

Strategy and Assets Committee

Meeting Date: Tuesday, 10 December, 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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

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

Agenda

1. **Apologies / Leave of Absence**
2. **Confirmation of Minutes**
 - Strategy and Assets Committee - 12 November 20191
3. **Declarations of Interest**
4. **Call Over of the Business Paper**
5. **Mayoral Minute**
6. **Deputations and Presentations**
7. **Notices of Motion / Questions on Notice**
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9. Confidential Reports

Reports

CSA19.19	Tenders - Trade Services Panel - 2020/2021 <i>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.</i> <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.</i>
CSA19.20	Tenders - Hardware Supply Panel 2020/2021 <i>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.</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.

CSA19.21 Materials Recovery Facility (MRF) proposal - Business Case

Local Government Act - Section 10A(2)(d)(ii) - Information that would, if disclosed, confer a commercial advantage on a competitor of the council.

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.

CSA19.22 Expressions of Interest - Water and Sewer Mains Construction Panel

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

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

Strategy and Assets Committee

Delegation:

Pursuant to s377(1) of the *Local Government Act 1993* (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, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager;
- 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 General Manager or cannot be delegated by Council;
- f. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with 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;

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- 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, except those tenders required by law to be determined by full Council (MIN17.334).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 12 November 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Amanda Findley – arrived 5.04pm
Clr Patricia White
Clr Kaye Gartner – arrived 5.02pm
Clr Nina Digiglio
Clr Annette Alldrick – arrived 5.03pm
Clr John Levett
Clr Mark Kitchener
Clr Bob Proudfoot
Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

Apologies were received from Clr Watson, Clr Pakes, and Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Gash / Clr Digiglio) MIN19.823

That the Minutes of the Strategy and Assets Committee held on Tuesday 08 October 2019 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

The following items were called up for debate:

SA19.172, SA19.174, SA19.178, SA19.179, SA19.182, SA19.184, SA19.185, SA19.189,
SA19.190, SA19.195, SA19.196

The remaining items were resolved en bloc (Clr Levett / Clr White) at this time. They are marked with an asterisk (*) in these Minutes.

DEPUTATIONS AND PRESENTATIONS

Cllrs Findley, Gartner and Alldrick arrived during the following deputations.

SA19.171 Notice of Motion - Dog Off Leash Area – West Street, Greenwell Point

Ms Debra Robertson addressed the meeting and spoke in favour of the recommendation.

SA19.178 Falls Road Falls Creek – Bicycle Access

Mr Cliff Wilson addressed the meeting and spoke against the recommendation.

MAYORAL MINUTES

MMS19.4 Mayoral Minute - Plan to Save-our-Recycling

**HPERM Ref:
D19/378240**

Recommendation (Item to be determined under delegated authority)

That Council support the Save Our Recycling campaign, which is being coordinated on behalf of the sector by LGNSW.

1. Shoalhaven City Council has and will continue to advocate for faster change in the waste and recycling sector. The growing imperative to manage waste and recycling within NSW needs urgent action from the State Government to assist in building a circular economy.
2. That Council recognises initiatives and projects taken within the Shoalhaven local government area to help achieve this goal for example our Home Sustainability Program, supporting Take3For the Sea, and more recently our adoption of a recycled content procurement policy.
3. That Council endorses Local Government NSW's sector wide *Save our Recycling* campaign, and asks the State Government to reinvest the Waste Levy in:
 - a. Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - b. The delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified
 - c. Support for the purchase of recycled content by all levels of government, to help create new markets
 - d. Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance
4. That Council write to the local State Members The Hon. Shelley Hancock MP and The Hon. Gareth Ward MP, the Minister for Energy and Environment The Hon. Matthew Kean MP, NSW Treasurer The Hon. Dominic Perrottet MP, Premier The Hon. Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP and Shadow Minister for Local Government Greg Warren MP to confirm their support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
5. That Council formally write to its own Youth Advisory Committee advising its members of its support for the *Save Our Recycling* campaign and asking them to consider endorsing and sharing it with their own networks across the Shoalhaven local government area.
6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute

7. That Council shares and promotes the *Save Our Recycling* campaign via its digital and social media channels and via its networks.

RESOLVED (Clr Findley / Clr Digiglio)

MIN19.824

That Council support the *Save Our Recycling* campaign, which is being coordinated on behalf of the sector by LGNSW.

1. Shoalhaven City Council has and will continue to advocate for faster change in the waste and recycling sector. The growing imperative to manage waste and recycling within NSW needs urgent action from the State Government to assist in building a circular economy.
2. That Council recognises initiatives and projects taken within the Shoalhaven local government area to help achieve this goal for example our Home Sustainability Program, supporting Take3For the Sea, and more recently our adoption of a recycled content procurement policy.
3. That Council endorses Local Government NSW's sector wide *Save our Recycling* campaign, and asks the State Government to reinvest the Waste Levy in:
 - a. Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - b. The delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified
 - c. Support for the purchase of recycled content by all levels of government, to help create new markets
 - d. Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance
4. That Council write to the local State Members The Hon. Shelley Hancock MP and The Hon. Gareth Ward MP, the Minister for Energy and Environment The Hon. Matthew Kean MP, NSW Treasurer The Hon. Dominic Perrottet MP, Premier The Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP and Shadow Minister for Local Government Greg Warren MP to confirm their support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
5. That Council formally write to all of its advisory committees and Community Consultative Bodies, and more broadly across the Shoalhaven community, advising of its support for the *Save Our Recycling* campaign and asking them to consider endorsing and sharing it with their own networks across the Shoalhaven local government area.
6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute
7. That Council shares and promotes the *Save Our Recycling* campaign via its digital and social media channels and via its networks.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Digiglio / Clr White)

MIN19.825

That the matter of the following items be brought forward for consideration:

- SA19.171 – Notice of Motion - Dog Off Leash Area – West Street, Greenwell Point
- SA19.178 – Falls Road Falls Creek – Bicycle Access

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA19.171 Notice of Motion - Dog Off Leash Area - West Street, Greenwell Point

**HPERM Ref:
D19/379461**

Recommendation (Item to be determined under delegated authority)

That Council

1. In conjunction with Greenwell Point Community Association and other representative groups in the area, implement a twelve-month trial of a designated 24/7 dog off leash area in West Street, Greenwell Point adjacent to and south of the Pine Park Tourist Grounds.
2. Provide the appropriate signage, fencing and infrastructure to conduct the trial and report back to Council at its conclusion with funding options to formalise the area as a permanent facility if that is the consensus view of the Community.

