tr>
<tr>
<td>Nowra</td>
<td>Albatross Racing Complex</td>
<td>460/1062117</td>
<td>R88840</td>
<td>Public Recreation &amp; Racecourse</td>
<td>Turf, greyhound &amp; Harness racing, speedway</td>
</tr>
<tr>
<td>Shoalhaven Heads</td>
<td>7008/1002212 &amp; 77/44344 &amp; 78/46935</td>
<td>R180061</td>
<td></td>
<td>Community purposes &amp; Public Recreation</td>
<td>Community centre, tennis courts and Bush Fire Brigade</td>
</tr>
<tr>
<td>Worrige</td>
<td>102/755953 &amp; 7001/1024303</td>
<td>R70330</td>
<td></td>
<td>Rubbish Depot</td>
<td>Vacant Land</td>
</tr>
<tr>
<td>Ulladulla</td>
<td>37/755967</td>
<td>R85367</td>
<td></td>
<td>Rubbish Depot</td>
<td>Rubbish Depot</td>
</tr>
</tbody>
</table>
Initial Categorisation of Crown Land

For all Crown land not mentioned above, or still subject to a determination, where Council is the Council Crown land Manager, the default position for its classification is “Community Land”.

Under the CLM Act, all Crown Reserves that are classified as “Community Land” require an “initial categorisation” that relates to the Crown Land reserve purpose. In determining the category that applies to the reserve, Council must refer to LG Act provisions and consider how these would preserve and facilitate use of the land for the purpose for which it was originally dedicated or reserved. Additional Reserve purposes or secondary interests granted are to be ignored.

The LG Act Community Land categories are Park, Sportsground, General Community Use, Area of Cultural Significance and Natural Area. Natural Area includes sub-categories of Bushland, Wetland, Escarpment, Watercourse and Foreshore.

Council has applied for initial categorisation of 107 Crown Reserves. Refer to Attachment 2 for Council’s application for initial categorisation.

**Initial community land categorisation process diagram**

The Minister may direct Councils to assign an alternate Community Land categorisation than the one that Council initially proposes. The Department has provided general advice to Councils regarding the most appropriate Community Land category for each purpose that Crown land may be dedicated or reserved. The Table below shows the Departmental guidance for the categorisation of Crown land reserve types typically found in the Shoalhaven.

<table>
<thead>
<tr>
<th>Reserve Purpose</th>
<th>Recommended Initial Community Land Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Recreation</td>
<td>Park</td>
</tr>
<tr>
<td>Access</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Community Purpose</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Bush Fire Brigade</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Study/preservation of Native Flora</td>
<td>Natural Area (Bushland)</td>
</tr>
<tr>
<td>Cemetery</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Public Recreation &amp; Showground</td>
<td>Park &amp; General Community Use</td>
</tr>
<tr>
<td>Local Government Purposes</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Wharf Facility</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Museum</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Public Recreation &amp; War Memorial</td>
<td>Park &amp; Area of Cultural Significance</td>
</tr>
<tr>
<td>Parking</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Camping</td>
<td>General Community Use</td>
</tr>
<tr>
<td>Public Recreation &amp; Racecourse</td>
<td>Park &amp; General Community Use</td>
</tr>
<tr>
<td>Environmental Protection</td>
<td>Natural Area</td>
</tr>
</tbody>
</table>
Council is only able to apply one category to each reserve and it must align directly with the reserve’s gazetted purpose. If a reserve has more than one purpose an additional category can be applied. Unfortunately, the historic reserves purpose does not always neatly reflect the activities that currently occur in a reserve. A large reserve may have several uses / activities, both passive and active. A reserve may also contain a community building. To assist in understanding how to apply an initial community land category to a Crown reserve the following hypothetical example is provided:

**Council manages a Crown reserve that has the reserve purpose of “Public Recreation”. On this reserve 70 per cent of its land used is open space improved by some playground equipment, cycleway, tables and bench seating (a typical council park) and 30 per cent of the reserve is currently leased out to a football club for the use of the football field.**

In this case the reserve has two Community Land categories of park and sportsground. Council would notify the Minister that an initial category of “park” applies to the entire reserve. The initial category for the reserve is consistent with the Departmental advice that reserves with the purpose of “Public Recreation” are best aligned with the Community Land category of “Park” in most instances.

Later when a Plan of Management (PoM) is developed for the land, the area that is leased to the football club would be categorised as “Sportsground” to enable Council to enter a new lease for the use of the football field when the existing lease expires. The area that is used as a park would be categorised as “Park” under the Plan of Management. Under the CLM Act, adopting a Plan of Management is the mechanism that can introduce multiple Community Land categories for a Crown Land reserve.

**Crown Land Plan of Management (PoM) Process Diagram**

**Community Engagement**

There is no requirement for Council to undertake community engagement as part of the initial classification or categorisation process. However, as indicated in the process diagram above any subsequent additional categories or additional reserve purposes sought through the PoM process triggers an exhibition or public hearing process as dictated by the LG Act.

At the time of writing this report it is estimated there will be 74 Reserves triggering through the PoM process “public exhibition” because the initial categorisation will be adopted under the PoM with 29 Reserves requiring a “public hearing” given the PoM will change or add categories to the initial and/or trigger additional Reserve purpose/s.
The above figures may change, depending on the result of Council’s submission.

Policy Implications
There are no Policy implications.

Financial Implications
The financial implications of this process are yet to be fully understood. However, to date the costs have been absorbed by respective areas that are managing the process, namely Property and Community & Recreation.

Risk Implications
At this point the risk are relatively low. This is due to Council having to seek approval for any classification, categorisation requests and the adoption of any PoM.

The risk comes from Council using a Reserve in a fashion that would cause “material harm” in its use, contrary to the existing Reserve purpose.
LBN 19/157

Mr Trevor Cronk
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Mr Cronk,

Shoalhaven City Council request for consent to manage Crown land as operational land

I am writing in response to Shoalhaven City Council’s request for Ministers consent to classify 29 Crown reserves as ‘operational land’ under section 3.22 of the Crown Land Management Act 2016.

As delegate of the Minister for Lands and Forestry, I have approved Council to manage 12 Crown reserves as operational land (see – Attachment 1).

In making this decision, I have considered justification provided by Council so as to satisfy the Minister that the land:

a) does not fall within any of the categories for community land under the Local Government Act 1993 (LG Act), or
b) could not continue to be used and dealt with as it currently can if it were required to be used and dealt with as community land.

Council as the Crown land manager will be able to manage the land as operational land under the LG Act, except for any appointment conditions and land management rules and Council will be unable to sell the land without further consent of the Minister.

This written consent requests Council make clear in its communications that the classification of the land is to facilitate management in accordance with the legislation and consent from the Minister, and that the land cannot be sold without any further consideration by, or consent from, the Minister.

It is noted that Council requested a further seven Crown reserves (R180073, R89226, R580094, R97921, R97733, R10003013 and R97869) to be classified as operational. As the delegate of the Minister for Lands and Forestry, this request has not been supported and the land is to be dealt with as community land.

Council also sought to re-classify 10 Crown reserves containing a holiday parks as operational land. The classification of these reserves has been placed on hold pending a departmental policy position on the future management of caravan and tourist parks. Council will be notified of the outcome in due course.
It is noted that Crown reserve R87849 is ‘defaulted to the Minister’, therefore Council is not able to manage these reserves as if they were public land.

Please don’t hesitate to contact me if you have any further questions. I can be contacted on 4920 5128 or by email council.cm@crownland.nsw.gov.au.

Yours sincerely

4 June 2019

Lee McCourt
A/Principal Policy & Project Manager – Governance & Finance
Department Of Industry – Crown Lands

Attachments:
1. Schedule of Crown reserves to be managed as operational land
2. Schedule of Crown reserves not managed by Council as the Crown land manager Council (s48 of the LG Act)
### Attachment 1: Schedule of Crown reserves to be managed as operational land

<table>
<thead>
<tr>
<th>Reserve No.</th>
<th>Purpose(s)</th>
<th>Lot(s)/DP</th>
</tr>
</thead>
<tbody>
<tr>
<td>R180053</td>
<td>Community Purposes</td>
<td>Lot 207 DP729259</td>
</tr>
<tr>
<td>R96887</td>
<td>Bush Fire Brigade</td>
<td>Lot 1 DP 1139129, Lot 706 D P 1020715</td>
</tr>
<tr>
<td>R96710</td>
<td>Bush Fire Brigade</td>
<td>Lot 1 DP 115445</td>
</tr>
<tr>
<td>R94085</td>
<td>Rubbish depot</td>
<td>Lot 471 DP41583</td>
</tr>
<tr>
<td>R96145</td>
<td>Local Government Purposes</td>
<td>Lot 114 DP 44317</td>
</tr>
<tr>
<td>R96910</td>
<td>Bush Fire Brigade Purposes</td>
<td>Lot 134 DP 45823</td>
</tr>
<tr>
<td>R97219</td>
<td>Bush Fire Brigade Purposes</td>
<td>Lot 175 DP 46895</td>
</tr>
<tr>
<td>R86837</td>
<td>Rubbish Depot</td>
<td>Lot 79 DP 751262</td>
</tr>
<tr>
<td>R89096</td>
<td>Bush Fire Brigade purposes</td>
<td>Lot 7027 DP 1032113</td>
</tr>
<tr>
<td>R89435</td>
<td>Local Government Purposes</td>
<td>Lot 239 DP 751255</td>
</tr>
<tr>
<td>R89231</td>
<td>Bush Fire Brigade Purposes</td>
<td>Lot 7028 DP1031109</td>
</tr>
<tr>
<td>R91161</td>
<td>Waterway</td>
<td>Multiple</td>
</tr>
<tr>
<td>R180073</td>
<td>Community Purposes</td>
<td>Part of Lot 34 DP 755971</td>
</tr>
</tbody>
</table>

### Attachment 2: Schedule of Crown Reserves not managed by Council as the Crown land manager

<table>
<thead>
<tr>
<th>Reserve No.</th>
<th>Purpose(s)</th>
<th>Management type</th>
</tr>
</thead>
<tbody>
<tr>
<td>R57849</td>
<td>Rubbish Depot</td>
<td>Deemed to the Minister</td>
</tr>
</tbody>
</table>
SA19.103 Options - Grant Funding Proposal - Currarong Road

HPERM Ref: D19/167542

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary
To report on options for a grant funding nomination on Currarong Road for safety improvements including wider shoulders and widened centreline treatment from CH 7.5km to 11.7km.

Recommendation (Item to be determined under delegated authority)
That:
1. Council note the new grant application proposal currently being prepared for a 4.2km section of Currarong Rd 7.5 to 11.7km (generally to the west of Lighthouse Road intersection) and that any grant offer will be reported to Council for consideration.
2. The CEO (Director Assets and Works) prepare a future report regarding the establishment and operation of a Roads and Bridges Grants Contribution Reserve for the purpose of matching large grant funding opportunities to upgrade Council’s roads and bridge assets.

Options
1. That Council receive this report for information regarding the Currarong Road grant application and Council consider a future report on the grant funding application outcome.
   Implications: Council maximises its ability to gain funding for important safety treatments along Currarong Road.

2. That Council not support the proposed grant funding nomination to provide wider sealed shoulders and widened centreline treatment on Currarong Road.
   Implications: Important safety treatments along Currarong Road will not be provided in the short term.

3. The CEO (Director Assets and Works) prepare a future report regarding the establishment and operation of a Roads and Bridges Grants Contribution Reserve for the purpose of matching grant funding opportunities for upgrading Council’s roads and bridge assets.
   Implications: This gives Council the opportunity to better plan for future improvements to its road and bridge assets by maximising grant funding opportunities and minimising large fluctuations in the Capital budget.

4. That Council not establish a Roads and Bridges Grants Contribution Reserve for the purpose of matching grant funding opportunities for upgrading Council’s roads and bridge assets.
Implications: Council will continue to seek grant funding that may not be 100% funded and may put future programmed works at risk as projects become reprioritised to react to these grant funding opportunities.

Background

Council previously applied for funding under the Federal Government Blackspot Program to investigate providing wider sealed shoulders on Curragong Rd for a 3.8km section from CH7.7 to 11.5km (from Lighthouse Road intersection). The application was for survey and design funding only to try and better understand the scope of works and thus the cost of the project.

When Council applied for the survey/design funding, Council was required to provide a very preliminary estimate of cost of the works in order for the survey/design funding grant to be considered.

