

Strategy and Assets Committee

Meeting Date: Tuesday, 18 May, 2021
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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

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

Agenda

1. **Apologies / Leave of Absence**
2. **Confirmation of Minutes**
 - Strategy and Assets Committee - 13 April 2021 1
3. **Declarations of Interest**
4. **Mayoral Minute**
5. **Deputations and Presentations**
6. **Notices of Motion / Questions on Notice**
 - Notices of Motion / Questions on Notice
 - SA21.73 Notice of Motion - Creating a Dementia Friendly Shoalhaven 23
 - SA21.74 Notice of Motion - Reconstruction and Sealing Hames Rd Parma 25
 - SA21.75 Notice of Motion - Cost of Refurbishment of the Mayoral Office 26
 - SA21.76 Notice of Motion - Madeira Vine Infestation Transport For NSW Land
Berry 27
 - SA21.77 Notice of Motion - Possible RAAF World War 2 Memorial 28
7. **Reports**
 - CEO
 - SA21.78 Application for Community Consultative Body Council Accreditation -
Burrill Lake Community Association 31

City Performance

| | | |
|---------|--|----|
| SA21.79 | Recruitment of Employees Update | 37 |
| SA21.80 | Status Report - Naming Berrara Reserve - Rob Bourke Reserve | 40 |
| SA21.81 | DPOP 2020-21 - Quarterly Performance and Budget Report (January-March)..... | 42 |
| SA21.82 | Policy - Liquidity Contingency Plan | 51 |

City Futures

| | | |
|---------|--|----|
| SA21.83 | Report Back - Jervis Bay National Park - Council Property Transfers..... | 60 |
| SA21.84 | Proposed Sale of Land - Moss Vale Road South Urban Release Area..... | 67 |
| SA21.85 | Proposed Lease - Council as Lessee - Unit 1, 51 Graham Street, Nowra | 68 |
| SA21.86 | Tenders - Flinders Industrial Estate - Stage 10 Subdivision | 78 |
| SA21.87 | Public Spaces Legacy Program - Acceptance of Grant for Ulladulla Harbour Boardwalk & Harbourside Project..... | 80 |

City Services

| | | |
|---------|--|-----|
| SA21.88 | Callala Beach Drainage Maintenance & Construction | 83 |
| SA21.89 | North Mollymook Beach - Car Parking & Pedestrian Access / Safety | 92 |
| SA21.90 | Mollymook Outriggers Club - Storage Site Location | 97 |
| SA21.91 | Proposed Road Closure & Sale - Broughton Vale Road Broughton Vale | 108 |
| SA21.92 | Community Fire Unit (CFU) - Bendalong / Manyana / Cunjurong Point / Berringer Lake - RFS - Report Request - Future Vacant Bendalong Station..... | 111 |
| SA21.93 | Tenders - Basin Walk - Stage 2..... | 113 |
| SA21.94 | Tenders - Management & Operation of Holiday Haven White Sands | 115 |
| SA21.95 | Tenders - Management & Operation of Holiday Haven Lake Tabourie.... | 117 |
| SA21.96 | Tenders - Management and Operation of Holiday Haven Currarong..... | 119 |
| SA21.97 | 12 Month Update of Electric Vehicle Trial..... | 121 |
| SA21.98 | Response - Question on Notice - Road Renewals & Building Maintenance | 129 |
| SA21.99 | Bereavement Services - Crown Land Plan of Management - Progress to Public Exhibition..... | 135 |

City Development

| | | |
|----------|---|-----|
| SA21.100 | Protecting Our Towns from Bushfire - Report on Federal and State Inquiry Findings..... | 139 |
| SA21.101 | TfNSW Acquisition by Agreement Part Lot 415 DP 1210528 Gardenia Crescent Bomaderry (Princes Highway Bomaderry) | 150 |

City Lifestyles

| | | |
|----------|---|-----|
| SA21.102 | Heating Options - Greenwell Point Village Pool..... | 155 |
| SA21.103 | Tender - Construction of Amenities Building - Milton Showground | 161 |

| | | |
|-------------------------|--|-----|
| SA21.104 | Acceptance of Grant Funding - Regional Cultural Fund Digitisation Round | 163 |
| SA21.105 | Acceptance of Bushfire Community Recovery and Resilience Fund - Stream 2 Grants and 12 Month Extension of Community Recovery Officer Funding | 166 |
| SA21.106 | Thurgate Oval - Proposed Dog Park - Status Update | 170 |
| <u>Shoalhaven Water</u> | | |
| SA21.107 | Shoalhaven Water - Debt Write Off - Telecommunications Rent | 175 |
| SA21.108 | Sale of Surplus Council Land at Terara | 176 |
| SA21.109 | Acquisition of Easement for Sewerage Purposes - 14&16 Daley Crescent North Nowra | 179 |

8. Confidential Reports

Reports

- CSA21.9 Proposed Sale of Land - Moss Vale Road South Urban Release Area
- Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CSA21.10 Tenders – Flinders Industrial Estate – Stage 10 Subdivision
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CSA21.11 Tenders - Basin Walk Stage 2
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CSA21.12 Tenders – Management & Operation of Holiday Haven White Sands

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

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

CSA21.13 Tenders – Management & Operation of Holiday Haven Lake Tabourie

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

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

CSA21.14 Tenders – Management and Operation of Holiday Haven Currarong

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

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

CSA21.15 Tender - Construction of Amenities Building - Milton Showground

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

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

CSA21.16 Shoalhaven Water - Debt Write Off - Telecommunications Rent

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to undermine competitive neutrality in connection with any functions of an agency in

respect of which it competes with any person or otherwise place an agency at a competitive advantage or disadvantage in any market.

Strategy and Assets Committee

Delegation:

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

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

- a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, operational plan, and resourcing strategy within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the Chief Executive Officer;
- c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
- d. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
- e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'Crown Land Manager' under Division 3.4 of the *Crown Lands Management Act 2016* and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the Chief Executive Officer or cannot be delegated by Council;
- f. Provision of corporate direction to Shoalhaven Water in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
- h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
- i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
- j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council;

- k. Review and make recommendations to Council in relation to:
- i. The sale prices of land in connection with residential and industrial Council subdivisions;
 - ii. The sale of Council property or the purchase or resumption of land;
 - iii. The compensation to be offered in respect of land resumed by Council; and
 - iv. Properties leased/rented by Council, or properties leased/rented from Council other than those delegated to the Chief Executive Officer for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
- Note: MIN14.912 delegates authority to the Chief Executive Officer to approve and execute leases and licences that are for a maximum term of 5 years; and are in accordance with current policies and relevant legislation; and have an annual rental of \$5,000 or less; and have not been objected to as a result of the public exhibition process (Community Land).*
- In addition, MIN14.912 delegates authority to the Chief Executive Officer to approve and execute telecommunications licences where the agreement relates to an existing telecommunication site.*
- Note: MIN15.237 delegates authority to the Chief Executive Officer to approve and finalise all lease negotiations in relation to the properties now managed by Integrity Real Estate ... and to sign any documents necessary to give effect to this resolution.*
- l. To determine and accept all tenders with a value of \$1 Million or more with the following exceptions (MIN17.334):
- i. Those tenders required by law to be determined by full Council (MIN17.334),
 - ii. Those tenders where the recommendation is to not accept any tender (which will be reported directly to Ordinary) (GD19.164).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 13 April 2021
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

An apology was received from Clr Alldrick and Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Pakes / Clr Gartner) MIN21.186

That the Minutes of the Strategy and Assets Committee held on Tuesday 09 March 2021 be confirmed.

CARRIED

Declarations of Interest

Clr Proudfoot – “SA21.54 - Report Back - Representations - Shoalhaven Hospital Car Parking” – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – “his daughter is a nurse at the hospital and there could be a perception of some form of favourable benefit towards his daughter”.

Clr Proudfoot – “SA21.71 - Evaluation of New Water Recycling Projects - Cost-Benefit Framework – pecuniary interest declaration – will leave the room and will not take part in discussion or vote –

“he is the president of the St Georges Basin Country Club who owns the Vincentia Golf Club which may benefit greatly from access to the REMS Scheme”.

Mr Stephen Dunshea - CEO – “SA21.68 - Feasibility Report - Provision of Sewer to Tomerong Village ” – significant non pecuniary interest declaration – will leave the room and will not take part in discussion or vote – “he is a home owner and resident of Tomerong”.

Clr Findley – “SA21.48 - Question on Notice - The River Road, Currowan.” – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – “they are only Questions on Notice about a road of which she has a share in a property”.

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA21.46 – Notice of Motion – Proposed Road Closure and Subdivision – Part North Cres, Culburra Beach

Mr David Riordan addressed the meeting to speak in favour of the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White) MIN21.187

That the matter of item SA21.46 - Notice of Motion - Proposed Road Closure and Subdivision – Part North Cres, Culburra Beach be brought forward for consideration.

CARRIED

| | | |
|----------------|---|------------------------------|
| SA21.46 | Notice of Motion - Proposed Road Closure and Subdivision – Part North Cres, Culburra Beach | HPERM Ref: D21/132820 |
|----------------|---|------------------------------|

Recommendation (Item to be determined under delegated authority)

That:

1. Council halts all works on the Council owned green space which has been identified as surplus Council land on the northern side of North Crescent between the Lake Circuit and Marina Lane.
2. The CEO bring back to the earliest appropriate meeting a report which covers the following issues:
 - a. Proposed plans for the “Green Space” including capital works, land clearing, subdivisions, extent of the original community consultation and the associated time frames.
 - b. An environmental impact statement and cost benefit analysis for the planned project.
 - c. Suggestions for possible alternative uses of this land including the recategorisation of it as Community Land and the creation of a nature reserve.
 - d. A Consultation Plan which might include CCBs, tourism bodies and the wider Culburra community.
 - e. How far the project has progressed and the options to reconsider it.

RESOLVED (Clr Levett / Clr Pakes)

MIN21.188

That Council halts all works on the Council owned green space which has been identified as surplus Council land on the northern side of North Crescent between the Lake Circuit and Marina Lane, until the CEO brings back to the earliest appropriate meeting a report which covers the following issues:

1. Proposed plans for the "Green Space" including capital works, land clearing, subdivisions, extent of the original community consultation and the associated time frames.
2. An environmental impact statement and cost benefit analysis for the planned project.
3. Suggestions for possible alternative uses of this land including the recategorisation of it as Community Land and the creation of a nature reserve.
4. A Consultation Plan that includes CCBs, tourism bodies and the wider Culburra community.
5. How far the project has progressed and the options to reconsider it.

FOR: Clr Wells, Clr Findley, Clr Gash, Clr White, Clr Gartner, Clr Digiglio, Clr Levett, Clr Pakes, Clr Watson, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Kitchener

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA21.44 Notice of Motion - Amendment to the NSW Electoral Laws

**HPERM Ref:
D21/121974**

Recommendation (Item to be determined under delegated authority)

That Council make representations to the Hon. Shelley Hancock MP, Minister for Local Government requesting Mrs Hancock to extend the prohibition in respect of individuals elected to Local Government from holding two (2) elected positions by including the Commonwealth Parliament of Australia in the prohibitions in the Legislation.

RESOLVED (Clr Watson / Clr Pakes)

MIN21.189

That Council make representations to the Hon. Shelley Hancock MP, Minister for Local Government requesting Mrs Hancock to extend the prohibition in respect of individuals elected to Local Government from holding two (2) elected positions by including the Commonwealth Parliament of Australia in the prohibitions in the Legislation.

FOR: Clr Wells, Clr White, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Levett and Stephen Dunshea

CARRIED ON THE CASTING VOTE OF THE CHAIR

SA21.45 Notice of Motion - Thompson St Sporting Complex - Supply of Front Deck Mower

**HPERM Ref:
D21/122842**

Recommendation

That:

1. Council supply a front deck mower, type to be determined by Director City Services, for the use of the Thompson Sporting Complex Committee in maintaining the grounds.

2. The funds for the acquisition to be sourced from the Plant Replacement Reserve or other source, as determined by the CEO.

RECOMMENDATION (Clr Watson / Clr White)

That:

1. Council supply a front deck mower, type to be determined by Director City Services, for the use of the Thompson Sporting Complex Committee in maintaining the grounds.
2. The funds for the acquisition to be sourced from the Plant Replacement Reserve or other source, as determined by the CEO.

CARRIED

SA21.46 Notice of Motion - Proposed Road Closure and Subdivision – Part North Cres, Culburra Beach

**HPERM REF:
D21/132820**

Item dealt with earlier in the meeting see MIN21.188.

SA21.47 Notice of Motion - Improved Parking Signage - Croobyar Rd, Milton

**HPERM Ref:
D21/132942**

Recommendation (Item to be determined under delegated authority)

That Council

1. Improve the signage for legal parking requirements on Croobyar Rd along the border of Milton Showground by:
 - a. Increasing the size and frequency of signage.
 - b. Ensure signage is affixed to immovable structures Further, that Council write to Milton Promotions Committee advising how those with fines can appeal them due to inadequate signage.
2. Write to Milton Promotions Committee advising how those with fines can appeal them due to inadequate signage.

RESOLVED (Clr Gartner / Clr Findley)

MIN21.190

That Council:

1. Improve the signage for legal parking requirements on Croobyar Rd along the border of Milton Showground by:
 - a. Increasing the size and frequency of signage.
 - b. Ensure signage is affixed to immovable structures Further, that Council write to Milton Promotions Committee advising how those with fines can appeal them due to inadequate signage.
2. Write to Milton Promotions Committee advising how those with fines can appeal them due to inadequate signage.

CARRIED

SA21.48 Question on Notice - The River Road, Currowan

**HPERM Ref:
D21/126803**

Clr Findley – less than significant non pecuniary interest declaration – “they are only Questions on Notice about a road of which she has a share in a property”. - remained in the room and took part in discussion and voted.

Question

The River Road is a Council road which is used on a regular basis by residents living in the Shallow Crossing / Brooman / Mogood area. Tourists also visit Shallow Crossing and surrounds so there is always a bit of traffic on this road especially during holiday time.

1. Is SCC aware of the current extent of use of The River Rd Currowan by logging trucks?
2. Is SCC aware of the number of near misses between road users and logging trucks in recent months?
3. Does SCC consider the mix of residents, tourists and logging trucks advisable?
4. Has SCC increased its maintenance schedule for The River Rd in the face of increased use by logging trucks?



Response

A report addressing the questions will be submitted to a future Strategy & Assets Committee meeting.

REPORTS

SA21.49 Draft Delivery Program Operational Plan and Budget 2021-2022 - Public Exhibition

**HPERM Ref:
D21/80866**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the 2021/22 Draft Delivery Program and Operational Plan, Budget, Fees and Charges for the purpose of placing on public exhibition for a period of 28 days.
2. Approve the Ministers allowable limit of a 2.6% increase (2% rate peg plus 0.6% SRV catch-up) in 2021/22 to the notional yield as permitted by Section 511 of the Local Government Act 1993.
3. Maintain the 2020/21 rating structure, comprising both base and ad valorem amounts noting that the use of a base amount results in bringing the higher and lower values closer together and in effect spreads the burden across the board to all ratepayers – noting also that this is a commonly used rating structure that is considered to provide the fairest and most equitable distribution of the rate levy across the LGA.
4. In accordance with Section 566(3) of the Act, endorse the rate of interest payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022 (inclusive) to be 1.5% per annum. It is noted that this is significantly lower than the 2020 OLG recommended maximum of 7%. Interest charges will continue to be waived for ratepayers that are experiencing financial hardship and apply for financial assistance under Council's Hardship Policy.
5. Note that the proposed Waste Fees and Charges for 2021/22 have been included in the Draft DPOP and are tabled to Council for endorsement in a separate report to this Strategy & Assets Committee Meeting.
6. Receive a report on feedback from the community on the Draft 2021/22 DPOP and Budget following the 28 days public exhibition period.

Clr Watson attempted to move an amendment to the Motion. The Chairperson ruled that in accordance with Section 10.10 of the Code of Meeting Practice the proposal was not an amendment as it was a negative to the motion and would be considered as a foreshadowed motion.

Clr Watson raised a Point of Order – under Section 15.11 of the Code of Conduct - against Clr Findley - that she is casting dispersions on other Councillors. The Chairperson ruled against the Point of Order.

Clr Pakes raised a Point of Order – under Section 15.11d of the Code of Conduct - against Clr Findley – the Mayor has made insults and made personal reflections or improper motives on Councillors. The Chairperson ruled against the Point of Order.

Clr Proudfoot raised a Point of Order – against Clr Findley – she assumed which way he would vote. Clr Findley apologised. The Chairperson did not rule on the Point of Order.

Clr Proudfoot raised a Point of Order – against Clr Findley - regarding her using the collective word “you” throughout the debate. Clr Findley apologised. The Chairperson did not rule on the Point of Order.

Clr Findley raised a Point of Order – against Clr Watson - regarding his comments about her outburst and imputing on her personal credibility. The Chairperson ruled in favour of the Point of Order and ask both Councillors to apologise regarding the tone of the debate. The Chairperson asked Clr Watson to withdraw his comments. Clr Watson withdrew his comments.

Clr Digiglio raised a Point of Order – under Section 15.33 of the Code of Conduct - against Clr Watson – by incriminating her name. The Chairperson ruled in favour of the Point of Order and asked Clr Watson to withdraw his comments. Clr Watson withdrew his comments.

RESOLVED (Clr Findley / Clr Digiglio)

MIN21.191

That Council:

1. Endorse the 2021/22 Draft Delivery Program and Operational Plan, Budget, Fees and Charges for the purpose of placing on public exhibition for a period of 28 days.
2. Approve the Ministers allowable limit of a 2.6% increase (2% rate peg plus 0.6% SRV catch-up) in 2021/22 to the notional yield as permitted by Section 511 of the Local Government Act 1993.
3. Maintain the 2020/21 rating structure, comprising both base and ad valorem amounts noting that the use of a base amount results in bringing the higher and lower values closer together and in effect spreads the burden across the board to all ratepayers – noting also that this is a commonly used rating structure that is considered to provide the fairest and most equitable distribution of the rate levy across the LGA.
4. In accordance with Section 566(3) of the Act, endorse the rate of interest payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022 (inclusive) to be 1.5% per annum. It is noted that this is significantly lower than the 2020 OLG recommended maximum of 7%. Interest charges will continue to be waived for ratepayers that are experiencing financial hardship and apply for financial assistance under Council's Hardship Policy.
5. Note that the proposed Waste Fees and Charges for 2021/22 have been included in the Draft DPOP and are tabled to Council for endorsement in a separate report to this Strategy & Assets Committee Meeting.
6. Receive a report on feedback from the community on the Draft 2021/22 DPOP and Budget following the 28 days public exhibition period.

FOR: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Levett, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Wells, Clr White, Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

Note: A rescission motion was received on this item.

SA21.50 Policy - Petitions to Council

**HPERM Ref:
D21/39061**

Recommendation (Item to be determined under delegated authority)

That Council

1. Rescind MIN11.667.
2. Adopt the attached Draft Policy - Petitions to Council, POL20/48.
3. Amend the Code of Meeting Practice, POL19/27 at Clause 19.19 to read " The exact wording of petitions tabled at meetings of the Council shall be recorded in the minutes of that meeting. Petitions will be managed in accordance with the Council's Policy for Petitions."

RESOLVED (Clr Wells / Clr Pakes)

MIN21.192

That Council:

1. Rescind MIN11.667.
2. Adopt the attached Draft Policy - Petitions to Council, POL20/48.
3. Amend the Code of Meeting Practice, POL19/27 at Clause 19.19 to read " The exact wording of petitions tabled at meetings of the Council shall be recorded in the minutes of that meeting."

Petitions will be managed in accordance with the Council's Policy for Petitions."

CARRIED

SA21.51 Council Meeting Dates - Proposed Amendments

**HPERM Ref:
D21/98510**

Recommendation (Item to be determined under delegated authority)

That Council reschedule the following meetings:

1. Development & Environment Committee: from Tuesday 4 May 2021 to Tuesday 11 May 2021 commencing at 5.00pm
2. Strategy & Assets Committee: from Tuesday 11 May 2021 to Tuesday 18 May 2021 commencing at 5.00pm
3. Ordinary Meeting of Council: from Tuesday 22 June 2021 to Tuesday 29 June 2021 commencing at 5.00pm.

RESOLVED (Clr Pakes / Clr Gartner)

MIN21.193

That Council reschedule the following meetings:

1. Development & Environment Committee: from Tuesday 4 May 2021 to Tuesday 11 May 2021 commencing at 5.00pm
2. Strategy & Assets Committee: from Tuesday 11 May 2021 to Tuesday 18 May 2021 commencing at 5.00pm
3. Ordinary Meeting of Council: from Tuesday 22 June 2021 to Tuesday 29 June 2021 commencing at 5.00pm.

CARRIED

SA21.52 Re-establishment of Alcohol Free Zones - Nowra East, Shoalhaven Heads, Culburra Beach/Orient Point, Mollymook

**HPERM Ref:
D21/118179**

Recommendation (Item to be determined under delegated authority)

That:

1. Council proceed with the re-establishment process of the Alcohol Free Zones for a period of four (4) years in the areas of Nowra East, Shoalhaven Heads, Culburra Beach, Orient Point/Crookhaven and Mollymook including consultation with licensees in the surrounding areas;
2. Should no objections be received to the re-establishment of these zones, authority be given to staff to proceed with the declaration of the proposed areas as an Alcohol Free Zone, without further reference to Council.

RESOLVED (Clr Pakes / Clr White)

MIN21.194

That:

1. Council proceed with the re-establishment process of the Alcohol Free Zones (AFZ) for a period of four (4) years in the areas of Nowra East, Shoalhaven Heads, Culburra Beach, Orient Point/Crookhaven and Mollymook including consultation with licensees in the surrounding areas;

2. Should no objections be received to the re-establishment of these zones, authority be given to staff to proceed with the declaration of the proposed areas as an AFZ, without further reference to Council.
3. Council undertake an audit of the AFZ signage in these areas of the Shoalhaven.

CARRIED

**SA21.53 2020/2021 Council Borrowings - Loan Agreement -
Holiday Haven**

**HPERM Ref:
D21/128852**

Recommendation

That Council:

1. Enter into a loan agreement with Commonwealth Bank of Australia for the amount of \$3,590,000 with a term of 10 years @ 1.94% to cover Holiday Haven's borrowing requirements that were included in the 2020/21 Operational Plan.
2. Execute the following documents:
 - a. Letter of offer.
 - b. Authorised officer's certificate.
 - c. Drawdown notice.

RECOMMENDATION (Clr Wells / Clr Proudfoot)

That Council:

1. Enter into a loan agreement with Commonwealth Bank of Australia for the amount of \$3,590,000 with a term of 10 years @ 1.94% to cover Holiday Haven's borrowing requirements that were included in the 2020/21 Operational Plan.
2. Execute the following documents:
 - a. Letter of offer.
 - b. Authorised officer's certificate.
 - c. Drawdown notice.

CARRIED

**SA21.54 Report Back - Representations - Shoalhaven Hospital
Car Parking**

**HPERM Ref:
D21/84426**

Clr Proudfoot – less than significant non pecuniary interest declaration – “his daughter is a nurse at the hospital and there could be a perception of some form of favourable benefit towards his daughter” – remained in the room and took part in discussion and voted.

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the outcome of representations regarding car parking associated with the Shoalhaven Hospital for information.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN21.195

That Council:

1. Receive the report on the outcome of representations regarding car parking associated with the Shoalhaven Hospital for information;

2. In conjunction with the Nurses Union, make further representations to the State Government advocating for an extension of free parking for staff for a set timeframe (eg. two (2) years) owing to overbearing construction and parking inhibitions in the township of Nowra.

CARRIED

SA21.55 Nowra-Bomaderry Bypass - Chronology

**HPERM Ref:
D21/119809**

Recommendation (Item to be determined under delegated authority)

That the report on the Nowra-Bomaderry Bypass – Chronology be received for information.

RESOLVED (Clr Gartner / Clr Gash)

MIN21.196

That the report on the Nowra-Bomaderry Bypass – Chronology be received for information.

CARRIED

SA21.56 Shoalhaven, the Economic Future

**HPERM Ref:
D21/114006**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the report of the Shoalhaven, the Economic Future.
2. Establish a comprehensive position, with examples, of the impact of the Biodiversity Conservation Act on the pricing and development of employment lands in Shoalhaven and report this to a future Strategy and Assets Committee including:
 - a. Prepare a strategy to lobby the NSW Government to address the implications of the Biodiversity Conservation Act on employment lands.
 - b. Case studies of where the impacts were detrimental to the creation of employment within Shoalhaven.
3. Continue to foster and grow its industry base and concentrate on extending this diverse industry mix across the City so that a greater level of economic resilience can be delivered in periods of economic adversity.

RESOLVED (Clr White / Clr Proudfoot)

MIN21.197

That Council:

1. Accept the report of the Shoalhaven, the Economic Future.
2. Establish a comprehensive position, with examples, of the impact of the Biodiversity Conservation Act on the pricing and development of employment lands in Shoalhaven and report this to a future Strategy and Assets Committee including:
 - a. Prepare a strategy to lobby the NSW Government to address the implications of the Biodiversity Conservation Act on employment lands.
 - b. Case studies of where the impacts were detrimental to the creation of employment within Shoalhaven.
3. Continue to foster and grow its industry base and concentrate on extending this diverse industry mix across the City so that a greater level of economic resilience can be delivered in periods of economic adversity.

4. Investigate the initiative introduced by Sunshine Coast Council to acquire, manage and offset biodiversity assets in the 1990s as a strategy to enable City offsets to be used to enable development to occur for the 200,000 additional residents/workers that were planned to come to the Sunshine Coast. A report be prepared and come back to Council within three months.
5. Organise a Deputation with The Member for South Coast the Hon Shelley Hancock MP and The Hon Matt Kean MP, Minister for Environment to discuss issues pertaining to the Shoalhaven and State with the biodiversity offset scheme for zoned employment lands.
6. Councillors receive a Briefing from the Economic Development Manager to allow for questions in relation to this report.

FOR: Cllr Wells, Cllr Gash, Cllr White, Cllr Gartner, Cllr Pakes, Cllr Watson, Cllr Kitchener, Cllr Proudfoot and Stephen Dunshea

AGAINST: Cllr Findley, Cllr Digiglio and Cllr Levett

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Cllr Wells / Cllr Gartner)

MIN21.198

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 7.37pm.

The meeting reconvened the time being 8.02pm.

The following members were present:

Cllr John Wells - Chairperson

Cllr Amanda Findley

Cllr Joanna Gash

Cllr Patricia White

Cllr Kaye Gartner

Cllr Nina Digiglio

Cllr John Levett

Cllr Mitchell Pakes

Cllr Greg Watson

Cllr Mark Kitchener

Cllr Bob Proudfoot

Mr Stephen Dunshea - Chief Executive Officer – arrived 8.03pm

SA21.57 Land Acquisition Matters - Cambewarra Locality

HPERM Ref:
D21/75969

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10(2)(c) of the Local Government Act 1993, consider a separate confidential report in relation to property acquisition matters associated with Cambewarra locality.

RESOLVED (Clr Gash / Clr Wells)

MIN21.199

That Council, in accordance with Section 10(2)(c) of the Local Government Act 1993, consider a separate confidential report in relation to property acquisition matters associated with Cambewarra locality.

CARRIED

SA21.58 Proposed Licence - Council as Lessee from Wardens of the Anglican Parish of Ulladulla

HPERM Ref: D21/77497

Recommendation

That Council:

1. Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2021 to 14 February 2026 for an annual rent amount of \$3,000 + GST per annum;
2. Authorise the rent to be paid from Finance Project 101771 Southern Local Roads;
3. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

RECOMMENDATION (Clr Pakes / Clr Gartner)

That Council:

1. Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2021 to 14 February 2026 for an annual rent amount of \$3,000 + GST per annum;
2. Authorise the rent to be paid from Finance Project 101771 Southern Local Roads;
3. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

SA21.59 Appointment of Native Title Manager and Notification to Minister for Planning, Industry & Environment

HPERM Ref: D21/106791

Recommendation

That Council:

1. Appoint Melissa Boundy – Senior Property Officer, Technical Services, City Services, as Shoalhaven City Council's Native Title Manager;
2. Reconfirm appointment of the following relieving Native Title Managers in the absence of the Senior Property Officer, Technical Services, City Services:
 - a. Property Officer – Amanda Walker; and
 - b. Property Officer – Michelle Deudney.
3. Advise the Minister for Planning, Industry & Environment as required by Section 8.8 of the Crown Land Management Act 2016.

RECOMMENDATION (Clr Pakes / Clr Levett)

That Council:

1. Appoint Melissa Boundy – Senior Property Officer, Technical Services, City Services, as Shoalhaven City Council's Native Title Manager;
2. Reconfirm appointment of the following relieving Native Title Managers in the absence of the Senior Property Officer, Technical Services, City Services:
 - a. Property Officer – Amanda Walker; and
 - b. Property Officer – Michelle Deudney.
3. Advise the Minister for Planning, Industry & Environment as required by Section 8.8 of the Crown land Management Act 2016.

CARRIED

SA21.60 Waste Services - Fees and Charges - Requested Percentage Increase

HPERM Ref:
D21/120419

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt a 7% increase to all Waste Service Fees and Charges as listed in the draft 2021/22 DPOP Fees and Charges to:
 - a. Maintain all existing service levels
 - b. Continue current free vouchers for waste services
 - c. Provide two additional new green waste vouchers to the suite of free services
 - d. Maintain working capital
 - e. Deliver the 10 Year Capital Works Program, deferring the following projects and plant to 2022/23:
 - i. Huskisson Hardstand \$285k
 - ii. Huskisson Relocation Offices \$150k
 - iii. West Nowra Fence \$130k
 - iv. West Nowra Waste Handler \$400k
2. Note subsequent years fees and charges percentage increases:

If grant application is unsuccessful:

 - i. 2022/2023 – 7%
 - ii. 2023/2024 – 6%

If grant application is successful:

 - i. 2022/2023 – 5%
 - ii. 2023/2024 – 5%

MOTION (Clr Watson / Clr Pakes)

That the matter of item SA21.60 - Waste Services - Fees and Charges - Requested Percentage Increase be deferred to the Ordinary Meeting.

FOR: Clr Wells, Clr White, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Levett, Clr Proudfoot and Stephen Dunshea

MOTION LOST

FORESHADOWED MOTION (RESOLVED) (Clr Gartner / Clr Gash)

MIN21.200

That Council:

1. Adopt a 7% increase to all Waste Service Fees and Charges as listed in the draft 2021/22 DPOP Fees and Charges to:
 - a. Maintain all existing service levels
 - b. Continue current free vouchers for waste services
 - c. Provide two additional new green waste vouchers to the suite of free services
 - d. Maintain working capital
 - e. Deliver the 10 Year Capital Works Program, deferring the following projects and plant to 2022/23:
 - i. Huskisson Hardstand \$285k
 - ii. Huskisson Relocation Offices \$150k
 - iii. West Nowra Fence \$130k
 - iv. West Nowra Waste Handler \$400k
2. Note subsequent years fees and charges percentage increases:

If grant application is unsuccessful:

 - i. 2022/2023 – 7%
 - ii. 2023/2024 – 6%

If grant application is successful:

 - i. 2022/2023 – 5%
 - ii. 2023/2024 – 5%

FOR: Clr Wells, Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Levett, Clr Pakes, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr White, Clr Watson and Clr Kitchener

CARRIED

Items marked with an * were resolved 'en block'.

SA21.61 Tenders - Supply Slow Speed Shredder

**HPERM Ref:
D21/110628**

RESOLVED* (Clr Findley / Clr Gartner)

MIN21.201

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

CARRIED

| | |
|--|------------------------------|
| SA21.62 Tender - Hillcrest Avenue South Nowra - Road Rehabilitation | HPERM Ref: D21/106808 |
|--|------------------------------|

RESOLVED* (Clr Findley / Clr Gartner) MIN21.202

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

CARRIED

| | |
|--|------------------------------|
| SA21.63 Tenders - Demolition & Construction of an Accessible Boardwalk - Ray Brooks Reserve | HPERM Ref: D21/120979 |
|--|------------------------------|

RESOLVED* (Clr Findley / Clr Gartner) MIN21.203

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

CARRIED

| | |
|--|------------------------------|
| SA21.64 Shoalhaven Entertainment Centre Progress Update | HPERM Ref: D21/130644 |
|--|------------------------------|

RESOLVED* (Clr Findley / Clr Gartner) MIN21.204

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

CARRIED

| | |
|---|-----------------------------|
| SA21.65 Nowra Showground - Potential Grants and Project Update | HPERM Ref: D21/48332 |
|---|-----------------------------|

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the Nowra Showground report for information.
2. Continue to advocate for funding for improvements at Nowra Showground to State and Federal Government.
3. Continue to collaborate with Nowra Show Society and other key stakeholders on the delivery of projects and developing grant applications.

RESOLVED (Clr Gartner / Clr White) MIN21.205

That Council:

1. Accept the Nowra Showground report for information.
2. Continue to advocate for funding for improvements at Nowra Showground to State and Federal Government.
3. Continue to collaborate with Nowra Show Society and other key stakeholders on the delivery of projects and developing grant applications.

CARRIED

SA21.66 Request for Plaques and Memorials - Plaques and Memorials Policy

**HPERM Ref:
D21/93797**

Recommendation (Item to be determined under delegated authority)

That Council:

1. As per the Plaques and Memorials Policy:
 - a. Approve the request for a new seat and plaque at Princess Street Reserve, Berry.
 - b. Approve the request for a replacement seat and plaque at Berry Showground within the Swimming Pool grounds, Berry
 - c. Approve the request for a plaque at Moona Moona Creek Reserve, Huskisson.
 - d. Approve the request for a plaque at Collingwood Beach Reserve, Vincentia.
 - e. Approve the request for a new seat and plaque at Matron Porter Drive / Narrawallee Inlet Reserve, Narrawallee.
 - f. Approve the request for a plaque at Bendalong Boat Ramp, Bendalong.
 - g. Approve the request for a new seat and plaque at Paradise Beach Reserve, (Sanctuary Point Public Reserve) Sanctuary Point.
 - h. Approve the request for a new seat and plaque at Booree Street Car Park, Ulladulla.
 - i. Approve the request for a new seat and plaque at Elliott Reserve, Currarong.
2. Advise the applicants of Council's determination of the requests.

RESOLVED (Clr Pakes / Clr White)

MIN21.206

That Council:

1. As per the Plaques and Memorials Policy:
 - a. Approve the request for a new seat and plaque at Princess Street Reserve, Berry.
 - b. Approve the request for a replacement seat and plaque at Berry Showground within the Swimming Pool grounds, Berry
 - c. Approve the request for a plaque at Moona Moona Creek Reserve, Huskisson.
 - d. Approve the request for a plaque at Collingwood Beach Reserve, Vincentia.
 - e. Approve the request for a new seat and plaque at Matron Porter Drive / Narrawallee Inlet Reserve, Narrawallee.
 - f. Approve the request for a plaque at Bendalong Boat Ramp, Bendalong.
 - g. Approve the request for a new seat and plaque at Paradise Beach Reserve, (Sanctuary Point Public Reserve) Sanctuary Point.
 - h. Approve the request for a new seat and plaque at Booree Street Car Park, Ulladulla.
 - i. Approve the request for a new seat and plaque at Elliott Reserve, Currarong.
2. Advise the applicants of Council's determination of the requests.

CARRIED

**SA21.67 Acceptance of Grant Funding - Everyone Can Play
2020/21 - Variety Livvi's Place Playspace Marriott Park**

**HPERM Ref:
D21/99342**

Recommendation (Item to be determined under delegated authority)

That Council receive this report for information on the successful funding application to Everyone Can Play 2020/21 for \$300,000 towards the delivery of Variety Livvi's Place Playspace, Marriott Park.

RESOLVED (Clr Pakes / Clr Findley)

MIN21.207

That Council receive this report for information on the successful funding application to Everyone Can Play 2020/21 for \$300,000 towards the delivery of Variety Livvi's Place Playspace, Marriott Park.

CARRIED

**SA21.68 Feasibility Report - Provision of Sewer to Tomerong
Village**

**HPERM Ref:
D21/85066**

Mr Stephen Dunshea - CEO – significant non pecuniary interest declaration “he is a home owner and resident of Tomerong” – left the room and did not take part in discussion or vote.

Recommendation

That Council include \$7.3 million for the Tomerong Sewerage Scheme (as a pressure sewer scheme) in the Sewer Capital Works Program, for completion in the 2028/29 financial year based on the following:

1. Design of the scheme to commence in 2026/27 and construction commence in 2027/28,
2. Noting that the scheme is not currently funded, review the sewer availability charge as part of the 2022/23 DPOP preparation to ensure the project is accommodated in the Long Term Financial Plan,
3. Shoalhaven Water to seek grant funding to assist with the financing of the scheme.

RECOMMENDATION (Clr Watson / Clr White)

That Council include \$7.3 million for the Tomerong Sewerage Scheme (as a pressure sewer scheme) in the Sewer Capital Works Program, for completion in the 2028/29 financial year based on the following:

1. Design of the scheme to commence in 2026/27 and construction commence in 2027/28,
2. Noting that the scheme is not currently funded, review the sewer availability charge as part of the 2022/23 DPOP preparation to ensure the project is accommodated in the Long Term Financial Plan,
3. The scheme also encompass any zoned land which has not been developed at this stage.
4. Shoalhaven Water to seek grant funding to assist with the financing of the scheme.

CARRIED

SA21.69 Shoalhaven Water Reclamation Annual Report 2019-20

**HPERM Ref:
D21/102117**

Note: Stephen Dunshea – CEO returned to the meeting.

Recommendation (Item to be determined under delegated authority)

That Council note the Shoalhaven Water Reclamation Annual Report 2019/20, and endorse its distribution to key stakeholders and make it available on Council's website.

