

## Ordinary Meeting

**Meeting Date:** Tuesday, 25 May, 2021

**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra

## Attachments (Under Separate Cover)

### Index

|         |   |    |
|---------|---|----|
| CL21.94 | 2020/21 Council Borrowings - Loan Agreement and Required Changes to the Investment Policy |    |
|         | Attachment 1 Shoalhaven Loan Agreement FY21 .....   | 2  |
| CL21.95 | Investment Report - April 2021  |    |
|         | Attachment 1 Monthly Investment Report Shoalhaven City Council - April 2021 .....         | 33 |
| CL21.97 | Proposed Submission - NSW Planning Reforms - Building Business Back Better                |    |
|         | Attachment 1 Draft Submission - Building Business Back Better .....                       | 51 |

### 12. Reports

|          |   |     |
|----------|---|-----|
| CL21.100 | Sanctuary Point District Library - Outcomes of Public Exhibition of Concept Design              |     |
|          | Attachment 1 Public Exhibition Document - Sanctuary Point District Library Concept Design ..... | 67  |
|          | Attachment 3 Summary of Survey Submissions - Public Exhibition 31 March - 30 April 2021 .....   | 82  |
|          | Attachment 4 Consultant Report – Community Presentation Days .....                              | 104 |
| CL21.104 | Waste 2021  |     |
|          | Attachment 1 Conference Report - Coffs Harbour Waste Conference 2021 .....                      | 152 |



## **Loan Agreement – NSW Local Councils**

**New South Wales Treasury Corporation**

**and**

**Shoalhaven City Council**

**CL21.94 - Attachment 1**

## Contents

|            |   |           |
|------------|---|-----------|
| <b>1.</b>  | <b>Interpretation .....</b>                                 | <b>1</b>  |
| 1.1        | Definitions .....   | 1         |
| 1.2        | Interpretation .....  | 7         |
| <b>2.</b>  | <b>Advances .....</b>                                       | <b>7</b>  |
| 2.1        | Advances .....  | 7         |
| 2.2        | Approved Purpose .....                                      | 8         |
| 2.3        | Availability .....  | 8         |
| 2.4        | Security .....  | 8         |
| 2.5        | Letter of Offer .....                                       | 8         |
| <b>3.</b>  | <b>Drawdown .....</b>                                       | <b>8</b>  |
| 3.1        | Notice .....  | 8         |
| 3.2        | Requirements of Drawdown Request .....                      | 8         |
| <b>4.</b>  | <b>Conditions Precedent .....</b>                           | <b>9</b>  |
| 4.1        | Conditions Precedent to the First Advance .....             | 9         |
| 4.2        | Conditions precedent to each Advance .....                  | 9         |
| 4.3        | Information regarding Advance .....                         | 10        |
| <b>5.</b>  | <b>Interest Provisions .....</b>                            | <b>10</b> |
| 5.1        | Application of Part 5 .....                                 | 10        |
| 5.2        | Interest .....  | 10        |
| 5.3        | Calculation of interest .....                               | 10        |
| 5.4        | Payment of interest .....                                   | 11        |
| 5.5        | Switching Interest Rates .....                              | 11        |
| <b>6.</b>  | <b>Repayment .....</b>                                      | <b>11</b> |
| 6.1        | Application of Part 6 .....                                 | 11        |
| 6.2        | Repayment .....   | 11        |
| 6.3        | Prepayment .....  | 11        |
| <b>7.</b>  | <b>Interest on Overdue Amounts .....</b>                    | <b>12</b> |
| 7.1        | Payment of Interest .....                                   | 12        |
| 7.2        | Accrual of Interest .....                                   | 12        |
| <b>8.</b>  | <b>Payments .....</b>                                       | <b>12</b> |
| 8.1        | Time and place .....  | 12        |
| 8.2        | No deduction for Taxes and no set-off or counterclaim ..... | 12        |
| 8.3        | Merger .....  | 13        |
| 8.4        | GST gross-up .....  | 13        |
| <b>9.</b>  | <b>Representations and Warranties .....</b>                 | <b>13</b> |
| 9.1        | Representations and Warranties .....                        | 13        |
| 9.2        | Representations and Warranties Repeated .....               | 14        |
| <b>10.</b> | <b>Undertakings .....</b>                                   | <b>14</b> |
| 10.1       | General Undertakings .....                                  | 14        |
| 10.2       | Financial Covenant Undertakings .....                       | 15        |
| 10.3       | Annual Review .....   | 16        |
| 10.4       | Investments .....   | 16        |
| <b>11.</b> | <b>Default and Termination .....</b>                        | <b>17</b> |
| 11.1       | Events of Default .....                                     | 17        |
| 11.2       | Lender's Rights on Event of Default .....                   | 18        |

|            |   |           |
|------------|---|-----------|
| 11.3       | Appointment of consultants and disclosures: .....         | 18        |
| <b>12.</b> | <b>Indemnities, change in law or circumstance.....</b>    | <b>19</b> |
| 12.1       | Borrower to indemnify Lender.....                         | 19        |
| 12.2       | Unlawfulness .....  | 19        |
| 12.3       | Increased costs.....                                      | 19        |
| <b>13.</b> | <b>Expenses and Taxes.....</b>                            | <b>20</b> |
| 13.1       | Expenses .....  | 20        |
| 13.2       | Taxes .....   | 20        |
| <b>14.</b> | <b>Assignment.....</b>                                    | <b>20</b> |
| 14.1       | Assignment by Lender.....                                 | 20        |
| 14.2       | Assignments by the Borrower.....                          | 20        |
| <b>15.</b> | <b>Miscellaneous.....</b>                                 | <b>20</b> |
| 15.1       | Governing law and jurisdiction.....                       | 20        |
| 15.2       | Certificate of Lender .....                               | 21        |
| 15.3       | Counterparts .....  | 21        |
| 15.4       | Amendment.....  | 21        |
| 15.5       | Notices .....   | 21        |
| 15.6       | Severance.....  | 21        |
| 15.7       | Waiver.....   | 21        |
|            | <b>Schedule 1 - Variables .....</b>                       | <b>23</b> |
|            | <b>Schedule 2 - Condition precedent certificate .....</b> | <b>24</b> |
|            | <b>Schedule 3 – Repayment Schedule .....</b>              | <b>27</b> |
|            | <b>Schedule 4 - Compliance Certificate .....</b>          | <b>28</b> |



---

## Loan Agreement

**Date:** The date specified in Schedule 1

---

### Parties

1. **NEW SOUTH WALES TREASURY CORPORATION ABN 99 095 235 825**, constituted pursuant to the *Treasury Corporation Act 1983* (NSW) (**Lender**)
2. The party described in Schedule 1 (**Borrower**)

---

### Background

- A. The New South Wales Government has approved the Lender establishing the Loan Scheme.
- B. The Lender's application for a loan under the Loan Scheme has been approved.
- C. The Lender has agreed to make a loan facility available to the Borrower on the terms and conditions set out in this agreement.

---

### The Parties Agree

---

#### 1. Interpretation

##### 1.1 Definitions

In this agreement, unless expressed or implied otherwise:

**Accounting Standards** means the accounting standards, principles and practices applying by law or otherwise generally accepted and consistently applied in Australia.

**ADI** means Authorised Deposit Taking Institution.

**Advance** means an advance made by the Lender to the Borrower under this agreement or, where the context requires, the balance of the loan which is outstanding. The maximum number of Advances permitted under this agreement is specified at Item 1 of Schedule 1.

**Amortising Loan** means a loan whereby the principal outstanding is repaid progressively over the term of the loan.

**Amortising Loan Amount** means, in respect of an Amortising Loan, the payment required to be made by the Borrower to the Lender on each Interest Payment Date, as notified by the Lender to the Borrower.

**Approved Purpose** has the meaning specified Item 2 of Schedule 1.

**Authorised Officer** means:

- (a) in respect of the Borrower, any person from time to time nominated as an Authorised Officer by the Borrower by a notice to the Lender signed by the General

Manager of the Borrower, accompanied by certified copies of signatures of all persons so appointed (and in respect of which the Lender has not received notice of revocation of the appointment); and

- (b) in respect of the Lender, any person appointed by the Lender pursuant to its delegation authorities as authorised to sign documents, provide notices or take actions under this Agreement.

**Availability Period** means the period starting on the date of this agreement and ending on the date as set out in Item 3 of Schedule 1 (and which such date must not be later than 30 June of the financial year in which this agreement was entered into).

**BBB Rate Sub Limit** means 15% of the combined Portfolio Limit for BBB+ and BBB rated counterparty's detailed in Column B of the Table in clause 10.4.

**Borrower's Bank Account** means the account specified in Item 4 of Schedule 1.

**Break Costs** means any losses and costs incurred or suffered by the Lender and reasonably determined in the sole discretion of the Lender by reason of:

- (a) the liquidation, prepayment, repayment or re-employment of deposits, borrowings or other funds acquired or contracted for by or on account of the Lender to fund or maintain the Advance;
- (b) terminating, cancelling or varying any arrangements to fund or maintain the Advance or any interest rate or currency hedge or any related trading position entered into to hedge, fix or limit its effective cost of funding or maintaining the Advance and whether such arrangement is with a third party or established pursuant to any internal accounting policy,

and the amount of loss or cost may be determined by the Lender in such manner as it reasonably thinks fit including without limitation by reference to its estimation of current market interest rates for relevant bonds issued by the Lender or other similar market instruments or by reference to a pool of funds, notional borrowings, averaging techniques or such other reasonable methods adopted by the Lender rather than by reference to a specific borrowing or a specific contract made to fund or maintain the Loan.

**Break Gains** means any gains derived by the Lender and reasonably determined in the sole discretion of the Lender by reason of:

- (c) the liquidation, prepayment, repayment or re-employment of deposits, borrowings or other funds acquired or contracted for by or on account of the Lender to fund or maintain the Advance;
- (d) terminating, cancelling or varying any arrangements to fund or maintain the Advance or any interest rate or currency hedge or any related trading position entered into to hedge, fix or limit its effective cost of funding or maintaining the Advance and whether such arrangement is with a third party or established pursuant to any internal accounting policy,

and the amount of any gain may be determined by the Lender in such manner as it reasonably thinks fit including without limitation by reference to its estimation of current market interest rates for relevant bonds issued by the Lender or other similar market instruments or by reference to a pool of funds, notional borrowings, averaging techniques or such other reasonable methods adopted by the Lender rather than by reference to a specific borrowing or a specific contract made to fund or maintain the Loan.

**Business Day** means a day that banks are open for business in Sydney, but excludes a Saturday, Sunday or public holiday.

**Compliance Certificate** means a certificate in the form contained in Schedule 4.

**Consumer Price Index or CPI** means the "Weighted Average of Eight Capital Cities: All-Groups Index" as maintained and published quarterly by the Australian Bureau of Statistics ("ABS"), subject to:

- (a) if the ABS ceases to publish the CPI and publishes another index which it states to be in replacement of the CPI, then that index will be used as CPI for the purposes of this agreement; and
- (b) If a relevant CPI number is revised after the Annuity Payment Date, a subsequent adjustment will be made to the Annuity Payment to take account of any discrepancy.

**Counterparty Limit** with the exception of the BBB Rate Sub Limit, means the sub limit of the Portfolio Limit for each counterparty detailed in Column C of the Table in clause 10.4.

**Debt Service Cover Ratio** means on any Relevant Date, the ratio of A:B where:

- (a) A is EBITDA of the Borrower for the financial year ending on that date; and
- (b) B is the sum of principal repayments made in that financial year and Interest Expense for the financial year ending on that date.

**Default Rate** means the aggregate of the Interest Rate and 3% per annum.

**Drawdown Notice** means a notice given under clause 3.1.

**EBITDA** means the net operating result before Interest Expense, depreciation and amortisation.

**Event of Default** has the meaning given in clause 11.1.

**External Cash Restrictions** means funds that can only be used for specific projects or purposes and cannot be used for purposes other than what they were collected for, due to legislative or other externally imposed requirements, including but not limited to capital grants, developer contributions and water and sewer fund cash and investment balances (where applicable). The External Cash Restriction is detailed in the Borrower's documentation, including but not limited to the Long Term Financial Plan and financial statements.

**Facility** means the loan facility made available under this agreement for the purposes set out in clause 2.2.

**Facility Limit** means an aggregate amount equal the amount set out in Item 5 of Schedule 1 or such other amount as requested by the Borrower and agreed by the Lender (in its absolute discretion).

**Final Repayment Date** means the date specified in Item 11 of Schedule 1.

**Finance Document** means:

- (a) this Agreement;
- (b) any Related Loan Agreement; and

(c) a document that the Lender and the Borrower agree is a Finance Document.

**Financial Liability** means any present or future, actual or contingent indebtedness in respect of any financial accommodation, bill of exchange, credit or hedging arrangement, finance lease or hire purchase arrangement or any guarantee or other assurance given in respect of any such indebtedness.

**Fixed Rate** means the interest rate as determined by the Lender using the current TCorp benchmark midpoint yield curve and notified to the Borrower, in respect of the Advance, with such interest rate including the Margin.

**Floating Rate Note** means a bond or debt instrument that has a variable interest rate.

**Government Authority** means any government or any governmental or semi-governmental entity, authority, agency, commission, corporation or body, local government authority, administrative or judicial body or tribunal.

**GST** means the goods and services tax levied under the GST Act.

**GST Act** means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Interest Cover Ratio** means, on any Relevant Date, the ratio of A:B where:

- (a) A is EBITDA of the Borrower for the financial year ending on that date; and
- (b) B is Interest Expense for the financial year ending on that date.

**Interest Expense** means, in respect of a financial year, interest and amounts in the nature of interest, or having a similar purpose or effect to interest, whether paid, payable or capitalised by the Borrower in respect of that financial year.

**Interest Payment Date** means the last day of each Interest Period.

**Interest Period** means each period of the number of months specified in Item 9 of Schedule 1, commencing on the date of the first Advance, with the final period ending on the Final Repayment Date.

**Interest Rate** means:

- (a) where the Interest Rate Type is "Fixed Rate", the Fixed Rate; and
- (b) where the Interest Rate Type is "Floating Rate", the Floating Rate.

**Interest Rate Type** means the type of interest rate nominated in Item 7 of Schedule 1.

**Investment Funds** means the total pool of investments made by the Borrower in compliance with the current Investment Order issued by the Minister for Local Government and the Borrower's Investment Policy.

**LG Act** means the *Local Government Act 1993* (NSW).

**LG Regulation** means the *Local Government (General) Regulation 2005* (NSW).

**Letter of Offer** refers to the Lenders Letter of Offer to the Borrower dated DD MMMM 202Y.

**Loan Scheme** means the loan scheme established by TCorp for the provision of loans to Councils in connection with the NSW Government's "Fit For The Future" reform program.

**Long Term Debt Rating** means the rating assigned by Standard and Poor's Rating Services and Moody's Investors Service Inc to the long term, unsecured and unsubordinated indebtedness of an ADI.

**Loan Type** means the form of the loan nominated in Item 6 of Schedule 1, being a Principal at Maturity Loan or an Amortising Loan.

**Long Term Financial Plan** means the Borrower's 10 year financial plan prepared in accordance with the integrated planning and reporting guidelines determined by the OLG.

**Margin** means the amount as set out in Item 10 of Schedule 1.

**Non-Liquid Investments** means Term Deposits with tenors exceeding 12 months, grandfathered investments and investment funds with long-term investment horizons.

**Obligations** means all the liabilities and obligations of the Borrower to the Lender under or by reason of any Finance Document, and includes any liabilities or obligations which:

- (a) are liquidated or unliquidated;
- (b) are present, prospective or contingent;
- (c) are in existence before or come into existence after the date of this document;
- (d) relate to the payment of money or the performance or omission of any act;
- (e) sound in damages only; or
- (f) accrue as a result of any Event of Default,

and irrespective of:

- (g) whether the Borrower is liable or obligated solely, or jointly, or jointly and severally with another person;
- (h) the circumstances in which the Lender comes to be owed each liability or obligation, including any assignment of any liability or obligation; or
- (i) the capacity in which the Borrower and the Lender comes to owe or to be owed that liability or obligation.

**OLG** means the NSW Office of Local Government, a division of the NSW Department of Planning and Environment.

**Permitted Use Certificate** means a certificate substantially in the form provided by the Borrower in its Application, applicable as at the date of this document, signed by the Mayor and General Manager of the Borrower.

**Portfolio Limit** is the limit of the Council's Investment Funds detailed in Column B of the Table in clause 10.4 which varies according to the Long Term Debt Rating of the counterparty.

**Potential Event of Default** means any event which with the giving of notice, lapse of time, satisfaction of a condition or determination could constitute an Event of Default.

**Principal at Maturity Loan** means a loan where the principal is only repayable on the Final Repayment Date.

**Principal Outstanding** means the aggregate of all Advances drawn under this agreement.

**Project Timetable** means the timetable provided by the Borrower to the Lender in accordance with clause 3.1.3 outlining the proposed utilisation of the proceeds of an Advance.

**Related Loan Agreement** means any other loan agreement between the Lender and the Borrower in connection with the Loan Scheme, whether entered into before or after the date of this agreement.

**Relevant Date** means 30 June each year.

**Rating Agency** means Standard and Poor's Rating Services and Moody's Investors Service Inc.

**Repayment Schedule** means the repayment schedule substantially in the form set out in Schedule 3 or any updated repayment schedule provided by the Lender to the Borrower from time to time.

**Settlement Date** means, in relation to an Advance, the date on which funds are provided to the Borrower.

**Statute** means any legislation of the Parliament of the Commonwealth of Australia or of any State or Territory of the Commonwealth of Australia in force at any time, and any rule, regulation, ordinance, by-law, statutory instrument, order or notice at any time made under that legislation.

**Taxes** means all present and future taxes, levies, imposts, deductions, charges, fees and withholdings, in each case plus interest, related penalties, and any charges, fees or other amounts in respect of any of them.

**TCorp Investments** means the investments made by Council in TCorpIM funds, TCorp bonds and term deposits facilitated by TCorp

**TCorp Portal** means the secure web-based TCorp Client Portal at [portal.tcorp.nsw.gov.au/login](http://portal.tcorp.nsw.gov.au/login) (or such other platform made available as notified by TCorp).

**Termination Date** means the earlier of:

- (a) the Final Repayment Date; and
- (b) any date on which the Facility is terminated or cancelled by the Lender in accordance with this document.

**Unrestricted Cash Expense Ratio** means, on any Relevant Date,  $(A/B) \times 12$ , where:

- (a) A is:
  - i. if **Non-Liquid Investments exceed External Cash Restrictions**, cash and cash equivalents (including current term deposits) and Floating Rate Note investments for the financial year ending on that date; or
  - ii. if **External Cash Restrictions exceed Non-Liquid Investments**, total cash and investments less External Cash Restrictions for the financial year ending on that date; and
- (b) B is total expenses less depreciation and Interest Expense for the financial year ending on that date.

## 1.2 Interpretation

In this agreement, unless the contrary intention appears:

- 1.2.1 a reference to:
- (a) a person includes an individual, the estate of an individual, a corporation, and authority, an association or a joint venture (whether incorporated or unincorporated), a partnership and a trust;
  - (b) a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation and, in the case of a trustee, includes a substituted or an additional trustee;
  - (c) a document (including this agreement) is to that document as varied, novated, ratified or replaced from time to time;
  - (d) a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
  - (e) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
  - (f) a party, clause, schedule, exhibit, attachment or annexure is a reference to a party, clause, schedule, exhibit, attachment or annexure to or of this agreement including all schedules, exhibits, attachments and annexures to it;
- 1.2.2 if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;
- 1.2.3 'includes' in any form is not a word of limitation; and
- 1.2.4 a reference to '\$' or 'dollar' is to Australian currency.

## 2. Advances

### 2.1 Advances

- 2.1.1 On the Borrower's request the Lender agrees that it shall make one or more Advances to the Borrower at the time and in the amount specified in a Drawdown Notice during the Availability Period, provided that the total aggregate amount of Advances made by the Lender shall not exceed the Facility Limit.
- 2.1.2 The Borrower acknowledges the:
- (a) Facility Limit represents the amount of funds available for borrowing during the current financial year;
  - (b) Facility Limit may not represent all amounts required to be borrowed by the Borrower in connection with the Approved Purpose; and



- (c) provision of the Loan under this Agreement does not oblige the Lender to provide additional funds to the Borrower, whether in respect of the Approved Purpose or otherwise, and should the Borrower require additional funds, it must submit a new loan application to the Lender in respect of such required funds.

## **2.2 Approved Purpose**

The Borrower may only use the amounts borrowed by it under the Facility for the Approved Purpose.

## **2.3 Availability**

- 2.3.1 Any amount which has not been drawn at 5.00pm on the last day of the Availability Period is cancelled.
- 2.3.2 The Borrower acknowledges that the Availability Period ends on 30 June of the financial year in which this agreement is executed, irrespective of whether the Approved Purpose for which the loan has been sought requires additional funds for completion.

## **2.4 Security**

The parties acknowledge that the Facility and each Advance provided hereunder is secured by a charge on the income of the Borrower pursuant to section 623 of the LG Act and clause 229 of the LG Regulation.

## **2.5 Letter of Offer**

The parties acknowledge that this agreement supersedes the Letter of Offer. To the extent of any inconsistency between the Letter of Offer and this agreement, this agreement prevails and the Letter of Offer is of no effect.

---

## **3. Drawdown**

### **3.1 Notice**

- 3.1.1 The Borrower may draw down the Facility on a Business Day by giving written notice of its intention to do so to the Lender by way of a Drawdown Request sent through the TCorp Portal.
- 3.1.2 The proceeds of each Advance will be deposited directly to the Borrower's Bank Account (or such other account notified by the Borrower to the Lender in writing not less than 5 Business Days before a drawdown date).
- 3.1.3 If the proceeds of an Advance will not be utilised in one amount, the Borrower must provide the Lender with a Project Timetable in writing not less than 5 Business Days before a drawdown date. The Borrower may retain the balance of any proceeds in the Borrower's Bank Account or invest the balance of the proceeds in accordance with clause 10.4.

### **3.2 Requirements of Drawdown Request**

- 3.2.1 Each Drawdown Request will be irrevocable and must:



- (a) subject to the Loan Type and the other parameters of the loan set out in Schedule 1, specify the amount of the drawdown, term, repayment frequency and the proposed Settlement Date;
  - (b) be received by the Lender 3 Business Days before the proposed Settlement Date (or such other time as agreed between the Lender and the Borrower);
  - (c) be made by the General Manager or Authorised Officer of the Borrower; and
  - (d) not be given if the making of the Advance requested would cause the Facility Limit to be exceeded or otherwise would not comply with any term of this agreement.
- 3.2.2 When each Drawdown Request is given, the Borrower is deemed to make the following representations and warranties:
- (a) the proceeds of the Advance will be used only for the Approved Purposes;
  - (b) each representation and warranty made by the Borrower in, or in connection with, the Facility, including without limitation, those set out in clause 9, repeated with reference to the facts and circumstances subsisting at the date of the Drawdown Request, remains true and correct; and
  - (c) no Event of Default or Potential Event of Default has occurred which remains remedied or which has not been waived in writing or will occur as a result of the drawdown.

#### **4. Conditions Precedent**

##### **4.1 Conditions Precedent to the First Advance**

The obligation of the Lender to make the first Advance is subject to the condition that it has first received all of the following in form and substance satisfactory to it:

- 4.1.1 **Certificate:** a certificate in the form of Schedule 2 providing the details and annexures specified in that schedule dated not more than 20 days before the first Settlement Date, in respect of the Borrower;
- 4.1.2 **Permitted Use Certificate:** the Permitted Use Certificate;
- 4.1.3 **Insurance:** certificates of currency in relation to insurance held by the Borrower;
- 4.1.4 **Original Documents:** this document fully executed;
- 4.1.5 **Low Cost Loans Initiative:** evidence of approval of project from the Department of Planning, Industry and Environment, unless waived by the Lender. [Include for LCLI loans only]; and
- 4.1.6 **Project Timetable:** if required under clause 3.1.3.

##### **4.2 Conditions precedent to each Advance**

The obligation of the Lender to make each Advance is subject to the condition that:

- 4.2.1 **Representations and warranties true:** the representations and warranties set out in this document are true and correct as at the date of the Drawdown Request and the Settlement Date as though made at that date;

- 4.2.2 **No Event of Default:** no Event of Default or Potential Event of Default is subsisting at the date of the Drawdown Request and the Settlement Date or will result from the provision or continuation of the Advance.

#### 4.3 Information regarding Advance

If the Lender provides an Advance to the Borrower, the Lender will issue the Borrower a notice setting out:

- 4.3.1 the amount of the Advance;
- 4.3.2 the applicable Interest Rate;
- 4.3.3 for a Principal at Maturity Loan, the Final Repayment Date;
- 4.3.4 for an Amortising Loan, a Repayment Schedule setting out the Amortising Loan Amounts and the payments due on each Interest Payment Date and the Final Repayment Date.

---

## 5. Interest Provisions

### 5.1 Application of Part 5

This part 5 applies to all Loan Types.

### 5.2 Interest

- 5.2.1 The Principal Outstanding bears interest on the principal outstanding from and including the initial Settlement Date up until, but excluding, the Final Repayment Date.
- 5.2.2 The interest rate for each Interest Period is the Interest Rate.
- 5.2.3 Each Interest Period in relation to the Principal Outstanding is the period commencing on:
  - (a) in the case of the initial Interest Period, the Settlement Date for the initial Advance; and
  - (b) in the case of each subsequent Interest Period, on the day after the expiry of the immediately preceding Interest Period for the Advance,
 and ending on the last day of such Interest Period.
- 5.2.4 The term of each Interest Period is subject to any marginal adjustment as the Lender in its discretion determines so that the final Interest Period ends on the Termination Date.

### 5.3 Calculation of interest

- 5.3.1 Interest is to be computed on a daily basis on the actual number of days in a year.
- 5.3.2 Interest accrues during an Interest Period from day to day until it is paid.

#### 5.4 Payment of interest

The Borrower will pay to the Lender all interest accrued during the course of an Interest Period in relation to the Loan in arrears on the Interest Payment Date.

#### 5.5 Switching Interest Rates

- 5.5.1 The Borrower may by written notice to the Lender request to switch the type of interest payable in respect of the Loan. The Lender will use all reasonable endeavours to agree to the request, but it is not required to do so.
- 5.5.2 The Interest Rate on the Loan may only be changed as from the Interest Payment Date immediately following the Lender's agreement to the change requested.
- 5.5.3 If the Borrower is changing from a Fixed Rate to a Floating Rate:
  - (a) where Break Costs are incurred in connection with such switch, the Borrower will be required to pay to the Lender such Break Costs; and
  - (b) where Break Gains are realised in connection with such switch, the Lender will pay to the Borrower such Break Gains.
- 5.5.4 In the case of a switch from Floating Rate to Fixed Rate, the Lender will notify the Borrower of the Interest Rate to apply to the Loan as from the next Interest Payment Date.

---

### 6. Repayment

#### 6.1 Application of Part 6

This part 6 applies to all Loan Types.

#### 6.2 Repayment

- 6.2.1 If the Borrower has selected a Principal at Maturity Loan, the Borrower must pay to the Lender the Principal Outstanding on the Final Repayment Date.
- 6.2.2 If the Borrower has selected an Amortising Loan, the Borrower must pay to the Lender the Amortising Loan Amount (consisting of principal and interest and as notified to the Borrower) on each Interest Payment Date as set out in the Repayment Schedule, up to and including the Final Repayment Date. The Lender must notify the Borrower of the Amortising Loan Amount (and its components) as soon as practicable after it makes such determination.
- 6.2.3 In respect of Amortising Loan, any Repayment Schedule issued by the Lender forms part of this Agreement and is binding on the parties.

#### 6.3 Prepayment

- 6.3.1 The Borrower may prepay the whole or part of the Loan on an Interest Payment Date on giving not less than 3 Business Days' prior written notice to the Lender, provided that any part repayment of the Loan must be for a minimum amount of A\$1,000,000 or the balance of the Principal Outstanding (whichever is lower).
- 6.3.2 Any notice of prepayment given by the Borrower is irrevocable and the Borrower is bound to prepay in accordance with the notice.

- 6.3.3 Interest accrued on any amount prepaid under this agreement must be paid at the time of prepayment.
- 6.3.4 Any prepayment is permanent and the Facility will be cancelled to the extent of the prepayment.
- 6.3.5 On the proposed prepayment date, the Borrower must:
  - (a) pay the amount notified to be prepaid;
  - (b) pay all interest and other amounts accrued or due under this agreement on the amount prepaid; and
  - (c) if applicable, pay any Break Costs (or if any Break Gains are realised, any prepayment may be reduced by the amount of such Break Gains).
- 6.3.6 In respect of an Amortising Loan, after any partial prepayment of the Loan, the Lender will re-calculate the Repayment Schedule and issue such revised Repayment Schedule to the Borrower, and this Agreement will be taken to be amended by having the new Repayment Schedule supersede any prior Repayment Schedule.

---

## **7. Interest on Overdue Amounts**

### **7.1 Payment of Interest**

The Borrower will pay interest on all amounts due and payable by it under or in respect of this document and unpaid, including any interest payable under this clause 7.

### **7.2 Accrual of Interest**

Interest will accrue on all amounts due and payable from day to day from the day 2 Business Days after due date up to the date of actual payment, before and (as a separate and independent obligation) after judgment, at the Default Rate for successive 30 day periods (as if these were 30 day Interest Periods) commencing on the date of default and, if not paid when due, will itself bear interest in accordance with this clause 7.2.

---

## **8. Payments**

### **8.1 Time and place**

Unless expressly provided otherwise in writing, all payments by the Borrower under this document are to be made to the Lender in dollars in immediately available funds not later than 11.00 am Sydney time on the due date to the account that the Lender from time to time designates, or as otherwise agreed between the Borrower and the Lender.

### **8.2 No deduction for Taxes and no set-off or counterclaim**

All payments by the Borrower under this document, whether of principal, interest or other amounts due under this document, will be:

- 8.2.1 free of any set-off or counterclaim; and
- 8.2.2 without deduction or withholding for any present or future Taxes, unless the Borrower is compelled by law to deduct or withhold the same, in which event the

Borrower will pay to the Lender any additional amount necessary to enable the Lender to receive, after all deductions and withholdings for Taxes, a net amount equal to the full amount which would otherwise have been payable had no such deduction or withholding been required to be made.

### 8.3 Merger

If the liability of the Borrower to pay any of the Obligations to the Lender becomes merged in any judgment or order, the Borrower will, as an independent obligation, pay interest at the rate which is the higher of that payable under this document and that fixed by or payable under the judgment or order.

### 8.4 GST gross-up

If any party:

- 8.4.1 is liable to pay GST on a supply made in connection with this agreement; and
- 8.4.2 certifies to the recipient of the supply that it has not priced the supply to include GST,

then the recipient of the supply agrees to pay that party an additional amount equal to the consideration payable for the supply multiplied by the prevailing GST rate.

---

## 9. Representations and Warranties

### 9.1 Representations and Warranties

The Borrower represents and warrants to the Lender:

- 9.1.1 **Legal power:** it has full power and authority to own its assets and to enter into and perform the obligations under this agreement;
- 9.1.2 **Legally binding obligation:** this agreement constitutes a valid and legally binding obligation of the Borrower in accordance with its terms;
- 9.1.3 **Due authority:** it has taken all action required to enter into this agreement and to authorise the execution and delivery of this agreement and the satisfaction of its obligations under it; and
- 9.1.4 **Execution, delivery and performance:** the execution, delivery and performance of this agreement does not violate any Statute or law, or any document or agreement to which the Borrower is a party or which is binding on it or any of its assets;
- 9.1.5 **Filings:** it has filed all notices and document with the OLG and all of those filings are current, complete and accurate.
- 9.1.6 **No material adverse effect:** no litigation, arbitration, mediation, conciliation, criminal or administrative proceedings are current, pending or, to the knowledge of the Borrower, threatened, which, if adversely determined would or could have a material adverse effect on the financial condition of the Borrower;
- 9.1.7 **Solvency:** there are no reasonable grounds to suspect that it is unable to pay its debts as and when they become due and payable;

- 9.1.8 **Information accurate:** Any information provided by or on behalf of the Borrower to the Lender in writing in connection with this agreement was true and accurate in all material respects as at the date it was provided or as at the date (if any) at which it is stated, and nothing has occurred and no information has been given or withheld that results in the information provided by the Borrower being untrue or misleading in any material respect;
- 9.1.9 **Borrowings:** it is not in default in the payment of any material sum, or in the satisfaction of any material obligation in respect of any Financial Liability, and no event has occurred which with the giving of notice, lapse of time or other condition could constitute a default in respect of any Financial Liability;
- 9.1.10 **No Event of Default:** no event has occurred which constitutes an Event of Default;
- 9.1.11 **Statutes:** the Borrower has complied with all Statutes;
- 9.1.12 **Financial statements:** its most recent financial statements, together with the notes thereto complies with current accounting practice and all applicable laws, is a true and fair statement of its financial position and state of affairs as at the date to which it is prepared and discloses or reflects all its actual and contingent liabilities as at that date; and
- 9.1.13 **No adverse change:** since the date of the financial statements referred to in clause 9.1.12, there has been no change in its affairs which has had or may have a material adverse effect on it.

## 9.2 Representations and Warranties Repeated

Each representation and warranty in this document will be repeated on each day whilst any of the Obligations remain outstanding (whether or not then due for payment) or the Facility is available for drawdown, with reference to the facts and circumstances then subsisting, as if made on each such day.