A ballpark estimate of $1.63M was provided at the time and Council was advised by RMS that the estimate would not be considered final. The advice received was that following survey/design (project development) Council would be able to apply for construction funding when the detailed scope and updated cost estimates were known.

RMS later advised Council that the construction estimates Council originally included for the Curragong Road project were still in their system and were still being considered for construction funding, although through the NSW Safer Roads program. At that time Council staff expressed concerns that the estimates previously provided were only ballpark in nature, and that the project was still subject to detailed development/investigation.

Following sufficient design investigations and updated cost estimation, it was identified that the project was going to cost significantly more than the original $1.63M preliminary estimate. In January 2018, prior to the NSW Government awarding any grant funding amount, two conceptual options were submitted to the RMS for consideration for possible funding. This included a $2.2M option (0.5m shoulders) and a $3.5M option (1m shoulders) through the length of the project; both options also included very significant travel lane widening.

Neither of these options were approved by RMS as they didn’t meet the minimum BCR requirements at the time. RMS resolved to pay Council for the survey/design development costs to date, but not approve any construction funding due to the higher costs of construction. N.B. detailed design and investigations were deferred following this RMS advice and a final design was never completed.

In responding to Council, RMS further asked Council to resubmit the project in future if/when program criteria could be met for these higher funding amounts.

There is now an opportunity to submit for grant funding for shoulder widening and widened centreline treatment construction works under the 2020/21 “Australian Government Black Spot Program & NSW Government Safer Roads Program”, and that is what is currently being considered.

A cost estimate of the works has been carried out from CH7.5 – 11.7km and it is anticipated the project could cost in the order of $4.85M which includes 0.75m shoulders and a contingency for fluctuations in material prices and final quantities determined from detailed design, noting the terrain and poor subgrades typically found in the area will also have the potential to increase construction costs in the future.

It is anticipated the grant funding application will seek funds to finalise the design that commenced in the previous grant funding, seek to start construction in the latter part of 2020/21, and carry out the majority of the construction and finalise in 2021/22.
Because of the community interest in the project, staff are currently preparing the required information to allow submission of the application to the Government to try and secure funding for the Currarong Road safety improvements.

A benefit cost ratio of 2.0 is required for a complying grant funding nomination. Applying for $4.6M for this project would return a benefit cost ratio of greater than 2.0 under the State Blackspot Program criteria but would not meet the crashes per kilometre criteria for a Federal Blackspot Program. As Council can only apply to a central portal and does not have the ability to nominate a specific program, if the RMS and grants panel elect to award funding under a different program Council may have to fund a potential $1.5M shortfall (based on Federal Blackspot Program criteria), if it wishes to proceed to nominate the project.

For Councillors’ information; there are two primary funding programs in this safer roads space:

1. Federal Blackspot Program.
2. NSW Safer Roads Program (which is made up of a number of sub programs including the NSW Blackspot Program).

These programs are accessed through one application portal.

There are other project applications being made through this portal that staff believe meet the technical criteria for funding, and if an offer is made to Council by the grants approval panel that offer will be reported to Council for consideration.

Community Engagement

There has been ongoing community interest in the grant funding process, and the Currarong Community Association (CCB) have expressed strong views to ensure Council is doing all it can to secure funding to improve the safety and condition of Currarong Rd.

The community is concerned that in 2018 Council was reported to have given back $1.63M of grant funding from the Government for this project. It is important to understand that Council was never awarded this money. Whilst a $1.63M project would have been successful at the time, Council had advised RMS that to achieve the benefit the funding sought to achieve the project would cost a lot more than $1.63million; as a result the $1.63million was allocated elsewhere by the RMS.

In responding to Council, RMS further asked Council to resubmit the project in future if/when program criteria could be met for these higher funding amounts.

Financial Implications

Should Council be successful at gaining the full $4.6M grant funding applied for, there is a relatively small amount of additional funding that Council may have to contribute to the works (approx. $250,000) and can be considered in a future report.

However, if a lesser amount is granted to Council, there is a potential $1.5M funding shortfall that Council would have to cover, and this has not been identified in Council’s capital works budget. There are other Currarong Road projects in the long-term financial plan which could form part of a funding strategy via the proposed Strategic Reserve; i.e.:

Local Road Repair Program ($1,607,552) including:
- $616,320 this year (19/20)
- $88,400 in the 20/21 financial year
- $512,592 in the 22/23 financial year
- $390,240 in the 26/27 financial year

Roads to Recovery Program ($2,591,275) including:
- $877,800 in the 21/22 financial year
- $1,713,475 in the 23/24 financial year

The movement of projects out of the 2021-22 financial year to fund such a large shortfall may also have an effect on productivity, advertised funding priorities and underutilisation of Council’s construction crews.

Council has allocated $616,320 to carry out rehabilitation works on Currarong Road this financial year (2019/20). This work relates areas generally to the west of Lighthouse Road but outside the proposed extent of works identified in this proposed grant funding application.
SA19.104 Community Connect, Bawley Point to Kioloa shared pathway project - Lot 1 DP 782318 - Australian National University Licence to Shoalhaven City Council

HPERM Ref: D19/193885

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Kioloa - Bawley Pt - Footpath Licence Area Plan

Purpose / Summary

To provide Council with the opportunity to consider entering into a licence agreement with the Australian National University (ANU) to allow the construction of a concrete footpath on their land between the coastal villages of Bawley Point and Kioloa under the Community Connect Program.

Recommendation

That Council:

1. Enter into the Licence agreement with the Australian National University (ABN 52 234 063 906) for twenty (20) years at $1.00 (plus GST) per annum over part Lot 1 DP 782318, Murramarang Road, Kioloa commencing 1 June 2019;

2. Authorise the CEO to sign all documentation required to give effect to this resolution and to affix the Common seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Options

1. Council adopts the recommendation outlined in the report
   Implications: Council will have secured an agreement to ensure works can proceed towards completion of the connecting footpath between the coastal villages of Bawley Point and Kioloa.

2. Not adopt the recommendation and request a further report to Council.
   Implications: Community disappointment and delay the works in completion of the path. Potentially a further report to Council, providing investigation findings into alternative path options.

Background

Council first granted funds for use by the Bawley Point / Kioloa community to construct paths to connect the two villages in July 2008.

Every year since 2008, groups of community volunteers from the Bawley Point / Kioloa community have been getting together for working bees adding to the path network to connect the community together.
The path has been constructed using a combination of funding sources including:

- External grant funds from “Veolia”
- Community funds; and
- Council funds

The overall length of the path between Bawley Point and Kioloa is approximately 2.5 Kms (including the 275 metres this licence covers) commencing at Tingira Drive and terminating at “Sandpits” on Murramarang Road. This represents one of the longest distance paths built by a community volunteer group.

The path construction coordinator has successfully facilitated several concreting teams that included:

- Kioloa RFS brigade
- Bawley Point RFS Brigade
- Women’s group (that included decorative leaf imprints into the concrete edges)
- Teenagers’ Group (that provided their initials in the concrete pour)
- Men’s Shed

To ensure progression of this community project, Council over the last decade has liaised with several stakeholders including Crown Lands and private landowners to allow access over these lands for the construction and ongoing use of the pathway. In this instance the path’s most appropriate agreed route is to travel over ANU land.

This ground licence is for legal access over their land. ANU have agreed to licence this area to Council for an initial term of 20 years at $1 (plus GST) per annum. This licence allows for access to construct, maintain and use for walking and riding of bicycles by Council and the public.

The area to be licenced is approximately 275m of variable width and extends 2 metres past the path measured from the verge of the road to the ocean side of the path. This location is locally known as Mudholes carpark to Kioloa Caravan Park.

**Community Engagement**

The community has been engaged in the consultation, design and construction of this project since 2008. No further community consultation is required.

**Policy Implications**

The resolution is needed by Council as the Licence is to be for 20 years and is neither Council Community nor Operational Land and falls outside the relevant adopted policy for leases & licences.

**Financial Implications**

Minimal - $1.00 (plus GST) per year for 20 years.
Annexure A. Approximate Licence Area Plan

Proposed Footpath to be Constructed shown as Solid Orange Line.

Proposed Licensed area from the road reserve to 2 metres past the eastern and northern Footpath edge shown within the solid yellow outlined area.
SA19.105  Kerb & Gutter Construction - Ratepayer Advance - 35 Elizabeth Dr Vincentia

HPERM Ref:   D19/190538
Group:       Assets & Works Group
Section:     Works & Services

Purpose / Summary

Council has in place a program whereby Ratepayers can pay the full cost of the provision of kerb and gutter along a public road adjacent to their land, where the work is not identified in Council’s Capital Works program. This Policy accommodates ratepayers who wish to have kerb and gutter ahead of Council’s planned program. Under the program Council enters into a formal agreement with the ratepayer, for them to advance to Council the full cost of the work and for Council to repay Council’s component of cost, after a period of 5 years.

The purpose of this report is to advise and gain Council’s approval for the amount of contribution to be recovered, from the owner of land adjoining a public road, towards the costs incurred by Council in constructing kerb and guttering along a public road adjacent to the land, in accordance with Section 217 of the Roads Act 1993 (POL16/148).

Recommendation

That

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with G Antonelli of 21 Crescent Street, Dobroyd Point NSW 2045 in respect of Kerb and Gutter construction to the value of $5,852.16 (advance) of which $1,859.28 (excluding GST) is the contribution, $3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is $4,991.10.

2. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

Options

1. Council accept the recommendation as presented.
   
   Implications: Council will be contractually bound to repay contributions plus interest as per the Policy. The ratepayers and Council will benefit from the proactive efforts of ratepayers to improve drainage, appearance and access to properties and it may minimise erosion of the existing road verge.

2. Council not accept the recommendation, giving reasons and propose an alternative resolution.

   Implications: Residents are entitled to this consideration and if denied will be without kerb & gutter infrastructure and may seek reconsideration.
Background
This property has been purchased recently. The new owners wish to join in with neighbours at # 29, 31 & 33 who have contracts to participate in RPA Kerb & Guttering. Council has received the funds from these owners. Works are programmed to commence in July 2019.

Policy Implications
Council has in place a program whereby Ratepayers can pay the full cost of the provision of kerb and gutter along a public road adjacent to their land, where the work is not identified in Council's Capital Works program. This Policy accommodates ratepayers who wish to have kerb and gutter ahead of Council's planned program. Under the program Council enters into a formal agreement with the ratepayer, for them to advance to Council the full cost of the work and for Council to repay Council's component of cost, after a period of 5 years.
Nil, this proposal conforms to the policy.

Financial Implications
The total “debt” that Council will repay including interest at 5% will be $4,991.10.
SA19.106 Proposed Lease - 3 Stewart Place Nowra

HPERM Ref: D19/203225

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Floor Plan

Purpose / Summary
To provide Council with an opportunity to consider the surrender of the lease between Alfred & Roslyn Parker trading as Shoalhaven Trophies and Council for the occupation of 3 Stewart Place Nowra (previously known as 1 Stewart Place Nowra), and enter into a new three (3) year lease, with three (3) year option to Franco & Narelle Fulginiti who have purchased the Shoalhaven Trophies business.

Recommendation
That Council;
1. Accept the surrender of the lease with Alfred & Roslyn Parker for the occupation of part Lot 1 DP 115782 and part Lot 1 DP 434714 known as 3 Stewart Place Nowra (previously known as 1 Stewart Place Nowra);
2. Enter into a lease for three (3) years with three (3) year option with Franco & Narelle Fulginiti over part Lot 1 DP 115782 and part Lot 1 DP 434714 known as 3 Stewart Place Nowra, at a commencing rent of $18,712.44 per annum, plus GST, with an annual CPI increase, commencing 1 August 2019; and
3. Authorise the Chief Executive Officer 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 where required to give effect to this resolution.

Options
1. Resolve as recommended
   Implications: The surrender of lease will allow a new lease to be executed for the premises and will allow the proposed lessee to occupy and commence trading with Council receiving rental payments. The new lease will secure a tenant for the next 6 years if the option is exercised.

2. Not resolve as recommended
   Implications: It is assumed without the security of a long-term lease; sale negotiations will cease leaving the current proprietor in the leased property until 17 January 2020. The future of the existing business is unknown as the proprietor is looking to retire.

Background
Alfred and Roslyn Parker, trading as Shoalhaven Trophies, first commenced occupation of 3 Stewart Place Nowra (previously known as 1 Stewart Place Nowra) in October 2011 and have been in occupation of the premises on various length leases since.