RESOLVED (Clr Pakes / Clr White)

MIN21.208

That Council note the Shoalhaven Water Reclamation Annual Report 2019/20, and endorse its distribution to key stakeholders and make it available on Council's website.

CARRIED

**SA21.70 Australian Government Bureau of Meteorology -
National Performance Report 2019/20 Urban Water
Utilities**

**HPERM Ref:
D21/107858**

Recommendation (Item to be determined under delegated authority)

That Council receive the Australian Government Bureau of Meteorology National Performance Report 2019-20 for Urban Water Utilities for information be received for information in accordance with the Committee's delegated authority from Council.

RESOLVED (Clr Findley / Clr Digiglio)

MIN21.209

That Council receive the Australian Government Bureau of Meteorology National Performance Report 2019-20 for Urban Water Utilities for information be received for information in accordance with the Committee's delegated authority from Council.

CARRIED

**SA21.71 Evaluation of New Water Recycling Projects - Cost-
Benefit Framework**

**HPERM Ref:
D21/114445**

Clr Proudfoot – pecuniary interest declaration – “he is the president of the St Georges Basin Country Club who owns the Vincentia Golf Club which may benefit greatly from access to the REMS Scheme” – left the room and did not take part in discussion or vote.

Recommendation (Item to be determined under delegated authority)

That

1. Council adopt the Recycled Water Project Assessment Methodology for new water recycling projects as outlined in this report and in the attachment to this report.
2. The adopted assessment methodology be incorporated into Council's Reclaimed Water Policy.
3. Based on consultation, low feasibility and high costs, no further assessments regarding supply of reclaimed water to the Vincentia Golf Club be undertaken at this time.

RESOLVED (Clr Gash / Clr Pakes)

MIN21.210

That:

1. Council adopt the Recycled Water Project Assessment Methodology for new water recycling projects as outlined in this report and in the attachment to this report.
2. The adopted assessment methodology be incorporated into Council's Reclaimed Water Policy.
3. Based on consultation, low feasibility and high costs, no further assessments regarding supply of reclaimed water to the Vincentia Golf Club be undertaken at this time.

CARRIED

SA21.72 Payment of Dividend from Shoalhaven Water 2019-20**HPERM Ref:
D21/116211**

Note: Clr Proudfoot returned to the meeting.

Recommendation

That Council

1. Determines substantial compliance with the *Best Practice Management of Water Supply and Sewerage Guidelines* has been achieved and the dividend will be paid from the Sewer Fund as declared in 2019-20.
2. Make representation to DPIE (Water) for exemption under the Best Practice Management Guidelines to pay a dividend from the Water Fund, and if successful seek advice as to a methodology for calculation of such dividend.

RECOMMENDATION (Clr Pakes / Clr White)

That Council:

1. Determines substantial compliance with the *Best Practice Management of Water Supply and Sewerage Guidelines* has been achieved and the dividend will be paid from the Sewer Fund as declared in 2019-20.
2. Make representation to DPIE (Water) for exemption under the Best Practice Management Guidelines to pay a dividend from the Water Fund, and if successful seek advice as to a methodology for calculation of such dividend.

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Pakes / Clr White)

MIN21.211

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

CSA21.4 Land Acquisition Matters - Cambewarra Locality

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

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

CSA21.5 Tenders - Hillcrest Avenue South Nowra - Road Rehabilitation

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

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

CSA21.6 Tenders - Supply Slow Speed Shredder

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

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

CSA21.7 Tenders - Demolition & Construction of an Accessible Boardwalk - Ray Brooks Reserve

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

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

CSA21.8 Shoalhaven Entertainment Centre - Progress and Funding

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

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

CARRIED

The meeting moved into confidential the time being 8.22pm.

The meeting moved into open session, the time being 8.23pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the meeting, whilst closed to the public, were made public.

| | |
|---|------------------------------|
| CSA21.5 Tenders - Hillcrest Avenue South Nowra - Road Rehabilitation | HPERM Ref: D21/100094 |
|---|------------------------------|

RESOLVED* MIN21.212C

That

1. Council endorses the recommendation of the Tender Evaluation Team and accepts the Tender from Downer EDI Works Pty Ltd for Hillcrest Avenue Pavement Rehabilitation (CH0.36km to CH1.35km) at a total cost of \$958,134.45 (excluding GST). Tender reference 66698E.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the CEO (Director of City Services).

CARRIED

| | |
|---|------------------------------|
| CSA21.6 Tenders - Supply Slow Speed Shredder | HPERM Ref: D21/108856 |
|---|------------------------------|

RESOLVED* MIN21.213C

That

1. Council endorses the recommendation of the Tender Evaluation Team and accepts the Tender from GCM Enviro Pty Ltd for Supply of one Tana Shark Slow Speed Shredder at a total cost of \$1,005,000 (excluding GST). Tender reference 65541E/1
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the CEO (Director of City Services).

CARRIED

CSA21.7 Tenders - Demolition & Construction of an Accessible Boardwalk - Ray Brooks Reserve

**HPERM Ref:
D21/120907**

RESOLVED*

MIN21.214C

That Council

1. In accordance with Section 178(1)(b) of the regulations declines to accept any Tender for Tender 66485E Demolition & Construction of an Accessible Boardwalk at Ray Brooks Reserve as tenders were higher than the available budget. The lowest conforming tender exceeded the budget by \$263,326.
2. That the CEO (Director City Services) consider completing some or all the work inhouse and negotiates with any or all Tenderers experienced in this type of work, in accordance with Clause 178(3)(e), and report back to Council accordingly.

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Watson / Clr Gartner)

That an additional item regarding the apparent creation of an easement on the Village Green at St Georges Basin be introduced as a matter of urgency.

The Chairperson ruled the matter as urgent as there has been a number of emails from the community.

SA21.73 Additional Item – Report Request - Creation of Easement on the Village Green - St Georges Basin (132 Island Point Road)

RESOLVED (Clr Levett / Clr Findley)

MIN21.215

That at the first available meeting the CEO (Shoalhaven Water) provides a report on the situation of the location of the easement (132 Island Point Road, St Georges Basin) and if it can be relocated to a different location so it doesn't interfere with the mature trees on the Village Green at St Georges Basin.

CARRIED

Note: A Rescission Motion was received in relation to SA21.49 - Draft Delivery Program Operational Plan and Budget 2021-2022 - Public Exhibition signed by Clr Pakes, Clr Watson & Clr Kitchener.

There being no further business, the meeting concluded, the time being 8.29pm.

Clr Wells
CHAIRPERSON

SA21.73 Notice of Motion - Creating a Dementia Friendly Shoalhaven

HPERM Ref: D21/127978

Submitted by: Cllr Nina Digiglio

This item was deferred from the Ordinary Meeting 27 April 2021.

Purpose / Summary

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

Recommendation

That Shoalhaven City Council:

1. Implement the principles and recommendations in the *Alzheimer's Support Australia – Creating Dementia-Friendly Communities toolkit for Local Government* to make the Shoalhaven a "Dementia-Friendly Community" and enable best practice outcomes for those in our city living with dementia.
2. Acknowledge the Ageing population of the Shoalhaven deserve the values we uphold: Respect, Collaboration, Adaptability and Integrity.

Background

There are more than 353,800 Australians living with dementia and a further estimated 1.2 million people in the care of a person with dementia. **Dementia is the second leading cause of death in Australia and there is no cure.** The number of people with dementia in this country is expected to be more than 400,000 in less than five years. The majority of people with dementia live directly in the community. This means that every council in Australia will come into contact with people who have dementia, their families or carers, whether these individuals are paying rates, having their rubbish collected, working in local business or using council services.

Dementia is set to become the third greatest source of health spending within two decades. There are many benefits for councils that take the lead on effective, targeted strategies to support all elements of the community in a sustainable way.

Proactive councils that review and build on existing policies and services, maximise strategic partnerships and work in collaboration with members of their community can help mitigate pressure on their services, stimulate new or better service systems, and embed universal design principles into longer term planning.

<https://www.dementia.org.au/sites/default/files/NATIONAL/documents/Dementia-friendly-communities-toolkit-for-local-government.pdf>

Councils will need to proactively implement strategic priorities and plans specific to their region that will shape how they respond to local needs. The sorts of initiatives that take priority will inevitably reflect:

- The needs or preferences identified by people living with dementia in a given community.

- The characteristics of the community itself (for instance, metropolitan; regional; range of cultures reflected; age demographic).
- The availability and nature of existing supports and services and the ways in which these could be improved or expanded. National and international experience shows us that successful dementia-friendly communities typically include some of the following key elements:
- Consultation with people with dementia as well as with the broader population of the local community, service providers, businesses and council staff.
- Targeted awareness training or education about dementia for council staff and/or the local community.
- Establishment of a local alliance of individuals willing to champion change.

<https://www.dementia.org.au/sites/default/files/NATIONAL/documents/Dementia-friendly-communities-toolkit-for-local-government>.

Note by the CEO

It is suggested that if Council is of a mind to support the intent of the Notice of Motion, then it should resolve to request a report that clearly outlines the recommendations contained in the *Alzheimer's Support Australia – Creating Dementia-Friendly Communities toolkit for Local Government* and the implications, including any costs, associated with implementing any or all of those recommendations.

SA21.73

SA21.74 Notice of Motion - Reconstruction and Sealing Hames Rd Parma

HPERM Ref: D21/162653

Submitted by: Cllr Greg Watson

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That:

1. Council give priority to the reconstruction and sealing of Hames Rd Parma and include it in the 2022-23 roads programme, or should a funding source become available earlier consider the road for a special allocation.
2. Additional funding sources could be but are not restricted to special stimulus, or road grants, savings on projects or the reallocation of funds from projects included in the 2021-22 Operational Plan which are unable to commence in the financial year.

Background

The Hames Rd area was heavily impacted by the recent bushfires and is that poor in places emergency services are reluctant to use it. It is also my understanding the District Engineer has made a number of unsuccessful funding bids for the Roads reconstruction.

SA21.74

SA21.75 Notice of Motion - Cost of Refurbishment of the Mayoral Office

HPERM Ref: D21/180251

Submitted by: Cllr Greg Watson

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That the CEO provide a report on the following:

1. The cost of the refurbishment of the Mayor's Office including the furniture;
2. Where is the Sassafras Rosewood Credenza, the Black Wood Desk and the Board Room Table;
3. The total cost of the project including an estimate of the cost of Council Staff used in the refurbishment;
4. This matter be dealt with under delegation.

Background

I note that cheap looking style furniture has been installed in the Mayoral Office! If the original furniture has been dumped it would be a disgrace because of the historical significance as it was in good condition. The credenza was made from a rare local timber called Sassafras Rosewood and the desk from Black Wood.

Note by the CEO

1. The aged non-ergonomic furniture in the Mayoral Office was replaced in July 2017. The price of the new ergonomic height adjustable desk, chairs, and meeting table, including delivery was \$10,576 (exc. GST).
2. The credenza remains in use in the foyer outside the Mayoral Office. The board room table remains in use in a staff meeting room. The desk had to be dismantled to be removed from the office and it is understood that during the dismantling process parts of the desk collapsed rendering the desk unusable and it was disposed of.
3. Staff costs associated with removal are estimated at approximately \$1,000 bringing the total project costs to \$11,576.

SA21.75

SA21.76 Notice of Motion - Madeira Vine Infestation Transport For NSW Land Berry

HPERM Ref: D21/184184

Submitted by: Cllr Greg Watson

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That Council make urgent representations to Transport for NSW in respect of an infestation of Madeira Vine plants around their sediment control ponds on the Northern side of Berry, requesting them to either undertake the control of the weeds or fund the local land care group to undertake the maintenance of the area for them.

SA21.76

SA21.77 Notice of Motion - Possible RAAF World War 2 Memorial

HPERM Ref: D21/184229

Submitted by: Cllr Greg Watson

Purpose / Summary

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

Recommendation (Item to be determined under delegated authority)

That:

1. Council agree to facilitate the formation of a Working Party to investigate the possible establishment of a RAAF Memorial to commemorate the RAAF and American involvement in the Shoalhaven during the Second World War.
2. The CEO be delegated the authority to seek an interim Heritage Order on the former Torpedo Workshop and associated bunker located at the Timber Mill, 50 BTU Road, Nowra Hill as a matter of urgency and the current owner be advised of this decision.
3. The Working Party be Chaired by Capt. Cris George RAN ret. and initially comprise one representative nominated from the Nowra Historical Society and the CEO or delegate.
4. The Working Party be delegated the power to co-opt other members.
5. The Working Party be authorised to make recommendation to Council on the following:
 - a. The possible preservation critical heritage infrastructure associated with the RAAF and to make recommendations to Council in respect of the heritage listing in the LEP and the possible immediate interim protection of items considered at risk i.e. the torpedo workshop and magazine.
 - b. The possible establishment of a suitable Memorial.
 - c. The application for grants to establish a memorial.
 - d. The possible inclusion of some RN and American recognition.
 - e. Any other matters that relate to the subject proposal.

Background

During the Second World War a Squadron of Australian Built Beaufort Bombers were based at Albatross along with other Australian built aircraft as well as the American Curtis P40s. The historical record of these aircraft and the Air Force personnel who served in them deserve recognition. The Bombers were located here to carry the Mark 13 torpedos; see below.

The United States of America had shown a great interest in the facilities at Nowra following their entry into the war and they had contributed to the upgrading and final construction of the Nowra base in a Lend Lease arrangement between the Australian and United States governments. Following this, arrangements had been made for United States Army Air Corp (U.S.A.A.C.) crews, and United States Navy (U.S.N.) personnel to train there.

SA21.77

After the Station was formed in May, it was divided into two separate sections; Torpedo Workshops under the command of Lieutenant F. Drake, United States Navy, and Torpedo Range Section under the command of Wing Commander N. Walker R.A.F. Torpedo Workshops were responsible for preparing and maintaining all the torpedoes while Torpedo Range Section was to be responsible for all torpedo running and aircrew training.

Little consideration had been given to the use of torpedoes by R.A.A.F. aircraft until Japan entered the war, Australia then had the Beaufort, but no aerial torpedoes. After an Australian request for torpedoes from Britain the British Air Staff warned Australia that "the introduction of the torpedo would impose new supply, maintenance and training problems at a time when there was a scarcity both of trained men and torpedoes in the European and Mediterranean theatres. For these reasons Britain would not be able to afford much aid in such development for some time to come".

While the British had not been prepared to supply the R.A.A.F. with torpedoes at the time, the Americans could, and initially all R.A.A.F. torpedo activities were to be conducted using American Mk 13 torpedoes. The American torpedo though was inferior in almost all respects to the British torpedo, which was faster in the water, was stronger (and therefore could be dropped from a greater height and speed), and was marginally lighter. The British did however provide plans so that torpedoes could be built in Australia and works commenced late in 1942, but it was to be almost two years before Australian made torpedoes were available to the R.A.A.F.

The interior of one of the torpedo workshops at Nowra with United States Navy personnel present, circa 1942. The torpedoes are some of the sixty Mk 13s the Americans lent the Australians. Initially all torpedo servicing and maintenance was carried out by the Americans but this was later taken over by R.A.A.F. personnel.



SA21.77



The Torpedo workshop as it is today is still in very good order, the sawmill equipment has been stripped out indicating something is about to happen.

SA21.77

SA21.78 Application for Community Consultative Body Council Accreditation - Burrill Lake Community Association

HPERM Ref: D21/112996

Department: Communication & Community Engagement
Approver: Stephen Dunshea, Chief Executive Officer

Attachments:

1. CCB Guidelines (under separate cover) [⇒](#)
2. Get Involved Page - Burrill Lake Community Association - CCB Application Community Consultation [↓](#)
3. Current Community Consultative Bodies [↓](#)

Reason for Report

It was previously resolved that Council support in principle the application from Burrill Lake Community Association to be recognised as a Community Consultative Body (CCB) and that the proposal be advertised for public comment and reported back to Council for determination.

This process has been completed and Council is now required to determine whether Burrill Lake Community Association Inc are to be recognised by Council as a CCB.

Recommendation (Item to be determined under delegated authority)

That Council recognise Burrill Lake Community Association as a Community Consultative Body (CCB).

Options

1. Shoalhaven City Council decide to support the application from Burrill Lake Community Association (BLCA) to be recognised as a CCB (as above).

Implications: BLCA will be bound by the *Guidelines for the Conduct of Community Consultative Bodies Policy (POL12/296)* to represent the communities identified in a formal capacity for Council. Council will continue to complete broader community consultation as well as formal consultation with CCBs.

2. Shoalhaven City Council does not support the application from BLCA to be recognised as a CCB.

Implications: Burrill Lake and Dolphin Point will remain represented by the Ulladulla and Districts Community Forum CCB. Council will continue to complete broader community consultation as well as formal consultation with CCBs.

Background

At the Strategy and Assets Committee meeting on 10 November 2020, it was resolved (MIN20.746):

That Council:

1. *Support in principle the application from Burrill Lake Community Association to become a Council accredited CCB.*
2. *Advertise the proposal for public comment.*
3. *Following receipt of public comment, submit a report to Council for determination.*

There is now the requirement to submit a report to Council for determination, considering comments received.

The geographic area BLCA has applied to represent includes Burrill Lake and Dolphin Point. The Ulladulla and Districts Community Forum currently represent these areas. The Ulladulla and Districts Community Forum contacted Council, prior to the public comment consultation period, to state they support this application and will modify the geographical area they currently represent to exclude Burrill Lake and Dolphin Point.

BLCA have stated in their application that it will comply with the current Community Consultative Bodies – Guidelines for the Conduct of Community Consultative Bodies Policy.

Community Engagement

The application and supporting documentation for Community Consultative Body Council accreditation from BLCA was advertised for public comment for a period of 28 days from 8 February to 7 March 2021.

In addition, a Get Involved consultation web page was created which contained an online feedback form for submissions.

No public comment submissions were received.

Policy Implications

BLCA will be bound by the Guidelines for the Conduct of Community Consultative Bodies Policy if they become recognised as a Council accredited CCB.

There are currently 24 active CCBs in the Shoalhaven. Ulladulla and Districts Community Forum CCB currently represent the Burrill Lake and Dolphin Point areas. The Forum have stated they support BLCA's application. Council will write to the Forum and request they amend their geographic area of representation.

Financial Implications

As per Section 2.3 of the Community Consultative Bodies – Guidelines for the Conduct of Community Consultative Bodies Policy (POL12/296), Council provides financial assistance to help meet the administrative costs and/or hall hire expenses.

The amount determined in Council's budget process is currently \$500 and is paid each financial year after the CCB provides a copy of their financial statement for the previous 12 months.



Home » Burrill Lake Community Association - Application for Community Consultative Body Recognition

Burrill Lake Community Association - Application for Community Consultative Body Recognition



Burrill Lake Community Association Inc. (BLCA) has applied to be recognised by Shoalhaven City Council as a Community Consultative Body (CCB). CCBs are community groups formally recognised by Council to represent their community, facilitate discussion and communicate the views of their community to Council. Find out more about the role of CCBs in the [Guidelines for the Conduct of Community Consultative Bodies](#).

BLCA proposes to represent the interests of residents and ratepayers by fostering a support mechanism that engages the people of the Burrill Lake and Dolphin Point area. For further information, please review the group's [application to be recognised as a CCB](#).

Background

The geographical area BLCA proposes to represent comprises the area from Canberra Crescent in the north, to Wheelbarrow Road in the south and from the shores of Burrill Lake to the coastline.

The proposed area is currently covered by another CCB - the Ulladulla and Districts Community Forum (UDCF). UDCF have advised Council that the Burrill Lake and Dolphin Point area would be better represented by having their own CCB.

UDCF have agreed to submit a request to Council to modify the geographical area they currently represent to exclude the geographical area BLCA proposes to represent.

BLCA's application was reported to Council's Strategy and Assets Committee meeting on 10 November 2020, where it was resolved ([MIN20.820](#)) that Council:

1. Supports in principle the application from Burrill Lake Community Association Inc. to become a Council accredited CCB.
2. Advertise the proposal for public comment.
3. Following receipt of public comment, submit a report to Council for determination.

[PROVIDE FEEDBACK](#)

CLOSED: This survey has concluded.

Who's Listening

Madeline North

Community Engagement Officer
Shoalhaven City Council



Phone 02 4429 3628

Email madeline.north@shoalhaven.nsw.gov.au

Lifecycle

Open for Public Comment
Monday 8 February 2021

Public Comment Period Closes
Sunday 7 March 2021

Report to Council for Determination
April 2021

Documents

[Strategy and Assets Committee Meeting Minutes 10 November 2020](#)

[Strategy and Assets Committee Meeting Agenda with Report to Council](#)

[CCB Application Letter - Burrill Lake Community Association Inc.](#)

Provide Feedback

Please review Burrill Lake Community Association's [application to be recognised as a CCB](#) and provide comment via the feedback form below.

Council is seeking feedback from **8 February to 7 March 2021**.

If you are unable to complete the online form, please contact the [project officer](#) who will offer an alternative method.

Name:

(Required)

Email:

(Required)

Are you a resident or ratepayer of Burrill Lake or Dolphin Point?

(Choose any one option) (Required)

Yes

No

Answer this question only if you have chosen No for Are you a resident or ratepayer of Burrill Lake or Dolphin Point?

Where do you reside?

(Required)

Do you support the application from Burrill Lake Community Association to become recognised as a Community Consultative Body?

(Choose any one option) (Required)

Yes

No

Unsure

Answer this question only if you have chosen Yes for Do you support the application from Burrill Lake Community Association to become recognised as a Community Consultative Body?

Please explain why you support CCB recognition for Burrill Lake Community Association.

(Required)

Answer this question only if you have chosen Unsure for Do you support the application from Burrill Lake Community Association to become recognised as a Community Consultative Body?

Please explain why you are unsure about supporting CCB recognition for Burrill Lake Community Association.

Answer this question only if you have chosen No for Do you support the application from Burrill Lake Community Association to become recognised as a Community Consultative Body?

Please explain why you do not support CCB recognition for Burrill Lake Community Association.

(Required)

Attachment 4 - Current Community Consultative Bodies

Currarong Community Association Inc.

Callala Beach Progress Association

Callala Bay Community Association

Culburra Beach Progress Association

Wandandian Progress Association

Hyams Beach Villagers Association

Tomerong Community Forum

Huskisson Woollamia Community Voice

Vincentia Ratepayers and Residents Association

Basin Villages Forum

Budgong Community Group

Berry Forum

Cambewarra Residents & Ratepayers Association

Pride of Bomaderry

Shoalhaven Heads Community Forum

Conjola Community Association

Tabourie Lake Ratepayers and Residents Association Inc.

Red Head Villages Association

Bawley Point & Kioloa Community Association

Ulladulla and Districts Community Forum

Milton 2538

Sussex Inlet & Districts Community Forum

SA21.79 Recruitment of Employees Update

HPERM Ref: D21/74629

Approver: Kevin Voegt, Director - City Performance

Reason for Report

To provide an update on the impact that the remuneration review, in particular the new salary table, has had on the recruitment of employees at Council, in accordance with the following resolution from Council's Ordinary meeting of 24 November 2020:

"That Council staff prepare a report on how effective the recruitment of employees in areas that had been experiencing a significant shortage, has gone during in the past 12 months or so."

Recommendation (Item to be determined under delegated authority)

That the Recruitment of Employees Update report be received for information.

Background

The remuneration review in 2019 included the implementation of a new salary table in August 2019 as well as other benefits including performance agreements and contemporary Manager agreements, salary packaging through Novated Leases and discounted private health insurance.

Measuring the impact on recruitment as a result of the remuneration review is challenging for the following reasons:

- The new salary table has been in place for just 18 months and for 12 months of that time there has been a global pandemic and as expected, recruitment and retention patterns have been impacted.
- A new payroll system has been implemented over this time and consequently the analysis of data and data history has been impacted.
- Demographics and other environmental factors such as unemployment rates, demographics (ageing workforce) and major projects impact significantly on turnover, retention, & employment rates – these are factors that require lengthy analysis to acquire significant data before any conclusions could be drawn.

What can be shown is that the average number of applicants per vacancy has increased from 21 to 24 since the implementation of the new salary table in August 2019 as part of the wider remuneration review – an observation is that this could indicate increased attraction rates.

The total number of vacancies advertised did reduce from 215 in 2018/2019 to 195 in 2019/2020 – again, this could be a result of better retention rates. Resignations have also reduced as follows:

- 01/07/2018 – 30/06/2019 – 113 resignations
- 01/07/2019 – 30/06/2020 – 70 resignations

Historically roles in Engineering, Development Planning and Architecture were challenging to fill; remuneration being a key identified factor in this challenge. Since the implementation of the new salary table, recruitments in this area have attracted a higher level of interest. Examples below:

| Position Description | Position Grade | Applications received when recruited prior to Rem Review | Applications received when recruited post Rem Review |
|----------------------|----------------|--|--|
| Development Engineer | 12 | 14 | 17 |
| Engineering Officer | 10 | 22 | 28 |
| Development Planner | 10 | 2 | 6 |
| Project Engineer | 12 | 28 | 78 |

This represents an average of a 106% increase in applications since the new salary table was implemented. These positions are all situated within the grades which received significant increases in the salary table.

In comparison to the 15 roles that sit within the grades of the salary table where the increase was less significant, the average increase in applicants has been 39%. However, the average number of applicants was already substantially higher (i.e., 30 compared to 16).

Other roles that have been historically difficult to recruit for, such as the Landscape Architect, Architectural Design Officer and Transport Engineer, have not had to be recruited since the remuneration review implementation and therefore no analysis can be made. It is also acknowledged that the remuneration review is not and was not intended to be a solution for all attraction and retention opportunities.

Furthermore, there are a number of employees who on the previous salary table had reached the ceiling of their grade at step 5 (the highest step within their grade). The remuneration review gave these employees a new opportunity for skills and performance-based salary progression. We are unable to measure whether or not some of these staff would have since moved on if it were not for the immediate increase in pay and incentive for further step increases within the new table.

During the recent/current workplace change we have seen Council staff successful in securing roles at more senior levels. It is noted that with the increases to salary that there is more financial incentive for staff to take on more senior roles.

The following senior roles have recently been successfully filled with high calibre candidates: Manager Building Services, Manager Environmental Services, Manager Business Support, Manager Customer Experience, Manager Media & Communications, Water Business Service Manager and Manager Technical Services.

While it is difficult to provide precise data in response to the council resolution calling for this report, senior and management staff comments on their recruitment experience since the implementation of the salary table include the following:

- *I have experienced more applicants to recent rounds of recruitment.*
- *I believe the remuneration review has had a positive effect on recruitment, particularly at the management level. I cite examples of Water Capital Portfolio Manager and Water Capital Program Manager who were previously employed by private organisation, GHD. Both have made exceptional progress in their fields and are great role models and mentors for other staff members.*
- *We have also been successful in recruiting a high-profile Water Business Services Manager, which I attribute, at least in part, to the remuneration review.*
- *I have noticed being able to fill vacancies more quickly with quality candidates for vacancies such as Engineer, PA, Senior administration Officer, Electrical Engineer and District Engineer. We have been successful in promoting internal staff to more senior roles with the financial incentive to do so. For example, Design Services Manager, Project Managers, Senior Engineer and Senior Property Officer.”*

- *Cannot say that we have noticed any change as a direct result of the remuneration review. I am not sure that its out salary offer that is attracting people.*
- *We have however had a positive change and outcome from our two most recent strategic planner recruitments, some of the things that may have assisted in this regard include:*
 - *The broad banding of our strategic planner positions – can see the opportunity to progress*
 - *Flexibility in terms of appointment – we were able to appoint an experienced planner on a part time contract*
 - *Remote working/flexible working – this has been a real bonus. This provided flexibility to appoint a good candidate who needed to work from Sydney for a period of time. It has also not impacted on my teams output as staff have been as productive, if not more*
- *I still have trouble recruiting. I am at round 3.*

Whilst the feedback in regard to the salary table is mixed, based on the statistics and anecdotal evidence above, it is considered that the remuneration strategy has been a success with regard to recruitment and retention at Council.

SA21.80 Status Report - Naming Berrara Reserve - Rob Bourke Reserve

HPERM Ref: D21/81250

Department: Information Services

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Response - Cudmirrah Berrara Swanhaven Progress Association - Naming Berrara Reserve [↓](#)

Reason for Report

Outcome of the investigation of the Naming of the Berrara Reserve after the late Mr Rob Bourke. Preliminary consultation has been done and the results of the consultation are presented for deliberation.

Recommendation (Item to be determined under delegated authority)

That Council does not proceed with the naming of Berrara Reserve after Mr Rob Bourke for the reasons outlined in the report and advise the Bourke family of Council's decision.

Options

1. Council recommends GIS Unit proceed with submission to the GNB.
2. Council does not recommend GIS Unit proceed with submission to the GNB.

Background

This report refers to a Notice of Motion to Name or Rename the Reserve or part thereof, off Silver Sands Drive, Berrara after the late Mr Rob Bourke.

An email was sent to Mrs Joanne Bourke to seek approval for Council to proceed with the possible naming of the reserve. An email was also sent to the Cudmirrah Berrara Swanhaven Progress Association seeking their support for the proposal.

A response was received from Mrs Bourke on 28 January 2021 which indicated that permission was granted from her and her family to proceed with the naming. Six (6) emails were also received from members of the local community in support of the naming proposal.

An email received from the Cudmirrah Berrara Swanhaven Progress Association stating that they were not aware of any community interaction that Mr Bourke had with the said reserve and associated community activities and they do not support the naming of the reserve after Mr Bourke.

It is therefore recommended that the naming of the Berrara Reserve is not progressed in line with the lack of support from the Cudmirrah Berrara Swanhaven Progress Association.

From: CBS Progress Association [REDACTED]
Sent: Wednesday, 10 February 2021 4:43 PM
To: Michelle Dunn
Subject: Re: Request for Letter of Support - Formal Naming of Berrara Reserve - "Rob Bourke Reserve"

Thank you Michelle for this advice on the proposed renaming of a park for Rob Bourke.

Since we received your email, our committee have been out and about asking locals what they thought of the idea and we received no support for this name change.

We held a committee meeting this morning to discuss same and we all agreed we cannot and do not support this motion for a name change.

Rob Bourke in the past 20 years lived mostly in Tasmania and came back to Berrara probably twice in that time to live in Wirriecoo Ave and had returned to live in Tasmania where he died last year. No family live here permanently that we know of.

- He has never been a member of this Association,
- He has never been involved in any project run by this Association
- No one we spoke to could tell us anything that he was involved in for the community
- During the years he lived here he was a concreter and worked around here and the Sussex Inlet area and that was it.
- He was only known in this area for his line of work, no other reason.

We hope this has helped with Council's decision. We can see no reason for a change of name.

Regards

[REDACTED]

Cudmirrah Berrara Swanhaven Progress Association Inc.

SA21.81 DPOP 2020-21 - Quarterly Performance and Budget Report (January-March)

HPERM Ref: D21/161574

Department: Corporate Performance & Reporting
Approver: Olena Tulubinska, Chief Financial Officer

Attachments:

1. Delivery Program Operational Plan - Quarterly Performance Report 2020/21 - January to March (under separate cover) [⇒](#)
2. Quarterly Budget Review Report 31 March 2021 [↓](#)
3. Completed NoMs (councillors information folder) [⇒](#)
4. Uncompleted NoMs (councillors information folder) [⇒](#)

Reason for Report

This report outlines Quarter 3 performance (January to March 2021) against actions and targets set in Council's 2020-21 Delivery Program and Operational Plan. Also, in accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to Council a budget review statement after the end of each quarter.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the March Quarterly Performance Report on the 2017-2022 Delivery Program and 2020-2021 Operational Plan and publish on Council's website.
2. Receive the March Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the March Quarterly Budget Review document.

Options

1. Adopt the recommendation

Implications: Nil

2. Adopt an alternate recommendation

Implications: Staff will need to rework the quarterly performance report or quarterly budget review in accordance with the alternative resolution.

Background

Section 404 of the Local Government Act 1993 requires the General Manager (Chief Executive Officer) to provide progress reports to the Council with respect to the principal activities detailed in the Delivery Program (Operational Plan) at least every 6 months. Furthermore, all Councils must continue to consider a Quarterly Budget Review report.

Clause 203 of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer (Chief Financial Officer) to prepare and submit to the Council a Quarterly Budget Review Statement that shows, by reference to the estimates of income and

SA21.81

expenditure set out in the Operational Plan, a revised estimate of the income and expenditure for the full financial year.

The Responsible Accounting Officer is also required to report as to whether or not they believe the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

The March 2021 Quarterly Budget Report includes an analysis of the year to date result and the reasons for any major variances from the adopted budget. The report also provides budgetary details for each fund and group – along with commentary on progress against the budget. Any proposed changes to the budget are included in the attached March Quarterly Budget Report.

Summary of DPOP Performance

The following performance has been measured on 31 March 2021 across each of the key themes outlined in the Community Strategic Plan - Shoalhaven 2027.

| Theme | Progress snapshot |
|--|-----------------------------------|
| Resilient, safe, and inclusive communities | 95% actions on track or completed |
| Sustainable, liveable environments | 81% actions on track or completed |
| Prosperous communities | 84% actions on track or completed |
| Responsible governance | 98% actions on track or completed |

SA21.81

Key Highlights

Council has been consistently delivering a range of services, projects and activities which work towards achieving the 10 priority goals outlined in Council's Delivery Program 2017-22. Performance comments are provided in the report against each of the 156 actions and related targets in Council's 2020-21 Operational Plan.

The complete Quarter 3 performance report is included as **Attachment 1**.

Significant achievements between January and March include:

- Coordinated and supported numerous community events - Harmony Day; International Women's Day; Warden Head Master Plan Engagement; Community Grants Program and Grant Clinics in Nowra, Ulladulla and Sanctuary Point.
- Launching the Art Gallery Shoalhaven Primary Schools program - *Regenerate:Shoalhaven* with a total of 1,129 students participating so far. Gallery feedback shows 85% of visitors who completed the survey are 'likely or highly likely' to recommend the Gallery.
- Awarded \$8M in funding Federal & State Government for the Artie Smith development at the Shoalhaven Community and Recreational Precinct (SCaRP).
- Completing the LED street lighting upgrade project in partnership with Endeavour Energy, resulting in around 50% of Shoalhaven's residential streetlights being energy efficient LEDs and already achieved budget savings of \$500K in electricity costs.
- Establishing the Economic Development Office's Export Hub to help Shoalhaven businesses take advantage of export opportunities.
- Completing the Woollamia Boat Launching Ramp Improvements with the opening of the service wharf in mid-February after the area was more accessible.

- Going live with the *Local Live Traffic portal* which links local road closures with NSW Government's Live Traffic information - 2,147 page views in March following the rain event.
- Shoalhaven Water ranked cheapest in the nation for typical residential Bill (water only) and 6 out of 24 cheapest in the Medium Utility Group for the total typical residential bill (water & sewer) in the Utilities National Performance Report 2019-20.

Behind Schedule or Needs Attention

The following six Action items have been reported as behind schedule and require attention. Full performance comments are in the attached report and remedial actions have been reported to senior management.

| Ref. | Action | Quarter 3 Comment (summary) Full comments in Attached report |
|-----------|---|--|
| 1.1.01.06 | Implement high priority actions (0 -2 years) in the certified Coastal Zone Management Plan | 29 of the 52 short term implementation items from the Coastal Zone Management Plan (CZMP) have either been completed or significantly progressed. The long term items exceed the December deadline created by DPIE for the operation of this current CZMP and these actions will automatically be placed in new CMPs |
| 1.1.06.01 | Perform duties to ensure operations of on-site sewage management systems | 835 inspections on the operational performance of on-site sewage management systems have been completed in the FY, 38% short of target number of inspections. This is line with the Shoalhaven's recovery from the impact of bushfires and covid-19. The expense budget is on track. |
| 2.2.02.01 | Assess and determine development applications within timeframes | Continue to improve processing times by continual review of the DA assessment process. |
| 2.2.02.02 | Resolve Subdivision and Subdivision Works Certificates to meet expectations | KPI target has been achieved. It is expected that once the team has the full complement of staff and with improvement of the assessment framework tools that results should improve even further. |
| 3.1.02.01 | Investigate, facilitate and develop ED and infrastructure projects that meet the objectives of relevant federal and state government grants | BLERF applications lodged (18) as well as BBRF and Public Spaces. Anticipated problem will arise with project management should majority be approved with expectation by government that delivery will be by end 2022 or mid 2023. |
| 4.2.12.01 | Improve Shoalhaven Water's levels of service for Development & Regulatory Function | High demand in the housing sector has seen a significant increase in applications being received in the Development Unit. To assist contract services have been engaged and grant application submitted to provide additional staffing to improve levels of service. |

SA21.81

On Hold or Not due to commence

The following seven Action items have been reported as on hold or not due to commence.

| Ref. | Action | Quarter 3 Comment (summary) |
|-----------|---|---|
| 2.3.02.01 | Review and update Shoalhaven Adaptation Plan 2030 | The review of the Shoalhaven Adaptation Plan had been held over pending the organisational restructure and appointment of Sustainability Officer. |
| 2.3.02.02 | Review and update Sustainability Action Plan 2030 | Recruitment of a Sustainability Lead is expected to commence in May. |
| 2.3.03.05 | Progress a solution for the sustained entrance opening for Lake Conjola | Licence application submitted in December to enable ongoing enactment of interim Management Plan. CMP contract awarded and meetings organised to map consultation strategy. |
| 2.3.03.07 | Develop Coastal Management Programs | In May, Council has received and endorsed funding documents from NSW Government. This time frame has impacted on the progression of plans, however the pathway is now clear to seek tenders for the formulation of the various CMPs. Two Coastal coordinator positions have been recently filled. |
| 2.3.03.09 | Review and implement the asset management plan for flood mitigation | A review of the asset management plan for flood mitigation assets has not yet been completed by City Services. Work is continuing with regard to the audit and repair of flood mitigation assets. |
| 4.1.04.07 | East Nowra Sub Arterial Road | Geotechnical analysis being finalised and options for Council consideration being prepared. |
| 4.2.10.03 | Progress the development / disposal of properties Council's land register | On hold, as per Executive Team Decision, "That all property sales be put on hold until a strategic direction, through the City Futures Directorate, for all properties is in place". |

SA21.81

Additional Operational Plan Actions arising from Notices of Motion

Between 1 July 2020 and 31 March 2021, Council has endorsed 126 Notices of Motion (NoMs) which can be categorised as follows:

- 81 NoMs relate to information, donations / community support, maintenance / traffic requests, advocacy or Development Application call-ins and covered in business as usual operations.
- 45 NoMs relate to projects that may require additional resources being added to the existing Operational Plan 2020-21. These Actions can be further categorised into the following areas:
 - Strategic Planning Works Program (2)
 - Infrastructure Upgrades (22)
 - Infrastructure Upgrades – Non Council (2)
 - Forward Planning (19)

Funding was allocated to the respective projects during quarterly budget reviews. The full report of Completed and Uncompleted Notices of Motions has been distributed separately as **Attachment 3** and **Attachment 4**, respectively.