RESOLVED (Clr Levett / Clr Findley)

MIN19.826

That Council

1. In conjunction with Greenwell Point Community Association and other representative groups in the area, commit to implement a designated 24/7 dog off leash area in West Street, Greenwell Point adjacent to and south of the Pine Park Tourist Grounds.
2. Subject to the identification of appropriate funding, provide the appropriate signage and fencing and report back to Council with funding options to formalise the area as a facility if that is the consensus view of the Community.

CARRIED

REPORTS

SA19.178 Falls Road Falls Creek – Bicycle Access

**HPERM Ref:
D19/299762**

Recommendation (Item to be determined under delegated authority)

That Council note the public feedback in relation to the proposed low-cost mountain trail bike (MTB) route (to be established on the existing unformed section of Falls Road, Falls Creek) and given the objections from the property owners adjacent to the unformed road section, take no action to progress this route until the PAMP is reviewed and adopted. Any action from then on would be in accordance with the newly adopted PAMP.

RESOLVED (Clr Alldrick / Clr Digiglio)

MIN19.827

That Council note the public feedback in relation to the proposed low-cost mountain trail bike (MTB) route (to be established on the existing unformed section of Falls Road, Falls Creek) and given the objections from the property owners adjacent to the unformed road section, take no action to progress this route until the Pedestrian Access Mobility Plan (PAMP) is reviewed and adopted. Any action from then on would be in accordance with the newly adopted PAMP.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Stephen Dunshea

AGAINST: Clr Kitchener and Clr Proudfoot

CARRIED

SA19.172 Sanctuary Point Skatepark Minor Upgrade

**HPERM Ref:
D19/346776**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note the contents of the report for information.
2. Approve the use of the NSW Crime Prevention Grant monies up to \$50,000 to do additional works as described at Sanctuary Point Skatepark
3. Continue to prepare grant funding application to source monies to contribute to this project.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN19.828

That Council:

1. Receive and note the contents of the report for information.
2. Approve the use of the NSW Crime Prevention Grant monies up to \$50,000 to do additional works as described at Sanctuary Point Skatepark
3. Continue to prepare grant funding application to source monies to contribute to this project.

CARRIED

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

**SA19.173 Acceptance Grant Funding - NSW State Funding -
\$4,000,000 Stage 1 Berry Rotary Nature Play -
Boongaree**

**HPERM Ref:
D19/351678**

RESOLVED* (Clr Levett / Clr White)

MIN19.829

That Council

1. Accept the State Government grant funding offer of \$4,000,000 for the delivery of Stage 1 of the Project (Berry Rotary Nature Play)
2. Delegate authority to the CEO or nominee, to negotiate the Memorandum of Understanding (MoU) with Berry Rotary, and The Deed of Agreement with the NSW State Government and Berry Rotary to accept and acquit the grant funding
3. Write to the State Government Minister for Planning, The Hon. Rob Stokes and the Minister for Families, Communities and Disability Services, The Hon. Gareth Ward to thank them for the grant offer.

CARRIED

SA19.174 St Georges Basin - Siltation - Silt Trap Screening

**HPERM Ref:
D18/433429**

Recommendation (Item to be determined under delegated authority)

That Council

1. Note that staff are undertaking the following activities in an effort to adopt best practice soil and water management practices as the most effective way to prevent siltation build up in St. George's Basin:
 - a. Carrying out targeted audits of Council owned and managed land within the Collett Place catchment and work with asset managers to ensure compliance with best practice.
 - b. Actively maintain existing sedimentation retention traps already installed about the Basin area.
 - c. Being more diligent in the inspections of compliance of sedimentation management systems, of new developments.
2. Note that an achievable plan to remove the silt build-up in St George's Basin, located near the discharge point of the drain at the bottom of Collett Place, is as follows and this plan will be included in Council's Draft 10 Year Capital Listing for consideration during its 2020-2021 budget deliberations
 - a. Excavate the plume to a depth of 300mm using a land-based excavator and trucks
 - b. Dry the material on site and
 - c. Dispose of the material at the Huskisson Landfill
 - d. Estimated cost of \$70,000 (exc GST)
3. Note that all development applications for subdivision and building works with the Shoalhaven require a sedimentation and erosion control plan which forms part of the overall approval. Development consents also contain conditions requiring the need to maintain sedimentation and erosion controls until sites are stabilised (e.g. the grassing of bare earth areas). These conditions are enforced by Council's Certifiers, Compliance Officers and Rangers. Council can also issue directions under the Protection of the Environment Operations Act to have pollution incidents remedied.