## 10. Undertakings

### 10.1 General Undertakings

For as long as any amount is outstanding under the Facility or the Facility is available for drawdown, the Borrower undertakes to the Lender that it will:

- 10.1.1 **Satisfy Obligations:** satisfy the Obligations;
- 10.1.2 **Maintain all consents:** obtain, renew, maintain and comply with all consents, licences, approvals and authorisations necessary for the validity and enforceability of this agreement, the satisfaction of its obligations under this agreement, and it will promptly provide copies of these to the Lender when they are obtained or renewed;
- 10.1.3 **Provision of information:** supply to the Lender:
- (a) as soon as they are available and within 180 days of the end of each financial year copies of its audited financial statements for that financial year;
  - (b) copies of any updated Long Term Financial Plan;
  - (c) promptly on request, any additional financial or other information the Lender may request (including, but not limited to, information in relation to the Borrower's management and structure);

- 10.1.4 **Comply with laws:** comply with all Statutes and all lawful requirements of every Government Authority, including any Ministerial directions issued in respect of the Borrower or councils generally;
- 10.1.5 **Insurance:** take out and keep in full force and effect insurance over all of its physical assets and premises for such amounts and against such risks as is reasonably prudent for a NSW local council;
- 10.1.6 **Notification of certain events:** immediately notify the Lender in writing if it becomes aware of the occurrence of the following:
- (a) **Event of Default:** any Event of Default or Potential Event of Default;
  - (b) **Litigation:** any litigation, arbitration, criminal or administrative proceedings or labour disputes relating to the Borrower or the Borrower's property, assets or revenues that involves a claim against the Borrower that, if decided adversely to the Borrower, could have a material adverse effect on the ability of the Borrower to perform the Obligations.
- 10.2 Financial Covenant Undertakings**
- 10.2.1 After the initial Settlement Date, the Borrower must ensure that on each Relevant Date up until the Final Repayment Date:
- (a) **(Debt Service Cover Ratio)** the Debt Service Cover Ratio must be at least 1.50:1;
  - (b) **(Interest Cover Ratio)** the Interest Cover Ratio must be at least 3.00:1; and
  - (c) **(Unrestricted Cash Expense Ratio)** the Unrestricted Cash Expense Ratio must be at least 2 months.
- 10.2.2 The financial covenants referred to above shall be:
- (a) calculated by reference to the Accounting Standards; and
  - (b) based on the then most recent audited financial statements of the Borrower.
- 10.2.3 At the time the Borrower provides the financial statements under clause 10.1.3(a), the Borrower must provide a Compliance Certificate demonstrating its compliance with the financial ratios in clause 10.2.1.
- 10.2.4 In addition, in connection with its financial projections in the most recently provided Long Term Financial Plan, the Borrower must include calculations demonstrating whether the financial projections of the Borrower for the following 5 years would comply with the financial covenants in clause 10.2.1.
- 10.2.5 Where the calculations made for the purposes of clauses 10.2.3 or 10.2.4 indicate that the Borrower has not, or may not in the future (as the case may be), comply with the financial ratios in clause 10.2.1:
- (a) the Lender and the Borrower will discuss the non-compliance as part of the annual review under clause 10.3; and
  - (b) the Borrower acknowledges that the Lender may notify OLG of such non-compliance, which may lead to OLG seeking a performance improvement order in respect of the Borrower.



- 10.2.6 For the avoidance of doubt, a failure by the Borrower to comply with the financial ratios under this clause 10.2 is not to be taken as a breach of this agreement and does not entitle the Lender to take action against the Borrower under clause 12 of this Agreement or at general law.

### 10.3 Annual Review

- 10.3.1 The Lender will conduct an annual review of the Borrower, and the Borrower will provide the Lender with such information as reasonably required by the Lender for the purposes of the review.
- 10.3.2 The Long Term Financial Plan is to be provided as soon as available and within 180 days of the end of the financial year.

### 10.4 Investments

- 10.4.1 The Borrower is required to observe the following limitations for Investment Funds. The Borrower must ensure that:
- (a) by 31 May 2021, its existing investments with an ADI which have a Long Term Debt Rating of BBB meets the Portfolio Limit;
  - (b) by 31 May 2021, its existing investments with an ADI which have a Long Term Debt Rating of BBB meets the Counterparty Limit;
  - (c) its existing investments meets the Maximum Tenor;
  - (d) any investments with TCorp Investments;
  - (e) subject to (a), (b) and (c) above, throughout the Term of the Facility, the combined investments having a Long Term Debt Rating outlined in Column A of the following Table complies with the:
    - (i) Portfolio Limit (Column B);
    - (ii) Counterparty Limit (Column C); and
    - (iii) Maximum Tenor (Column D).

| Column A                   |                            | Column B<br>Portfolio Limit | Column C<br>Counterparty Limit | Column D<br>Maximum Tenor |
|----------------------------|----------------------------|-----------------------------|--------------------------------|---------------------------|
| Long Term Debt Rating      |                            |                             |                                |                           |
| S&P                        | Moody's                    |                             |                                |                           |
| AAA                        | Aaa                        | 100%                        | 100%                           | Not applicable            |
| AA+ to AA-                 | Aa1 to Aa3                 | 100%                        | 100%                           | 5 years                   |
| A+ to A                    | A1 to A2                   | 100%                        | 100%                           | 3 years                   |
| A-                         | A3                         | 40%                         | 20%                            | 3 years                   |
| BBB+                       | Baa1                       | 30%                         | 10%                            | 3 years                   |
| BBB                        | Baa2                       |                             | 5%                             | 12 months                 |
| BBB- and below: Local ADIs | Baa3 and below: Local ADIs | 5%                          | 5%                             | 12 months                 |
| BBB- and below: Other      | Baa3 and below: Other      |                             | \$250,000                      | 12 months                 |
| TCorp Investments          |                            | 100%                        | 100%                           | Not applicable            |



- 10.4.2 A BBB Rate Sub Limit of 10% shall apply at all times when calculating the Portfolio Limit investments with a Long Term Debt Rating of (i) BBB+ and BBB (S&P) and (ii) Baa1 and Baa2 (Moody's).
- 10.4.3 For the avoidance of the doubt, the Long Term Debt Rating of a Council's investments for the purposes of this clause 10.4 will be determined as follows: (i) if only one Rating Agency provides a long term debt rating, the long term debt rating will be based on the rating of that Rating Agency and (ii) if a long term debt rating has been assigned by both Rating Agencies and such ratings are not equivalent, the lower of such ratings shall apply.

## 11. Default and Termination

### 11.1 Events of Default

Each of the following events is an Event of Default, whether or not the cause is beyond the control of the Borrower, or any other person:

- 11.1.1 **Failure to pay:** the Borrower does not pay at or within 5 Business Days of the due date and in the manner specified in this agreement or otherwise in accordance with the Obligations;
- 11.1.2 **Failure to comply:** the Borrower defaults in fully performing and observing any provision of this agreement other than a provision requiring the payment of money as contemplated by clause 11.1.1, and that default is not remedied within 20 Business Days of its occurrence;
- 11.1.3 **Untrue warranty:** any representation, warranty or statement made, repeated or deemed to be made or repeated in this agreement or in connection with the Facility or any accounts, or any opinion furnished under this document is proved to be untrue in any material respect when made or repeated or deemed to be made or repeated (as the case may be);
- 11.1.4 **Breach of undertaking:** the Borrower breaches any undertaking given at any time to the Lender or fails to comply with any condition imposed by the Lender in agreeing to any matter (including any waiver);
- 11.1.5 **Cross default:** any other Financial Liability provided to the Borrower greater than 5 % of the Borrowers Total Equity (as shown in its most recent audited financial statements) is not paid when due or becomes due and payable before its stated date of maturity by reason of an event of default (howsoever described);
- 11.1.6 **Void or voidable:** this agreement, becomes or is claimed by the Borrower to be void, voidable or unenforceable in whole or in part;
- 11.1.7 **Illegality:** at any time it is unlawful for the Borrower to perform any of its obligations under this agreement;
- 11.1.8 **Failure to comply with Statutes:** the Borrower fails to duly and punctually comply with all Statutes binding on it;
- 11.1.9 **Material change:** any other event or series of events whether related or not (including, any material adverse change in the material assets or financial condition of the Borrower) occurs which in the reasonable opinion of the Lender could affect the ability of the Borrower to satisfy all or any of its respective obligations under this agreement.

## 11.2 Lender's Rights on Event of Default

If any Event of Default occurs and if it continues, the Lender may (but is not obliged to), by written notice to the Borrower:

- (a) declare the Lender's obligations under this document to be cancelled immediately (including, but not limited to, any obligation to provide any further advance) and the same and the Facility (including any part of the Facility) will be cancelled immediately; and/or
- (b) declare the Principal Outstanding, interest on the Principal Outstanding and all other money the payment of which forms part of the Obligations immediately due and payable, and the same are immediately due and payable,

and for the avoidance of doubt, any decision by the Lender to reserve its rights or not to exercise its rights under this clause 12.2 is not to be interpreted as waiver of, or election in reaction to, such rights.

## 11.3 Appointment of consultants and disclosures:

11.3.1 The Lender may where it considers an Event of Default has or is likely to have occurred or is reasonably likely to occur within 12 months:

- (a) appoint consultants (in this clause, **Investigating Consultants**) to investigate the affairs and financial position of the Borrower; and
- (b) notify the OLG of the occurrence (or potential occurrence) of an Event of Default or appointment of Investigating Consultants.

11.3.2 The Borrower:

- (a) unconditionally authorises the Investigating Consultants to take all actions which may be reasonably necessary for the investigation; and
- (b) undertakes to give the Investigating Consultants all reasonable assistance for that purpose.

11.3.3 The Borrower unconditionally authorises the disclosure by:

- (a) Investigating Consultants to the Lender, OLG and its legal and other professional advisers all information and documents obtained or generated in the course of or in connection with the investigation; and
- (b) the Lender to the OLG all information and documents relating to the occurrence (or potential occurrence) of an Event of Default.

11.3.4 The Borrower is liable for the costs and expenses of the investigations described in this clause 11.3 and must upon demand by the Lender pay the Investigating Consultants and reimburse the Lender for any such costs or expenses incurred or paid by it.

## **12. Indemnities, change in law or circumstance**

### **12.1 Borrower to indemnify Lender**

The Borrower will on demand indemnify the Lender against any loss or reasonable costs or expenses which the Lender may sustain or incur as a consequence of:

- 12.1.1 any sum payable by the Borrower under this document not being paid when due;
- 12.1.2 the occurrence of any Event of Default; or
- 12.1.3 the Lender receiving payments of principal other than on the last day of an Interest Period (or any other day permitted under the terms of this agreement)

### **12.2 Unlawfulness**

If, at any time, the Lender reasonably determines that the introduction of or a change in a law, guideline, direction, request or requirement (whether or not having the force of law) or in the interpretation or application of any of them by a Government Authority makes it unlawful for the Lender to make, fund or maintain the Facility or an Advance, or to otherwise give effect to a provision of this agreement, then:

- 12.2.1 the Lender may notify the Borrower of its determination;
- 12.2.2 on that notification, the Facility is cancelled and the obligation to make, fund or maintain the Facility or an Advance or give effect to the relevant provision ceases; and
- 12.2.3 the Borrower must pay the Principal Outstanding (plus all accrued interest) to the Lender within:
  - (a) 60 days; or
  - (b) another period specified in the notice and certified by the Lender as being required or permitted by the relevant law.

### **12.3 Increased costs**

If the Lender reasonably decides that:

- 12.3.1 the cost to it of providing, funding or maintaining the Facility is increased; or
- 12.3.2 an amount payable or the effective return to it under this agreement is reduced;

because of any law or regulation or a directive by a Government Authority (including, but not limited to, those relating to taxation, other change in tax rules (in each case, not being a tax imposed on its overall net income), capital adequacy or reserve requirements or banking or monetary control or any policy with which it habitually complies) or any change in the way they are interpreted or applied, then:

- 12.3.3 the Lender must promptly notify the Borrower of that decision; and
- 12.3.4 the Borrower indemnifies the Lender against that loss and must pay the Lender on demand whatever amount the Lender certifies is reasonably necessary to indemnify it.

---

### 13. Expenses and Taxes

#### 13.1 Expenses

The Borrower must reimburse the Lender on demand for, and indemnifies the Lender against all reasonable expenses, including legal fees, costs and disbursements (on a solicitor/own client basis) incurred in connection with:

- 13.1.1 **Consents:** any consent, agreement, approval, waiver, or amendment relating to this agreement; and
- 13.1.2 **Enforcement:** exercising, enforcing or preserving, or attempting to exercise, enforce or preserve, rights under this agreement, including any expenses incurred in the evaluation of any matter of material concern to the Lender.

#### 13.2 Taxes

The Borrower:

- 13.2.1 must pay all stamp duty, transaction, registration and similar Taxes, including fines and penalties and debts tax which may be payable to or required to be paid by any appropriate authority or determined to be payable in connection with the execution, delivery, performance or enforcement of this agreement or any payment, receipt or other transaction contemplated by them; and
- 13.2.2 indemnifies the Lender against any loss or liability incurred or suffered by it as a result of the delay or failure by the Borrower to pay Taxes.

---

### 14. Assignment

#### 14.1 Assignment by Lender

The Lender may at any time assign or otherwise transfer all or any part of its rights under this agreement, and may disclose to a proposed assignee or transferee any information in the possession of the Lender relating to the Borrower.

#### 14.2 Assignments by the Borrower

The Borrower cannot assign any of its rights under this agreement without the Lender's prior written consent (not to be unreasonably withheld).

---

### 15. Miscellaneous

#### 15.1 Governing law and jurisdiction

- 15.1.1 This agreement is governed by and must be construed according to the law applying in New South Wales.
- 15.1.2 Each party irrevocably submits to the non-exclusive jurisdiction of the courts of New South Wales, and the courts competent to determine appeals from those courts, with respect to any proceedings which may be brought at any time relating to this agreement.

## 15.2 Certificate of Lender

A certificate in writing signed by the Lender or by an officer of the Lender certifying the amount payable by the Borrower under this document to the Lender or stating any other act, matter or thing relating to this agreement is conclusive and binding on the Borrower in the absence of manifest error on the face of the certificate.

## 15.3 Counterparts

This agreement may be executed in any number of counterparts and by the parties on separate counterparts. Each counterpart constitutes an original of this agreement, and all together constitute one agreement.

## 15.4 Amendment

No provision of this agreement may be amended, supplemented, waived, varied or charged in any way or assigned (subject to clause 8 above), novated or transferred (in whole or part) without the prior written consent of the parties hereto.

## 15.5 Notices

Any notice required or permitted to be given by a party hereunder will be left at, sent by registered or recorded delivery post to the address below:

### 15.5.1 Lender

New South Wales Treasury Corporation  
Level 7, Deutsche Bank Place  
126 Phillip Street  
SYDNEY NSW 2000

Attention: General Counsel

Facsimile: 02 9325 9333

Email: legal@tcorp.nsw.gov.au

### 15.5.2 Borrower

See Schedule 1

## 15.6 Severance

If at any time a provision of this agreement is or becomes illegal, invalid or unenforceable in any respect under the law of any jurisdiction, that will not affect or impair:

15.6.1 the legality, validity or enforceability in that jurisdiction of any other provision of this agreement; or

15.6.2 the legality, validity or enforceability under the law of any other jurisdiction of that or any other provision of this agreement.

## 15.7 Waiver

15.7.1 A waiver or consent given by the Lender under this agreement is only effective and binding on the Lender if it is given or confirmed in writing.

15.7.2 No waiver of a breach of a term of this agreement operates as a waiver of another breach of that term or of a breach of any other term of this agreement.

---

## Signing Page

**Executed** as an agreement

**NEW SOUTH WALES TREASURY CORPORATION**  
by its authorised signatories:

---

Authorised signatory

---

Authorised signatory

---

Name (please print)

---

Name (please print)

The Seal of **SHOALHAVEN CITY COUNCIL**  
was affixed to this Loan Agreement in the presence  
of the Mayor and General Manager:

---

Mayor

---

General Manager

---

Name (please print)

---

Name (please print)

## Schedule 1 - Variables

**Date of Agreement:** 2021

**Borrower:** Shoalhaven City Council  
ABN 59 855 182 344

**Notice Details:** PO BOX 42, Nowra, NSW, 2541

**Attention:** Stephen Dunshea, General Manager

**Email:** stephen.dunshea@shoalhaven.nsw.gov.au

### Facility 1

| Item |                                |   |
|------|--------------------------------|---|
| 1.   | <b>Advances</b>                | One   |
| 2.   | <b>Approved Purpose</b>        | Development of the community & recreation precinct (croquet facility upgrade), Moss Vale Road urban release area and Bongaree Park youth zone and sporting fields.<br><br>Proceeds of this loan will only fund <b>non-commercial developments</b> . |
| 3.   | <b>Availability Period</b>     | Until 30 June 2021  |
| 4.   | <b>Borrower's Bank Account</b> | BSB No.: 062-585<br>Account No.: 10948465<br>Account Name: Shoalhaven City Council  |
| 5.   | <b>Facility Limit</b>          | \$21,533,620  |
| 6.   | <b>Loan Type</b>               | Amortising Loan   |
| 7.   | <b>Interest Rate Type</b>      | Fixed Rate  |
| 8.   | <b>Term</b>                    | 10 years  |
| 9.   | <b>Interest Period</b>         | Semi-annual   |
| 10.  | <b>Margin</b>                  | 0.55% p.a.  |
| 11.  | <b>Final Repayment Date</b>    |   |

**Facility 2**

| Item |                                |  |
|------|--------------------------------|--|
| 1.   | <b>Advances</b>                | One  |
| 2.   | <b>Approved Purpose</b>        | Entertainment Centre upgrade (excluding upgrades to Encore café), Community & Recreation precinct (Artie Smith Oval upgrade).<br><br>Proceeds of this loan will only fund <b>non-commercial developments</b> . |
| 3.   | <b>Availability Period</b>     | Until 30 June 2021   |
| 4.   | <b>Borrower's Bank Account</b> | BSB No.: 062-585<br>Account No.: 10948465<br>Account Name: Shoalhaven City Council   |
| 5.   | <b>Facility Limit</b>          | \$8,805,158  |
| 6.   | <b>Loan Type</b>               | Amortising Loan  |
| 7.   | <b>Interest Rate Type</b>      | Fixed Rate   |
| 8.   | <b>Term</b>                    | 10 years   |
| 9.   | <b>Interest Period</b>         | Semi-annual  |
| 10.  | <b>Margin</b>                  | 0.55% p.a.   |
| 11.  | <b>Final Repayment Date</b>    |  |



Facility 3

| Item |                                |   |
|------|--------------------------------|---|
| 1.   | <b>Advances</b>                | One   |
| 2.   | <b>Approved Purpose</b>        | Development of a new resource recovery centre for the Shoalhaven Waste Management Facility<br><br>Proceeds of this loan will only fund <b>non-commercial developments</b> . |
| 3.   | <b>Availability Period</b>     | Until 30 June 2021  |
| 4.   | <b>Borrower's Bank Account</b> | BSB No.: 062-585<br>Account No.: 10948465<br>Account Name: Shoalhaven City Council  |
| 5.   | <b>Facility Limit</b>          | \$15,000,000  |
| 6.   | <b>Loan Type</b>               | Amortising Loan   |
| 7.   | <b>Interest Rate Type</b>      | Fixed Rate  |
| 8.   | <b>Term</b>                    | 10 years  |
| 9.   | <b>Interest Period</b>         | Semi-annual   |
| 10.  | <b>Margin</b>                  | 0.55% p.a.  |
| 11.  | <b>Final Repayment Date</b>    |   |

---

## Schedule 2 - Condition precedent certificate

To: New South Wales Treasury Corporation (the " **Lender**")

This condition precedent certificate is given under clause 4 of the Loan Agreement between the Lender and Shoalhaven City Council ("Borrower"). Terms defined in the Loan Agreement have the same meaning in this condition precedent certificate.

I, Stephen Dunshea, being the General Manager of the Borrower, certify that true, complete and up to date copies of an extract of minutes (marked "Annexure A") of a duly convened meeting of the governing body of the Borrower approving execution of the Loan Agreement are attached to this Certificate, which minutes are fully effective and have not been varied or revoked.

Signed: \_\_\_\_\_  
General Manager

Date:

CL21.94 - Attachment 1

---

**Schedule 3 – Repayment Schedule**

| Interest Type | Date | Interest (\$) | Total (\$) |
|---------------|------|---------------|------------|
|               |      |               |            |

---

## Schedule 4 - Compliance Certificate

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

To: New South Wales Treasury Corporation (the " **Lender**")

**Financial Covenants Reporting Financial Year End Date:** [Insert]

This compliance certificate is given under clause 10.2.3 of the Loan Agreement between the Lender and Shoalhaven City Council ("Borrower"). Terms defined in the Loan Agreement have the same meaning in this compliance certificate.

I, Stephen Dunshea, being the General Manager of the Borrower, certify that

- (a) **(Debt Service Cover Ratio)** = [Insert], calculated as follows: [Insert/attach calculations]
- (b) **(Interest Cover Ratio)** = [Insert], calculated as follows: [Insert/attach calculations]
- (c) **(Cash Expense Ratio)** = [Insert], calculated as follows: [Insert/attach calculations].

Signed: \_\_\_\_\_

General Manager

CL21.94 - Attachment 1



# Monthly Report

## Shoalhaven City Council

---

April 2021

CL21.95 - Attachment 1



## Market and Economic Review

### Leading Economies

The S&P500, Dow Jones and NASDAQ gained +5.3%, +2.8% and +5.4% respectively including new records; MSCI World ex-AUS gained +4.1% in local terms. Emerging Markets gained +2.5% in \$US. Eastern Europe, Middle East and Latin America outperformed, with small gains in China. Frontier added +6.8%. US 10-year bonds recovered some ground, closing at 1.65% (-9bp). High yield closed at +328bp (-8bp tighter), approaching post-GFC tightness.

COVID19 deaths passed 3.2m from 150m cases. Daily cases set new records late in the month. USA deaths are -80% down from the January record, and -99% in UK. Eastern Europe is now the epicentre of COVID19 *per capita*, with India's death toll not even in the top 100. Europe is catching up on a very slow start to their vaccination rollout. Pfizer flagged annual boosters, akin to influenza shots.

USA confirmed plans for raising corporate and top marginal rate taxes. These would include by far the highest capital gains tax in the world. US Q1 GDP was a strong +6.4% (vs +4.3% p.a.) with *GDPNow* guiding +13.2% for Q2 on another stimulus round.

US unemployment fell to 6% (-0.2%) in March, after a 9-month high Non-farm Payrolls of +916k (exceeded only 4 times pre-COVID); February revised up again to +233k. Youth unemployment rose to 11.2% (+0.2%). Inflation was +0.6% to be +2.6% YoY (+3.8% in 10 months). Core inflation was +1.6% vs +1.3% in February. CPI-linked bonds' breakeven inflation of 2.42% (10-year) is an 8-year high and well above the Fed target. Retail sales soared +9.8% in March (vs -2.8%).

Eurozone unemployment improved to 8.1% (-0.1%). Prices jumped +0.6% in April to be +1.6% YoY. Core inflation eased to +0.8% YoY (-0.1%).

### Domestic News

PPI at +0.4% in Q1 was dominated by fuel prices. While CPI rose +0.6%, core inflation was just +1.1% YoY. Inflation will spike for one quarter in Q2. Very low core CPI supports the RBA's view of a longer zero rate period. Their base case sees wages extremely muted until full employment, and inflation below 2-3% target until fuelled by wages growth.

The government confirmed it would not start to repair the budget until 5% unemployment was reached, and leaked large spending plans. Future deficits will certainly undershoot 2020's forecasts.

The ASX200 returned +3.5% while Smallcaps added +5%. The 10-year bond firmed -9bp to 1.65%. Listed Property made +3%. CoreLogic's 5 City home prices rose +1.8% in April, or +2% for houses. Goods trade accelerated, with both imports and exports rising +15% in March. February's trade balance was +\$7.5bn (-20%). Retail sales rose +1.4% in March.

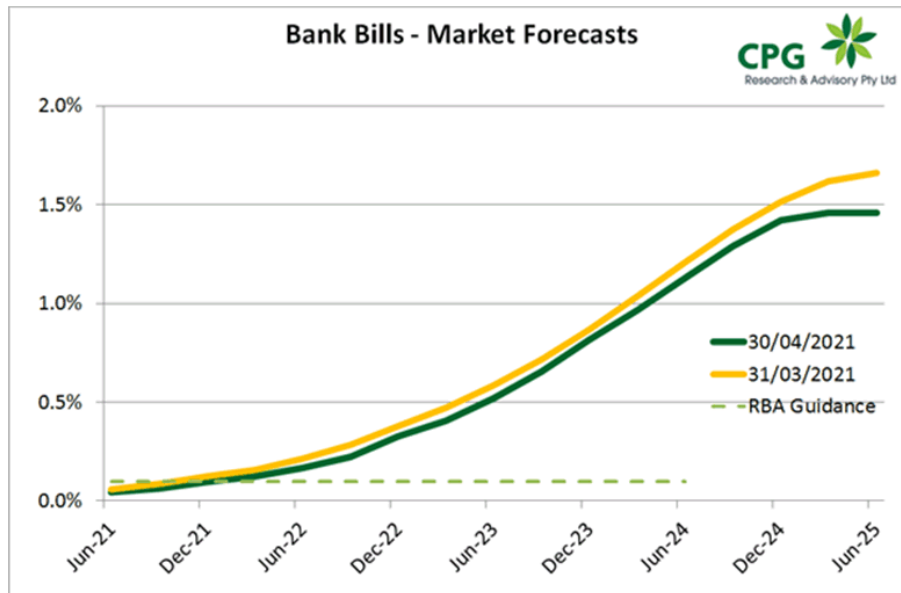
Weekly payroll data showed no unusual discontinuity after JobKeeper ended. Earlier, unemployment eased to 5.6% (-0.2%) despite higher participation of 66.3% (+0.2%) on +71k jobs in March including +92k fulltime. Youth unemployment was 11.8% (-1.1%). 13.07M employed and the female rate of 58.5% are both records.

### Other Markets

WTI oil approached March's intra-month high, closing \$US64/bbl (+4%). Gold rebounded to \$1769/oz (+4%). Iron ore set new multi-year highs at \$184 (+10%). Base metals Nickel (+8.6%), Tin (+18.4%), Copper (+12.4%), Zinc (+3.9%) and Aluminium (+10.5%) all boomed. The \$A closed at US77.8c (+2%).



Short end yield curves were little changed, and the RBA continued to affirm its guidance – guidance which is way out of line with market expectations of an early recovery:

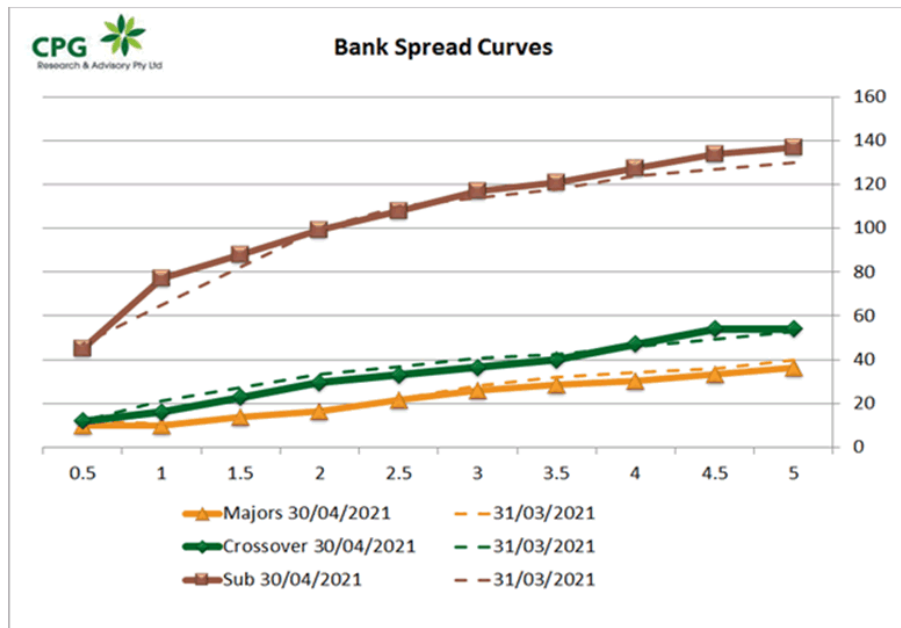


#### Credit Market

Credit derivatives firmed in April, again closing in on pre-COVID cyclical lows:

| Credit Indices                 | 30-Apr-21 | 31-Mar-21 | 31 Dec 19 |
|--------------------------------|-----------|-----------|-----------|
| iTraxx Australia 5 Yr CDS      | 61bp      | 64bp      | 47bp      |
| iTraxx European 5 Yr CDS       | 50bp      | 52bp      | 44bp      |
| CDX IG North American 5 Yr CDS | 50bp      | 54bp      | 45bp      |
| CDX HY North American 5 Yr CDS | 286bp     | 308bp     | 280bp     |

Australian banks weakened slightly:



Physical high yield **firmed with a stronger derivative market**, closing at +328bp vs +336bp in March (BoAMLHY Index, option-adjusted). **We regard HY bonds as expensive**, around cyclical highs although moves in leveraged loans have been less extreme and we have a *Neutral* view on loans – near flat at +425bp.

Despite very strong stockmarkets, **US 10-year bonds recouped some recent losses, firming to 1.65% (-9bp)**. **Australian 10-year bonds firmed to 1.65% (-9bp)**. 3-year bonds were slightly firmer at 0.10%, holding near the RBA target and keeping 5-year bonds flat. **3m BBSW was unchanged at 4bp**.

**Financial credit is expensive, at least among domestic banks with access to the TFF, and offshore major banks are also generally now trading at post-GFC record pricing.**

**There remains some further downside risk to yields in the middle of the bond yield curve (trading far above guidance), but we recommend sales of the majority of credit securities.**

**While the RBA reserves the right to make minor adjustments to policy rates, they have done nothing to suggest negative rates are on the table and the 2024 date was reaffirmed in the most recent interest rate announcement.** Stronger economic data influenced their now-announced intention not to extend TFF until the \$200bn facility is exhausted – it will end June 30<sup>th</sup>. **This will force banks to return to the wholesale market, and likely increase costs of debt – hurting prices of existing FRNs.**

Changes to monetary policy are now likely to be centred on quantitative easing – programme expansion, more explicit yield targeting. There is no current indication of the RBA expanding the programme, with employment and property prices particularly strong in 2021.



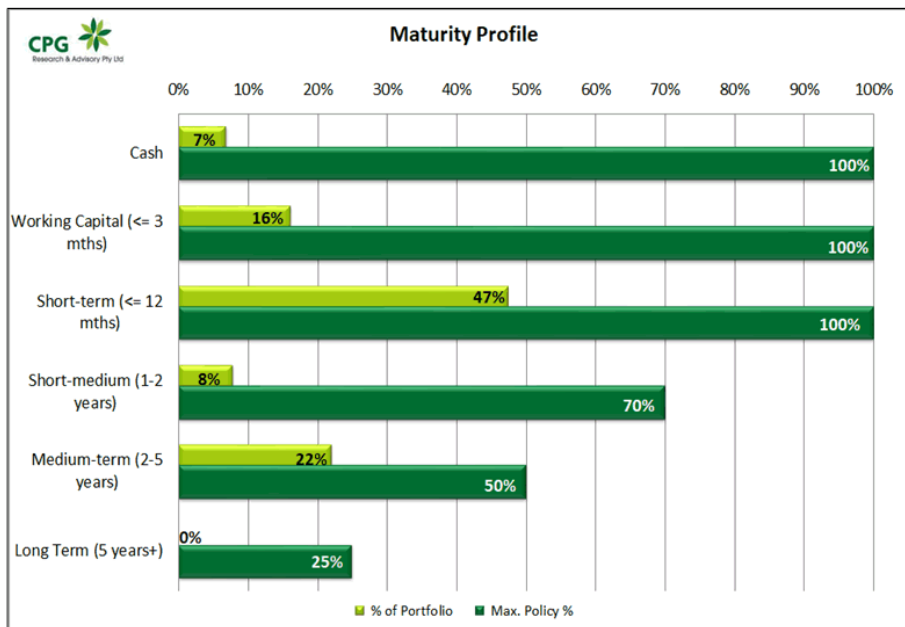


## Council's Portfolio

The portfolio has a high 7% of investments available at-call and a further 16% of assets mature within 3 months. Another 47% of assets mature within 3-12 months. Longer-term allocation at 22% at 2-5 years with recent long term FRN purchases. Major bank paper is expensive. Given the "flight to (domestic) safety" as well as the distortion of the RBA's Term Funding Facility, there is an unprecedented divergence, and foreign issuers significantly overpay for credit quality. **That will shortly end, in a more normal convergence of supply and demand for credit.**

All investments are within the current Minister's Order, having closed out legacy fund positions at their peak. Bank credit lost a little ground in March, but remains close to post-GFC records.

The RBA's most recent meeting at the time of writing confirmed no change to rates guidance, or even inflation outlook. Deposit rates fell in April, severely at the short end. NAB pays around 1.25% for the longest term, up 10bp from last month - with comparable rates from the NT Government. The unusually large gap between highly rated ADIs and others during the panic has converged to pre-COVID historical norms, and then to new post-GFC lows.