March Quarterly Budget Results Overview

Council continues maintaining a sound financial position and functioning effectively under COVID-19 restrictions with the year-to-date net budget position of the General Fund and Shoalhaven Water operations outperforming year-to-date budgets. This is a particularly pleasing result considering the uncertainty of the economic climate at the time the 2020/21 budget estimates were prepared.

COVID-19 forced transformation in many ways from the way that daily business was conducted to work on construction sites. The Federal, State and Local levels of Government provided various levels of stimulus to support the development and housing industry. These included initiatives such as 'HomeBuilder', legislative changes to NSW planning legislation and in the Council space (Shoalhaven): concessions for DA fees and section 7.11 contributions.

Whilst these initiatives have had a significant impact on Council's income, the property market and development industry has forged ahead. Confidence is strong with a number of significant applications being lodged and processed. An example of this is the relatively recent approvals for subdivisions in Cambewarra and South Nowra with nearly all lots being sold off the plan prior to construction. The property climate in the Shoalhaven is consistent with what is happening across the State, with the market holding up resiliently with record levels of sales and prices. This is evidenced by the increase in number of DA applications and number of property related certificates (section 10.7 and Dwelling Entitlement) submitted to the Council. The DA referrals to the Shoalhaven Water alone increased by 44% over the 12 months.

COVID-19 restrictions continue to have a significant impact on Swim Sport and Fitness operations, however, the financial performance of these business units has improved in the last quarter: the revenue is \$368K behind the year-to-date budget comparing to unfavourable variance of \$470K reported in December Budget Review and this shortfall was completely offset by savings achieved by management in controllable operating expenses and positive variance in Indoor Sports Centre revenue which is \$130K ahead of year to date budget. The relevant budget adjustments are proposed in this review.

Tourist parks operations continue to outperform budget with the revenue exceeding year-to-date budget by \$2.3M (favourable) and operating expenditure is \$1M over the budget (unfavourable). Whilst, as at the end of March, tourist parks significantly outperformed year to date budget by net of \$1.3M (favourable), ever-changing COVID-19 restrictions might adversely impact financial performance of this business unit. Management will continue to monitor the budget and if circumstances allow, at the end of financial year, will recommend using surplus funds to replenish the shortfall in Crown Land maintenance costs. This strategy would result in the General Fund currently earmarked for maintenance of Crown Land to be released and potentially eliminate the current adopted budget unrestricted cash deficit of \$654K and/or to build-up contingency reserves. Further analysis will be provided in the June Quarterly Budget Review report.

Shoalhaven City Council was also successful in securing \$6.3M of Local Road and Community Infrastructure (LRCI) Program funding that will be used to deliver 36 community infrastructure projects. The delivery of these projects is underway and most of them will be completed by the end of next year. Council has already received 50% of the grant funding and proposed budget adjustments include increases in grant income and capital expenditure.

The proposed budget adjustments significantly improve forecasted year-end net operating results before capital grants and contributions for the general fund: from \$3.7M deficit to only

\$0.8M deficit. The main reason for this \$3.9M favourable movement is a reclassification of some operating budgets to capital along with the reclassification of some disaster recovery grants from capital to operating in accordance with the Australian Accounting Standards.

The working capital position of the General Fund as of 31 March 2021, liquidity contingency is 14% of the current liabilities above the benchmark of 10%. The working capital position was calculated in accordance to the formula outlined in the Liquidity Contingency Plan presented to the Council in the separate report.

| Description | | ('000) |
|-------------|--|---------------|
| Add | Current Asset | 115,144 |
| Less | Current Liabilities | 55,917 |
| Calc | Net Current Asset | 59,227 |
| Less | External restrictions | 45,942 |
| Less | Internal restrictions | 45,983 |
| Add | Provisions (Liabilities not expected to settle in 12 months) | 40,513 |
| Calc | Available working capital | 7,815 |
| Calc | Working Capital as a % of Current Liabilities | 14% |

Management continues to exercise prudent financial management and proactively manages the budget which is reflected in the March Quarterly Budget Report.

Financial Impact of COVID-19 Financial Relief Measures

To assist residents during unprecedented times of the COVID-19 pandemic and to support the recovery of the region, Council has endorsed an extensive Financial Relief Package. The financial impact of various financial assistance measures on the year-to-date budget results is summarised below.

| Type of Financial Assistance | YTD December Amount (\$'000) | YTD March Amount (\$'000) | Increase Amount (\$'000) |
|-----------------------------------|------------------------------|---------------------------|--------------------------|
| DA fees waived | 358 | 597 | 239 |
| Rent reduction – full year impact | 249 | 249 | 0 |
| Interest free period | 525 | 525 | 0 |
| S7.11 subsidy | 54 | 238 | 184 |
| S64 subsidy | 71 | 198 | 127 |
| Total | 1,257 | 1,707 | 550 |

It is important to note that the budget was already adjusted to provide for a rent reduction and an interest free period in the December Quarterly Budget Review and no budget adjustments are required for S7.11 and S64 subsidies as they are funded by the reserves (S7.11 Deleted Funds and Water/Sewer reserves). This quarter, management identified \$160K of additional savings across all Directorates to partially offset impact of the DA fee discounts. Management will continue to monitor the situation and forecast sufficient budget savings in operating budgets to compensate for the shortfall by the year-end.

General Fund Budget and Quarterly Review Movements

As referenced earlier, Council adopted an unrestricted cash deficit budget of \$619K for 2020/21 which subsequently increased to \$654K in December QR due to funding of additional Council Resolutions. The March QR adjustments have resulted in a \$3K favourable movement in unrestricted cash, bringing the current forecast cash deficit to \$651K. It is noted that savings, and/or improved revenue streams, still needs to be identified at year end to fund this deficit.

The net operating result before capital grants and contributions of the General Fund as at 31 March 2021 was a surplus of \$17.3M – being \$0.9M favourable variance to the year-to-date adopted budget of \$16.4M surplus. This reflects a 5% favourable year to date variance, largely driven by higher than expected income from Holiday Haven and unspent operational and maintenance funds due to the timing expectations of the expenditure.

The 2020/21 current budget adopted by Council had forecast an operating deficit before Capital Grants and Contributions of \$3.7M, and a reduction in cash and investments of \$15.9M.

The following table presents a high-level summary of the budget and movements for the General Fund for 2020/21.

| \$'000 Favourable / (Unfavourable) | Original Budget | Current Adopted Budget | March QR Adjustments | March QR Proposed Budget | March Actuals |
|--|--------------------|------------------------------|-------------------------|--------------------------------|------------------|
| Unrestricted Cash Movement | (619) | (654) | 3 | (651) | (23,722) |
| Operating Result | 42,462 | 39,065 | 7,094 | 46,158 | 34,440 |
| Operating Result before Capital Grants and Contributions | (2,761) | (3,748) | 2,951 | (797) | 17,319 |
| Net Total Cash & Investments Movement | (28,903) | (15,872) | 26,547 | 10,675 | (8,017) |

The main contributing factor for the change to the operating result is an increase in the forecast for capital grants (\$4.1M), with the primary one being Local Roads and Community Infrastructure (LRCI) grants (\$6.3M) which was partially offset by the rephasing of the Ulladulla Berthing Facility (\$0.6M) and Placemaking for Vincentia (\$1.6M) grants into 2021/22 financial year.

Other major budget adjustments relate to \$500K (favourable) of savings in electricity costs achieved by LED street lighting upgrade that was completed in the first quarter of this financial year which was used to offset unfavourable reduction in dividends income from Water fund (\$560K). It is important to note that on 13 April, Strategy and Assets Committee resolved to make representation to DPIE (Water) for exemption under the Best Practice Management Guidelines to pay a dividend from the Water Fund, and if successful seek advice as to a methodology for calculation of such dividend. Whilst it is possible that the dividends will be paid as a result of this representation, management is currently working on strategy to fund the shortfall.

March Quarterly Review adjustments resulted in a favourable General Fund Net Cash and Investments Movement of \$3K.

The commentary on the recommended changes can be found in March 2021 Quarterly Budget Report presented as **Attachment 2**.

Water Fund Budget and Quarterly Review Movements

The net operating result of the Water Fund is a \$1.14M surplus when comparing to the year-to-date budgeted surplus of \$1.12M.

| \$'000 Favourable / (Unfavourable) | Original Budget | Current Adopted Budget | March QR Adjustments | March QR Proposed Budget | March Actuals |
|--|--------------------|------------------------------|-------------------------|--------------------------------|------------------|
| Operating Result | 2,769 | 2,736 | (236) | 2,500 | 1,149 |
| Operating Result before Capital Grants and Contributions | (1,081) | (1,434) | (766) | (2,200) | (335) |
| Net Cash & Investments Movement | (14,257) | (6,473) | 5,272 | (1,201) | 530 |

The main proposed budget adjustments relate to a \$4.9M forecast of capital expenditure into the next financial year (\$1.8M Moss Vale Road water works, \$1M transfer system and other works), \$1.3M increase of interfund costs to the Sewer Fund (unfavourable), \$524K increase in section 64 income (favourable), \$611K additional communications income (favourable) and \$500K decrease in water usage income (unfavourable).

The March Quarterly Budget Review adjustments resulted in a favourable Net Cash and Investments Movement of \$5.2M.

Sewer Fund Budget and Quarterly Review Movements

The net operating result before capital revenue of the Sewer Fund was \$9.6M (surplus), a \$1.8M favourable variance comparing to the budgeted year to date surplus of \$7.7M. This is principally due to timing of expenditure, in particular materials and contracts and additional income received.

Detailed explanations of the key variances for both the quarter and the full year forecast result are outlined in the March 2021 Quarterly Budget Report presented as **Attachment 2**.

| \$'000 Favourable / (Unfavourable) | Original Budget | Current Adopted Budget | March QR Adjustments | March QR Proposed Budget | March Actuals |
|--|--------------------|------------------------------|-------------------------|--------------------------------|------------------|
| Operating Result | 7,698 | 9,422 | 2,535 | 11,957 | 11,643 |
| Operating Result before Capital Grants and Contributions | 5,648 | 6,897 | 1,660 | 8,557 | 9,595 |
| Net Cash & Investments Movement | (13,661) | (9,044) | 8,049 | (995) | 3,431 |

The main proposed budget adjustment relates to a \$6.6M forecast of capital expenditure into the next financial year, \$1.3M decrease in transfer of costs between the Water and Sewer funds (unfavourable) and \$875K increase in Section 64 revenue (favourable).

The March Quarterly Budget Review adjustments resulted in a favourable Net Cash and Investments Movement of \$8M.

Communications

The complete Quarterly Performance report will be available on the Council's website with a link promoted through Council's weekly newsletter. A range of other communication methods will also be used to communicate the outcomes of the report including performance highlights across Council's social media platforms.

SA21.82 Policy - Liquidity Contingency Plan

HPERM Ref: D21/186706

Department: Finance

Approver: Olena Tulubinska, Chief Financial Officer

Attachments: 1. Draft Liquidity Contingency Plan [↓](#)

Reason for Report

To present a Draft Liquidity Contingency Plan for the Committee's consideration.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note the Draft Liquidity Contingency Plan presented as Attachment 1.
2. Refer the Draft Plan to the Office of Local Government and to the NSW Local Finance Professionals seeking feedback on this Shoalhaven Council initiative and its potential for broader take-up across NSW Councils.
3. Receive a further report on any feedback received in response to the referrals referenced above for consideration in Council's decision in respect of final adoption of the Liquidity Contingency Plan.

Options

1. As recommended

Implications: The Policy will be adopted

2. Council give alternative direction to staff.

Implications: The Policy will be modified as directed by Council.

Background

A Draft Liquidity Contingency Plan has been prepared in response to a resolution of the Strategy and Assets Committee dated 26 May 2020 (MIN20.353).

The primary purpose of the Liquidity Contingency Plan is to establish a liquidity monitoring framework and to set out the steps to be taken in the event that Council were to experience a significant reduction in its liquidity position.

The Liquidity Contingency plan sets out a framework around which Council could maintain its ability to pay for its day-to-day operations, maintain its services to the community in the event of an unexpected or extraordinary circumstance that impacted significantly on the Council's liquidity or cash-flow position.

Should Council see merit in the adoption of the Draft Policy as presented, it is considered that Shoalhaven City may be the first Council to implement such a Liquidity Contingency Plan which aims to further enhance prudential financial management framework of the Council.

This plan also introduces the principle of a Business Contingency Reserve – funds set aside by the Council specifically to provide a buffer against a severe decline in liquidity and the steps necessary to assess, measure, monitor and respond to a liquidity crisis.

This plan was developed in consultation with the external specialist in Local Government financial management, Mr Dennis Banicevic (ex PwC auditor with years of experience in Local Government advisory) who presented this plan to the Audit, Risk, and Improvement Committee on 1 March 2021.

The Audit, Risk, and Improvement Committee has provided positive feedback and endorsed the Draft Liquidity Contingency Plan for Council's consideration.

Whilst presenting the draft Plan for Council's initial feedback at this time, it is recommended that Council now refer the Draft Plan to the Office of Local Government and to the NSW Local Government Finance Professionals seeking feedback on this Shoalhaven Council initiative and its potential for broader take-up across NSW Councils.

It is further recommended that Council receive a further report on any feedback received in response to the referrals referenced above for consideration in Council's decision in respect of final adoption of the Liquidity Contingency Plan.

Please refer to the **Attachment 1** for details.



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Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra
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For more information contact the City Performance

Liquidity Contingency Plan

Policy Number: POL20/67 • **Adopted:** [Click here to enter date] • **Minute Number:** [Click here to enter Minute number] • **File:** 2126E • **Produced By:** City Performance • **Review Date:**

1. PURPOSE

The primary objective of this Policy is to establish liquidity monitoring framework and to set out the steps to be taken in the event that Council experiences a significant reduction in its liquidity position due to abnormal or extraordinary circumstances that would limit Council's ability to pay for its day-to-day operations and maintain services to the community.

This Policy also introduces the principal of Business Contingency Reserve – funds set aside by the Council specifically to provide a buffer against a severe decline in liquidity and the steps necessary to assess, measure, monitor and respond to a liquidity crisis.

2. STATEMENT

Framework

Minimum Liquidity Levels

Council will maintain minimum liquidity levels. Liquidity will be maintained in immediately available and highly liquid sources such as cash and short-term investments.

Liquidity Measures

The following indicators will be used to measure Council's liquidity:

| Indicator | Method of Calculation |
|---|--|
| Unrestricted Current Ratio (UCR) | Per OLG Calculation in Code of Accounting Practice and Financial Reporting. |
| | The unrestricted current ratio is designed to represent a Council's ability to meet short term obligations as they fall due. |
| | Current Assets less all external restrictions |
| | Current Liabilities less specific purpose liabilities |
| | The benchmark for this ratio is greater than 150% as set by OLG. |
| | Per OLG Calculation in Code of Accounting Practice and Financial Reporting but including FRNs. |

Shoalhaven City Council - Title

| | |
|---|---|
| Cash Expense Cover Ratio (CECR) | This liquidity ratio indicates the number of months that a Council can continue paying for its immediate expenses without additional cash inflow. |
| | <u>Cash equivalents, term deposits and FRNs x 12</u> Payments from cash flow of operating and financing activities |
| | The benchmark for this ratio is greater than 3 months (OLG benchmark is 2.5 months). |
| Cash Expense Cover Ratio Excluding External Restrictions | Takes the OLG calculation for the CECR and removes external restrictions to represent the amount of months Council can continue paying for its immediate expenses without resorting to external restrictions. |
| | <u>Cash equivalents, term deposits and FRNs excluding external restrictions x 12</u> Payments from cash flow of operating and financing activities |
| | The benchmark for this ratio is greater than 3 months. |
| Unrestricted Cash | Total cash and Investments less external and Internal restrictions |
| | Represents the uncommitted component of cash and investments |
| | The benchmark for this liquidity indicator is greater than 3% of budgeted cash outflows (excluding investment purchases and reserve funded expenditures) for the year. |
| Available Working Capital | The uncommitted component of Council's working capital representing the monies available to be used for discretionary purposes. |
| | Calculated as: |
| | Current Assets |
| | Less Current Liabilities |
| | Less External Restrictions |
| | Internal Restrictions |
| | Add Current Liabilities not expected to settle within 12 months |
| | Current liabilities that are covered by externally restricted assets |
| | Current liabilities that are covered by internally restricted assets |
| | The benchmark for this liquidity indicator is 5% of the current liabilities expected to settle within 12 months. |

These indicators will be measured on a consolidated basis and by fund (general, water, sewer).

Minimum Liquidity Indicators

The minimum liquidity indicators that Council will maintain are set out below.

Shoalhaven City Council - Title

| | Consolidated | General | Water | Sewer |
|--|--------------|----------|----------|----------|
| Unrestricted Current Ratio ¹ | 150% | 150% | 150% | 150% |
| Cash Expense Cover Ratio | 3 Months | 3 Months | 3 Months | 3 Months |
| Cash Expense Cover Ratio Excluding External Restrictions | 3 Months | 3 Months | 3 Months | 3 Months |
| Unrestricted Cash ² | 3% | 3% | 3% | 3% |
| Available Working Capital ³ | 5% | 5% | 5% | 5% |

¹ Per OLG Benchmarks.

² Calculated at 3% of budgeted cash outflows (excluding investment purchases and expenditures funded by reserves).

³ Calculated at 5% of current liabilities expected to settle within the next 12 months.

Monitoring and Reporting

Current and Cash ratio and unrestricted cash balance indicators will be monitored and reported on a monthly basis in the Cash and Investment Report and Working Capital Position will be reported on a quarterly basis. The Cash and Investment Report will also disclose for each fund the amount of cash and investments it holds and how that is split between external, internal and unrestricted balances. Council will check that all the funds have sufficient cash and investments to cover their restricted balances.

Liquidity Stress Events

Liquidity Stress Events are unexpected situations or conditions that may impact Council's liquidity position and increase the risk that available funds will be insufficient to meet operational needs, including the funding of capital expenditure and loan repayments.

Council specific triggers include operating losses, budget deficits or overruns, natural disasters, cost overruns on major projects, natural disasters. Systemic triggers include economic downturn, global crises such as war and pandemic.

Liquidity Contingency Plan (LCP)

Plan Activation

Where a liquidity stress event pushes the liquidity indicators to below the minimum agreed levels, then the Liquidity Matrix below will identify the severity of the event and the actions that are to be taken to correct it.

Shoalhaven City Council - Title

| | LEVEL | DESCRIPTION | ACTION |
|---|-----------------------------------|--|---|
| 1 | Acceptable | Stable Liquidity Position – ALL Minimum liquidity indicators are achieved. | No Action Required |
| 2 | Caution | Elevated Liquidity Stress Position – one or more indicators fall below the minimum liquidity levels prescribed. | Elevated Monitoring of the Liquidity Position |
| 3 | Requires Corrective Action | Severe Liquidity Stress Position-any of the indicators fall to more than 30% below the minimum liquidity levels prescribed | Liquidity Contingency Plan is activated |

Monitoring and Communication

At Level 2 the CFO will notify the Executive team of the position. Monitoring of the liquidity indicators will shift from monthly to weekly with an assessment of whether the indicators are stable, improving or deteriorating. If indicators remain below the benchmark for three weeks, the CEO will notify the Council.

At Level 3 the CFO will notify the CEO immediately who will in turn advise the Council. A Liquidity Crisis Management Team (LCMT) will be activated to establish the cause of the crisis and develop strategies to contain it. Monitoring of the liquidity indicators will shift from weekly to daily and the LCP will be activated to restore liquidity to the minimum agreed levels. A daily assessment will be made of whether the indicators are stable, improving or deteriorating.

Where the Liquidity Matrix is at levels 2 or 3, the CEO will notify the Audit and Risk Committee. At Level 3 the CEO will also advise the OLG particularly if it is intended to borrow from external restrictions. Council would have sought permission from the OLG and Minister to borrow from the external restrictions in the event of a liquidity crisis and would now advise them that it was proposing to do so.

Contingency Funding Sources

Shoalhaven City Council - Title

This LCP identifies Contingency Funding Sources that have been established to restore liquidity to minimum levels in a liquidity crisis. These sources are set out below in order of their expected utilisation:

Contingency Reserves (once established)

Reserves set aside specifically to provide a buffer against a severe decline in liquidity. The ultimate amounts of contingency reserves that are to be set aside are as follows:

| Consolidated | General | Water | Sewer |
|--------------|---------|-------|-------|
| \$15m | \$10m | \$2m | \$3m |

The level of these reserves has been set at 5% of budgeted cash outflows (excluding purchases of investments).

Council will gradually accumulate funds in the contingency reserve from budget savings and additional revenue when such opportunities arise.

The monies are to be drawn from the fund to which the liquidity stress event is applicable and, if these are insufficient, from the contingency reserves of the other funds. If the contingency reserves of other funds are sought, then Ministerial approval will be required.

Internal Borrowings from Internal Reserves

Council has significant levels of reserves (\$60 million) from which it can borrow. The amount of borrowing to be made available is up to 50% of the reserve balances by fund to a maximum of \$25m as summarised below:

| Consolidated | General | Water | Sewer |
|--------------|---------|-------|-------|
| \$25m | \$25m | \$NIL | \$NIL |

These borrowings are to be repaid in accordance with an agreed repayment schedule including interest. At present, there are no internal reserves in the Water and Sewer Funds.

The borrowings will be initially from the fund to which the liquidity stress event is applicable and, if this is insufficient, from the other funds. In the case of borrowing from other funds, Ministerial approval will be required.

Internal Borrowing from External Restrictions

Council has significant levels of external restrictions (\$120 million) held mainly in the form of developer contributions and the unrestricted cash of the Water and Sewer Funds.

Shoalhaven City Council - Title

These can be made available in a liquidity crisis but will require Ministerial approval and this should be obtained after the LCP is approved by Council.

The amount of borrowing to be made available is up to 50% of the external restrictions by fund to a maximum of \$25m as summarised below:

| Consolidated | General | Water | Sewer |
|--------------|---------|-------|-------|
| \$25m | \$7m | \$12m | \$6m |

The borrowing will be initially from the fund to which the liquidity stress event is applicable and, if this is insufficient, from the other funds. The monies are to be repaid in accordance with an agreed repayment schedule including interest.

External Borrowings

Council will establish external borrowing facilities which can be drawn upon in a liquidity crisis. Council's current level of borrowings on both a consolidated and funds basis stand within the debt service cover ratio benchmark set by the OLG as shown below:

| DSCR Benchmark | Consolidated | General | Water | Sewer |
|----------------|--------------|---------|---------------|-------|
| >200% | 267% | 253% | No Borrowings | 205% |

Council has the capacity to take up additional borrowings without falling below the benchmark - particularly in the General and Water funds. Council will limit the borrowing facilities to be available in a liquidity crisis to \$35m as summarised below:

| Consolidated | General | Water | Sewer |
|--------------|---------|-------|-------|
| \$35m | \$15m | \$15m | \$5m |

A summary of all the Contingency Funding Sources is set out in Attachment A and they provide up to \$100m in emergency funding for the Council.

3. REVIEW

Council will review the LCP annually. This will include examination of:

- The effectiveness of identifying potential liquidity stress events
- The adequacy of the steps established to address liquidity stress events
- The nature and adequacy of the Contingency Funding Sources

Findings from the review of the LCP will be reported to Council and these will be considered when updating the LCP.

Shoalhaven City Council - Title

Attachment A

Contingency Funding Sources

| | Consolidated | General | Water | Sewer |
|--|---------------|--------------|--------------|--------------|
| Contingency Reserves | \$15m | \$10m | \$2m | \$3m |
| Borrowing from Internal Restrictions | \$25m | \$25m | \$NIL | \$NIL |
| Borrowing from External Restrictions | \$25m | \$7m | \$12m | \$6m |
| External Borrowing | \$35m | \$15m | \$15m | \$5m |
| Total Contingency Funding Sources | \$100m | \$57m | \$29m | \$14m |

SA21.82 - Attachment 1

SA21.83 Report Back - Jervis Bay National Park - Council Property Transfers

HPERM Ref: D21/69325

Department: Strategic Planning

Approver: Robert Domm, Director - City Futures

Attachments: 1. Copy - Notice of Motion, Oct 2020 - JBNP Consolidation [↓](#)
2. Maps - Bay & Basin Leisure Centre, Intended National Parks Transfer [↓](#)

Reason for Report

This report responds to the Council resolution of 27 October 2020 (MIN20.808) that:

The CEO report back to Council on the progress of Council's contribution to the consolidation of the Heritage Estate and the Council property associated with the Bay & Basin Leisure Centre to the Jervis Bay National Park.

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the status of the Council land transfers to the Jervis Bay National Park for information.

Options

1. Receive the report for information.

Implications: The matters covered in the report will continue to be progressed.

2. Determine another course of action.

Implications: Will depend on the nature of any resolution.

Background

The resolution resulted from a Notice of Motion submitted to the October 2020 Council meeting (see **Attachment 1**). This report responds to the resolution (MIN20.808) and also a question that was taken on notice at the same Council meeting regarding a letter to all NSW Councils seeking suggestions for National Park extensions and additions.

Property Transfers to National Park - Update

The resolution requests an update on the progress of Council's contribution of land associated with the Heritage Estate and Bay & Basin Leisure Centre to the Jervis Bay National Park. The following advice is provided in this regard:

Heritage Estates – The Council's lots (approximately 80) within the Estates were transferred to the NSW National Parks & Wildlife Service (NPWS) during 2018.

There is also an existing standing Council resolution to transfer the public road reserves at the relevant/appropriate points, subject to not 'land-locking' any remaining privately-owned lots.

In relation to gazettal of the transferred lots as part of the National Park, previous advice was that the “[NPWS] Reserve Establishment Unit intends to seek gazettal of Heritage Estates additions once there is a critical mass of land to add to Jervis Bay NP.”

Bay & Basin Leisure Centre – NPWS have recently written to Council in this regard requesting an update on the intended timing of the transfer of this land and a response is currently being finalised.

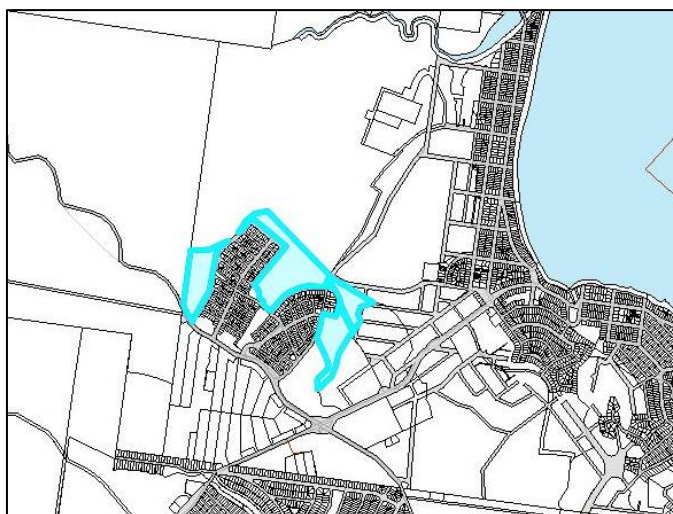
This transfer relates to the ecologically sensitive section of Lot 51 DP862697 that adjoins the Leisure Centre, to satisfy a condition of the approval issued by the Commonwealth Government. Council has also agreed to transfer the relevant ‘paper’ roads north of The Wool Road. **Attachment 2** shows these two areas.

There is a subdivision approval that, once completed, will facilitate and enable the transfer of the land to NPWS. The subdivision certificate was however put ‘on hold’ as the skate park proposed at the Leisure Centre was being relocated and impacted the approved plan. It has now been confirmed that the skate park will remain in the original proposed location and therefore the subdivision certificate approval can proceed to finalisation and the land transferred.

Other Land

The other property mentioned in the Notice of Motion is land that is to be transferred as part of the Bayswood subdivision approval. This transfer does not directly involve Council land, but the following update is provided.

It is understood that the transfer of Lot 6004 DP 1195858 (see below) is under way and has been agreed ‘in principle’ between NPWS and the owner of the land. This transfer may be completed by mid-year.



Lot 6004 DP 1195858

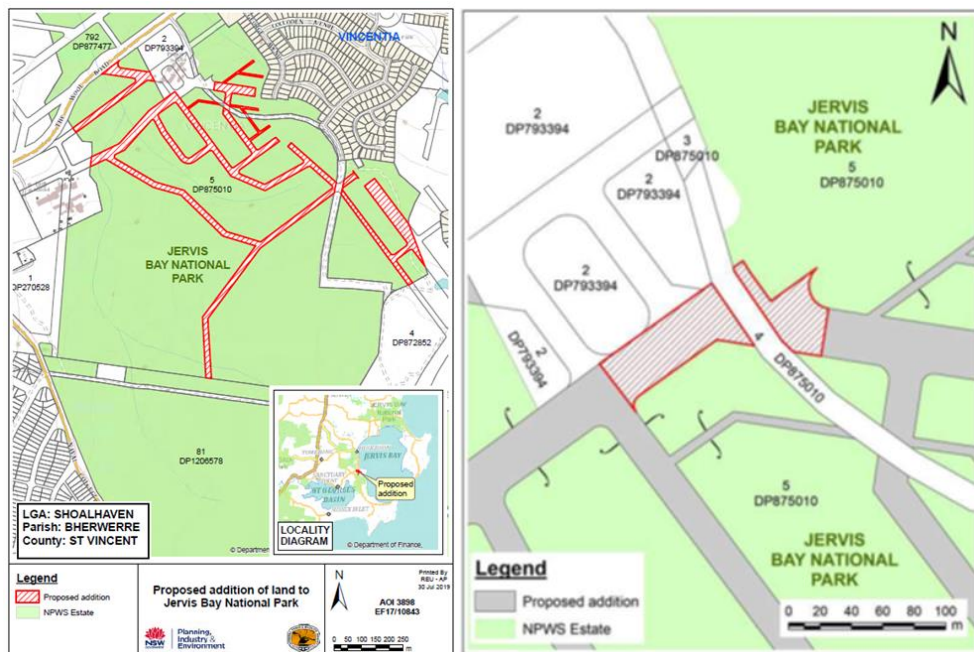
There is also land in this vicinity that adjoins (north and south) the old access road into the Leisure Centre (including the old access road itself, which Council has undertaken a road closure over) which will also ultimately be transferred to NPWS. However, this cannot be completed until the new access road into the leisure centre is transferred to Council and excised from the land to be transferred to NPWS.

It is understood that the current private owner is in the process of transferring Lot 2 DP 1182358 (see below). They have started negotiations with NPWS and the outcome may be finalised later this year or in early 2022. This will also involve a consolidation with the former road reserve, Lot 1 DP 1231236 (Council).



Lot 2 DP 1182358

Consistent with MIN17.1018 (November 2017) Council also transferred approximately 11.56 hectares of relevant unformed road reserves south of The Wool Road, within Lot 5 DP875010, to NPWS for addition to the Jervis Bay National Park – see maps below. These were ultimately gazetted as National Park in September 2019.



Unformed Road Reserves, Lot 5 DP875010

Ministerial Letter - National Park extensions and additions

Council received a letter from the NSW Minister for Energy & Environment, Matt Kean MP in late 2019 seeing advice on land acquisition proposals that would add value to the National Parks system. The letter was a general one to Councils.

It notes that any proposal submitted should at a minimum:

- Include information that clearly defines the land subject to the proposal

- Describe why the land is considered to be high conservation value
- Reasons why you believe the land would be best protected and managed for conservation in the National Parks system
- Indicate whether the land is on the market for purchase or available for transfer
- Include contact details for the land owner(s)

The letter also noted that if suitable for purchase, a priority would be determined within available funding. It was also noted the process can take a while and NPWS only acquires land that is available for acquisition from willing owners.

From follow up discussions with NPWS staff there was no assigned response time as land acquisition and reservation is an ongoing process, subject to available budget. NPWS have recently advised that the opportunity is still open on an ongoing basis.

When the letter was initially received it was circulated to relevant Council staff to see whether they could identify any land that might be appropriate in this regard within the requirements listed above. Limited response was received and as such at this point no proposals have been put forward to NPWS. Importantly however, the opportunity to do so remains open.

For context in this regard, in mid-2019 Council also contacted the NSW Government re the possible acquisition of private land at Seaspray Street, Narrawallee given its conservation significance. As part of this NPWS were approached to see whether they would consider purchasing the property from their reserve acquisition fund. The advice was however that there were other priorities and it was noted that the parcel was not adjacent to or linked to existing National Parks.

Conclusion

The proposed additions of land to Jervis Bay National Park are in train and will continue toward finalisation.

Any future opportunities to put land forward for possible acquisition and addition to the National Park estate more broadly will continue to be considered as they arise.

Community Engagement

There has been no direct community engagement in this regard.

Financial Implications

Any financial implications associated with the transfers to the Jervis Bay National Park will continue to be managed within existing Council budgets.

CL20.274 Notice of Motion - Consolidate Jervis Bay National Park

HPERM Ref: D20/460096

Submitted by: Cllr John Levett

Purpose / Summary

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

Recommendation

That the CEO report back to Council on the progress of Council's contribution to the consolidation of the Heritage Estate and the Council property associated with the Bay & Basin Leisure Centre to the Jervis Bay National Park.

Background

The map attached identifies seven properties that the State Government has either purchased or entered into prior agreements to accept transfer of ownership for the purpose of adding these properties to the Jervis Bay National Park.

These include:

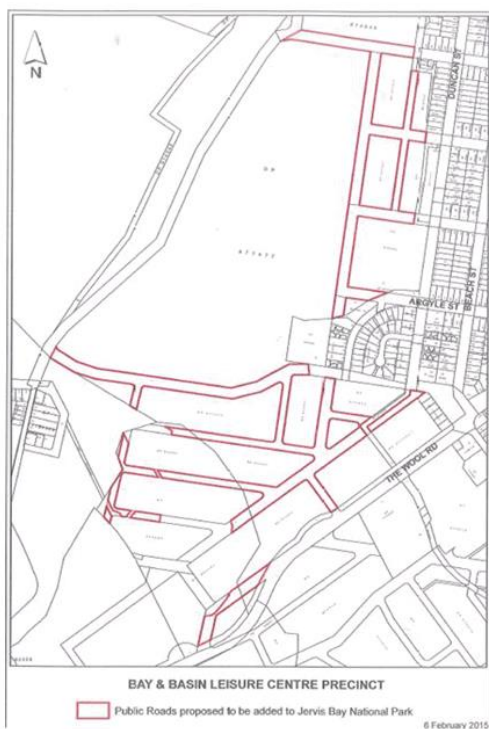
- The Heritage Estate itself
- Land which Stocklands committed to transfer to the National Park as part of the approval for the Bayswood development.
- Shoalhaven City Council land associated with the Bay and Basin Leisure Centre transferred in exchange for land to accommodate the access road to the Leisure Centre.

The integration of these properties is important to underpin the biodiversity strength of both Jervis Bay National Park and Booderee National Park and to enhance and secure habitat corridors. The habitat and corridor value associated with Jervis Bay National Park was seriously compromised by the Bayswood and Woolworths developments. The properties are part of the Jervis Bay Key Biodiversity Area, recognised in a global covenant by the International Union for the Conservation of Nature. The areas involved feature a significant and nationally important range of threatened species birds, orchids and the extremely rare Banksia Vincentia.

Council support is needed to facilitate finalisation of transfer and the incorporation of these properties into the national park.



Bay & Basin Leisure Centre Precinct – Lands to be Transferred



SA21.84 Proposed Sale of Land - Moss Vale Road South Urban Release Area

HPERM Ref: D21/125945

Approver: Robert Domm, Director - City Futures

Reason for Report

This report provides Council with the opportunity to consider a confidential report in relation to a property matter in the Moss Vale Road South Urban Release Area.

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10A(2)(c) of the Local Government Act 1993, consider a separate confidential report in relation to a property matter in the Moss Vale Road South Urban Release Area.

Options

1. Proceed in accordance with the recommendation.

Implications: Council will be able to consider a separate confidential report on the property matter in the Moss Vale Road South Urban Release Area.

2. Not adopt as recommended.

Implications: Council will not consider the confidential report.

SA21.85 Proposed Lease - Council as Lessee - Unit 1, 51 Graham Street, Nowra

HPERM Ref: D21/176484

Department: Strategic Property

Approver: Robert Domm, Director - City Futures

Attachments:

1. Terms of the Lease (Confidential - under separate cover)
2. Nowra Administration Building - Fire Sprinkler & Hydrant System Project - Status Report [↓](#)

Reason for Report

This report provides Council with an opportunity to consider entering into a lease with Churston Quay Pty Ltd ATF Torbay Superannuation Fund, over Unit 1, 51 Graham Street, Nowra being Lot 1 SP 63182 to provide churn space for proposed works within the Nowra Administration building.