As reported in 2018, the Parkers were considering their future which involved retirement and/or selling their business and therefore entered a 1-year lease with a 1-year option at that
time. The Parkers exercised their 1-year option and the current lease will expire on 16 January 2020.

Business sale negotiations have been successful with Franco and Narelle Fulginiti looking to take over the Trophy & Giftware retail business. The Fulginitis will be suitable purchasers of Shoalhaven Trophies with many years’ experience in this field.

The Fulginitis have been successfully operating trophy & engraving businesses in the local area for many years. Initially, the business was first established in 1988 at Falls Creek and later relocating to central Nowra, supporting local sporting clubs.

Frank and Narelle are looking forward to assisting new and old customers with a wide range of trophy and promotional products, industrial engraving, unique gifts and showroom display.

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

<table>
<thead>
<tr>
<th>Premises</th>
<th>3 Stewart Place Nowra</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commencing Date</td>
<td>1 August 2019 (subject to confirmation and execution of the lease)</td>
</tr>
<tr>
<td>Term</td>
<td>Three (3) years</td>
</tr>
<tr>
<td>Option Period</td>
<td>Three (3) years</td>
</tr>
<tr>
<td>Gross Rent</td>
<td>$18,712.44 plus GST, per annum</td>
</tr>
<tr>
<td>Rent Free period</td>
<td>Nil</td>
</tr>
<tr>
<td>Rent Review Mechanism</td>
<td>Fixed 3% annually</td>
</tr>
<tr>
<td>Outgoings</td>
<td>100% for all separately metered utilities such as, but not limited to, Electricity, Internet, Telephone; 100% - Waste; 100% - Management Fees; 45% - Council Rates and Charges; 45% - Building Insurance; 15% - Water, Sewerage and drainage charges.</td>
</tr>
</tbody>
</table>
Community Engagement
The land is classified as Operational and therefore no community consultation is required.

Policy Implications
The agreement is in accordance with Council’s Policy “Council Owned and Managed Land”.

Financial Implications
Resolving as recommended will result in Council continuing to receive an annual rent of $18,712.44 plus GST, per annum with CPI increase.

Risk Implications
Nil
SA19.107 Notification to Council - EOI for Lease & Management of Building 3, 80 Park Road, Nowra - Authorisation of Lease

HPERM Ref: D19/203338

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary
To provide Council with an opportunity to consider entering into a lease agreement with Central Shoalhaven Mobile Preschool for the occupancy of Building 3, 80 Park Road, Nowra in response to an advertisement inviting Expressions of Interest.

Recommendation
That:
1. Central Shoalhaven Mobile Preschool be offered a lease to occupy Building 3, 80 Park Road, Nowra;
2. Concurrence be granted to finalise the terms of the lease with Central Shoalhaven Mobile Preschool;
3. The Chief Executive Officer be delegated authority to endorse the terms of the lease, that are not yet settled; and
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the Chief Executive Officer be authorised to sign any documentation necessary to give effect to this resolution.

Options
1. Resolve as recommended.
   Implications: It will provide Central Shoalhaven Mobile Preschool with more affordable and suitable accommodation.

2. Not resolve as recommended and reject the submission and request an alternative means of securing a suitable tenant for the subject premises.
   Implications: Central Shoalhaven Mobile Preschool will have to remain in their commercial unit in Quinns Lane that does not suit their growing requirements. Council will miss out on rent and risks vandalism whilst the building remains empty once Shoalhaven Community Transport vacate at the end of July 2019.

Background
Coast and Country Community Services Ltd, known as Shoalhaven Community Transport, advised staff that it would be vacating Building 3, 80 Park Road, Nowra as they are building new premises at South Nowra.

In accordance with the Occupation of Council owned and Managed Land Policy and Council’s Procurement Policy, Property Unit undertook an EOI to secure a suitable tenant of the subject premises.
Central Shoalhaven Mobile Preschool was the only applicant; extract from Council minutes (MIN 14.963) ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 16 DECEMBER 2014

963. Central Shoalhaven Mobile Preschool Seeking Premises File 4916E, 30985E

That:

a) The Children’s Services Reference Group receive and note the report on possible premises for the Central Shoalhaven Mobile Preschool for information.

b) Council investigate incorporation of the Mobile preschool unit into the asset management plan for Council.

CARRIED

The building will be used as Head Office for Central Shoalhaven Mobile Preschool where management will facilitate the running of the preschool as well as the storage for all of their equipment, including two Hyundai iLoad vehicles and two trailers.

Central Shoalhaven Preschool has proposed a rent of $7,000+ p.a. and will be responsible for all outgoings. It is proposed to offer the group $7,000 p.a. with a term of five (5) years with a five (5) year option in line with other preschools / childcare centres that are currently transitioning to agreements. Walsh & Monaghan has undertaken a valuation on the property at $21,420 p.a. The rental valuation was assessed assuming the existing occupation for community facilities represents the “highest and best” use. The current tenant, Shoalhaven Community Transport, pays $6,166.63 p.a.

Community Engagement

The subject land is classified as Operational Land which doesn’t require public notification that Council proposes to lease the property. The Expression of Interest was advertised for 21 days.

Policy Implications

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

Financial Implications

Entering into the lease agreement as recommended will increase Council’s revenue by $7,000 per annum which will assist Council in maintaining its assets into the future.
SA19.108 Solar Garden Update

HPERM Ref: D19/193544

Group: Assets & Works Group
Section: Technical Services

Attachments:
1. Suitability of Nowra Hill Site
2. Repower Progress with the Regional Community Energy Fund Grant Application
3. Status of the Repower Solar Farm Project

Purpose / Summary
The purpose of this report is to:

1. Provide the following updates to Council:
   - North Nowra Tip Site - Progress with Native Title issues.
   - Animal Shelter Site at Nowra Hill - Suitability of the site.
   - The progress of Repower Shoalhaven’s funding application for a share in the NSW Government’s $30M Regional Community Energy Fund to construct the Solar Garden.

2. Clarify and seek Council’s support in the way Repower Shoalhaven proposes to fund and operate the Solar Garden.

Recommendation (Item to be determined under delegated authority)
That Council:

1. Receive the update report on the status of the Solar Garden Project
2. Endorse the Repower Shoalhaven funding model, whilst removing any further in-kind contributions made by Council.
3. Delegates authority to the CEO to negotiate the following with Repower Shoalhaven in relation to the Animal Shelter site:
   - A lease for use of the land;
   - A behind the meter energy cost (per KWh) to power the Animal shelter.
4. Note that any income from rent and ground maintenance related savings is to be directed into the newly established Council Revolving Energy Fund (MIN19.419), for investment in energy efficient projects by Council.

Options
1. Council endorse the Repower Shoalhaven funding model for the construction and operation of the Social Access Solar Garden, after consideration that any positive impact on the “locked out” segment of the community may potentially occur over the longer term once this Repower Shoalhaven project is debt free.

Implications: The construction of the solar garden / farm is not viable without the backing of a commercial business (and return on investment to its shareholders).
2. Council endorse the Repower Shoalhaven funding model, whilst removing any further in-kind contributions made by Council. That Council delegates authority to the CEO to negotiate the following with Repower Shoalhaven:

- A lease for use of the land;
- A behind the meter energy cost (per KWh) to power the Animal shelter.

Any income from rent and ground maintenance related savings to be directed into the newly established council Revolving Energy Fund (MIN19.419), for investment in energy efficient projects by Council.

Implications: The construction of the solar garden / farm would become less viable due to increase in fixed costs. The time taken for Repower to repay the debt and have the ability to re-invest in new solar installations in the community would be increased (Recommended Option).

3. Council terminate the relationship with Repower Shoalhaven. The Construction of a Solar Farm on Council owned land to be advertised where all interested parties able to apply.

Implications: The construction of the solar garden / farm may not be viable with a social access component included. Repower are relying Grant funding which is potentially available now and may not be available in the future. The project is less viable without Grant Funding.

Background

North North Nowra Tip Site - Progress with Native Title issues.

23/08/18 - MIN18.5290 - Carried

“That Council advise Repower Shoalhaven (as fellow partner of the Social Access Solar Garden Scheme) that Council supports the location of a Solar Access Farm on the Old Tip Site at North Nowra (Crown Land) and will work with Repower Shoalhaven to gain necessary approvals to use the site for this purpose as the preferred use for this site”.

17/1/19 - MIN18.1028 - Carried

“That with respect to the proposed Solar Garden Project Council continue to:

1. Take the lead in resolving land issues relating to the Old North Nowra Tip site; and
2. Work with Repower Shoalhaven in an in-kind capacity to get this project to “shovel ready” status.

There has been no progress with Crown Lands regarding the Native Title issue. Council is still waiting for an official response to our request to extinguish Native Title. This matter was referred to the Premiers Department on 20 May 2019, and at the time of writing this report no response had been received.

Animal Shelter Site at Nowra Hill - Suitability of the site (D19/195871),

9/5/19 - MIN19.223 - Carried

“That Council

1. Note Repower Shoalhaven’s advice that it is intending to submit a funding application under the NSW Government’s $30M Regional Communities Fund to deliver a Solar Garden in the Shoalhaven”
2. Advise Repower that the Council supports the installation of a Solar Garden on either the old Tip site at North Nowra or the Northern section of the Animal Shelter
Site at Nowra Hill and will make these sites available to Repower for use, subject to the necessary approvals being obtained.”

With assistance from Council, Repower Shoalhaven have concluded that the site has approximately 4Ha of usable area suitable for the solar farm. Endeavour Energy have indicated a connection to the existing 11kV circuit (located in close proximity to the site) would be considered. Repower are currently assessing how to optimise the earthworks and the power generating capacity of the site. The aim is to generate 4MW(DC). The project cost is estimated at just short of $5million.

A preliminary discussion with Shoalhaven City Council has identified primary issues for inclusion in any Development Consent.

The progress of Repower Shoalhaven’s funding application for a share in the NSW Government’s $30M Regional Community Energy Fund (RCEF) to construct the Solar Garden (D19/195864)

In January 2019 the NSW Government announced a $30million Regional Community Energy Fund (RCEF). The fund would provide $20million in grants of up to $3.5million or 50% of the capital cost of a community scheme.

The timing of the Nowra Hill site being identified as an alternate to the North Nowra site in April and demanding requirements of the RCEF grant application left insufficient time to satisfy the first round application closing date of 3 May. Repower are determined to apply for a grant in the second round of RCEF funding which closes on 27 Sept.

A detailed project plan has been developed to guide the team to meet the revised time frame. Ongoing industry consultation, engagement and support are being undertaken to ensure the detailed requirements of the application will be met.

The grant application requires a clear demonstration of how financial closure will be achieved. Repower plan to follow their proven approach previously adopted for the raising of close to $1million for the existing schemes they have developed. It is probable that short term debt finance will be required for the construction phase with investors and longer-term debt finance available following commissioning and proof of production. Repower are working on this approach.

To Clarify and seek Councils support in the Repower Shoalhaven proposal to fund and operate the Solar Garden (D19/195864)

The “social access” component to the project - Original intent

Council originally carried the motion to provide Repower Shoalhaven with support to gain access to the North North Nowra Tip site for use as a “Social Access Solar Garden”. The “Social Access” Solar Garden was described in this report (D18/180646, SF18.21-Sustainable Future Committee, 7 June 2018) as:

- “A Community Solar Garden works by installing a central solar array, generally near a populated centre. Energy customers can purchase or lease panels in the solar array. The electricity generated is then credited on the customer’s electricity bill. The solar garden allows any customer to participate in the benefit of solar with similar outcomes to having solar installed on their own roof.”

- “Social Access Solar Gardens are a type of solar garden that specifically seek to enable “locked out” and the most vulnerable and low-income energy users to participate in solar” (Attachment 1of report SF18.21).

This indicated that there would be an immediate positive impact to the “locked out” and “socially disadvantaged” sectors of the community with the implementation of a Social Access Solar Garden.
How the “social access” intent has changed (D19/195864)

At the conclusion of the pilot study in late 2018, Repower Shoalhaven had determined that the resources required to establish a scheme to embrace up to 2500 residential / commercial properties in a power costs billing offsetting social access service was beyond its limited capacity. Consequently, the project strategy developed concentrated on servicing the industrial and business sector to realise a positive cash flow and debt free position as soon as possible, estimated at 8 to 10 years.