RESOLVED (Clr Proudfoot / Clr Findley)

MIN19.830

That Council

1. Note that staff are undertaking the following activities in an effort to adopt best practice soil and water management practices as the most effective way to prevent siltation build up in St. George's Basin:
 - a. Carrying out targeted audits of Council owned and managed land within the Collett Place catchment and work with asset managers to ensure compliance with best practice.
 - b. Actively maintain existing sedimentation retention traps already installed about the Basin area.
 - c. Being more diligent in the inspections of compliance of sedimentation management systems, of new developments.
2. Note that an achievable plan to remove the silt build-up in St George's Basin, located near the discharge point of the drain at the bottom of Collett Place, is as follows and this plan will be included in Council's Draft 10 Year Capital Listing for consideration during its 2020-2021 budget deliberations
 - a. Excavate the plume to a depth of 300mm using a land-based excavator and trucks

- b. Dry the material on site and
 - c. Dispose of the material at the Huskisson Landfill should the excavated material not be suitable for a beneficial public use
 - d. Estimated cost of \$70,000 (exc GST)
3. Note that all development applications for subdivision and building works with the Shoalhaven require a sedimentation and erosion control plan which forms part of the overall approval. Development consents also contain conditions requiring the need to maintain sedimentation and erosion controls until sites are stabilised (e.g. the grassing of bare earth areas). These conditions are enforced by Council's Certifiers, Compliance Officers and Rangers. Council can also issue directions under the Protection of the Environment Operations Act to have pollution incidents remedied.

CARRIED

SA19.175 Millards Creek and Ulladulla Harbour - Gross Pollutant Traps and Water Quality Feasibility

**HPERM Ref:
D19/187333**

RESOLVED* (Clr Levett / Clr White)

MIN19.831

That Council note:

- 1. There are in excess of 30 drainage outlets discharging into the Millard's Creek Catchment and that installing a Gross Pollutant Trap at each location would cost in excess of \$1.5 million in total.
- 2. The CEO (Director Assets and Works) has identified projects to the approximate value of \$500,000 that includes, restoring current headwalls and structures, rock lining outlets and installing waste nets as appropriate to improve the quality of water entering the Ulladulla Harbour from the Millard's catchment and that these projects will be listed in the draft 10 year capital listing for Council's 2020/2021 budget considerations.

CARRIED

SA19.176 Ulladulla Boat Launching Ramp – Urgent Maintenance Funding

**HPERM Ref:
D19/299788**

RECOMMENDATION* (Clr Levett / Clr White)

That Council

- 1. Note that in relation to the Ulladulla Boat Launching Ramp:
 - a. There are large voids under the existing concrete slabs. The slabs have been designed as "slab on ground" structures and not suspended structures;
 - b. The toe of the eastern ramp has completely failed resulting in large sections of concrete dislodging and becoming a potential navigation/boating hazard for users. Failure of the ramp toe also makes it more restrictive for use at lower tides.
 - c. The estimated cost to reconstruct the ramp is approximately \$200,000 (exc GST)
- 2. Allocate \$10,000 in the next quarterly review to allow the CEO (Director Assets and Works) to undertake the necessary designs and approvals to allow an accurate cost estimate and project plan to be produced, and that a reconstruction allocation to be considered in the 2020-2021 budget deliberations.

CARRIED

SA19.177 Lake Conjola Boating Infrastructure Improvements

**HPERM Ref:
D19/299774**

RESOLVED* (Clr Levett / Clr White)

MIN19.832

That Council:

1. Note the outcome of the August 2019 community consultation process and proceed with improvements to the Conjola Lake entrance carpark at an estimated cost of \$100,000 (as approved by the RMS and funded from Round 2 of Transport for NSW Boating Now program).
2. Reconfirm Havilland Street West Conjola Master plan (Ref D19/177478) – a ball park cost estimate for this project is approximately \$3M – as the preferred location for a new boat launching facility in Lake Conjola and undertake preliminary earthworks, clearing and a preliminary boat ramp to accommodate a single launching to the value of \$300,000 in accordance with the Master Plan, and the CEO (Director Assets and Works) identify further stages in Council's Draft 10 Year Capital List (Council Funds and Grant Funds) for consideration during the 2020-2021 budget deliberations.

CARRIED

SA19.178 Falls Road Falls Creek – Bicycle Access

**HPERM REF:
D19/299762**

Item dealt with earlier in the meeting see MIN19.827

**SA19.179 Local Government Road Safety Program 2019/2020 -
Approved Projects - Thank RMS for Funding Assistance.**

**HPERM Ref:
D19/352942**

Recommendation

That Council writes to NSW Roads and Maritime Services (RMS) and the local State Members, thanking them for funding towards the 2019/20 Road Safety Program and accept and vote the grant funding offer of \$12,850(Ex GST) from RMS as follows:

1. \$2,200 for Motorcycle Safety – Motorcycle Accident Management Training.
2. \$9,150 for Share the Track – the path is ours to share pedestrian and cycling safety.
3. \$600 for Helping learner drivers become safer drivers – GLS workshops.
4. \$900 for Look out before you step out pedestrian safely.
5. \$5000 for Bike Week (directly paid by RMS).
6. Slow Down Hold my Hand – Holiday time pedestrian Little Blue Dinosaur campaign (no funds required).
7. Speed Monitoring on Local Roads (paid directly by RMS).
8. Breath Testing at Local Events (paid directly by RMS).
9. 65 + Older Drivers Presentations (paid directly by RMS).
10. U turn the Wheel youth program (paid directly by Rotary).

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council writes to NSW Roads and Maritime Services (RMS) and the local State Members, thanking them for funding towards the 2019/20 Road Safety Program and accept and vote the grant funding offer of \$12,850(Ex GST) from RMS as follows:

1. \$2,200 for Motorcycle Safety – Motorcycle Accident Management Training.
2. \$9,150 for Share the Track – the path is ours to share pedestrian and cycling safety.
3. \$600 for Helping learner drivers become safer drivers – GLS workshops.
4. \$900 for Look out before you step out pedestrian safely.
5. \$5000 for Bike Week (directly paid by RMS).
6. Slow Down Hold my Hand – Holiday time pedestrian Little Blue Dinosaur campaign (no funds required).
7. Speed Monitoring on Local Roads (paid directly by RMS).
8. Breath Testing at Local Events (paid directly by RMS).
9. 65 + Older Drivers Presentations (paid directly by RMS).
10. U turn the Wheel youth program (paid directly by Rotary).