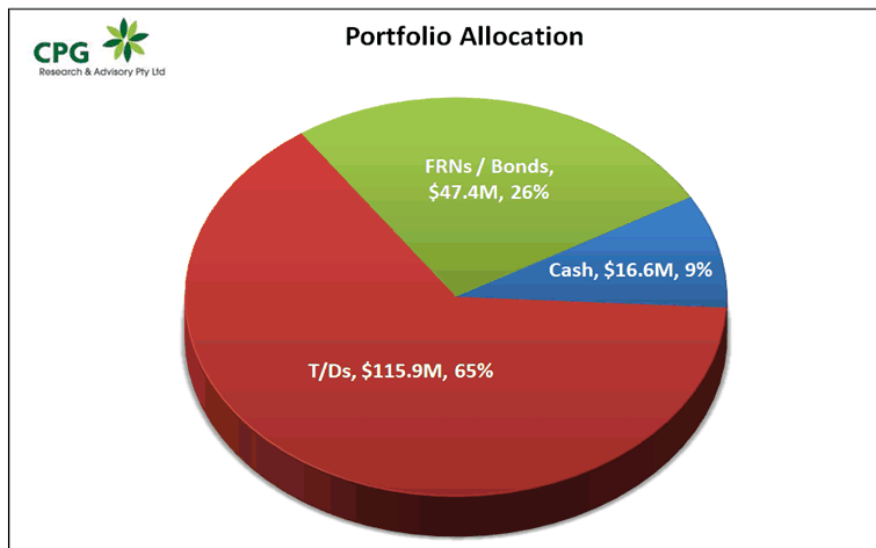


Council's investments are well spread across maturities and diversified across the highly rated part of the eligible fixed interest universe. **Capacity exists in all terms.**

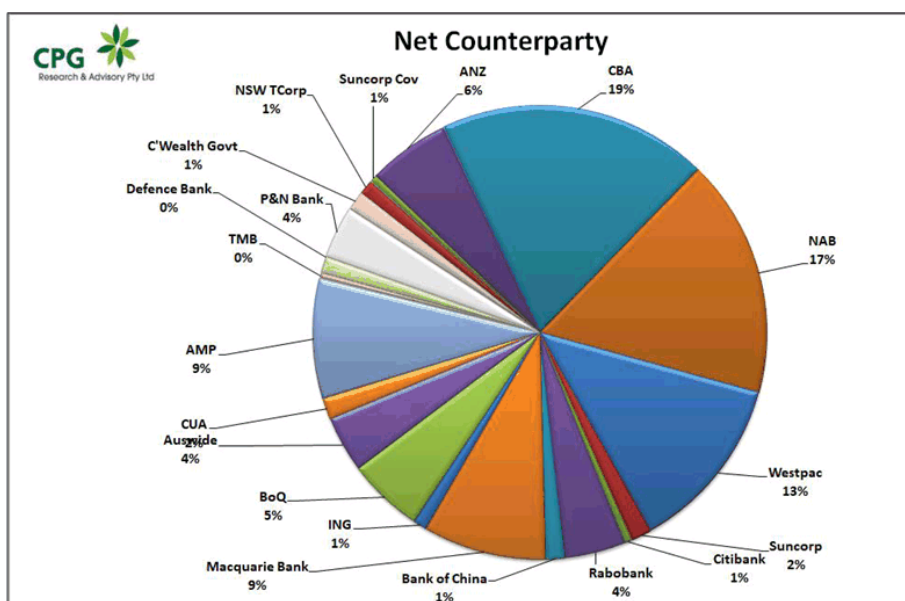
Council's portfolio is primarily in deposits (at 65%) along with a substantial liquid portfolio. Of the FRNs, market liquidity is now very strong, and credit funds continue to normalise their credit spreads.



A more diverse range of banks have come to market as FY21 progressed. **Cash moved to 9%** (including AMP 31-day Notice Account). **We note a cut to the Notice Account rate.**



The investment portfolio is well diversified in complying assets across the entire credit spectrum, with **major banks the largest exposures.**



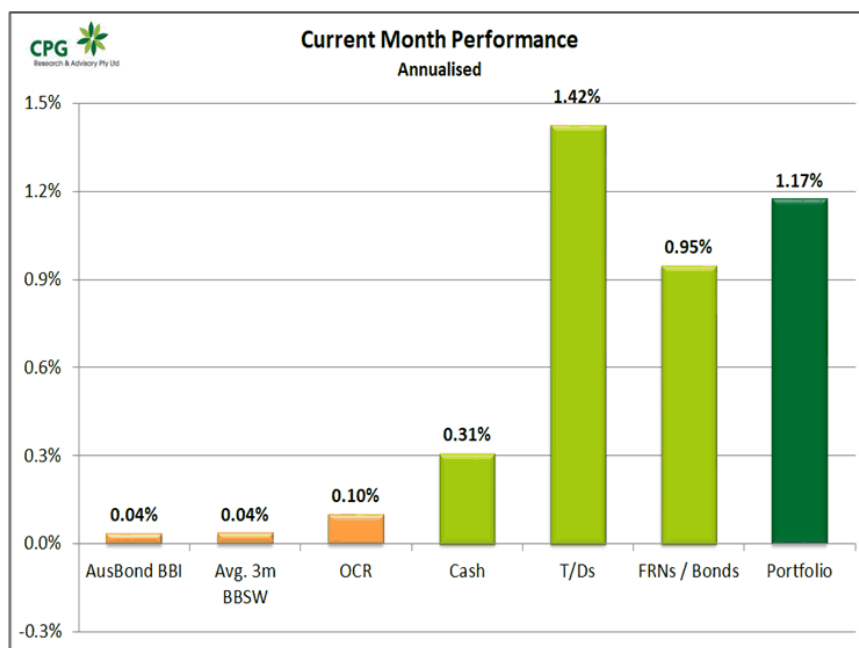


## Returns - Accrual

| Actual                  | 1 month | 3 months | 6 months | FYTD  | 1 year | 2 years | 3 years | 4 years | 5 years |
|-------------------------|---------|----------|----------|-------|--------|---------|---------|---------|---------|
| Official Cash Rate      | 0.01%   | 0.02%    | 0.05%    | 0.13% | 0.18%  | 0.50%   | 0.84%   | 1.00%   | 1.11%   |
| Avg. 3m BBSW            | 0.00%   | 0.01%    | 0.01%    | 0.04% | 0.06%  | 0.51%   | 0.99%   | 1.19%   | 1.31%   |
| AusBond Bank Bill Index | 0.00%   | 0.00%    | 0.02%    | 0.05% | 0.07%  | 0.59%   | 1.06%   | 1.23%   | 1.36%   |
| Council Cash            | 0.03%   | 0.08%    | 0.16%    | 0.37% | 0.46%  | 0.92%   | 1.31%   | 1.50%   | 1.64%   |
| Council T/Ds            | 0.12%   | 0.35%    | 0.75%    | 1.41% | 1.77%  | 2.19%   | 2.53%   | 2.72%   | 2.88%   |
| Council FRNs / Bonds    | 0.08%   | 0.24%    | 0.51%    | 0.90% | 1.13%  | 1.68%   | 2.21%   | 2.46%   | -       |
| Council Total Portfolio | 0.10%   | 0.29%    | 0.61%    | 1.12% | 1.41%  | 1.83%   | 2.20%   | 2.37%   | 2.54%   |
| Annualised              | 1 month | 3 months | 6 months | FYTD  | 1 year | 2 years | 3 years | 4 years | 5 years |
| Official Cash Rate      | 0.10%   | 0.10%    | 0.10%    | 0.16% | 0.18%  | 0.50%   | 0.84%   | 1.00%   | 1.11%   |
| Avg. 3m BBSW            | 0.04%   | 0.03%    | 0.02%    | 0.05% | 0.06%  | 0.51%   | 0.99%   | 1.19%   | 1.31%   |
| AusBond Bank Bill Index | 0.04%   | 0.02%    | 0.03%    | 0.06% | 0.07%  | 0.59%   | 1.06%   | 1.23%   | 1.36%   |
| Council Cash            | 0.31%   | 0.34%    | 0.37%    | 0.44% | 0.46%  | 0.92%   | 1.31%   | 1.50%   | 1.64%   |
| Council T/Ds            | 1.42%   | 1.44%    | 1.52%    | 1.70% | 1.77%  | 2.19%   | 2.53%   | 2.72%   | 2.88%   |
| Council FRNs / Bonds    | 0.95%   | 0.98%    | 1.02%    | 1.09% | 1.13%  | 1.68%   | 2.21%   | 2.46%   | -       |
| Council Total Portfolio | 1.17%   | 1.20%    | 1.24%    | 1.35% | 1.41%  | 1.83%   | 2.20%   | 2.37%   | 2.54%   |

The Investment portfolio returned a solid **1.17% p.a.** for the month of April 2021, exceeding the benchmark AusBond Bank Bill Index (0.04% p.a.) by **+113bp**. It does not include any market value impact – FRN prices carry significant gains.

Longer dated deposits continue to hold the total portfolio performance, with yields around ~1.4% – an excellent level, **far above any available deposit**. Council's **relative outperformance expanded through the falling rate cycle**, with cash almost literally paying zero (or even less). Term deposits have anchored very strong outperformance, although the typical 1-year duration mean that protection is also running off rapidly now.





## Credit Quality

The aggregate limit for BBB is 30% and in NR is 2% (over-riding single-name limits); there are no current unrated investments. Allocations were very conservative in any case. These are consistent with TCorp's criteria; Policy could readily be aligned to their more complex basis which integrates both tenor and ratio (with more bands). **Without unrated holdings, the migration would be trivial.**

We have tested the portfolio provided against Council's current Investment Policy and report the following:

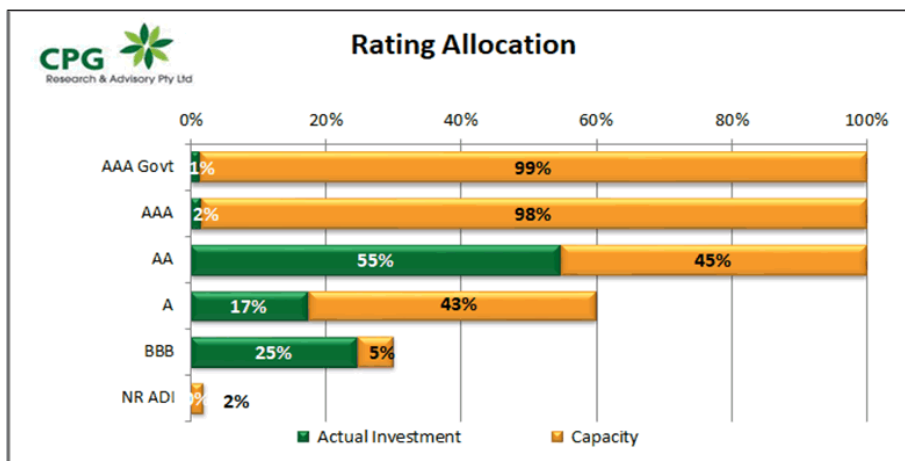
**Aggregate credit limits are in compliance:**

| Rating Category | Actual | Per C/Party | Aggregate | Rating Category | Actual Investment | Capacity |
|-----------------|--------|-------------|-----------|-----------------|-------------------|----------|
| AAA Govt        | 1%     | 100%        | 100%      | AAA Govt        | 1%                | 99%      |
| AAA             | 2%     | 40%         | 100%      | AAA             | 2%                | 98%      |
| AA              | 55%    | 30%         | 100%      | AA              | 55%               | 45%      |
| A               | 17%    | 15%         | 60%       | A               | 17%               | 43%      |
| BBB             | 25%    | 10%         | 30%       | BBB             | 25%               | 5%       |
| NR ADI          | 0%     | 5%          | 2%        | NR ADI          | 0%                | 2%       |

Credit quality is mostly directed towards the higher rated ADIs, using the limited capacity in lower investment grade (BBB rated). This has been opportunistically utilised by locking in long term fixed rates ahead of dramatic falls in returns. Recent FRN purchases also trade well ahead of par.

AMP Bank downgrade to BBB is reflected in data; the Outlook is now *Stable*. Despite this downgrade, there is BBB capacity.

Given TCorp's more granular classifications subdividing even the BBB category, this could easily be managed towards the BBB+ banks specifically.





## TCorp Transition

*We include transition analysis based on a recent portfolio snapshot.*

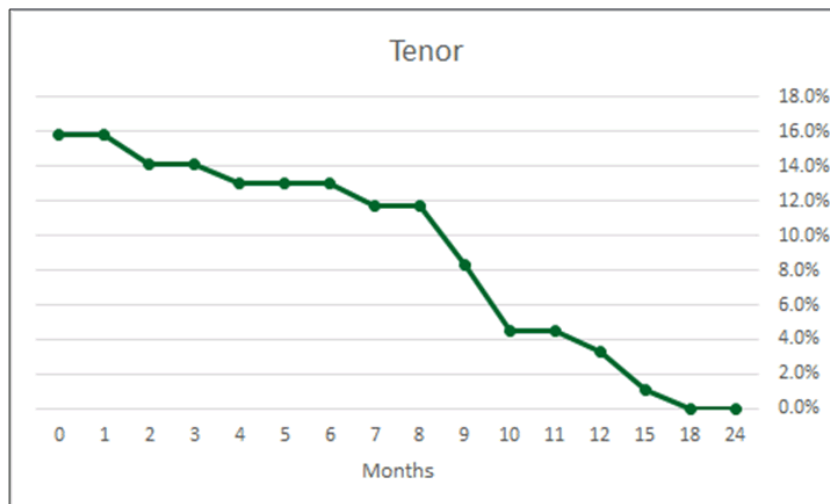
In moving away from the Minister's Order towards a restricted universe, we have used the standard TCorp guidelines to project future convergence, on the assumptions of:

- ▶ Sales of liquid securities
- ▶ Scheduled T/D maturities

**There are currently no investments which are inconsistent with TCorp on the basis of credit rating.**

**Both the single-name and aggregate holdings comply** for the TCorp sub-groups BBB-, BBB or higher, and BBB+.

**The only area requiring attention are the longer BBB holdings.** TCorp allow BBB-range names, but limit them to 12 months. The following illustrates how this is projected to decline over time:



We note the following details:

- ▶ While it includes an AMP TD of more than 12 months, this has already approached within 12 months of maturity (May 2022) and **requires no further action.**
- ▶ **Other long BBB T/Ds >12 months are minimal, at around 3%.** This halves in a year (early in FY22) and disappears in 2 years as the longest T/D becomes less than 1-year tenor.

**TCorp has not withheld funding where grandfathered assets are minimal and in runoff.** The lack of near-term maturities means there will be a small "legacy" / grandfathered holding



## Other Compliance

We have tested the portfolio provided against Council's current investment policy and report the following:

***All counterparties comply, and all are rated.***

| Counterparties      | Exposure \$M | FCS     | Net       | Rating | Policy Limit | Actual | Capacity |
|---------------------|--------------|---------|-----------|--------|--------------|--------|----------|
| TCorpIM Cash Fund   | \$0.00M      | \$0.00M | \$0.00M   | AAA    | 40%          | 0%     | \$71.95M |
| NSW TCorp           | \$1.91M      | \$0.00M | \$1.91M   | AAA    | 40%          | 1%     | \$70.04M |
| Suncorp Cov         | \$1.00M      | \$0.00M | \$1.00M   | AAA    | 39%          | 1%     | \$68.35M |
| ANZ                 | \$10.50M     | \$0.00M | \$10.50M  | AA-    | 30%          | 6%     | \$43.46M |
| CBA                 | \$34.91M     | \$0.25M | \$34.66M  | AA-    | 30%          | 19%    | \$19.30M |
| NAB                 | \$30.80M     | \$0.25M | \$30.55M  | AA-    | 30%          | 17%    | \$23.41M |
| Westpac             | \$23.00M     | \$0.25M | \$22.75M  | AA-    | 30%          | 13%    | \$31.21M |
| Suncorp             | \$2.60M      | \$0.00M | \$2.60M   | A+     | 15%          | 1%     | \$24.38M |
| Citibank            | \$1.00M      | \$0.00M | \$1.00M   | A-     | 15%          | 1%     | \$25.98M |
| Rabobank            | \$8.00M      | \$0.25M | \$7.75M   | A      | 15%          | 4%     | \$19.23M |
| Bank of China       | \$2.50M      | \$0.00M | \$2.50M   | A      | 15%          | 1%     | \$24.48M |
| Macquarie Bank      | \$16.00M     | \$0.25M | \$15.75M  | A      | 15%          | 9%     | \$11.23M |
| ING                 | \$2.00M      | \$0.25M | \$1.75M   | A      | 15%          | 1%     | \$25.23M |
| Bendigo-Adelaide    | \$0.00M      | \$0.00M | \$0.00M   | BBB+   | 10%          | 0%     | \$17.99M |
| BoQ                 | \$10.00M     | \$0.25M | \$9.75M   | BBB+   | 10%          | 5%     | \$8.24M  |
| Auswide             | \$7.50M      | \$0.25M | \$7.25M   | BBB+   | 10%          | 4%     | \$10.74M |
| Heritage            | \$0.00M      | \$0.00M | \$0.00M   | BBB+   | 10%          | 0%     | \$17.99M |
| CUA                 | \$2.70M      | \$0.00M | \$2.70M   | BBB    | 10%          | 2%     | \$15.29M |
| AMP                 | \$15.65M     | \$0.25M | \$15.40M  | BBB    | 10%          | 9%     | \$2.59M  |
| TMB                 | \$0.70M      | \$0.00M | \$0.70M   | BBB    | 10%          | 0%     | \$17.29M |
| Newcastle Permanent | \$2.10M      | \$0.00M | \$2.10M   | BBB    | 10%          | 1%     | \$15.89M |
| ME Bank             | \$0.00M      | \$0.00M | \$0.00M   | BBB    | 10%          | 0%     | \$17.99M |
| Defence Bank        | \$0.00M      | \$0.00M | \$0.00M   | BBB    | 10%          | 0%     | \$17.99M |
| P&N Bank            | \$7.00M      | \$0.25M | \$6.75M   | BBB    | 10%          | 4%     | \$11.24M |
| Qbank               | \$0.00M      | \$0.00M | \$0.00M   | BBB-   | 10%          | 0%     | \$17.99M |
|                     | \$179.87M    |         | \$177.37M |        |              | 99%    |          |
| C'wealth Govt       |              | \$2.5M  | \$2.50M   | AAA    | 100%         | 1%     |          |
| Total               | \$179.87M    |         | \$179.87M |        |              | 100%   |          |

We have also tested Council's current investment exposure against the lower rated counterparties' net assets as Council's Policy prescribes maximum concentration.

(Being a major investor in an ADI is not something we find particularly risky, with even these numbers far less than 1% of gross assets – particularly where staggered across a number of maturity dates.)

We report the following:

***P&N Bank (marginally) and Auswide are larger than the net assets % threshold for individual counterparty; these will be run down over time and further allocation to these institutions should be frozen.***





| Counterparties      | Exposure \$M | Rating | Max port % | Actual | Net Assets \$M | Max allowed % of net assets | Net Exposure |        |
|---------------------|--------------|--------|------------|--------|----------------|-----------------------------|--------------|--------|
| AMP                 | \$15.65M     | BBB    | 10%        | 9%     | \$6,791        | 2%                          | 0.230%       | 1.77%  |
| Bendigo-Adelaide    | \$0.00M      | BBB+   | 10%        | 0%     | \$5,632        | 2%                          | 0.000%       | 2.00%  |
| BoQ                 | \$10.00M     | BBB+   | 10%        | 6%     | \$3,885        | 2%                          | 0.257%       | 1.74%  |
| CUA                 | \$2.70M      | BBB    | 10%        | 2%     | \$1,037        | 2%                          | 0.260%       | 1.74%  |
| Heritage            | \$0.00M      | BBB+   | 10%        | 0%     | \$487          | 2%                          | 0.000%       | 2.00%  |
| TMB                 | \$0.70M      | BBB    | 10%        | 0%     | \$493          | 2%                          | 0.142%       | 1.86%  |
| Newcastle Permanent | \$2.10M      | BBB    | 10%        | 1%     | \$925          | 2%                          | 0.227%       | 1.77%  |
| ME Bank             | \$0.00M      | BBB    | 10%        | 0%     | \$1,485        | 2%                          | 0.000%       | 2.00%  |
| P&N Bank            | \$7.00M      | BBB    | 10%        | 4%     | \$291          | 2%                          | 2.408%       | -0.41% |
| Qbank               | \$0.00M      | BBB-   | 10%        | 0%     | \$78           | 2%                          | 0.000%       | 2.00%  |
| Auswide             | \$7.50M      | BBB+   | 10%        | 4%     | \$237          | 2%                          | 3.168%       | -1.17% |

We note that these are before application of the government insurance scheme (FCS), although the difference is trivial. TCorp's convention is to calculate allocation on a gross basis, and they set their recommended limits accordingly.

While the long duration is lengthening the final grandfathered asset, we note that the P&N T/Ds were **placed at above 3½% yield, for 5 years**. They have been the best assets in the portfolio.

## Term Deposits

**At month-end, deposits accounted for approximately 64% of the total investment portfolio.** The weighted average duration of the deposit portfolio is ~0.7 year, slightly down from last month. It is comparable to the peer group, at a high interest rate relative to current offerings.

Council has held its duration through term deposits rather than bonds – avoiding extremely large mark-to-market volatility in months such as February. This placed Council in an extremely strong position in FY20, and FY21 has continued the very strong outperformance. The current yield is still almost 1½%. However, the term of these pre-COVID holdings is decaying over time.

**Deposit margins contracted to new lows in the month. The gap between A-rated and lower deposits is small, with both at post-GFC lows. We have previously noted that deposit rates lag in both directions. They have not reflected fully a rising interest rate environment.**

**The worst Policy impact on returns is an environment of steep yield curve.** While there was some steepening in the month, low margins across the board are keeping this moderate. Only at the 5-year point does the curve (rightly) price in acceleration in interest rates.

We note (typically short-dated) broker specials for deposits around short-term investment requirements are advised in the T/D daily rate sheet regularly. Relevant portfolio data follows:

### Term Deposit Statistics

|                               |         |
|-------------------------------|---------|
| Percentage of total portfolio | 64%     |
| Weighted Average Yield        | 1.40%   |
| Weighted Average Duration     | 0.7 yrs |



#### Credit Quality of Deposits

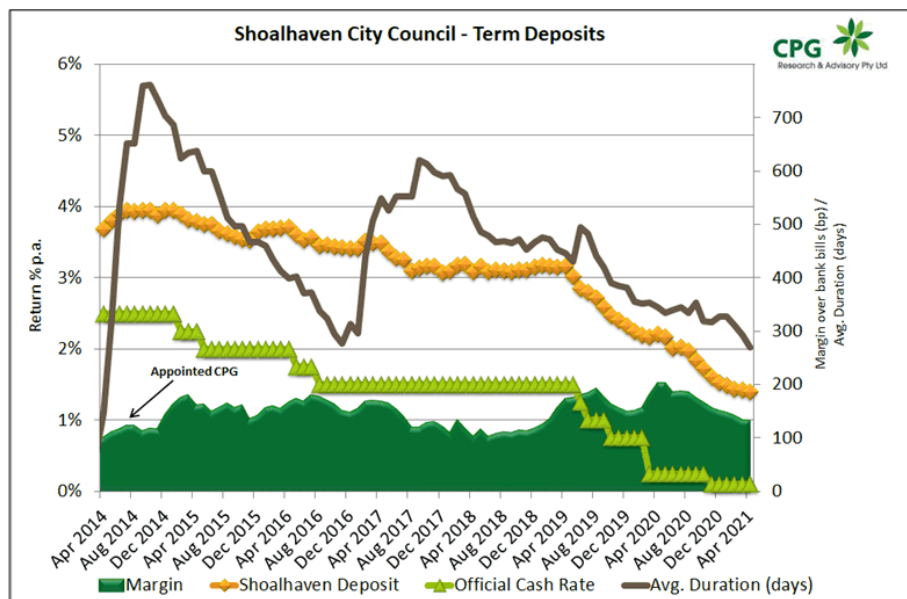
|              |             |
|--------------|-------------|
| AAA^         | 2%          |
| AA           | 53%         |
| A            | 17%         |
| BBB          | 28%         |
| Unrated ADI  | 0%          |
| <b>Total</b> | <b>100%</b> |

^ Calculation excludes the Financial Claims Scheme (FCS)

We refer to the detailed analysis in our April *Fixed Interest Analytics*. We also revisit some prior analysis. The long duration strategy was very successful, substantially lifting the average margin. Margins again expanded, with the average duration kept at 1 year until after the impact of the COVID-19 crisis was fully reflected in zero rates.

Duration has since been relatively static around the 300-350 day area.

Deposit margins have consistently exceeded 100bp since early 2019, which set up excellent FY20 – the best in 5 years. As deposits mature, average yield is again gradually reflecting (lagged) policy interest rates.



FY21 is seeing strong excess performance from deposits (which have recently ranged from +150 to +200bp during the COVID-19 recession), as well as additional profits available from realising the embedded gains of the FRN book. Only now, a full year after the emergency rate cuts, has this outperformance begun to normalise.





## Credit: FRNs & Fixed Bonds

**Senior major FRN spreads tightened slightly.**

Bonds firmed during the month, after several months of weakness.

The RBA reiterated around 3 years of zero interest rate policy, to at least 2024, but the market no longer believes this – rapid rate normalisation is now forecast with rising rates from bill futures. Perhaps the RBA itself does not believe it.

We refer to the detailed analysis in our April *Fixed Interest Analytics* as well as other commentaries following the US election.

With AMP Bank in run-off, the highest returns from complying fixed interest are likely to be from **FRNs outside the major banks. Foreign institutions unable to access the TFF are by far the better value.**

Council invested \$2.5m in 3-year Bank of China FRN at +57bp, around twice the spread of local majors.

**Foreign institutions unable to access the TFF are by far the better value. We look to sell all existing FRNs from major banks.** All major bank paper would show **substantial gains**.

Specifically:

- ▶ All AA and AAA 2021s (\$4m)
- ▶ Subject to suitable bids, the BBB FRNs within a year of maturity
- ▶ 2022 FRNs of ANZ and Suncorp (\$1.5m)
- ▶ 2023 major bank FRNs (\$10m)
- ▶ Early 2024 major bank FRNs, priced as 3-year (\$4.3m)

The spread between AA and the larger BBB names is back to pre-GFC levels – inside +20bp at the long end, and through +10bp for shorter dated securities. This provides the opportunity to also sell benchmark second tier issuers, with **ME Bank, BoQ and Suncorp likely to trade very strongly**. Smaller ADIs will tend to trade considerably wider than benchmark issues.

Given relative pricing, preferred exposures are likely to include major money-centre banks that also have branches (and are therefore eligible under the Minister's Order). **The pricing differential in the Australian market can be substantial.**

This could reflect technical aspects of the RBA's funding and stimulus programme, with banks raising \$200bn from the RBA – **funding which is no longer required from wholesale investors**. Already, banks have been running down overseas funding. During the month, **the TFF rate was further reduced – this has already had a further impact on deposit rates**.



## Fixed Interest Outlook

*Having outperformed earlier in the year, European bonds were generally weaker despite stabilisation in dollar bloc bonds:*

| Major 10Y   | Yield   |          | Day    | Weekly | Monthly | YTD   |
|-------------|---------|----------|--------|--------|---------|-------|
| US          | 1.6456  | ▲ 0.01   | 0.01%  | 0.08%  | -0.07%  | 0.73% |
| UK          | 0.8430  | ▼ 0.00   | 0.00%  | 0.09%  | 0.05%   | 0.65% |
| Japan       | 0.0890  | ▼ 0.01   | -0.01% | 0.02%  | -0.01%  | 0.07% |
| Germany     | -0.2050 | ▼ 0.01   | -0.01% | 0.06%  | 0.09%   | 0.38% |
| Greece      | 0.9870  | ▼ 0.00   | 0.00%  | 0.09%  | 0.16%   | 0.36% |
| India       | 6.0010  | ▼ 0.03   | -0.03% | -0.04% | -0.12%  | 0.11% |
| Italy       | 0.8660  | ▲ 0.006  | 0.01 % | 0.07%  | 0.23%   | 0.34% |
| Australia   | 1.7180  | ▲ 0.02   | 0.02%  | 0.03%  | -0.06%  | 0.74% |
| Brazil      | 9.1250  | ▲ 0.05   | 0.05%  | 0.06%  | 0.24%   | 2.15% |
| Canada      | 1.5610  | ▲ 0.02   | -0.02% | 0.03%  | -0.01%  | 0.87% |
| France      | 0.1670  | ▲ 0.005  | 0.01 % | 0.17%  | 0.23%   | 0.51% |
| Mexico      | 6.9300  | ▲ 0.05   | 0.05%  | 0.15%  | 0.03%   | 1.63% |
| Netherlands | -0.0520 | ▲ 0.17   | 0.17%  | 0.23%  | 0.30%   | 0.50% |
| New Zealand | 1.7050  | ▲ 0.03   | 0.03%  | 0.07%  | -0.13%  | 0.69% |
| Portugal    | 0.4880  | ▲ 0.001  | 0.00 % | 0.08%  | 0.28%   | 0.43% |
| Spain       | 0.4800  | ▲ 0.0036 | 0.00 % | 0.07%  | 0.16%   | 0.42% |
| Switzerland | -0.1960 | ▲ 0.07   | 0.07%  | 0.12%  | 0.17%   | 0.35% |

**The Federal Reserve continued its drift to more dovish territory.** They explicitly forecast CPI above the 2% target – something that would normally be impossible for them to admit to. Greater emphasis on full employment, including minority employment (at the cost of downplaying inflation).

Chair Powell ignored evidence of rising producer prices, supply bottlenecks and other inflationary pressures – “They will work themselves out” said no central banker, ever. Also, unprecedented government spending plans were shrugged off.

Powell claims consumers do not, and will not, expect high inflation. Consumer expectations are for 2.7% (Michigan consumer survey), hardly a glowing endorsement of the Fed’s 2% target.

The Fed will now only react to actual accelerating inflation (other than the current year, which they expect to retrace) – no longer basing policy on their expectation of future inflation.



The RBA again affirmed their 2024 guidance for zero interest rate policy, **ignoring significantly steeper curves from a bond market that does not believe them.**

The April meeting acknowledged that employment was surprising to the upside – in most countries. Key to the RBA’s view is that this is happening without any pressure on core CPI. The **+1.1% core inflation** figure for the year to March remains consistent with the **RBA’s view of an inflationless recovery, while ever wages growth is extremely muted.**

There are clear signs of vaccine hesitancy, with some difficulty filling vaccine appointments.

**Factors chipping away at the post-vaccine reflation thesis have been mildly supportive of lower yields in the month.**

Against that, the RBA must be getting concerned at the pace of property price increases in 2021. Lower interest rates almost irresistibly fuel property booms. They noted NZ’s policy action to specifically hit prices.