Once the scheme generates surplus cash flow, Repower has resolved that the surplus shall be used to fund the installation of behind the meter solar on the social needs premises. Also, with the increased operational capacity, Repower will seek to replicate the scheme locally and expand the social access.

To this end Repower Shoalhaven has undertaken research to identify potential partners for the design and construction. The successful operation of the facility requires Repower Shoalhaven to establish arrangements for the purchase and retailing of the energy produced.

Whilst Repower is founded on a not for profit principle the delivery and operation of the scheme requires engagement with commercial operators. Repower’s industry engagement has resulted in the identification of a national innovative retailer willing to:

1. Purchase all the energy generated;
2. Participate in joint marketing of the energy to the local business and commercial sector;
3. Take an equity position, up to 50%, in the project and, if required;
4. Assist with engineering and procurement.

The participation of a retailer substantially enhances the prospect of the solar farm being built. The long term commitment to purchase all the power generated effectively underwrites the scheme for investors and debt providers. Repower believe the participation will also enhance the prospect of securing some RCEF grant support. Any grant money received shall contribute to the community equity in the project thereby advancing the timing to realise social benefits as soon as possible.

Although it may take 10 years for social access benefits to materialise within the community, Repower Shoalhaven is committed to:

- The not for profit principle.
- Ensuring any surplus generated from the community participation is used to enable social benefit to those currently locked out of participation in renewable energy generation.
- Community equity investors will receive a nominal return, commensurate with bank debt interest rates, until the capital investment is recovered.

Note - Repower has not yet committed to the retailer. Repower are are seeking support from the Council to progress down this line of discussion.
Statement of Environmental Effect

For Proposed Additions & Alterations

at

LOT 610 DP 1044669

No 17 Linkwood Dr Nowra Hill

For

Kelly Cox Roulstone & Scott Jones
Introduction
This Statement of Environmental Effects has been prepared in support of the development application to for the additions to the existing residence at & the construction of a new dwelling at 17 Linkwood Dr, Nowra Hill.

Please find attached the supporting documentations for this application
- Forms - Development Application
- Forms - Waste Minimisation Management Plan
- Forms - Statement of Environmental Effects prepared by tessa design + drafting
- Plan – DA1 Site Plan prepared by tessa design + drafting
- Plan – DA2 Floor Plan prepared by tessa design + drafting
- Plan – DA3 Roof Plan prepared by tessa design + drafting
- Plan – DA4 Elevations prepared by tessa design + drafting
- Plan – DA5 Elevations Section prepared by tessa design + drafting
- Report – BASIX - prepared by tessa design + drafting
- Report – BOMET Report
- Report – Specification
- Report – Fireplace specifications
- Report – Bushfire Certificate prepared by bushfire building solutions
- Certificate – Bushfire Certificate prepared by bushfire building solutions
The Proposal

Proposed additions to the existing single storey dwelling, consisting of a new single car garage to be constructed adjacent to the existing double garage and a new enclosed all-weather room to be constructed at the rear of the dwelling.

The Site + Location

Address
Nr17 Linkwood Dr, Nowra Hill
LOT 610 DP 1044669

Site Area 668.9msq

Zoned R5 Large Lot Residential.

The site is serviced by electricity, onsite sewer & onsite stormwater.

The site has an existing dwelling constructed in the 2009 with a large shed/garage constructed in 2015. The dwelling is located in an established small lot rural area.

The site is an irregular rectangular shape, with minimal fall from east to west of the existing building platform. The site is in a building envelope nominated on the deposited plan.
### Shoalhaven Development Control Plan 2014

#### Chapter G12:

##### 5.1 Floor Space Ratio

<table>
<thead>
<tr>
<th>Acceptable solutions</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1.1 The Floor Space Ratio (FSR) does not exceed 0.5 to 1 for the dwelling and outbuildings combined</td>
<td>Complies</td>
</tr>
</tbody>
</table>

##### 5.1.2 Height of Building

<table>
<thead>
<tr>
<th>Acceptable solutions</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A2.1 Height controls as per SCC LEP2014 10m maximum height</td>
<td>Complies</td>
</tr>
<tr>
<td>A2.2 Building envelope - Planes are projected at 45 degrees from a height of 6m above existing ground level at the front, side and rear boundary.</td>
<td>Complies</td>
</tr>
</tbody>
</table>

##### 5.1.3 Setbacks + Building Lines

**Table 2 – R5 (above 2000m²)**

<table>
<thead>
<tr>
<th>Acceptable solutions</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1 Front Set Back</td>
<td>Variation Required</td>
</tr>
<tr>
<td>For lots greater than 10,000m² (1ha) - 30m.</td>
<td>The existing dwelling was approved in 2009 with a reduced setback. Due to the location of the existing dwelling in relation to the front boundary the proposed addition will encroach the minimum setback. The proposed garage addition is in line with existing building frontage thus creating a setback of 19.36m setback at the closest point to the front boundary. The reduced setback will have no adverse effect on the amenity of the surrounding area &amp; will not require any site clearing.</td>
</tr>
<tr>
<td>Side Set Back</td>
<td>Complies</td>
</tr>
<tr>
<td>Side boundary setback for lots greater than 10,000m² (1ha) - 10m.</td>
<td>The garage addition is 11.33m from the Eastern boundary &amp; the alfresco area is 23m from the western boundary.</td>
</tr>
</tbody>
</table>
5.1.4 Design & Appearance

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>A4.1</strong></td>
<td>The design of the dwelling uses modulation and articulation of building elements to articulate facades and minimise lengths of unbroken walls and glazed areas.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>A5.1</strong></td>
<td>The width of garage facades addressing the street does not exceed 1m or 50% of the length of the frontage, whichever is the lesser</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>A6.1</strong></td>
<td>A development application is supported by a colour schedule and details of materials, which will not cause excessive glare when viewed from another dwelling house or a public place.</td>
<td></td>
</tr>
</tbody>
</table>

5.3.4 Views & Visual Privacy

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A15.1</strong></td>
<td>Any reduction in views from existing dwellings are not considered to be severe or devastating based on the NSW Land and Environment Court Planning Principle “Views.”</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>A17.1</strong></td>
<td>Direct views between living area windows of adjacent dwellings are screened or obscured where ground and first floor windows are within an area described by taking a 9-metre radius from any part of the window of the adjacent dwelling. An area so defined is described as a “privacy sensitive zone.”</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>A18.1</strong></td>
<td>Direct views from living areas of dwellings into the principal area of private open space of other dwellings are screened or obscured within a privacy sensitive zone described by a 12m radius.</td>
<td>Complies</td>
</tr>
</tbody>
</table>
### 5.3.6 Solar Access

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A20.1 The dwelling achieves the requirements of the NSW Building Sustainability Index (BASIX) and a BASIX certificate is included with your application.</td>
<td>Complies, BASIX certificate provided see attached</td>
</tr>
</tbody>
</table>

### 5.3.7 Car parking, driveways + site access

<table>
<thead>
<tr>
<th>Council Requirements</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A21.1 For residential zoned allotments, the dwelling design and siting allows space for car/vehicle parking spaces on site, covered or uncovered, behind the building line</td>
<td>Complies, Existing double garage</td>
</tr>
<tr>
<td>A21.4 To ensure safe movement of vehicles, the grade of the driveway not exceeding 1:4, with transitions in accordance with Australian Standard 2890.1(Section 2.6)</td>
<td>Complies, Existing driveway</td>
</tr>
</tbody>
</table>

### 5.3.9 Stormwater Management

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A25.1 Roof water is collected by gutter and downpipe systems, or other equivalent means, and conveyed by pipes complying with Part 3 1.2 of the Building Code of Australia to an approved discharge point, being either: a) gutter or table drain in a road reserve, or b) stormwater easement or easement to drain water, or c) disposal / absorption trench, where (a) and (b), above are not available, or d) Awater tank / on-site detention system with an overflow connected to a disposal method in (a), (b) or (c), above.</td>
<td>Complies, Roof water is to be collected by gutter and downpipe systems, connected to existing stormwater &amp; draining to existing absorption pits. Option (c)</td>
</tr>
</tbody>
</table>
### A28.1

| A28.1 | A silt fence or equivalent is provided and maintained on the downhill slope of cut and fill areas or other disturbed areas. | Complies | Refer to drawing 17 Site management & sediment control |

### 5.3.10 Site Stability & Excavation

| A29.1 | Buildings are located on land with a slope of less than 20% and are not in an area known or likely to be subject to site stability problems. | Complies | Due to the existing site conditions minimal excavations are required. |

### 5.13.11 Environmental Constraints

| Bushfire | Detailed assessment against Planning for Bushfire Protection (PBIP) 2006 | Effected | The site is effected by Bushfire mapping please see attached bushfire report prepared by Bushfire Solutions. |
| Flooding | Assessment against the controls of Chapter G9: Development on Flood Prone Land. | Not effected | The site is not effected by Flood mapping |

### 5.13.12 Requirements for Demolition & Waste Minimisation

| A35.1 | Applicants demonstrate that the method to be used to carry out demolition works, can achieve compliance with Council’s policy -Demolition and Renovation of Buildings Containing Asbestos. | Complies | Refer to attached Waste Minimisation Plan |

### Other Legislation or Policies

| Shoalhaven Local Environmental Plan 2014 | Complies | The development is permissible under the zoning R2. The building meets the requirements of the maximum height limits |
| Clause 2.2 Zoning | | |
| Clause 4.3 Building Heights | | |

| Biodiversity Conservation Act 2016 & Biodiversity Conservation Act 2017 | N/A | The site displays as no impact on biodiversity values land mapping |

Date 3.12.18 Page 7 of 8 Cox/Jones Project 17033
### Conclusion

We believe this development is consistent with the objectives as set out in Shoalhaven City Councils LEP 2014 & has been designed in accordance with the current Development Control Plans.

The proposed development will have no negative impacts on the surrounding area and should be supported by Council.

I trust this information is to your satisfaction and look forward to receiving Council’s response at the earliest opportunity.

Yours faithfully
Sharon Keeffe
Tessa Design + Drafting

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**BASIX** | Complies | BASIX certificate attached the this proposal.
---|---|---
DCP Chapter G2 Sustainable Stormwater Management & Erosion/Sediment Control | Complies | The development has been designed in accordance with G2 refer to drawings DA15
DCP Chapter G3 Landscape Design | N/A | 
DCP Chapter G7 Waste Minamisation | Complies | Waste Management plan included in this application
DCP Chapter G21 Carpark & Traffic | Complies | Residential Houses 2 spaces

| DCP 2014 N11 Cabbage Tree Lane | Complies | Variation requested | The proposed additions are consistent with the objectives of the DCP 2014 N11 with the exclusion of the front setback requirements
A3.1 Development fronting Cabbage Tree Lane should be set back 30 metres and no clearing should take place within this setback. | The proposed Garage addition will encroach the 30m setback requirements however no clearing will be required to construct the proposed garage.
Repower Progress with the Regional Community Energy Fund Grant Application.

The Nowra Hill site was identified as an alternate to North Nowra in April. Consequently, there was insufficient time to meet the understandably demanding requirements of the RCEF grant application by the closing date of 3rd May. Repower determined to apply for a grant in the second round of RCEF funding which closes on 27th Sept.

A project team of volunteers and project leader have been established. A detailed schedule of tasks and timelines is guiding the team priorities and work packages. The Team are continuously consulting and meet fortnightly to review progress and determine approaches to critical actions. Ongoing industry consultation, engagement and support is being undertaken to ensure the detailed requirements of the application will be met.

The initial task was to assess and confirm the suitability of the Nowra Hill site. With this resolved the task now is to establish the financial viability and justification for the award of a grant. A proven detailed financial forecast model has been obtained from an industry source. The development costs, operating costs and revenue predictions are being obtained to populate the model and test variabilities. This is currently work in progress.

The funding submission must provide a Community Energy Assessment which is to include details of the:

- Number of community members and local businesses that will gain benefit
- Type of benefits for participating community members and local businesses
- Project participants and their roles and responsibilities
- Level of Community Engagement

To satisfy these requirements a stakeholder engagement plan has been developed. Implementation of the plan will commence following the identification of the key partners for the installation of the solar array and the purchasing of the generated power. The identification of trusted partners is essential to give the stakeholders confidence and also to provide proven competence for the project deliver and operation within the grant application. It is planned to be resolve the key partners by mid-July.