Recommendation

That:

1. Council enter into a Lease agreement with Churston Quay Pty Ltd ATF Torbay Superannuation Fund for Unit 1, 51 Graham Street, Nowra being lot 1 SP 63182 in accordance with the terms outlined in the confidential attachment;
2. The terms of the lease remain confidential until adopted by Council;
3. Council authorise the rent to be paid from existing operational budget from the savings identified by management across all Directorates;
4. Council authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

Options

1. Resolve as Recommended

Implications: This will provide much needed churn office space for Council staff freeing up space in the Nowra Admin building to accommodate planned building works.

2. Not adopt Recommendation

Implications: Council will be constrained in its ability to undertake planned building works resulting to greater disturbance to staff where the works are undertaken.

Background

Shoalhaven Council Group Directors resolved in 2016 to design and install a new fire sprinkler & detection system for the Nowra Administration Building. The objective of these works aimed to address Building Code of Australia (BCA) compliance issues associated with the building.

Upon completion of Design works for the new system, a status update report (refer to Attachment 2) was prepared for the Group Directors in September 2017. The report advised;

SA21.85

- Design completion and estimated quantity surveyor cost of \$3M, excluding costs for temporary office space required for the scheduled relocation of staff and any other office improvement works.
- Proposed staging to implement the works, separating the project into 12 stages working from Level 1 upwards, including an overall duration of 3 years.
- Scenarios for temporary spaces available to use as a churn area for staff relocation during works.
- An increasing need for additional staff seating capacity compounded by further demand in subsequent years, requiring consideration of permanent solutions.

The status report was considered at the Directors meeting on 21 September 2017, acknowledging two key issues being, building compliance and staffing spacial requirements. Resultant actions included consideration of temporary accommodation options and the need for long term staff accommodation to be considered prior to works commencement.

Analysis of the then current building capacity and forecast accommodation needs were undertaken to estimate the yield of the building and possible options to accommodate future needs. Master planning commenced in 2018 considering short-, medium- and long-term solutions to both the immediate churn space required and the future capacity needs. Council was informed of this analysis at a councillor briefing held on 12 February 2019.

Subsequent works identified options to either lease commercial premises for the immediate project needs or defer the project and consider a new proposal to extend the building west to allow for both short- and long-term needs; however, duration for planning and construction of the extension would potentially be over a 10-year period. A further Council briefing was held on 31 October 2019 where support was provided to advance investigation and costing for the building extension option whilst also acknowledging the immediate project churn space requirement.

The progress of both the fire compliance and building extension projects were impeded by the COVID global pandemic, requiring flexible working arrangements with most staff forced to work from home, limiting their attendance to the building. Progress on these projects was re-prioritized given the uncertainty of the situation and works were put on hold.

Early 2021 saw the return of 100% staff to the office and a renewed urgency to recommence activities particularly on the building compliance project. This has created an immediate need to identify potential office space for relocation of Council departments for the renovations to occur. As there is no existing space within the Council building for departments to relocate to, Council needs to explore the opportunity of leasing space external to the Council Administration building and the re-consideration of Council's longer term accommodation needs.

Council was advised of unit 1, 51 Graham Street, becoming available and have inspected the property for its suitability. The property will require some minor fitout work to accommodate a more open plan environment and due to its close proximity to Council is considered an excellent option.

Community Engagement

The subject property is not owned by Council, therefore there is no requirement for any public notification or engagement resulting from this lease proposal.

Policy Implications

There are no policy implications.

Financial Implications

There is currently no budget for the first year rent or fitout works, however funding will be sourced from existing budget savings to be identified in the first instance. This may result in an impact on other planned works in the short term. Budgets moving forward will be adjusted at the appropriate time to cover off future lease obligations.

Risk Implications

There are no foreseeable risk implications.

Assets & Works Group



To: Group Directors Meeting

From: Tony Fraser – Acting Group Director

Subject: **Nowra Administration Building - Fire Sprinkler & Hydrant System Project – Status Report**

Date: 18/09/2017

File: 52599E (D17/309277) CONTACT: Tony Fraser Ext: 3298

The project to install a fire sprinkler and hydrant system into the Nowra Administration building is nearing completion of the design phase. This memo provides a summary of the project, proposes a staging plan and options for temporary staff accommodation during the works.

Prior to advancing this project, consideration to the current and future staff accommodation needs are required. The office layout impacts the sprinkler and lighting design so these will need to be resolved as part of this project.

In summary:

- The detailed design and specification to retrofit a sprinkler system. The estimated cost of the project is \$3m, excluding establishment of temporary office facilities.
- It is proposed to undertake the works in stages to minimise the number of staff that need to be relocated at any one time. The current staging plan separates the project into 12 stages, working from Level 1 upwards to Level 3 and from south to north through each floor, with the exception of the Shoalhaven Water and Customer Service areas, where the sprinkler system installation is complete and ready for connection (See **Attachment 3**).
- Each stage is estimated to take 8 weeks.
- Temporary accommodation is available in the Seven Mile Meeting Room, Shoalhaven Entertainment Centre Studio and / or Osprey and Orchid Training Rooms. (See **Attachment 4a, 4b & 4c**).
- Offsite options to be considered include former Visitor Information Centre (VIC) or leasing office space.
- The project planning or budget has not considered amendments to the office layout in conjunction with the works. This will need to be planned and funded 'upfront' to avoid delays and to manage staff expectations. Changes to the office layout may require redesign of the sprinkler layout, lighting layout and impact air conditioning.

- There is increasing requests for additional seating capacity and there may be further demand if staff numbers increase in subsequent years (as foreshadowed). The temporary accommodation options could be considered for permanent solutions.

Recommendation

Based on the above, it is recommended:

1. Undertake a review to maximise the office accommodation, inviting feedback from Section Managers on their needs, to agree on an office layout before advancing the project. Short term needs and options will need to be identified whilst this review is in progress.

This will provide an opportunity to maximise space to meet current and medium term accommodation demands. The sprinkler and lighting system can be installed accordingly. Short-term accommodation issues will still remain whilst this review is completed and implemented. Consideration to providing off site space or converting meeting rooms / receptions rooms to office space needed.

2. Group Directors establish guiding parameters for the Business and Property Unit to conduct an assessment of Council's future accommodation needs, which may include:
 - Increasing floor space of existing building (extend up or out).
 - Identify 'satellite offices' for some functional areas.
 - Identify new sites with Nowra CBD or other nominated locations.
 - Amalgamation of facilities into a new 'hub'

Option

The alternative option is to proceed with the finalisation of planning and implementation of the fire sprinkler systems project based, subject to consultation, on the current office layout, proposed staging plan and temporary accommodation areas.

This will not resolve the current and short-term demand for increased office space. Part 2 of the above recommendation will still need to be advanced, as will consideration of options for short-term needs. This could include some of the temporary accommodation options outlined at **Attachment 4**.



Tony Fraser
Acting Director
Assets & Works

Background

This purpose of this report seeks a direction from senior executives regarding the implementation of the fire sprinklers project. It considers potential risks or impacts due to the current and future accommodation needs of council's administration purposes.

The report concludes with two recommendations for consideration and seeks direction on primary expectations of council for the delivery of the fire systems projects.

The two options available include proceeding with the fire systems installation without consideration of the current and future staff accommodation needs, or, delaying implementation of the fire systems project, until a feasibility study on the accommodations needs of council is undertaken.

Scope of Works

The client brief required for the design and installation of a fire sprinkler system for the Nowra administration building. Funding of \$30,000 was allocated and a draft BCA report completed by Building & Fire Surveying Consultants (BFSC) included for information. The intention was to proceed with design only.

Fire protection engineers Warren Smith & Partners (WS&P) undertook a feasibility study and fire sprinkler system overview. The Fire Services Report investigated the feasibility to retrofit a Fire Sprinkler System & Occupant Warning System to the existing Shoalhaven City Council Building, including indicative budget estimates for a Fire Sprinkler System & Building Occupant Warning System. This considered site investigations, existing systems, building components, key risks and initial opportunities for alternative solutions; it identified the scope of works required. A copy of the final feasibility study report is included as attachment 1. The resultant fire services scope includes fire sprinkler & hydrants, occupant warning, smoke and fire detection systems and upgrading the fire indicator panel.

The feasibility study indicated that a team of consultants would be required to provide architectural, electrical, mechanical, quantity surveying and Building Code Australia (BCA) services. A revised design estimate of \$100,000 was approved to proceed. Consultant services were appropriately engaged for these disciplines and formed the design team.

An initial outcome, consisted of determining the cost effectiveness of maintaining the current perforated metal pan ceiling throughout the office areas and the practical implications of removing and reinstatement. No reflected ceiling plans (RCPs) existed in electronic format; therefore, Architects documented and prepared the existing building RCP's to provide a base plan for design. Scoping exercises and comparative cost analysis evaluated ceiling options; however, the existing ceiling could not be reinstalled, as the grid would require removal, rendering it unsuitable for reinstatement. With no matching grid available in the current market, design of a new reflected ceiling, including compatible LED panel lighting and mechanical registers is included in the scope. The finished appearance will resemble the newly completed Shoalhaven Water office area.

Upon completion of the draft RCPs and fire services designs, a preliminary budget estimate prepared by the quantity surveyor indicated the cost to be approximately \$3M for building and fire services works. This figure is contingent upon staging and does not include temporary staff

relocations and accommodation costs. Considered further in budget below. The draft RCP's, reviewed by the BCA consultant, are considered as part of the final BCA assessment and compliance report.

Design Status

Currently all fire services, architectural, electrical and mechanical design documentation is ready for tender, with the exception of minor details that are contingent upon staging.

Compliance

Although, the draft BCA report provided by the client was not finalised prior to this project, the report informed council identifying potential non-compliances for further considerations. The upgrade to the fire sprinkler & hydrants, occupant warning, smoke & fire detection systems and the fire indicator panel will effectively extinguish many of the building non-conformances relating to fire protection; however, note that minor items would still exist and require actioning to be fully compliant. These items include insufficient exit door widths, existing services fire sealing, automatic door controls and modifications to the mechanical systems shutdown procedures. A copy of the final BCA assessment report is included as attachment 2 for reference.

Consultation undertaken with Councils building and compliance section ensures that the approval process meets with their requirements, and in accordance within the provisions of the regulations. Council requested that the design and reporting include upgrade to the existing fire hydrant system; consequently, this was added to the scope of works. Although, council may consider these works a voluntary upgrade, an approval process still requires implementation. Therefore, the following advice in part received from building and compliance, instructed on this process;

"Advice received is that Council is able to issue a Fire Safety Order on itself in accordance with the EP&A Act and Regs.

The order will be required to be issued to the General Manager, however please note that this has not been discussed with the GM and should be addressed with your management and the GM.

To move forward, you will be required to submit a Fire Engineered Report (C10 Accredited) that addresses the whole administration building and identifies all non- conformances with the current requirements of Sections C, D, E, G and H of the Building Code of Australia (Note:- Sections G and Section H are only necessary where applicable. The report will need to rationalise the non-compliances and clearly recommend in the conclusion all works required to be completed at the premises to have the building upgraded to a satisfactory fire safety standard. The report will also need to provide a schedule of existing and proposed essential fire safety measures. This report will be used to issue the formal orders to have the upgrades completed, with the initial focus on the Sprinkler System, Fire Detection and Alarm System and Hydrant System. Specific alternative solutions to the current Australian Standards as outlined in our meeting should also be addressed as part of this report. Other identified upgrades can and will be addressed in the future and scheduling of these should be incorporated into any future budgeting."

In order to complete the Fire Engineered Report (C10), the BCA report required completion. This is now complete to the satisfaction of the regulator (SCC) and the fire safety engineer (BFSC).

BFSC have provided a fee proposal to produce the Fire Engineering Report (C10); however is yet to be awarded. Once the fire engineering report is complete and submitted, the Fire Safety Orders can be issued and the period for compliance commences. Council intends to request multiple fire safety orders to maximise the duration for compliance; this will enable council to implement the works over this timeframe, particularly important due to numerous staff relocations involved.

Budget

As mentioned above, the original investigation and design budget was \$30,000. With the full scope of works identified, the client revised this figure to \$100,000, as reflected in job number 70113, comprising the 2016/17 capital works budget. This budget was fully committed during 2016/17.

The 2017/18 capital budget for the project is currently \$400,000, including 2016/17 revotes and current commitments, the remaining budget this year financial year is \$390,964.

The overall project cost estimate for fire systems, services and building works is currently \$2,937,443.00. This figure is contingent upon nominal project staging and does not include temporary staff relocation and accommodation expenses, these options are discussed below.

The current approach to market will be to tender the entire scope of works associated with the system, services and building works. The works will be divided into three separable portions, representing the three levels of the building. The construction cost plan has not been separated into these three separable portions; therefore, market response will inform the required cash flow once tenders are received, evaluated and a program determined.

Staging & Program

Although the tender will separate the works into three separable portions, the works will require staging, primarily due to current occupation. A staging workshop was conducted using key criteria to develop a staging plan; these criteria considered workgroup-seating arrangements, populations of the floor area, services orientation, access, egress and construction efficiencies. Generally, larger staging areas reduce the impact on costs, due to minimised staging duration, area establishment and de-establishment costs.

The current staging plan separates the project into 12 stages, working from Level 1 up to Level 3 and across each floor, with the exception of the Shoalhaven Water and Customer Service areas, where sprinkler systems are complete and ready for connection. In summary, the tender is divided into three portions consisting of Levels 1, 2 & 3. Separable Portion 1 will include services upgrade into the building, hydrant booster, external hydrants and booster pumps housed in the Level 1 carpark. The three separable portions are planned for implementation over three financial years. Project implementation is divided into 12 stages, each stage estimated to take up to 8 weeks to complete. A copy of the draft-staging plan is included as attachment 3 for reference.

The stages require a maximum of 60 persons to temporarily relocate to an alternative office area.

Temporary Accommodation Scenarios

The options for temporary accommodation for up to 60 persons is limited within the vicinity of the building. Scenario planning identified three potential locations as temporary options, once established the areas would be maintained for the duration of the project works. It is envisaged

that the temporary accommodation will not be required for separable portion 1; however, will be required for the duration of separable portions 2 & 3.

The three scenarios consist of; Seven Mile Meeting Room; Shoalhaven Entertainment Centre Studio, and; Osprey / Orchid Training Rooms combined.

Attachment 4 illustrates preliminary workstation layouts including possible workstation styles considered, allowing for 1800x1200mm 'L' shaped workstations initially.

- 1) The Seven Mile Room at Council can fit approx. 35 people
- 2) The SEC Studio can comfortably fit about 50 people
- 3) The Training Rooms can fit approximately 36 people

The BCA notes 1 person per 10 m² for office spaces should be allowed. As this will be temporary offices and in case 2 & 3 above, other facilities are available elsewhere in the building, a lesser rate could be adequate. The options above equate to the following areas per person.

- 1) Reception Room = 1 person per 4m² (BCA suggests 15 people)
- 2) SEC Studio = 1 person per 4-5m² (BCA suggests 24 people)
- 3) Training Rooms = 1 person per 4m² (BCA suggests 15 people)

There may be the need to activate scenarios 1 & 3 if the studio cannot be secured for the larger population groups. The associated costs with establishing these areas would include temporary furniture, electrical and communications supply and relocation costs. It is envisaged that staff will take their chairs, computers and any necessary filed for the duration of their relocation; however all workstations, desks and furniture will stay in-situ to minimise removal costs.

Key Risks/ Issues

There are some key risks associated with the project. Notwithstanding project scope and technical risks, there is the risk of disruption once the works are activated and the fire orders issued for compliance.

Fire Sprinkler Project – Works Planned

- Compliance mandated as per BCA assessment report
- Scope determined and budget allocated - \$3M
- Staging program defined, first stage/s to be completed in 18/19FY
- Any deviation of scope will have an impact upon delivery – resourcing and delivery timeframe – contractually once contractor engaged no delays can be incurred without penalty
- Current detailed design tailored to the existing layout of Nowra Admin Building – any change of walls, partitions, workstation placement and density will require modification to sprinkler project design (multiple technical designs- hydraulic, electrical, engineering)
- The nature of works and contractor requirements of the sprinkler project precludes any other concurrent work within each stage (i.e. Any workspace refurbishment or rearrangement of workstations cannot occur concurrently with sprinkler project works once activated)

Fire Sprinkler Project – Staff Disturbance / Temporary Accommodation

- Each work area defined in a Stage will be required to vacate their space for minimum of 8 weeks estimated
- Requirement to secure ongoing churn space / alternate accommodation
- Cost of temporary accommodation, relocation and any on-costs not factored into project budget- funds yet to be identified

Assessment of Current & Future Staff Accommodation

- A review of any or all of the SCC Admin Building workspaces is likely to result (in at least) the rearrangement of existing workspaces or addition of new workstations.
- The current scope, technical design and budget of the fire sprinkler project has no tolerance or capacity for delays and on-costs incurred by changes to workstation design, layout or density.
- A review of workspaces cannot occur in isolation to the fire sprinkler project. Should it be determined that it is desirable to pursue a review of SCC Admin Building, a new project merging both matters needs to be created.
- A new joint project combining both matters will allow for all needs to be assessed, planned, resourced, implemented and budgeted for.
- Planning required for a consolidated project will push out project delivery of the fire sprinkler system installation by circa 1 year.

Workspace Review Considerations – First Steps

- Initial internal consultation with Directors & GM to approve in principle and allocate budget
- Scope- determine workspace need for next 2 – 5 yrs
- Complete Feasibility Study, review outcomes, determine if progressing a joint project or fire sprinkler project only.
- A modified fire sprinkler design could be considered with a view to roll out a workspace overhaul sometime in the future (future proof design of sprinkler system).

Workspace Review – Standards & Equity Principles

- All Sections to be reviewed (with exception of Shoalwater)
- Creation of methodology to categorise each position type (eg. consider no. days/hours worked inside, type of work undertaken, application of Australian Standards)
- Design standardised workstations based on position category

SA21.86 Tenders - Flinders Industrial Estate - Stage 10 Subdivision

HPERM Ref: D21/151326

Department: Economic Development

Approver: Robert Domm, Director - City Futures

Reason for Report

To inform Council of the tender process, the evaluation and awarding of contract for Flinders Industrial Estate – Stage 10 Subdivision.

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

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

Recommendation (Item to be determined under delegated authority)

That Council consider a separate confidential report "Tenders – Flinders Industrial Estate – Stage 10 Subdivision" in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

Options

1. Consider the separate confidential report

Implications: Full details of the tendering process is available within the confidential report to enable Councillors to make an informed decision

2. Council could propose an alternative

Implications: No opportunity to assess and make an informed decision on the tender process and results.

Details

Council recently called tenders for the Subdivisional works for Stage 10, Flinders Industrial Estate. Tenders were called on 24 February 2021 and closed at 10:00am on 31 March 2021.

The project is another in a series of staged subdivisions to open up additional employment land within the City. Some grant funding has been secured for this work from Restart NSW: Growing local Economies.

Details relating to the evaluation of the tenders is contained in the confidential report.

Financial Implications:

Sufficient funds are available in the Economic Development budget and Industrial Land Development Reserve for the 2020/2021 and 2021/2022 Financial Years. Funding is available to cover the tender amount and other project costs.

SA21.87 Public Spaces Legacy Program - Acceptance of Grant for Ulladulla Harbour Boardwalk & Harbourside Project

HPERM Ref: D21/186739

Department: Economic Development

Approver: Robert Domm, Director - City Futures

Reason for Report

The NSW Dept of Planning, Industry and Environment has approved a grant application under the Public Spaces Legacy Program as a key element within the Planning Reform Strategy.

Recommendation (Item to be determined under delegated authority)

That

1. Council accepts the offer of a grant from the Dept of Planning, Industry & Environment for \$3,000,000 (ex GST) from the NSW Public Spaces Legacy Program to undertake the Ulladulla Harbour Boardwalk & Harbourside project
2. The CEO be authorised to sign the necessary deed and documentation to enable this grant to be taken up.
3. Council writes to the Member for South Coast and the Dept of Planning, Industry & Environment extending its thanks to receive grant funding to undertake the Ulladulla Harbour Boardwalk & Harbourside project

Options

1. Adopt the recommendation

Implications: Enables the grant to be taken up asap with planning & construction being able to meet the grant funding construction deadlines of end December 2022

2. Propose an alternate recommendation

Implications: Depending on the wording could delay the start of the project and Council's ability to meet the Department's completion requirements

3. Not adopt the recommendation

Implications: Would involve Council turning down the offer of this grant and the Ulladulla Harbour Boardwalk & Harbourside project would not proceed

Background

During 2020 the Dept of Planning, Industry & Environment introduced a program of reform for the assessment of development proposals. Council committed to this program and has been required to introduce certain changes in the way it receives development proposals and evaluates them. Council's Development Services Directorate has led this program and had to meet certain milestones, which it did, and there are future milestones that are needed to be met to ensure that the full grant funding will be received.

As part of this program, Council was offered \$3,000,000 in grant funding to undertake a project which complied with the guidelines of the Public Spaces Legacy Program. Council submitted a project in the original Expression of Interest, and this was to complete the Ulladulla Boardwalk. This project was considered eligible, and Council was requested to make a formal application.

In the application it was expressed that the completion of the Ulladulla Boardwalk will create a new elevated public space that establishes visual connectivity between the Ulladulla town centre and idyllic Ulladulla Harbour. The project will stimulate commercial activity by encouraging locals and visitors to enjoy the Harbour outlook from the adjoining cafes, restaurants and dedicated viewing points.

The completion of the Ulladulla Boardwalk is a long-planned opportunity to expand and improve on the commercial centre of this coastal town. Ulladulla Harbour is a key working waterfront on the NSW South Coast, well known for its fishing and boating activities, but increasingly attracting tourists from Sydney, Canberra and beyond. The initial stages of the Ulladulla Boardwalk project were completed in 2012, and now provides a popular location to access views across the harbour and to connect in with the northern end of the commercial town centre. The proposed project will complete the boardwalk, extending from the Princes Highway in the north, through to Wason Street in the south-east. Together, these existing and proposed stages will provide a complete public access link. Importantly, the Ulladulla Boardwalk is an elevated and accessible public space. This elevation provides high quality visual connectivity between the commercial centre and idyllic Ulladulla Harbour. At present, the commercial centre largely "turns its back" on the Harbour, with the project aiming to reinvent this situation and to create a clear and vibrant connection between the Harbour and the town centre.

This in turn will stimulate greater commercial activity by providing additional space and encouraging locals and visitors to enjoy the Harbour outlook from the adjoining cafes, restaurants, and dedicated viewing points. The project is also seen as being important from a recreational and connectivity perspective. With recent development occurring in the area, and a series of tourism trail upgrades commencing on both the northern and southern sides of the Harbour, there is an opportunity to also provide improvements in the town centre. This means that visitors and locals alike will be able to move through the harbour waterfront area, interacting with the commercial core and stimulating the local economy whilst partaking in regular exercise. From a tourism perspective, the area is already within 3 hours of much of Sydney and Canberra. With planned and commenced road improvements occurring between both of these population centres, there is expected to be significant increases in day and overnight tourism in coming years. The project creates the perfect base for this increase in visitation to be met with the type of infrastructure that can stimulate a night-time economy and provide for enduring economic benefits to the town.

Council is now required to accept the offer of the grant and to sign the Funding Deed which will include the following milestones:

| Date of completion | Milestone | Amount of Funding |
|------------------------|--|-------------------|
| Date of this Agreement | Milestone 1 Execution of this Agreement by the Department and the Recipient. Planning and design starts | \$450,000 |
| 30 June 2021 | Milestone 2 Completion of Project Plan by the Recipient and provision of a copy to the Department in accordance with clause 4.5 | Not applicable. |
| 30 July 2021 | Milestone 3 Written confirmation from the Department that the Recipient has met the Improvement Targets for Monitoring Period 2 (30 | \$1,500,000 |

| | | |
|------------------|--|-----------------|
| | June 2021) as prescribed in the Participation Agreement | |
| TBA by Councils | Milestone 4 Commencement of construction works/land acquisitions comprised in the Project | Not applicable. |
| 31 December 2022 | Milestone 5 Completion of construction works comprised in the Project (Project Completion) | \$1,050,000 |

It should be noted that construction cannot commence until Milestone 3 can be achieved by Council's Development Services

Community Engagement

A program of community engagement will be implemented as part of the project. In working up the application immediately affected stakeholders, neighbours, businesses, business associations, Councillors and MPs were contacted, and many letters of support were received.

Policy Implications

This project forms the "reward" part of Council implementing the NSW Governments Planning Reform agenda. The success of this project and receiving the full amount of grant funding is dependent on Council achieving the milestones set in the implementation of the Planning Reforms.

Financial Implications

The project has been split into two parts with different grant applications having been submitted.

The Public Spaces Legacy Program grant of \$3,000,000 will construct the Boardwalk. A grant has been sought from the Australian Government's Building Better Regions Fund Round 5 to undertake an upgrade of the harbourside area below the Boardwalk to improve parking arrangements and pedestrian access to link the foreshore area adjacent to the Princes Highway to the south eastern section of the Ulladulla Harbour precinct.

Risk Implications

The greatest risk is to deliver the project to comply with the Government's tight project deadlines. It is felt that this can be achieved but with the demands of this and other grant funded projects with similar deadlines, competition for staff, contractors and resources may jeopardise this or other project delivery.

SA21.88 Callala Beach Drainage Maintenance & Construction

HPERM Ref: D20/82059

Department: Works & Services

Approver: Paul Keech, Director - City Services

Reason for Report

The purpose of this report is to respond to Council Resolution (MIN20.55) which called for a report regarding stormwater management at Callala Beach.

Recommendation

That Council, with regard to the management of stormwater in the Callala Beach Village:

1. Note that scheduled maintenance to desilt the eight absorption pits has been programmed to be completed before the end of this financial year from the existing maintenance allocation.
2. Note that from 2021/2022 and onwards (subject to operating budget allocations) 20 pits will be desilted every year at an annual cost of \$17,500. This means that 80 pits across the region will be desilted every four year at a total cost of \$70,000 over the four years. This work will most likely be packaged up as an annual contract with visual inspection/cleaning records being received prior to payment. The 2021/2022 draft budget be amended accordingly as part of the public consultation phase currently underway.
3. The Draft Interim Policy for “The disposal of stormwater from hard surfaces for infill or redevelopment” will be refined by Council staff, advertised seeking public comment and that comment will be reported back to Council for consideration before adoption.
4. Allocate \$80,000 in the long-term financial plan (2023/2024) to develop a long-term Stormwater Drainage Strategy for the Callala Beach catchment, with the ultimate arrangement to be a consideration of a hybrid drainage system consisting of a combination of gravity drained pipe outlets and absorption pits.

Background

At the Ordinary Meeting on 28 January 2020 the Council resolved (MIN20.55) as follows:

That the CEO report to Council on the following:

1. *A scheduled maintenance programme to maintain the street water absorption pits to clear silt and other debris on a regular basis, including a performance checking procedure to ensure the work is carried out.*
2. *An amendment to appropriate DCP relating to the disposal of stormwater from hard surfaces to require as much water as possible to be disposed of on site rather than to the street when infill or redevelopment is occurring.*
3. *The preparation of a long term drainage strategy to increase the diversion of Street drainage to the wetlands West of the Village from streets where significant ponding is occurring.*

The current Callala Beach urban footprint, as depicted in Figure 1 below, consists of a long and narrow road layout with the following general characteristics

- 2500 metres long;
- 375 metres wide;
- Quay Road and Greenaway Road run parallel to the beach typically at a contour level of between 5m and 6m AHD;
- Queen Mary Street also runs parallel to the beach and typically at a contour of between 7m and 8m AHD;
- The urban footprint gently slopes towards the beach;
- Behind Queen Mary Street the landform drops away very quickly to swampy ground on a contour of between 2m and 3m AHD;
- This land behind Queen Mary Street is owned by private entities and the National Parks and Wildlife Service; and
- The underlying soil profile is predominately free draining sand.



Figure 1 – Extent of urban footprint of Callala Beach township

The area to the east of Callala Beach Road, as shown in Figure 2 below, has been constructed using a pit and pipe gravity network that discharges at three locations behind Roskell Road onto private land.



Figure 2 – Gravity drainage network east of Callala Beach Road

The area to the west of Callala Beach Road, as shown in Figure 3 below, has evolved as an absorption (soak away) pit arrangement at various intersections around Quay Street and after moderate rainfall events, the surface water tends to pond within grass swales within the road reserve due to the nature of the flat topography.



Figure 3 – Absorption pit network west of Callala Beach Road

The characteristics of this absorption pit system in the western area of Callala Beach are as follows:

- Fourteen stormwater pits are located in Quay Road.
- Upon recent investigations, six of these pits were identified as absorption pits.
- Eight stormwater pits along Quay Road were found to have a concrete base, and as a consequence, did not act as absorption pits to allow drainage water into the underlying soil profile which is predominately free draining sand. These pits have connections to at least one nearby absorption pit.

An example of the two types of pits are shown below in Figures 4 and 5:



Figure 4 - Example of an absorption pit on Quay Road. Note the sediment build up in the base of the pit.



Figure 5 - Example of a stormwater pit on Quay Road with a concrete base.



Figure 6 - Example of an absorption pit on Quay Road. Note the sediment build up in the base of the pit.



Figure 7 - New absorption pit installed outside 2 Quay Road to improve localised drainage.

These drainage systems, due to their nature, can typically drain out of the localised area over a 1 to 2-day period. It is generally accepted that some ponding will remain for a few days following a reasonable storm event.

Whilst early conceptual investigations reveal it may be physically possible to collect stormwater and run it back to the land beyond Queen Mary Street (i.e. contour between five and six metres AHD to between contours two and three metres AHD) there is now a myriad of underground utilities to navigate and thus any proposal to construct a piped network out past Queen Mary Street will need a more detailed investigation / service proving to locate above and below ground “obstacles”. Of course there is also the land ownership issue to consider for discharging of stormwater as well as the environmental considerations for treating the stormwater if it were to be directed to an existing wetland.

Across the whole of the municipality Council currently funds the maintenance of stormwater as follows;

| Maintenance activity | Allocated budget |
|----------------------|------------------|
| Piped Drain Cleaning | \$70,000 |
| Pit Cleaning | \$80,000 |
| Open Drain Cleaning | \$20,000 |
| Pit and Pipe Repairs | \$180,000 |
| Absorption Pits | \$5,000 |
| TOTAL | \$355,000 |

The maintenance of street stormwater absorption pits throughout Shoalhaven is currently undertaken on a reactive basis only.

Part 1 – Maintenance of street stormwater absorption pits

“A scheduled maintenance programme to maintain the street water absorption pits to clear silt and other debris on a regular basis, including a performance checking procedure to ensure the work is carried out.”

Equipment such as high-pressure vacuum suction trucks are required to desilt an absorption pit and the pit should be lined with a clean free draining filter material to protect the subsoil conditions from being silted up.

The estimated cost to undertake this desilting maintenance for the eight pits in Callala Beach is \$6,560 and this has been programmed to be completed before the end of this financial year from the existing maintenance allocation.

This effort works out as being \$820 per pit, and in best practice should be programmed to occur every fourth year as a minimum. This work would be managed as a contract with inspection prior to payment being required.

Given that Council has approximately 17,250 pits across the region and approximately 0.5% (86) are deemed to be absorption pits, cleaning each pit every four years would require an allocation of \$70,000 every four years (i.e. \$17,500/yr) from within the drainage maintenance budget.

Part 2 – Amendment to appropriate DCP relating to the disposal of stormwater.

“An amendment to appropriate DCP relating to the disposal of stormwater from hard surfaces to require as much water as possible to be disposed of on site rather than to the street when infill or redevelopment is occurring.”

There are currently no general requirements in the DCP requiring the disposal of stormwater from hard surfaces to be disposed of onsite (when soil conditions are suitable) rather than to the street when infill or redevelopment is occurring, however this is commonly conditioned for development applications in Callala Beach.

Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control of the DCP has recently had a housekeeping review and was adopted by Council. It is therefore proposed that Council prepares an interim policy document that requires the disposal of stormwater from hard surfaces to be disposed of onsite (when soil conditions are suitable) rather than to the street when infill or redevelopment is occurring in Callala Beach. This policy can then be incorporated into the next scheduled housekeeping review of DCP Chapter G2.

In the interim, a Draft Policy is being developed for adoption by Council and then incorporation into the next scheduled housekeeping review of the DCP Chapter G2.

The essence of the “Proposed Policy Statement” is provided here for Councillors’ information:

In cases where infill or redevelopment is proposed in residential zoned lots and the lots are not serviced by an underground stormwater system in the lots road network (now or within 10 years), stormwater from hard surfaces is to be disposed of onsite (when soil conditions are suitable) rather than to the street

The following requirements must be complied with:

- a. *The property must not be located within any areas identified, by a qualified geotechnical engineer, as containing soil types that are predominately not conducive to the dispersion of stormwater or likely to induce landslide. The applicant must determine whether or not the property is so affected before further proceeding with any detailed drainage design.*
- b. *Evidence must be supplied by the applicant that all relevant downstream property owners have been approached and are unwilling to grant a private drainage easement that will allow the piping of stormwater to a Council street that is (or will be) serviced by an underground piped system.*
- c. *The base of the facility must be at least 1 to 1.5m above the seasonal high water table, bedrock, or a low permeability layer.*

- d. *The facility must not be constructed on potential high salinity soils, hazard soils, fill or contaminated land.*
- e. *The total plan area of all impervious areas such as roofs, driveways, paths and paved courtyards on the property do not exceed 35% of the total site area and there is an area downslope of the dwelling at least equal to the impervious areas draining to it on which to construct the infiltration trench. Note, this applies to the site cover for existing lots only. New land subdivisions will not be permitted to dispose to infiltration systems.*
- f. *The extent of driveways and other paving near to the system is to be kept to a minimum.*
- g. *A design and supporting calculations, prepared by a suitably qualified and experienced engineer, of a stormwater management system that will cater for runoff from the site to the system must be supplied by the applicant with the Development Application. This is to include any necessary geotechnical information required to support the design, an assessment of the in-situ infiltration of the soil profile, consideration of antecedent moisture conditions and performance over a variety of rainfall events. The design is to be accompanied with a report by a geotechnical engineer attesting to the infiltration capacity of the system, groundwater table level, reactivity of the soil, and clearly demonstrating that the proposal will not have an adverse impact upon adjoining and/or downstream properties by the direction or concentration of stormwater on those properties.*
- h. *Any onsite infiltration structures are to be located as far as practicable from the downstream property boundary (minimum 5m) and a minimum of 3m from buildings. If the system is being constructed in conjunction with any new structure (including residential dwellings), the foundations of the structure are to consist of pier and beam and the piers are to be to a solid stratum. The system should not be placed over any paved surfaces.*
- i. *A debris/silt collection pit must be constructed immediately upstream of the underground system, a capped observation riser installed over the underground system and area downstream is to be landscaped in a manner that will ensure a reduction of sub-soil flows into the adjoining property.*
- j. *A positive covenant is to be placed on the Property Title to ensure that the system is adequately maintained according to the approved maintenance schedule. A Restriction as to User is to be placed on the Property Title to ensure that no additional impervious areas are created on the property. The authority to vary the Restriction is to be Council.*
- k. *In cases where the infiltration system adjoins bushland, the infiltration trench may be constructed no closer than 2m from the boundary adjoining the bushland and run parallel with the contours.*

Part 3 – Long term drainage strategy

“The preparation of a long term drainage strategy to increase the diversion of Street drainage to the wetlands west of the Village from streets where significant ponding is occurring.”

Whilst this is an ideal objective, the historical development and the “lay of the land” may make this objective difficult and costly to achieve. The main factors to overcome to provide a standard gravity piped drainage system in this area are:

- The very flat lay of the land resulting in an issue with the technical feasibility of a graded, piped drainage network in Callala Beach being shallow enough to properly discharge.

- The impact that other utilities will have on proposed drainage lines is not well understood.
- No readily available discharge points for any pipe draining westwards from Callala Beach.
 - o Surrounding areas being National Park, Aboriginal Land, Crown lands and Private lands.
 - o Significant earthworks likely be required through these surrounding lands to ensure water drains towards Bid-Bid Creek and Callala Creek.
 - o The existing wetlands to the west of Callala Beach village comprise endangered ecological communities which will limit works, and may prevent construction, furthermore any stormwater runoff from hard surfaces that is discharged to this area will be required to be treated first using stormwater treatment devices.

The long-term drainage strategy should consider expanding the absorption pit strategy and include consideration of short-term measures such as increasing the effectiveness of the current absorption system by modifying the eight existing, concrete lined pits into absorption pits. This will more than double the stormwater infiltration capacity at Quay Road.