CARRIED

SA19.180 Use of Recycled Materials in Road Construction and Maintenance

**HPERM Ref:
D18/436148**

RESOLVED* (Clr Levett / Clr White)

MIN19.833

That Council note that Shoalhaven City Council currently uses an array of recycled materials for road construction, rehabilitation and repair and that staff are constantly on the lookout for economically and environmentally sustainable use of recycled materials.

CARRIED

SA19.181 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints

**HPERM Ref:
D19/331405**

RESOLVED* (Clr Levett / Clr White)

MIN19.834

That in respect to Seamans Carpark, Hyams Beach, Council:

1. Provide kerb and gutter and a driveway at the entrance to the carpark as well as a path along the northern boundary of the carpark in accordance with the concept plan (D19/358695) at an estimated cost \$90,000 to be funded from the Seamans Beach Amenities Extension budget (81557) for the 2019/2020 financial year.
2. Install a lockable gate at the entrance in accordance with the concept plan (D19/358695) at an estimated installation cost of \$5,000 to be funded from the Seamans Beach Amenities Extension budget (81557) for the 2019/2020 financial year.
3. Trial locking the carpark during the 2019/20 Christmas school holiday period between the hours of 10:00 pm and 6:00 am nightly.
4. Engage commercial security to lock the carpark at 9:30 pm and volunteers sought to unlock the gate at 6 am during the trial period (41 days), the cost of \$4,510 to be funded from the Coastal Villages Traffic Management fund (28340) for the 2019/2020 financial year.
5. Consider a future report on the ongoing operation (locking) of the carpark and toilets following the trial period and further consultation with the community.

6. Not install additional disabled spaces due to non-compliant grades or accessible paths of travel currently existing in the carpark and given the demand for such access is considered to be low.
7. At this stage not install a CCTV system to monitor any illegal activity at the carpark.

CARRIED

**SA19.182 Far North Collector Road Network - upgrade of
Taylors Lane, Cambewarra**

**HPERM Ref:
D19/375319**

Recommendation (Item to be determined under delegated authority)

That Council

1. Note the preferred option for the upgrade of Taylors Lane (off Moss Vale Road) is Option 4 which is to maintain the existing centerline with the following characteristics:
 - a. Widen the road 5m each side of the existing centerline, in accordance with the Development Control Plan for the Moss Vale Road Urban Release Area
 - b. Remove both stands of mature trees on either side of the existing pavement.
 - c. Plant suitable Street Trees along the upgraded Taylors Lane to complement driveways, services and drainage.
 - d. Plant replacement trees as a biodiversity offset in another identified local location.
2. Place the four options for the upgrade of Taylors Lane on public exhibition (highlighting the preferred option) and conduct a presentation to the Cambewarra CCB.
3. The CEO (Director Works and Assets) report back to the Strategy & Assets Committee on the response to the public exhibition, and thus allow Council to determine the adopted option for the upgrade of Taylors Lane (off Moss Vale Road).

RESOLVED (Clr Proudfoot / Clr Gash)

MIN19.835

That Council

1. Note the preferred option for the upgrade of Taylors Lane (off Moss Vale Road) is Option 4 which is to maintain the existing centerline with the following characteristics:
 - a. Widen the road 5m each side of the existing centerline, in accordance with the Development Control Plan for the Moss Vale Road Urban Release Area
 - b. Remove both stands of mature trees on either side of the existing pavement.
 - c. Plant suitable Street Trees along the upgraded Taylors Lane to complement driveways, services and drainage.
 - d. Plant replacement trees as a biodiversity offset in another identified local location.
2. Place the four options for the upgrade of Taylors Lane on public exhibition (highlighting the preferred option).
3. As a matter of priority, Council explore opportunities to implement a new biodiversity area of an area no less than 150% of the area to be impacted by the construction of the Far North Collector Road.
4. The CEO (Director Works and Assets) report back to the Strategy & Assets Committee on the response to the public exhibition, and thus allow Council to determine the adopted option for the upgrade of Taylors Lane (off Moss Vale Road).

CARRIED

SA19.183 Classification of Land - Lot 86 DP 29970 - Unnamed Road Nowra Hill

HPERM Ref: D19/339200

RECOMMENDATION* (Clr Levett / Clr White)

That Council classify the land described as Lot 86 DP 29970 Unnamed Road Nowra Hill as Operational Land.

CARRIED

SA19.184 Classification of Land - Lot 21 DP 2886 Sec 25 - 48 Coomea St Bomaderry

HPERM Ref: D19/369673

Recommendation

That Council resolve to classify the land described as Lot 21 DP 2886 Sec 25, 48 Coomea Street, Bomaderry as Operational Land.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council resolve to classify the land described as Lot 21 DP 2886 Sec 25, 48 Coomea Street, Bomaderry as Operational Land.

CARRIED

SA19.185 Lake Conjola - Former landfill - Investigation Results

HPERM Ref: D19/377418

Recommendation (Item to be determined under delegated authority)

That Council

1. Note that Environment & Natural Resource Solutions (ENRS Pty Ltd) were commissioned as independent environmental consultants to conduct a soil and groundwater investigation at the Lake Conjola Waste Transfer Station, Lake Conjola, pursuant to Minute Number MIN19.307, and that the results (ENRS Project Number ENRS1154 – Issued 30 October 2019) do not trigger any further investigation or action because;
 - a. Results for soil report concentrations are below the adopted Site Assessment Criteria for residential land use or the Laboratory Limit of Reporting (LOR)
 - b. Results for groundwater do not report any significant exceedances of the Australian Drinking Water Guidelines (2018) Trigger Values for Health
2. Write to the local residents (householders and landowners) advising them of this report and the ENRS results and providing them a link to this information on Council's webpage.