Financial closure planning and engagement will be undertaken in parallel with the stakeholder engagement. The grant application requires a clear demonstration of how financial closure will be achieved. Our plan is to follow the proven approach adopted by Repower for the raising of close to $1 million for the existing schemes they have developed. It is probable that short term debt finance will be required for the construction phase with investors and longer-term debt finance available following commissioning and proof of production. Repower are working on this approach.

Drafting of those aspects of the grant application that can be completed now has commenced. This includes a comprehensive project risk register.
Status of the Repower Solar Farm Project.

Background

The Repower Solar Farm Project was initiated in late 2017 with the objective of developing a community funded not for profit scheme for the benefit the Shoalhaven community. The benefit being derived from the provision of locally generated sustainable energy, a reliable and, over time, low-cost energy source. Also, to demonstrate the benefits of the community taking responsibility for the transition towards a decarbonised economy, to this end the purpose included establishing a model project for replication locally and shared with other community energy groups.

In 2018 Repower's participation in the ARENA funding study, in collaboration with Council, exposed the project to the potential of enabling 'social access' to sustainable energy for those in the community unable to install solar on their homes or business premises due to renting, capital cost or physical limits. At the conclusion of the study Repower had determined that the resources required to establish a scheme to embrace up to 2500 residential/commercial properties in a power costs billing offsetting social access service was beyond its limited the capacity. Consequently, the project strategy developed concentrated on servicing the industrial and business sector to realise a positive cash flow and debt free position as soon as possible, estimated at 8 to 10 years. When the scheme is generating surplus cash flow, Repower has resolved that the surplus shall be used to fund the installation of behind the meter solar on the social need's premises. Also, with the increased operational capacity, Repower will seek to replicate the scheme locally and expand the social access.

Regional Community Energy Fund and Industry partners.

In January 2019 the NSW Government announced a $30million Regional Community Energy Fund (RCEF). The fund would provide $20million in grants of up to $3.5million or 50% of the capital cost of a community scheme. A requirement of the grant application criteria is to demonstrate the community benefit to be derived from the provision of renewable energy and any innovation of services including demand response.

Repower determined to apply for a RCEF grant and this initiated discussion with Council to identify an alternate site to the North Nowra waste disposal site which is currently unavailable due to an outstanding Native Title claim. This discussion resulted in Council identifying the surplus land adjacent to the Animal Shelter, the Nowra Hill site.

Repower, with assistance from Council, have assessed this alternate site and demonstrated it to be viable. It is close to the 11KV distribution network which Endeavour Energy have indicated is available for connection. Currently Repower are assessing how to optimise the earthworks and the power generating capacity of the site. The aim is to generate 4MW(DC). The project cost is estimated at just short of $5million. These figures need to be confirmed.

To satisfy the requirements of the RCEF grant application, which are understandably and appropriately demanding in the detail, Repower needs to demonstrate high degree of confidence of achieving a viable outcome. To meet this requirement, Repower has undertaken research to identify potential partners for the design and construction. Then to establish satisfactory arrangements for the purchase and retailing of the energy produced. Whilst Repower is founded on a not for profit principle the delivery and operation of the scheme requires engagement with commercial operators. This has always been the case.
Repower’s industry engagement has resulted in the identification of a national innovative retailer willing to:

1. purchase all the energy generated,
2. participate in joint marketing of the energy to the local business and commercial sector
3. take an equity position, up to 50%, in the project and, if required,
4. assistance with engineering and procurement.

Repower has not committed to the retailer and it would be inappropriate at this early stage of discussion to identify them.

Community Participation and Benefit

The participation of an innovative and resourceful retailer substantially enhances the prospect of the solar farm being built. The long-term commitment to purchase all the power generated effectively underwrites the scheme for investors and debt providers. Repower assess the participation will also enhance the prospect of securing some RCEF grant support, perhaps 20% to 30% of the development cost. Any grant money received shall contribute to the community equity in the project thereby advancing the timing to realise social benefits as soon as possible.

Repower Shoalhaven is committed to the not for profit principle. Repower is committed to ensuring any surplus generated from the community participation is used to enable social benefit to those current locked out of participation in renewable energy generation. Community equity investors will receive a nominal return, commensurate with bank debt interest rates, until the capital investment is recovered. Thereafter, for 20 or so years, the surplus shall be used for community benefit.
SA19.109 Processing of Kerbside Collected Recycling

HPERM Ref: D19/240943

Group: Assets & Works Group
Section: Commercial Services

Purpose / Summary
To inform Council of the issues and unexpected costs facing the contractor in processing of recyclable materials from the yellow lidded recycling bin, and to outline a possible pathway into the future.

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

Recommendation (Item to be determined under delegated authority)
That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

Options
1. Accept the recommendation to consider a separate confidential report.

   Implications: This option is preferred as Council staff consider is not in the public interest to disclose this information as it may reveal commercial-in-confidence information, particularly with regards to options available to Council.

2. Reject the recommendation and not consider the confidential report.

   Implications: This option is not recommended as Council staff consider is not in the public interest to disclose this information as it may reveal commercial-in-confidence information, particularly with regards to options available to Council, however Council may have a different view.

Details
Shoalhaven Recycling, who are based in Bomaderry, are currently contracted to Council to sort the yellow bin recyclables collected from households through their materials recovery facility (MRF). The contract expires on 30 June 2020.

Following China Sword in early 2018, the market for recyclables worldwide collapsed, and the market has not yet recovered. Shoalhaven Recycling, as with many MRFs around Australia, find it difficult to continue to operate sustainably.

The confidential report outlines the costs required for a continued operation as well as contingency plans and a pathway forward.
SA19.110  Request - Emergency Helicopter Utilisation - Nowra Showgrounds

HPERM Ref:  D19/209106

Group:  Planning Environment & Development Group
Section:  Strategic Planning

Attachments:  1. Shoalhaven Hospital - Existing Helicopter Landing Site
2. Request - Emergency Medical Helicopter Utilisation - Nowra Showgrounds

Purpose / Summary

Present a request, given community interest in this issue, that has been received from the Illawarra-Shoalhaven Local Health District (ISLHD) for emergency helicopters to utilise Nowra Showgrounds in certain conditions during construction works at Shoalhaven Hospital.

Recommendation (Item to be determined under delegated authority)

That Council agree to the request received from the Illawarra-Shoalhaven Local Health District (ISLHD) to use the Nowra Showground precinct for emergency medical helicopter patient transfer on limited occasions when the existing Helicopter Landing Site (HLS) at Shoalhaven Hospital cannot be used, subject to:

1. The use only being for the period associated with the redevelopment of the hospital;
2. The current hospital HLS continuing to be used as the primary HLS for the hospital and any use of the Showground being infrequent and only on limited occasions when the current HLS is not able to be used; and
3. ISLHD working with Council staff to refine and finalise the draft Operating Procedure for possible emergency helicopter operations at the Showground and ensuring that relevant procedures are in place (communications plan, indemnification etc) prior to any use.

Options

1. Agree to the proposed request, noting that the proposed use will be infrequent and for a period associated with the hospital redevelopment (i.e. not ongoing).
   Implications: There may be some community/resident concern in this regard; however, it is appropriate for Council to consider assisting in this regard given the essential nature of the service and the need for an alternate location close to the hospital. Council staff will work with ISLHD to ensure that relevant matters are considered and addressed moving forward should the request be agreed to.

2. Not agree to the proposed request to use Nowra Showground.
   Implications: ISLHD have identified two possible alternate landing sites. If Nowra Showground is not available, the alternate they have identified is HMAS Albatross. This location is distant from the hospital and may also not always be available. There would be broader community concerns if emergency helicopters are not able to land near the hospital and reasonable endeavours are not made to assist in this regard.

3. Work with ISLHD to identify possible alternate locations
Implications: At this point ISLHD have not identified other possible locations, other than the two identified ones. There are other public reserves/sports fields in the Nowra area (e.g. West Street Oval) that could possibly be considered. However, they are more distant from the hospital and are likely to have the same range of issues associated with the Showground.

Background

Shoalhaven Hospital currently has an existing on-grade Helicopter Landing Site (HLS) located in the north-western component of Nowra Park, between the Shoalhaven Pre-school and the hospital car park site – see Attachment 1.

Nowra Park is a Crown Reserve for which Council is Trust Manager. Council issued a development consent for the existing HLS in June 1994 and the site subsequently commenced operation. Prior to this helicopter services to the hospital used the Nowra Showgrounds. The move to Nowra Park was associated with proximity to the hospital and concerns with conditions at the Showgrounds (dust etc).

As part of redevelopment plan for the hospital, construction of the new multi-level car park has commenced. Representations have been received from the ISLHD re possible impacts of this construction on the current HLS – specifically NSW Ambulance has advised that services into the existing HLS cannot now be guaranteed under all conditions.

As a result, alternative back up landing sites need to be considered to ensure services to the hospital are maintained during the redevelopment phase, noting that the hospital will eventually have a rooftop HLS like other facilities of its size/nature.

Nowra Showground – Use Request

Council has received a formal request (Attachment 2) from the ISLHD for Nowra Showground to be used for emergency medical patient transfer on occasions when helicopters cannot access the existing HLS.

The request notes that establishing alternate landing procedures for sites at the Nowra Showground and HMAS Albatross is an important step in the overall hospital redevelopment, that when completed will incorporate a rooftop HLS. As such the alternatives are needed from now until the completion of the hospital redevelopment.

The letter from ISLHD covers the following:

Helicopter fleet changes

Since 2016 one helicopter type has been used that is able to operate in most weather conditions and with the aid of night vision can land in unprepared/unlit areas. It is noted that this is a significant improvement since 1994 when landings moved from the showground. As a result, the current helicopter type can land on various surfaces such as the Main Arena at the showground and if need be the adjacent cricket field (the Added Area).

Viable alternative sites

ISLHD have identified two viable alternative sites that they wish to use during the hospital construction phase: the Nowra Showground precinct and HMAS Albatross.

As detailed in the letter, depending on activities at the showground, either the Main Arena or Added Area could be used, and the showground would only be used if the site was available and safe. Attachment 2 provides an overview regarding both sites.

Showground Use Procedure

To be able to use the showground as an alternative landing location in a safe and effective manner, a procedure will need to be refined that covers:
• Ambulance vehicle access
• Management of people on or near landing area
• Light tower management
• Helicopter security on ground
• Communications between helicopter and hospital

ISLHD has provided a potential draft Operating Procedure for helicopters using the Nowra Showground precinct – this is provided as part of Attachment 2.

Use Request - Review
The ISLHD request was reviewed by relevant Groups/Sections within Council and the following comments provided:

Community & Recreation – the Plan of Management for the showground is silent on possible informal use for helicopter landings. As such this type of use would not be inconsistent with the Plan of Management.

Also provided, as an indication of level of use, is a summary of bookings for the Main Arena for a twelve-month period for provision to ISLHD so they are aware of likely use/availability.

If use is agreed, will need to confirm procedure for access to floodlights (if needed), access at night (locked at sunset), patron safety and other details.

Development Services – Emergency services will land helicopters where needed to deal with emergencies. If the proposed use of the showground is sporadic and infrequent it will not require a formal development approval.

Tourism (Events) - Further clarification on what ‘conditions’ would result in an alternate landing site being needed would be beneficial. If these conditions (e.g. weather based) can be predicted, then relevant event organisers can be made aware of the possibility of either the Main Arena or Added Area being used in an emergency.

Communications Plan would be beneficial. If an event is on at the Showground it may not necessarily mean the site is not suitable for landing - an event could only be using the Main Arena, therefore the Added Area is still possibly available. Event organisers’ contact details could be provided to the hospital, so they can communicate an emergency landing with the organiser.

Use Request - Comment
Whilst the request received from ISLHD is largely of an operational nature and is not inconsistent with the Plan of Management for the Showground, given community interest in the hospital redevelopment and the use of the existing helipad this matter has been reported to Council for consideration/endorsement.

Medical helicopters associated with the hospital previously used the Nowra Showground. Due to concerns and the need to be closer to the hospital a formal HLS was established in Nowra Park immediately adjacent to the hospital.

ISHLD have now approached Council and requested that emergency helicopters be able to again use the Nowra Showground precinct (for flexibility - either the Main Arena or Added Area) informally on occasions when the current HLS is not able to be safely used due to site conditions during the construction of the adjacent current multi-level car park and ongoing hospital redevelopment. ISHLD have also identified HMAS Albatross as another back-up site they will use.

There is likely to be some community/resident concern regarding the requested use of the Showground precinct for a range of reasons – safety, noise, conflicts etc. However, Council
has generally supported the NSW Government’s redevelopment of the current hospital site, including the multi-level car park that is currently under construction.