The locations of the eight stormwater pits that could be modified into absorption pits are shown in Figure 8 below:

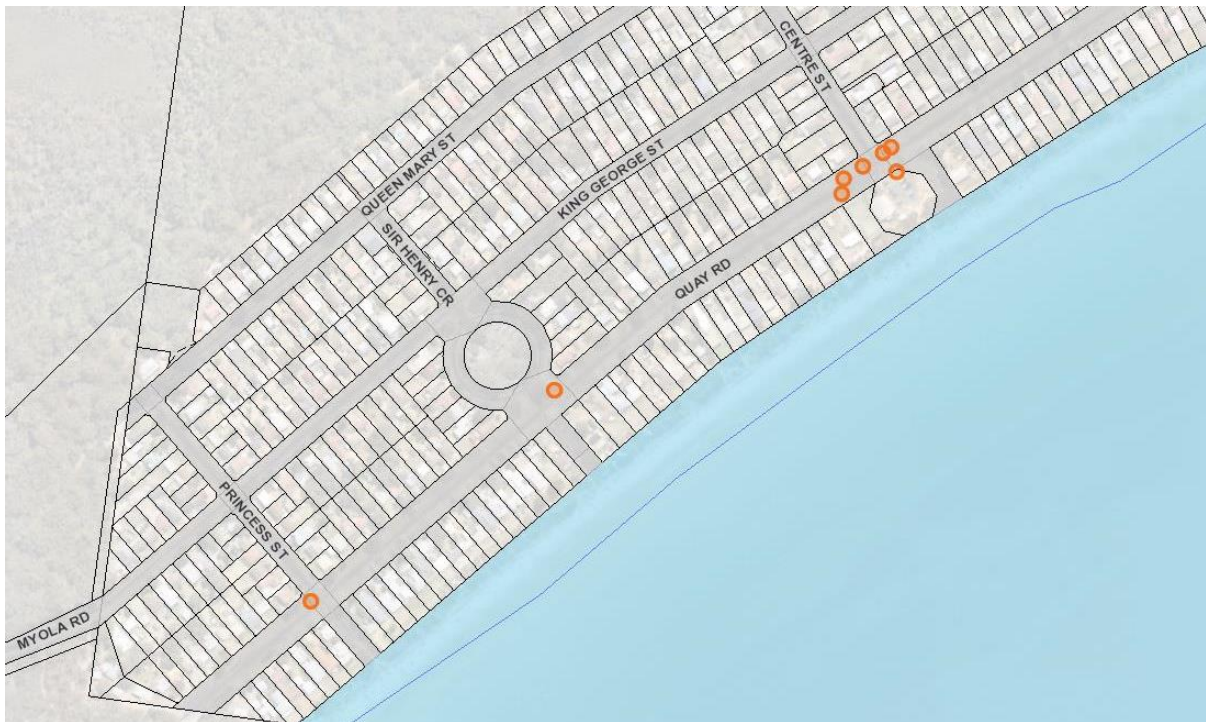


Figure 8 – location of proposed pits to be modified to absorption pits

The ultimate arrangement may be a combination of gravity drained pipe outlets and absorption pits.

The cost to engage an external consultant to undertake the strategy which would include detailed investigations and environmental studies would be in the order of \$80,000.

Community Engagement

No community engagement has been undertaken in the preparation of this report; however, the proposed Draft Interim Policy would be advertised in accordance with Council's practice on developing new policies.

A consultation plan for a Long Term Drainage Strategy would be proposed when the draft plan is presented for Council to endorse before any consultation begins.

Policy Implications

Nil at this stage. When the Draft Interim Policy is reported back to Council for consideration, if adopted, it will have an impact on proposed infill or redevelopment in residential zoned lots if the lots are not serviced by an underground stormwater system in the lots road network.

Financial Implications

Nil for this financial year. Scheduled maintenance to desilt the eight absorption pits will be completed before the end of this financial year from the existing maintenance allocation although the \$6,560 maintenance exercise in Callala is not funded. Other initiatives in this report are the subject of further budget deliberations.

SA21.89 North Mollymook Beach - Car Parking & Pedestrian Access / Safety

HPERM Ref: D20/349606

Department: Works & Services

Approver: Paul Keech, Director - City Services

Reason for Report

The purpose of this report is to update Council on how best to manage pedestrian and carparking at the North End of Mollymook Beach, to achieve improved safety and amenity for all.

Recommendation

That:

1. Council allocate \$40,000 (2021/2022) towards the preparation of a Masterplan (including Community Consultation) which will enable better management of pedestrians and carparking at the North End of Mollymook Beach, to achieve improved safety and amenity for all – noting that the Master Planning process will:
 - a. Include an investigation on how best to manage pedestrian and carparking at the northern end of Mollymook Beach on Mitchell Parade at the top of the beach access stairway.
 - b. At the northern end of Mollymook Beach on Mitchell Parade, investigate the possibilities of opening the western side of Mollymoke Creek Reserve to overflow parking during the peak tourist season.
 - c. Include an investigation on how best to manage pedestrian and carparking around the corner at the North Mollymook Tallwood Avenue Shops which is described by residents as a motoring and pedestrian hazard.
 - d. At the northern end of Mollymook Beach on Carroll Avenue investigate the possibilities of opening the parking area in 'Bill Andriske Oval' to overflow parking during peak tourist season.
2. A draft Masterplan be considered at a future meeting of Council with a view to adoption and allocating further funds to prepare project plans that are 'shovel ready' to assist future funding considerations including possible grant applications.

Options

1. Council adopts the recommendation as written above.

Implications: The completion of a Masterplan will provide Council with short and long term solutions to pedestrian, parking and traffic issues at the northern end of Mollymook Beach.

2. Council reject the recommendation.

Implications: Pedestrian safety, parking and traffic issues raised in MIN20.418 will remain unresolved.

Background

At the Ordinary Meeting on 23 June 2020 Council resolved as follows (MIN20.418):

That the CEO prepare a report to a future Strategy and Assets Committee Meeting on how best to manage pedestrian and carparking at the North End of Mollymook Beach, to achieve improved safety and amenity for all, with a view to preparing a plan that is 'shovel ready' in the short term for future funding consideration including possible grant applications, the report should have.

1. *Include an investigation on how best to manage pedestrian and carparking at the northern end of Mollymook Beach on Mitchell Parade at the top of the beach access stairway.*
2. *At the northern end of Mollymook Beach on Mitchell Parade, investigate the possibilities of opening the western side of Mollymook Creek Reserve to overflow parking during the peak tourist season.*
3. *Include an investigation on how best to manage pedestrian and carparking around the corner at the North Mollymook Tallwood Avenue Shops which is described by residents as a motoring and pedestrian hazard.*
4. *At the northern end of Mollymook Beach on Carroll Avenue investigate the possibilities of opening the parking area in 'Bill Andriske Oval' to overflow parking during peak tourist season.*

The following is a short commentary on each of the sites raised in MIN20.418

Eastern side of Mitchell Parade fronting properties #128 to #174

Cars currently park informally along eastern side of Mitchell Parade fronting properties #128 to #174, as parking control signs are not present. The occupants of the vehicles do not comply with Road Rule 197, which prohibits parking on footpaths and nature strips, when they angle park on the nature strip forcing pedestrians to walk on the road between parked cars and traffic.



Conditions worsen over the summer months when parking and pedestrian volumes are at their highest levels. Preliminary investigations have shown that angle parking can be achieved provided the road is narrowed and or no parking is provided on the western side of the road.

A shared user path would need to be provided on the western side of road if angle parking is provided on the eastern side. This has previously been determined as the most practical solution, however property owners on the western side have in the past objected strongly to a proposed path on the western side, or to any proposal that may result in reduced parking on their verges over summer. Investigations, including design and community consultation are required to determine the best options available for parking and pedestrians.

Mollymoke Creek Reserve

Under the SLEP parking is permissible on the reserve (Lot 1 DP 222936) subject to preparation of a masterplan and associated planning investigations. The reserve is located on the western side of Mitchell Parade and contains a small and isolated bushland remnant comprising the endangered ecological communities Bangalay Sand Forest of the Sydney Basin and South East Corner Bioregion and Swamp sclerophyll Forest on Coastal Floodplains of the North Coast, Sydney Basin and South East Corner Bioregions. Both communities are listed in the Schedules of the NSW Biodiversity Conservation Act 2016.



Threats to these communities are listed by the NSW Scientific Committee and include habitat loss, degradation and fragmentation by coastal development, associated edge effects, infrastructure and recreational activities e.g. beach access. Pollution and sedimentation from

runoff are a recognised threat to Swamp Sclerophyll Forest. A dirt car park is likely to exacerbate sedimentation into this community.

The existing overflow parking area within the reserve (Lot 252 DP 218275), on the eastern side of Mitchell Pde adjacent to Mollymoke Farm Creek, currently has space for approximately 40 parked cars. The grassed surface and vegetation have been destroyed by cars parking and the surface is now bare dirt. The dirt car park is in close proximity to Mollymoke Farm Creek. Formalising the existing informal dirt car park on the eastern side would increase car parking capacity and protect Mollymoke Farm Creek by reducing sediment runoff.



SA21.89

North Mollymook Tallwood Avenue Shops

Tallwood Avenue between Mitchell Parade and Carrol Avenue has concrete footpaths on both sides of the street, a raised pedestrian crossing, on street Parallel Parking, off street car parks on both the south and north side of Mitchell Parade servicing shops, bus shelters on both sides of street. The Mollymook shops area during peak holiday periods is busy like many other coastal locations. Increasing accessibility to the beach, improving pedestrian facilities and increasing parking capacity in the area has increased vehicle and pedestrian activity. The existing raised pedestrian crossing has slowed traffic speeds. Further reduction in traffic speed, and better management of traffic and pedestrian activity at the intersection could be achieved by the installation of a roundabout, which has previously been considered, and remains an option, subject to funding. Traffic studies, design and consultation will be required.

Bill Andriske Oval

The existing car park within 'Bill Andriske Oval' is not well formed and both ends are built on fill, cars get bogged during wet weather. The car park is locked to prohibit vandalism, graffiti, broken lights, damage & ruts to the field. Works to improve car park pavement and security would be required if used for overflow parking. The Bill Andriske Management Committee do not support use of oval car park for overflow parking and has previously considered and rejected this option, with alternative recommendation favoured to instead consider formalising angled car parking along Carrol Avenue fronting the reserve. This too remains an option, subject to funding.

Consideration

"How best to manage pedestrian and carparking at the North End of Mollymook Beach" is a complex matter with many competing interests. Compromise and thus a clear solution has been unachievable to date.

Given the various options and competing interests a Master Planning process is considered the best way forward to achieve the "shovel ready" state. This will require funding and time thus it is proposed:

That Council allocate \$40,000 (2021/2022) towards the preparation of a Masterplan (including Community Consultation) which will enable better management of pedestrians and carparking at the North End of Mollymook Beach.

Community Engagement

Nil in the developing of this report; however, it will be extensive during the preparation of the Master Plan if Council adopts the recommendation.

Policy Implications

Nil.

Financial Implications

The \$40,000 could be considered as an additional project to be added to the Draft 2021/22 DPOP budget following the closing of the public advertising process.

Risk Implications

Typical risks associated with illegal, informal and busy holiday parking.

SA21.90 Mollymook Outriggers Club - Storage Site Location

HPERM Ref: D20/397239

Department: Works & Services

Approver: Paul Keech, Director - City Services

Attachments:

1. Suggested Site Locations - Barker, Wallaroy, Ireland, Cooper, Maria, MacDonald, Lions Park, Holiday Haven [↓](#)
2. Suggested Site Locations - Kings Point [↓](#)
3. Suggested Site Locations - Ulladulla Harbour [↓](#)
4. Barkers Reserve Storage Shed [↓](#)

Reason for Report

Mollymook Outriggers Club is seeking Council assistance to identify a suitable site for outrigger boat storage.

Recommendation

That Council, following an extensive and unsuccessful search of sites in the Ulladulla Region to accommodate the Mollymook Outriggers Club's storage needs:

1. Support the Club's quest to obtain approval from the Crown to build a boat shed next to the Coastal Patrol Building at Ulladulla Harbour.
2. Add \$5,000 to the 2021/2022 draft budget (noting that the draft budget is currently on public exhibition) as Council's contribution to any documentation or studies or plans that are required for the Crown Lands process as determined by the CEO (Director City Services).

Options

1. Preferred: That following an extensive and unsuccessful search of sites in the Ulladulla Region, to accommodate the Mollymook Outriggers Club's storage needs, Council support the Club's quest to obtain approval from the Crown to build a boat shed next to the Coastal Patrol Building at Ulladulla Harbour, and add \$5,000 to the 2021/2022 draft budget (noting that the draft budget is currently on public exhibition) as Council's contribution to any documentation or studies or plans that are required for the Crown Lands process as determined by the CEO (Director City Services).

Implications:

The EOI process may see high interest in the site.

If the application were to be successful there would be ongoing fees and charges to the Crown.

If the Club is unsuccessful in this endeavour Council may need to consider option 2.

2. Council undertake a Masterplan process (involving Community Consultation) for Barkers Reserve seeking to provide a park that the local community will be proud of and regularly utilise and that incorporates a modest and suitably located public canoe storage facility/arrangement, preferably in conjunction with a public amenity building. Estimated

cost of \$25,000 for the Masterplan to be added to the 2021/2022 draft budget (noting that the draft budget is currently on public exhibition).

Implications:

This has consistently been the Mollymook Outriggers Club preferred location for the proposed facility.

If the Ulladulla Harbour option does not eventuate it is likely we will be back here.

Given feedback from the DA process, there may be community positions that oppose any “formal” use of Barkers Reserve no matter what size.

The resolution for this option would be along the lines of:

That Council, following an extensive and unsuccessful search of sites in the Ulladulla Region, to accommodate the Mollymook Outriggers Club’s storage needs:

Allocates \$25,000 (2021/2022) towards the preparation of a Masterplan (including Community Consultation) for Barkers Reserve. The Master planning process will;

Seek to provide a park that the local community will be proud of and regularly utilise which incorporates a modest and suitably located public water access and canoe storage facility/arrangement, preferably in conjunction with a public amenity building.

The Masterplan will be considered at a future meeting of Council, with a view to adopting the Masterplan and allocating funds to prepare a plan that is ‘shovel ready’ to assist future funding considerations, including possible grant applications.

3. Advise the Mollymook Outriggers Club that after an extensive search of public land no suitable site exists to serve their needs and the wider needs of others in the community and that for now Council will take no further action in this matter. In the meantime, the Barker Reserve will be managed in accordance with its current “generic” masterplan.

Implications:

The Mollymook Outriggers Club will not be happy with this option however it is likely to generate further community discussion and if a possible solution surfaces, as a result of these community discussions, Council could consider this possible solution.

Background

The Mollymook Outriggers Club was established almost 16 years ago and has been training out of Barker Reserve since then. They have sought a safe and secure storage area for canoes for many years. Approximately three years ago, they intensified their commitment to obtaining a storage area and obtained a \$50,000 grant as a contribution towards the construction of a boatshed. For the purposes of the grant the Barker Reserve was the site selected. The Mollymook Outriggers Club submitted a Development Application (DA19/1897) to construct a storage shed at Barkers Reserve and council subsequently rejected the application.

A copy of the artists impressions for the boatshed that were attached to the Development Application are provided in Attachment 4.

Key aspects of the application are summarised below:

- The application proposed the relocation of the children’s playground within the reserve and construction of a boat shed for the storage of the club’s outrigger canoes.

- The proposed boatshed slab would have occupied an area (18m x 15.92m) comprising a total floor area of 286m².
- The boat shed proposes to integrate two shipping containers into the design.
 - The shipping containers will be in an L-shaped configuration on the northern and eastern elevations and will be clad in timber.
 - A Versiclad metal roof will cover the area inside the L-shaped shipping containers.
 - A two metre high powder coated steel picket fence will be located on the perimeter of the slab where there are no solid walls;
 - Despite the shipping containers and the roof, the building will essentially be open in design and will not be enclosed by solid walls except for shipping containers on part of the northern and eastern elevations.
 - The shipping containers will be utilised for the storage of equipment whilst the larger open area under the roof is for storage of the 6-person outrigger canoes.
 - An identification sign is proposed to the northern elevation.
- The proposed boatshed has an overall maximum building height of 4.27 metres to the top of the pitched roof but with a predominant wall height of 2.87 metres being the maximum height of the shipping containers.
- The existing playground is required to be removed to accommodate the boat house and the proponents are relocating the playground further north of its current location and installing a new playground in consultation with Council's Recreation Section.
- No vegetation removal is required.

SA21.90

The reasons for Council rejecting the application were as follows:

The application was recommended for approval at the Development & Environment Committee meeting on 7 April 2020. The initial resolution was to refuse the application, and a Rescission Motion was lodged that rescinded the resolution and deferred the matter to a subsequent meeting.

The following resolution was passed at the Ordinary Meeting of 12 May 2020 (MIN20.343):

1. *Work with the Mollymook Outriggers Canoe Club to find an alternative location.*
2. *Refuse DA19/1897 Lake View Dr Burrill Lake, Lot A DP 21307 on the basis that the proposed Development constitutes overuse of the site and it is not in the public interest.*

Council staff attended an on-site meeting with Mollymook Outriggers Club representatives on 2 July 2020 to assess the suitability of other sites for the clubs proposed storage facility. The sites assessed are shown in Attachments 1, 2 & 3.

The sites and their positive and negative characteristics are provided in the following table.

| Site | Positive Aspects | Negative Aspects |
|---|---|--|
| (b) Ireland St Reserve. Lot 35 DP262421 | Proximity to open water Large Reserve Sandy Beach | Narrow Channel, high tidal flows, Ireland St residents likely to object similar to Barkers Reserve |
| c) Cooper Creek Reserve Lot 381 DP15648 | Outside narrow channel area | Creek within reserve makes shoreline inaccessible, Small Reserve, Residents close by likely to object, Rocky shoreline |
| d) MacDonald Pde Reserve Lot 353-380 DP15648 | | Wide saltmarsh shoreline, Wide sand flat will make |

| Site | Positive Aspects | Negative Aspects |
|---|-----------------------------|--|
| | | canoe launching very difficult, Residents likely to object |
| e) Holiday Haven Lake Tabourie Lot 7002 DP1050294 | | Need to use narrow channel to access main lake, No room for a boatshed on that side of the lake, Sand flat is extensive at low tide, will make canoe launching impossible. |
| (f) Maria Ave Boat Ramp Lot10 DP218555 | | Saltmarsh shoreline, Rocky shoreline, Narrow channel, high tidal flow velocities create difficulties for canoe users, Residents likely to object |
| (g) Lions Park Part Lot 4 DP1205656 | No nearby residents | Wide saltmarsh shoreline - Narrow channel, high tidal flow velocities create difficulties for canoe users. Launching in the middle of a fast flowing tidal stream and getting paddlers to get into/out of a canoe in deep fast flowing water is difficult and dangerous. - It would eliminate at the least the social and junior paddlers in the club. - residential places all the way along the channel which runs alongside McDonald Pde would be impacted |
| (h) Wallaroy Dr Reserve Lot 174 DP209662 | Outside narrow channel area | Close Proximity to Residents, requires access road construction, Large are of saltmarsh and vegetation requires removal |
| (i) Kings Point Ski Club Lot 381 DP821410 | No nearby residents | Steep concrete ramp and a rock wall has been built alongside a deep water frontage not a safe or desirable arrangement for 40ft long outrigger canoes, Canoes need to be launched by hand - not a good location. The canoes are taken into and out of the water by team of paddlers - they are not, and cannot be, winched up or down the existing steep concrete ramp. The use of a trolley to move the canoes into the lake |

| Site | Positive Aspects | Negative Aspects |
|---|--|--|
| | | would result in a runaway canoe on launching and would be near impossible to push back up the ramp. The deep water rock frontage is also completely unsuitable for getting into and out of boats. It is an unsafe option. - Dangerous mixing powered boats with canoes. RMS may not permit. |
| (j) Reserve – Kings Point Lot 390 DP1088769 | | Jetty and boat mooring conflicts, vegetation clearing required, residents would object strongly |
| (k) Reserve – Kings Point Lot 126 DP 792950 | | Jetty and boat mooring conflicts, vegetation clearing required, residents would object strongly |
| (l) Reserve - Kings Point Lot 11 DP 738457 | | Jetty and boat mooring conflicts, Residents would object strongly |
| (m) Reserve - Kings Point Lot 92A DP 28562 | | Steep topography, inaccessible, residents would object strongly |
| (n) Reserve - Kings Point Lot 166 DP 755967 | | Steep topography, inaccessible, residents would object strongly |
| (o) Reserve - Ulladulla Harbour Lot 1 DP 537126 Lot 2 DP 526958 Lot 53 DP 828221 Lot 52 DP 828221 | Central location good for club members, Harbour provides flat water and access to ocean paddling | Small site with many stakeholders likely to object. Nearby commercial properties and fishing co-op will most likely be unsupportive. Could conflict with future boardwalk extension. |
| (p) Reserve - Ulladulla Harbour Lot 7040 DP 1045201 | Central location good for club members, Harbour provides flat water and access to ocean paddling | Small site with many stakeholders likely to object. Nearby commercial properties and fishing co-op will most likely be unsupportive. Could conflict with future boardwalk extension. |

SA21.90

It was concluded that other alternative sites at Burrill Lake do not meet the needs of the Mollymook Outriggers Club and that Barkers Reserve is the clubs preferred location to store canoes.

With no clear “winner” after these site visits a Crown Land site at the Ulladulla Harbour was identified as worthy of further consideration.

Following the site investigation Council and the club have obtained comments from Crown Lands regarding construction of a storage shed adjacent or attached to the Ulladulla Coastal Patrol building over Lot 331 DP 40637.



SA21.90

Crown Lands have advised that a future tenure over the Ulladulla Harbour site, Lot 331 DP 40637, will need to be identified via a public Expression of Interest or competition process.

The Crown has not provided any further details of the competition process or when it will commence. Crown Land also advised the following:

1. There are no Aboriginal Land Claims over the site.
2. Crown Lands consent would be required to lodge a DA for Council to consider.
3. If the DA has been determined/consent granted, the club would then need to lodge a licence application.
4. Construction could not commence until a licence has been granted.
5. There are likely to be annual licence fees involved.

Community Engagement

In developing this report, extensive engagement has been undertaken with office bearers of the Outriggers Club as well as the Crown with regard to the option of land at the Ulladulla Harbour.

After discussions with representatives from Mollymook Outriggers Clubs it is understood that:

The Outriggers Club is keen to pursue the Ulladulla Harbour option. They plan to submit an EOI for 5yr lease and they would build a shed if given the opportunity even though they may need to shift at end of lease. The shed would be basic compared to Barker Reserve proposal. It would be sympathetic / similar to Coastal Patrol building.

30 June is cut-off date for Outriggers \$50k grant. If they happen to get the lease the grant cut-off date may be able to be extended.

Should Council adopt Option 2 community consultation will be a key feature in the preparation of the Masterplan, and given the “spirit” of the previous DA considerations, the process may not achieve a consensus position.

Policy Implications

Nil

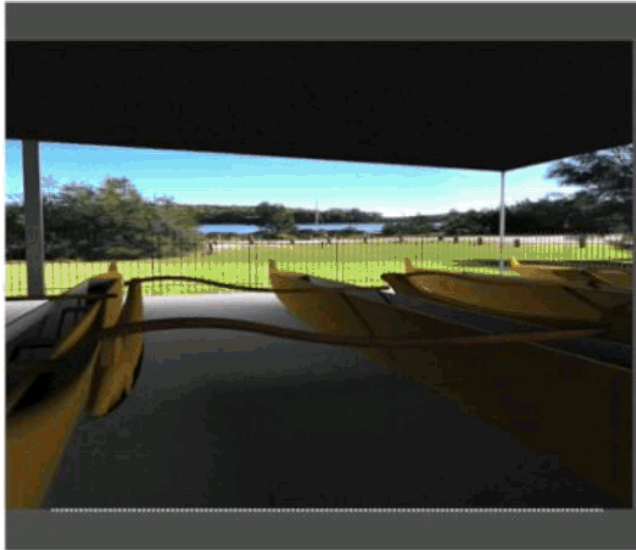
Financial Implications

The \$5,000 for Crown Lands processes (or \$25,000 for the preparation of the Masterplan) could be considered as an additional project to be added to the Draft 21/22 DPOP budget following the closing of the public advertising process.









SA21.91 Proposed Road Closure & Sale - Broughton Vale Road Broughton Vale

HPERM Ref: D21/56320

Department: Technical Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. Aerial Plan [↓](#)

Reason for Report

This report provides Council with an opportunity to consider approving the closure of part of the unformed road known as Broughton Vale Road, Broughton Vale which traverses through privately owned land being Lot 19 DP 1264739 as shown in Attachment 1 (D21/56393) with an intention to sell same to the adjoining owners V Wasp Pty Ltd.

Recommendation

That Council

1. Close the unformed part of Broughton Vale Road, Broughton Vale, being approximately 1,500m in length as shown in Attachment 1 (D21/56393) by a notice published in the Government Gazette as the road reserve is effectively landlocked.
2. Authorise the sale of the closed road to V Wasp Pty Ltd (adjoining property owner) for \$37,700 + GST (if applicable) and the proceeds from the sale be allocated to the Property Reserve.
3. Require the portion comprised in the road closure be consolidated into one lot with the parent Lot being Lot 19 DP 1264739.
4. Require all costs associated with the road closure and sale to be borne by V Wasp Pty Ltd.
5. Authorise the Chief Executive officer to sign any documentation required to give effect to this Resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Options

1. Resolve as Recommended

Implications: Council will receive a compensation of \$37,700 + GST if applicable, and this will allow for unusable road reserve to be consolidated with the adjoining landowners property.

2. Not Resolve as Recommended

Implications: The responsibilities for maintenance of the unconstructed surplus road reserve will remain in Council ownership. This maintenance will prove costly as the property owners are requesting Council to maintain the road to a standard that will allow for heavy horse transport vehicles to traverse this section of road.

Background

In February 2020, Council received an application to close and purchase part of an unconstructed surplus road reserve by the owners of 350 Broughton Vale Road Broughton Vale, being V Wasp Pty Ltd.

A road status search revealed the road reserve was dedicated as a Public Council Road under the Police Offences Act 1901 and will vest in Council upon closure.

This property is used as a horse stud known as Sunninghill Park. The road reserve commences at the southern boundary of Sunninghill Park, traversing the land to an unformed Crown Road Reserve. The East and West boundaries are also owned by V Wasp Pty Ltd.

The portion of road reserve is effectively landlocked with no other physical access available due to the terrain and therefore is not used by the general public other than the property owner.

Once closed, the road reserve will be sold to V Wasp Pty Ltd for a sum of \$37,700 + GST (if applicable) as recommended in the Valuation by Shoalhaven Property Valuers dated 18 August 2020. The Land will be consolidated with the existing land holding of V Wasp Pty Ltd.

V Wasp Pty Ltd have agreed to pay the compensation amount of \$37,700 and all associated costs with the road closure and sale via email dated 13 February 2020.

Community Engagement

In accordance with Roads Act 1992, Sec 38B, Council notified all adjoining landowners and Notifiable Authorities. An advertisement was placed in the South Coast Register on 16 December 2020 allowing 28 days for submissions. No objections received.

Policy Implications

Not applicable.

Financial Implications

Council will receive compensation in the amount of \$37,700 + GST (if applicable) as determined by the Valuation prepared by Shoalhaven Property Valuers dated 18 August 2020.

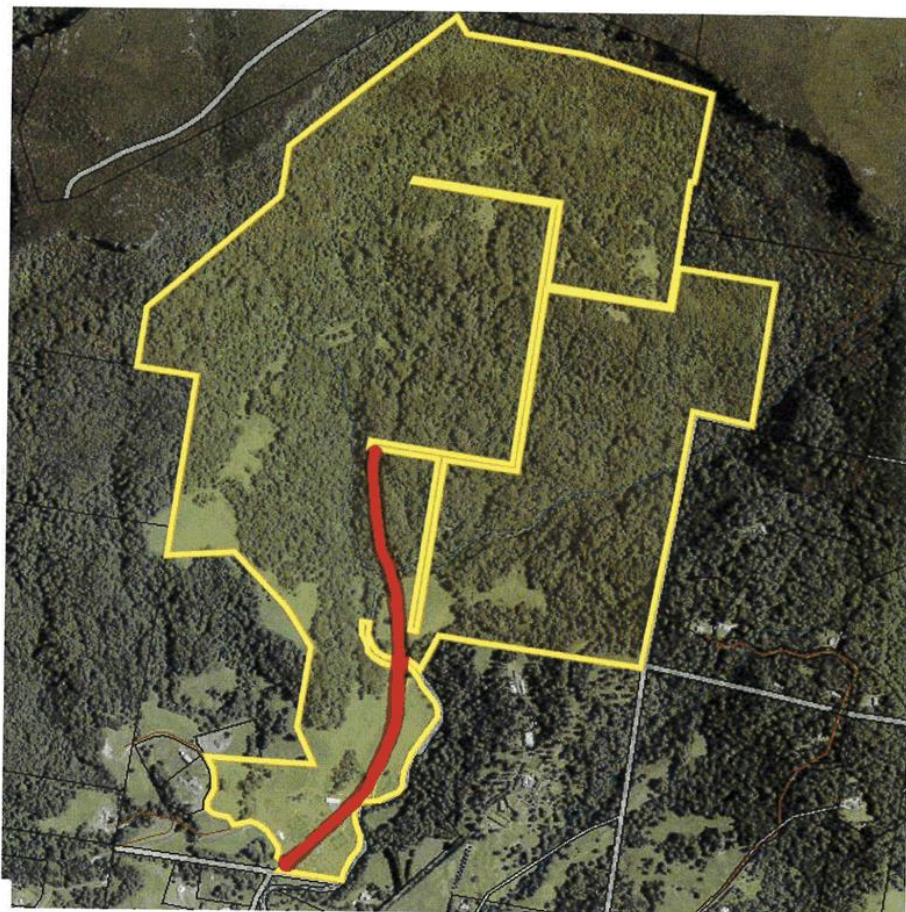
All costs associated with the Road Closure process and sale are payable by the applicant and at no cost to Council.

Risk Implications

Not applicable.

Aerial View 350 Broughton Vale Road Broughton Vale, Lot 19 DP 1264739

Proposed Road Closure shown in Red Below



SA21.92 Community Fire Unit (CFU) - Bendalong / Manyana / Cunjurong Point / Berringer Lake - RFS - Report Request - Future Vacant Bendalong Station

HPERM Ref: D21/67104

Department: Technical Services

Approver: Paul Keech, Director - City Services

Reason for Report

To provide further clarification on engagement between the Red Head Villages Association and the Shoalhaven RFS Management on Community Fire Units and the future of the fire station asset at Bendalong.

Recommendation (Item to be determined under delegated authority)

That the Strategy and Assets Committee note that the existing Bendalong Rural Fire Station is still in operation. The RFS and Council have identified the need for a new facility at Manyana and a BLER grant application has been submitted. Considering the events of last year the RFS have advised that the existing station will remain operational until a replacement is built.

Options

Nil

Background

At its meeting on 8 December 2020 Strategy & Assets Committee:

RESOLVED (Clr Gash / Clr Levett)

MIN20.910

That Council

- 1. Note that the Red Head Villages Association and the Rural Fire Service have been in contact with each other and discussions around the possibility of establishing of a Community Fire Unit have commenced.*
- 2. Write to the Red Head Villages Association advising that Council understands that they are engaging with the RFS management in respect to the possibility of establishing of a Community Fire Unit on the local area.*
- 3. Receive a report from the CEO on the future of the vacated fire station asset at Bendalong.*

In response to the above resolution:

1. The Red Head Villages Association and the Rural Fire Service have been in contact with each other and discussions around the possibility of establishment of a Community Fire Unit have commenced.

SA21.92

2. Council has written to the Read Head Villages Association confirming that the Association are engaging with RFS management in respect to the possibility of establishment of a Community Fire Unit in their area.
3. The existing Bendalong Rural Fire Station is still in operation. The RFS and Council have identified the need for a new facility at Manyana and a BLER grant application has been submitted. Considering the events of last year the RFS have advised that the existing station will remain operational until a replacement is built.

Community Engagement

Nil

Policy Implications

Nil

Financial Implications

Nil

Risk Implications

Nil

SA21.92

SA21.93 Tenders - Basin Walk - Stage 2

HPERM Ref: D21/153641

Department: Technical Services

Approver: Paul Keech, Director - City Services

Reason for Report

To inform Council of the tender process for Tender 66180E Basin Walk – Stage 2.

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

Recommendation (Item to be determined under delegated authority)

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

Options

1. Accept the recommendation and consider the matter in a confidential setting.
2. Defer the matter to a Councillor Briefing.

Details

The Basin Walk is one of the Sustainable Tourism projects funded via the Restart NSW Infrastructure Grant and Shoalhaven City Council. Stage One of the Basin Walk is the concrete shared path along Sanctuary Point Road and Stage Two is an upgrade of the existing Basin Walking track from Ray Brooks Reserve, Palm Beach to The Wool Lane at St Georges Basin utilising a series of gravel paths and raised composite boardwalks.

Tenders Received

Tenders were received from the following:

| Tenderer | Location |
|---------------------------------|--------------------|
| Civic & Civic Group Pty Ltd | Kingston, ACT |
| Frontier Assembly | Wishart, Qld |
| Fulton Hogan Industries Pty Ltd | Unanderra, NSW |
| GC Civil Contracting Pty Ltd | Unanderra, NSW |
| Jirgens Civil Pty Ltd | South Nowra, NSW |
| Select Civil Pty Ltd | Kembla Grange, NSW |

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

Community Engagement:

Community engagement was undertaken via Council's 'Get Involved' page which also included a survey. In addition, a monthly newsletter is produced to keep the community and CCB's informed of the Sustainable Tourism Projects progress.

Policy Implications:

Nil for this report.

Financial Implications:

Refer to Confidential Report.

Risk Implications:

Refer to Confidential Report.

SA21.94 Tenders - Management & Operation of Holiday Haven White Sands

HPERM Ref: D21/159467

Department: Commercial Services

Approver: Paul Keech, Director - City Services

Reason for Report

To inform Council of the tender process for Management and Operation – Holiday Haven White Sands.

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

Recommendation

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

Options

1. Accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

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

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

Details

The tender for the management and operation of Holiday Haven White Sands was advertised on 1 March 2021 and closed on 30 March 2021.

At the closing date, four (2) tenders had been received and were then assessed; the outcome of the evaluation is in the confidential report.

Tenders Received

Tenders were received from the following:

| Tenderer | Location |
|----------------------------|-----------|
| Arndell Industries Pty Ltd | Huskisson |
| Stay With Us Pty Ltd | Huskisson |

SA21.94

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

Community Engagement:

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

Financial Implications:

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

SA21.95 Tenders - Management & Operation of Holiday Haven Lake Tabourie

HPERM Ref: D21/160695

Department: Commercial Services

Approver: Paul Keech, Director - City Services

Reason for Report

To inform Council of the tender process for Management and Operation – Holiday Haven Lake Tabourie.

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

Recommendation

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

Options

1. Accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

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

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

Details

The tender for the management and operation of Holiday Haven Lake Tabourie was advertised on 1 March 2021 and closed on 30 March 2021.

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

Tenders Received

Tenders were received from the following:

| Tenderer | Location |
|--|---------------|
| LTPO Pty Ltd | Lake Tabourie |
| OzGypsies (To be registered) | Wollongong |
| Paul Windshuttle Lawns and Gardens Pty Ltd | Ulladulla |

SA21.95

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

Community Engagement:

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

Financial Implications:

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

SA21.96 Tenders - Management and Operation of Holiday Haven Currarong

HPERM Ref: D21/167718

Department: Commercial Services

Approver: Paul Keech, Director - City Services

Reason for Report

To inform Council of the tender process for Management and Operation - Holiday Haven Currarong.

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

Recommendation

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

Options

1. Accept the recommendation as presented.

Implications: Consider a separate confidential report on the matter.

2. Defer a determination or decision on the matter pending discussion at a Councillor Briefing.

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

Details

The tender for the management and operation of Holiday Haven Currarong was advertised on 1 March 2021 and closed on 30 March 2021.

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

Tenders Received

Tenders were received from the following:

| Tenderer | Location |
|----------------------------------|------------|
| Bellfive Pty Ltd | Currarong |
| OzGypsies (To be registered) | Wollongong |
| Paul & Maria Harrod Family Trust | Warilla |

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

Community Engagement:

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

Financial Implications:

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

SA21.97 12 Month Update of Electric Vehicle Trial

HPERM Ref: D21/157431

Department: Commercial Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Staff Survey Responses [↓](#)

Reason for Report

The reason for this report is to advise of the first year findings on the two year electric vehicle trial. At this stage in the trial, it is too early to report on the scope for additional electric vehicles / hybrid vehicles and Council's strategy for installing charging systems for its fleet and/or assets. These matters will be reported at the end of the trial.

Recommendation (Item to be determined under delegated authority)

That Council note that after the first twelve months the trial has produced the following data:

- Electric vehicles are well suited for pool vehicles that are typically used for short, local journeys.
- Operators find the vehicles comfortable, safe and drivable.
- The range is a concern being 44% below specification.
- Airconditioning and lights markedly impact the range.
- The recharge is time consuming with fast charges still requiring ~9 hours.
- Greenhouse gas generation is markedly below comparator vehicles.
- Operational cost including depreciation is markedly more than comparator vehicles.
- Servicing in Sydney is a further demonstration of market maturity and limited vehicle numbers resulting in increased cost and reduced availability.

Options

1. That Council receive the report for information (recommended)

Implications: Council will receive a further trial report following the conclusion of the two year period.

2. Resolve an alternative and detail the requirements (not recommended)

Implications: This is a point in time report which will be informed by the second year of the trial. This additional data will enable greater definition for options on the way forward.

Background

At the Ordinary Meeting on 13 November 2018 Council resolved as follows (MIN18.916):

That the General Manager

1. *Undertake a two year trial of Electric Vehicles in Council's Fleet by purchasing up to three such vehicles (including one for the Mayor in accordance with Council's adopted Policy) and report the findings back to Council at the end of each year of the trial.*
2. *At the conclusion of Year 1 submit a report addressing the scope for additional Electric Vehicles / hybrid vehicles.*

3. *In the Year 1 report address Council's strategy for installing charging systems for its fleet and/or assets.*

In June 2019 Council purchased three Hyundai Kona's full electric vehicles. Two vehicles were allocated as pool vehicles for Council staff use, with the third allocated as the Mayoral Vehicle.