The TFF cheap debt programme is now likely to end in June – **the RBA only planning to extend it further if there is a marked deterioration in the system.**



## Portfolio Listing

| Shoalhaven City Council as at 30/04/2021    |           |               |                             |      |               |               |
|---|-----------|---------------|-----------------------------|------|---------------|---------------|
| Authorised Deposit-Taking Institution (ADI) | ST Rating | Security Type | Principal/ Current MF Value | Term | Interest Rate | Maturity Date |
| AMP Bank                                    | A-2       | TD            | \$3,000,000.00              | 182  | 0.90%         | 31-May-21     |
| Westpac Bank                                | A-1+      | TD            | \$2,000,000.00              | 734  | 0.90%         | 9-Jun-21      |
| Rabobank                                    | A-1       | TD            | \$2,000,000.00              | 1464 | 3.00%         | 16-Jun-21     |
| National Australia Bank                     | A-1+      | TD            | \$3,000,000.00              | 365  | 1.00%         | 22-Jun-21     |
| National Australia Bank                     | A-1+      | TD            | \$5,000,000.00              | 365  | 1.02%         | 24-Jun-21     |
| Commonwealth Bank Australia                 | A-1+      | TD            | \$5,000,000.00              | 210  | 0.41%         | 21-Jul-21     |
| Westpac Green Bank                          | A-1+      | TD            | \$4,000,000.00              | 367  | 0.78%         | 6-Sep-21      |
| Macquarie Bank                              | A-1+      | TD            | \$6,000,000.00              | 271  | 0.60%         | 13-Sep-21     |
| National Australia Bank                     | A-1+      | TD            | \$4,000,000.00              | 364  | 0.75%         | 17-Sep-21     |
| Commonwealth Bank Australia                 | A-1+      | TD            | \$3,000,000.00              | 365  | 0.70%         | 23-Sep-21     |
| Macquarie Bank                              | A-1+      | TD            | \$1,000,000.00              | 266  | 0.70%         | 6-Oct-21      |
| State Insurance Regulatory Authority        | A-1+      | TD            | \$1,911,000.00              | 270  | 0.42%         | 21-Oct-21     |
| Commonwealth Bank Australia                 | A-1+      | TD            | \$5,000,000.00              | 180  | 0.30%         | 28-Oct-21     |
| National Australia Bank                     | A-1+      | TD            | \$5,000,000.00              | 364  | 0.57%         | 29-Oct-21     |
| AMP Bank                                    | A-2       | TD            | \$2,500,000.00              | 365  | 0.95%         | 16-Nov-21     |
| National Australia Bank                     | A-1+      | TD            | \$2,000,000.00              | 247  | 0.55%         | 25-Nov-21     |
| Commonwealth Bank Australia                 | A-1+      | TD            | \$5,000,000.00              | 365  | 0.56%         | 30-Nov-21     |
| ING Bank (Australia) Ltd                    | A-1       | TD            | \$2,000,000.00              | 365  | 0.40%         | 15-Dec-21     |
| Macquarie Bank                              | A-1+      | TD            | \$1,000,000.00              | 301  | 0.55%         | 15-Dec-21     |
| Bank of Qld                                 | A-2       | TD            | \$2,000,000.00              | 1821 | 3.85%         | 15-Dec-21     |
| AMP Bank                                    | A-2       | TD            | \$2,500,000.00              | 395  | 0.95%         | 16-Dec-21     |
| Macquarie Bank                              | A-1+      | TD            | \$1,000,000.00              | 357  | 1.55%         | 5-Jan-22      |
| National Australia Bank                     | A-1+      | TD            | \$2,000,000.00              | 365  | 0.45%         | 6-Jan-22      |
| National Australia Bank                     | A-1+      | TD            | \$3,000,000.00              | 365  | 0.47%         | 19-Jan-22     |
| AMP Bank                                    | A-2       | TD            | \$2,000,000.00              | 365  | 0.70%         | 20-Jan-22     |
| Auswide Bank                                | A-2       | TD            | \$4,000,000.00              | 335  | 0.55%         | 25-Jan-22     |
| Macquarie Bank                              | A-1+      | TD            | \$1,000,000.00              | 365  | 0.55%         | 16-Feb-22     |
| Bank of Qld                                 | A-2       | TD            | \$5,000,000.00              | 1827 | 3.80%         | 21-Feb-22     |
| Police and Nurses Bank                      | A-2       | TD            | \$5,000,000.00              | 1825 | 3.74%         | 22-Feb-22     |
| Westpac Bank                                | A-1+      | TD            | \$6,000,000.00              | 1826 | 3.00%         | 2-Mar-22      |
| Bank of Qld                                 | A-2       | TD            | \$2,000,000.00              | 1826 | 3.80%         | 22-Mar-22     |
| Auswide Bank                                | A-2       | TD            | \$2,000,000.00              | 182  | 0.40%         | 1-Apr-22      |
| Westpac Bank                                | A-1+      | TD            | \$2,000,000.00              | 1826 | 2.83%         | 24-Aug-22     |
| Westpac Bank                                | A-1+      | TD            | \$2,000,000.00              | 1826 | 3.00%         | 24-Aug-22     |
| Rabobank                                    | A-1       | TD            | \$2,000,000.00              | 1826 | 3.39%         | 13-Sep-22     |
| Police and Nurses Bank                      | A-2       | TD            | \$2,000,000.00              | 1836 | 3.51%         | 28-Sep-22     |
| Rabobank                                    | A-1       | TD            | \$2,000,000.00              | 1828 | 3.40%         | 23-Aug-23     |
| Rabobank                                    | A-1       | TD            | \$2,000,000.00              | 1826 | 3.13%         | 21-Feb-24     |
| Westpac Bank                                | A-1+      | TD            | \$4,000,000.00              | 1827 | 2.21%         | 19-Jun-24     |
| <b>Total Term Deposits</b>                  |           |               | <b>\$115,911,000.00</b>     |      |               |               |



| Authorised Deposit-Taking Institution (ADI)     | ST Rating | Security Type | Principal/ Current MF Value | Term  | Interest Rate | Maturity Date |
|---|-----------|---------------|-----------------------------|-------|---------------|---------------|
| National Australia Bank                         | A-1+      | FRN           | \$1,000,000.00              | 1826  | 1.18%         | 12-May-21     |
| Bank of Qld                                     | A-2       | FRN           | \$1,000,000.00              | 1826  | 1.49%         | 18-May-21     |
| Suncorp Metway Ltd Bank                         | A-1       | FRN           | \$1,000,000.00              | 1826  | 1.13%         | 22-Jun-21     |
| Teachers Mutual Bank Limited                    | A-2       | FRN           | \$700,000.00                | 1,096 | 1.41%         | 2-Jul-21      |
| Commonwealth Bank Australia                     | A-1+      | FRN           | \$1,000,000.00              | 1826  | 1.24%         | 12-Jul-21     |
| ANZ   | A-1+      | FRN           | \$1,000,000.00              | 1826  | 1.14%         | 16-Aug-21     |
| Credit Union Australia                          | A-2       | FRN           | \$600,000.00                | 1096  | 1.29%         | 6-Sep-21      |
| AMP Bank  | A-2       | FRN           | \$1,500,000.00              | 1096  | 1.12%         | 10-Sep-21     |
| Credit Union Australia                          | A-2       | FRN           | \$1,000,000.00              | 1096  | 1.26%         | 4-Mar-22      |
| ANZ   | A-1+      | FRN           | \$1,000,000.00              | 1826  | 1.04%         | 7-Mar-22      |
| Suncorp Metway Ltd Bank                         | A-1       | FRN           | \$500,000.00                | 1826  | 0.98%         | 16-Aug-22     |
| Credit Union Australia                          | A-2       | FRN           | \$1,100,000.00              | 1096  | 0.94%         | 21-Feb-23     |
| Westpac Bank                                    | A-1+      | FRN           | \$2,000,000.00              | 1826  | 0.87%         | 6-Mar-23      |
| Auswide Bank                                    | A-2       | FRN           | \$1,500,000.00              | 1095  | 1.08%         | 17-Mar-23     |
| Commonwealth Bank Australia                     | A-1+      | FRN           | \$1,000,000.00              | 1916  | 0.84%         | 25-Apr-23     |
| ANZ   | A-1+      | FRN           | \$1,000,000.00              | 1826  | 0.91%         | 9-May-23      |
| Commonwealth Bank Australia                     | A-1+      | FRN           | \$500,000.00                | 1826  | 0.94%         | 16-Aug-23     |
| National Australia Bank                         | A-1+      | FRN           | \$1,500,000.00              | 1826  | 0.96%         | 26-Sep-23     |
| ANZ   | A-1+      | FRN           | \$4,000,000.00              | 1826  | 1.07%         | 6-Dec-23      |
| Commonwealth Bank Australia                     | A-1+      | FRN           | \$2,000,000.00              | 1826  | 1.16%         | 11-Jan-24     |
| National Australia Bank                         | A-1+      | FRN           | \$2,300,000.00              | 1826  | 1.07%         | 26-Feb-24     |
| Bank of China                                   | A-2       | FRN           | \$2,500,000.00              | 1096  | 0.61%         | 28-Apr-24     |
| National Australia Bank                         | A-1+      | FRN           | \$2,000,000.00              | 1827  | 0.95%         | 19-Jun-24     |
| Westpac Bank                                    | A-1+      | FRN           | \$1,000,000.00              | 1919  | 0.91%         | 16-Aug-24     |
| ANZ   | A-1+      | FRN           | \$3,500,000.00              | 1827  | 0.80%         | 29-Aug-24     |
| Citibank  | A-1       | FRN           | \$1,000,000.00              | 1827  | 0.93%         | 14-Nov-24     |
| Newcastle Permanent Building Society            | A-2       | FRN           | \$2,100,000.00              | 1827  | 1.13%         | 4-Feb-25      |
| Macquarie Bank                                  | A-1       | FRN           | \$2,000,000.00              | 1827  | 0.85%         | 12-Feb-25     |
| Macquarie Bank                                  | A-1       | FRN           | \$4,000,000.00              | 1827  | 0.50%         | 9-Dec-25      |
| Suncorp Metway Ltd Bank                         | A-1       | FRN           | \$2,100,000.00              | 1826  | 0.46%         | 24-Feb-26     |
| <b>Total Senior Securities</b>                  |           |               | <b>\$47,400,000.00</b>      |       |               |               |
|   |           |               | \$163,311,000.00            |       |               |               |
| <b>Shoalhaven City Council as at 30/04/2021</b> |           |               |                             |       |               |               |
| Grandfathered                                   | ST Rating | Security Type | Current Valuation           |       |               | Maturity Date |
| Macquarie Global Income Opportunities           | NR        | MF            | \$0.00                      |       |               | T+3           |
| TCorpIM Cash Fund                               | AAAm      | MF            | \$0.00                      |       |               | T+0           |
|   |           |               | \$0.00                      |       |               |               |
|   |           |               |                             |       |               |               |
| Product   | ST Rating | Security Type | Current Valuation           |       |               | Maturity Date |
| AMP At Call                                     | A-2       | Cash          | \$709.89                    | 0.85% |               | At-Call       |
| AMP Notice Account                              | A-2       | Cash          | \$4,146,788.24              | 0.65% |               | 31 Days       |
| CBA Operating Account                           | A-1+      | Cash          | \$6,221,882.54              | 0.10% |               | At-Call       |
| CBA Business Online Saver                       | A-1+      | Cash          | \$6,185,850.37              | 0.30% |               | At-Call       |
|   |           |               | \$16,555,231.04             |       |               |               |
|   |           |               |                             |       |               |               |
| <b>Total Investment Portfolio</b>               |           |               | <b>\$179,866,231.04</b>     |       |               |               |



## Disclaimer

The information provided in this document is intended for clients of CPG Research & Advisory only and does not constitute a recommendation or an offer to invest. Market sections of this document are descriptive and do not take into account the investment objectives, financial situation or particular needs of any particular investor. Before making an investment decision or acting on any of the information or recommendations contained in this report, the investor should consider whether such recommendation is appropriate given the investor's particular investment needs, objectives and financial circumstances. We recommend you consult your CPG adviser for updated advice that addresses your specific needs and situation before making investment decisions.

All information and recommendations expressed herein constitute judgements as of the date of this report and may change without notice. Staff and associates may hold positions in the investments discussed, and these could change without notice.



Building Business Back Better  
Executive Director  
Local Government and Economic Policy  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2124

27 April 2021

Dear Sir/Madam,

**Submission – Building Business Back Better (BBBB)**

Council welcomes the opportunity to provide comments on the Explanation of Intended Effect (EIE) for Building Business Back Better.

Following consideration of a detailed report, Council resolved (MIN21.XXX) on 25 May 2021 to make this submission on this important matter.

**1. Submission Timeframe and Extension**

A significant number of documents needed to be considered in order for Council to provide a thorough and appropriate response to this review. In addition to the EIE, 9 attachments needed to be considered and included:

- Attachment A – EIE Building Business Back Better
- Attachment B – Urbis Market Sounding
- Attachment C – Keylan Reimagining Complying Development
- Attachment D – EMM Neighbourhood Centres - B1 and B2 Report
- Attachment E – Bennett & Trimble – Building Height Study
- Attachment F – Goldberg Blaise – Quality Control Panel Report
- Attachment G – RWDI – Data Centres Noise Report
- Attachment H – Ozzy – Data Centres Hazards Report
- Attachment I – Bennett & Trimble – Final Draft Business Zone Design Guide
- Attachment J – Keylan Draft Master Planning Guideline for Complying Development

Many of the above documents were significant in both size and detail and in this regard, the allowable timeframe was not sufficient for Council to review to the necessary extent. As you can appreciate, the submission process takes time to coordinate comments from multiple sections across Council and for the submission to be considered by the elected Council.

In recent months, Shoalhaven City Council staff have had to consider and prepare a number of submissions relating to proposed State Government planning reforms. In future, consideration of extended consultation timeframes is requested, not only to

provide an appropriate and thorough submission, but to also allow the submission to go through the formal Council reporting processes so that it is the endorsed Council position.

Council appreciates the granting of our request for an extension, noting that a draft submission was provided by 9 May 2021.

## 2. General Comments

Council appreciates that the proposed planning reforms are part of the Department's response to COVID-19; the objective being to stimulate development and employment and drive the economic recovery of NSW. To support this objective, the Department are undertaking two areas of reform in relation to employment land:

- Complying development reform.
- Employment zone reform.

The EIE proposes reforms to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) to accelerate capital investment in employment zones using complying development pathways. The proposed changes to the SEPP are intended to take effect in mid-2021.

The second aspect of the reform package relates to an employment zone reform. The Department is currently developing a simplified employment zone framework, with the intention of enabling councils to align strategic planning outcomes more clearly with zone objectives and land use tables. The proposed policy reforms relate to industrial (IN) zones and business (B) zones only. As part of the proposed zone reform the Principal Standard Instrument (SI) LEP will be amended (following public exhibition) to introduce the new framework. Implementation will be staged from September 2021 until mid-2022 using self-repealing SEPPs to amend all council LEPs.

Whilst the intent of the proposed amendment is understood, there is an overriding concern that with the increasing range of exempt and complying development and development without consent, along with the expanding Codes SEPP, that the community is slowly losing opportunities to have a say.

Although Council appreciates the urgency of this response, particularly with regard to the complying development reform, concerns are raised regarding the permanency of these initiatives. It appears the reforms will be mandated with the intention of being the long-term solution to driving broader productivity gains across the State. The hurried nature of the exhibition, particularly in relation to the employment zone reform and its implementation, give the impression that the Department intends to implement these reforms regardless of Council's feedback.



### 3. The Building Business Back Better EIE and Policy Package

The EIE sets out the proposed policy reforms as follows:

- Part A: Background to Policy Proposal
- Part B: Land use and business agility
- Part C: Zone-based building controls
- Part D: Supporting neighbourhood and local centres
- Part E: Masterplan pathway
- Part F: Date Centres
- Part G: Circular Economy
- Part H: Consequential amendments

Additionally, relevant sections of the EIE are supported by a range of attachments, listed B–J.

Each component of the EIE is discussed below.

#### Part A: Background to Policy Proposal

##### 3.1. The Complying Development Opportunity and Case for Change

Following the impacts of COVID-19, the NSW Government announced the Planning Reform Action Plan in August 2020. The action plan outlined a series of initiatives to achieve long term structural reform of the planning system. This included cutting red tape, reducing time and costs associated with the planning system, and making the system more transparent and easier to use.

Commercial and industrial development significantly contributes to the NSW economy. A number of leading industry sectors exist within NSW, including the food and beverage, aerospace, medical technology, research, finance, retail, and creative industries. Manufacturing currently contributes around \$33 billion to the NSW economy and employs more than 362,000 people through direct jobs and indirectly through related industries such as freight and professional services.

Whilst the Codes SEPP currently offers pathways for complying development for some commercial and industrial developments, these are limited. In 2018, only 20% of industrial development in NSW was approved via complying development and in regional NSW, only 12% of all industrial development was via the complying development pathway.

As part of the action plan, the Government committed to improving and expanding complying development opportunities, with a focus on employment lands. The aim being to assist fast-track ongoing economic recovery by facilitating a broader range of job generating projects with a more timely, certain, and simplified complying development framework. The reform intends to support industries and businesses to be more agile and responsive to changing business conditions.

### 3.2. Key Evidence Base for Reform

To understand the current issues associated with complying development take-up and identify where the reform could help create more development and investment, the Department commissioned a consultant to conduct a 'market sounding and insights' project. Research revealed the following stakeholder challenges:

- The complexity of the legislation
- A lack of flexibility for certain simple upgrades or building enhancements
- The difficulty in obtaining the necessary information or other approvals from local government or agencies before a CDC can be issued.

In conjunction with the market sounding report, the Department sought industry, certifier, and stakeholder feedback to inform the reform package. The Department commissioned independent economic analysis that identified the above stakeholder issues, as well as highlighted the inefficient operation of the Codes SEPP, which resulted in delayed investment and higher costs for business.

The reform package proposes a new approach to complying development for existing and emerging employment-generating business and industry, to support economic recovery and future resilience in NSW. In total, the Department's research identified that the reforms could unlock as much as \$4.85 billion of annual economic benefit.

In addition, market sounding was undertaken with industry stakeholders, which focused on the future development pipeline and planned capital spending. This exercise projected the total employment land use investment pipeline in NSW, associated with the future growth of this sector to be approximately \$20.4 billion dollars.

This comprised projects within the commercial, industrial, and retail sectors. Market sounding highlighted that there is an opportunity for the Codes SEPP to be amended to better reflect current building requirements, allowing industry to easily adapt to new technologies, as well as support positive economic outcomes. Findings are as follows:

Relevant development areas that were highlighted as benefiting from amendments to complying development pathways included:

- Industrial and warehousing developments
- Commercial and retail development
- Healthcare and medical research facilities
- Business parks and enterprise precinct
- Neighbourhood and local centres
- Data Centres
- Master planning

Additionally, whilst the Department has already created complying development pathways to facilitate collection points for the 'Return and Earn' scheme for beverage containers under *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Container Recycling) 2017*. They are consulting

on new facilities to support the development of small-scale community circular economy infrastructure as complying development in the Codes SEPP, such as Neighbourhood repair, cafes and swap shops and council-run community drop-off centres.

Study results recommended as a priority to focus on reforms that can readily be implement. These included a range of reforms that will have positive economic impact, including:

- opening the code to more land uses in business and industrial zones
- simplifying some requirements, such as hours of operation and car parking
- increasing building heights and gross floor area (GFA) limits for industrial and commercial development.

### 3.3. General Feedback

Whilst Council is not opposed to change, the following areas of concern are raised:

- The industry-lead nature of the initiative raises some concerns.
- The proposed changes are considered incredibly metrocentric and have the potential to have significant impacts within regional areas such as the Shoalhaven.
- Overall, the proposed SEPP Review appears to increase complexity in the planning system at the development assessment level for Council planners, proponents and the community.
- The research identified that the complexity of the legislation is a challenge for stakeholders; however, planning is a technical field, and the legislation is complex for these reasons.
- Difficulty obtaining necessary information or other approvals from local government or agencies before a CDC can be issued was highlighted. Whilst it is appreciated that the planning process can be multi-layered and complex, where comprehensive applications are submitted, the approval process is generally straightforward.
- Whilst it is appreciated that not all historical records will be available for a myriad of reasons, most records are available and accessible from councils via the *Government Information (Public Access) Act 2009* (GIPA Act).

#### 4. Part B: Land use and business agility

Part B identifies that the Department has undertaken research in the form of market sounding that supports a range of reforms to Codes SEPP, with the intention of enhancing businesses and business agility.

Proposed amendments aim to address problems with the current configuration of change of use, first use provisions and separate listings for uses that can undertake additions, alterations or new builds.

The Department is proposing to include a single list of land uses that can undertake complying development in employment zones. This includes allowances for a new and expanded range of land uses to be introduced to the Codes SEPP, including:

- Remove the distinction between first use and change of use, and add new land uses to the existing list of land use that may be complying development including:
  - Data centres
  - Recreational facilities (indoor)
  - Local distribution premises
  - Entertainment facility
  - Artisan food and drink industry (subject to liquor licence requirements and any LEP floor area requirements)
  - Veterinary hospitals
  - Depots
  - Health manufacturing facilities
  - Heavy industry in heavy industry zones.
- Allow CDCs to permit a change of use to a permissible land use that is already listed in the Codes SEPP, irrespective of the existing use of a premises
- Allow a wider range of land uses access to the building allowances in the Codes SEPP including:
  - The new land uses listed above
  - Commercial premises in a B5–B7 zone
  - Function centres
  - Health consulting rooms
  - Medical centres
  - Community facilities
  - Health manufacturing facilities
  - Vehicle repair station
  - Wholesale supplies
  - Amusement centres
  - Boat building and repair facilities
  - Vehicle body repair workshops
  - Vehicle repair stations
  - Information and education facilities
  - Food and drink premises greater than 50 seats
  - Neighbourhood supermarkets

The Department is also consulting on the following business agility amendments to:

- Permit hours of operation from 7am to 10pm, irrespective of existing consent requirements (such as the intrusiveness and amenity criteria from the Noise Policy for Industry)
- Permit 24-hour operation in industrial zones, irrespective of existing consent requirements
- Make it easier to reconfigure site facilities, such as parking, loading bays, and install drive through 'click-and-collect' bays and areas for no contact store pick up facilities (subject to the requirement that no parking, loading and collection occurs on a public road)
- Reduce documentation requirements for previous land uses so there is no need to identify old development consents when changing to a use authorised by the Codes SEPP
- Reduce duplication of other requirements within the code (for example, references to the Building Code of Australia and other standards).

Additionally, where a land use is permitted within the zone under a Local Environmental Plan (LEP), CDC approval can authorise a new build, alteration, addition or change of use or a combination of these things – e.g., change of use and additions.

#### 4.1. General Feedback

Whilst the proposed changes may greatly assist from an economic perspective, the following areas of concern are raised:

- Enabling any land use that is permissible within the zone under the LEP to be undertaken as a CDC, will almost render the development assessment process for several land uses null-and-void.
- Part B states:

*"The Codes SEPP contains a range of planning standards and conditions to manage on-site and amenity impacts, including parking, waste management, site maintenance, drainage, contamination, and noise, which will continue to operate under the proposed changes."*

With the proposed expanding list of land uses, known traffic generating developments such as health consulting rooms and medical centres will have the ability to be approved as a CDC. The current planning standards within Codes SEPP that relate to amenity, i.e. car parking, are often deficient compared to more robust planning controls, such as those within council's development control plans (DCPs) and are not considered sufficient for developments of this nature.



- The intention to change hours of operation and permit 24-hour operation in industrial zones, irrespective of existing consents seems inequitable, particularly where the original approval may have been controversial, there were multiple community objections, or the site location is within proximity to a residential area.
- Reducing documentation requirements for previous land uses so there is no need to identify old development consents when changing to a use authorised by the Codes SEPP is problematic. The EIE outlines that no hazardous or offensive land uses, as defined by *State Environmental Planning Policy No. 33 (Hazardous and Offensive Development)* would be allowed through the complying development pathway. Previous consents provide planners with an indication of previously approved uses. In the instance where previous uses may have resulted in contamination, this will prompt requirements for remediation. How will this previous use be determined without the need to identify old development consents?
- Where a change of use is proposed, it is essential that all those additional requirements conditioned within a development consent are also required as part of any CDC. For example, fire safety, Building Code of Australia (BCA) requirements, food safety and environmental health safety requirements.
- An increase in State-wide Guidelines and the types of development that are permitted through the SEPP Review is concerning and may reduce the ability to consider development applications on their merit.
- Enabling commercial premises in a B5–B7 zones, has the potential to remove retail premises from town centres. Whilst this may not be an issue in metro areas, in some country and regional areas where vacancy rates are already high within traditional retail centres, this could be significant.
- From a regional economic development perspective, loosening up the zoning rules is not addressing the problem effectively.

For a local economy, the optimal economic outcome is contribution to the Gross Regional Product (GRP), contributing to the wealth of the community. This is achieved through “value adding” to the economy which helps to promote the “multiplier effect.” Value adding is maximised by the creation of business turnover in those industry sectors that have the greatest local multiplier effect. In most instances these are the sectors involving manufacturing, construction, warehousing, logistics, distribution and agribusiness. If a region is fortunate to have a strong defence or government services sector, then their value add will be stronger.

Shoalhaven Council is very much aware of the importance of the value adding chain and appreciates that the manufacturing, construction and related support industrial sectors, together with government employment, were the mainstay of the economy during 2020 (Covid-19, bushfires & floods). In mid-2020, the local economy was operating to near normal conditions, while in December 2020 the

economy had grown. Unemployment was at its lowest in 40 years, and employers were finding it difficult to recruit staff and fill vacancies.

Whilst some sectors were significantly impacted during this time, it is important to acknowledge that these were generally those sub-economies that had a narrow focus – i.e. tourism and retail.

In this regard, the key to creating a resilient economy is to broaden the economy, not just allow a greater mix of uses to proliferate. Encouraging a greater depth of industry to occur, predominantly in the manufacturing and construction sectors, will encourage economies of scale and support services such as transport and logistics to also grow. Catering for further growth in the retail, accommodation and food sectors will not create resilience if the narrow focus is already their limitation.

Table 1 has been generated by REMPLAN and illustrates those sectors that generate the greatest number of multiplier jobs and economic value add within the Shoalhaven economy. As can be seen, those traditional industrial uses, such as transport and logistics, manufacturing and construction, as well as government administration and defence, are the sectors that contribute most to the multiplier effect and value add to the Shoalhaven economy.

**Table 1: Multiplier Jobs by Sector in the Shoalhaven**

| 100 jobs in Sector        | Flow on Jobs | Value Add to Shoalhaven |
|---------------------------|--------------|-------------------------|
| Accom & Food              | 34           | \$11,652,000            |
| Retail                    | 34           | \$12,419,000            |
| Health                    | 42           | \$15,013,000            |
| Education                 | 42           | \$16,085,000            |
| Government Admin          | 63           | \$21,747,000            |
| Transport & Logistics     | 87           | \$25,702,000            |
| Agriculture               | 71           | \$25,996,000            |
| Business & Admin services | 82           | \$26,175,000            |
| Manufacturing             | 136          | \$35,895,000            |
| Construction              | 167          | \$38,224,000            |
| Defence                   | 135          | \$50,984,000            |

Enabling additional uses in the industrial and commercial zones will not bring about growth and economic value add but will more likely bring business activity and land use conflict. For example, roadway restrictions that deny parking to allow A-double transporters to use the streets for turning manoeuvres, shunting of trains, audible high-pressure steam discharges every 3 minutes, 24/7 audible reversing of fork trucks or repetitive noise harmonics. These are all issues that manufacturers tolerate as they are aware of the necessities of operating a similar business.

What really needs to occur to help engender business growth in industrial and commercial zones is:

- Metropolitan speeds and pricing for telecommunication services.
- Seed funding to open up undeveloped industry zoned land.
- Addressing the impost of the Biodiversity Conservation Act on the viability of opening up industrially zoned land for subdivision.

## 5. Part C: Zone-based building controls

As part of the proposed reforms, the Department is proposing the introduction of a range of zone-based building controls. The EIE states that current provisions within the code have not kept up with the evolving nature of the industry.

In response to this, the following amendments are proposed for zones IN1 to IN3:

- Increase allowable floor area from 20,000m<sup>2</sup> to 50,000m<sup>2</sup>, subject to existing LEP floor space ratio (FSR) controls or continue to apply an FSR of 1:1 in the code where no FSR control exists.
- Increase allowable building height in zones IN1, IN2 and IN3 from 15m to 18m where the existing LEP height is less than 18m.
- Permit a building height up to 45m where no LEP height limit exists, subject to:
  - A new separation distance of up to 150m to a residential zone boundary—noting there will be no increase where the existing LEP height limit is already 18m to 45m.
  - A maximum floor area for any part of the building over 18m of up to 40% of the total floor area of the building.
- Increase ancillary land uses, such as offices and industrial retail outlets, from 20% to 30% of gross floor area.
- increase additions allowance from 5,000m<sup>2</sup> to maximum gross floor area, subject to LEP FSR.

The following amendments are proposed for zones B5 to B7:

- Allow new builds and alterations and additions in business zones up to 10,000m<sup>2</sup> and five storeys within the B5, B6 and B7 zones, subject to existing LEP height, FSR and landscaped area controls as complying development.
- Introduce a new business zone design guide and design verification process to manage site planning, good design and amenity impacts for larger buildings or sites. The guide considers factors such as development context and site location and based on these scenarios, identifies six main building typologies. These will be the main types of development the proposed design guide will cover.



### 5.1. General Feedback

Whilst Council appreciates what State Government is trying to achieve, the approach is very metrocentric. A one-size-fits-all approach will not work for all local government areas (LGAs) across the state, particularly those in regional and rural areas.

Council generally supports the ability for new builds and alterations and additions in business zones to be undertaken as a CDC, subject to the development standards being met and no land-based exclusions being present.

Some of the changes propose to increase floor areas and height significantly, particularly within zones IN1 to IN3. Having regard for the Shoalhaven context, industrial estates here are relatively small compared to those in metropolitan Sydney. Proposed amendments, such as allowable floor areas of 50,000m<sup>2</sup> and 45m height limits (where no height is specified in the LEP), have the potential to adversely change the character of development within current industrial estates. The size of these buildings, particularly on the edge of an estate within places such as Shoalhaven, would be overwhelming and in this regard the 150m setback is considered inadequate. Many of the setbacks may not be achievable, preventing some developments from utilising the Codes SEPP or creating situations where lots need to be amalgamated to achieve the intended outcome.

The growth and pressure (e.g., land supply, pricing, road congestion) likely to be experienced in Shoalhaven need to be carefully considered and managed.

As mentioned previously, the documents required to be reviewed as part of this exhibition are significant. The Design Guide alone is 85 pages. In this regard, the allowable timeframe was not appropriate for a document of this size to be considered to an appropriate level.

### 6. Part D: Supporting neighbourhood and local centres

Consideration is being given to amendments to neighbourhood and local centres – zones B1 and B2 zones, including:

- Allowing a wider range of land uses to be complying development in B1 and B2 zones with development standards for these new land uses to mitigate amenity impacts. Proposed land uses could include:
  - Entertainment facilities
  - Indoor recreational facilities (such as dance studios)
  - Function centres
  - Local distribution premises
  - Medical and veterinary centres
  - Health consulting rooms
  - Amusement centres
  - Neighbourhood supermarkets.

- Introducing standard hours of operation from 7am to 10pm, irrespective of existing consent conditions (subject to noise controls such as the intrusiveness and amenity criteria from the Noise Policy for Industry)
- Increasing seating allowances for food and drink premises from 50 to 100 seats (subject to maximum floor area occupancy rates set by the Building Code of Australia)
- Removing additional parking and loading bay requirements for existing premises that are less than 500m<sup>2</sup> (where parking or loading is already absent or below development control plan requirements)
- Allowing minor external alterations (such as shopfront and awning repairs and maintenance) to existing buildings in a heritage conservation area (HCA) and on the site of listed local heritage items (but not the listed heritage item itself)
- Making new allowances for neighbourhood circular economy land uses, such as repair shop cafés and swap-and-re-use centres.
- Allow ancillary complying development for lots that adjoin a lane or secondary or parallel road, given many centres adjoin these types of roads. The current size limitations for ancillary development would remain.

#### **6.1. General Feedback**

With regard to Part D, we provide the following feedback:

- The range of expanding land uses permissible in neighbourhood and local centres need considering within a regional context. Within the Shoalhaven, many B1 areas are small and within existing residential areas. Enabling known traffic and noise generating developments, such as medical centres, health consulting rooms and amusement centres within regional neighbourhood centres where there is limited parking, has the potential to create major issues for residents, particularly when no additional parking spaces will be required for an existing building under 500m<sup>2</sup> when a change of use is undertaken as a CDC. Residents would have no recourse to object to developments of this nature, given the CDC pathway. In addition to this, the process is likely to create major compliance and resourcing issues for councils.
- Again, standard hours of operation, regardless of existing consent conditions, will create issues among surrounding residents, particularly where there were a significant number of objections or the hours of operation were different to when the original use was conditioned and approved.
- Enabling any land use that is permissible within the zone under the LEP to be undertaken as a CDC will almost render the development assessment process for several land uses within these zones null-and-void.

- Council opposes allowing minor external alterations to existing buildings within HCAs and on the site of listed local heritage items. Currently, clause 5.10(3) of Shoalhaven LEP 2014, enables minor works to be considered on both heritage items and within HCAs, whilst still ensuring that Council gives some level of consideration/ approval to the works.

## 7. Part E: Masterplan pathway

The Department is currently consulting on an opt-in council-led master plan pathway for complying development, subject to a ministerial approval process. Any CDC would need to align with provisions of the approved master plan.

Under the proposed masterplan pathway, local councils would undertake up-front planning for the purposes of specifying complying development in a masterplan. Based on this, councils would partner with developers or landowners to carry out the land use studies necessary to use this pathway. The pathway would be available for industrial and business zones only and would not be available for residential development as complying development.

The masterplan pathway proposes the following features:

- A guideline that specifies the land use and technical studies that will be necessary to support the complying development requirements in the masterplan.
- Council endorsement and government approval processes
- A public notification of a masterplan
- A sunset period with an option to review and extend the operation of the masterplan
- Publication of the endorsed and approved masterplan on the NSW planning portal.

Any provision of a masterplan would need to extend existing operation of the Codes SEPP (and not reduce the complying development opportunities). DPIE proposes that the following existing Codes SEPP restrictions should continue to apply to any complying development specified in a masterplan, including:

- Compliance with development standards in a LEP
- Compliance with the Building Code of Australia
- No remediation work within the meaning of State Environmental Planning Policy No 55 (Remediation of land)
- Exclusion of certain environmentally sensitive land
- Exclusion of land clearing (except as already provided for in the Codes SEPP) application of the conditions in Schedule 8 to the Codes SEPP to any CDC issued under the masterplan

Where an established master plan and specific land use and design outcomes are already in place, research has identified that there is a desire (from industry) for a simplified approval process.

Councils could use the pathway to develop complying development schemes as part of a town centre revitalisation strategy or to assist attracting emerging industries and economic development to industrial areas. The pathway would be simpler, and in addition to the existing arrangements that allows councils to specify complying development under their LEPs, meaning Councils could set additional localised complying development rules for any type of employment generating development.

#### **7.1. General Feedback**

Whilst the proposed changes may greatly assist from an economic perspective, the following points are raised:

- Master planning pathways for councils are generally supported, however resourcing constraints of councils need to be considered. The logistics associated with procuring and paying for the land use studies also needs to be considered.
- A one-size-fits-all approach with regard to a guideline that specifies the land use and technical studies that will be necessary to support the complying development requirements in the masterplan has limitations, particularly in LGAs with high environmental values.
- What mechanisms will be in place for council from a compliance perspective, if/ when development is outside the terms of the approved master plan.
- What mechanisms will be in place for the public to comment on entire precincts being planned. Where there is Council endorsed and State Government approval processes, clarification is sought as to who will undertake the notification process and consider community objections.

#### **8. Part F: Data Centres**

Although the need for data centres has been steadily increasing since the rise of the internet, with advancements in digital technologies, as well as the COVID-19 pandemic, the demand for data centres continues to increase.

Whilst to date data centres have been large and generally located within metropolitan areas, approval has generally been via regional development or State significant development pathways. With an increase in applications for smaller data centres in regional areas, the Department is considering complying development pathways within the Codes SEPP and has commissioned technical studies to investigate relevant impacts and appropriate development standards.

Currently data centres are already permitted in the following zones under *State Environmental Planning Policy (SEPP) (Infrastructure) 2007*:

- B5 Business Development
- B6 Enterprise Corridor

- B7 Business Park
- IN1 General Industry
- IN2 Light Industry
- IN3 Heavy Industry

Under SEPP (Infrastructure), data centres are currently defined as a storage premises; however, as part of the proposed reforms, a new land use definition is proposed to be included within the SI LEP to assist accredited certifiers characterise data centres for the purpose of a CDC.

As part of the complying development pathway, zone-based building controls would be introduced into the Codes SEPP for data centres within industrial zones and business zones. In addition, data centres within business zones would need to comply with the Business Zone Design Guideline.

In addition to the zone-based building controls, data centres would need to comply with technical standards for noise and air quality. With regard to noise, an online noise assessment tool is proposed to be utilised. This would produce a noise-compliance certificate that would be required to be submitted to an accredited certifying with a complying development application for a data centre. Changes to the EP&A Regulation would mandate this requirement for the submission of the compliance certificate.

#### **8.1. General Feedback**

Given that studies relating to air quality have not yet been completed – concerns are raised in relation to the study outcomes and timing for implementation of the proposed amendments.

Given the nature of the Online Noise Assessment Tool and the fact that an acoustics engineer is not required to review the compliance certificate, there is the potential for developers to either intentionally/ unintentionally input incorrect figures so that a noise compliance certificate can be issued. Given private certifiers would not need to review any technical information, nor be required to have the skill to do so, there is no checks and balances in place to prevent this from occurring. Additionally, where private certifiers sign off on incorrect information, this could jeopardise their certification.

Despite the above, Council is supportive of a new and consistent land use term to assist private certifiers characterise development.

**Council would like to be consulted further once all relevant development standards for data centres have been released, noting that a further period of public exhibition is planned in this regard.**

#### **Conclusion**

Thank you again for the opportunity to provide feedback on this very important matter.

Given the relevance of this matter to Shoalhaven it is important that there is additional consultation and engagement with Council's to ensure that the final reforms are appropriate, can function as intended and impacts are balanced. Further consultation regarding opt-in clauses for masterplan pathways is also specifically requested.