Given the key role that the HLS plays in emergency management associated with the hospital and the importance of this to the broader community, it is considered appropriate that Council assist ISLHD with this issue. The need for alternate landing sites in the event the current HLS is unable to be used is recognised.

Thus, it is recommended that the use of the Nowra Showground precinct as an alternate helicopter landing site for the hospital be supported by Council subject to:

- The current hospital HLS continuing to be used whenever possible as the primary location.
- The requested use of the Showground is infrequent and only used on limited occasions when the current HLS is not able to be used. ISLHD will be requested to provide advice/predict the possible level of use.
- The Showground is only used for this purpose for the period associated with the redevelopment of the hospital. ISLHD will be requested to provide some anticipated timeframes in this regard.
- ISLHD work with Council staff to refine and finalise the draft Operating Procedure for the possible emergency helicopter operations at the Showground and consider relevant associated things that need to be in place (communications plan, indemnification etc) prior to any use.

Community Engagement

No specific community engagement has been undertaken in relation to this request.

It is possible that there may be some community concern associated with the proposed use of the Showground based on level of use, impact on events etc. These will be clarified moving forward and ISLHD will also be encouraged to provide information on the proposed use to adjacent residents and the broader community.

Policy Implications

The existing Plan of Management for the Nowra Showground is silent on helicopter landings and as such the request is not inconsistent with this Plan.

Financial Implications

There are no immediate financial implications for Council. Should any emerge they will be discussed on a cost recovery basis with ISLHD.

Risk Implications

An Operating Procedure will be finalised and implemented if the request is agreed to. The matter will also be referred to Council’s Insurers for their information and consideration / feedback.
Attachment 1

Shoalhaven Hospital – Existing Helicopter Landing Site
Mr Gordon Clark
Strategic Planning Manager
Shoalhaven City Council
Gordon.clark@shoalhaven.nsw.gov.au

Dear Mr Clark

Emergency Medical Helicopter Utilisation – Nowra Showgrounds

Background
The Shoalhaven Hospital has an on grade Helicopter Landing Site (HLS) positioned in the northern sector of the adjacent park. The site is a small HLS that is perched on a partially elevated mound (Image 1) and is one of the busiest Hospital HLS in Southern NSW.

The HLS is built on Nowra Recreational Park which is Crown Land under care of the Council.

![Image 1: Shoalhaven HLS looking north-east](image-url)

Initial helicopter services supplied to the Hospital utilised the cricket pitch at Nowra Showgrounds and in 1994, correspondence to Council from CareFlight and the Illawarra Area Health Service (Shoalhaven Hospital) requested council consider an application to move the HLS closer to the Hospital. The CareFlight request was due to the dusty nature of the Showground precinct and was supported by the Hospital citing advantages in patient care and direct access to the Hospital.

The relocation of the patient transfer point from the Showgrounds to a new HLS adjacent to the Hospital was completed in 1994 and the NSW Ambulance Helicopter Emergency Medical Services, including the Newborn Emergency Transport Service (NETS), have been operating to the HLS ever since.

As part of the NSW Health Strategic Redevelopment Plan for the Shoalhaven Hospital, the development of a multi-level carpark on the western side of the existing Hospital HLS has commenced. This will provide a much needed increase in the car parking capacity of the Hospital.
The new multi-level carpark does however, affect the unencumbered approach and departure paths to the HLS.

Image 2: Helicopter approaching the HLS from the centre of the park

Image 2 illustrates the proximity of the multi-level carpark construction site and the HLS (red circle). Note the helicopter approaching the HLS from the centre of the park.

As a consequence of the construction, NSW Ambulance has advised the Hospital that services into the existing HLS cannot be guaranteed in all conditions. As a direct result, alternative landing sites at Nowra Showground and HMAS Albatross are being considered to ensure these vital helicopter transfer services are maintained for the benefit of the Shoalhaven communities.

Establishing alternative landing procedures is an important step toward a redeveloped Hospital that will benefit the Nowra community. The redevelopment will provide a rooftop HLS at the Hospital, resolving the access challenges of the current at-grade HLS. Access to an alternative site would be required from now until the completion of the Shoalhaven Hospital Redevelopment Project.

**Purpose**

The purpose of this letter is to request access to the Nowra Showgrounds for emergency medical helicopter patient transfer when the helicopters cannot access the Shoalhaven Hospital HLS.

In presenting this request, the following points will be discussed for Council’s consideration:

- **a)** Changes in NSW Ambulance helicopters since 1994,
- **b)** Viable alternative sites,
- **c)** The use of procedures to coordinate the safe utilisation of the Showground precinct.

**NSW Ambulance Helicopters**

Significant changes have occurred in the size and capability of the NSW Ambulance helicopter fleet since 1994.

In 1994 the helicopter fleet consisted of a number of smaller single and twin-engine helicopters operated by a range of organisations (profit and not-for-profit) on behalf of NSW Ambulance. Initial attempts to standardise the helicopter fleet in 2006 managed to introduce the larger Agusta Westland (now Leonardo) AW139 helicopter. In 2016, the most notable change was the introduction of contracts that resulted in one helicopter type (AW139) used for operations from the following base locations:
a) Bankstown,
b) Albion Park,
c) Canberra,
d) Orange,
e) Tamworth,
f) Newcastle, and
g) Lismore.

Image 3 is the Leonardo Helicopters AW139, the present NSW Ambulance critical care helicopter type in use throughout NSW and is the only helicopter that NSW Ambulance would use for patient transfer from Shoalhaven Hospital. Typically, the closest base (Albion Park) would respond to Shoalhaven Hospital however, if this helicopter is on another task, the network will supply another helicopter which may be dispatched from Canberra or Sydney.

![Image 3: AW139 Helicopter](image-link)

The significance of this helicopter is its ability to operate in most weather conditions and with the aid of night vision devices, can land in unprepared and unit locations. This is a significant improvement on the technology that was available in 1994 and as a consequence, this helicopter has the ability to more effectively utilise landing surfaces such as the Nowra Showground’s main arena and cricket field.

**Viable Alternative Sites**

Two viable alternative sites have been identified:

a) The Nowra Showground Precinct, and
b) HMAS Albatross.

**Nowra Showground Precinct** – The Showgrounds are well positioned in close proximity to the hospital and with good road access. Images 4 and 5 depict the Nowra Showground arena and cricket field respectively. The arena has the advantage of light towers (purple) that could illuminate the landing area. It has a vehicle entry point identified in yellow and has sufficient room to safely approach, land and depart a helicopter.
It is acknowledged that during some periods of the year, the arena may be in use for show or other activities and may not be available. In that case, the ground site (Image 5) would be a suitable landing area if available. Aeromedical helicopters would only land if the site was available and safe.

**HMAS Albatross** – The second alternative site is the Naval Base, HMAS Albatross. Access procedures would need to be agreed between the Department of Defence and NSW Ambulance, and access would be subject to compatibility with military users.

**Showground Procedures**
In order to conduct effective and safe helicopter operations into the Showgrounds, a procedure will need to be refined for the use of the Showgrounds alternative HLS to ensure the following is achieved:

a) NSW Ambulance road vehicle access,
b) The management of persons on or near the landing area (if applicable),
c) Light tower management (if applicable),
d) Security of the helicopter on the ground (if applicable, and

e) Communications between the helicopter and the hospital.

A draft procedure is attached at Appendix 1 to this letter.
**Hospital Responsibilities**
As part of the coordinated response to a patient transfer, the Hospital undertakes to make an ambulance vehicle available in conjunction with NSW Ambulance, when needed to complete the necessary movements of helicopter clinical crew and the patient.

**Discussion**
From a safety perspective, the Nowra Showground precinct option would meet the requirements of the NSW Ambulance helicopter operations. The key aspect of the arrangement will be the coordination at the site and will be achieved by:

a) The pilot maintaining the ultimate safety responsibility,
b) The site being attended by NSW Ambulance personnel,
c) The site being attended by Hospital Security personnel if required, and
d) The site not being used by helicopters if there is a safety risk to persons/animals on the ground in the vicinity of the selected landing area.

As part of the mission planning for a helicopter crew, the landing site is always considered. The pilot will be aware of any potential need for an alternative site if conditions will not permit a landing at the Hospital HLS. Therefore, planning would normally be underway prior to the helicopter arriving. This will include communication within NSW Ambulance between the helicopter and any ground ambulance control station to organise the meeting of the two resources.

The current HLS at Shoalhaven Hospital will continue to be the primary and the preferred HLS for all aeromedical helicopter landings. The alternative site would only be used in conditions where the Hospital HLS is not accessible.

**Conclusion**
As a consequence of the potential for helicopter retrieval operations to and from the existing Shoalhaven Hospital HLS to be constrained, alternative HLS may need to be used. It is clear that in the interests of the patient’s wellbeing, the most expedient location in terms of time is the Nowra Showground precinct.

Council is therefore requested to approve the use of the Nowra Showground precinct for emergency helicopter patient transfer subject to the development of an appropriate operating procedure, from now until the completion of the Shoalhaven Hospital Redevelopment Project.

Should you require any additional information to assist you in your decision, please do not hesitate to contact Ms Sue Harris, Executive Project Director on (02) 4221 6839 or via email Suzanne.harris@health.nsw.gov.au. 

Yours sincerely

[Signature]
Margot Meurs
Chief Executive

Date: 2/6/19

cc: Craig Hamer, General Manager, Shoalhaven Hospital Group

*Attachment: DT19/ 44144 Appendix 1 – Draft Operating Procedure Emergency Helicopter Operations Nowra Showground*
APPENDIX 1:
DRAFT OPERATING PROCEDURE EMERGENCY HELICOPTER OPERATIONS NOWRA SHOWGROUND

Intent
The intent of this Procedure is to provide stakeholders detail of the requirements for the safe and effective conduct of a patient transfer from the Nowra Showground precinct.

Stakeholders
The stakeholders include:

a. Shoalhaven City Council,
b. Shoalhaven Hospital, and
c. NSW Ambulance.

Patient Transfer Activity Overview

- The Hospital will contact the Aeromedical Control Centre (ACC) to request a helicopter transfer of a patient. The helicopter will subsequently be activated and an estimated arrival time will be provided.
- The NSW ambulance vehicle, made available by the hospital in conjunction with NSW Ambulance, will access the Showground and position itself in the agreed location\(^2\) to meet the helicopter.
- The NSW Ambulance helicopter will land on the arena or cricket field within the Showground precinct depending on the time of day and site utilisation.
  - By day: Cricket field
  - By night: Main arena (with lighting available)
- The helicopter will approach the landing area normally flying into the prevailing wind direction. The approach path will normally originate from the Shoalhaven River corridor with the helicopter manoeuvring into wind for the landing.
- After the helicopter lands, the medical crew will need to be collected and taken to the hospital by ground ambulance. At the hospital, the medical crew will complete the patient acceptance procedure and will use the ambulance to transfer the patient and the medical crew back to the helicopter.
- The patient will be loaded into the helicopter and the helicopter will depart for the tertiary hospital location.
- The NSW Ambulance vehicle will extinguish any lights used (night operations) and depart the precinct ensuring the access gate is relocked (if applicable).

Responsibility Matrix

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decision to use Showground site</td>
<td>Pilot</td>
<td>Communicated enroute</td>
</tr>
<tr>
<td>Gaining access to Showground site</td>
<td>NSW Ambulance crew</td>
<td>Duty crew, coded padlock</td>
</tr>
<tr>
<td>Clearing landing area</td>
<td>NSW Ambulance crew</td>
<td>Duty crew, security back-up</td>
</tr>
<tr>
<td>Turn on arena lights</td>
<td>NSW Ambulance crew</td>
<td>Duty crew</td>
</tr>
<tr>
<td>Transfer medical crew hospital/ helicopter</td>
<td>NSW Ambulance crew</td>
<td></td>
</tr>
<tr>
<td>Transfer patient &amp; crew hospital/helicopter</td>
<td>NSW Ambulance crew</td>
<td></td>
</tr>
<tr>
<td>Transport patient to tertiary medical facility</td>
<td>Pilot</td>
<td></td>
</tr>
</tbody>
</table>

\(^2\) Access will be via coded padlock if needed. The agreed location is yet to be determined.