To date, the vehicles have travelled a total of 43,000kms

1. 17,000 km
2. 18,500 km
3. 7,319 km

To increase/balance utilisation, Fleet Services have been rotating the three vehicles between Bomaderry, Ulladulla, Nowra and the vehicle allocated to the Mayor.

The pool vehicles are used by staff for Council purposes and travelled an average of 30kms a day during the first twelve months.

This point in time report relates to the 12 months to June 2020. The next report will be completed in late 2021.

Consideration

Range

The vehicles have achieved a reported maximum range of 300kms before requiring charging, approximately 44% less than the advertised maximum range of 449kms (like fuel efficiency ratings, this is only achieved in laboratory settings).

Typical usage between overnight charges is 100-150kms.

Charge times for domestic power supply is up to 23 hours, this can be reduced to 9 hours with purchase of "fast charger" from the supplier, at a cost of \$2000 + installation.

For comparison, the similar sized Hyundai i30 Diesel has achieved 1100kms between fills, achieving a fuel efficiency of 4.5L/100kms, which is close to parity with published Combined 4.7L/100kms.

Power costs per km are estimated to be \$0.02/km

Fuel costs per km for a similar vehicle are estimated to be \$0.07/km

Servicing

The service intervals for the electric vehicle is the same as the i30, being every 15,000kms, however, unlike the traditional engines, they cannot be serviced by the Council workshop, or indeed, locally within the Shoalhaven, requiring them to be transported to Sydney for each service, adding additional costs and downtime.

The first twelve months Service Costs are estimated to be \$0.03/km

The first twelve months Service Costs for a similar vehicle are estimated to be \$0.01/km

Driveability

Feedback from drivers can be summarised as follows:

- The vehicles are comfortable and enjoyable to drive
- The trial is an exciting innovation

- The lengthy charge times and limited range are a concern
- Practicality issues of carrying equipment due to the small size and the impact of extra weight on the vehicle range inhibit use for Council business.

Summary of Findings

After the first twelve months the trial has produced the following data:

- Electric vehicles are well suited for pool vehicles that are typically used for short, local journeys
- Operators find the vehicles comfortable, safe and drivable
- The range is a concern being 44% below specification
- Airconditioning and lights markedly impact the range
- The recharge is time consuming with fast charges still requiring ~9 hours
- Greenhouse gas generation is markedly below comparator vehicles
- Operational cost including depreciation is markedly more than comparator vehicles
- Servicing in Sydney is a further demonstration of market maturity and limited vehicle numbers resulting in increased cost and reduced availability

Conclusions

Currently, the “real world” performance figures for Council’s electric cars are far short of their advertised specifications. This along with additional costs and downtime incurred, means it is difficult to see a place for these vehicles in the broader Council fleet outside of traditional pool vehicles at this time.

The relatively short life span of the batteries has a significant impact on the second-hand value for the cars, and the inability to have the vehicles serviced locally means any savings realised with fuel are lost in maintenance and depreciation costs.

In addition, CO2 emission reductions are only fully achieved when charged using 100% renewable energy, not something currently achievable with Council’s infrastructure.

Next Steps

A final report of performance and total costs will be prepared at the end of the two-year trial period later this year.

Staf were sent the survey after driving the vehicle. Not all drivers responded, and not all respondents answered each question

1. List functions you found different driving an electric car (EV) over a petrol powered car?

The heater takes longer to heat the cabin in winter.
Everything else was the same.
Just that it was silent, as well as the obvious push button ignition and handbrake. Only drove between the depot and admin building.
Excellent to drive, easy to use, great creature comforts
It was so quiet when driving I couldn't hear it run.
During my brief drive in the car, I did not notice any functional differences.
Buttons to change gears was a notable difference. Handbrake is a button. Braking was more efficient. Using the key to open the car & not start the ignition. It took a little bit of getting used to making sure the car was turned off when I got out of the vehicle...there is no give away noise.
Lane departure & speed camera warning.
Regrettably I have not driven it. I was a passenger in the vehicle. It was quiet and seemed to be quite powerful. I could not believe the power and response of this little vehicle. I was very impressed with it.
Less Sound
Less operational range
The main differences I found with the EV car was the quietness and the acceleration. I drove down to Ulladulla and the car powered up the hills with no effort whatsoever. It was also interesting that the gear stick had been replaced with buttons. The car also felt smoother on the road and when idling.
Quiet, and surprisingly quick off the mark! Push button "gearing" also a bit odd
It had much more power and a very consistent take off speed and top speed. It was quite and almost like a hovering feeling.
Reduced level of overall noise
Vehicle response (take off)
Vehicle response (braking)
☐ The power button to turn on the car with parking brake
☐ Electronic handbrake etc.
The throttle response is excellent, smooth and fun to drive.
Selection of gears, using buttons instead of stick
The electric vehicle is a lot quieter and has a lot more power at take off than a petrol car.
Not being able to hear the engine
I only drove it to the Admin building and back – didn't get enough time to determine.
Was very quiet, that took some time to get used to (in particular not being 100% sure whether the car was on or off).

2. Would you consider purchasing an EV for private use?

No
Yes
Yes
Yes
Yes
Yes
Yes
Yes
Yes
No
Yes
Yes
Yes
Yes
Yes
No
Yes

Yes
Yes
Yes
No

3. Do you feel the additional purchasing costs (approx. \$30K) of an EV is justified by reduced running costs & environmental benefits?

No
Yes
Yes
Yes
Yes
Yes
Yes
No
Yes
Yes
No
Yes
Yes
No
Yes
No
No
No
Yes
No

4. What do you consider the main benefits or advantages of electric vehicles

The four key benefits relate to pollution.

1.Potentially, an electric vehicle may lead to lower carbon gas emissions than a petrol or diesel engine car.

2.An electric vehicle generates no toxic exhaust gases.

3.An electric vehicle generates minimal waste heat.

4.An electric vehicle generates nil noise levels.

Obviously the reduced emissions

Quiet, brilliant to drive, comfortable, economical.

Environmentally friendly

Main benefits are the lack of noise (very quiet), non-polluting and not having to buy petrol.

Better for the environment. Reduced harmful exhaust emissions. Reduce carbon footprint. Quieter, therefore less noise pollution. I am told that EVs have a lower centre of gravity that make them less likely to roll over.

Lower risk for major fires or explosions making them safer in a collision. Reduces our dependence on foreign oil.

Lower running costs.

Environment, Maintenance, Running costs

It is much better for the environment and it is cheaper to run. It is the way of the future.

Reduction in environmental emissions

Cost saving
Beneficial for the environment
Quieter
No smell of petrol/diesel
Ability to use alternate sources for powering car (e.g. solar energy)
Quicker acceleration
•Performance
•Less direct emissions (although the power station still produces emissions)
I think the performance alone would make me buy one but the fuel saving with the emissions reduction would be a big one for me.
Low running and maintenance costs
No need for fossil fuels
Limited consumables required
Reduced CO2 emissions
☐ No need to go to a service station.
Fuel savings for Council would justify the additional purchase cost.
Good for the environment, comfortable to drive,
Less emissions,
Low emissions
Environment
Benefits; to environment, and potential cost savings down the track when purchase price lowers and resale prices improve

5. What do you consider the main disadvantages of electric vehicles?

There are two current disadvantages and these are:
1.Lack of recharging stations.
2.Purchase price.
Not affordable. I've never been in the market for a brand new car let alone a more expensive one. I look forward to the tipping point and electric cars becoming affordable.
Range of vehicle? Although it has good range for its class
Not sure whether there are many places to charge the car, but I imagine the limited locations is a disadvantage for now.
The vehicle is small which is fine for 1 or 2 people & worked well for my purpose at work. Not good for family & I am told the vehicle can't tow.
Charging the vehicle could be an issue. Limited driving range.
Finding charging stations, Safety re people 'hearing' you coming
Currently it is the kilometres on one charge. I suspect this will get better over time.
I also think we need more charging points and a quicker service overall. If it can be reduced to say 10-15 minutes a charge then we will be on the right track.
Reduced operational range.
Cost – currently prohibitive to most people
Limitations in where it can be charged
Potential maintenance cost issues (e.g. can my local mechanic fix it or do I need to go to a specialised mechanic?)
•Short range between charges
•Time taken to charge
•Will the animals (kangaroos/wombats) hear it? And therefore potentially a lot more road kill and safety risk for drivers
•Way too expensive
I was however a bit worried about the distances it could cover and where I would charge it up at.
Initial capital outlay
Reduced driving range (kms)
Battery life (7 years)

- ☐ Recharging the battery takes time
- ☐ Travelling distance (range)
- ☐ Lack of power

There is no neutral gear, so in the event of a break down how would you move the vehicle? Range does play a factor, so it would need to be charged regularly given daily use, although I don't really consider this a major disadvantage.

Too expensive to buy,

The time charging

Availability of charging ports

Long distance travel?

Disadvantages; high cost, unknown resale values, limitations on distance and limitations on current recharge options, recharge times are a concern

6. How quick is a reasonable charging time and what distance would you expect to travel on a full charge.

I would hope that a charging time would be 60-90 minutes.

I would expect a travel distance of 400 km for a full charge.

? 15mins charge to travel 20kms.

For day to day use I believe this vehicle would suit my requirements for travel, I think charge time if batteries are not completely depleted is ok

Unsure. I would hope you can get 250km for 2 hours charging.

I am not able to offer an opinion on this.

30min? A full days activities, We did go to Sydney and back which was impressive!

10-15 minutes. We could then set them up at Cafés and shopping centres.

I think if we can get 800-1000 km on a single charge, it would be great.

30 minute charge time. Minimum 500km range.

On a full charge – 300-400kms

I would expect there to be a quick charge – 15-20 minutes where the car would partially charge to get you home, but a full charge to take several hours.

To be effective you need a charging time of 30 minutes and a range of at least 500km

I think overnight would be fine as long as the car could last all day driving about 300kms.

1 hour full charge and approx. 800 kms

☐ 10-15 minutes

☐ Approx. 400km

400km and 6 hours at home.

Overnight 500 km

5min & 400km

20mins?

Full charge – tank of petrol ?? no idea really. Would like to be able to do say 600kms?

When people can fill up with fuel in 5-10 mins, that is the time people compare. Any longer than that is seen as an inconvenience.

When people can get 500-600kms on a tank of fuel, this is what people will compare. Any less than that is seen as undesirable.

7. Where did you travel in Council's EV and approx. how many Km's?

I travelled to Ulladulla. The total travel distance was around 150 km.

5kms between depot and admin building and back

Holiday Haven Tabourie, Bendalong Waste Depot.

Approx 200km

Less than 10km. Travelled from West Nowra Waste Depot to Bomaderry.

Throughout the shoalhaven visiting road crews. Approx 100km
The EV is an absolute delight to drive 😊
20/09/2019 – Nowra – Vincentia - Nowra
Cambewarra and Huskisson. Approximately 80 km.
Sanctuary Point to Berry & return
I travelled to Ulladulla Civic Centre and back approx. 136km
I really enjoyed driving the electric car. It's great that, as workers, we are given an opportunity to try this new(ish) technology out.
Around West Nowra, probably less than 8km
I drove from Bomaderry to Sanctuary Point.
Sanctuary Point to Kangaroo Valley.
KV to Tapitallee then back into and around Nowra.
Local Nowra roads for approx. 100 kms
□Berry
□Approx. 60km
Sanctuary Point and back to Nowra. 50-60km
Nowra area and Sanctuary Point area 100km
Berry, Huskisson & Nowra
Bomaderry to Admin and back
Just been the Northern depot and Council Nowra admin centre (and back) – was a loan car whilst council vehicle being serviced, so less than 10km in total.

8. Other Comments

Overall driving the electric car was a good experience. I prefer this car to diesel engine cars, SUVs and 4 WD vehicles.

Would be great to see Council take more of these into their fleet and generally look to reduce the ecological footprint of the Council fleet. Its great you are giving this a go.

I loved driving the car.

It was much better than I expected.

There are also design opportunities for car makers to review the interiors etc for storage given the reduced space required for moving and mechanical parts.

However the leaseback may be a consideration? I think it would be an extremely good thing for the Council to do given that people are genuinely interested in the environment and issues such as climate change. Further, Australia's reliance on petrol is concerning having regard to the storage available and reliance on overseas fuel sources.

It would be really nice to see this Council on the front foot with something rather than lag behind.

Loved it. Can I have one when I replace this current car?

Had plenty of power.

It is definitely the future, but I think in the semi-rural area we live in it is impractical due to short range and long charging times

If there was an electric car on the list I would probably give it a go next time around. I think it's a good little car and Council is setting a good example by giving it a go.

Thanks for the drive Sky, I had a ball in it.

You can't go wrong with an electric vehicle, considering the social and environmental benefits over fossil fuel polluting vehicles

I think once the charge points have been installed at Council buildings it would be very convenient to have an EV.

I loved driving this Electric car, I was impressed with how comfortable it was to drive. I did not realize they cost so much more.

Would not buy at this stage of their development, whole of life cycle cost needs to be considered, and there is not enough known about this at this point in time, for example maintenance, resale values)

SA21.98 Response - Question on Notice - Road Renewals & Building Maintenance

HPERM Ref: D21/160208

Approver: Paul Keech, Director - City Services

Reason for Report

To provide a response to the Question on Notice submitted by Cllr Kaye Gartner at the Ordinary Meeting of 27 April 2021.

Recommendation (Item to be determined under delegated authority)

That the response to the Questions on Notice from Cr Kaye Gartner at the Ordinary meeting of 27 April 2021 be received for information

Options

Nil. Answer to Question on Notice

Background

The following Question on Notice was provided by Cr Kaye Gartner at the Ordinary meeting of 27 April 2021:

1. *What are the implications of the recent survey results that show 34% of SCC's sealed road network is in Fair condition?*
2. *How does SCC's Road renewals budget for 2016-2020 compare with the previous Council, 2012-2016?*
3. *How does the building maintenance spend compare for the same period?*
4. *What is the impact on road renewals and building maintenance of the slowed uptake of the SRV approved by IPART in 2017?*
5. *What is the impact of grant funded community projects on Council's asset maintenance and renewal budget? Like a new BBQ for instance.*
6. *What is the impact of deferred renewal and maintenance spending on the lifecycle of Councils Assets?*
7. *How does the general fund asset renewal and maintenance budget compare with that of Shoalwater?*

Response

1. *"What are the implications of the recent survey results that show 34% of SCC's sealed road network is in Fair condition?"*

Periodically, usually every five years, Council undertakes a laser survey of its sealed road network to accurately measure and record road defects such as deformation, rutting, cracking and seal condition. In the years between laser assessments visual assessments of samples of the road network are undertaken.

The most recent laser survey assessment from late 2020 is still being collated as Council is improving business rules as it loads the information into a new software solution, so the results are pending and will be available for the 2021 financial reporting period. The former laser assessment was undertaken in 2014.

Special schedule 7 of the financial statements records the percentage condition of Council's Infrastructure Assets. A summary is provided in the table below. 2020 is the latest reporting period and 2015 is the reporting period after the former laser assessment. This format of reporting condition data as a percentage of the networks was introduced by Office of Local Government in 2014 in addition to the other reporting requirements of special schedule 7 which have changed and evolved.

Special Schedule 7 of the Financial Statements is summarised in the following table:

| | Sealed Road Condition % | | | | |
|------|-------------------------|----------|-----------------|----------|---------------|
| | Very Good (1) | Good (2) | Fair (3) | Poor (4) | Very Poor (5) |
| 2020 | 32 | 26 | 34 | 7 | 1 |
| 2015 | 34 | 23 | 38 | 5 | 0 |

The special schedule 7 shows that based on visual subsampling, the percentage of roads in fair condition has decreased from 38% in 2015 to 34% in 2020 and poor to very poor has increased over the last 5 years from 5% to 8%.

The implications are that when maintenance funding is underfunded, or renewals are deferred the most likely outcome will be that the percentage condition will increase in the Poor and Very Poor Categories. Extended periods of wet weather can see this deterioration increase at a higher-than-normal rate, as roads are weakened by water that ingresses the pavement through cracked seals. Council's strategy is to keep high utilised sealed roads in very good, good, and fair condition to have a greater customer experience.

2. "How does SCC's Road renewals budget for 2016-2020 compare with the previous Council, 2012-2016?"

A summary of the Special Schedule 7 of the Financial Statements from 2012 to 2020 for required maintenance and actual maintenance for sealed road and All Road network is in the following table.

| | Sealed Network | | ALL road Network | | % Actual/Required |
|------|-----------------------------|--------------------|-----------------------------|--------------------|-------------------|
| | Required Annual maintenance | Actual Maintenance | Required Annual maintenance | Actual Maintenance | |
| 2020 | \$6,521,000 | \$5,815,000 | \$13,948,000 | \$12,109,000 | 86% |
| 2019 | \$5,840,000 | \$5,208,000 | \$14,460,000 | \$12,301,000 | 85% |
| 2018 | \$5,600,000 | \$4,990,000 | \$12,840,000 | \$10,830,000 | 84% |
| 2017 | \$5,400,000 | \$4,813,000 | \$12,150,000 | \$10,239,000 | 84% |
| 2016 | \$5,900,000 | \$5,294,000 | \$11,705,000 | \$10,130,000 | 86% |
| 2015 | \$4,500,000 | \$3,580,000 | \$7,120,000 | \$6,486,000 | 91% |
| 2014 | Not Available | Not Available | \$8,631,000 | \$7,437,000 | 86% |
| 2013 | \$6,220,000 | \$3,210,000 | \$11,906,000 | \$8,726,000 | 73% |
| 2012 | \$5,678,000 | \$2,184,000 | \$12,473,000 | \$8,485,000 | 68% |

Actual maintenance spending on sealed roads is shown to have increased over the period. As alluded to above where the annual required maintenance level is not being funded or when works are deferred then the estimated cost to bring the sealed road network to a satisfactory level increases exponentially as the cost increases and can lead to reduction in life expectancy of the pavement under the road surface.

It is worth noting that the asset base for sealed roads is continuously growing as Council seals its unsealed road network, receives assets from Developers in Subdivisions, receives assets from State government such as Berry by-pass and builds new sealed roads.

It is also worth noting what was recorded to be maintenance or renewal and what was included in the Road network for roads is evolving so it is a guide over time and improvements in recording are occurring.

3. *“How does the building maintenance spend compare for the same period?”*

A summary of the Special Schedule 7 of the Financial Statements from 2012 to 2020 for required maintenance and actual maintenance for Buildings is in the following table.

The Building maintenance spend has increased sustainably. A summary of the Special schedule 7 of the financial statements to align to the same reporting years as the sealed road network above is in the following table.

| | Required Annual maintenance | Actual Maintenance | % Actual/ Required |
|------|-----------------------------|--------------------|--------------------|
| 2020 | \$11,370,000 | \$10,104,000 | 88% |
| 2019 | \$12,550,000 | \$11,153,000 | 88% |
| 2018 | \$7,100,000 | \$6,307,000 | 88% |
| 2017 | \$7,920,000 | \$7,037,000 | 88% |
| 2016 | \$6,500,000 | \$5,698,000 | 87% |
| 2015 | \$2,423,000 | \$2,358,000 | 97% |
| 2014 | \$4,040,000 | \$2,805,000 | 69% |
| 2013 | \$4,106,000 | \$1,978,000 | 48% |
| 2012 | \$3,068,000 | \$1,867,000 | 61% |

Actual Building maintenance spending on Buildings is shown to have increased over the period. It is worth noting that changes in what is reported as a building for the Office of Local Government i.e., may include Sheds and that changes in legislation often add extra requirements example accessibility improvements to comply with Councils Disability inclusion Action Plan, hazardous materials (asbestos, etc) and fire regulation compliance.

4. *“What is the impact on road renewals and building maintenance of the slowed uptake of the SRV approved by IPART in 2017?”*

Slow uptake of SRV is essentially deferring essential renewal work. The impact of this is more maintenance funds are required and assets deteriorate further. Deferring essential renewal is generally not considered sound economics, given the increase in maintenance funding and the cost to repair a further deteriorated asset. The customer experience can be reduced, and the risk of the road networks is compromised as the

roads and buildings assets are not meeting the customer experience and are less fit for purpose, safety is reduced, and reliability is decreased.

The actual cost of deferral of essential renewal work is difficult to estimate and not usually well understood until a few years after the decision to defer. In the case of the road networks and building network extended wet weather periods can substantially increase costs.

5. *What is the impact of grant funded community projects on Council's asset maintenance and renewal budget? Like a new BBQ for instance.*

A new electric BBQ with underground power connection, a concrete slab and shelter can have an initial capital cost to install of say \$29,000.

The average annual cost then to operate and maintain and ultimately replace the Infrastructure can be in the order of \$4,700 pa. It is noted that it is unlikely that the community will not want to continue with the service provision at the end of the BBQ's life. The expectation may be for an improved service level example is playgrounds which can be replaced with higher customer experiences and thus higher renewal and operating costs. The \$4,700 pa is referred to as the annualised Whole of Life Cost. This cost can increase as utilisation increases and Council increases level of cleaning to maintain current customer experience levels. To do this other service provisions levels of service can be reduced to maintain existing total expense budget and to remain financially sustainable. Scheduling is continually reviewed to achieve optimum efficiencies.

When Council receives a grant for new infrastructure, the whole of life cost implications needs to be added to future budgets and often this is not the case as the grant is usually just for the capital works. So existing total operating & maintenance budgets can be put under pressure.

As operating and maintenance budgets essentially remain the same, apart from indexing each year, and the assets to provide a customer experience are increased, the resourcing remains the same to provide the service to the asset to maintain customer experience and are spread thinner and thinner as staff have to prioritise maintenance and often undertake maintenance activities that are not 100% effective. This impacts negatively on the customer experience, complaints can increase, and funding is restricted as the maintenance activities are seen to be being wasted or providing poor outcomes.

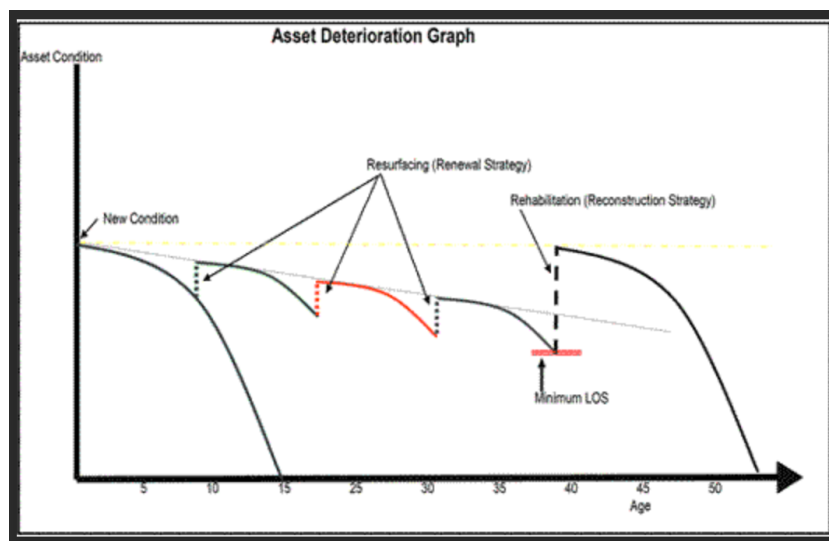
A more sophisticated long-term financial plan framework is in process of development. This new model will take into consideration whole-of-life costing on new/upgraded assets based on the assets management plans and will provide an accurate estimate of maintenance budget for the 10 years.

6. *What is the impact of deferred renewal and maintenance spending on the lifecycle of Councils Assets?*

Similar impact as deferring the SRV (see question 4).

The following shows this graphically. If the road resurfacing (Renewal Strategy) is deferred to after 10 years, the condition of the road deteriorates at a rapidly increasing rate. This increases the cost of renewal treatments which also occurs at an increasing rate.

The customer experience rapidly declines if there is no intervention level after 10 years to dissatisfaction at 15 years with asset failure and loss of service.



If Minimum Level of Service is not maintained, then the effect is spiralling as customer complaints increase, Customer Experience decreases, staff have to prioritise what to do, when to intervene and what treatment, and unfortunately what to ignore, funds are spread too thin and not 100% effective. It is difficult to cost effectively recover from very deteriorated assets and thus to achieve optimum life expectancy of the assets.

7. *How does the general fund asset renewal and maintenance budget compare with that of Shoalwater?*

A summary of the Special Schedule 7 of the Financial Statements from 2012 to 2020 for required maintenance and actual maintenance for water and sewerage networks is in the following table.

| | Water Supply | | | Sewerage Network | | |
|------|-----------------------------|--------------------|--------------------|-----------------------------|--------------------|--------------------|
| | Required Annual maintenance | Actual Maintenance | % Actual/ Required | Required Annual maintenance | Actual Maintenance | % Actual/ Required |
| 2020 | \$13,237,000 | \$13,231,000 | 99.9% | \$19,409,000 | \$19,403,000 | 99.9% |
| 2019 | \$11,380,000 | \$11,375,000 | 99.9% | \$16,120,000 | \$16,115,000 | 99.9% |
| 2018 | \$9,860,000 | \$9,860,000 | 100% | \$14,570,000 | \$14,556,000 | 99.9% |
| 2017 | \$9,290,000 | \$9,297,000 | 100% | \$15,040,000 | \$15,027,000 | 99.9% |
| 2016 | \$9,200,000 | \$8,551,000 | 93% | \$14,990,000 | \$14,612,000 | 97.4% |
| 2015 | \$3,535,000 | \$3,526,000 | 99.7% | \$4,700,000 | \$4,240,000 | 90.2% |
| 2014 | \$3,300,000 | \$3,276,000 | 99.2% | \$4,100,000 | \$4,065,000 | 99.1% |
| 2013 | \$3,150,000 | \$3,145,000 | 99.8% | \$3,800,000 | \$3,715,000 | 97.7% |
| 2012 | \$3,100,000 | \$3,078,000 | 99.3% | \$3,900,000 | \$3,775,000 | 96.8% |

Shoalwater has a base access charge to be connected to the service. Then the user pays for the volume of water and sewerage they use. Thus, the Asset Custodian can calculate the charge, within regulative pricing frameworks, to cover annual operations & maintenance, and for capital work.

SA21.99 Bereavement Services - Crown Land Plan of Management - Progress to Public Exhibition

HPERM Ref: D21/171595

Department: Commercial Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Council Managed Crown Land Cemeteries Plan of Management (under separate cover) [⇒](#)

Reason for Report

To seek Council's endorsement to proceed with the public exhibition of the Council Managed Crown Land Cemeteries Plan of Management as required by the introduction of the new *Crown Land Management Act 2016*.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Proceed to Public Exhibition of the Council Managed Crown Land Cemeteries Plan of Management, upon receipt of Crown Lands concurrence to proceed to public exhibition
2. Undertake Public Exhibition of the Draft Plans of Management in accordance with the Crown Land Management Act 2016 and Local Government Act 1993 for a minimum period of 28 days, and
 - a. If no significant feedback is received as part of the public exhibition, the Draft Plans of Management be finalised and deemed adopted pursuant to section 38 of The Local Government Act 1993 and in accordance with 3.23(6) of the Crown Land Management Act 2016; or
 - b. If significant adverse feedback is as part of the public exhibition, the Draft Plans of Management, Council receive a report of the outcomes of the public exhibition period to Council prior to adoption.
3. If the Draft Plans of Management are deemed adopted, forward a copy of the adopted Plan of Management to the Department of Industry for record purposes.

Options

1. Adopt the recommendation

Implications: This will allow Council's Crown Land Cemeteries to fulfil its legal obligations under the *Crown Land Management Act 2016*.

2. Adopt an alternative recommendation

Implications: Alternative recommendations may result in Council not meeting its legal obligations under the Crown Land Management Act 2016

Background

In 2018, a new Act, the *Crown Land Management Act 2016 (CLM Act)* replaced the Crown Lands Act 1989.

Section 3.26(6) of the CLM Act requires that Council managers adopt a Plan of Management (PoM) for any Crown reserve for which it is the appointed Crown land manager, and that is classified as 'Community Land' under the Local Government Act 1993.

Process

The legislation requires that the preparation of Plans of Management are undertaken in the following manner:

| | |
|--------|--|
| Step 1 | Drafting the Plan of Management <ul style="list-style-type: none"> The PoM should meet all the minimum requirements outlined in section 36(3) of the LG Act and identify the owner of the land. Any activities (including tenure or development) to be undertaken on the reserve must be expressly authorised in the PoM to be lawfully authorised. Council must obtain written advice from a qualified native title manager that the PoM and the activities under the PoM comply with the NT Act. |
| Step 2 | Notifying the landowner <ul style="list-style-type: none"> The department as the landowner is to be notified of the draft PoM prior to public exhibition of the plan under section 39 of the Local Government Act 1993 Councils are required to seek the department's consent to alter the categorisations in the draft PoM. The departments consent can be sought at the same time as notifying the landowner in the draft plan. |
| Step 3 | Community consultation <ul style="list-style-type: none"> Councils are required to publicly exhibit the PoM under section 38 of the Local Government Act 1993 Where Council's first PoM alters the initial categorisation, or where Council prepares a subsequent PoM that amends the previous plan, public hearings are required. |
| Step 4 | Adopting a Plan of Management <ul style="list-style-type: none"> Council resolution of a PoM that covers Crown land should note that the PoM is adopted pursuant to section 40 of the Local Government Act in accordance with section 3.23(6) of the CLM Act. Once Council has adopted the PoM, a copy of the adopted PoM should be forwarded to the department for record purposes. |

Council Managed Crown Land Cemeteries Plan of Management

The Council Managed Crown Land Cemeteries Plan of Management is a Crown Land General Community Use – Cemeteries - Plan of Management. This Plan of Management has been prepared for Council Managed Crown Land Cemeteries that have been categorised as 'General Community Use' and are required to be captured within a Plan of Management by the *CLM Act*.

It should be noted that the Council Managed Crown Land Cemeteries Plan of Management does not cover all cemeteries in the Shoalhaven LGA or all public land. This Plan of Management is for the following properties:

- Shoalhaven Memorial Gardens & Lawn Cemetery
 - Reserve Number 97869
 - Lot 121 & 122 DP 46948 – Worrigeer Rd, Worrigeer

SA21.99

- Harley Hill Cemetery
 - Reserve Number 1003013
 - Lot 1 DP 723973- 275 Beach Rd, Berry
- Yatte Yattah Roman Catholic Cemetery
 - Reserve 1038208
 - Lot 138 DP 755923 – Princes Highway, Yatte Yattah

Land that is not covered by this Plan of Management includes:

- Cemeteries that are Crown land, but their management is devolved to Council, typically under arrangements that were associated with the Local Government (Control of Cemeteries) Amendment Act 1966 which essentially saw the care, control and management of cemeteries transferred to councils in 1967
- Cemeteries that are Council owned and are covered by other generic or site-specific plans of management
- Council managed Crown land classified as “Community” land that is not a cemetery and covered by other generic or site specific plans of management
- “Community” land that is Council owned and covered by other generic or site-specific plans of management
- Areas which are “Operational” land or owned or managed by other entities
- Other Crown land that is not managed by Council
- Privately owned land which is made available for public use
- Road reserves.

| Facility | Status - Operational or Non Operational | Ownership |
|----------------------------------|---|-------------------------------|
| Berry General Cemetery | Operational | Shoalhaven City Council |
| Conjola General Cemetery | Operational | Crown Lands - Devolved |
| Cambewarra Cemetery | Operational | Crown Lands - Devolved |
| Kangaroo Valley General Cemetery | Operational | Crown Lands - Devolved |
| Sandridge Memorial Gardens | Operational | Crown Lands - Devolved |
| Nowra General Cemetery | Operational | Crown Lands - Devolved |
| Coolangatta (Berry-Hay) Cemetery | Non Operational | Perpetual Trustee Company Ltd |
| Bellawongarah Cemetery | Non Operational | Crown Lands - Devolved |
| Graham Family Cemetery | Non Operational | Shoalhaven City Council |
| Morton Cemetery | Non Operational | Crown Lands - Devolved |
| Numbaa Cemetery | Non Operational | Shoalhaven City Council |
| Old Worrigeer Cemetery | Non Operational | Shoalhaven City Council |
| Tomerong Cemetery | Non Operational | Crown Lands - Devolved |
| Warden Family Cemetery Milton | Non Operational | David Warden in care SCC |
| Woodhill Cemetery | Non Operational | Shoalhaven City Council |
| Ulladulla (Racecourse) Cemetery | Non Operational | Crown Lands – Devolved |
| Yalwal Cemetery | Non Operational | Crown Lands - Devolved |

The Bereavement Services Cemeteries which do not require a Crown Land Plan of Management are shown in the table below.

Bereavement Services Draft Business Plan captures all cemeteries to ensure operational integrity and efficient management. The principles within the Council Managed Crown Land Cemeteries Plan of Management and Draft Business Plan align.

Next Steps

Once the Minister has given approval of the Council Managed Crown Land Cemeteries Plan of Management, the Public Exhibition period will include a 28 day public exhibition with a time of 42 days from the start of the exhibition period for submissions to be made.

Risk Implications

The new Crown Land Management Act 2016 requires that new Plans of Management are in place for Council Managed Crown Land by 30 June 2021.

Any delay in proceeding to public exhibition, is likely to result in failure to comply with this deadline. Failure to comply with this deadline will result in the need to undertake public hearings for every Plan of Management that covers a Council Managed Crown Reserve, and inability to issue new leases and licences over Council Managed Crown Reserves with the exception of those short term or casual leases and licences outlined in the Local Government (General) Regulation 2005 Section 116.

SA21.100 Protecting Our Towns from Bushfire - Report on Federal and State Inquiry Findings

HPERM Ref: D21/128226

Approver: Phil Costello, Director - City Development

Reason for Report

At the Strategy and Assets Committee meeting held on 8 September 2020, a report “SA10.1 Notice of Motion - Protection of our towns from bushfire - Report request - Bush Fire Inquiry & Royal Commission findings - Budget & Resource requirements” was presented to the Committee for consideration.

It was resolved that a further report be provided to Council once the findings of the NSW Bushfire Inquiry and the Commonwealth Inquiry were published. The findings of the NSW inquiry were published on 25 August 2020, the findings of the Senate, Finance and Public Administration References Committee inquiry, Lessons to be learned in relation to the Australian bushfire season 2019-20 were published on 7 October 2020.

The Royal Commission into National Natural Disaster Arrangements presented its report to the Governor General on 28 October 2020.

Recommendation (Item to be determined under delegated authority)

That Council consider and note the outcomes of the NSW Bushfire Inquiry, The Royal Commission into National Natural Disaster Arrangements, and the Senate Inquiry.

Options

1. Note the report.

Implications: Council endorses its commitment to ensure that adequate allowance is made in future budgets to ensure that Council meets its obligations in management of existing and future Asset Protection Zones, fire trails and other obligations.

2. Alternate Action

Implications: This will depend on the action resolved.

Background

The following excerpt from the Executive Summary of the NSW Bushfire Inquiry provides background to the inquiry:

“On 30 January 2020, the Premier announced an inquiry into the 2019-20 bush fire season to make recommendations in relation to bush fire preparedness and response ...ahead of the 2020-21 bush fire season.

The focus of this report was to provide analysis and recommendations for change to ensure that, when bush fires like this happen again, there is less damage to property and our environment and, as much as possible, there are no lives lost.

Climate change clearly played a role in the conditions that led up to the fires and in the unrelenting conditions that supported the fires to spread, but climate change does not explain everything that happened.

The 2019-20 bush fire season challenged conventional assumptions... Previous prescribed burning and hazard reduction activity appears to have reduced fire severity in some instances, but in others it appears to have had no effect on the severity and spread of the fires.

Central to the way forward [is] improving local preparedness and resilience... At the centre must be individual responsibility for managing risk and making properties as safe as possible starting from the most local of levels. Enhanced community education and engagement and individual and community ownership of risk (informed by high-quality information) should be central to the Government's response.

The 2019-20 bush fire season ran for eight months – between 1 July 2019 and 31 March 2020. The last fires were extinguished on 2 March 2020".

Of the 76 recommendations made by the Inquiry, the following 18 are pertinent to Council and may require a response to ensure that Council meets its obligations in respect to practical management of the peri-urban interface and support of the Rural Fire Service (RFS), through the activities of the local Emergency Management Committee (LEMC).

A complete copy of the report can be accessed at:

<https://www.dpc.nsw.gov.au/publications/categories/nsw-bushfire-inquiry/>

Recommendation 11

That, in order to strengthen the capability of local councils in future emergency events:

- a) Resilience NSW, in consultation with local government, develop specific training that focuses on the role, responsibilities and expected functions of the Local Emergency Management Officer (LEMO), including regular 'refresher' components*
- b) Councils support their staff to participate in LEMO training on an ongoing basis and ensure that staff who are LEMOs are appropriately senior and have the authority to commit resources.*

Comment:

Council's Local Emergency Management Officer is adequately trained and has the support of senior management in the role. Any specific training identified as part of this recommendation will be made available to relevant staff.

Recommendation 18

That, in order to equip NSW RFS with comprehensive information on all structures and assets at risk of bush fire, Government ensures that:

- *there is a single whole-of-government procurement and acquisition program for imagery and LiDAR and that Government accelerate the building of the State Digital Twin and associated Digital Workbench.*
- *owners/managers of assets (apart from private homeowners whose information will be provided through local councils) in bush fire prone land are required to provide to the Digital Twin at least the following information/metadata with quality control certification on an annual basis (with annual census at least two months before the start of the fire season):*
 - *precise geolocation*
 - *description of asset including picture.*
 - *value level*
 - *fire treatment on asset*
 - *Asset Protection Zone (APZ) details and how it is maintained.*

- access details
- what redundancy is available if relevant?
- any metadata requirements specific to the asset class
- emergency contact and instructions on how to access where more information is held.
- any restrictions on data access and sharing.