# Proposed New Sanctuary Point Library

brewster  
hjorth  
localArchitect  
South Coast architects



View From Kerry Street





Aerial View



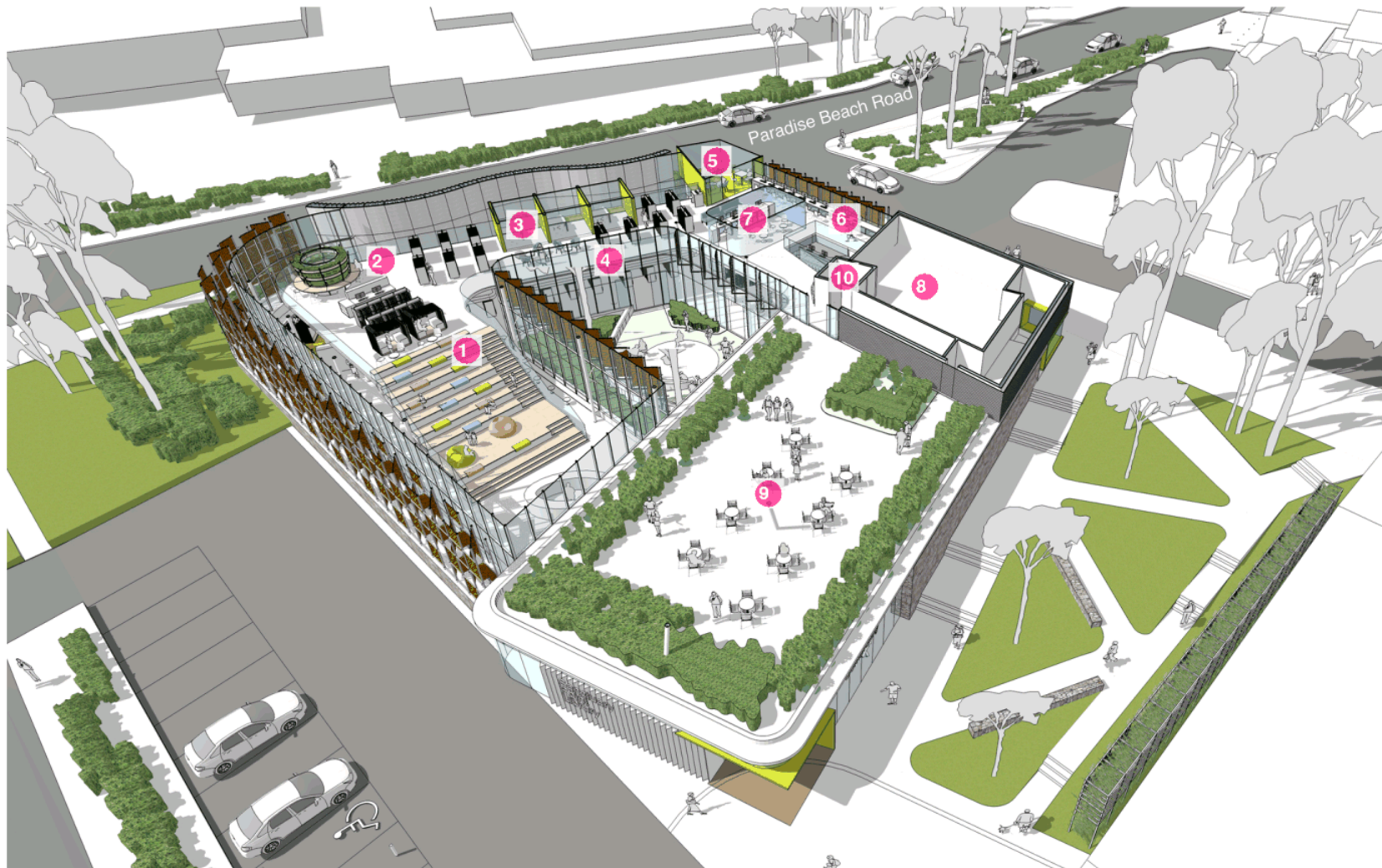
Ground Floor

- |                                   |                                    |                               |
|-----------------------------------|------------------------------------|-------------------------------|
| 1 Foyer / Exhibition              | 6 Social Stair                     | 11 Program Space - Technology |
| 2 Customer Service                | 7 Audio - Visual and IT Collection |                               |
| 3 Staff Work Spaces               | 8 Children's Area                  |                               |
| 4 Community / Multi-Purpose Space | 9 Lending Library Collection       |                               |
| 5 Amenities                       | 10 Lift                            |                               |

localArchitect  
South Coast

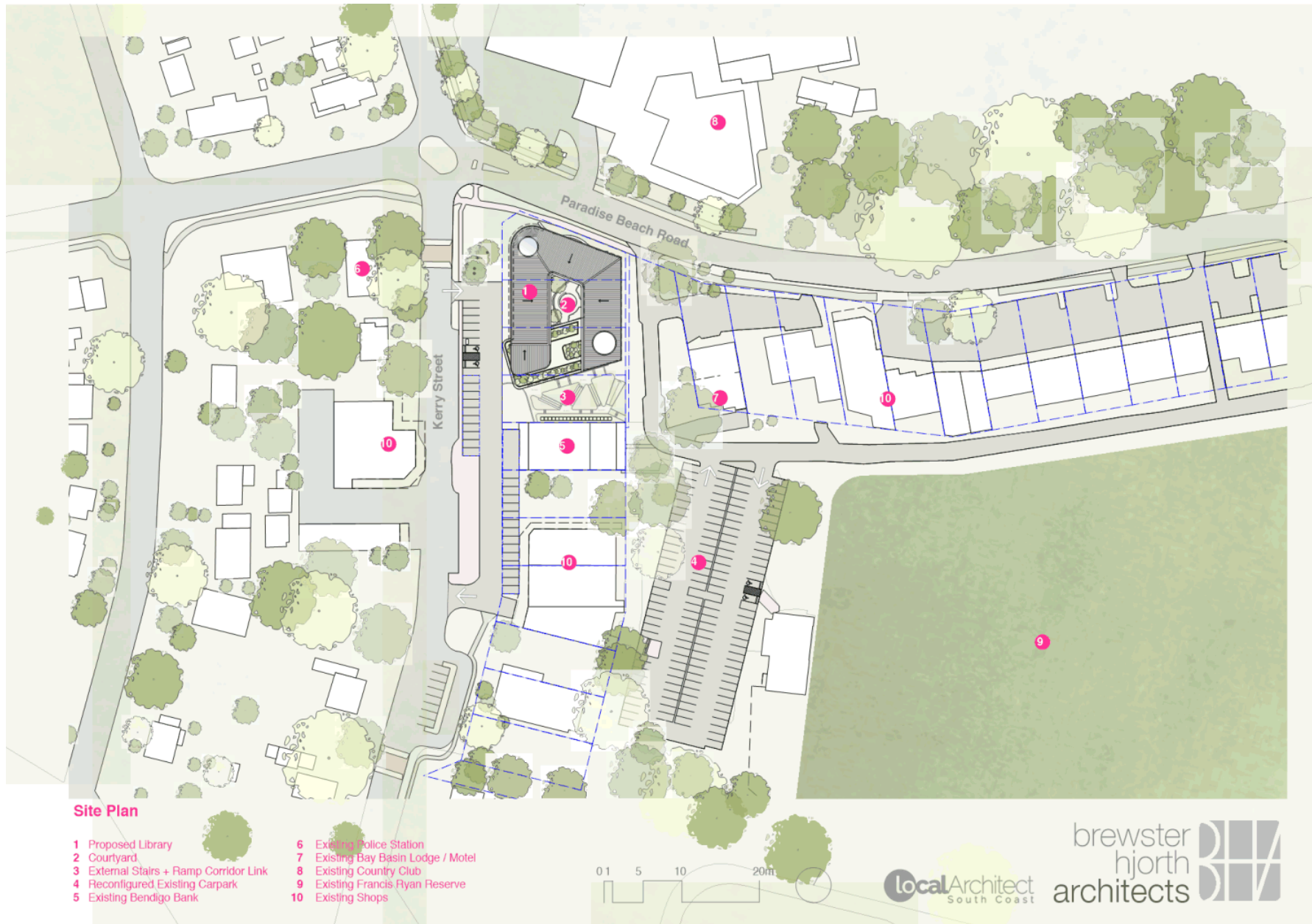
brewster  
hjorth  
architects

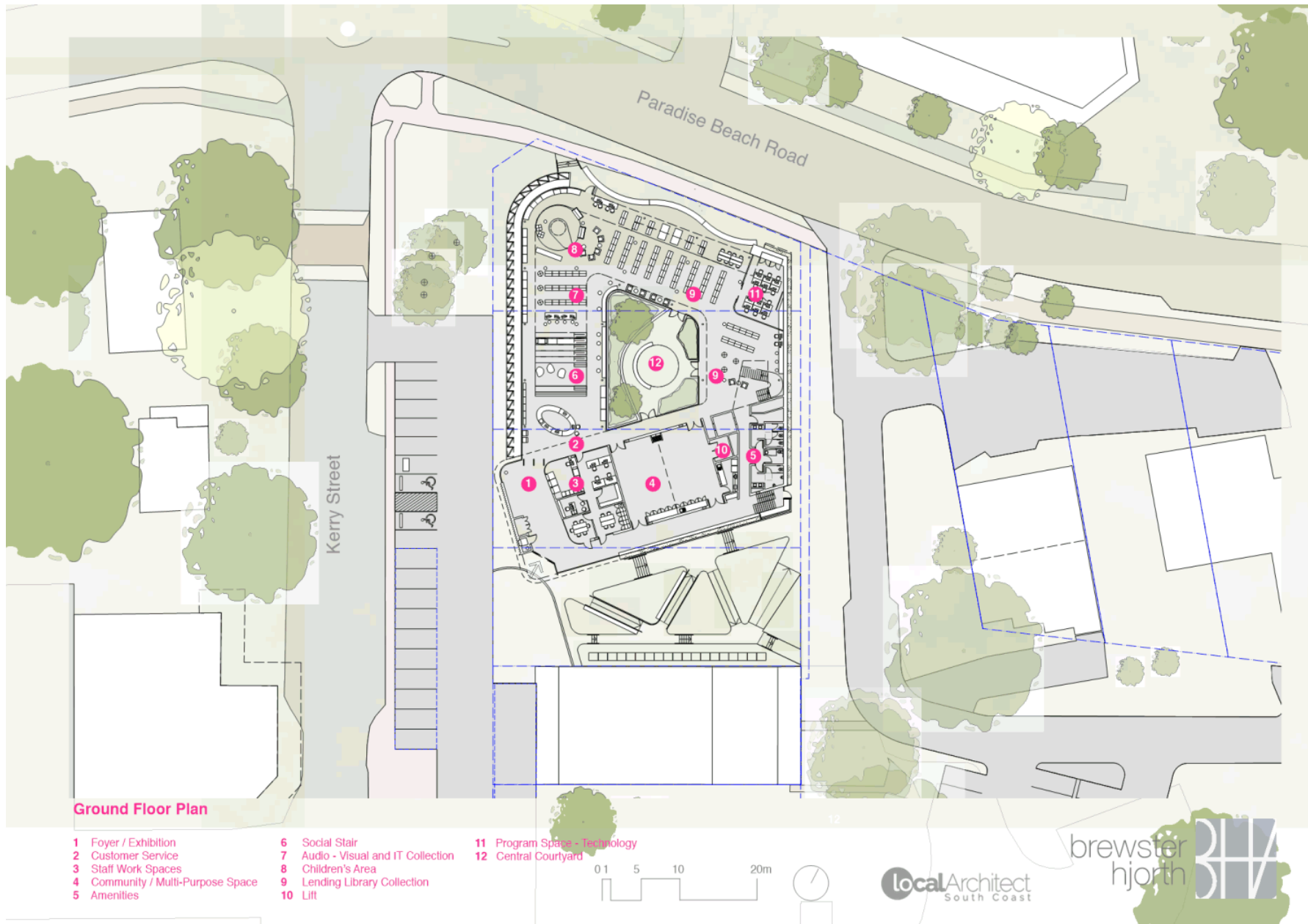




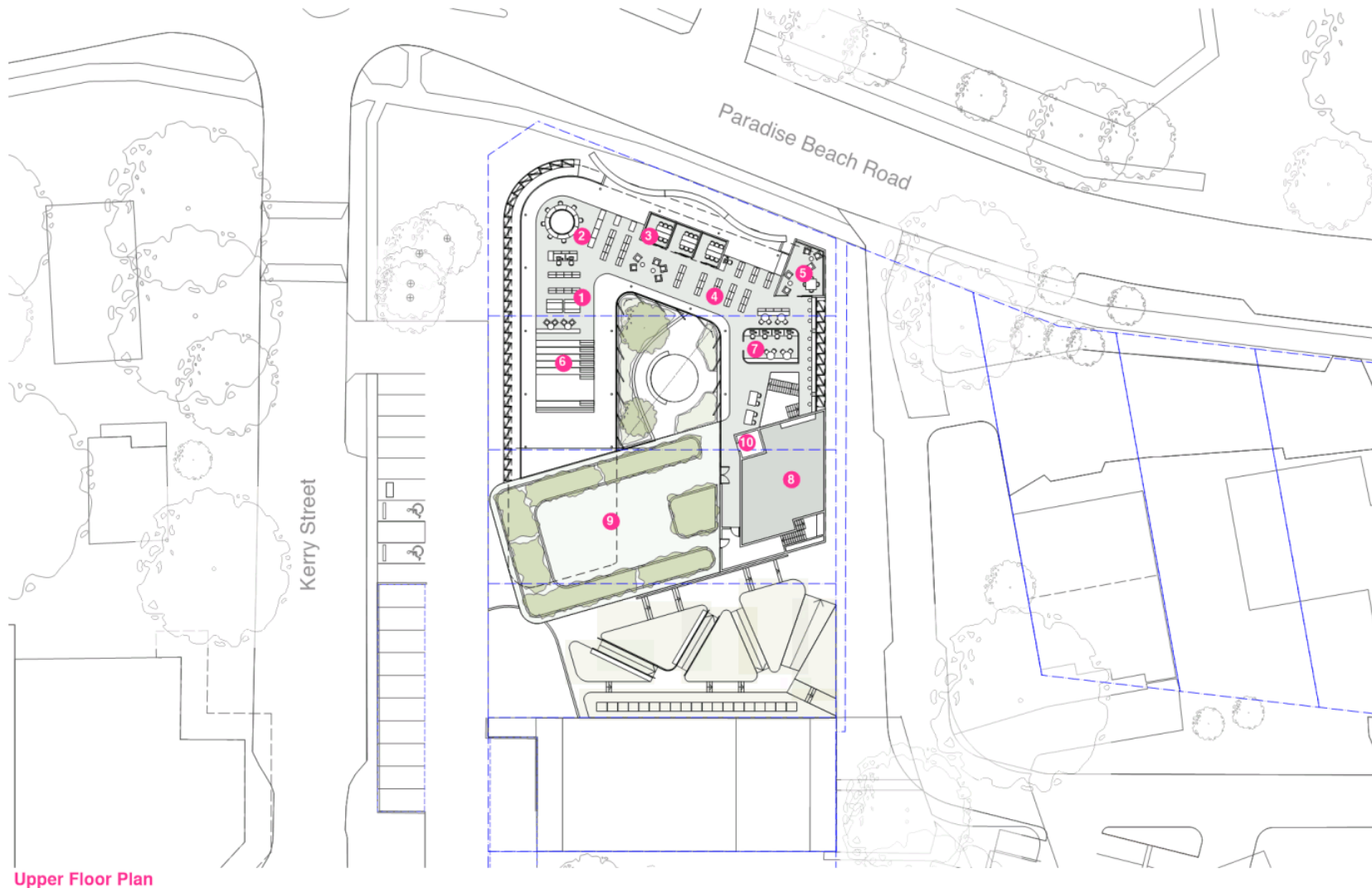
Upper Floor

- |                              |                   |
|------------------------------|-------------------|
| 1 Youth Area                 | 6 Study           |
| 2 Study / Working Spaces     | 7 Quiet Study     |
| 3 Group Study                | 8 Plant Room      |
| 4 Lending Library Collection | 9 Outdoor Terrace |
| 5 Peaceful Lounge            | 10 Lift           |









Upper Floor Plan

- |                          |                              |
|--------------------------|------------------------------|
| 1 Youth                  | 6 Social Stair               |
| 2 Study / Working Spaces | 7 Quiet Study                |
| 3 Group Study            | 8 Children's Area            |
| 4 Lending Library        | 9 Lending Library Collection |
| 5 Peaceful Lounge        | 10 Lift                      |

11 Program Space - Technology

0 1 5 10 20m



localArchitect  
South Coast

brewster  
hjorth  
architects

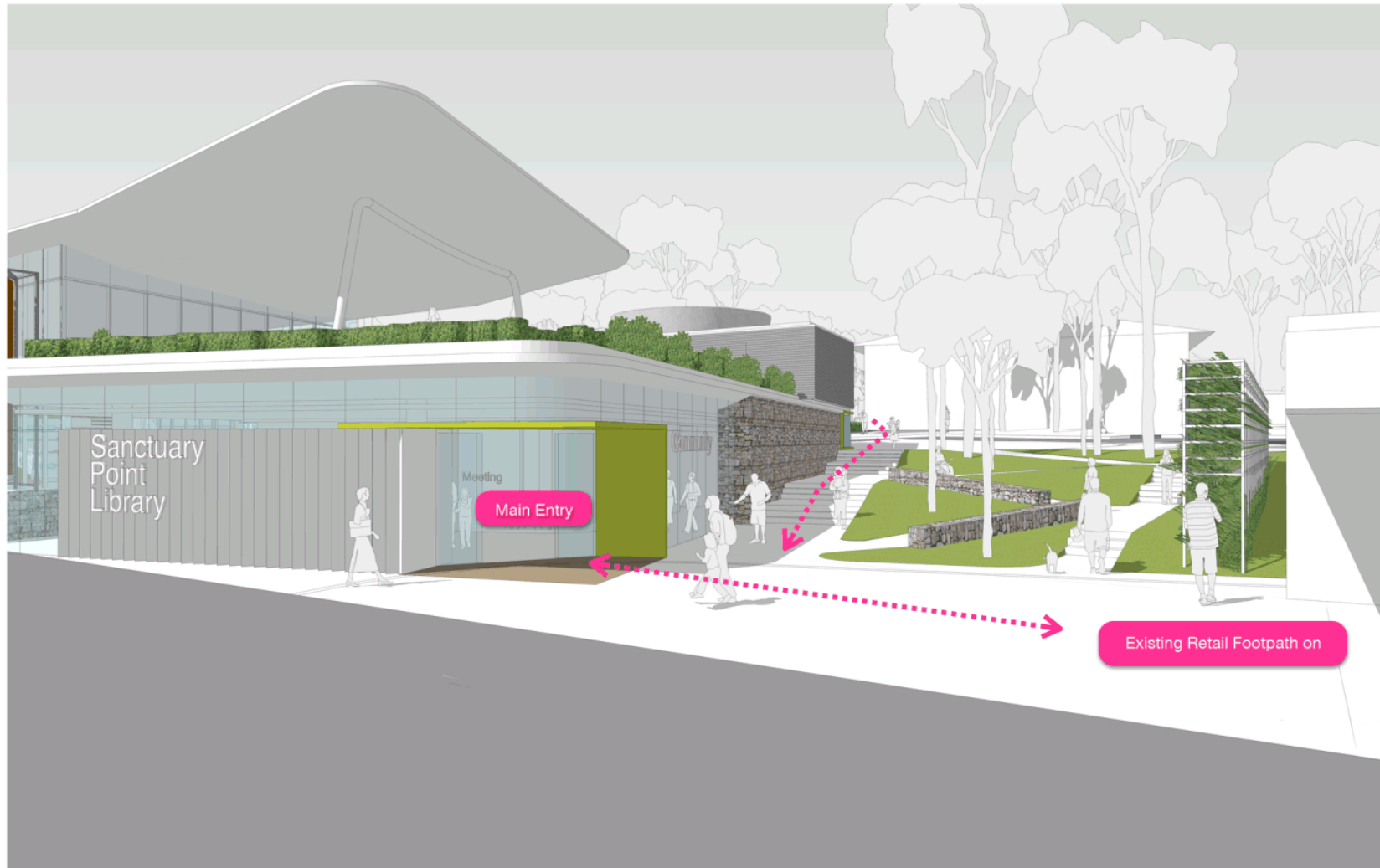


External Link

localArchitect  
South Coast

brewster  
hjorth  
architects





Link / Entry

localArchitect  
South Coast

brewster  
hjorth  
architects

CL21.100 - Attachment 1



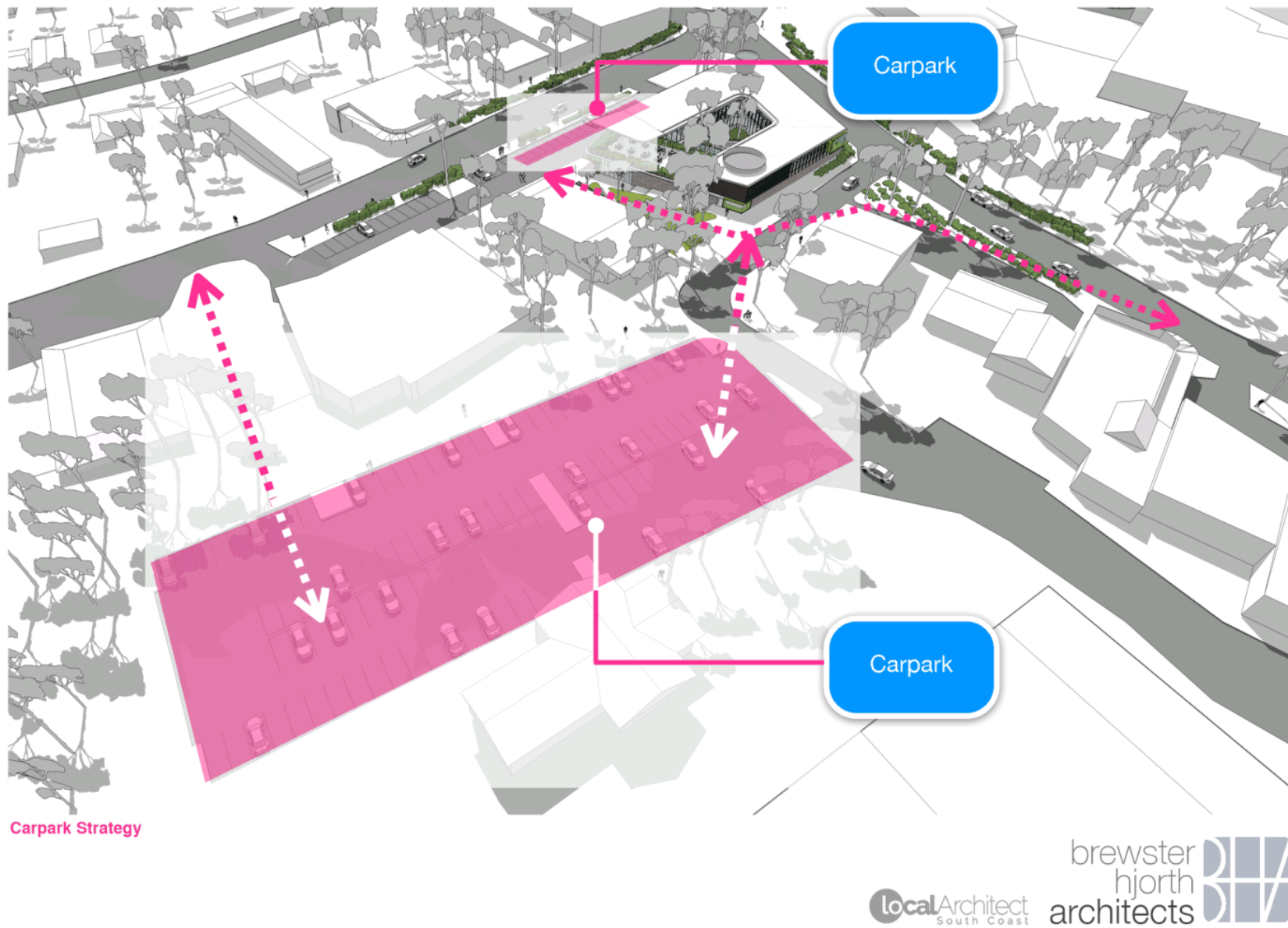
**Public Artwork**

- 1 Public Art on Perforated Sunshades
- 2 Green Art Wall



Green Art Wall







### Night Purging

Flushing out hot air at night outside operating hours to reduce cooling cost the next day

### Displacement AC System

Supply conditioned air is near the zone of the occupants.

Reduces energy to produce cooler air if common system of supplying conditioned air from ceiling.

### Green Air Purifier

Filtration of air by the use of living plants.

### Other passive design

Natural daylight.

Rain water harvesting.

Energy generation via PV.

Energy saving fittings and fixtures.

Energy recycling of heat mechanical equipment.

ESD Strategy

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|    | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services?                             | Other Comments  | Staff Response   |
|----|-------------------------------|--|--|--|---|--|
| 1. | Yes                           | Looks good. There might be another car park entry off Kerry Street which is adjacent to the childcare centre which is concerning | Yes  | All  | Look forward to it being delivered. Pedestrian crossing needed on Kerry St. | <p>There is no additional vehicular entry proposed off Kerry Street into the car park at Francis Ryan. The concept plan includes a diagram which identifies an existing pedestrian thoroughfare in the location referred to. This is proposed to be maintained as a pedestrian thoroughfare.</p> <p>There is existing traffic calming devices installed at Kerry Street including pedestrian refuge and speed bumps. Council's Traffic Committee will need to determine whether there is a need for a pedestrian crossing on Kerry Street.</p> |
| 2. | No                            | Steps and more steps wasted space  |  | All  | It's 20% library and 80% just wasted space                                  | <p>The main staircase is a dual purpose, they are called social steps providing a space for people to meet and gather, read and congregate.</p> <p>The library is designed to be a community space and provide flexibility for the community to use the facility to meet many of their needs.</p>  |
| 3. | Yes                           | I like the total concept. My only comment would be to suggest that there be more than 2 spaces available for disability          |  | Both the lending library and access to its |   | Disability spaces will be addressed as part of the Development Application phase and be in line with   |



### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|    | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services?   | Other Comments   | Staff Response  |
|----|-------------------------------|--|--|--|--|---|
|    |                               | parking at the entrance area, on the concept diagram there appears only 2 parking spots  |  | research facilities  |  | council Development Control Plan – Parking requirements.  |
| 4. | Yes                           | Worried about parking. It's often difficult most days to get a car park there. The library plan covers most of the parking we have available. Elderly use it to go to drs/ post office/ bank and other services. I don't think the nearby Oval parking would be big enough to cater for it. We would need more, especially for elderly |  | Book & son would use it for study  |  | The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.<br>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank. |
| 5. | Yes                           | No comment provided  |  | Borrowing, terrace area, study area, quiet lounge, children's area. All areas of the library will be used by my family | Hoping for lots of primary children's activities and high school students activities. Hopefully you can take books to the terrace and read. Needs lots of parking. | The library is designed to be a flexible space with many opportunities for children's activities.<br>Reading will definitely be encouraged on the terrace.<br>The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car parking |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|    | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services?   | Other Comments | Staff Response   |
|----|-------------------------------|---|--|--|----------------|--|
|    |                               |   |  |  |                | adjacent to the Francis Ryan Reserve.<br><br>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank  |
| 6. | Undecided                     | I believe there should be a youth centre / section in the building which would have a large room with pool table, table tennis, lounges, chair & table, anything that could help entertain or help the youth on this area. There doesn't seem to be anything for the youth in the area and that's why we could be seeing lots of vandalism, riding of motor bikes on the street. We have the bike park, which is catered for about 10 years and younger, we have the skate park which is for all ages. I believe this service is catered for year 10 students & higher. | Unsure                                     | To make it a place for all ages  |                | The library is designed to provide flexibility within its spaces with break out rooms and computer access. Along with the Social steps for young to gather and congregate. The community rooms and terrace allow for flexibility within their uses, and these will be bookable spaces. |
| 7. |                               | Hopefully a lovely coffee shop as well  |  | Library borrowing and reading and taking grandchildren and hopefully a |                | Council has not allowed for a coffee shop, there are many current facilities in Sanctuary Point for coffee, but coffee can be bought into the library to enjoy on the terrace.   |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|    | Do You Like the Concept Plan?  | Design Feedback   | Would you use the Services at the Library? | What Services?                | Other Comments   | Staff Response  |
|----|--|---|--|-------------------------------|--|---|
|    |  |   |  | quiet coffee at a cafe there? |  |   |
| 8. | Can you please focus less on the design and more on content, the book collection at Nowra is really poor in some areas, should not the book collection and other media be the main focus for a LIBRARY | please enough on the design lets focus on what sorts of library services we want and access to books etc  | Likely                                     |                               | See comments above   | <p>The books in the library are not part of the building design stage of the project.</p> <p>The physical collection, including books, magazines, audiobooks, DVDs and CDs will be increased as part of the redesign of the library and library staff are already evaluating the collection, resources and programming for the new library to meet the needs of the community.</p>  |
| 9. | No   | Big glass windows to look out at the RSL loading dock and an outdoor area with a view to roof tops hahaha | Extremely unlikely                         |                               | <p>It's an utter waste of money that has done nothing but kill the bay and bay leisure centre redevelopment, destroy one of the only parking areas in Sanctuary Point, and a giant glass building with first class views of a loading dock lol. The library doesn't get that much use now and some idiot wants to waste enormous amounts of money on a building that'll be</p> | <p>The library is designed to take advantage of views to the bay and the broader sanctuary point region. It allows for natural light to flood the space to provide an enjoyable and aesthetically pleasing reading, learning and meeting spaces.</p> <p>The Sanctuary Point Library was always a temporary location and Council has noted for a number of years that a District Library is required for the Bay and Basin Area. The project reflects the views, priorities and objectives of the broader community by its reference in multiple adopted Council Strategic Plans</p> |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library?  | What Services?                                | Other Comments   | Staff Response   |
|-----|-------------------------------|--|---|---|--|--|
|     |                               |  |   |   | barely see full capacity. I give it 6mths after opening before services start getting cut/reduced. Who paid off the councillors to get this giant shiny wart approved? | including the Delivery Program and Operational Plan., Ten-Year Capital Works Program, Community Infrastructure Strategic Plan, Shoalhaven Contributions Plan, Shoalhaven Libraries Strategic Plan.<br><br>Council are continuing with their plans for the redevelopment of the Bay and Basin Leisure centre to provide a sporting and community hub for the Bay and Basin community. |
| 10. | Yes                           | What a wonderful gift for Sanctuary Point  | Extremely likely - Book lending, Audio books, DVDs, Socialising in communal areas |   | Very excited and can't wait for it to be built.  | Comments are noted and appreciated.  |
| 11. | Yes                           | Love the design ad it's something the community desperately needs it provides to many opportunities to offer the many services that the current library can't. I did suggest at the drop in session that EV charging points be added now or in the future. | Extremely likely  | Borrowing books and using computers, research | No other comments  | Electric Vehicle charging stations is something that can be considered as part of the design and this has been forwarded to the Consultants for consideration.   |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services?  | Other Comments   | Staff Response  |
|-----|-------------------------------|---|--|---|--|---|
| 12. | Yes                           | I love the look of the library and think it's a fabulous proposition. I would have loved the design to include under-building carparking which would solve a shortage of space issue and also allow more Basin views from the building. Overall the design is exciting and I'd love to see the amenities and surrounding buildings take on similar attributes. The passive design and environmental features are to be applauded. | Extremely likely                           | The library, meeting rooms, study area, kids area, cafeteria, outdoor seating |  | Underground parking was considered, but due to excessive costs was ruled out, to allow Council to spend more on the library and its inclusions.<br><br>The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.<br><br>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank |
| 13. | Yes                           | Very impressed with the design. I think it's very well thought out and includes all members of the bay and basin community.   | Extremely likely                           | I will be using the study areas and bringing my kids to borrow library books. |  | Comments are noted and appreciated.   |
| 14. | Yes                           |   | Extremely likely                           | Most of the services provided   | This is a welcome addition to the local area. It seems it will cater for all ages and all levels of literacy including internet. The | Comments are noted and appreciated.   |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan?   | Design Feedback   | Would you use the Services at the Library? | What Services?   | Other Comments  | Staff Response   |
|-----|---|---|--|--|---|--|
|     |   |   |  |  | environmental inclusions are first class. It will create a lot of civic pride and cohesion.   |  |
| 15. | Yes   | Looks fantastic! If not already considered, a small outdoor cafe would be perfect | Extremely likely                           | Children's area, outdoor area, computer services, library activities, games area | No issues with parking, happy with the number of disabled/senior parking. Love the design, can't wait!  | Council has not allowed for a coffee shop, there are a number of current commercial facilities in Sanctuary Point for coffee, but coffee can be bought into the library to enjoy on the terrace.   |
| 16. | Yes   | Would like to be kept up to date  | Likely                                     |  | No  | By registering on Councils Get Involved Page you can be kept up to date with the progress of the project. This feedback was provided to Sandra.  |
| 17. | Some part of the design – internal looks good. Library is in wrong place. | Must have parking on-site   | Extremely likely                           | Meeting place  | Too busy location. Too many car parks lost that cannot be replaced at the same central location. Already busy centre and dangerous corner. Option chosen by Council staff is wrong. | Council resolved in November 2018 MIN18.910 to develop the library at the corner of Kerry Street and Paradise Beach Road.<br><br>The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.<br><br>The plan will not remove the parking at the front of the building, nor change the |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services?                                     | Other Comments  | Staff Response   |
|-----|-------------------------------|--|--|--|---|--|
|     |                               |  |  |  |   | parking adjacent to the Bendigo Bank   |
| 18. | Yes                           | Looks great, a need upgraded facility for a growing area.  | Extremely likely                           |  | No  | Comments are noted and appreciated   |
| 19. | Some parts of the design      | As a full time wheelchair user watching the video fly through I couldn't help but notice all the stairs in this design, both dominating the interior spaces of the building, and the weird trip hazard multi-levelled outdoor spaces. This would of course be impossible for people like me to navigate, but it might also be tricky (and maybe a bit dangerous) for people using prams, small people still learning to walk, older kids playing around, and older ambulatory people with mobility issues. Also will there be disabled access/a lift to the second floor? I couldn't see it in the video. Please just be mindful of making beautiful public spaces like this as inclusive, safe and welcoming as is possible | Extremely likely                           | Book borrowing, community events and art workshops | Thanks so much to everyone who has worked so hard to make this possible for our community, it's going to be lovely! | <p>The external walkways and path leading to they have been designed to a flatter gradient of no steeper the 1:20 to ensure easy used by persons in wheelchair, mobility scooters or persons with walking frame.</p> <p>This gradient meets the standard industry practise no steeper than any footpath or pavement infant of shops or in any public areas. The two bottom ramps have been designed to gradient that is no steeper than 1:14 with handrails and guards rails on both sides for safety and compliance with standard industry practise. Each walkway or ramp also have landings at both ends for safe rest areas. Continuous benches have also been proposed along the ramp for resting and additional safety barrier.</p> |



### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback                                | Would you use the Services at the Library? | What Services?  | Other Comments  | Staff Response   |
|-----|-------------------------------|--|--|---|---|--|
|     |                               | to everyone is our community.                  |  |   |   |  |
| 20. | Yes                           | Yes, lovely thought-out design                 | Extremely likely                           | Library, reading and quiet study areas, outdoor terrace & courtyard, amenities and work areas | It will be wonderful to be able to use the services that will be provided.  | Comments are noted and appreciated.  |
| 21. | Yes                           | Love it. Very modern                           | Extremely likely                           | Borrow books, photocopying  | No  | Comments are noted and appreciated.  |
| 22. | Some parts of the design      | The main issue will be parking for the elderly | Unlikely                                   |   | I think there will be a real problem with parking, mainly for the medical centre, pharmacy etc. The medical centre is doing covid vaccinating and swabbing so the number of patients is growing daily. Most of our patients are elderly and already have difficulty with finding parking spaces close enough. Many have walking aids and find it very difficult to get around. Now with the new library there | The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.<br>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank.<br><br>The medical centre and pharmacy are on the opposite side to this development and there is onsite parking provided as well as street parking adjacent to these businesses. |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services?                            | Other Comments  | Staff Response  |
|-----|-------------------------------|--|--|---|---|---|
|     |                               |  |  |   | will be less parking available.   |   |
| 23. | Some parts of the design      | The fact that Sanctuary Point has an aging population and the removal of car parking, close to Doctors, Chemist, Physio, Bank, Post office, Podiatrist etc. and replacing it with more parking near the Francis Ryan Reserve concerns me. It means that those with a disability will have further to travel to reach these facilities. Quite a few of the "new" car parks will need to be allocated to the library staff and, for their own safety at night, they will want to park close to their place of employment rather than walk to their vehicles. | Extremely likely                           | No comment                                | Further to my notes, above, I would like to see underground parking for at least the staff working in the library. It could be locked, and a gate operated from their vehicle. This would leave more parking for those who have to travel to the business' mentioned above. | <p>The plan allows for the replacement of the existing car parking plus 44 additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.</p> <p>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank.</p> <p>The medical centre and pharmacy are on the opposite side to this development and there is onsite parking provided as well as street parking adjacent to these businesses</p> <p>Underground parking was considered, but due to excessive costs was ruled out, to allow Council to spend more on the library and its inclusions</p> |
| 24. | Yes                           | I am concerned about disabled access especially in an ageing community. The lift is tucked away and it is too far from the front door for easy access.   | Extremely likely                           | Borrowing books etc; using meeting rooms. | I belong to a local book club. We hope the library will have space to store multiple copies of a book that the club members can   | The location of the lift have considered a number of reasons such as the distance from the entry, distance and circulation within the library or the community spaces, flexibility to secure the library  |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback    | Would you use the Services at the Library? | What Services? | Other Comments  | Staff Response   |
|-----|-------------------------------|--------------------|--|----------------|---|--|
|     |                               |                    |  |                | borrow. I understand Kiama Library offers this service.   | area after hours while community spaces are in used, efficiency and project budget. Even though the proposed position of the lift is not directly at the entry, we believe it is the best location that meet all the requirements.<br><br>Library staff are evaluating the collection, resources, services and programming for the new library to meet the needs of the community.   |
| 25. | Yes                           | See other comments |  |                | Who wants a library where we should have more business's. Stupid idea. Apart from losing a car park. Wake up and look around as to what is really needed. Try finding a car park at Easter, bloody impossible. Now you want to put in a huge monstrosity that bugger all people use in a prime location. Who's running this circus? | The Sanctuary Point Library was always a temporary location and Council has noted for a number of years that a District Library is required for the Bay and Basin Area.<br><br>Council resolved in November 2018 MIN18.910 to develop the library at the corner of Kerry Street and Paradise Beach Road.<br><br>The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve. |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services? | Other Comments   | Staff Response   |
|-----|-------------------------------|---|--|----------------|--|--|
|     |                               |   |  |                |  | <p>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank.</p> <p>The project reflects the views, priorities and objectives of the broader community by its reference in multiple adopted Council Strategic Plans including the Delivery Program and Operational Plan., Ten-Year Capital Works Program, Community Infrastructure Strategic Plan, Shoalhaven Contributions Plan, Shoalhaven Libraries Strategic Plan.</p> |
| 26. | Undecided                     | The design including surrounding building is misleading. Sanctuary Point is a desolate and neglected area. The building surrounding the new library look good and are misleading. The whole Sanctuary Point shopping complex should be bulldozed and redeveloped. The current library works fine for me at present. |  | Library        | The current library is fine and seems to meet community needs. I go to the library several times a week and it is never crowded. | <p>The Sanctuary Point Library was always a temporary location and Council has noted for a number of years that a District Library is required for the Bay and Basin Area.</p> <p>The current library size is not commensurate to the population that it serves, and this new library will provide space for a larger collection, more services and programs.</p>  |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan?   | Design Feedback  | Would you use the Services at the Library? | What Services?                               | Other Comments   | Staff Response   |
|-----|---|--|--|--|--|--|
| 27. | Undecided   | Don't like the location  | Unlikely                                   | I'll continue to drive to Nowra. Safer area. | Why build so far away from Vincentia high school. There are more schools in Vincentia and Huskisson. A bit disappointed.     | <p>The Sanctuary Point Library was always a temporary location and Council has noted for a number of years that a District Library is required for the Bay and Basin Area.</p> <p>Council resolved in November 2018 MIN18.910 to develop the library at the corner of Kerry Street and Paradise Beach Road.</p>  |
| 28. | <p>Some parts of the design</p> <p>Extremely disappointed with pedestrian access esp wheelchair and walker frame visitors. No convenient and safe vehicle drop-off is available. Parking areas are remote from the library entrance. Wheelchair &amp; frame users must negotiate a series of open air ramps to access the property. Wet</p> | <p>YES. Should further consultation be found needed in an attempt to resolve this glaring planning concept error I would happily be willing to confer as necessary. However the comments put forward under Section 7 are most interpretable by the planners involved should such a dramatic conceptual alteration be contemplated at this stage. I believe this matter is of vital importance and needs be addressed as the current scheme appears to be greatly flawed.</p> | Extremely likely                           | All services apart from youth amenities      | <p>Please get it RIGHT, do the homework, respect the user needs, the building as designed is able to be vastly improved.</p> | <p>The plan allows for the replacement of the existing car parking plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.</p> <p>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank.</p> <p>There is access to the library from both the front (Kerry Street) and at the rear off the access from Paradise Beach Road.</p> |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|  | Do You Like the Concept Plan?  | Design Feedback | Would you use the Services at the Library? | What Services? | Other Comments | Staff Response |
|--|--|-----------------|--|----------------|----------------|----------------|
|  | and windy conditions would make this type of access seriously uncomfortable for users and/or their carers. To a lesser degree the same comments apply to all other more mobile users. Vehicular access to the property has been severely compromised by lack of sensible entry and access provisions, which will inevitably result in congestion created by the ill-advised attempt to use part of the multi use carpark at library entry. The above planning design matters could have been avoided by having the library entrance more sensibly located at the upper level |                 |  |                |                |                |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan?  | Design Feedback   | Would you use the Services at the Library? | What Services?  | Other Comments | Staff Response   |
|-----|--|---|--|---|----------------|--|
|     | adjacent the currently planned {existing} vehicle approach to Paradise Beach Road carpark thereby giving adequate space for drop off, casual use and parking area users allowing direct traffic flow to and from the site. |   |  |   |                |  |
| 29. | Yes  | We have attended workshop one and two and are very impressed with results. We also attended the marquee session on Tuesday the 20th which gave us a better perspective on entrance and exits and how library will sit with existing buildings. Like some others we had concerns about parking, disability access and such but studying the plans and talking with Wes, Danny and Susan we can't see there will be any problem with these matters providing car park spaces are attended to first. It also | Extremely likely                           | All of it except, unless involved in some manner, areas set aside for the youth | No             | <p>The plan allows for the replacement of the existing car parking, plus 44 (40 for the library development and an additional 4) additional spaces to the rear at the car park adjacent to the Francis Ryan Reserve.</p> <p>The plan will not remove the parking at the front of the building, nor change the parking adjacent to the Bendigo Bank.</p> <p>The library has a number of areas for the Youth and provide flexible spaces to address their needs.</p> |



### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services?  | Other Comments   | Staff Response  |
|-----|-------------------------------|---|--|---|--|---|
|     |                               | may be helpful to keep in contact with future plans for Revitalisation Sanctuary Point so Village flows nicely together. Well done to Wes and all the team.   |  |   |  |   |
| 30. | Yes                           | I love the spaciousness of the design and the fact it will be a bright and airy place to sit and read, carry out research of attend events  | Extremely likely                           | Borrow books, DVDs, attend any talks or events the library maybe now able to offer. | Libraries are an extremely important part of our communities not only in loaning books, magazines, films but also a hub for people to meet either socially or business or research or study. This new library building will allow our Library to offer up more things to our community especially as the population in the area has grown considerably | Your comments are noted and appreciated.  |
| 31. | Yes                           | I think the library building and adjoining park design is exceptional. However, the proposal to not provide on site library parking and remove 36 existing parking spaces but instead increase the capacity of the Francis Ryan Reserve | Extremely likely                           | Meeting Rooms and deck area, lending, technology based services                     | The building is exceptional. However, I wish to discuss with the most appropriate persons my ideas (some of which I have already provided in hard  | 1. <i>Non compliance with the current DCP 14 "Civic Focus" principles:</i><br>The term "Civic Focus" does not appear in DCP Chapter N22: Sanctuary Point Local Centre. However, Chapter N22 section 5.1.2. does discuss a proposed "village focal point", |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|  | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services? | Other Comments   | Staff Response  |
|--|-------------------------------|--|--|----------------|--|---|
|  |                               | <p>parking area from 60 spaces to 138 has some negatives. These include:</p> <ol style="list-style-type: none"> <li>1. Non compliance with the current DCP 14 "Civic Focus" principles</li> <li>2. Creation of a large parking area with little landscape to break down the appearance of expansive hard surfaces.</li> <li>3. Removal of some significant existing landscaped open space and trees at the rear of the shops (motel). The details of proposed car parking and a "traffic and parking impact study" should be provided for comment as part of the next community consultation.</li> </ol> |  |                | <p>copy at the on-site consultation) for car parking solutions and alternative "Civic Focus" designs that would remove my current concerns and potential objections to this project.</p> | <p>being a landscaped pedestrian court located between the primary retail areas.</p> <p>The area identified in the DCP is at the rear of the Shops and the Library intends to have this adjacent to the library and Bendigo Bank. The library is a public space that will be a focal point for the village.</p> <p>The concept designs for Sanctuary Point Library reduce the area available for the village plaza (as proposed in the DCP and supporting map) by extending the car park and changing the course of the road that provides access to the car park from Paradise Beach Rd. But as the library and surrounding area is a public space it is creating a more inviting and connecting space for the a focal point for the village.</p> <ol style="list-style-type: none"> <li>2. Green space incorporated into the car park design will be considered.</li> <li>3. Traffic impact will be submitted with the Development Application and this process allows</li> </ol> |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services?   | Other Comments  | Staff Response  |
|-----|-------------------------------|---|--|--|---|---|
|     |                               |   |  |  |   | another level of consultation.  |
| 32. | Yes                           | No answer provided  | Extremely likely                           | No answer provided   | No answer provided  | Comments are noted and appreciated.   |
| 33. | Yes                           | Excellent design. All various needs well thought out for all age groups. Space for school, youth and community activities v important. Also inclusion of quiet and study areas. Particularly like the inclusion of green space and the roof terrace. Important ,though to maintain the welcoming, friendly atmosphere that has been fostered in the existing small library. | Extremely likely                           | As many as possible. Will welcome the wider range of books, CDs and audiobooks that will be available. | The library will be a welcomed part of the overall plan to revitalize SP. | Comments noted and appreciated<br><br>The physical collection, including books, magazines, audiobooks, DVDs and CDs will be increased as part of the redesign of the library and library staff are already evaluating the collection, resources and programming for the new library to meet the needs of the community. |
| 34. | Yes                           | No answer provided  | Extremely likely                           | Books  | Do not cut the trees down before building                                 | The plans will endeavour to save as many trees as is practical.   |
| 35. | Not provided                  | No answer provided  |  | Books  | I am glad we are having a "proper" library                                | Comments are noted and appreciated.   |
| 36. | Yes                           | Though I live in Vincentia, I have owned and operated an accountancy practice at Sanctuary Point for the last 30 years. Indeed I own a neighbouring property to the proposed Library. I   |  | Community facilities   | Reiterate the above comments  | The library design has considered and accommodated access from the Francis Ryan Car park to the entry of the library. The Vacant land has recently been sold and its future   |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|  | Do You Like the Concept Plan? | Design Feedback   | Would you use the Services at the Library? | What Services? | Other Comments | Staff Response  |
|--|-------------------------------|---|--|----------------|----------------|---|
|  |                               | can't fault the building design or the surrounds but can offer some insight into parking and access in the contiguous areas. If the total car parks available is to increase slightly to 147 - that is welcome. Carpark 2 (bordering Francis Ryan Reserve) is the largest of them and will be the starting point on patrons walk to the Library. One access from Carpark 2 will be along the border of the carpark (between the Motel and the back of 200 Kerry St). It is the longer journey and mixes with traffic. The more likely access from Carpark 2 will be through the vacant lot between 200 and 204 Kerry St to the entrance/foyer of the Library. It is shorter and avoids traffic. This is problematic because of its current state. It is rough, lumpy and overgrown. We regularly see and render assistance to falls - a very bad one on one occasion. Council is aware of this issue and the property |  |                |                | development is unknown at this point.<br>There is current pedestrian access from the Car park through the existing shops to Kerry Street which will provide another safe access to the front doors of the library |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|     | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services?   | Other Comments   | Staff Response  |
|-----|-------------------------------|--|--|--|--|---|
|     |                               | owner does nothing to assist. Ideally Council would acquire the property and resolve the problem. I was unable to attend the public sessions to bring this point of view - apologies. I welcome the opportunity to meet on site, point at things and discuss the circumstances.  |  |  |  |   |
| 37. | Yes                           | Yes, the concept design looks and feels like a 'New Look and Modern Sanctuary Point' which is comforting. Just a few areas of improvement I would suggest is the outside area where there are multiple pathways between the library and the Bendigo bank - I would suggest a must easier plan and constructed 'S' shape walkway from the back Carpark to the from of the entrance of the library (representing a snake which the local aboriginals can relate to). There is no planned road access from Centaur Ave, yet there is a sealed pathway and this may need to be upgraded with | Yes  | Photocopying, research and possibly meeting rooms used for the community | Speaking to Danny the other day and the other Council supporting staff, made me realise that Council is really going ahead with this important community upgrade. The only comment I would like to say is with the workshops last year, it was dismal to see the response of attendance from within the community. Council had put a lot of effort on these consultations and received little response from the community, which | <p>The walkway through the public open space from Francis Ryan Car park to Kerry Street and the library front door entrance is designed to meet DDA compliance.</p> <p>The library will have both internal and external signage developed as part of the plan. The directional signage will ensure that access to the library is clear.</p> <p>The internal courtyard and roof top terrace will have greenery as well as provision for internal plants.</p> <p>The artwork for internal and external spaces will be run as a separate process to the Development Application. But</p> |

### Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library

|  | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services? | Other Comments   | Staff Response  |
|--|-------------------------------|--|--|----------------|--|---|
|  |                               | <p>Library signage directions. Signage at the Sanctuary Point Shops on Tourism pamphlets around the area. pedestrian crossing access was not noted on the plan - from St Georges basin Country Club on Paradise Beach Road and also across from the bakery/Chemist across the road. Then, maybe shaded areas on the roof top would be appreciated for hot days to provide that coolness to study or relax. In the library, I think there should be historical features and history of the Sanctuary Point Town and maybe inclusive with other towns within Bay &amp; Basin. Although there are plans for a Library at Vincentia in, I think it was strategic Plans - will the Library still called 'Bay &amp; Basin Library'. Although, there is a great focus on the light being generated from the rooftop to plants, would a significant water feature with these plants be in it - bring nature to our library community? Where on the building will the library</p> |  |                | <p>turns into quality feedback as per the Facilitators Report. One of my suggestions in the workshop I was in is in the plan. (maybe others suggested it as well). To Danny and all staff congratulations for your services and frankness.</p> | <p>will be undertaken with the consultation of the community.</p> |



**Summary of Submissions – Public Exhibition – Concept Design – Sanctuary Point District Library**

|  | Do You Like the Concept Plan? | Design Feedback  | Would you use the Services at the Library? | What Services? | Other Comments | Staff Response |
|--|-------------------------------|--|--|----------------|----------------|----------------|
|  |                               | name be show - so it can be seen what it is - otherwise, it may be taken as an office block. |  |                |                |                |

# community engagement

presentation day

phase 02

sanctuary point library

brewster  
hjorth  
architects



CL21.100 - Attachment 4

| Date        | Description            | Revision |
|-------------|------------------------|----------|
| 09 Feb 2021 | Issue to Client (SCC). | A        |
| 20 May 2021 | Issue to Client (SCC). | B        |

## 1.0 TABLE OF CONTENTS

|   |          |         |
|---|----------|---------|
| 2 | Summary  | Page 05 |
| 3 | Appendix | Page 07 |

CL21.100 - Attachment 4

## 2.0 SUMMARY

### Phase 1: Summary of Key Points from External Stakeholder Workshop

Reviewing the two Group presentations and the general discussion, the common key points, not in any order were:

- How will car parking be addressed since the footprint of the proposed Library means loss of existing car parking.
- Safety at the library and surrounds, including surveillance and accessibility.
- Children's need.
- Significance of the library in context of the overall Sanctuary Point Town Centre. It was generally agreed that collaboration (between public and private interests) and integration of initiatives (the library and 'Revitalise Sanctuary Point') was a positive way forward.
- Internal and external design should reflect the District – all communities including the indigenous population, local artworks and the natural environment.

### Phase 1: Summary of Key Points Raised in the Community Group Workshop

The Group discussion and the general discussion, the common key points, not in any order were:

- Consultation should be inclusive of the aboriginal community.
- Car parking – options, costs, considered in relation to the broader area.
- Further council consultation with 'Revitalise Sanctuary Point'.
- What would be available technology: WiFi, presentation facility.
- Consider designs for internal and external to reflect local/ natural catchment/environment.
- Special attention to children, youth and family areas.
- Consider meeting rooms and quiet spaces.
- Consider on-site café.
- Consider outdoor and green space.
- Care with budget. Community priorities?

**Phase 2: Summary of Key Points from External Stakeholder Workshop & Presentation Day**

Reviewing the two Group presentations and the general discussion, the common key points, not in any order were:

- Support for the building design and the internal layout.
- Concern at how the loss of car parking has been addressed.
- The need for better access and connections, especially from the car park behind the shops.
- Safety at the library and surrounds, including surveillance and accessibility.
- Significance of the library in the context of the overall Sanctuary Point Town Centre. Relevance of council's Development Control Plan and the 'Revitalise Sanctuary Point' masterplan.



# appendix

CL21.100 - Attachment 4

Sanctuary Point District Library  
May 2021

## Community Engagement Strategy



## FINAL REPORT

Prepared by  
Dr Danny Wiggins  
(Planning, Facilitation and Education Services)

## TABLE OF CONTENTS

|  |           |
|--|-----------|
| Key points raised at the workshops and open day  | 3         |
| <b>1. The Community Engagement Strategy</b>  | <b>4</b>  |
| 1.1 Engagement aims and desired outcomes   |           |
| 1.2 Community engagement strategy and activities   |           |
| <b>2. Phase 1 External Stakeholder and Community Workshops, pre-concept plan</b>                   | <b>6</b>  |
| 2.1 Overview of the first External Stakeholder Workshop  | 7         |
| 2.3 Overview of the Community Workshop   | 12        |
| <b>3. Phase 2 External Stakeholder and Community Workshops, and the Open Day: the concept plan</b> | <b>18</b> |
| 3.1 Overview of the second External Stakeholder Workshop   | 19        |
| 3.2 Open Day summary   | 24        |
| Detailed attachments   | 29        |
| Phase 1 Stakeholder and Community Workshops: pre-concept plan (December 2020)                      |           |

---

## KEY POINTS RAISED AT THE WORKSHOPS AND OPEN DAY

---

### Summary of key points raised at the Phase 1 Engagement Sessions (December 2020). Pre-Concept Plan.

#### a) The External Stakeholder Workshop

Reviewing the three Group presentations and the general discussion the **common key points** (not in any order) were:

- Footprint of the building means loss of carparking. How will car parking be addressed?
- Safety at the library and surrounds, including surveillance and accessibility
- Children's needs
- Significance of the library in context of the overall Sanctuary Point Town Centre. It was generally agreed that collaboration (between public and private interests) and integration of initiatives (the library and 'Revitalise Sanctuary Point') was a positive way forward
- Internal and external design should reflect the district – all communities (including the indigenous population) and the natural environment.

#### b) The first community workshop

Reviewing the three Group presentations and the general discussion, the **common key points** (not in any order) were:

- Consultation should be inclusive of the aboriginal community
- Car parking –options, costs, considered in relation to the broader area
- Further council consultation with 'Revitalise Sanctuary Point'
- Technology available
- Designs (internal and external) to reflect local/ natural catchment/environment
- Special attention to children, youth and family areas
- Meeting rooms
- On-site café
- Outdoor space
- Care with budget. Community priorities?

#### c) The second community workshop

Reviewing the discussion, the **common key points** (not in any order) were:

- Ongoing costs
- Incorporating history/culture
- Early literacy needs
- Exterior design: iconic, glass, natural environment (location in relation to police station)
- Parking
- Interior: art
- Performance space
- A community centre

### Summary of key points raised at the Phase 2 Engagement Sessions (April 2021). Concept Plan Stage

#### a) Second External Stakeholder Workshop (April 13, 2021)

Reviewing the discussion, the common key points (not in any order) were:

- Support for the building design and the internal layout
- Concern at how the loss of car parking has been addressed
- The need for better access and connections, especially from the car park behind the shops
- Safety at the library and surrounds, including surveillance and accessibility
- Significance of the library in the context of the overall Sanctuary Point Town Centre. Relevance of council's Development Control Plan and the 'Revitalise Sanctuary Point' masterplan.

#### b) Open Day (April 20, 2021)

Reviewing the discussion, the common key points (not in any order) were:

- The feedback was largely positive, particularly in terms of satisfying community needs (for the library and as a community hub) and the building design and features
- The main concern was the future of the current carpark on-site and its proposed replacement off-site (to the rear of the existing shops)
- Accessibility – generally, but particularly for the disabled. Location of the lift, footpaths and connections generally
- Needs more consideration of the whole Sanctuary Point Centre Precinct – elements of the current Development Control, proposed masterplan, activities to revitalise Sanctuary Point, (including Frances Ryan Reserve), impact on the motel
- Loss of trees on-site
- Timing and impacts of construction.

---

## THE COMMUNITY ENGAGEMENT STRATEGY

---

### 1.1 Engagement aims and desired outcomes

The two **aims** of the Community Engagement Process were to:

- generate a Community Engagement Strategy, and
- coordinate the community engagement activities.

The **objective** of the engagement was to canvas the Bay and Basin community, and community representatives on:

- their general views about the district library
- the nature of their current and future library needs
- uses for the library building
- access to the library.

The **desired outcome**, at completion of the community engagement sessions, is that the community will:

- be aware of the project, its objectives and process
- feel that they have had the opportunity to be involved in the process
- have provided input to the concept plan.

## 1.2 Community engagement strategy and activities

The approach proposed engagement on two levels – breadth and in-depth. The detail was determined in consultation with council's Project Management Group, and in accordance with council policies and procedures. For instance, in accordance with council's Community Participation Values (and Community Participation Plan).

- **Breadth** of engagement. Use of council's Get Involved web page, prior to the preparation of the concept design– informing the general community of the next stage in delivering the District Library and seeking EOIs for involvement in the Community Workshops. The Open Day, following development of the concept plan, is also aimed at the broader community.
- **Depth** of engagement through four facilitated Workshops. In the first stage (prior to the Xmas holiday break) there was an External Stakeholder Workshop with landowners, businesses and community organisations (December 2) and, in response to the EOI, two Community Workshops (December 9). A follow-up workshop, with the external stakeholders, focusing on the concept plan, was convened on April 13, 2021. The Open Day, held on October 20 2021, was also an opportunity for in-depth discussion.

### a) Step 1 Informing the community (December 2020)

Broad distribution of information – informing the community about the project, through council's website, seeking comments ('Get Involved Shoalhaven'), and canvassing expressions of interest (EOI) for the workshops (see below).

### b) Step 2 External Stakeholder and Community Workshops (early December 2020)

The second step, during the concept design stage, was three facilitated workshop sessions – one with external stakeholder and two with the broader community. The list of stakeholders was determined in consultation with council staff. The mix of participants at the community workshops was drawn from responses to the EOI (on council's website). Council provided the venue (and catering) for the workshops.

### c) First report to council and the community

A report on the workshop sessions and general website comments (to date) was provided to the Council and the Design Team and was posted on council's website.

### d) Step 3 Second Stakeholder Workshop

A follow-up workshop, with the external stakeholders, focusing on the concept plan, was convened on April 13, 2021.

### e) Step 4 Open Day

The Open Day took place on April 20, 2021, targeted at the broad Bay and Basin community was an opportunity for on-site, in-depth discussion. A display of the developed design included:

- Display panel of drawings
- CAD fly-through
- Handout flyer reiterating the web-address for comments.

The facilitator, representative of the Design Team and council staff engaged with those who attend, explaining details and recording discussions and key points raised.

### f) Second report to council and the community

A Final Report on outcomes of the engagement process (this Report) was provided to the council.



**PHASE 1 STAKEHOLDER AND  
COMMUNITY WORKSHOPS  
PRE-CONCEPT PLAN**

**DECEMBER 2020**

CL21.100 - Attachment 4

Sanctuary Point District Library  
Community Engagement Process  
External Stakeholder Workshop  
Wednesday 2 December 2020

---

External Stakeholder Workshop

## OVERVIEW OF PROCEEDINGS

---

Prepared by  
Danny Wiggins  
Facilitator

### Introduction

The Workshop was attended by 10 participants, representing a range of stakeholders from amongst those invited by the Council, because of their interest (as landowners/business operators or community organisations) in the locality and/ or previous involvement in the history of the Library. Council staff and a representative of the Design Team were also present. A full list of those that attended is provided at the **Attachment to this Report**.

Following introductions, the facilitator commenced proceedings by outlining the overall Community Engagement Strategy for the District Library:

- Pre-concept plan engagement: 3 workshops (now); building on council website comments
- Presentation day: concept plans (February 2021)
- External stakeholder briefing/ workshop No.2 (February 2021)
- Development Application exhibition (mid-2021)

### Objectives of the External Stakeholder Workshop

1. Update participants on the project – consultation to date, current status and future steps
2. Seek comments to inform the preparation of a draft concept plan, including:
  - The site's opportunities and constraints: how the development could address these?
  - How the library could be designed to work with the existing/planned shops, club and public areas to create a great town centre
  - How the new building could feel internally to its users, and possible options for its bulk and scale
3. Where to from here?

The Program reflected this, commencing with background and current status, followed by a 'virtual tour' of a range of libraries. Participants engaged in small group discussion on opportunities/constraints and key issues, with a spokesperson presenting to the full group and a general discussion. A 'where to from here?' concluded proceedings.

The Program and Small Group Instructions are provided at the **Attachment to this Report**.

. The instruction sheet nominated possible discussion points (as per the objectives above).

### **History of the Library development and the current Brief**

Presentations commenced with Jessica Volkanovski (Council's Senior Community Planner) providing a brief summary of the history to-date – from the site-selection process to the recent appointment of Brewster Hjorth as architects for the project. Wes Hindmarch and the facilitator (Danny Wiggins) are members of that Team.

### **A virtual tour of libraries**

Before small group discussions commenced, Wes Hindmarch provided a 'tour' (slide show) of a range of libraries, focussing on relevant themes. The designs were projects that involved the Design Team. The objective was to stimulate group discussion of preferences for library design and elements, including:

- Appearance
- Artwork and signage
- Children's library

### **Small group work: key points, and general discussion**

In each group, a scribe made a list of the points raised in the group discussion ('the long list'). These were collected and are provided at the **Attachment to this Report**.

As requested, each group nominated their three key points and a spokesperson presented this to the full group. Group members were invited to comment, followed by a general discussion.

### **Group One**

1. Significance of children and their spaces/focus:
  - A safe place
  - Ability to support playgroups
  - WiFi
  - Separate spaces for youth
  - Rooms available for hire, to link with Child and Family Services / Counselling Services/Allied Services
  - 'A place to hang out'
2. Disjointed nature of the Town Centre:

- Shops in different areas, relation to the sportsground
- Safety. Back car park 'dark and problems with misadventure'
- Need for continuity of flow (for access) to and from the Library.  
Destinations – the Club, shops, car parks
- Consistent media on pathways – safety for prams, disability access
- 'Scope' of the Library – influences beyond the building

3. Open space and surrounds:

- Need for external open space for non-library users
- Public domain treatment
- Should be welcoming from the streets – from all sides, including car park. Multi-entry points
- Inside/ outside – lots of glass and transparency
- Minimise visual appearance of parking.

**Group two**

1. Loss of carparking; transport and access:
  - Footprint of the building means there will be a major loss of carparking
  - How will car parking be addressed – particularly for businesses? Will spaces for the library be available for all town centre users?
  - Pedestrian access
  - Given it is a District Library and the catchment's demographics, consideration of public transport/ shuttle service
  - The broader planning context is very important for car parking options.
2. Built Form integration; Planning context of the village centre:
  - Need for consideration of broader planning context – need for a masterplan/DCP covering the entire town centre
  - Possible 'land-uses' in the library, such as a café. Consideration should be given to the implications and opportunities for other sites in the town centre
  - How the building form will 'fit' within the town centre; consideration of the impact on buildings (and their uses) and spaces surrounding the site
3. Internal/ external design and library uses:
  - Internal and external design should reflect the District – all communities (including the indigenous population) and the natural environment (water, land, small coastal settlements, Booderee). Local story telling, art (a mural). Further consultation should occur on this. Language and wayfinding signage should also reflect this.
  - Internal space should be flexible, allowing multiple uses.
  - A rooftop garden is a good idea; outdoor space, taking advantage of views.

A written submission to the Workshop from one of the participants was offered to participants. A copy is provided at the **Attachment to this Report**.

### Group three

1. The building should be enticing and attractive, a landmark, including:
  - Art, installations
  - A forecourt (with potential for performance art)
2. Development should be environmentally friendly, with sustainable energy and trees
3. Safety and Surveillance
  - Internal permanent staff will promote safety. Opening hours?
  - Meeting rooms, for high school (and other) students, also 'grown-ups'
  - In the community engagement process, Council should re-invite the police – an important role for the police station
  - Carparking at the rear is a safety issue
  - Urban design (of library surrounds and centre generally) can prevent crime: 'Crime prevention Through Environmental Design' – active and passive surveillance
  - Link to Revitalise Sanctuary Point program/masterplan (see below).
4. Context of the Centre:
  - The need to consider the library in its broader context
  - The role of 'Revitalise Sanctuary Point'. A description of the role of this community-led initiative was provided by participants (see below).

Group three's comments on context prompted the general discussion.

### General Discussion

1. Context of the centre. Who is responsible for the overall character of the Centre – themes etc?
  - The centre is 'old and tired'. The new library will make existing development look even worse
  - Council has direct control over public lands – this was highlighted on the site map. Council's Development Control Plan (DCP) is also relevant in relation to the regulation of private land.
  - Private landowners (some of whom are absent landlords)
  - The library will act as a catalyst for improvement to existing developments in the centre
  - It was generally agreed that integration and collaboration (public and private) was a positive way forward
  -
2. The role of 'Revitalise Sanctuary Point' (RSP) in relation to the library was discussed:
  - A community-led initiative
  - A grant of \$188,000
  - A range of improvement programs for the centre are underway; delayed by Covid

- This includes a draft masterplan for the centre. A number of participants suggested that careful consideration be given to the impact on their properties of any overall plan
- RSP should be viewed as a middle rung in a hierarchy of strategies being produced, as follows:
  - Broad Bay and Basin Strategic Plan (community initiated)
  - Revitalise Sanctuary Point
  - Library design, in context

**Summary of key points from External Stakeholder Workshop**

Reviewing the three Group presentations and the general discussion (as well as the long lists), the common key points (not in any order) were:

- Footprint of the building means loss of carparking. How will car parking be addressed?
- Safety at the library and surrounds, including surveillance and accessibility
- Children's needs
- Significance of the library in context of the overall Sanctuary Point Town Centre. It was generally agreed that collaboration (between public and private interests) and integration of initiatives (the library and 'Revitalise Sanctuary Point') was a positive way forward
- Internal and external design should reflect the District – all communities (including the indigenous population) and the natural environment

**Where to from here?**

- Facilitator to produce an 'Overview of Proceedings' – to council staff, Design Team and participants
- Two community workshops, next week
- Facilitator to produce 'Overviews' of the community workshops (to council, Design team and Participants)
- Facilitator to produce a Report to Council and the Design Team on Phase 1 of the Engagement strategy: main themes and messages; no recommendations



Sanctuary Point District Library  
Community Engagement Process  
Wednesday 9 December 2020

Community Workshops

## OVERVIEW OF PROCEEDINGS

Prepared by  
Danny Wiggins  
Facilitator

### Introduction

The two Community Workshops were attended by 16 participants, drawn from the expressions of interest on council's Get Involved webpage. Council staff and a representative of the Design Team were also present. Participants were given the choice of a morning or late afternoon/ evening session. Most opted for the morning session. A full list of those who attended both sessions is provided at **the Attachment to this Report**.