DT19/44144
<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turn off lights, lock gates as applicable</td>
<td>NSW Ambulance</td>
<td>Assisted by security if attending</td>
</tr>
</tbody>
</table>

### Risk Matrix

<table>
<thead>
<tr>
<th>Risk</th>
<th>Mitigation</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>People/animals on landing area</td>
<td>NSW Ambulance crew directions</td>
<td>Security/Police recommended is the Showgrounds are in use for a major event</td>
</tr>
<tr>
<td></td>
<td>Hospital security assistance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NSW Police assistance</td>
<td></td>
</tr>
<tr>
<td>Landing areas NOT available</td>
<td>Use alternative site (Albatross)</td>
<td>Need Showground booking plan</td>
</tr>
<tr>
<td>NSW Ambulance ground vehicle not available</td>
<td>ACC to access other vehicle in area</td>
<td>Need to include Ambulance in HLS activation process</td>
</tr>
</tbody>
</table>

### Communications/Points of Contact

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Number</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shoalhaven Hospital</td>
<td>02 4421 3111</td>
<td>Hospital switch and ask for: During business hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jayne Carr, Corporate Services Manager</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outside business hours Bed Manager</td>
</tr>
<tr>
<td>ACC</td>
<td>02-9553 2222</td>
<td>Contact with helicopter</td>
</tr>
</tbody>
</table>

### Approaching the Helicopter

Once the helicopter lands on the ground, DO NOT approach the helicopter until the rotors have stopped moving AND the crew signals for the ambulance to approach.

Always follow helicopter crew directions.

### Safety around Helicopters

The primary **DANGER ZONE** is at the rear of the helicopter. Under no circumstances is the helicopter to be approached from the rear or a departure from the aircraft made to the rear, as indicated in the red area below. See [Figure below](#).
SA19.111 Readoption of Council Policy for Waiving of Development Application Fees and Other Fees

DA. No: 23618E
HPERM Ref: D19/156401
Group: Planning Environment & Development Group
Section: Development Services
Attachments: 1. Draft Policy - Waiving of DA & other fees for Charitable Organisations and Community Groups

Purpose / Reason for consideration by Council
To consider the readoption of the existing Council Policy for Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups. The Policy is due for review (date being 1/6/2019 – refer to the attachment).

Recommendation (Item to be determined under delegated authority)
That Council place the policy on public exhibition for 28 days in accordance with section 610E (2) of the Local Government Act 1993.

Options
1. Adopt the recommendation.
   Implications: The amendments made to this policy will assist with policy implementation and interpretation along with clarifying which non-profit community groups and uses would be exempt from application fees.

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

Background
The purpose of this policy is to exempt certain non-profit applicants/organisations from the payment of application fees associated with Development Applications (DAs), Construction Certificates (CCs) and applications under Section 68 of the Local Government Act 1993.

Currently the policy exempts non-profit organisations such as a registered charity, local community or sporting groups, schools and Council projects of a community nature. However, ongoing commercial or business type ventures such as nursing homes and childcare centres are excluded.

Any development fees that are refunded are paid out of the unallocated donations budget or another source identified by resolution of Council.

Essentially the purpose of the policy is to reduce or eliminate DA fees and s68 fees under the Local Government Act for charities, community groups and sporting groups so that where possible the limited funds available are directed as much as possible towards their activities.

To ensure that Council’s limited donations budget is directed towards these groups it is recommended that the policy clearly states that any ongoing commercial or business type
venture such as a nursing home, childcare centre, educational establishment, registered club is excluded from the policy.

It is recommended that the exemption and/or reimbursement of CC fees is deleted from the policy. Council and private accredited certifiers already have an ability to reduce fees with regard to CC’s on a case by case basis.

The following amendments are proposed to simplify the process for s68 applications, exclude CC applications, other associated fees and certain organisations from application under this policy (refer to attachment 1):

1. Modify the paragraph under Part 1 Purpose to read ‘this policy exempts certain applicants/organisations from the payment of some fees such as: Development Applications (DAs) and applications under Section 68 of the Local Government (LG) Act 1993 (including sewerage management facility, temporary/ mobile food and street stall approvals), subject to certain exemption criteria.’

2. Delete bullet point 3 under Part 2.1(a) Exemption criteria as schools are not considered to be non-profit organisations.

3. Modify Part 2.1(b) Exemption criteria to read ‘the application does not involve any ongoing commercial or business type venture such as an event, nursery home, childcare centre, educational establishment, registered club etc., whether or not they meet the exemption criteria in clause 2.1(a).’ This inserts any commercially run events, educational establishments and registered clubs etc. as they are considered to be ongoing commercial or business type ventures.

4. Modify Part 2.2 Waiver threshold for DAs and/or CCs, Part 2.3 Payment of fees for DAs and/or CCs and Part 2.4 Reimbursement of fees for DAs and/or CCs to remove reference to ‘and/or CCs’.

5. Modify the paragraph under Part 2.2 Waiver threshold for DAs and/or CCs (as modified) to read ‘the sum of all of the fees, excluding prescribed notification and archive fees, for a DA does not exceed $1,500.’

6. Modify Part 2.5.1 Sewerage management facility applications as it is incorrect and should reference ‘sewage’ instead of ‘sewerage’.

7. Modify the paragraph under Part 2.5.1 Sewerage management facility applications (as modified) to read ‘for sewage management facility applications, applicants/ organisations who meet the exemption criteria in clause 2.1, may seek to waive the fee for such applications.’ This would remove the requirement for a written request outlining the grounds for waiver to be referred to Council’s Strategy and Assets Committee for consideration.

Internal Consultation

Relevant officers within the Planning, Environment & Development Group were consulted, and comments incorporated into the proposed amendments.
WAIVING OF DEVELOPMENT APPLICATION FEES AND OTHER FEES FOR CHARITABLE ORGANISATIONS AND COMMUNITY GROUPS


1. PURPOSE

This policy exempts certain applicants/ organisations from the payment of some fees associated with such as: Development Applications (DAs), Construction Certificates (CC) and applications under Section 68 of the Local Government (LG) Act 1993 (including sewerage management facility, temporary mobile food and street stall approvals), subject to certain exemption criteria.

2. PROVISIONS

2.1. Exemption criteria

The following exemption criteria apply:

(a) The applicant is a non-profit organisation, such as:
   - a registered charity and evidence of registration as a charity has been provided to Council; or
   - a local community or sporting group; or
   - a school; or
   - a Council project of a "community" nature.

(b) The application does not involve any event or an ongoing commercial or business type venture such as an event, nursing home, etc., childcare centre, educational establishment, registered club, etc., whether or not they meet the exemption criteria in clause 2.1(a).

2.2. Waiver threshold for DAs and/or CCs

The sum of all of the fees, excluding prescribed notification and archive fees, associated with either a DA or CC application does not exceed $1,500, or, in the case of a proposal requiring both DA and CC, the total of all fees do not exceed $2,000.
2.3. Payment of fees for DAs and/or CCs
Applicants/organisations who meet the exemption criteria in clause 2.1 are required to pay upfront any amount above the fee waiver threshold set in clause 2.2. The applicant/organisation can apply for reimbursement of the amount paid and Council will consider this request on merit in accordance with clause 2.4.

Applicants/organisations who do not meet the exemption criteria must pay the scheduled fees upon lodgement of an application and may apply for reimbursement in accordance with clause 2.4.

2.4. Reimbursement of fees for DAs and/or CCs
If a reimbursement of the fees is sought, a written request outlining the grounds for reimbursement must be submitted. The matter will then be referred to Council’s Strategy and Assets Committee for consideration by Council. Any donations by way of whole or partial reimbursement determined by the Council will be paid out of the “unallocated donations” budget or a source identified in Council’s resolution.

2.5. Waiver for applications under 568 of the LG Act 1993
2.5.1. Sewerage management facility applications
For sewerage management facility applications, applicants/organisations who meet the exemption criteria in clause 2.1, may seek to waive the fee for such applications. A written request outlining the grounds for waiver must be submitted and the matter will be referred to Council’s Strategy and Assets Committee for consideration.

2.5.2. Temporary mobile food and street stall applications
For temporary mobile food and street stall applications, applicants/organisations who meet the exemption criteria in clause 2.1, do not need to pay an application fee at the time of lodging such applications.

3. IMPLEMENTATION
The Planning, Environment and Development Group (PE&D) administers this policy.

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

5. APPLICATION OF ESD PRINCIPLES
None Applicable.
SA19.112 Draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy

HPERM Ref: D19/204489

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy (under separate cover)

Purpose / Summary
Obtain endorsement of the Draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy to enable it to proceed to public exhibition.

Recommendation (Item to be determined under delegated authority)
That Council
1. Place the Draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy on public exhibition for a period of 28 days; and
2. Receive a report following the exhibition period outlining submissions received and any recommended amendments to the Draft Policy prior to adoption by Council.

Options
1. As recommended.
   Implications: The draft Policy has been developed following a Council resolution and growing concern on this matter from community members. A Councillor workshop was held on 6 June 2019 in accordance with Council resolution (MIN19.109). Amendments have been made to the Draft Policy following the Councillor workshop, input from the Collingwood Beach Reference Group and workshops with relevant internal key stakeholders. The result is an improved, more robust Draft Policy that focuses on four key strategies of education: monitoring, recording and prevention; regulation and enforcement; and rehabilitation with the aim of engaging and involving the community. The resolution will enable public exhibition of the Draft Policy which will enable community members to provide comment as to the relevance and usability of the draft Policy for its intended purpose.

2. Adopt an alternative recommendation.
   Implications: This will depend on the extent of any changes and could result in unforeseen implications and delays in implementation of a guiding framework.

3. Not adopt the recommendation.
   Implications: This option is not preferred as Council would continue to have no policy in place to direct and manage tree and vegetation incidents across the Shoalhaven. This means that incidents of vandalism would be considered on a case-by-case basis without a guiding framework or consistent approach.
Background

On 21 November 2017, Council resolved (MIN17.974) to:

“4. Develop a robust Shoalhaven Tree Vandalism Policy to be rolled out across the Shoalhaven. In the interim Council immediately adopt the anti-vandalism strategy as outlined in this report be adopted and implemented to mitigate against continuing vandalism.”

The Collingwood Beach Dune Vegetation Two-Year Trial Action Plan adopted by Council’s Development Committee on 14 August 2018 (MIN18.607) also included actions relating to the development of a Council Vegetation Vandalism Policy and anti-vandalism strategy. More information can be found on Council’s website at https://getinvolved.shoalhaven.nsw.gov.au/collingwood-beach

The Draft Vegetation Vandalism Strategy was reported to the Development and Environment Committee on Tuesday 5 March 2019 for adoption and public exhibition and the Committee resolved as follows (MIN19.109):

That the matter be referred to a Councillor Workshop.

The Councillor Workshop was held on Thursday 6 June 2019.

In response to the above resolution, the draft Policy that is provided as Attachment 1 has been prepared by Council staff. It seeks to provide a guiding framework for the prevention and management of tree and vegetation vandalism across the Shoalhaven. The Draft Policy contains key strategies of education; monitoring, recording and prevention; regulation and enforcement; and rehabilitation with the aim of engaging and involving the community to achieve these strategies. A number of additional consultations were undertaken to review the Draft Policy following the above Council resolution (MIN19.109), they include the following:

- April 2019 - Collingwood Beach Dune Vegetation Reference Group Meeting to review and seek feedback for the draft policy which included recommended amendments of Councillor Levett and Councillor White.
- May 2019 - internal meeting with relevant Council officers to seek feedback and review of the draft Policy
- May 2019 - Pre-Councillor Workshop meeting with Collingwood Beach Dune Vegetation Reference Group to review and seek feedback for the draft Policy
- June 2019 - Councillor Workshop to review and seek feedback for the draft Shoalhaven Tree and Vegetation Vandalism Prevention Policy

Some recommended amendments to the policy from the Collingwood Beach Dune Vegetation Reference Group Meeting and Workshop include the following:

- Update the Vegetation Vandalism Pamphlet and Temporary Investigation Sign Templates accordingly.
- The Background Section should make reference to Shoalhaven City Area rather than Collingwood Beach.
- A statement to be included in the document that clearly states that it should be read in conjunction with other relevant policies such as the Park Care Policy. All policies should be included in an appendix. Council does have a flow chart that can be included.
- Amendment to be made to the Monitoring and Prevention Section:
  1. delete the word “generic”. Management plans should be prepared for individual sites and hots spots instead.
ii. remove reference to “foreshore”. Rivers and lakes also need be taken into consideration.