RESOLVED (Clr Levett / Clr Digiglio)

MIN19.836

That Council

1. Note that Environment & Natural Resource Solutions (ENRS Pty Ltd) were commissioned as independent environmental consultants to conduct a soil and groundwater investigation at the Lake Conjola Waste Transfer Station, Lake Conjola, pursuant to Minute Number MIN19.307, and that the results (ENRS Project Number ENRS1154 – Issued 30 October 2019) do not trigger any further investigation or action because;
 - a. Results for soil report concentrations are below the adopted Site Assessment Criteria for residential land use or the Laboratory Limit of Reporting (LOR)

- b. Results for groundwater do not report any significant exceedances of the Australian Drinking Water Guidelines (2018) Trigger Values for Health
2. Write to the local residents (householders and landowners) advising them of this report and the ENRS results and providing them a link to this information on Council's webpage.

CARRIED

SA19.186 Tree Planting Mark Radium Park Berry

**HPERM Ref:
D19/374715**

RESOLVED* (Clr Levett / Clr White)

MIN19.837

That Council accept the Berry Landcare's proposal to plant two or three locally indigenous trees in Mark Radium Park to mark the 30th Anniversary of the formation of Landcare and to celebrate the life of Bob Hawke as a founder of Landcare.

CARRIED

SA19.187 Tenders - Waste Depot Recycling Services

**HPERM Ref:
D19/386093**

RESOLVED* (Clr Levett / Clr White)

MIN19.838

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

CARRIED

SA19.188 Proposed Purchase of Vacant Land, Sanctuary Point

**HPERM Ref:
D19/313356**

RESOLVED* (Clr Levett / Clr White)

MIN19.839

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed purchase of vacant land at Sanctuary Point.

CARRIED

SA19.189 Vegetation Management in Coastal Dunes

**HPERM Ref:
D19/322429**

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the investigation into the management of vegetation in coastal dunes for information.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.840

That Council receive the report on the investigation into the management of vegetation in coastal dunes for information.

CARRIED

SA19.190 Independent Pricing & Regulatory Tribunal (IPART) - Compliance & Enforcement

**HPERM Ref:
D19/334068**

Recommendation (Item to be determined under delegated authority)

That Council endorse the draft feedback on the recommendations made by IPART as presented in Attachment 1 of this report, and submit to the Office of Local Government.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.841

That Council endorse the draft feedback on the recommendations made by IPART as presented in Attachment 1 of this report, and submit to the Office of Local Government.

CARRIED

SA19.191 Readoption of Council's Policy for the Waiving of Development Application Fees and Other Fees

**HPERM Ref:
D19/340725**

RESOLVED* (Clr Levett / Clr White)

MIN19.842

That Council adopt the exhibited Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups Policy.

CARRIED

SA19.192 NoM - Update - Penguin Head Viewing Platforms - Pathway Maintenance and Upgrade

**HPERM Ref:
D19/368412**

RESOLVED* (Clr Levett / Clr White)

MIN19.843

That Council:

1. Receive the report on the progress of works at Penguin Head lookout area for information; and
2. Endorse staff to seek designs and costing for the following works and report these back to Council along with any additional funding request;
 - a. upgrading the three viewing platforms, in accordance with the geotechnical advice received; and
 - b. options for the re-location of the picnic table.

CARRIED

SA19.193 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

**HPERM Ref:
D19/372663**

RESOLVED* (Clr Levett / Clr White)

MIN19.844

That Council consider the separate confidential report on this matter in accordance with Sections 10A(2)(c) and 10A(2)(e) of the NSW Local Government Act 1993.

CARRIED

**SA19.194 Acquisition of Easement for Water Supply -
Commonwealth land at Nowra Hill****HPERM Ref:
D19/358572****RECOMMENDATION*** (Clr Levett / Clr White)

That Council:

1. Acquire an Easement for Water Supply 10m & 15m wide and variable width over part of Lot 1 DP385671 at Albatross Road Nowra Hill, as marked (A) and highlighted on attached easement plan DP1257513.
2. Pay compensation of \$13,000, plus GST and reasonable legal and property consultancy costs, associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Water Fund.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA19.195 Energy Management and Sustainability Initiatives
Update****HPERM Ref:
D19/360041****Recommendation (Item to be determined under delegated authority)**

That Council:

1. Receive and note:
 - a. The Annual Energy Review report presented as Attachment 1.
 - b. The Energy Matters Update Summaries presented as Attachment 2.
 - c. The Sustainability Initiatives Updates presented as Attachment 3.
2. Endorse the preparation of Annual Energy Review reports to track Council's performance against energy and emission reduction targets established in Council's Sustainable Energy Policy.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN19.845

That Council:

1. Receive and note:
 - a. The Annual Energy Review report presented as Attachment 1.
 - b. The Energy Matters Update Summaries presented as Attachment 2.
 - c. The Sustainability Initiatives Updates presented as Attachment 3.
2. Endorse the preparation of Annual Energy Review reports to track Council's performance against energy and emission reduction targets established in Council's Sustainable Energy Policy.

CARRIED

SA19.196 National Sports Convention**HPERM Ref:
D19/373939****Recommendation (Item to be determined under delegated authority)**

That Council receive the report from Clr Mark Kitchener on the National Sports Convention for

information.

RESOLVED (Clr Kitchener / Clr Proudfoot)

MIN19.846

That Council receive the report from Clr Mark Kitchener on the National Sports Convention for information.

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 Gartner / Clr Digiglio)

MIN19.847

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

CSA19.16 Tenders – Confidential Report - Waste Depot Recycling Services

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

CSA19.17 Proposed Purchase of Vacant Land - Sanctuary Point

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.

CSA19.18 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

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)

Information that would, if disclosed, prejudice the maintenance of law. 10(A)(2)(e)

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

CARRIED

The meeting moved into confidential the time being 6.29pm.