Following introductions, the facilitator commenced proceedings by outlining the overall Community Engagement Strategy for the District Library:

- Pre-concept plan engagement: 3 workshops (now); building on council website comments
- Presentation day: concept plans (February 2021)
- External stakeholder briefing/ workshop No.2 (February 2021)
- Development Application exhibition (mid-2021)

### Objectives of the Community Workshops

3. Update participants on the project – consultation to date, current status and future steps
4. Seek comments to inform the preparation of a draft concept plan, including:
  - Desired uses for the Library
  - The character of the development – how it could feel, internally and in the context of the village centre
  - Other relevant matters
4. Where to from here?

The planned Workshop Program reflected this, commencing with background and current status, followed by a 'virtual tour' of a range of libraries. Participants were then to engage in small group discussion on key issues, with a spokesperson presenting to the full group and a general discussion. A 'where to from here?' was to conclude proceedings. The Program and Small Group Instructions are provided at the **Attachment to this Report**.

The instruction sheet nominated possible discussion points (as per the objectives above).

While the morning session followed this program, the small numbers at the afternoon session meant that it was a more intimate focus group (facilitated as one group) rather than a workshop with small group work. As a result, the program was reversed – commencing with a list of key issues around the table and followed by participants elaborating on the detail.

### **History of the Library development and the current Brief**

Presentations commenced with Jessica Volkanovski (Council's Senior Strategic Planner) providing a brief summary of the history to-date – from the site-selection process to the recent appointment of Brewster Hjorth as architects for the project. Wes Hindmarch and the facilitator (Danny Wiggins) are members of that Team.

### **A virtual tour of libraries**

Before small group discussions commenced, Wes Hindmarch provided a 'tour' (slide show) of a range of libraries, focussing on relevant themes. The designs were projects that involved the Design Team. The objective was to stimulate group discussion of preferences for library design and elements, including:

- Appearance
- Artwork and signage
- Children's library

### **The Morning Session: small group work, key points and general discussion**

In each group, a scribe made a list of the points raised in the group discussion ('the long list'). These were collected and are provided at the **Attachment to this Report**.

. As requested, each group nominated their three key points and a spokesperson presented this to the full group. Group members were invited to comment, followed by a general discussion.

#### **Group One**

4. A range of key issue, all significant:
  - More parking – undercover plus two storeys above (for library space); including mobility scooters
  - Water views
  - Cross-ventilation/ solar power
  - Storage space
  - Outdoor space, natural grass, trees
 (Site selection was also raised but not discussed)

5. Internal space:
  - Technology, computers, laptops, WiFi, games etc; dispersed, not in one space
  - Flexible study/ quiet areas
  - Consideration of all cultures, demographics
  - Space for a yarnning circle; indoor space (Oak Flats library as an example)
  - Small and affordable community rooms
3. Public art – local artists, indigenous, natural environment focus

### Group Two

1. Children and youth areas; on rooftop for children?
2. Technology
3. Meeting rooms:
  - Large and small; a quiet area

During Group Two's presentation, other groups participants raised the following issues (a general discussion):

- An onsite café – rooftop or ground-level; open in the evening; needs to be safe; impact on existing local businesses as an issue
- Car parking – sometimes at capacity (e.g. school sports); accessibility; cost of carparking spaces
- Need for a Kerry Street pedestrian crossing
- Accessibility – disabled access, safety, slope of the site
- A private bus-service? Part of the 'Revitalise Sanctuary Point' discussions
- Need for care with budget; ensuring value for money for the community; balancing building costs and other elements e.g. cost of incorporating car parking spaces within the library building. There should be consultation on this with 'Revitalise Sanctuary Point'.

The discussion on this last point included advice on car parking costs and the State Government advice on library size X catchment population provided by Wes Hindmarch.

### Group Three

1. A natural environment feel:
  - Sustainable; materials; green spaces
  - Outside treatment and carrying through into the building
  - Emphasising aboriginal community – art, signage, incorporation of Dhurga language, native planting
2. Internal treatment:
  - Open plan, generally multi-purpose but with some designated areas
  - 'Free', 'living', 'welcoming', including the aboriginal community. Inside and outside
  - A café
  - Celebrity drop-in space
3. Car parking:
  - Budget should be spent on the building not dominated by car parking costs

Group Three's presentation merged into a brief general discussion. Please note the general discussion that occurred during Group One's presentation (above).

#### **General discussion**

- Car parking should be considered in relation to the broader area, including public car parking spaces (and council responsibilities). Consultation should occur with 'Revitalise Sanctuary Point'
- Family rooms – separate toilets and secure
- Opening hours should include some nights. This could be assisted by volunteers
- Surry Hills library (Crown Street) is a good model
- There should be engagement with youth in the community. Council staff advised that there had been school representatives present at the external stakeholder workshop and that this will be further considered.
- Question: What is the plan for the old library?
- Question: Will cost versus options be put to the community? Are there other funding options?

#### **Summary of key point raised in the morning session**

- Consultation should be inclusive of the aboriginal community
- Car parking –options, costs, considered in relation to the broader area
- Further council consultation with 'Revitalise Sanctuary Point'
- Technology available
- Designs (internal and external) to reflect local/ natural catchment/environment
- Special attention to children, youth and family areas
- Meeting rooms
- On-site café
- Outdoor space
- Care with budget. Community priorities?

#### **The afternoon/ evening session: key points and general discussion**

The facilitator invited the participants to list the key issues, around the table (a number of times). The key issues were:

- Ongoing costs
- Incorporating history/culture
- Early literacy
- Exterior design: iconic, glass, natural environment (location in relation to police station)
- Parking

- Interior: art
- Performance space
- A Community Centre

For the remainder of the session participants elaborated on the key points and raised a number of other issues, as follows. As a result of the discussion, the 'Early Literacy' title is extended to include 'safety and security'.

1. Ongoing costs; being conscious of economic and sustainability matters:
  - Lifecycle costing, energy use; very significant for council
  - Environmental consciousness
  - Glazing, double or triple; vandalism as a cost issue
  - Balance of active and passive systems
  - Solar panels versus roof top as grass?
  - Water sensitive design
2. Incorporating history/culture
  - Including a 'museum element' featuring local history e.g. pioneers, seaplanes; not fixed, changing
  - Indigenous history – welcome, history of exclusion, 'The Lightning Gods'
  - Art displays – locals; competitions; a mural
3. Early literacy; safety and security
  - A big space for children; a 'wet area'/ 'get messy' (outside)
  - Draw on Sanctuary Point demographic data (family make-up/ literacy levels/ domestic violence).
  - A place that is safe for families, 'a place to get away', 'a chill-out centre'; location will help (in relation to police station) and design can help to promote local pride
4. Exterior design: iconic, glass, natural environment
  - Should reflect the character of the area
  - An Icon building
  - Use local materials and companies; this will promote local pride
  - Mix-match in the centre. One issue is owners living outside of the area. The Library can set the pace for centre improvement; the 'ripple effect', like throwing a pebble into water (e.g. façade improvement)
  - Note the role of 'Revitalise Sanctuary Point', including their cost consciousness
  - Centre revitalization should start with a vision (council role)
5. Car Parking
  - Existing car parking is used for shops (and events). This includes aged - residents access
  - There should be no loss of carparking as a result of the library development, and no parking fees
  - Parking is currently dispersed, and mostly on public land (council owned). Overall parking should be formalized
  - Will library parking be underground? In considering this the Design Team and council should consider costs
  - Because of the low density of residential development in the catchment, provision of public transport is difficult
  - Time limits? A consideration for council

6. Interior
  - Meeting rooms, with external entry and after hours use (like at Nowra and Ulladulla); a night-time venue that doesn't have gambling or alcohol
  - Study areas for high school students/ youth with computer and internet access and printing ability. Not all kids have access to this at home
  - Ability to work off site for locals, and bringing the community together
7. Performance space
  - Inside/ outside, perhaps an amphitheatre, with an external power source e.g. ukulele club.
  - Could be a verandah area, with weather protection from sun and rain, for lunchtime use.
8. A Community Centre
  - A Community Centre not just a library
  - 'Libraries have always been more than books'
  - Fusion/hub, a centre of activity
  - Provision of classes on things
  - The advantages of permanent staff – safety, advice
  - 'It is your building, and we help you to use it'
  - 'Build it and they will come'
  - Artworks e.g. Jervis Bay to Basin pictorial
  - Using the media, publicity e.g. Paws and Tales

### Where to from here?

At the conclusion of both sessions Jessica Volkanovski thanks the participants and the staff for their attendance. The facilitator outlined the next steps:

- Facilitator to produce 'Overview of Proceedings' – to council staff, Design Team and participants
- Facilitator to produce a Report to Council and design team: main themes and messages; no recommendations

In response to the suggestion that participants could provide additional comments (to council), one submission was received. This is provided at the **Attachment to this Report**.

.



**PHASE 2 STAKEHOLDER  
WORKSHOP AND OPEN DAY**

**CONCEPT PLAN**

**APRIL 2021**

CL21.100 - Attachment 4

Sanctuary Point District Library  
Community Engagement Process  
Second External Stakeholder Workshop  
Tuesday April 13, 2021

---

## Second External Stakeholder Workshop

# OVERVIEW OF PROCEEDINGS

---

Prepared by  
Danny Wiggins  
Facilitator

## Introduction

The Workshop was attended by x participants, representing a range of stakeholders from amongst those invited by the Council, because of their interest (as landowners/business operators or community organisations) in the locality. All of the participants attended the first stakeholder workshop in December 2020. A list is provided at **Attachment 1 to this overview**.

The Objectives of the **External Stakeholder's Second Workshop** were to:

- Outline progress since the first workshop – the Design Team and Council
- Present the detailed design of the proposed new Sanctuary Point District Library to the participants: a fly-over and a walk through and around the Library
- Seek comments from participants on the plans: internal layout/elements and connections, carparking and streetscape
- Outline the next steps in the process. Where to from here?

The Program followed this sequence, and is provided at **Attachment 2 to this overview**

Proceedings commenced with re-introductions, and with Council staff and the facilitator presenting a recap on the outcomes of the first external stakeholder workshop.

**Summary of key points raised at this (second) External Stakeholder Workshop**

Reviewing the discussion, the common key points (not in any order) were:

- Support for the building design and the internal layout
- Concern at how the loss of car parking has been addressed
- The need for better access and connections, especially from the car park behind the shops
- Safety at the library and surrounds, including surveillance and accessibility
- Significance of the library in the context of the overall Sanctuary Point Town Centre. Relevance of council's Development Control Plan and the 'Revitalise Sanctuary Point' masterplan.

**The Virtual Tour**

Wes Hindmarch, (Locale Architects), representing the Design Team, led the participants through the virtual tour video. Following an initial run-through, a slower pace view prompted comments and a facilitated discussion.

The topics covered, as per the program, generally followed the sequence of the virtual tour –overall design and internal spaces/ use and (following a break) the external design, connections, carparking and streetscape. However, the discussion was fluid with considerable overlap between the two halves. As a result, the points raised, some as comments and some as questions (including some staff answers) are listed as discussed under three sub-headings:

- General comments
- Needs and concerns
- Parking, traffic and transport
- Streetscape and surrounds
- Design suggestions

**General comments**

- Congratulations to the design team, all around. 'Waited a long time'. 'Taken on so much, great job'
- Night-time access
- Support for library as a community hub – displays, tourist advice, healthcare advice etc. As well as a Community Hub, there should be an Innovation Hub to promote business, group study and related activities. Facilities for Zoom-style meetings should be provided (with sound proofing).
- Flexible/ multi-use spaces to allow for changing community needs over time. 'Activated' spaces. This includes upstairs (with lift access).
- Outside landscaped area and the level 2 terrace

- Will there be a kitchenette? Yes, to cater at functions and subject to hours and conditions.

#### Needs and concerns

- Need to ensure good disabled access
- Is it possible to have an undercover walkway from the library to the carpark?
- Need to have adequate Wi-Fi and power-points
- There is no outdoor performance space provided. The 'circulation desk area' could be used for performance, with the central stairs acting as a mini amphitheatre
- Is tourist information appropriate for the Library?
- Will there be a space for display of books, new releases etc. Yes, will be provided, with moveable shelving
- Need to prevent 'hogging the library'. A booking system
- Need for better identification of the main connections – wayfinding signs – not just 'desire-lines'. In particular, from car park behind shops, which is a shared way with cars. Identifying more clear pedestrian routes
- Need for an Acoustic Report to be submitted with the Development Application
- Timeframe for completion? Not clear at this stage, will be subject to council approvals, the tender process and construction. Timing of construction – need to complete the back car park first; also, to ensure disability access during construction.

#### Parking, traffic and transport

- It is not clear on number of current car parking spaces, and how many spaces will be provided in the final design. More detail is required.
- Concern about design of the carpark behind the shops. The concern includes lack of clarity on the drawings. For instance, more precise detail on the 'park' area at the rear of the motel and the western extent of the rear car park. Wes noted that parts of the drawings are artistic impressions. The current plan, beyond the building, need to be clarified. It is not clear whether the council's Design Brief covers these matters. This must be a matter to be considered at the Development Application stage
- Heavy demand on car parking during sporting events
- The current plans for the rear car park do not comply with Council's Development Control Plan or with the Revitalise Sanctuary Point masterplan. Key elements of these plans should be saved. For instance, in urban design terms, focal points – the small park at the rear of the motel – and vista to car park at the rear of the shops. In addition, the proposed revamp of the amenities-block and other activation/ uses should be addressed
- Need to clarify Kerry Street parking – Private
- Concern about transport from schools. While there are some scheduled buses, consideration should be given to a bus interchange (Paradise Beach Road?). Council should explore Regional Transport funding. Also, as an example, Ulladulla has on-demand buses.
- Need for a pedestrian crossing
- Need for a safe drop-off point

**Streetscape and surrounds**

- Note that the front façade will be indigenous artwork panels. This will be council's responsibility
- 'love the green wall' covering the Bendigo Bank wall. Also, council responsibility (White Paper to the Council)
- External lighting – consideration of security (from car park, passageways), use in highlighting artworks and issues with privacy and amenity (especially for motel guests).

**Design suggestion**

- Using the internal level 2 corridor wall leading to the terrace for displays
- Is the big central void a waste of space?
- Wes outlined the sustainability features of the overall design, including the screened wall and the green wall on the Bendigo Bank wall. Compliance with the Building code of Australia. The budget is a constraint – the design is 'reasonable to good' and other features could be retrofitted over time
- Does all of the glass mean high maintenance? Wes explained that it would not all be double-glazing. The 'corner cube' would be double glazed

**Where to from here?**

The facilitator outlined the next steps. As with previous workshops, an overview of proceedings of this workshop would be prepared. The overview plus a summary of the outcomes of next week's Open Day would form part of the Final Community Engagement Report which would be reported to the Council.

Jessica Volkanovski advised that council's website ('Get Involved Shoalhaven') was also seeking comments from the broader community and encouraged participants to spread the word and to list any further comments. On-line comments would also be reported to council.

Jessica outlined the steps from here. Comments from Phase 2 of Community engagement would be considered by the Council and the Design Team, in preparation for start of the formal Development Application process

**Attachment 2 List of Participants**

- Council representatives:
  - Susan Edwards
  - Jessica Volkanovski
  - Anne Lee
- Consultant Team representatives:
  - Danny Wiggins
  - Wes Hindmarch
- Community members:
  - Paul Hawkins
  - Jill Hawkins
  - Bruce Goldsmith
  - Kendall Burnett

- Kerry Barlow
- Veronica Husted
- Leanne Windsor
- Merryn Richardson
- Narelle Brown

**Shoalhaven City Council**  
**External Stakeholder Second Workshop**  
**April 13, 2021**

---

**PROPOSED NEW SANCTUARY POINT DISTRICT  
LIBRARY**

|        |   |   |
|--------|---|---|
| 5.30pm | <p>Welcome</p> <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Recap on the history of the proposal</li> </ul> <p>Introduction to the Workshop</p> <ul style="list-style-type: none"> <li>▪ Objectives and program</li> <li>▪ Recap on Workshop No.1</li> <li>▪ Introductions</li> </ul> | <p>J. Volkanovski</p> <p>D. Wiggins</p> <p>Participants</p> |
| 5.45pm | <p>A Virtual Tour Part 1</p> <ul style="list-style-type: none"> <li>▪ A flyover – the overall design</li> </ul> <p>A walk through the Library</p> <ul style="list-style-type: none"> <li>▪ Internal spaces and uses</li> </ul>  | <p>W. Hindmarch</p>   |
| 6.15pm | <p>General Discussion:</p> <ul style="list-style-type: none"> <li>▪ Clarification</li> <li>▪ Comments</li> </ul>  | <p>Participants</p> <p>W. Hindmarch</p> <p>D. Wiggins</p>   |
| 6.35pm | Refreshments  |   |
| 6.45pm | <p>A Virtual Tour Part 2</p> <ul style="list-style-type: none"> <li>▪ External design and context</li> <li>▪ Connections, carparking and streetscape</li> </ul>   | <p>W. Hindmarch</p>   |
| 7.10pm | <p>General Discussion:</p> <ul style="list-style-type: none"> <li>▪ Clarification</li> <li>▪ Comments</li> </ul>  | <p>Participants</p> <p>W. Hindmarch</p> <p>D. Wiggins</p>   |
| 7.25pm | Where to from here?   | D. Wiggins  |



- How to make a submission
- Next steps

J. Volkanovski

7.30

close

**Sanctuary Point District Library  
Community Engagement Process  
Open Day  
Tuesday April 20, 2021**

## SUMMARY OF OPEN DAY FEEDBACK

Prepared by  
Danny Wiggins  
Facilitator

### Introduction

The scheduled Drop-in-Day was held on Tuesday April 20 on the site of the proposed Sanctuary Point District Library, within a council Marquee. While council staff and the consultants were present from 9 – 5, the advertised times were 9.30 – 11.30 am and 2.30 – 4.30 pm. The display material consisted of:

- A video presentation flying over the site and walking around and through the levels and internal spaces of the building
- A large display board with detailed AO size plans, elevations, and sections through the library building
- Hard copy booklets of the detailed plans
- Brochures inviting people to the open day and directing participants to the council website. These brochures had been widely distributed and mailed out before the day.

The council team consisted of Susan Edwards, Sarah Taylor and Ann Lee (council staff), Danny Wiggins (facilitator) and Wes Hindmarch (Local Architects, representing the design team).

A total of 68 people attended over the day, mostly during the advertised period. Most were aware of the open day, with some passing traffic. A number of people were surprised that the brochure had only arrived in the mail that morning. A majority of participants viewed the video and discussed the details of the design and the surrounds with a member (or two) of the council team. The facilitator recorded comments first-hand, and through prompt engagement with other team members about their conversations.

## Community feedback

The feedback was largely positive, particularly in terms of satisfying community needs (for the library and as a community hub) and the building's design and features.

A number of concerns were noted:

- The main concern was the future of the current carpark on-site and its proposed replacement off-site (to the rear of the existing shops). How will it work? Needs a pedestrian crossing at Kerry street
- Access was a common concern – for the disabled, location of the lift, footpaths and connections generally. Possibility of a ramp. Access from the rear carpark was a concern, especially for patients, many of whom are elderly; reinforced by COVID. Need to make sure that the Library has amenities suitable for all
- The overall proposal needs more consideration of the whole Sanctuary Point Centre Precinct – a masterplan, activities to revitalise Sanctuary Point, including Frances Ryan Reserve.
- There was some discussion on whether the Library would have an on-site café, and negative impacts on current businesses in the centre. BYO coffee was raised as a possibility by council staff.
- The new library will change the village atmosphere/ character of Sanctuary Point and attract more out-of-towners – 'it is a sleepy little spot'. A more attractive centre will mean more tourist numbers and other broader impacts. This will be a problem for locals, especially from Air B&B
- Impact on the Motel and its Dining Room. Staff advised that the Library will be community space not commercial space.
- Loss of trees on the site – losing the balance of nature to urban development. Need for an Arborist's Report and careful consideration by the council. Alternatively, one person thought that there was too much garden.

A range of other comments/ questions related to the internal uses:

- Potential for the 'amphitheatre' style steps to be used as seating for a performance space (with a moveable 'circulation desk')
- Concern that, if the 'circulation desk' area was to provide general community/ government information, it 'would detract from Library staff focusing on reference advice
- Need for a parents room

## Questions and points to satisfy

- A café and the impact on local businesses. What about on the weekend?
- Availability for training purposes? For example, the local SES. Can bookings be made?
- Will there be bike racks? Yes, a requirement of council's DCP
- Will there be after-hours access? Yes

- What activities will be possible on the terrace and who will be the contact for bookings? An operational matter which will be clear once opened. Will the roof terrace be open after hours? Yes.
- Is it funded? Yes
- Will local trades be involved? Yes, as per council's procurement policy.

A number of issues were raised by Bruce Goldsmith (also a member of the External Stakeholder Group) who provided a detailed document (with plans and annotated photographs), entitled 'Submission by BTG Planning' on the proposed Sanctuary Point Concept Plan, April 2021 and containing:

- A schematic/ plan form of the 'proposed urban form' for the sanctuary Point Centre' in the Council's 2014 Development Control Plan
- 'Important pedestrian crossing points and potential infill/ future road connections'
- 'Preferred parking and civic space, with road connections'
- 'Changes to open space and car spaces'
- 'New event pavilion and sports amenities'

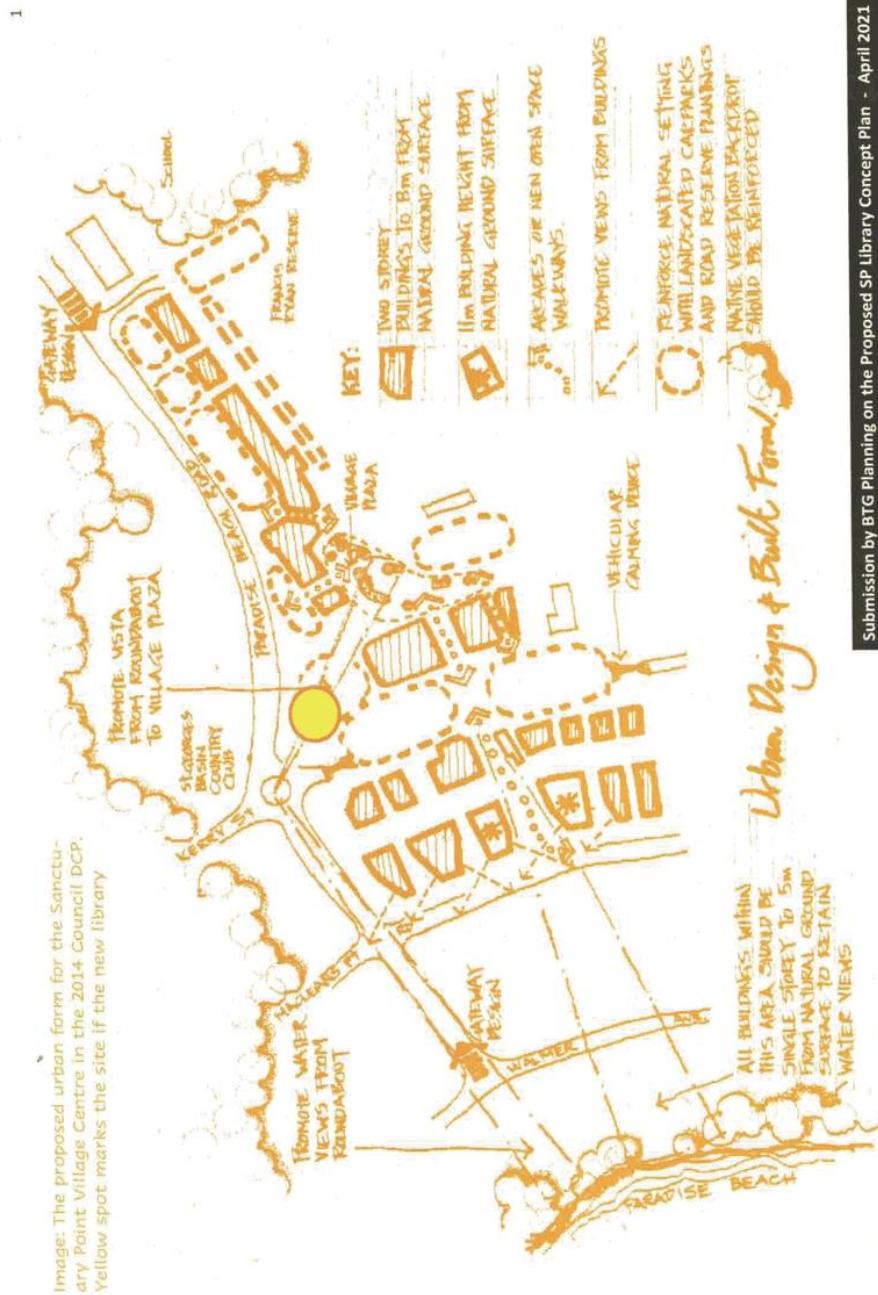
A copy of Bruce's schematic plan is provided as an **Attachment to this summary**

### **The anticipated timeframe for completion**

A number of participants asked about timeframes. The design team and council staff described the future steps in the council approval process (Development Application and Construction Certificate), through the issue of building contracts and construction completion. No firm dates were provided.

It was suggested that council synchronise construction of the library and the car park to prevent extending the construction period and to reduce the impact on local businesses (e.g. the Motel). Poor amenity and overall bad reviews. Work on the rear carpark should be first.

,



Submission by BTG Planning on the Proposed SP Library Concept Plan - April 2021

**PHASE 1 STAKEHOLDER AND  
COMMUNITY WORKSHOPS PRE-  
CONCEPT PLAN**

**DECEMBER 2020**

**DETAILED ATTACHMENTS**

**CL21.100 - Attachment 4**

## COMMUNITY WORKSHOPS

### Attachment 1

#### The morning session 'long lists'

##### Group One

- Parking – more needed, servicing all villages. Undercover parking, with two storeys above
- Site selection means that the area will be too busy for safety
- Needs space for youth – WiFi, devices and study rooms
- Flexible, open plus separate and quiet spaces
- Lots of natural light and cross-ventilation for natural airflow
- Solar panels for power
- Gallery-level for water views (2 storeys)
- Size of library? Square metres?
- Need for indigenous involvement in consultation, including library design and spaces
- Circles (e.g. yarnning) for all demographics
- Outdoor area to be incorporated
- Need for storage area in undercover carpark
- Opening hours need to include evenings (at least one)
- Debate need for a café – do not want to impinge on local businesses, but need facilities for library evening openings
- Gathering space for the young
- Room allocated for playgroups (inside for inclement weather days)
- Disability access, including mobility scooters
- Public art, using local artists

##### Group Two

- Children's area and area for youth
- Technology – computers etc.
- Meeting rooms – large and small, with a quiet area
- 'Books are important'
- Environmentally friendly
- Take advantage of floor level difference, a mezzanine level
- Rooftop garden that may provide water views
- A social area – café or vending machine. Could be a courtyard area
- Style of the building should promote the revitalization of the centre
- An open plan layout, making most of the surrounds
- Car parking and pedestrian and disabled access



**Group Three**

- Parking
- A community hub, targeting youth as a safe space; all ages
- Welcoming and accessible; cosy and homely; 'culturally intertwined'
- Outside space
- Rooms for conferences etc./ room bookings
- Design should not look like an industrial building; not all glass; should reflect the natural environment; 'flowing lines of design'
- Natural/ Sustainable – solar, double/ triple glass, natural materials (local timber, local quarry), reuse materials
- Multiple uses with flexible furniture options e.g. fold-up/down, tables, partitions
- Computer area
- Study areas; soft space
- Facilities – toilets, change/ family room (look at Vincentia Marketplace)
- A 'messy space' for children
- Signage – Dhurga language; laser cut signage, like entry signs to towns/ villages
- Art space/ work – local artists; inspired by Bay and Basin area, bird life
- Budget – saving on costs; possible donations; Lions Club, Rotary; working bee.

**COMMUNITY WORKSHOPS****Attachment 2 List of Participants****Morning session:**

- Council representatives:
  - Susan Edwards
  - Jessica Volkanovski
  - Sarah Taylor
  - Anne Lee
- Consultant Team representatives:
  - Danny Wiggins
  - Wes Hindmarch
- Councillor representative:
  - Mark Kitchener
- Community members:
  - Mark Kitchener
  - Russell Neave
  - Bree Apperley
  - Jill Hawkins
  - Paul Hawkins

- Mike Rix
- Karen Chambers
- Kendall Burnett
- Deb Follers
- Vicki Chalain
- Judy Kowalski
- Nicole George (plus Eleanor)

**Afternoon/ Evening session**

- Council representatives:
  - Susan Edwards
  - Jessica Volkanovski
  - Sarah Taylor
- Consultant Team representatives:
  - Danny Wiggins
  - Wes Hindmarch
- Community members:
  - Christine Percy
  - Les Boucher
  - Narelle Brown
  - John Svoboda

## COMMUNITY WORKSHOPS

### Attachment 3

Shoalhaven City Council  
Community Workshop No.1  
December 9, 2020

---

## SANCTUARY POINT DISTRICT LIBRARY: PRE-CONCEPT PLAN CONSULTATION

|         |   |   |
|---------|---|---|
| 11.00am | <p>Welcome</p> <ul style="list-style-type: none"> <li>• Introductions</li> <li>• History of the proposal</li> <li>• About the current Brief</li> </ul> <p>Introduction to the Workshop</p> <ul style="list-style-type: none"> <li>▪ The Consultation Strategy</li> <li>▪ Objectives and program</li> <li>▪ Introductions</li> </ul> | <p>J. Volkanovski</p> <p>D. Wiggins</p> <p>Participants</p> |
| 11.15am | <p>A Virtual Tour:</p> <ul style="list-style-type: none"> <li>▪ Examples of projects</li> </ul>   | W. Hindmarch  |
| 11.25am | <p>Round Table Discussion:</p> <ul style="list-style-type: none"> <li>▪ Desired uses for the Library</li> <li>▪ The character of the development – how it could feel, internally and in the context of the village centre</li> <li>▪ Other relevant matters</li> </ul>  | Participants  |
| 12.05pm | Refreshments  |   |
| 12.15pm | <p>Report back and general discussion</p> <ul style="list-style-type: none"> <li>▪ Report back from small groups on key points</li> <li>▪ Whole group discussion</li> </ul>   | <p>D. Wiggins</p> <p>Participants</p>                       |
| 12.55pm | <p>Where to from here?</p> <ul style="list-style-type: none"> <li>▪ Next steps</li> </ul>   | J. Volkanovski  |
| 1.00pm  | Close   |   |

CL21.100 - Attachment 4

Shoalhaven City Council  
Sanctuary Point District Library  
Community Workshops  
December 9, 2020

---

## SMALL GROUP INSTRUCTIONS

---

Task 1. Introductions (5 minutes)

- Introductions all round
- Nominate a group member as spokesperson/scribe.

Task 2. Discuss the following matters and list the key points raised (on the pro-forma provided).

- Desired uses for the Library
- The character of the development – how It could feel, internally and in the context of the village centre
- Other relevant matters (25 minutes)

Task 3. Choose the top THREE points for presentation to the full group (and list them on the pro-forma) to feed our general discussion (10 minutes)

**Please note:** the scribe's pro-forma will be collected at completion

## COMMUNITY WORKSHOPS

### Attachment 4 Further Participant Submissions

Hi Jessica,  
Well after spending a night where, as soon as my head hit the pillow, the gears started grinding. The last time that I looked at the clock, it was 3.45am.

Anyway, back to the library. While I did mention using solar, including passive solar, within the building my thoughts turned to why the hell don't we make this a show-piece. Why not make it the best display of "green" power between Sydney and Melbourne. Let's show the upcoming generations, that this isn't just a place to read and learn, But also a place that shows what the future can hold if we all work together. Before anyone starts jumping up and down lol, I am aware that "green" buildings are often more expensive to build than "ordinary" construction. But if you think long term then the results, and running costs, would be less in the long run.

That then led me to the interior. Why not have things such as green living walls scattered around the place. Hanging gardens designed into the building and are watered by a timed recycling system. As mentioned at last night's meeting, all watershed from the building could be caught and used for things such as toilets etc. another cost-saving.

The list goes on and on and I understand that these things are constrained by budgetary restraints. But let's start thinking BIG and of what we are leaving for future generations instead, of just the next 20 - 30 years.

OK, I'll hop down off my soapbox (for now) and I hope that these few thoughts help when it comes to the design stage.

[REDACTED]

P.S I am not a "greeny", but I do worry about what we are leaving for future generations.

[REDACTED]

**Additional responses on website**

**APPENDIX 5**

**Respondent No.1**

The community workshops need to have good representation from younger community participants. Senior Vincentia High School students (from their Student Representative Council) and in the immediate post-school years. The local community has a large older population (including myself) who may not be the best representation at the workshop, but are the most likely to apply for the workshop positions. To future proof the library it is imperative to have young representation as well. Cheers. Todd Sweeney

**Respondent No. 2**

It shouldn't be in sanctuary point - it should be near the main high school - it should never been moved from its original spot - let's have a district library opposite a huge club in a suburb is ridiculous

**Respondent No.3**

I definitely think that site A is the best site with high visibility and access. I work for a therapy and learning centre close by and am excited about the proposal for a community hub.