- Statements are to be included in the document that recognise that:
  iii. “the adjoining owner adjacent to a vandalised site may not be the one that has committed the vandalism”.
  iv. any poisoned tree or vegetation would not be removed from the site for 12 months.
  v. rewards for information regarding vandalism and that Council will plant 5 trees for every one that has been vandalised.

All the recommended amendments have been collated and the amended Draft Policy was presented at the Councillor Workshop in June 2019, where further improvements were made. The draft Policy has been finalised for Council’s initial consideration, to enable it to proceed to public exhibition.

**Community Engagement**

It is recommended that this draft Policy now be exhibited for public comment for a period of 28 days. The draft policy will be made available online and at Council’s Administration Buildings in Nowra and Ulladulla.

**Policy Implications**

The draft Policy will be publicly exhibited for community and stakeholder input. Following this and consideration of any submissions received, the policy (including any amendments) can be adopted and implemented as the position of Council.

If the Shoalhaven Tree and Vegetation Vandalism Prevention Policy is adopted, the Shoalhaven Foreshore Reserve Policy will need to be updated and show the links between Council’s policies that relate to the management of trees and vegetation as well as Council’s Compliance Policy.

**Financial Implications**

The exhibition of the draft Policy will continue to be resourced within the existing Environmental Planning and Development budget.

**Risk Implications**

There are risks in not taking action to implement a citywide Policy in the Shoalhaven. Vegetation vandalism occurring in the Shoalhaven is extensive and ongoing. A lack of action from Council may also be seen by the community as ‘doing nothing’ in terms of implementing Council’s previous resolutions to adopt a robust Policy and addressing the many community submissions Council has received in recent years requesting that vegetation vandalism occurring at Collingwood Beach and other hotspots across the Shoalhaven be addressed.
SA19.113 Acquisition of Easement for Water Supply - Lot 174 DP755952 - 67 Wogamia Road Longreach

HPERM Ref: D19/173884

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Sketch Plan

Purpose / Summary
This report is submitted to seek Council approval to acquire an Easement for Water Supply 3 metres wide over Lot 174 DP755952 as approximately identified coloured yellow in the attached easement sketch plan, at 67 Wogamia Road Longreach, from the property owner Marla Guppy. The easement is required partly for an existing water pipeline, partly for a replacement pipeline on a new alignment.

Recommendation
That Council:
1. Acquire an Easement for Water Supply 3m wide over part of Lot 174 DP755952, at 67 Wogamia Road, Longreach, shown coloured yellow on attached easement sketch plan.
2. Pay compensation of $20,000, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water’s Water Fund. If warranted, the compensation is to be adjusted based on the area determined by final survey plan.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

Options
1. Resolve as recommended.
   Implications: Acquisition of the easement is required to formalise existing Shoalhaven Water infrastructure and permit construction of a new section of pipeline.
2. Not resolve as recommended and provide further directions to staff.

Background
The acquisition of an easement is required to formalise existing water infrastructure over private land, being Lot 174 DP755952, part constructed in 1964 and part constructed in 1990. No legal entitlement was created to benefit Council for future repair and maintenance of the Shoalhaven Water assets.

A valuation has been obtained on behalf of Council by Walsh & Monaghan Pty Ltd who have assessed compensation for the easement acquisition at $20,000, excluding GST.

A conditional offer was made at that amount plus reasonable legal costs. Ms Marla Guppy, the property owner, has advised that the offer is acceptable.
The compensation has been based on an easement area of approximately 1505m². A survey plan is to be prepared for registration of the easement on title. If warranted, the compensation is to be adjusted based on the area determined by final survey plan.

Part of the existing pipeline has been subject to several breakages due to the instability of the soil close to the bank of the Shoalhaven River. That part of the pipeline is to be replaced by the new pipe on slightly higher ground further from the river bank.

**Risk Implications**

Acquisition of the easement is necessary to secure Shoalhaven Water’s legal operation and maintenance of the supply of essential public infrastructure. The proposed action is administrative and has no environmental impact.
SA19.114  Review Policy - Water and Sewerage Headworks Charges (Section 64 Contributions) Assistance for Developments

HPERM Ref: D19/231445

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Attachments: 1. Water and Sewerage Headworks Charges (Section 64 Contributions) - Assistance for Developments - Strategy And Assets - 23 July 2019

Purpose / Summary

To seek Council’s concurrence to reaffirm the Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments Policy for the 2019/20 financial year or until Council adopts new Development Servicing Plans.

Recommendation (Item to be determined under delegated authority)

That Council reaffirm its Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments Policy for the 2019/20 financial year or until Council adopts of new Development Servicing Plans.

Options

1. Council adopts the recommendation as written.
   Implications: This is recommended as staff finalise the new Water and Sewerage Development Servicing Plans (DSPs).

2. Council could elect to rescind the Policy and revert to charging under the current adopted Water and Sewerage Development Servicing Plans (as depicted in Council’s Fees and Charges 2019/20).
   Implications: This is not recommended as the charges in the current DSPs are based on outdated Guidelines.

3. Council could elect to adopt an alternative charging regime and provide details.
   Implications: This is not recommended as the current methodology has been acceptable to the development industry. Council will also be consulting with the development industry in the near future regarding the new DSPs. An interim change now could be considered confusing to stakeholders.

Background

The “Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments” Policy (POL 16/90) was introduced in its current state by Council in 2013. It was introduced as an interim measure to provide assistance to all types of developments while the State Government reviewed its 2002 version of the Developer Charges Guidelines for Water Supply, Sewerage and Stormwater. The policy essentially applies reduction amounts to the current charges in the DSPs prepared under the 2002 Guidelines.
The new Guidelines were finally released in 2016 and represented a significantly altered methodology for calculating the Section 64 charges and more onerous procedures leading up to the final adoption of the DSPs by Council.

The new Guidelines require significant supporting information to be able to substantiate the methodology and calculations. The intention of this is to ensure transparency to those reviewing the documents during consultation phase and enable an approved auditor to undertake an in-depth review of the Draft DSPs (as required by the Guidelines). This required staff to review and update the city-wide Water Supply and Sewerage Strategies in line with the current predictions for development demand and timing.

The Strategies were revised and relevant information entered into the Draft DSP documents.

Staff then sought concurrence from DOI Water to engage an auditor to independently review the draft DSPs. Following approval, Cardno were engaged and undertook the audit per the Guidelines. Feedback from the audit has been received, much of which related to interpretation of the methodology in the Guidelines.

The Draft DSP documents are now in the process of being revised based on the audit findings.

**Community Engagement**

Once the findings from the audit have been incorporated into the Draft DSP Documents, a Report will be provided to Council seeking its direction on a number of matters and ultimately to endorse (or otherwise) to proceed to consultation with key stakeholders. The Documents are required to be on public exhibition (through which time submissions can be made) for a minimum of 30 days.

Council will then be required to consider any submissions received and revise the draft DSP Documents where applicable, before final adoption and registration with DOI Water.

**Policy Implications**

Given the current status and the engagement process still to be followed, staff are recommending that Council maintain the *Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Developments” Policy* (POL 16/90) for the 2019/20 financial year or until it otherwise determines after adopting the new DSPs.

**Financial Implications**

By reaffirming this policy, the water and sewer DSP charges applicable to all developments will be that same as the 2018/19 financial year (i.e. no increase).
Water and Sewerage Headworks Charges
(Section 64 Contributions) - Assistance for Developments

For more information contact
Shoalhaven Water

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Policy Number: POL17/93
Adopted: 28/06/2011
Effective: 1/07/2011
Reaffirmed: 26/02/2013, 13/06/2017
Amended: 10/06/2014
Minute Number: MIN11.527, MIN13.148, D14/147248, MIN17.512
File: 12039E
Review Date: 31 December 2019 / March 2020
1 PURPOSE

To assist all types of developments (subject to approval under the Environment Planning & Assessment (EPA) Act within the Shoalhaven Local Government area in relation to granting a concession to the calculated equivalent tenement loading imposed on the water supply and sewerage systems.

2 STATEMENT

This policy statement is based on Council Minute 11.116 and Minute 13.864.

It should be noted that Section 64 charges/contributions are also known as Headworks/Developer charges/contributions.

3 PROVISIONS

a. The system loading/demand to determine the applicable Section 64 charges are calculated for all developments based on the provisions contained in Council’s Delivery Program and Operational Plan, and

b. The unit rate for the applicable Section 64 charge is contained in Council’s annual fees and charges, and

c. For any Development Application considered by Council or by a private certifier:

- Under the Environment Planning & Assessment Act, and

- In accordance with the current Development Servicing Plans, and

- Is permissible within the zoning,

the applicable Section 64 charges may be reduced as follows:-

<table>
<thead>
<tr>
<th>Equivalent Tenements</th>
<th>Reduction Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0 - ≤ 2.0</td>
<td>75%</td>
</tr>
<tr>
<td>&gt; 2.0</td>
<td>50%</td>
</tr>
</tbody>
</table>

4 EXEMPTIONS

This policy does not apply to:

- Any development/s that does not have an operational consent under the Environmental Planning & Assessment Act or has received an occupation certificate and/or licence for the development as the case may be,

- Any development where the development consent articulates how the Headworks charges are to be calculated (that is the charges are not specified in Council’s Fees & Charges),

- Any development/s which have paid or have signed an agreement/contract/deed with Council prior to 1st July 2013 to pay its Section 64 contributions.
Shoalhaven Water – Water and Sewerage Headworks Charges
(Section 64 Contributions) – Assistance for Developments

- Any developments which receive S64 assistance under Council Policy POL14/36 (Community Service Obligations – Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions).

This policy does not recommence for each stage of a development where the development has been approved in stages.

5 IMPLEMENTATION

a. Shoalhaven Water Group has responsibility for implementing this policy.
b. An example of the calculations involved in the implementation of this policy is as follows:-

Eligible commercial business with an original determined load of 6.2 ETs for water supply and 6.20 ETs for sewerage services.

| 2018/19 2019/20 | water supply ET Charge | $6,578/ET. |
| 2018/19 2019/20 | sewerage services ET Charge | $8,339/ET. |

Original determined charge 6.2 x ($6,578 + $8,339) = $92,485.40

Reduction application:-

First 2 ET 2 x ($6,578 + $8,339) x 0.25 = $7,458.50
>2 ETs 4.2 x ($6,578 + $8,339) x 0.50 = $31,325.70
Reduced Payable Total = $38,784.20

Savings = $92,485.40 – $38,784.20 = $53,701.20

6 REVIEW

This policy will be reviewed by 31 December 2018/March 2020.

7 APPLICATION OF ESD PRINCIPLES

This policy provides an incentive for economic growth of the City, while ensuring that projected system demands can be met.
**SA19.115 Energy Management Update**

**HPERM Ref:** D19/231792  
**Group:** Shoalhaven Water Group  
**Attachments:** 1. Energy Management Update Summary Sheets (under separate cover)

### Purpose / Summary

In response to a Resolution received from the Ordinary Council Meeting held on 13 November 2018, Group Directors were asked to prepare a report for a future Strategy and Assets Committee meeting as to what each department has pursued or is currently pursuing in the sustainable energy space.

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

That the Committee receive the Energy Management Update report for information.

### Options

1. As per the recommendation.  
   **Implications:** The Council is informed of the current status of the relevant energy management projects.

2. Request further information.  
   **Implications:** Staff can provide further detail on any Council request.

### Background

A number of areas of Council have been pursuing energy efficiency and renewable energy initiatives throughout 2019 to ensure energy efficient operations and to prevent excessive energy charges. Two consultants have been engaged within the Shoalhaven Water Group to oversee energy management, both within Shoalwater and more broadly across Council.

### Sustainable Energy Policy

Shoalhaven City Council’s new Sustainable Energy Policy (POL18/44) was adopted at the 28 May 2019 Ordinary Meeting (MIN19.354). The Policy sets out targets for the reduction of fossil-fuelled energy consumption and carbon emissions for Council operations, and also encourages the uptake of installed rooftop solar panels across the Shoalhaven community and businesses. The next step in implementing the Policy is to prepare a Sustainable Energy Strategy by Jan 2020, which is now being prepared by Darren O’Connell, Council’s Energy Management Coordinator.

### Energy Matters – Executive Summaries

Shoalhaven Council staff have prepared a range of one-page Executive Summaries titled ‘Energy Matters’ (see Attachments) which briefly outline current energy management projects. Progress updates are provided to keep stakeholders informed of the latest developments on these projects.
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.