The Digital Twin must also be able to incorporate:

- information about the hazard reduction results for road verges, fire trails, APZs and other defendable space.
- local information supplied by organisations such as local NSW RFS brigades.

Comment:

The extent of assets required to be reported on may impact on councils ability to provide such data. Council has and provides up to date information on Asset Protection Zone management, maintenance, and access through existing reporting mechanisms of RFS Bushfire risk Information Management System (BRIMS).

Recommendation 19

That Government re-commit to the current, regionally based approach to planning and coordinating hazard reduction activities across all tenures through Bush Fire Management Committees but ensure that it is actually being implemented at a high-level of quality across NSW. Getting it to a high-level of quality requires:

- a) *implementing the Inquiry's recommendation about performance auditing of Bush Fire Risk Management Plans*
- b) *prioritising implementation of revised processes for bush fire risk management planning that incorporate new modelling and methods for quantifying risk and the residual risk profile as a result of proposed hazard reduction works*
- c) *ensuring regional priorities for hazard reduction, and how they are determined, are communicated clearly to the community, and their implementation is reported on transparently. This will include being very clear about the objectives of hazard reduction activities and communicating that hazard reduction does not eliminate the risk of fire affecting properties.*
- d) *the methodology for assessing and planning for risk reduction becomes an ongoing area of research and the frameworks are formally reviewed every three years.*

Comment:

Council's endorsed Bushfire Risk Management Plan is current but will be reviewed by the Bushfire Risk Management Committee in light of the outcomes of the Inquiry.

Recommendation 20

That Government, noting that hazard reduction targeted in proximity to assets is on balance more likely to provide help than hinder, should:

- a) *support local councils and partner agencies to implement more comprehensive hazard reduction at a local level around towns/cities, communities, and local infrastructure assets, and provide incentives for communities to organise themselves to prioritise and implement local hazard reduction initiatives. This will involve a suite of hazard reduction techniques depending on the landscape including prescribed burning, clearing, mowing, and mechanical treatments, and easy disposal of green waste into processors turning it into bioenergy or biofuels.*
- b) *beyond the local level priorities for hazard reduction, prioritise prescribed burning in parts of the landscape where fuel treatment may help reduce probability of fires escalating quickly*

and where terrain and potential atmospheric interactions are likely to escalate fires into fire-generated thunderstorms. This will likely involve a proactive program of treating ridge tops that are prone to dry lightning where reduced fuels may help reduce speed of spread when the fire first starts, or particular windward or lee-slopes that are susceptible to generating extreme fire behaviour and drive fire towards towns.

Comment:

Council's Asset Protection Zone Program oversees the maintenance of 157 existing APZs. Since December 2019, Council has proactively inspected and mapped additional sites that require APZs to be established on Council land. The current program is underway to ensure that these works are completed in a timely manner.

Management techniques used by Council involve physical and mechanical removal of vegetation in key areas. Once areas are established maintenance principally involves slashing and mowing. A mix of contractors and Council day labour is used to deliver the program.

Council also works closely with the RFS Bushfire Mitigation Officers to ensure that hazard reduction burns are performed where appropriate, with due consideration of environmental factors relevant to each individual site.

Recommendation 22

That, as part of the spatial technology acceleration program, Government support deployment of remote sensing and picture processing technologies to monitor and audit how well Asset Protection Zones and defensible space are being maintained, especially around towns.

Comment:

Council uses GIS data and ground truthing to ensure that APZ and other defensible spaces on Council owned or managed land are maintained in an appropriate condition. Shared data provided by remote sensing will enhance Council's capabilities.

Recommendation 23

That Government amend the Rural Fires Act 1997 so that all public land management agencies be required to forward complaints received about bush fire hazards to the Commissioner of the NSW RFS. As an interim measure, heads of agencies should commence this practice immediately.

Comment:

Council's current policy is to forward all bushfire hazard complaints to RFS for investigation. This is in line with *Rural Fire Act 1997*.

Recommendation 24

That government agencies managing land (at all levels and through all agencies) be the best neighbours possible by considering their neighbours when undertaking activities related to bush fire preparation and having clear, two-way communication about these activities, with the aspiration that government landholders will be seen as highly desirable neighbours.

Comment:

Council's current APZ maintenance program demonstrates commitment to being "good neighbours" and providing protection to residences and other infrastructure along the peri-urban interface. While Council may not directly notify residents of routine maintenance of APZ, residents are informed if hazard reduction through burning is to be conducted by RFS in their locality.

Recommendation 27

That Government commit to shifting to a strategic approach to planning for bush fire and develop a new NSW Bush Fire Policy similar to the NSW Flood Prone Land Policy in order to accommodate changing climate conditions and the increasing likelihood of catastrophic bush fire conditions; to build greater resilience into both existing and future communities; and to decrease costs associated with recovery and rebuilding.

Comment:

Council would be subject to these provisions when they are made by relevant Government agencies.

Recommendation 28

That Government, acknowledging that a strategic approach to planning for bush fire will take time, and in order to protect, prepare and build resilience into existing communities, should immediately:

- prepare, in association with the insurance sector, a model framework and statutory basis for the establishment of an enforcement, compliance and education program which adopts a risk-based approach to routine inspection of local bush fire prone developments to ensure that every local development on bush fire prone land is prepared for future bush fire seasons in accordance with bush fire protection standards of the day, that account for worsening conditions*
- ensure local government is resourced to enable effective audit, enforcement, and compliance powers in respect of local developments and assets on bush fire land.*
- consider the introduction of subsidies for property owners to undertake site mitigation works to reduce bush fire risk and work with the Insurance Council of Australia to develop an agreed set of measures to insure against, with a view to risk reductions resulting in lower insurance premiums.*
- review vegetation clearing policies to ensure that the processes are clear and easy to navigate for the community, and that they enable appropriate bush fire risk management by individual landowners without undue cost or complexity.*

Comment:

Council currently assesses development applications for bushfire risk and conditions development in accordance with Bushfire Attack Level (BAL) provisions. Any draft provisions relating to compliance and monitoring thereof by Local Government could have significant resourcing issues and would be subject to consultation prior to any implementation.

Recommendation 29

That, in order to maximise the protection of critical infrastructure in a bush fire, Australian governments revise the regulatory framework for the provision to government authorities of information about all critical infrastructure (public and private) including a possible change to compel the owners of critical assets to provide all needed metadata, updated annually, for appropriate planning, preparation and response for bush fire. This would include information about location, ownership, access, details of service the infrastructure supports, and fire treatments of building and surrounding zones.

Comment:

Council has identified critical infrastructure, e.g., Shoalwater, Shoalcom, etc. that requires special protection provided by APZ, fire trails and access arrangements.

Recommendation 31

That, in order to improve bush fire planning and protection of road infrastructure and to ensure communities, freight movers and firefighting agencies have appropriate access and egress in a bush fire event, Government, working with local government as needed:

- develop a formal bush fire risk assessment process for all State roads and bridges, to identify
 - ‘high-risk’ communities where access and egress in the event of a fire will be affected, for example rural communities connected by a single road surrounded by bushland, and ensure community bush fire planning processes (i.e. Bush Fire Risk Management Plans (BFRMPs) or Community Protection Plans) include plans to ‘leave early’ or enforce mandatory evacuation orders.
 - how waterways can be integrated better into the transport network as evacuation routes or places of shelter when road and rail transport is unavailable – waterways should be included in regional emergency management plans
 - route options for rapid identification of needed road closures in the event of fire
 - key sections of the State’s road network for future upgrade to ensure whole corridors are resilient to fire impacts, regardless of who manages the asset.
- audit, through the NSW RFS Audit Unit (to be established) the inclusion of critical road infrastructure in BFRMPs prepared by Bush Fire Management Committees (ensuring that appropriate transport representation is provided to BFMCS) and Local Emergency Management Committees across the State. In support of these measures, it will be critical that the community is given early warning of bush fire events and has ample time to evacuate prior to or during an emergency.

Comment:

The development of any process in regard to the above would involve stakeholder engagement and the ability to have input into the formulation of such process. Work has commenced with Shoalhaven communities to develop resilience plans and progress will be further reported to Council.

Recommendation 32

That, in order to ensure outcomes-based roadside vegetation management to reduce roadside tree fall and grass ignitions in planning and preparing for bush fire, Transport for NSW, working with local government and NSW RFS, establish a consistent framework for roadside vegetation management that analyses road priority, utility, amenity, strategic value and risk. The framework should:

- take into consideration landscape characteristics like distance, slope, set back, vegetation maturity and type. Acceptable outcomes under this framework could include clear verges, or alternatives such as safe zones/pull-outs.
- tie in formally with other strategic land use and biodiversity processes.

Comment:

Council maintains vegetation on Council roads, but additional work may be required as a result of recommendations made by Transport for NSW.

Recommendation 33

That as a matter of urgency, in order to accelerate and finalise a State-wide strategic fire trail network, the NSW RFS Commissioner and Bush Fire Coordinating Committee (BFCC):

- set a deadline for Bush Fire Management Committees to complete all outstanding Fire Access and Fire Trail (FAFT) Plans for submission to BFCC for approval and are related deadline for BFCC consideration of these.
- assess the completed suite of FAFT Plans to identify high-priority trails of relative strategic importance across the State for urgent construction or upgrades with particular reference to the needs of upcoming fire seasons.
- enforce completion of annual fire trail condition assessment reporting by relevant landholders. Following this, the BFCC should, as part of its standard business

undertake an audit of all FAFT Plans and annual fire trail condition assessment reports.

- develop a single asset management system to capture the outcomes of annual fire trail condition assessment reporting on a tenure-blind basis to support BFCC strategic and budgetary prioritisation and inform funding allocation to agencies for capital works programs.*
- commission a review of FAFT Plans, with particular assessment of containment line potential, following a significant bush fire event in their area, as part of the planned review of BFCC Policy and NSW RFS Standards in 2020-21. Where it is not feasible to construct a fire trail completely on public land, and private landowners are not satisfied with proposed negotiated arrangements to construct the trail across their land, Government should negotiate acquisition of an easement interest, with appropriate compensation, over private land.*

Comment:

Council maintains fire trails under its management. Additional works may be required to ensure compliance with NSW Rural Fire Service Fire trail design construction and maintenance manual 2017

https://www.rfs.nsw.gov.au/_data/assets/pdf_file/0009/97569/Fire-Trail-Design-Construction-and-Maintenance-Manual-FINAL_reducedsize.pdf

Recommendation 61

That, in order to improve cross-agency communication and coordination during bush fires, the NSW RFS review Fire Control Centres (FCCs) in areas that were heavily affected by fire. The results should be combined with the Emergency Operations Centre (EOC) Facilities Review to identify areas that would benefit from a purpose-built FCC, enabling co-location with the EOC.

Comment:

Council's Fire Control Centre, State Emergency Service Coordination Centre and the Emergency Operations Centre are co-located at the Albatross Rd facility.

Recommendation 70

That, in order to ensure evacuation centres are fit-for-purpose, Resilience NSW work with Local Emergency Management Committees (LEMCs) to:

- a) update the guidelines for LEMCs identifying evacuation centres to require a risk assessment of potential locations, which should include identifying alternate sources of power for use by evacuation centres and recording these appropriately*
- b) review existing evacuation centre locations to assess compliance with updated LEMC guidelines and report to the State Emergency Management Committee on their suitability.*

Comment:

The Local Emergency Management Committee has reviewed evacuation centres throughout the Shoalhaven LGA and continues to update this information as it changes.

Recommendation 72

That, in order to ensure Aboriginal people can access appropriate support during evacuation, Resilience NSW work with Local Emergency Management Committees and Aboriginal Affairs to ensure:

- a) local Aboriginal communities are included in emergency planning and preparation*
- b) all staff involved in evacuation centres and support services are culturally competent.*

Comment:

Council's Local Emergency Management Committee and Community Support Officer work closely on issues relating to the local Aboriginal community.

Recommendation 73

That, in order to ensure the safety and wellbeing of vulnerable people during an evacuation, Resilience NSW:

- a) identify aged care facilities in fire and flood prone areas, and ensure that emergency plans are in place and comply with the Evacuation Decision Guidelines for Private Health and Residential Care Facilities*
- b) develop/refresh evacuation centre protocols to specifically address the needs of vulnerable people.*

Comment:

Council's Local Emergency Management Officer maintains this data base.

Recommendation 75

That, in order to improve support for people evacuating with animals, the Department of Primary Industries:

- a) work with Resilience NSW to develop evacuation protocols and procedures to ensure appropriate supports are provided for both people and animals (informed by the findings from Project Ohana), including a process for animal registration at evacuation centres and mutually agreed naming conventions, and provide this information to Local Emergency Management Committees (LEMCs)*
- b) work with LEMCs to identify overflow sites that can be used for evacuated animals when preferred sites are full*
- c) further develop the domestic pet's evacuation protocol.*

Comment:

Council's Local Emergency Management Officer maintains this data base.

Royal Commission into National Natural Disaster Arrangements

The Royal Commission into National Natural Disaster Arrangements published its report on 28 October 2020. The report may be reviewed at:

<https://naturaldisaster.royalcommission.gov.au/system/files/2020-11/Royal%20Commission%20into%20National%20Natural%20Disaster%20Arrangements%20-%20Report%20%20%5Baccessible%5D.pdf>

The following recommendations have relevance to Council's operations.

Recommendation 11.1 Responsibility for local government disaster management capability and capacity

State and territory governments should take responsibility for the capability and capacity of local governments to which they have delegated their responsibilities in preparing for, responding to, and recovering from natural disasters, to ensure local governments are able to effectively discharge the responsibilities devolved to them.

Comment:

Councils' ability to prepare and react in the future may be impacted by findings from the NSW Inquiry.

Recommendation 11.2 Resource sharing arrangements between local governments

State and territory governments should review their arrangements for sharing resources between their local governments during natural disasters, including whether those arrangements:

- (1) provide sufficient surge capacity, and*
- (2) take into account all the risks that the state or territory may face during a natural disaster.*

Comment:

Shoalhaven City Council has mutually beneficial arrangements in place with adjoining local government authorities to respond to natural disasters.

Recommendation 12.1 Roadside vegetation management

State and territory governments, working with local governments and fire and emergency service agencies, should ensure that there are appropriate arrangements for roadside vegetation management that take into account, among other things:

- (1) priority access and egress routes*
- (2) road priority, utility, and strategic value*
- (3) cost, and*
- (4) residual risk to national natural disasters.*

Comment:

This recommendation is similar to Recommendation 32 in the NSW Bush Fire Inquiry. Council maintains vegetation on Council roads, but additional work may be required as a result of recommendations made by Transport for NSW.

Recommendation 12.2 Evacuation planning – Evacuation routes and seasonal populations

State and territory governments should ensure that those responsible for evacuation planning periodically review those plans, and update them where appropriate, including in relation to:

- (1) roles and responsibilities of state and territory governments, local governments, and local communities*
- (2) education and signage about evacuations and evacuation routes, including education of seasonal populations*
- (3) the adequacy of evacuation routes; including contingencies if evacuation routes or centres are assessed as not being able to cope, and*
- (4) the potential inability to evacuate, either by reason of circumstances or personal characteristics.*

Comment:

This recommendation is similar to Recommendation 31 in the NSW Bush Fire Inquiry. Council is committed to ensuring that access and egress to towns and villages are maintained to a standard that will allow roads to be available for emergency services in all circumstances and available for resident's access and egress in most circumstances, as assessed for safety by NSW Police or other relevant agency.

Recommendation 12.3 Evacuation planning – Essential services and supplies

State and territory governments should ensure that those responsible for evacuation planning periodically review those plans, and update them where appropriate, including in relation to:

- (1) key risks that essential service outages have on communities during a severe or catastrophic natural disaster (particularly communications and power)*
- (2) availability of essential supplies, including food and water, and*
- (3) consequence management and compounding events such as the loss of essential services or health impacts.*

Comment:

Council's Local Emergency Management Committee periodically reviews, and updates evacuation plans for local communities throughout the Shoalhaven.

Recommendation 12.7 Evacuation planning – Planning for evacuations across boundaries

State and territory governments should ensure those responsible for evacuation planning periodically review those plans, and update where appropriate, to provide for coordination between states and territories in cross-border areas and to provide cross-border access to evacuation centres.

Comment:

Council's Local Emergency Management Committee periodically reviews, and updates evacuation plans for local communities throughout the Shoalhaven. This comment may be of relevance to Jervis Bay Territory community during impact events.

Jervis Bay Territory is represented on the Local Emergency Management Committee and is included in Council's EMPLAN.

Recommendation 17.1 Public availability of fuel load management strategies

Public land managers should clearly convey and make available to the public their fuel load management strategies, including the rationale behind them, as well as report annually on the implementation and outcomes of those strategies.

Comment:

Council's management of Asset Protections Zones, including cyclical maintenance, are available on Council's public website.

Outcomes of the management plan for these areas are reported to the Bushfire Risk Management Committee.

Recommendation 18.1 Indigenous land and fire management and natural disaster resilience

Australian, state, territory and local governments should engage further with Traditional Owners to explore the relationship between Indigenous land and fire management and natural disaster resilience.

Comment:

Council staff and RFS management are in discussions with representatives of the local Indigenous community, with the aim of exploring the use of traditional fire management practices on public land and land under the ownership of various Local Land Councils.

Recommendation 18.2 Indigenous land and fire management and public land management

Australian, state, territory and local governments should explore further opportunities to leverage Indigenous land and fire management insights, in the development, planning and execution of public land management activities.

Comment:

This can be incorporated into discussions as per 18.1 above.

Senate inquiry - Lessons to be learned in relation to the Australian bushfire season 2019-20

In relation to the Senate, Finance and Public Administration References Committee inquiry, Lessons to be learned in relation to the Australian bushfire season 2019-20, the findings of this inquiry relate to the arrangements between the states/territories and the Commonwealth, clearly defining the role of each jurisdiction in emergency management and have no bearing on Council's operational response in this area.

This document may be viewed at:

https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024518/toc_pdf/LessonstobelearnedinrelationtotheAustralianbushfireseason2019-20.pdf;fileType=application%2Fpdf

Policy Implications

Council may need to review its policies and procedures for management of asset protection zones, fire trails on public land in light of potential changes to the Rural Fire Service operating environment as the Service responds to recommendations and findings of the various inquiries.

Financial Implications

Implications are not able to be determined until such time as procedures are mandated.

Risk Implications

By adequately funding the establishment and maintenance of asset protection zones and fire trails on public land, Council will meet its obligations and reduce the risk of the impact of bushfire on the community, thereby protecting the towns and villages of the Shoalhaven.

SA21.101 TfNSW Acquisition by Agreement Part Lot 415 DP 1210528 Gardenia Crescent Bomaderry (Princes Highway Bomaderry)

HPERM Ref: D20/546110

Department: Technical Services

Approver: Phil Costello, Director - City Development

Attachments: 1. Aerial Lot 415 DP 1210528 Additional Acquisition Bomaderry [↓](#)

Reason for Report

This report provides Council with an opportunity to consider the acquisition by agreement for 630sqm of land, located on Lot 415 DP 1210528 rated to Gardenia Crescent Bomaderry. The land adjoins the Princes Highway Bomaderry and will allow TfNSW (Transport for NSW) to complete batter widening for the construction of a U-turn bay as part of the Princes Highway upgrade project.

Recommendation

That Council:

1. Approve the acquisition by agreement of Part Lot 415 DP 1210528 being approximately 630sqm by TfNSW for the Princes Highway Upgrade project;
2. Delegate authority to the Chief Executive Officer to agree to the compensation amount determined by the Valuer General;
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any document requiring to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

Options

1. Resolve as Recommended

Implications: This will allow TfNSW to formalise the land ownership matters and complete the construction of the U-turn bay along Princes Highway, Bomaderry in a timely manner.

2. Not Adopt the Recommendation.

Implications: Reject the acquisition by agreement forcing TfNSW to pursue the compulsory acquisition under the Land Acquisition (Just Terms Compensation) Act 1991. The acquisition will still occur notwithstanding this merely creates a time delay in the process.

Notwithstanding this, under Section 175 of the Roads Act 1993, TfNSW may take possession of land for the purpose of carrying out road works. The anticipated start date for works by TfNSW is 18 January 2021.

Background

On 1 December 2020 TfNSW requested Council to agree to the acquisition of a small parcel of land being 630sqm located on Lot 415 DP 1210528 Bomaderry. This land is required to complete the construction of a U-turn bay.

TfNSW have tried to design out the need for the additional acquisition however due to geometric constraints this is not possible and the acquisition is required to extend the boundary to construct a fill batter.

Clearing of the land would consist of approximately 8m into the land to be acquired. The batter would be revegetated with a mix of indigenous tree plantings and would not require any future maintenance or easements.

TfNSW engaged consultants to undertake an assessment of the impact of the U-turn facility and the key findings have been summarised below relating to the Biodiversity and Aboriginal Heritage Assessments.

- **Biodiversity**

The vegetation proposed for removal was classified as a mix of planted vegetation and Illawarra Gully Wet Forest. No additional threatened ecological communities, threatened species or habitat features listed under the BC Act or EPBC Act were identified during the site survey. The assessment concluded that the proposed u turn facility works would have only minor impacts to biodiversity in this location due to vegetation removal.

- **Aboriginal Heritage**

The area required for the u turn facility was identified in our REF as a potentially archaeological sensitive area and as a result further investigation was undertaken. The due diligence assessment found that the area proposed for the u turn facility construction has low archaeological potential and a low likelihood of intact archaeological deposits as a result of disturbance from historic agricultural land use practices and vegetation clearance activities.

The assessment concluded that there would be no archaeological constraints to the proposed u turn facility works.

- **Environmental Safeguards**

Comments were sought from the Asset Custodian of the land being City Development - Environmental Services Manager in regards to environmental safeguards. TfNSW have agreed to implementing the following:

- Conduct an onsite flora and fauna assessment prior to the commencement of any tree modification or removal works to identify any threatened species habitat or hollow bearing trees and riparian vegetation that may need to be protected.
- Vegetation that is not to be disturbed outside the turning circle is fenced to protect it from any damage during and post construction.
- Any nest boxes installed on the site in the area where the vegetation modification will occur to be relocated into the adjoining fenced area (Noting: Transport NSW had installed some nest boxes in this locality as compensatory measures for vegetation clearing associated with clearing).

The area identified for acquisition is shown in Attachment 1 (D20/546102) and on the Location Plan below and is delineated in red in the top left hand corner of Lot 415 DP 1210528.

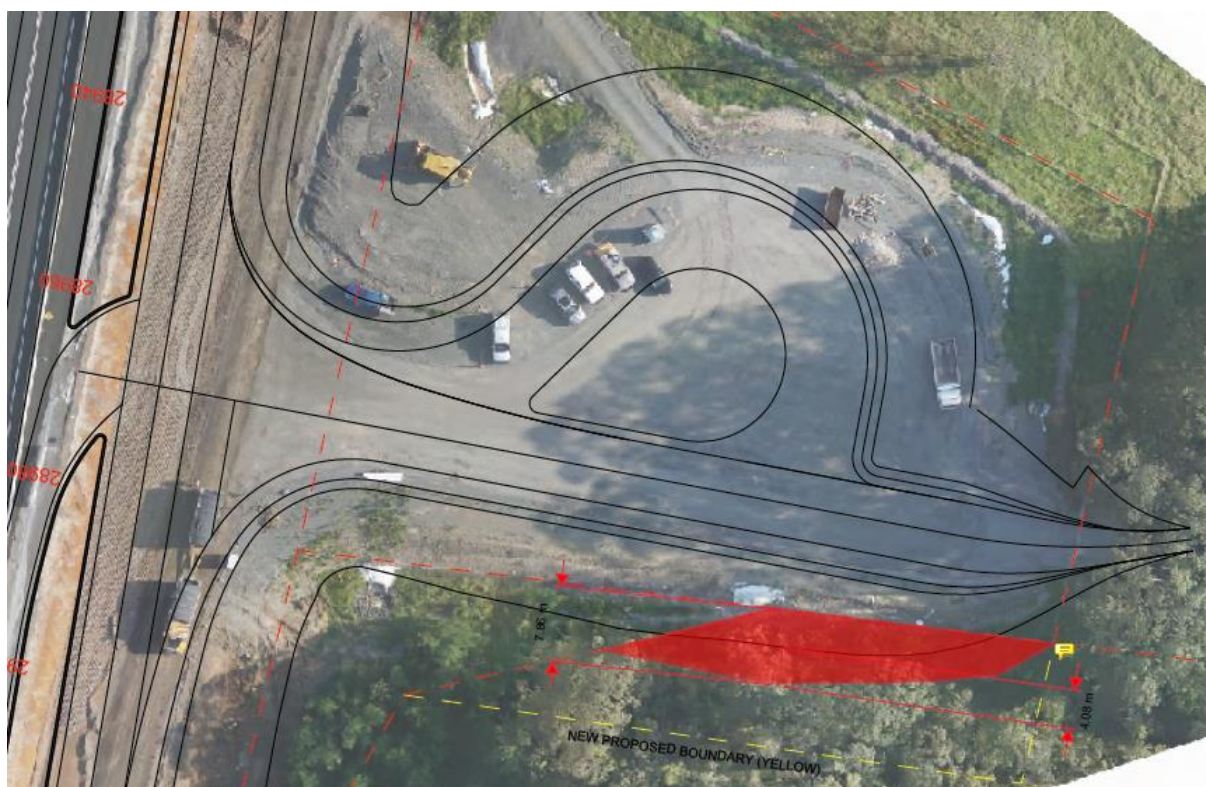
Location Plan



SA21.101

Aerial View & Location of Vegetation Clearing (Red)

The area of land to be cleared is approximately 230sqm.



TfNSW as the Roads Authority have advised they will be acting under Sec 175 of the Roads Act which gives the power to take possession of land when constructing public roads. The anticipated start date for works is 18 January 2021.

Community Engagement

Not applicable - This land is a Public Reserve classified Community, however under the powers of Section 175 of the Roads Act 1993 and the Compulsory Acquisition Process any community consultation becomes null and void.

Policy Implications

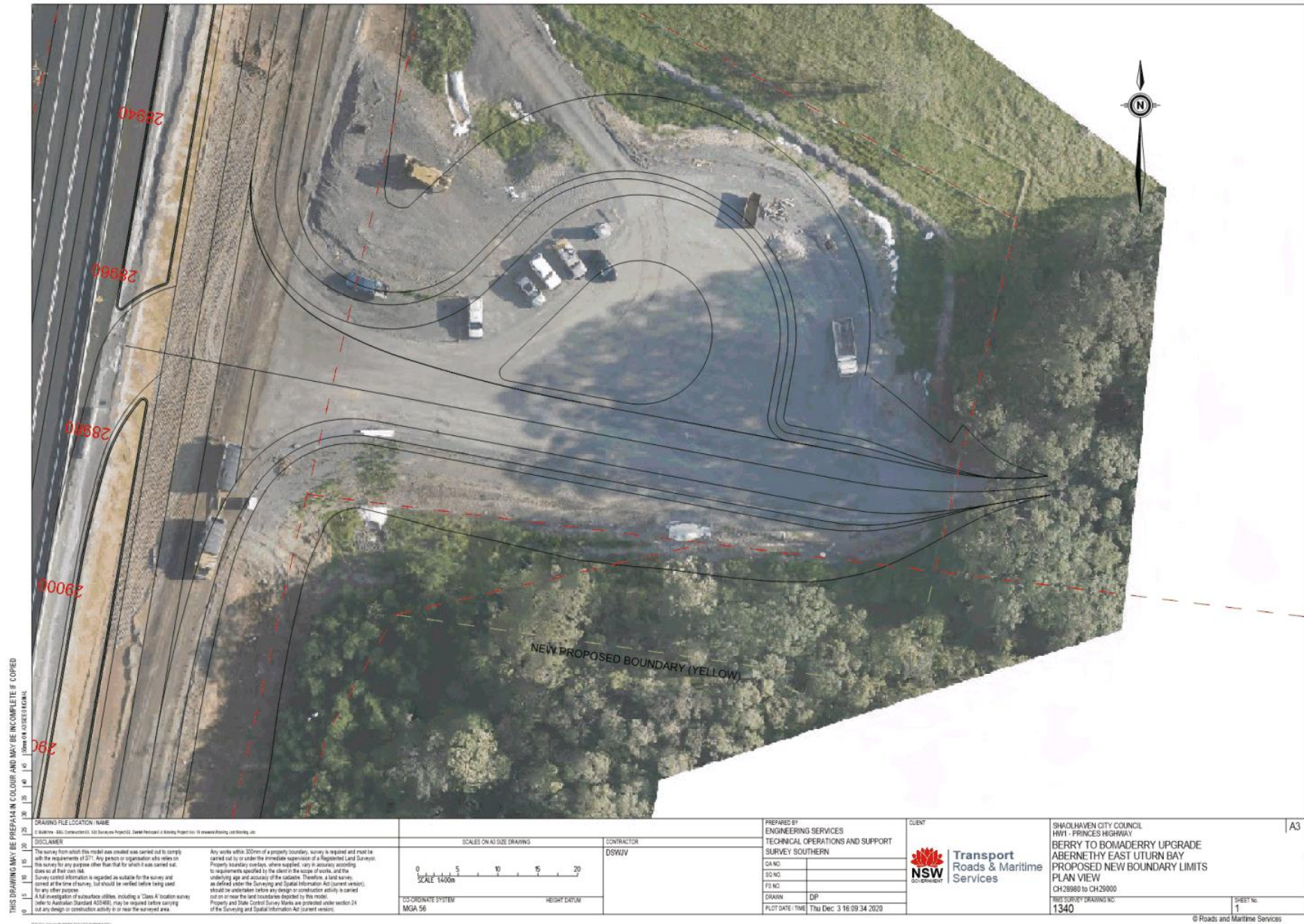
Not applicable

Financial Implications

Council will be compensated financially at market rate as determined by the Valuer General.

Risk Implications

Not applicable



SA21.102 Heating Options - Greenwell Point Village Pool

HPERM Ref: D21/83875

Department: Shoalhaven Swim Sport Fitness

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To provide Council with options following a Notice of Motion presented to its Strategy & Assets Committee meeting held 9 February 2021 regarding the heating of Greenwell Point Village Pool.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Commit to the installation of Black Solar Collector Heating at Greenwell Point Village Pool, to be funded subject to any savings identified in the 2021/22 Swim Sport Fitness Capital Works Program.
2. Identify solar heating installations in the Long-Term Financial Plan, one location per annum at \$45,000 ex-GST per location, for the remainder of Council's Village Pools being Kangaroo Valley, Berry, Shoalhaven Heads and Milton to commence from the 2022/23 Budget.
3. Seek grant funding opportunities to expedite the installation of Black Solar Collector Heating at Greenwell Point Village Pool and other Village Swimming Pools across the Shoalhaven LGA.

Options

1. Adopt the recommendation as written.

Implications:

- Cost-effective method of heating pool water compared with alternate heating options.
- Low ongoing operational and maintenance costs.
- Fit for purpose given size and location of Greenwell Point Village Pool.
- Possibility of community expectations to extend season length and operational hours at Greenwell Point Village Pool, which may require additional funds.

2. Council install LPG Gas Heating at Greenwell Point Village Pool.

Implications:

- Requires additional investigation to be undertaken.
- Relies on a non-sustainable resource to heat.
- Expensive ongoing operational and maintenance costs.
- Requires additional operational funding.
- Shorter asset life than other options.

- Requires pool covers to be purchased in addition so as to maintain water temperature, increasing capital outlay by \$40,000 along with additional operational costs to maintain, meet increased power consumption charges and staffing to operate.
 - Possibility of community expectations:
 - To extend season length and operational hours at Greenwell Point Village Pool, which may require additional funds.
 - To install gas heating at other Village Pools.
3. Council install an Electric Heat Pump at Greenwell Point Village Pool

Implications:

- Expensive ongoing operational and maintenance costs.
 - Requires additional operational funding.
 - Requires pool covers to be purchased in addition so as to maintain water temperature, increasing capital outlay by \$40,000, along with additional operational costs to maintain, meet increased power consumption charges and staffing to operate.
 - Requires a significant power upgrade to site prior to installation, prompting an additional cost between \$100,000 - \$300,000.
 - Higher ongoing operational costs due to increased energy consumption.
 - Possibility of 12-month installation / construction timeframe.
 - Requires additional investigation to be undertaken.
 - Relies on a non-sustainable resource to heat.
 - Possibility of community expectations:
 - To extend season length and operational hours at Greenwell Point Village Pool, which may require additional funds.
 - To install electric heat pumps at other Village Pools.
4. Reject the recommendation and provide an alternate

Implications:

- Dependent upon Council's decision.
- May delay installation of solar heating at Village Pools.

Background

Following a Notice of Motion presented to its Strategy & Assets Committee meeting held 9 February 2021, Council made the following resolution at its Ordinary meeting held 23 February 2021 (Min21.89):

"That a report be provided back to Council for:

- 1. Possible options for heating the Greenwell Point Swimming Pool.*
- 2. Costing to undertake this proposal.*
- 3. Possible funding options."*

Located within the Greenwell Point Titania Park Precinct, Greenwell Point Village Pool is one of five Village Pools managed by Shoalhaven Swim Sport Fitness, along with:

- Berry Village Pool
- Kangaroo Valley Village Pool
- Milton Village Pool
- Shoalhaven Heads Village Pool

These pools are highly regarded and much valued community assets, typically operating seasonally from November to March inclusive. The commencement and conclusion of each Village Pool season can present swimmers with cooler pool temperatures of between 15 to 17 degrees Celsius. These cooler temperatures can act as a deterrent to even the most dedicated swimmers.

The proposals put forward in this report present Council with the option to maintain pool temperatures to a minimum of 22 degrees. Gas and electricity, being more effective and able to maintain much higher temperatures present Council with economic and sustainability considerations.

It should also be noted that the solar option presented in this report does not generate electricity.

For completeness, staff have undertaken investigations into heating options for all Village Pools, and provide the following options for consideration:

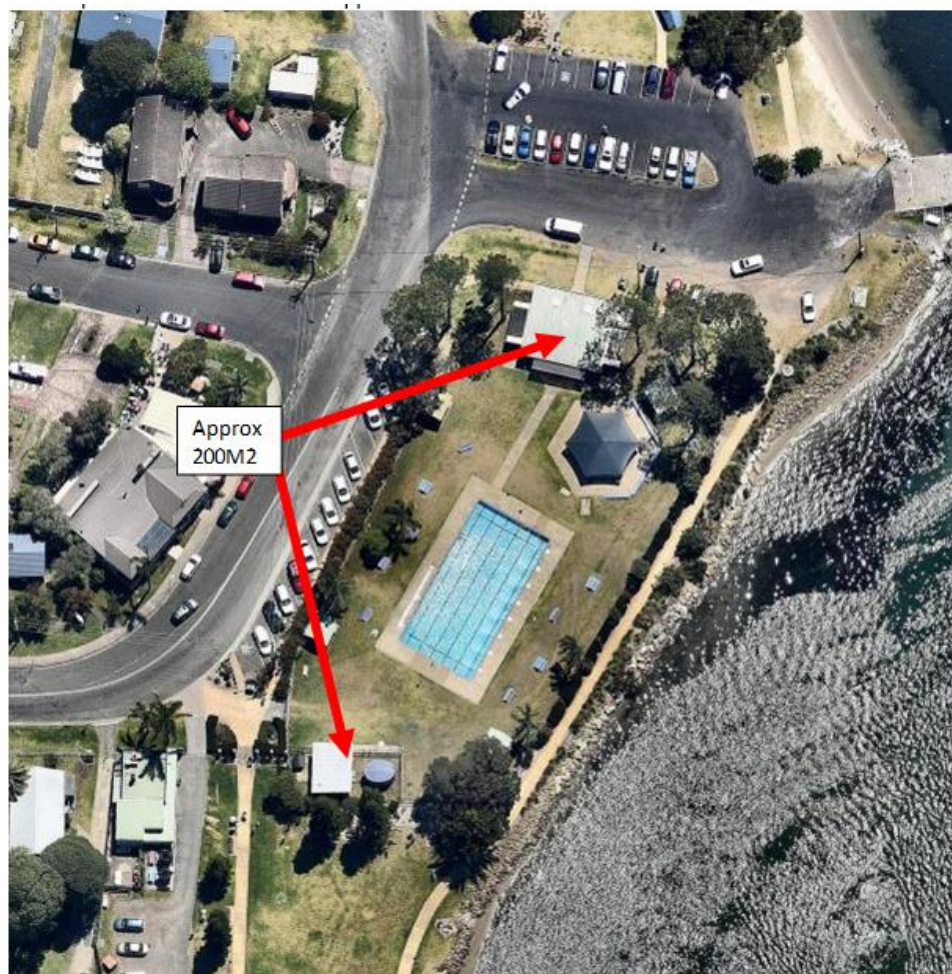
1. Solar Collector – Black Matting

Solar pool heating utilising black matting has proven to be the most efficient method of heating pool water compared with the efficiency rates of other heating systems. This is due to having a faster thermal response and, typically, more resistant to climate and chlorine.

Pool solar heating systems generate heat rather than electricity, via a solar pump that works to siphon water through a tube network returning heated water to the pool.

It is important to note that, while solar heating will provide adequate maintenance of water temperature during the existing summer season, it is not capable of generating enough heat to extend the season throughout the cooler months. Solar heating has an asset life of approximately 15 years before the need for replacement.

2.



Greenwell Point Village Pool - Proposed Solar Matting Locations

LPG Gas Pool Heating

Gas heating is known for being fast and reliable, capable of maintaining water temperature up to 28 degrees year-round.

While gas heating is a reliable and effective option to heat pool water, it relies on a non-sustainable resource to operate. Additionally, gas heating systems will attract high maintenance costs and will prompt the need to install pool covers to retain water temperature overnight and during cooler weather – further increasing the capital outlay for installation by \$40,000 along with charges for increased power consumption and extra staff to be rostered twice daily to operate the pool covers. Gas heating has an asset life of approximately 10 years before the need for replacement.