**Respondent No.4**

I am the NSW Pinkbox Coordinator for Share the Dignity, a volunteer-run charity which supports homeless and at-risk women and girls by providing them with free sanitary items. For some time now. I have been keen to get a Pinkbox installed in Sanctuary Point but finding an ideal location has been a problem. The library, as it currently is, would be too small to house the machine and no other option has been suitable. However, the new library would be ideal. Libraries are fantastic sites as people in need can access the products discretely which helps to maintain their dignity. The Dignity Vending Machine and all the period packs which stock it, are fully funded by grants and donations, so there is no cost to you. We pay for the machine, the delivery, the installation and keep it stocked with product. The only thing we do not pay for is a power source for the machine. If one is not available the library would have to pay for that. This is one of the reasons I am contacting you now. If there is interest in having a Pinkbox at the Sanctuary Point Library it would be great if the power point was put in during the build and space for the machine, preferably in the all access toilet, was also considered during the planning process. An application form will still need to be filled out however and that can mostly be done prior to the construction. The final decision lays with the Share the Dignity board regardless if I think a site is suitable...I basically gather the information needed and advocate where necessary but I don't see this site as being one that would be knocked back. The machine dispenses 59 period packs, each containing 2 light pads and 6 tampons, which is enough supply for approx. 24 hours. The Dignity Vending Machine, which is an Australian first, dispenses up to once every ten minutes, so as to reduce the risk of misuse. We place Dignity Vending Machines in many different locations such as high schools in low socioeconomic areas, women's refuges, public libraries, women's health centres etc. I also live locally and am aware of the need for access to free sanitary items in this area. We currently have Pinkboxes installed at Nowra Library, Ulladulla Civic Centre, Vincentia High School, Bomaderry High School and one is due to be installed at Shoalhaven High this week. The machine specs are listed below and I can be contacted anytime via the email provided or phone 0412 518 999 if you have any questions. I can also send you the full information sheet and photos of the machine that we send to all potential sites. Ensure there is a suitable space for installation of the #Pinkbox meeting these requirements •• An area of 910mm x 600mm wall space is available. •• An electrical plug socket must be located within



1.5m (preferable above machine location) • • The machine must be installed so the bottom of the machine is between 900mm and 920mm from the floor. • • The machine door is hinged to the RIGHT-HAND SIDE of the machine and must be able to be opened without obstruction for restocking Machine and installation specifications • Height: 910mm (plus 75mm aerial), Width: 595mm, Depth: 195mm • Machine Weight: 30kg • Wall mounted (under shelter) • Requires permanent access to an electrical plug socket within 1.5m • 10-minute delay to deter exploitation • Telemetry which records the number of packs dispensed • 1800Respect number highly visible on front and sides of machines • Ask Izzy on front and sides of each machine that can be used to locate the nearest women's shelter, soup kitchen or other essential services <https://www.sharethedignity.org.au/end-period-poverty/dignity-vending-machines>

## EXTERNAL STAKEHOLDER WORKSHOP

### Attachment 1 The 'Long lists' of points raised by the groups

#### Group one

- Children's space – so important! Multi-youth space.
- Youth counselling/mental health services
- Footprint – building versus outdoors; outdoor space
- Local aboriginal culture – art
- Multiple entry points
- Open foyer area
- 'outdoorsy'
- Welcoming community space
- Smooth pathway network from all directions
- Disabled access
- Multi-level; mezzanine
- Big open multi-purpose meeting/ community area downstairs
- Internal space visible from outside/ view out
- Complementary design rather than 'glitzy'; glass, grass, natural

#### Group two

##### Opportunities

- Inclusiveness/ aboriginal; connection to country
- Centre/ hub for community
- Street frontage/ visibility/accessibility
- Prominence
- Water views

##### Constraints

- Parking

- Access after hours
- Electric car charging
- Adjoining buildings
- Accessibility – pedestrians, cars
- Height of building
- Community transport/ public transport/ shuttle bus

**Users/ clients**

- Children – ‘face-out’ displays; appropriate height
- Seniors
- Youth
- Disabled
- Community groups

**Internal options**

- First impressions
- Sustainability
- Accessibility – aged, disabled
- Appropriate colours/ textures/ light that reflect local space
- Co-working/ community meeting spaces/ rooms
- Technology/ presentation facility/ device charging/ WiFi
- Flexible spaces/ moveable furniture and shelving
- Quiet spaces
- Rooftop garden/ café
- School children – class spaces for visits
- Intuitive way-finding
- Covid-safe future

**Group three**

- See building from both sides
- Forecourt area – green plaza
- Coded glass
- Safe pedestrian access
- Welcoming space, windows
- Keep trees
- Meeting room accessible after hours
- Access school accounts – ‘supervised’ hub for high school students.
- Casual reading areas, newspapers
- Light, attractive
- Sustainable energy features, cost reduction
- Nice shade trees, not just native
- Art feature (installation), local art connecting history of the area
- Local history signage – link to library
- Music library, performance art
- Sewing machines, activity rooms
- Safety

- Disadvantaged kids
- Computers
- Café – extended hours/ pop-up (after café closes); involve high school hospitality.
- Rooftop garden
- School children – class spaces for visits
- Art feature (installation), local art connecting history of the area
- Local history signage – link to library
- Access after hours
- Café – extended hours/ pop-up (after café closes); involve high school hospitali

**Some common comments from the 'long lists' (additional to key point lists)**

- Centre/hub for community; welcoming community space
- Inclusiveness/ aboriginal; connection to country; incorporated in art features
- 'Outdoorsy' – outdoor space; trees
- Inside/ outside views
- Accessibility – pedestrians, cars, aged, disabled; safe pedestrian access
- Technology/ presentation facility/ device charging/ WiFi; sustainable energy features
- Multi-purpose, flexible internal spaces/ moveable furniture and shelving
- Meeting room accessible after hours
- Quiet spaces

## EXTERNAL STAKEHOLDER WORKSHOP

### Attachment 2 List of Participants

- Council representatives:
  - Susan Edwards
  - Jessica Volkanovski
- Consultant Team representatives:
  - Danny Wiggins
  - Wes Hindmarch
- External Stakeholder Group:
  - Revitalise Sanctuary Point – Veronica Husted
  - Sanctuary Point Concerned Citizens Newsletter – Dennis Williams
  - Vincentia Matters – Leanne Windsor

- Sanctuary Point Pride – Gwen Price
- Landowner / Business Owner – 4 Paradise Beach Rd / Bay and Basin Motel – Kerry Barlow
- Landowner – 2/200 Kerry Street – Kerrie Kourish
- Business Owner – Bay and Basin Physiotherapy – Merryn Richardson
- Community Member – Bruce Goldsmith
- Sanctuary Point Primary School – Renee Van Huisstede
- Shoalhaven Libraries, Sanctuary Point Libraries Representative – Anne Lee

## EXTERNAL STAKEHOLDER WORKSHOP

### Attachment 3 Workshop Program and Small Group Instructions

Shoalhaven City Council

External Stakeholder Workshop

December 2, 2020

## SANCTUARY POINT DISTRICT LIBRARY: PRE-CONCEPT PLAN CONSULTATION

|        |   |   |
|--------|---|---|
| 5.30pm | <p>Welcome</p> <ul style="list-style-type: none"> <li>▪ Introductions</li> <li>▪ History of the proposal</li> <li>▪ About the current Brief</li> </ul> <p>Introduction to the Workshop</p> <ul style="list-style-type: none"> <li>▪ The Consultation Strategy</li> <li>▪ Objectives and program</li> <li>▪ Introductions</li> </ul> | <p>J. Volkanovski</p> <p>D. Wiggins</p> <p>Participants</p> |
| 5.45pm | <p>A Virtual Tour</p> <ul style="list-style-type: none"> <li>▪ BHA projects</li> </ul>  | <p>W. Hindmarch</p>   |
| 5.55pm | <p>Round Table Discussion, including:</p> <ul style="list-style-type: none"> <li>▪ Site opportunities and constraints</li> <li>▪ How the design could work with existing and planned land-uses to create a great town centre</li> <li>▪ Internal feel of the library and options for bulk and scale</li> </ul>                      | <p>Participants</p>   |
| 6.35pm | Refreshments  |   |
| 6.45pm | <p>Report back and general discussion</p> <ul style="list-style-type: none"> <li>▪ Report back from small groups on key points</li> <li>▪ Whole group discussion</li> </ul>   | <p>D. Wiggins</p> <p>Participants</p>                       |
| 7.25pm | <p>Where to from here?</p> <ul style="list-style-type: none"> <li>▪ Next steps</li> </ul>   | <p>D. Wiggins</p> <p>J. Volkanovski</p>                     |
| 7.30pm | Close   |   |

CL21.100 - Attachment 4

## EXTERNAL STAKEHOLDER WORKSHOP

Shoalhaven City Council  
Sanctuary Point District Library  
External Stakeholder Workshop  
December 2, 2020

---

## SMALL GROUP INSTRUCTIONS

---

Task 1. Introductions (5 minutes)

- Introductions all round
- Nominate a group member as spokesperson/scribe.

Task 2. Round table discussion, including:

- Site opportunities and constraints
  - How the design could work with existing and planned land-uses to create a great town centre
  - Internal feel of the library and options for bulk and scale (25 minutes)
- Scribe to list the points raised (on the pro-forma overleaf – the long list)

Task 3. Choose the top THREE points for presentation to the full group and to feed our general discussion (10 minutes)

Scribe to list on pro-forma – the short list

**Please note:** the scribe's pro-forma will be collected at completion



## EXTERNAL STAKEHOLDER WORKSHOP

### Attachment 4 Further Participant Submission

#### Sanctuary Point Library Workshop No 1

1. The decision has been made by Council alone about the site for the library so this process is largely about the design of the facility that we will get. However, in my opinion the design issues relevant to the library must be still be placed in the context of the existing DCP 2014, the impending "Revitalise" Masterplan for the Village Centre including, recent decisions by Council on other sites in the vicinity and the concerns of the immediate neighbouring property owners.
2. One outcome from this process could be that certain uses or issues relating to the library, that the Workshop Group/s may be asked to consider, could perhaps be better addressed elsewhere in the village centre. The Masterplan might inform us on this and/or decisions from the workshops could in turn inform the Masterplan process.
3. I question the size/type of the proposed library and whether it will work at Sanctuary Point and for benefit of the broader community remains open. The Community have so far not been given adequate rationale, research, or data to understand these decisions.
4. The potential loss of accessible good quality existing at grade car parking is a significant issue for our local community.
5. I believe there could be a good outcome from this process, but only if the process goes beyond just dealing with the building design aspects of this DA.

## Councillor Report – Cllr Patricia White

### Waste Conference - Coffs Harbour Conference Wrap Up



The Coffs Waste Conference was held on the 4th, 5th, and 6th of May 2021. In its 25th year, the conference welcomed delegates and speakers from all over Australia. It was a very busy conference noting many of the big issues with waste have not disappeared. We have learned many lessons from the challenges faced during 2019/2020 where we all had to embrace technology quickly and there were great examples of coordination and cooperation.

It was very interesting to hear from industry leaders and Government agencies where waste will be and major changes coming from 2025 and 2030.

Cate McQuillan opened the conference with an inspiring reflection about what we produce should ultimately go back to nature and invited everyone to reminisce to get back to nature. Known for her producer role in the kid's TV series dirtgirlworld and Get Grubby TV.

Two streams ran concurrently throughout the conference covering topics of: Energy from Waste, Education, Alternative Recycling Pathways, Regional Issues, Circular Economy, Key Waste Issues and Strategy, Plastics, Technology, Product Stewardship, Indigenous Waste Management, Organics, Litter, and Illegal Dumping. There were over 80 speakers over the 3 days.

The COVID-19 pandemic has contributed to a 30% increase in the consumption of single-use plastics globally, from personal protective equipment (PPE) to take-away containers.

#### **Energy from Waste (EfW)**

Policy and project updates were presented by the Queensland and New South Wales governments, highlighting changes and links to existing waste strategies. Key EfW projects were presented from New South Wales, Queensland, and Western Australia.

Western Australia will have the East Rockingham EfW facility completed by the end of 2022 whilst New South Wales have been presented with challenges due to the recent changes of the NSW EPA policies. QLD EfW



policy will be reviewed in 2022 in line with the statutory review of the existing waste strategy.

There was a clear message that energy from waste should be seen as an alternative from landfill, not an alternative from recycling. Presenters did emphasize that the circular economy principles of designing out waste and pollution, keeping products and materials in use as long as possible and regenerating natural systems all playing a part in work done before waste is considered as an input for an EfW facility.

### Education

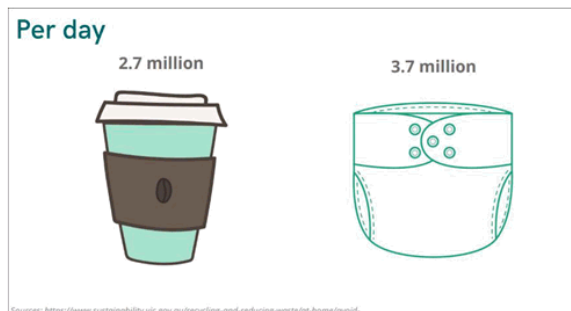
With a growing importance of education in all areas of waste communication, presentations focused on education were presented over three sessions. A wide range of topics and projects were covered from: community art, education in childcare centres, waste communication at public events, school education and community adult education. Case studies of behaviour change, linked with long standing campaign successes were presented with long standing initiatives such as Plastic Free July and localized litter campaigns.

The use of technology plays an important tool for education and communication, especially in various lockdowns experienced locally over the past year that impacted on councils and organisations community engagement.

The issue of disposable baby nappies was presented with solutions and approaches for local councils to tackle this waste.

Disposable nappies which are one of the largest single-use household consumer items to end up in landfills for new families and are found to be a high contaminate in the recycling kerbside bin and litter issue. Every baby until they are toilet trained, will go through at least 6,500 nappy changes. In 2018, there were over 315,000 births registered in Australia, an increase of 6,000 (1.9%) from the previous year.

Every year, over 800 million disposable nappies are sent to landfill in Australia.



With no recyclable option for disposable nappies on the market, all disposable nappies will end up in landfill. One tonne of disposable nappy waste will create 1.8 T of CO<sub>2</sub> emissions. A way to significantly reduce nappy waste to landfill is avoidance of this waste product in the first place.

Disposable nappies are the next avoidable waste to tackle, just as we bring our Keep Cups, use stainless steel straws, and bring our own shopping bags, it is time to start avoiding disposable nappies and turning to reusable modern cloth nappies.

At the end of 2020, only eight Councils within Australia provided rebates or incentives to encourage the use of reusable baby products. In addition, behaviour change, and education is required to ensure that new parents understand, succeed, and continue to use cloth nappies and reusable baby products. This does not include nappies that are used in Aged Care facilities or hospitals.

### ***Alternative Recycling Pathways***

Landfill sites are filling up faster than before. BINGO's recently processing facility is the 4th largest producer of scrap metal however not a scrap metal processor.

Community Recycling Centres play a part in engaging with local communities to better sort and realise the waste being produced. Clean Up Australia surveyed consumers and found that 64% of people are actively looking for recycled content products.

Whole bailed tyre export coming into effect in December 2021. 90% of passenger tyre are exported. Mining tyres make up 40% of Australia's tyre waste.

### ***Regional Issues***

The 2025 National packaging targets are to make 100% of packaging recyclable, reusable or compostable; 70 % target of plastic packaging recycled or compostable; 50% average recycled content across all packaging. APCO recognised more complex issues as there is no collection or end markets in outer regional and very remote areas. The reality is that 18.2% of Australian live in regional areas and 10.2% of Australian live in outer regional, remote, and very remote areas.

### ***Key Waste Issues and Strategy***

Australia generates around 74 million tonnes of waste each year and councils are responsible for about 17% of that. The Australian recycling and resource recovery market is worth ~\$15b and has grown at ~6% over the past 10 years.

Policies and targets which are not always well aligned and are voluntary. The fact that natural events such as fires, floods, pandemics plus export bans are likely to happen again, it was recognised that there is no point having such a tight waste system when we need to be able to be flexible to deal with these events. In transitioning to a circular economy that does not just use recyclable material but designs out non-recyclable waste, it was recognised that modernised legislation is needed that incentivises better design, that waste avoidance is front of mind and that materials stay in the system as long as possible.

A challenge of the waste export ban is to procure products to drive the pull-through from kerbside plus the need to develop social licences to utilise the materials which will require certifications and standards.

Waste Nationalism is upon us with a minister for waste reduction. There is increasing recognition that countries need to deal with their own waste resulting in import/export bans of the China Sword and subsequent policies. Not one option will solve everything, this needs to be a coordinated approach and all of the players nationally to be working together.

With the UN Sustainability Goals and climate targets it was recognised that never before has there been this drive for change. The COAG waste bans have put pressure on the industry but the opportunity to build a circular economy. Government procurement is essential to create a circular economy. The purchasing market needs to be present for repurposed items.

### ***Circular Economy***

State Governments are allocating resources in their commitment to transition to a circular economy, assisting local governments and organisations.



Planet Ark's ACE Hub is being developed as a centralised platform and knowledge bank to bring together the application of the circular economy and support new initiatives. It will be a marketplace for local governments to connect buyers and organisations to distribute unwanted materials.

Yume Foods has also developed a similar tech platform for the sale of surplus food from production and transport such as discontinued varieties, incorrect packaging and changed ingredients.

The Victorian Government's Recycling Victoria's policy for circular economy has set targets for all households to have glass collection services by 2027 and FOGO by 2023. Under this policy, there will also be a new waste law and new waste authority established to represent industry standards.

A collaborative of South Sydney Councils has joined in a procurement partnership for and have developed a closed loop market for crushed glass. Years of trailing crushed glass in roads as a substitute for sand has found to be a suitable, safe alternative.

#### **Plastics**

Problematic plastics and phasing out single-use plastics were a discussion point with the mixed waste plastic ban occurring 1 July 2021. It was detailed that exemptions for plastics can be applied at the Minister's discretion to include needs for medical or personal application.

Ocean plastic pollution was the primary focus of this topic, detailing the emerging impact our plastic consumption habits have on ocean pollution.

#### **Technology**

Technology can have benefits for waste disposal and protect assets such as landfills to ensure these are available to use in the long term. It is recognised that the value of data collection can be beneficial for monitoring, reporting regulation and increasing efficiency of a waste service. The technology of sensors and qualitative reports from waste infrastructure can increase efficiency for logistics and future planning. With data and technology associated with waste infrastructure, issues of data security, software compatibility, not all real time, sensors need to be compatible with the bin. However, it was outlined that the costs and up front investments can be high but beneficial in the long run.

Smart bin sensors record how full the bin is, movement, temperature, solar power, compactor, alert lights, and close off features when full. The advantages of smart bins are to identify critical areas of full bins.

Landfill vouchers have since replaced hard-waste kerbside collections, however moving from a paper base system to online is needed due as other council business aspects move online. Issues for tenant's vs homeowners and how these householders receive their landfill voucher are present. Changing to a digital approach presented similar overheads when compared to the paper-based approach with further benefits of moving away from the manual administration.

With 20% of household waste unable to be dealt with in the kerbside waste collections (e-waste, clothes, soft plastics etc) the app Recycle Smart is the 'Uber' for waste. By booking collections online, uber-style collectors will collect waste from residents' front doors and transport this to a nearby recycling centre. Residents take responsibility for what is collected with reporting feedback on how much overall the resident has diverted from

landfill. Currently Recycle Smart services 6 Sydney based councils or as a user pay system further afield.

#### ***Product Stewardship***

There is more recycled content in packaging today than is being recycled by the kerbside system, mostly made up of clean, postindustrial packaging material. Industry is reliant on this however targets are aimed at post-consumer products for a circular economy. Flexible packaging a third on the packaging on the market. Food standards restrict recycled food packaging to be reused with foods. The only way to process this for reuse in food packaging is to chemical recycle to create bio oil.

Collections for soft plastics are growing exponentially however reports are saying that end markets are still needed to be developed.

Mattress Recycling is starting to make way in partnerships with responsible brands. Drum Muster is an initiative coordinated by the chemical manufactures. About 2 million containers are collected every year, which represents only half of the market. Collections run in rural and regional areas.

#### ***Indigenous Waste Management***

Addressing waste issues experienced in Aboriginal communities and housing areas of waste accumulation, bin infrastructure and access to correct information were presented in this stream. Previous short term campaigns resulted in little impact. By establishing working groups of different agencies used to collaborate to address a project with the community showed success in waste cleanup for amenities and the local environment.

Engaging with communities recognised that there is no one size fits all approach and engagement needed to happen with all involved in waste management. To approach with a long term plan to increase safety and reduce health risks by cleaning up the surrounding environment. Examples of work has been done to regenerate the old dumping sites and clean up illegal dumping areas. Flow on effects of clean-up work has allowed the development of land for orchids and chook houses, creating access to fresh food plus new skills within these communities. The approach of a slow and long standing approach resulted in positive change.

#### ***Organics***

Organics present the big piece of the waste diversion from landfills. All local governments are signatories of the national waste target. National targets aim to halve the amount of organic waste heading to landfill by 2030 of which FOGO is needed to achieve this target. Of the municipal solid waste stream making up 70% of waste headed to landfill, only 16% of councils within Australia offer FOGO collections.

There is the driver from the public to make compost commercially available. However currently, the risk of contamination outweighs the cost of the end product.

Collecting organics in multi-unit dwellings can pose issues of logistics and different collection and on-site processing methods looked at innovative infrastructure as a way of addressing this. Multi-unit dwellings presented similar contamination rates to that of single unit dwelling. The message was about engaging with the community and use of infrastructure in innovative approaches.

### **Litter**

Since 2014, the NSW EPA has had a target to reduce litter volume by 40% by 2020 and has reached this milestone by reducing litter by 43%.

Litter audits inform behaviour change and campaign effectiveness. Community events and community engagement to promote reporting litters, life cycle of plastics processing, beach litter clean ups demonstrating sampling microplastic audits to enable citizen science. Another angle to approach people to remind people to use the bin. A single ranger could talk to up to 400 people in a shift, feedback was that the environment public place was cleaner.

A zero waste event guide developed by a collective of Victorian Councils helps event organisers and patrons eliminate waste and prevent litter at all types and sizes of events. The guide uses a step by step process to consider the planning, delivery and evaluation of events when eliminating waste. The guide also presents case studies of past events and their successes of waste elimination.

Cigarette butt litter was also addressed with cigarettes butt filters now included in the Federal Government's Plastic Plan. An approach of a product stewardship is considering the issue of plastic filters and alternatives.

### **Illegal Dumping**

Illegal dumping issues, projects and initiatives were presented from across NSW. "Combating illegal dumping is a key priority for the NSW Government and local communities. The government is committed to protecting local environments from pollution by reducing all types of illegal dumping incidents across the state by 30% by 2020".

Using a reporting waste app and website widget for the community to report illegal dumping to make it easy for the community to report. The data can create a heat map of hot spots to inform future decision making.

### **Some Presentations**

#### ***The Challenges of redesigning waste management infrastructure for the future.***

Waste management is evolving and to build a circular economy we need to redesign the waste management system from the ground up.

Food waste is directly responsible for 8% of global carbon emissions. One third of all food produced is lost or wasted (1.3 billion tonnes), costing the global economy c.\$940 billion each year. In Australia, over five million tonnes of food go to landfill from households and the commercial sector, costing the economy c.\$20 billion a year.

This substantial amount of food waste arises in myriad ways, down the supply chain from farm to fork. Solutions to clean organic streams like pre-consumer, agricultural or factory wastes are rapidly emerging but harder to manage waste streams remain a challenge.





The highest volume of food organic wastes comes from households and businesses, often at low volumes. We require Infrastructure that is agile enough to manage different organic waste types and their associated logistics requirements. Goterra's solution uses modular, autonomous infrastructure at the location where waste is generated; using maggots working in tandem with robotics. The solution is called Modular Infrastructure for Biological Services (MIBS). These MIBS (contained in modified 20 foot shipping containers) can be placed right where the waste is being produced. The MIBs accommodate colonies of black soldier flies (BSF) that quickly consume large quantities of organic waste and in doing so, turn it into two valuable commodities - a highly sustainable protein and soil enhancer. Value is created, organic materials are up-cycled back into the economy and transport miles are radically reduced.

Startups in the waste management sector learn from the relationships of their clients and stakeholders. How to liaise with councils, asset managers and waste management providers to unlock technology driven solutions to redesign waste management solutions. Engagement with the sector is pivotal to designing effective technology that solves real world problems.



### **Reducing cigarette butts**

Cigarette butts are consistently the most littered item in Australia; of the 24 billion cigarettes sold each year, 8 billion are littered. Cigarette filters are made from non-biodegradable plastic (~12,000 strands of cellulose acetate) that can take up to 12-15 years to break down. Upon breaking down, they convert to micro plastics and leach their toxic materials.

Despite the illegality of littering cigarettes and the environmental harm of this behaviour, Australians continue to litter their cigarettes at alarming rates. Current policy continues to focus on solutions directed at the individual, such as disposal infrastructure and smoker education, which while important, have yet to deliver a significant impact on the issue.



WWF-Australia commissioned Equilibrium to produce a report into the solutions to this issue, with a focus on how product stewardship and the Federal Government's new Recycling and Waste Reduction Act can be utilised to reduce cigarette butt litter in Australia.

### **2021 for used tyre recycling.**

2021 is set to be a dynamic year for the Australian used tyre recycling sector with export bans implemented and increased domestic demand for used tyre products, coupled with uncertainty for traditionally safe overseas markets.

The planned Federal government ban on the export of whole baled tyres will take effect in December 2021. Federal intervention in the waste and recycling sector (policies such as the export bans and funding through channels such as the Recycling Modernisation Fund) along with COVID initiated discussions of more domestic manufacturing, has renewed calls for domestic procurement policies, including used tyre related products.

The adoption of sustainable procurement policies by local, state, and federal governments, as well as the private sector, could be extremely productive in generating additional markets for tyre derived fuels (TDF), used tyres in civil works, rubber crumb in asphalt and domestically manufactured re-treaded tyres.

Australia exports around 180,000tonne of TDF to high end industrial facilities in Japan and South Korea every year. This material replaces coal and has positive greenhouse gas benefits. But we do not use much domestically, and we could.

Hopefully 2021 will see talk of sustainable procurement manifest in increased demand for re-treads as these products save on virgin materials and greenhouse gases.  
A big missing piece of the puzzle is the fact that around 40% of total tyre imports into Australia are for the mining and earth moving sectors and most of this material continues to be buried on site at the end of its life. This outdated attitude of, 'there's a hole, let us dump this in it', is slowly shifting, though in the absence of state regulations requiring the removal of this waste, change is slow.

Australian used mine tyres are being processed, shipped to India, and further processed. This material is micronised and used in the manufacture of new tyres in India. That is a circular economy outcome right there!

#### **Recycling Improvement Program for Apartment Buildings**

The Recycling Improvement Program has reduced contamination rates of residential bins in over 100 apartment buildings and maintained long-term behaviour change to recycle right in Waverley LGA. By working with Strata managers and recycling champion residents, buildings in the program have reduced their contamination rates in the container recycling bins by 58%, the paper and cardboard recycling bins by 57% and the garden organic bins by 76%.

Waverley Council is the second most densely populated Local Government Area in Australia with more than 80% of their population currently residing in Multi-Unit Dwellings (MUDs). The Waverley community is also a culturally and linguistically diverse community, with many residents (48%) renting. Contamination in kerbside recycling streams is a challenge facing all local governments in Australia. With changes in the waste management and recycling industry, the emphasis to ensure the community is well informed and provided with the right infrastructure to separate their waste correctly is of paramount importance.

#### **Clean Country- Collaboration and Local Solutions**

In 2017, the Aboriginal Environmental Health Unit (AEHU) established the CLEAN Country-working group in Kempsey in response to household waste management issues. The working group includes Kempsey Shire Council, NSW Health, Aboriginal Environmental Health Unit, North Coast Public Health Unit, Mid North Coast Local Health District Health Promotion, Community Housing Limited, Mid Waste Group, Kempsey Place Plan, Kempsey Local Aboriginal Land Council and Cleanaway.

The Pilot Project was divided into three stages.

- (a) Stage 1 included gathering evidence of waste issues through auditing and tenant engagement and recommended local solutions.
- (b) Stage 2 developing and supporting processes and projects that support stage 1 recommendations, and
- (c) Stage 3 to reflect and evaluate the Project outcomes and processes. In 2021, the project is entering stage 3.

The project title CLEAN refers to: (C) Community (L) Litter<sup>SEP</sup> (E) Education (A) Assessment (N) Necessities.

COUNTRY refers to: <sup>SEP</sup>Aboriginal people are the ancestors of the original population of their geographical country. Their understanding of land and water is the living cultural knowledge that is passed down from generation to generation. This project promotes the respecting of country for future generations.

Based on the evidence collected in stage 1, the Clean Country Working Group endorsed four recommendations:

- Review options and develop criteria for offering larger waste bins to larger families.
- Assist property managers to develop a process to support their tenants to replace missing or damaged bins.
- Assist property managers to develop a process to prevent, identify and remove the household bulk waste accumulation and
- Identify opportunities for Kempsey Shire Council and Housing Managers to provide culturally appropriate community waste education.

The working group established a target area within West Kempsey where a range of projects were offered and evaluated. This area was selected due to ongoing issues of accumulated waste around properties, high contamination of recycling, litter issues and missing household bins. The social and health determinates for West Kempsey contribute to the high volumes of waste, the reduced access to licensed vehicles and trailers to remove waste and low focus on waste management. Many of the tenants are impacted by poor socio-economic factors and include large families and a high number of visitors.

Local Aboriginal employment was at the centre of the project delivery and design and included survey work, waste education roles, yard clean ups and waste auditing.

The continued CLEAN Country project has had a number of successes including the design and delivery of the Good Sort Initiative that led to a reduction of contamination in 60% of households involved. Collaboration was also formed with MALPA, an Aboriginal Health and wellbeing program in schools to include waste education in their existing program. Direct engagement with tenancy managers to improve processes for replacement of household bins and criteria for offering larger waste bins for tenants was initiated. Additionally, the Kempsey Healthy homes project was developed from the working group and a yard clean up in collaboration with the Neighbourhood Centre.

Resolving waste issues in low socio-economic areas is challenging and does not happen fast. It requires localised, interagency collaboration and time. Really understanding the barriers that families face and the willingness and flexibility to offer different solutions to different families depending on their situation is also important. We have also learnt to celebrate the wins, reflect, and work together for better outcomes for our community.

***Resource Recovery Partnerships: The Foundations of a Circular Economy***

With the amount of knowledge available to us via the internet and issues of civil and social problems becoming more transparent, individuals and communities are more informed than ever before. And they do not just want to 'buy stuff', they want businesses and brands that support causes they care about.

At the same time, consumer-facing businesses are trying to figure out the best ways to navigate and develop practices that are sustainable and meet this growing green trend. In 2019 and 2020 we have seen mass protests around the world regarding many issues, including climate change, demonstrating the need for corporate businesses to act quickly to address their own CSR and sustainability.

There is no one-size-fits-all solution to this problem. It is going to take governments, communities and businesses working together to create lasting change.

One strategy for creating collaborative solutions that engage businesses, social enterprises, and communities to address climate action and build the circular economy can be found in



resource recovery partnerships. A partnership strategy and outcomes between social enterprise, World's Biggest Garage Sale (WBGS) and major national retailer, Officeworks.

WBGS and Officeworks have formed a strong partnership which sees returned and imperfect products from Officeworks taken through a resource recovery process including repairing and repurposing, thereby transforming waste into saleable products. This is part of Officeworks' journey to become a zero-waste business.

Officeworks are committed to selling quality home and office furniture, but inevitably there is a small amount that may be unfit for sale due to damage incurred whilst in transit, that would typically need to be disposed of in landfill. As a part of their sustainability and community strategy, Positive Difference Plan 2025, which sets commitments to reduce the company's environmental impact, they were looking for solutions that would enable their team to divert these products from landfill. It has been a perfect fit with WBGS, whose mission is to activate the circular economy and dormant goods for good as a way to make profit that creates a positive impact on people and the planet.

The partnership commenced with a pilot project in the second half of 2019.

Goals in this resource recovery partnership have been two-fold: to activate the circular economy and divert as many items as possible from landfill and ensure dormant goods (i.e., no longer needed, or unwanted goods) remain in the economy for as long as possible and extend lifecycles. Secondly, through this work we are creating local employment opportunities particularly in entry-level and semi-skilled jobs for vulnerable community members. Over time significantly larger amounts of product from Officeworks and have definitely seen the circular economy come to life in Australia with the launch of Australia's first Circular Economy Precinct in Morningside, Queensland. This has enabled diversion of significantly larger amounts of goods from landfill, with the Precinct operating as both a resource recovery centre and a retail outlet, selling products to the community at affordable prices. To that end, the revenue generated has allowed us to increase employees 4-fold, in particular engaging young vulnerable Australians in meaningful employment.

Goals have expanded as a result of this initiative with Officeworks. Initial business focus was mobilising dormant goods in good condition, that is, reuse of products that were no longer needed or wanted but perfectly capable of subsequent lives with new owners. Through the partnership with Officeworks business has grown, and have set up systems, workflows, and processes to not only reactivate items immediately ready for reuse, but also damaged items or those with missing parts, so repair and repurpose are now a large focus for business.

Since the project commenced, diverted an estimated 32 tonnes of potential landfill waste. This partnership has enabled the opportunity for tangible movement toward Australia's commitment to a Circular Economy; whilst also delivering directly on environmental, social, landfill diversion and material recovery rates.

Over the last four months, Officeworks has recycled a total of 91.3% of all operational waste and reduced their landfill waste year on year by 44%.

#### **National Waste Report 2020**

A presentation of highlights of the National Waste Report 2020. This report is the authoritative national collation of data on waste. It is prepared using data supplied by the states and territories and sourced from industry. The data is compiled with historical records back to 2006-07 prepared on a consistent framework. The presentation covered data on waste generation, recycling, energy recovery, disposal, exports, imports, comparative recovery rates by jurisdiction, management and trends by material, international comparisons, end-of-life products and packaging and other themes.

The National Waste Report 2020 will be released by Ministers Lee and Evans in the near future and will be interesting reading.

**Ipact Presentation**

Ipact presented the new DWM CHARGES REVIEW. The Time Line for the Draft Report will include: -

- the broad principles and more detailed explanation and examples regarding Incremental Cost, Reasonable Cost, Efficient Cost.
- The Final Report will be published by September 2021.
- We will work with local government to incorporate these pricing principles and worked examples into a guidance manual.
- Councils will submit benchmarking data by end of March 2022. This will be a practice run and will not be published publicly.
- From 4th Quarter 2021 onwards, we hope to have in place the fast-track rebalancing process (like crown lands).
- The new regime will formally commence with public benchmarking for the 2023/24 financial year.

For Councillors interested, I can forward a copy of the presentation to you.

**Overall Takeaways**

Technology and innovation will override historical ways of managing waste and resource recovery. With more access to smart devices and mobile technology, solutions are appearing for better ways of approaching more complex products.

The Federal Government's push of waste bans coming into play plus the investment in the circular economy will see this space evolve out of necessity. This can only be seen as a positive step forward taking action opposed to none at all.



**A LAST THOUGHT: -**

"It is incumbent on us to ensure we not only do things right, but that we do the right things."