The meeting moved into open session, the time being 6.33pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA19.16 Tenders – Confidential Report - Waste Depot Recycling Services

HPERM Ref:
D19/380903

RESOLVED

MIN19.848C

That

1. Council (Strategy & Assets Committee) endorse the recommendation of the Tender Evaluation Team and accept the tenders from ten service providers, by appointing the providers to the Recycling Services Panel according to categories (a) to (k) below, for Waste Depot Recycling Services. The total estimated value of the tender is as follows (excluding category (k))

total estimated income to Council of	\$1,406,000 (excluding GST)
total estimated cost to Council of	<u>\$ 567,000</u> (excluding GST)
total transaction value (income + cost) of	\$1,972,500 (excluding GST)

- a. Ferrous metal recycling
 - i. Sell & Parker Pty Ltd
 - ii. JLW Services Pty Ltd
 - iii. SIMS Group Australia Holdings Limited, and
 - iv. Cleanaway Pty Ltd
- b. Non-ferrous metal recycling
 - i. Sell & Parker Pty Ltd, and
 - ii. Cleanaway Pty Ltd
- c. Mattress recycling
 - i. JLW Services Pty Ltd, and
 - ii. Community Resources Limited t/as Soft Landing
- d. Cardboard and paper recycling
 - i. Cleanaway Pty Ltd, and
 - ii. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling
- e. Non-scheme electronic waste recycling
 - i. Cleanaway Pty Ltd
- f. Refrigerant removal and disposal
 - i. Air Conditioning Refrigeration Engineering
- g. Glass
 - i. Cleanaway Pty Ltd, and
 - ii. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling

- h. Plastics
 - i. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling
- i. Tyres
 - i. JLW Services Pty Ltd, and
 - ii. C.J Bellenger & N Bellenger t/as ZTEC Tyres
- j. Wood
 - i. Soilco Pty Limited
- k. 'Other'
 - i. Cleanaway Pty Ltd (process engineered fuel (PEF) recovery alternative for recycling residuals)
 - ii. Soilco Pty Limited (garden waste recycling backup for Council processing, if required)
 - iii. JLW Services Pty Ltd (on site wet hire shredding and sorting as a processing step for some recyclables and for PEF), and
 - iv. Total Drain Cleaning Services Pty Ltd (street sweeper waste, stormwater waste (e.g. caught in gross pollutant traps), non-destructive drilling mud, and other 'spadable' wastes)

2. Council endorse the options for staff to utilise the 'Other' category service providers where:
 - a. in the case of the Cleanaway Pty Ltd PEF and JLW Services Pty Ltd wet hire shredding options, the overall outcome is financially beneficial to Council and does not result in an outcome not in alignment with the waste management hierarchy (plan, avoid, reduce, recycle, recover, treat, dispose),
 - b. in the case of Soilco Pty Limited, it becomes an operational emergency option due to a potential failure in Council's processing,
 - c. in the case of Total Drain Cleaning Services Pty Ltd, an operational trial is planned and carried out under the panel agreement, on 30 tonnes of street sweeper waste, that shows the tangible and intangible costs of the service are of greater benefit to Council than those of landfilling this waste stream (921 tonnes in 2018/19).
3. 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 Director Assets & Works, as the Principal's Representative.
4. Council (Strategy & Assets) authorise the General Manager (Director Assets & Works) to adjust the contracts for variations under the contracts, authorise orders and purchase orders for a total estimated income to Council of \$1,406,000 (excluding GST) and a total estimated cost of \$567,000 (excluding GST) for the contracts and adjust the Waste Services operational budget accordingly.

CARRIED

CSA19.18 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

HPERM Ref: D19/338213

RESOLVED

MIN19.849C

That Council

1. Restate its commitment to make the land that it owns in Coomea Street, Bomaderry available for an affordable housing development consistent with the adopted Shoalhaven Affordable

Housing Strategy

2. Arrange a Councillor Briefing to discuss the options that are available in this regard and to help identify the preferred option to take this key opportunity forward in a timely manner, with the aim of making the site available for the proposed intended use in early 2020 (or sooner).

CARRIED

There being no further business, the meeting concluded, the time being 6.39pm.

Clr Wells
CHAIRPERSON

SA19.197 Notice of Motion - Milton Ulladulla Historical Society - Permanent Exhibition Space

HPERM Ref: D19/418151

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 make every endeavor to locate, build, or refurbish a building to house the Milton Ulladulla Historical Society's Exhibits.
2. Once a preferred option has been identified and the project is shovel ready, Council consider funding the proposal in a future budget and make applications for one or more grants to assist with the refurbishment/construction works.

Background

MUHS was formed in 1968. Over the following 51 years, MUHS has tried on 15 occasions to find a permanent home in 12 different buildings for its collection of artefacts, documents and photos and as a focus for meetings and local historical research. Some buildings it has had for a brief period before losing them to another group e.g. 'The Oldest House' before it was reallocated to Gondwana Coast Fossil Walk; two rooms in Milton Library - one was reallocated to the library; King House became Legacy House. Some other buildings MUHS attempted to secure were Mellicks Chambers, the old band hall, Milton Library, Salvation Army Hall, Milton Methodist Parsonage, Ulladulla Guide Hall and Springfield House.

Many Councillors have promised to help MUHS over the past decades but no help has come. Milton-Ulladulla is the only historic town in Shoalhaven where the local history society has no permanent home, even though Council promotes MU as a tourist destination with a unique and important history.

MUHS items are spread over many locations, including photos stored in 'Room 7' at the back of the Milton Library, artefacts in 'Jack's Shed' at the top of the Wason St carpark, and documents stored at the Dunn Lewis Centre. Many more items are stored in members' homes.