3. Electric Heat Pump

Installation of electric heat pumps are typically utilised in major aquatic centres, providing up to 350kW heating capacity.

Compared to gas heating equipment, electric heat pumps are a relatively cost-effective alternative, however, require significant capital outlay in both purchase and upgrade to local electricity substations. This can be in the order of \$100,000 to \$300,000 for the power upgrade alone.

Additionally, electric heat pump heating systems will attract high maintenance costs and will prompt the need to install pool covers to retain water temperature overnight and during cooler weather – further increasing the capital outlay for installation by \$40,000 along with

SA21.102

charges for increased power consumption and extra staff to be rostered twice daily to operate the pool covers.

Electric heat pumps have an asset life of approximately 15 years before the need for replacement.

Community Engagement

Solar heating introduction has the potential to increase patronage in an otherwise low patronised facility, by making it more attractive for families with young children who would benefit from the warmer water temperatures.

Should Council resolve to install solar heating at Greenwell Point and the remaining Village Pools in the subsequent out-years, staff will engage with communities surrounding each facility to advise them of Council's intention and timeline for rolling out the water heating program throughout Shoalhaven.

Financial Implications

The costs below provide estimates on capital and ongoing operational costs and are based on a 'per location' cost. The current financial year budget is fully committed and installation of solar heating cannot be funded through the current financial year budget.

As the 2021/22 Works Program has already been identified and aligned with the Shoalhaven Swim Sport Fitness Asset Management Plan, it is intended to deliver the installation of the solar collector black matting at Greenwell Point Swimming Pool subject to any identified savings in next financial year's budget. Staff will also seek any grant funding opportunities and make submissions to seek funding for solar collector black matting at this and other village swimming pool locations across the LGA.

| | Capital \$ | Operational / Ongoing \$ |
|--|----------------------|--------------------------------|
| Option 1 – Solar Collector – Black Matting | | |
| Purchase of Equipment | 44,000 | |
| Seasonal Operational Cost (Additional 5000kWh per season energy consumption to operate solar pump) | | 1,000 |
| Option 1 TOTAL PER SITE | \$44,000 | \$1,000 |
| Option 2 – LPG Gas Heating | | |
| Purchase of Equipment | 50,000 | |
| Seasonal Operational Cost (<i>Utility cost, pump running costs</i>) | | 12,000 |
| Seasonal Maintenance Costs | | 5,000 |
| Pool Cover installation | 44,000 | |
| Additional staff to operate pool covers | | 20,000 |
| Option 2 TOTAL PER SITE | \$94,000 | \$37,000 |
| Option 3 – Electric Heat Pump | | |
| Purchase of Equipment | 100,000 | |
| Power Upgrade to Install | 100,000 - 300,000 | |

| | | |
|--|-----------------------------------|-----------------|
| Seasonal Operational Cost <i>(Additional energy consumption)</i> | | 15,000 |
| Seasonal Maintenance Costs | | 5,000 |
| Pool Cover installation | 44,000 | |
| Additional staff to operate pool covers | | 20,000 |
| Option 3 – TOTAL PER SITE | \$244,000 to \$544,000 | \$40,000 |

Risk Implications

Following installation of solar heating at Greenwell Point Village Pool, it is not unreasonable to assume that the community may request extension of facility operating hours and summer season length.

Staff have investigated cost implications based on monthly extension of Shoalhaven Swim Sport Fitness Village Pools, which would be an additional cost to Council of \$13,000 ex-GST per month / per pool, based on solar heating. Should Council proceed with other options, the costs will increase further.

SA21.102

SA21.103 Tender - Construction of Amenities Building - Milton Showground

HPERM Ref: D21/162625

Department: Community Planning & Projects
Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To allow Council to consider the Tender Evaluations Panel's recommendation concerning Tender reference 66414E – Construction of Amenities Building at Milton Showground.

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

Recommendation (Item to be determined under delegated authority)

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

Options

1. Accept the recommendation and consider the matter in a confidential setting.
2. Defer the matter to a councillor briefing.

Details

In 2020 Council obtained funding via the NSW Department of Planning, Industry and Environment – Crown Lands – Phase one, NSW Showground Stimulus package for an accessible amenities and laundry building and pathways at Milton Showground.

The works also include the construction of timber decking, ramp and accessways.

Council called Tenders for the construction of an amenities building on 2nd March which closed at 10am on 23rd March 2021.

Tenders Received

Tenders were received from the following:

| Tenderer | Location |
|--|-------------|
| Pearce and Percy Constructions Pty Ltd | North Nowra |

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

SA21.103

Community Engagement:

Refer to confidential report.

Policy Implications

Nil for this report.

Financial Implications:

Refer to confidential report.

SA21.104 Acceptance of Grant Funding - Regional Cultural Fund Digitisation Round

HPERM Ref: D21/170454

Department: Arts & Culture

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To seek Council's approval to accept \$132,481 (excl GST) from Create NSW as part of the Regional Cultural Fund Digitisation Round to undertake a project to establish a digitisation studio within Shoalhaven Regional Gallery and work with five (5) volunteer led museums in the Shoalhaven to upskill volunteers and provide support for the digitisation of objects and items in their collections.

Recommendation (Item to be determined under delegated authority)

That

1. Council accept the grant funding of \$132,481 (excl GST) from the Regional Cultural Fund Digitisation Round and undertake the project supporting volunteer museums to begin digitisation of collections
2. Write to Create NSW and The Hon. Don Harwin MLC, Minister for the Arts, to thank them for the grant.

Options

1. Council accept the grant of \$132,481 (excl GST) awarded as part of the Regional Cultural Fund Digitisation round.

Implications: The proposed digitisation project with associated upskilling and support for volunteer led museums will be carried out as proposed within the application.

2. Council do not accept the funding and provide alternate direction to staff.

Implications: The project would not be delivered, and the funding would not be received.

Background

The Regional Cultural Fund (RCF) has been established by the NSW Government to support the development of cultural infrastructure (including digitisation) in regional NSW that enables bold, exciting and diverse arts and cultural activities.

The focus of Rounds One and Two of the Regional Cultural Fund was to support built infrastructure. Following feedback and assessment of applications, a strong need was noted for support of digitisation projects. The Digitisation Round was established to support local councils to set up a 'hub and spoke' model to increase digitisation capabilities in regional NSW.

The RCF digitisation round aims to:

- Maximize the reach of funds by embedding digitisation resources and expertise in regional arts and cultural organisations
- Create or enhance partnership networks, enabling the sector to continue digitisation collections into the future and fully leverage future opportunities
- Complete the Collections and Stories website (pilot project by Museums & Galleries NSW) to enable centralised, high quality access to digitised museum objects dispersed throughout regional NSW and showcase regional collections.

The successful project from the Shoalhaven will see staff from the Regional Gallery, Library and Records work with volunteers from five (5) museums and three (3) external consultants to provide support and skills in all aspects of collection digitisation including, collection management, collection databases, collection care and movement, photography skills, post processing skills, metadata understanding, curatorial writing and record keeping.

The successful delivery of the grant will see:

- Purchase of 5-year e-hive licences for each of the volunteer led museums, providing opportunity and capacity to continue the digitisation project beyond the grant funded period
- Digitisation of at least 50 objects per museum – ensure more than 200 objects from collections across the Shoalhaven are available for viewing online by July 2022
- Use of Shoalhaven City Council's Digital Asset Management System (DAMS) to store in perpetuity the images created of objects through the project
- Training for staff and volunteers in aspects of digitisation
- Creation of a digitisation studio at Shoalhaven Regional Gallery.

Across the Shoalhaven there are more than 250,000 cultural objects, ranging from the personal archives of artist Arthur Boyd, to decommissioned Naval Aircraft, photos, and archives association with the Bomaderry Children's Home (birthplace of the Stolen Generation) and 5 National Historic Vessels. This grant will help to mitigate some of the threats faced by the collections and begin the process of creating a full and complete digital record of those collections managed by volunteers. Through the Hub and Spoke model we will support our communities to access their cultural history in new ways and provide a resource that will be able to be utilised by many different community groups into the future.

Community Engagement

The Regional Cultural Fund Digitisation Project will work directly with five (5) volunteer led organisations. These are:

- Lake Tabourie Museum Foundation
- Milton Ulladulla Historical Society
- Kangaroo Valley Pioneer Village & Historical Society
- Berry Historical Society
- Bomaderry Children's Home

Following the grant period, the digitisation studio will be made available to a wide range of community groups and organisations. There are several organisations who have already expressed an interest in the facilities that will be provided including Sydney Living Museums, Bundanon, Southland, Vincentia Matters and Jerrinja Community.

Financial Implications

The grant application stated that \$5,000 will be contributed to the project costs through the operational budget of the Arts and Culture Unit. There will also be an ongoing cost to support IT licences and storage upgrades for the DAMS (approx. \$2,000pa) and upgrade of equipment for the digitisation studio after a 3-5 year period. The use of the studio and each component of the equipment will be reviewed and assessed prior to any upgrades occurring to ensure the items are essential and that the studio is fulfilling the purpose it was established for.

Risk Implications

There is a reputational risk associated with not accepting the grant. The grant funds were announced by the Minister for the Arts in a media call, and the organisations involved in the project are all very enthusiastic about the opportunity for digitisation and upskilling provided through this grant.

SA21.105 Acceptance of Bushfire Community Recovery and Resilience Fund - Stream 2 Grants and 12 Month Extension of Community Recovery Officer Funding

HPERM Ref: D21/179057

Department: Community Connections

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To inform and seek Council approval to accept the:

- Bushfire Community Recovery and Resilience Fund Stream 2 Grant to fund a 12-month fixed term Project Officer to work with fire affected communities to develop Community Needs Assessments.
- Resilience NSW funding to extend the appointment of the Community Recovery Officer position for a further 12 months.

Recommendation (Item to be determined under delegated authority)

That Council

1. Accept the Bushfire Community Recovery and Resilience Fund Stream 2 Grant offer of \$170,915.00 to fund a 12-month fixed term position to deliver Community Needs Assessments for Bushfire Affected Communities.
2. Accept the Resilience NSW Funding of \$220,000 to extend the Bushfire Recovery Officer Position for a further 12 months and acknowledge that this funding includes an additional \$70,000 for programs.
3. Authorise the Director – City Lifestyles to sign the funding agreement with Resilience NSW for the above projects.
4. Write to the Minister David Littleproud MP, Minister for Agriculture, Drought and Emergency management to thank him for the additional Funding for the Community Recovery Officer.
5. Write to Minister John Barilaro MP, Minister for Regional NSW, Industry and Trade to thank him for the funding granted through the Bushfire Community Recovery and Resilience Fund for a Community Project Officer to deliver needs assessments to Bushfire affected communities in the Shoalhaven.

Options

1. Council accepts:
 - a. The Resilience NSW funding through the Bushfire Community Recovery and Resilience Fund of \$170,915 to fund a 12-month fixed term position to deliver community needs assessments for Bushfire affected communities and accepts the

SA21.105

Implications:

- Council will employ a dedicated Project Officer to work with fire affected communities to produce at least 15 Community Needs Assessments for individual communities.
 - Communities will be engaged in the planning process and encouraged to advocate for their communities.
 - Communities will have their own needs assessment document to assist with future funding and grant applications.
 - Council will map community assets.
- b. The Resilience NSW extension funding for the Community Recovery Officer.
- Council will receive up to \$150,000 for position related costs and an additional \$70,000 for projects.
 - Council's Recovery Officer role will be broadened to include supporting flood affected communities and business.
 - Council's current Community Recovery Officer role will be extended to October 2022.
2. Council rejects the recommendations and does not accept the funding.

Implications

- May create a community perception that Council does not support community initiatives or localised planning.
- Council's recovery initiatives will be transferred to the Community Capacity Building team as part of business as usual.

Background

Bushfire Community Recovery and Resilience Fund

On 29 September 2020, the Bushfire Community Recovery and Resilience Fund (BCRRF)– Phase Two was opened. Phase Two of the BCRRF supports community recovery by funding \$25 million worth of projects that promote community well-being, social and broader recovery and future disaster resilience following the bushfires.

Councillors were briefed on Council's proposed submission on 19 November 2020.

The project has been successful in attaining grant funding of \$170,915 to employ a 12-month fixed term position within council to deliver a strategic consultative process to identify community issues, gaps in service provision and underlying community strengths and causes of hardship in identified fire affected communities as well as mapping assets.

The funding provides for \$126,465 staffing costs including wages and on costs as well as \$44,450 for engagement activities, projects, and marketing, promotion, and recruitment.

The resulting reports will provide an opportunity for Council and community members to develop solutions to address these identified issues. The 15 communities have been selected because they were affected by the 2019/2020 bushfires. They are communities where the impact of the fires is still being felt and who are still working through their recovery. It is proposed to develop the needs assessments in the following communities:

- Kangaroo Valley (including Budgong and surrounds)
- Sussex Inlet
- Wandandian

- North Durras/Depot Beach
- Brooman / Mogood / Morton
- Kioloa/Bawley Point
- Lake Tabourie/Woodburn
- Conjola Park / Lake Conjola
- Fishermans Paradise
- Manyana/Bendalong
- Milton and Surrounds (including Yatte Yattah)
- North Nowra and surrounds
- Woollamia / Falls Creek and Parma
- Sassafras / Tianjara
- Tomerong

Council will foster a collaborative approach within communities to map assets, identify gaps and explore opportunities for economic and social improvement. Council will work collaboratively with community to identify and encourage collective action on issues which are important to them, to improve community safety, increase community cohesion, reduce social isolation, and improve employment opportunities.

This project was inspired by conversations with the Fisherman's Paradise community who had requested a piece of work like this. It compliments existing work, funded by Building Better Regions, within Council to empower the communities of Bomaderry, Sanctuary Point and Orient Point to develop Community Needs Assessments through a strengths-based approach.

In scoping this project, Council have received support from the communities in Budgong, Conjola, Fisherman's Paradise, Lake Tabourie, Huskisson / Woollamia and Sussex Inlet.

Community Recovery Officer funding extension

On 8 April 2021, the Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management, announced a 12-month extension to the provision of NSW bushfire Community Recovery Officers (CRO), with their support services extended to flood recovery as well.

The extension means community-based liaison officers are available to help bushfire and flood victims navigate immediate assistance, grants for household and structural repairs, and other recovery needs.

Minister Littleproud said local council-appointed CROs, together with the Commonwealth recovery officers, are well placed to understand disaster recovery within their communities – bushfire or flood.

The current Community Recovery Officer is employed until October 2021. This funding of \$220,000 will enable Council to extend this to October 2022 and will enable Council to retain a focus on community recovery without reverting to Business as Usual.

The funding includes \$150,000 towards employment costs (wages and on costs) and an additional \$70,000 of program funding to support Shoalhaven communities in their recovery. When submitting the grant application for the BCRRF, Council liaised with CCB's in fire affected communities to ascertain buy-in. Council received no negative feedback and

received emails of support from CCB's and community groups in Budgong, Conjola, Fisherman's Paradise, Huskisson / Woollamia, Lake Tabourie and Sussex Inlet.

A broad round of community consultation will occur when the new Project Officer is in place to ensure local buy-in to the process when we commence work on the needs-assessments. The final list of participating communities will be ascertained following consultation and recruitment.

Financial Implications

Both of the above grants are 100% funded and require no contribution from Council.

The Recovery Officer funding requires Council to expend the funds and claim them back via reimbursement on a quarterly basis.

SA21.106 Thurgate Oval - Proposed Dog Park - Status Update

HPERM Ref: D21/190948

Department: Community Planning & Projects
Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

This report has been prepared in response to MIN21.25, in order to update Councillors on the project, as well as provide recommendations which will allow for the actioning of Item 4 of MIN21.25.

Recommendation (Item to be determined under delegated authority)

That Council

1. Request Bomaderry Community Inc. provide detailed construction-ready designs and quantity survey / estimate of probable costs to Council staff.
2. Write to the Community Building Partnerships program supporting the extension of the Community Building Partnerships funding granted to Bomaderry Community Inc. into the next financial year in order to align with the funding identified in the Draft DPOP for Thurgate Oval Dog Park.
3. Continue to work in collaboration with Bomaderry Community Inc to deliver Thurgate Oval Dog Park.
4. Establish a Council-led Project Control Group comprising relevant Council staff and representatives from Bomaderry Community Inc. and prepare a Project Governance Plan.
5. Continue to support Bomaderry Community Inc. in preparation of grant funding applications.

Options

1. Adopt the recommendation

Implications: Recommendation is cognisant of the need to complete more detailed designs and undertake environmental assessments, investigations, community consultation while being aware of Bomaderry.

2. Adopt an alternative recommendation

Implications: Implications on existing staff resourcing and budgets, depending on nature of the alternative recommendation.

Background

In April 2019, Council received a request from Bomaderry Community Inc for a fenced dog off leash area in Bomaderry. At its September 2019 Strategy & Assets Committee meeting, Council resolved to implement a 12-month trial dog off leash area at Thurgate Oval, Bomaderry (MIN19.634):

1. *Implement a 12 month trial for a designated 24/7 off leash dog area at Thurgate Oval Bomaderry.*
2. *Provide the appropriate signage and information for the trial area.*
3. *A further report be provided to Council on the outcomes and community feedback following the trial or as required.*
4. *CEO provide a report back to Council on fencing options available and costing to enable grant applications.*
5. *Senior staff meet with Bomaderry Community Inc to discuss options and way forward for this project.*

Subsequent to MIN19.634, at the June 2020 Strategy & Assets Committee meeting, Council resolved to support Bomaderry Community Inc through provision of in-kind contributions to formalise Thurgate Oval as a dog off leash area (MIN20.403):

1. *Accept the interim report for information and receive a further in relation to dog off-leash areas once all current dog off-leash trials have been completed.*
2. *Allocate a budget of \$35,500 from savings within the Community Projects 2019/20 Budget for the installation of signage and fencing at West Street, Greenwell Point to formalise the dog off-leash area.*
3. *Support the provision of in-kind contributions from Council to the value of \$29,850 to formalise the dog off leash area at Thurgate Oval in the form of letters of support, site survey, waiver of development fees, rubbish bins, landscaping materials and water supply reticulation to Bomaderry Community Inc in their endeavours to obtain grant and other funding for this project.*
4. *Investigate further upgrade of existing stairs at Victor Avenue, Narrawallee and provide costings in the final report.*
5. *Ensure that Council Rangers continue to patrol the Paradise Beach Sanctuary Point and South Narrawallee Beach areas on a regular basis to reinforce that dogs must be on a leash.*

During this time, Council staff have worked collaboratively with Bomaderry Community Inc and attended regular meetings as members of the project 'Governance Committee' and 'Project Team' to formalise Thurgate Oval as a dog off leash park. These teams are administrated by Bomaderry Community Inc.

In July 2020, Bomaderry Community Inc. submitted draft plans to Council for review, regarding which Council staff provided initial assessment and feedback. A subsequent design was provided in September 2020 addressing some of the matters raised by Council staff. One design element which requires further investigation and consideration is the two Splash Pools. To progress this project further Council have requested that Bomaderry Community Inc provide detailed plans to Council to assist the project in moving forward. Council staff have offered to work with Bomaderry Community Inc to explain the next steps in the process. Staff have progressed the Review of Environmental Factors; however, cannot progress this until detailed plans are received.

At Council's Ordinary Meeting held 25 January 2021, a Notice of Motion was received seeking to endorse the concept plans developed for Thurgate Oval Dog Park, as illustrated in Figure 1 below:



Figure 1 – Thurgate Oval Dog Park (reported to Ordinary Meeting - 25 January 2021)

In response to the Notice of Motion, it was resolved that Council (MIN21.25):

1. *Receive and endorse the final concept Plans for “Bomo” Dog Park at Thurgate Oval Bomaderry*
2. *Receive the Bomaderry Community Inc Governance Plan for “Bomo” Dog Park for information.*
3. *Continue to work and support Bomaderry Community Inc in funding grant applications for the project.*
4. *Receive a report on the ongoing annual maintenance and operational costs to provide the Thurgate Oval Dog Park.*

To date, Bomaderry Community Inc. have received \$25,000 in grant funding through the Community Building Partnerships for fencing materials and labour. It is anticipated through quotations received that additional funding will be required.

This report provides an update to the project and recommends a way forward to manage the development of the Thurgate Oval Dog Off-Leash area.

Item 4 of the above minute asks to receive a report on the ongoing annual maintenance and operation costs to provide the improvements. In order to provide an accurate representation of these costs, Council staff require more detailed plans.

Community Engagement

This is a community driven project on which Bomaderry Community Inc is working in collaboration with Council, and with the assistance of volunteers and local businesses to deliver.

Bomaderry Community Inc is a community-based organisation, which aims to build a stronger, more connected community for Bomaderry and Meroo Meadow. Throughout the process, Bomaderry Community Inc has been actively involving the community in their process using petitions and surveys.

A survey was distributed by Bomaderry Community Inc seeking to understand community interest and desire for a dog park. The survey had 157 respondents, 87.9% of which live within 2541 postcode. These surveys showed strong support for a dog park in the area. A separate petition collected 560 signatures in support.

Council has not yet undertaken its own community consultation in relation to this project; however, a 'Get Involved' page will be established once the project is more progressed to inform the community and, if appropriate, seek feedback.

A Project Control Group (PCG) will be established which will be made up from Council staff and members of the Bomaderry Community Inc. A Governance plan will be drafted and will guide the project. This will facilitate regular communication between all parties involved in this project, ensure decisions are documented and the project budget along with any variation are managed appropriately.

Financial Implications

The draft DPOP has \$50,000 identified for Thurgate Oval Dog Off-Leash Area in 2021/22; in addition, as per MIN20.403 above, Council has committed to providing \$29,850 as an in-kind contribution for provision of a fenced dog off-leash area at Thurgate Oval, in the form of:

- Letters of support
- Site survey
- Waiver of development fees
- Rubbish bins
- Landscaping materials
- Water supply reticulation

The cost to deliver the dog park as endorsed are estimated by Bomaderry Community Inc to be in excess of \$300,000, excluding in-kind contributions. It should be noted that elements of the park have not been quoted for; as such the cost of the park may increase when quotes / quantity survey are received.

Council staff are aware of elements being proposed which are not included in the plans received. It is hoped that clarification will be gained through the receipt of more detailed plans.

Risk Implications

Flooding

Thurgate Oval is flood affected and categorised as a High Hazard flood storage zone. Flood events in future may cause damage to any infrastructure installed and may require premature replacement of assets. These flood events have potential to increase the asset's maintenance and operational costs, depending on severity of flooding events. The extent that future flood events may damage infrastructure is not known.

Splash Pools

Inclusion of water elements presents increased risk for management by Council. The proposed Splash Pools should comply with NSW Office of Local Government Water Safety Practice Note 15. Dependent on the size of the body of water, Council is required to carefully consider:

- Water safety aspects
- Treatment / filtration for public health
- Any body of water will become attractive to potential swimmers - Council needs to consider, whilst not constructed as a public swimming pool, there are intrinsic risks associated with the asset - young children will not see the difference and / or its dangers.

Water Safety Practice Note 15 provides some guidance to Councils in risk management. Risk mitigation measures would need to be explored once a detailed design is received from Bomaderry Community Inc., which may include aspects which may increase the project's capital cost as well as operational and maintenance costs.

Acid Sulphate Soils

The site contains Acid Sulphate Soils. The presence of Acid Sulphate Soils at Thurgate Oval may require a specialist consultant to be engaged to manage the disposal of the affected soil. This may increase project delivery/investigation cost.

Project Management

This is a community driven project which will require oversight from Council to ensure due diligence and compliance with any environmental controls are met as the project progresses from concept stage, to detailed design / investigation and onto the construction and delivery stage.

To assist with the delivery and project management aspects it is proposed that Council establish a formal Project Control Group with representatives from Bomaderry Community Inc. and relevant Council staff who can provide professional support, advice and guidance. It is also proposed that Council staff prepare a Project Governance Plan.

Funding

While some funding has been identified for this project, the current capital cost is substantially greater than what is available. There is potential, through a Council-led PCG, to identify staged development of Thurgate Oval in order to deliver within the available budget.

Council staff are aware that Bomaderry Community Inc intend to initially deliver the fence and associated civil works and earthworks. However, due to the unknown costs of some elements, and the need for environmental controls, the identified budget may still not be adequate to deliver the fence in its current form.

SA21.107 Shoalhaven Water - Debt Write Off - Telecommunications Rent

HPERM Ref: D21/118665

Department: Water Business Services

Approver: Robert Horner, Executive Manager Shoalhaven Water

Reason for Report

To provide Council with an opportunity to consider writing off (particular) Telecommunications Rental debts at the following sites:

1. Mt Cambewarra Telecommunications Facility
2. Vincentia Telecommunications Facility

Further information regarding the Telecommunications Rent is provided in a separate confidential report in accordance with Section10A(2)(c) of the Local Government Act 1993, which provides that matters concerning information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section10A(2)(c) of the Local Government Act 1993, consider a separate confidential report to consider writing off the debt in relation to Telecommunications Rent at Mt Cambewarra Telecommunications Facility.

Options

1. Proceed in accordance with the recommendation.

Implications: This matter will be considered by Council in a confidential meeting.

2. Propose an alternative and provide further direction to staff.

Background

Staff have attempted to recover monies owed to Council in relation to the debts listed in the Confidential Report, which has included the engagement of an external debt recovery organisation and legal counsel.

In circumstances where it is considered that any further action taken to recover monies owing would not be cost effective, it is proposed that these debts be written off in accordance with the Local Government (General) Regulation 2005 – REG 213.

SA21.108 Sale of Surplus Council Land at Terara

HPERM Ref: D21/136112

Department: Water Asset Planning & Development

Approver: Robert Horner, Executive Manager Shoalhaven Water

Attachments: 1. Plan of Land to be Sold - Part of Lot 1 DP594857 [↓](#)

Reason for Report

To vary previous Council Resolution MIN15.664 by approving the sale of part of Lot 1 DP594857 to Gerard Lamond for a reduced price of \$54,200.

The land to be sold is shown edged red on attached 'Plan of Land to be Sold'. Part of Lot 1 DP594857, highlighted yellow on the plan, has been excluded from the sale due to Council infrastructure constructed over that land.

Recommendation

That Council:

1. Resolve to vary MIN15.664 and:
2. Sell part of Lot 1 DP594857, shown edged red on 'Plan of Land to be Sold', for an amount of \$54,200.
3. Reimburse the purchaser's reasonable legal costs from Council's REMS Sewer Scheme Fund, in accordance with the original land exchange agreement with the adjoining landowner. Proceeds from the sale of the Council land are to be paid to that fund to partially offset the acquisition costs.
4. If necessary, adjust the purchase price for the lands in accordance with the area determined by final survey plan.
5. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.
6. Approve a subdivision of Lot 1 DP594857 under officer delegation.

Options

1. Resolve as recommended. The land to be sold is surplus to Shoalhaven Water requirements and was part of a land exchange agreement with the adjoining owner to facilitate construction the Nowra Sewerage Treatment Plant (STP).
2. Not resolve as recommended and provide further directions to staff.

Background

MIN15.664 approved the sale of Lot 1 DP594857 and Lot 102 DP1067213 for \$68,000 as a component of a land exchange with the adjoining owner, Gerard Lamond. Lot 102 was sold in 2016 for \$13,700 in conjunction with the acquisition of land from Mr Lamond for the new Nowra STP. The sale price for Lot 1 was therefor the balance of \$54,300.

Lot 1 DP594857 was a drainage channel made surplus by the new Nowra Wastewater Treatment Plant. The sale of the land could not proceed until the treatment plant was

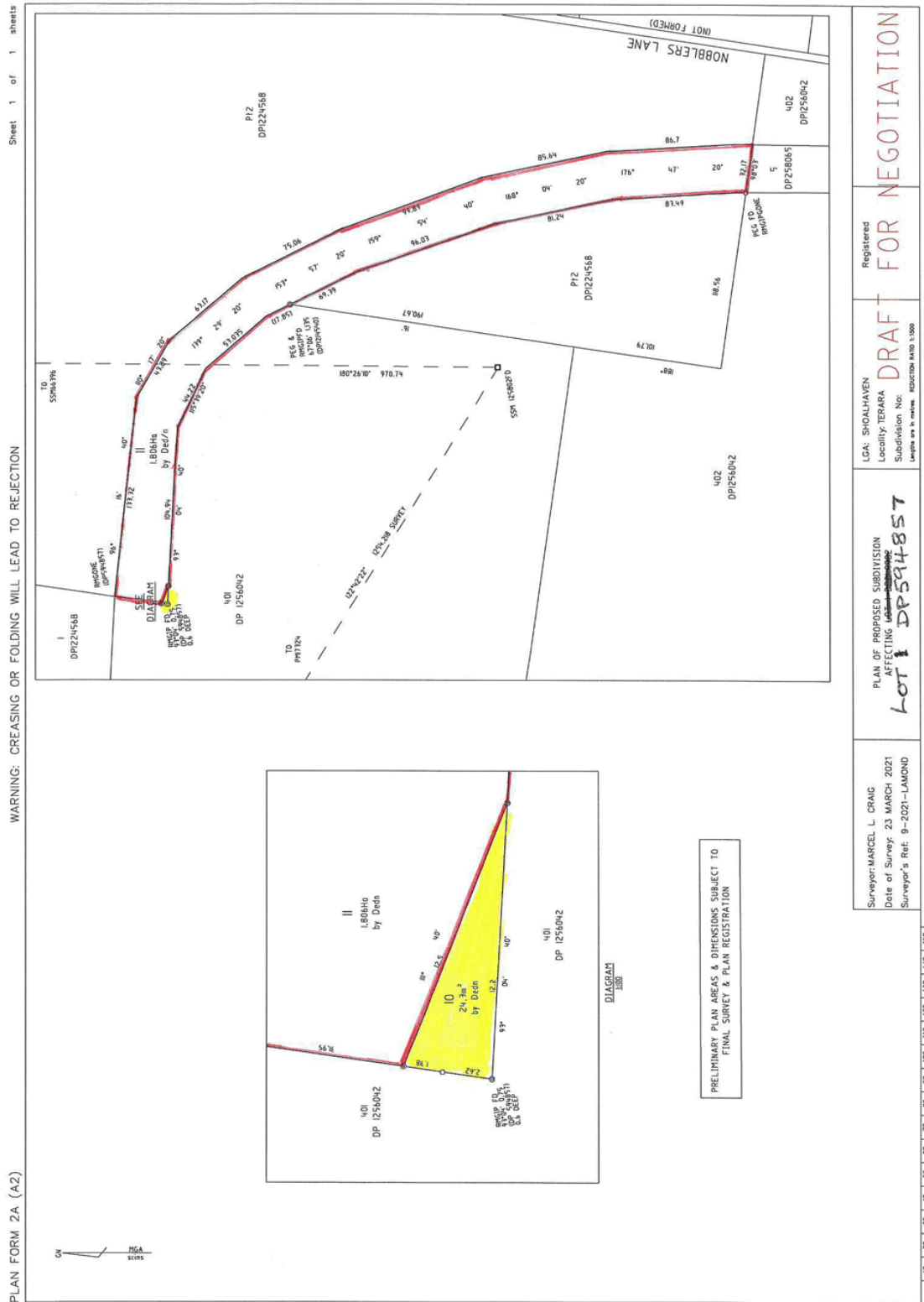
constructed, became operational and a staged filling of the channel and a water storage pond were undertaken.

A survey undertaken following completion of the construction work has identified that sewerage infrastructure has encroached on a corner of Lot 1. A small triangular area is to excised from Lot 1 for the infrastructure and also for improved access into the Nowra STP site. An application for a subdivision of Lot 1 is recommended to be submitted for approval by Council under officer delegation.

The sale price for the reduced area has been adjusted on a pro-rata basis to \$54,200 and agreed by the purchaser. If necessary, the sale price is to be adjusted in accordance with the area determined by the final survey plan.

Financial Implications

Proceeds from the sale of the Council land is to be paid to Council's REMS Sewer Scheme Fund to partially offset the associated acquisition costs.



SA21.108 - Attachment 1

SA21.109 Acquisition of Easement for Sewerage Purposes - 14&16 Daley Crescent North Nowra

HPERM Ref: D21/151649

Department: Water Asset Planning & Development

Approver: Robert Horner, Executive Manager Shoalhaven Water

Attachments: 1. DP644296 - Easement Plan [↓](#)

Reason for Report

To seek Council approval to acquire an Easement for Sewerage Purposes 3 metres wide over Lots 19 & 20 DP 22131, Nos. 14-16 Daley Crescent, North Nowra from Edward and Maria Jolly. The easement is shown highlighted on the attached copy of DP644296 and is required for an existing sewer rising main.

Recommendation

That

1. Council acquire an Easement for Sewerage Purposes 3 metres wide over part of Lots 19 & 20 DP22131, Nos. 14-16 Daley Crescent North Nowra as shown highlighted on the attached copy of DP 644296.
2. Council pay compensation of \$19,000, plus GST if applicable, and reasonable legal and valuation costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

Options

1. Resolve as recommended.

Implications: Acquisition of the easement is required to formalise existing Shoalhaven Water sewer infrastructure.

2. Not resolve as recommended and provide further directions to staff.

Background

The subject sewer rising main was constructed in 1971 over private land, being Lots 19 & 20 DP22131. At that time no legal entitlement was created to benefit Council for future repair, maintenance and protection of the Shoalhaven Water asset.

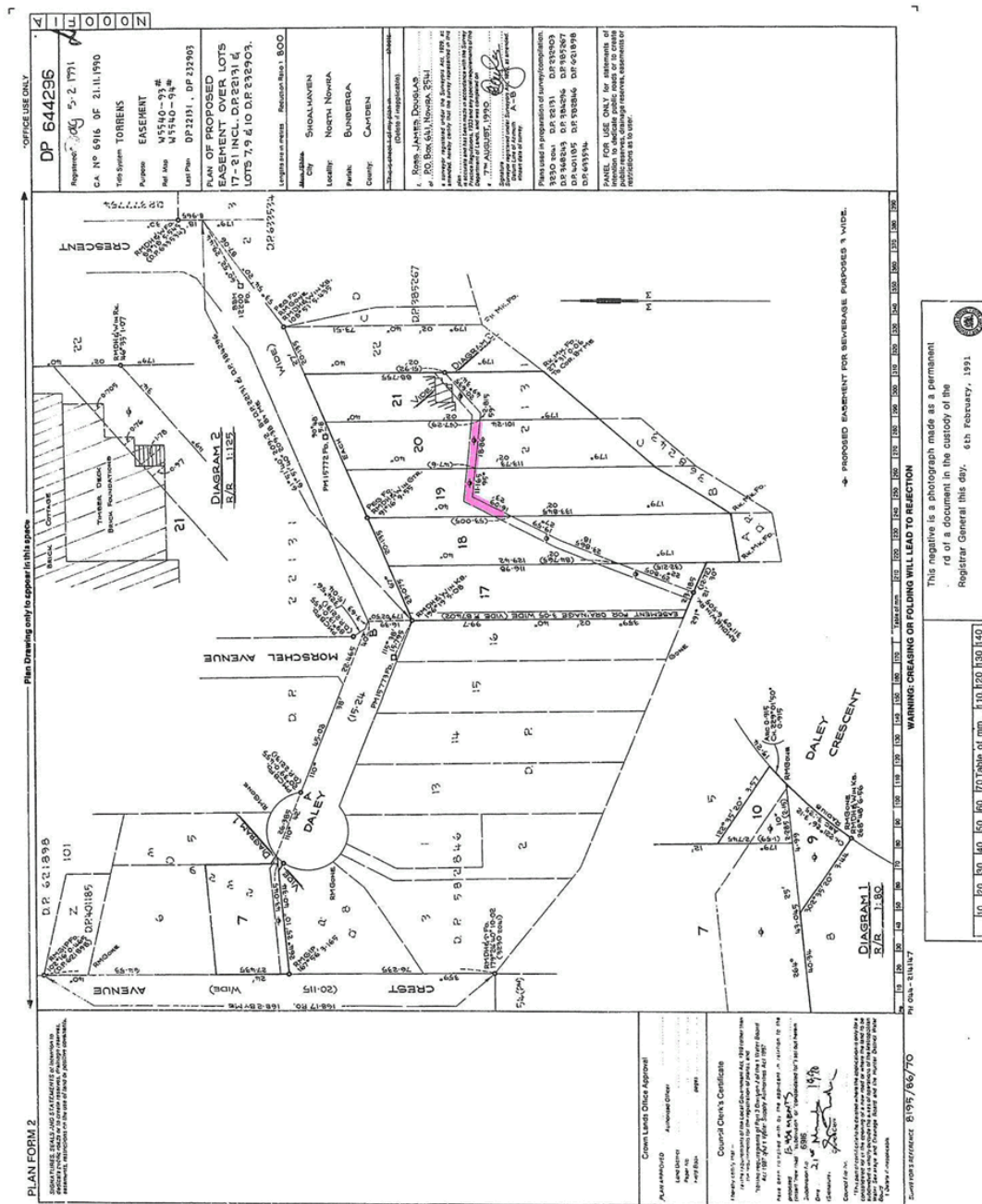
A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easement at \$15,000, excluding GST. A conditional offer was made at that amount plus reasonable costs associated with the acquisition.

In response, the owners' Solicitor submitted a valuation and claim in the amount of \$19,000. The Walsh & Monaghan valuer revised his assessment to \$17,000, based on information contained in the owners' valuation, and subsequently advised that the claim of \$19,000 was within reasonable limits to achieve a negotiated agreement.

Risk Implications

Acquisition of the easement is necessary to secure Shoalhaven Water's legal operation and maintenance of essential public infrastructure. The proposed action is administrative and has no environmental impact.

.



SA21.109 - Attachment 1

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

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

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

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

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