Despite its difficulties, during 2019 MUHS members have managed to:

- maintain a website <https://muhsinc.org.au/>
- curate displays for local festivals and shows such as the Shoalhaven Timber Festival and Milton A&H Show
- create historical information boards for the Dunn Lewis Centre
- research and answer dozens of emailed questions on local history
- develop a Collections Policy
- liaise with NSW RMS on Burrill Bridge history
- provide MU Model Railway Club with photos of local tramway history
- publish an online '[Walking Guide to Historic Milton](#)' for tourists
- meet once a month in Milton's U3A room
- raise funds through Bunnings BBQs and book sales

SA19.197

Issues:

1. Jack's Shed is neither weatherproof nor vermin proof. It floods in heavy rain. With the recent death of owner Zilma Turnbull, it is very likely that MUHS will have to vacate Jack's Shed. There is nowhere else for these artefacts to be stored.
2. Documents at the Dunn Lewis Centre are not easily accessible and are exposed to dirt and pests.
3. Room 7, at the back of the Milton Library is too small to be used for anything but photo and equipment storage.
4. MUHS has suffered already from the problem of needing members to store items in their own homes
5. Without a permanent home and a research space, MUHS struggles to establish a presence in the town and attract new members.

MUHS needs our help to find a place that can fulfil these requirements:

1. a space to store artefacts - some of which are large, such as an original trolley from the silica tramway and timber-working tools,. Many items show the ingenuity of local people who built household items for themselves in the days when a trip to the shop was impossible.
2. a place that's clean and dry to store documents and photos and spread them out on tables when researching
3. a place that allows public access so locals and tourists can visit (by appointment) to find out more about our district's history.
4. a place for MUHS meetings

Ideally, all these functions would be in one building, located in Milton or Ulladulla. However, the future of MUHS hangs in the balance and we need help now, so anything that helps us keep our collection intact until the right building is available is desperately needed.

Note by the CEO

This matter will be reported back to Council in conjunction with the preparation of the 2020/21 Budget.

SA19.197

SA19.198 Quarterly Progress Report - Councillors' Notices of Motion

HPERM Ref: D19/386124

Approver: Stephen Dunshea, Chief Executive Officer

Attachments:

1. Uncompleted Notices of Motion and Mayoral Minutes Action Sheets Report – as at 29 November 2019 (councillors information folder) [⇒](#)
2. Completed Notices of Motion and Mayoral Minutes Action Sheets Report – 1 August 2019 to 29 November 2019 (councillors information folder) [⇒](#)

Reason for Report

To provide the quarterly progress status on Councillors' Notices of Motion as resolved at the Ordinary Meeting in December 2018.

Recommendation (Item to be determined under delegated authority)

That the Progress report on Councillors' Notices of Motion be received for information.

Options

1. As recommended
2. Alternate recommendation

Implications: Not known

Background

In response to a Notice of Motion (CL18.350), at the Council Meeting held on 18 December 2018, Council resolved (MIN18.992):

"That the progress status of councillors' notices of motion be reported quarterly at Ordinary Meetings of Council."

Report

This report provides, in the Councillor Information folder, the following:

- A list of incomplete Notices of Motion (Note: Notices of Motion from recent meetings may not contain comments).
- A list of Notices of Motion completed since 1 August 2019.

The report has been provided for Councillors' information. As requested, a Councillor Briefing has been scheduled for Thursday 5 December to discuss any concerns raised prior to consideration at the Strategy & Assets Committee 10 December 2019.

SA19.199 Audit Risk & Improvement Committee Annual Report 2018 - 2019

HPERM Ref: D19/416204

Section: Executive Strategy

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. Audit Risk Improvement Committee Report 2019 (under separate cover)
[⇒](#)

Reason for Report

To provide Council with the Audit Risk and Improvement Committee Annual Report. This report provides a short overview of the actions of the Committee and key issues that have been considered over the year.

Recommendation (Item to be determined under delegated authority)

That the Strategy and Assets Committee receive and note the Audit, Risk & Improvement Committee annual report for 2018 – 2019.

Options

1. Council receive the Audit, Risk & Improvement Committee Annual Report for 2018 – 2019.
2. Council provide an alternative recommendation

Background

Council's Audit, Risk & Improvement Committee's objective is to provide independent assurance and assistance to Council on risk management, control, governance and external accountability responsibilities.

As per the Audit, Risk & Improvement Committee's communications guidelines established in its Charter, the Chair of the Audit, Risk & Improvement Committee reports to Council annually on the key issues and activities considered.

The Chair of the Audit, Risk & Improvement Committee has tabled this Annual Report to provide an overview of the key issues that the committee has dealt with in 2018 – 2019. The Chair of the Audit, Risk & Improvement Committee, Mr Peter McLean, will provide a verbal report on the Audit, Risk & Improvement Committee Annual Report at the Strategy and Assets Committee meeting.

The report includes an overview of the progress of the Committee and a short discussion about key matters that were considered by the Committee including:

- Staff changes
- Legislation changes
- Financial sustainability
- Contract Management
- Tourism impacts
- External Auditor

The Annual Report is attached for information and consideration of the Council.

SA19.200 Narrawallee Beach Southern Dog Prohibited Area

HPERM Ref: D19/400331

Section: Recreation Community & Culture

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Reason for Report

To seek Council approval to alter the Dog management trial requested in MIN19.578

Recommendation (Item to be determined under delegated authority)

That Council:

1. Rescind MIN19.578 and approve a twelve-month trial to commence prior to Christmas, to create a 15m wide Dog On-leash strip passing from the Surfers Avenue unformed beach access area (Shoalhaven Water access road), to the commencement of the Dogs On-Leash area of the main Narrawallee Beach
2. Amend the existing Dog Off-leash Guide diagram for Narrawallee Beach, to alter the Dog Prohibited area by redesignating a 15m wide strip between the Surfers Avenue unformed beach access and the Victor Avenue stairs to the north, as Dog On-leash. At the same time, obtain new signage for installation at the northern and southern limits of the proposed Dog On-leash strip.
3. Commence investigation of the feasibility of establishing an access track to the east of the Dog Prohibited Area of the beach, to allow dog owners to walk their dogs between the Surfers Avenue stairs and the Victor Avenue stairs to avoid walking across the Dog Prohibited area.
4. Inform the local Community Consultative Bodies of this twelve-month trial.

Options

1. Adopt the above recommendation

Implications:

- Altering the current (Dog Prohibited) zone to acknowledge the difficulty for dog owners living south of the southern Dog Prohibited area, to access the Dog On-leash area in the centre of Narrawallee Beach, will meet the aspirations of those local residents.
- While it will not fully satisfy those opposed to any dogs being allowed onto the current Dog Prohibited area, it is expected that creating a restricted (15m wide) Dog On-leash passage may substantially satisfy the concerns raised about dogs on prohibited areas.
- This change will also make enforcement by our Rangers possible. The change to be 12-month trial will give the community and Council time to evaluate and comment on the changes.
- This will mean that dog owners will access the area from a currently existing, but not formed or maintained, track. Council does not have permission from Crown Lands to upgrade or formalise the track in this area without necessary approvals (AHIP).
- If Council disturbs the ground in this area without the necessary permission and approvals, there is potential native title, land claim implications, and fines.

SA19.200

- Shoalhaven Water access the road outside of dog beach access times so the impact of mixed use is considered minimal at this time.
2. Not proceed with the recommended trial and reconfirm the trial requested in MIN19.578.

Implications:

- The infrastructure requested in the trial identified in MIN19.578 would be challenging to install and difficult to maintain
- This option would not satisfy dog-owner residents living south of the Surfers Avenue stairs, or the users of the Dog Prohibited area on the southern portion of Narrawallee Beach.
- Also, as the area is still prohibited, this would cause issues for our Rangers.

Background

At its meeting on 27 August 2019, Council resolved MIN19.578

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

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

A Site Investigation and Further Advice

Following investigation and a site visit by Community and Recreation staff, it is advised that the suggested trial using bollards would not be an achievable solution on this sandy site because the bollards cannot easily be installed or secured to remain in place (see following photos).

In addition, bollards installation will require environmental and native title studies, estimated to take a considerable amount of time. This includes an Aboriginal Heritage Impact Permit (AHIP).

Council does not have permission from Crown Lands to ‘make good’, upgrade or formalise the track in this area without necessary approvals.

If Council disturbs the ground in this area without the necessary permission and approvals, there is potential native title and land claim and financial implications.

It is intended that staff commence these formal investigations quickly so that Council can consider long term beach and dog access at this site in the future.

It is recommended and that a designated On-Leash access, across the sand at the western edge of the beach with signage similar in type to that used in the earlier trial, would be a preferable approach (see following photos).



VIEW NORTH FROM SURFERS AVENUE STEPS



VIEW SOUTH TOWARDS SURFERS AVENUE STEPS

Issues Raised and Another Site Meeting

The topography of the area of Narrawallee, immediately west of the beach and between the Surfers Avenue steps and the Victor Avenue steps to the north, is very steep and dogs are currently prohibited between the two points. This poses problems for the dog owners seeking to exercise their dogs on the Off-leash area of the beach, north of the Victor Avenue steps.

SA19.200

Dog owners have been fined for using the Dog Prohibited area of the beach to access the Off-leash area and are seeking a solution to the problem of Council's Policy.

To address this, a further site meeting was held on 13 November 2019, between local Narrawallee dog-owner residents, the Unit Manager Ranger Services and the Senior Strategic Planner, Community and Recreation. The community members advised Council about the problems they have encountered with Rangers in relation to the Dog Prohibited area at the southern end of Narrawallee Beach. At this meeting, community members suggested an alternate approach to that proposed in relation to accessing the Off-leash area from the south, requested in Council's MIN19.578.

An Alternate Approach

In recognition of the topographical challenge of accessing the Dog Off-leash area in the middle of Narrawallee Beach, from as far to the south as the Surfers Avenue steps, and accepting that the investigation of any alternative will take some time due to the necessary approvals required, it is recommended that dog owners be permitted to access the On-leash area from the south. It is intended that this access would be separate to the current stair access, in order to separate dog and non-dog user access. This would mean the creation of a narrow (15-metre-wide) On-leash area at the western edge of the beach surface as soon as possible

If agreed, Council Rangers will be notified of change to the current enforcement regime as soon as possible. Shoalhaven Water and other road access users will also be notified.

Signage Update and Recommendation

The signs, which were used for the earlier trial, included the words

"Extended Dog Off Leash Trial. Restricted Access Times - 4PM to 8AM".

It is now proposed that the new signs will read "Dog On-Leash Trial. On-Leash Access to Off-Leash Area". It is proposed that the sign will not stipulate any times, as all Off-Leash areas are 24-hour access.

The new Dog On-Leash strip will be indicated in bright red on both the signs and Council's Website.



This image shows an example of signage showing the PROPOSED 15M WIDE DOG ON-LEASH AREA ON WESTERN EDGE OF BEACH (SHOWN ORANGE). Consideration will be given in the final design to ensure it is clear the stairs are not the approved access point.

Community Engagement

A site meeting was held between local Narrawallee dog-owner residents and Council's Unit Manager Ranger Services and Senior Strategic Planner, Community and Recreation, on 13 November 2019.

As a result, Council staff undertook to discuss the matter further internally, as a matter of urgency, acknowledging the imminence of the challenging Christmas period. Subject to adoption by Council this trial would be implemented as quickly as is practicable and be in place prior to Christmas.

Policy Implications In order to affect the proposed 15m wide Dog On-leash area between the unformed access area at Surfers Avenue (Shoalhaven Water access road), and the Victor Avenue steps, it is necessary to amend the diagram included in Council's Dog Off-leash Guide in relation to Narrawallee Beach.

SA19.200

The proposed amendment will indicate the new Dog On-leash strip in Council's Dog Off-leash Guide document. The other change required will be to the Dog Access signs at each end of the proposed Dog On-leash strip.

Financial Implications

The proposed trial will involve the production of two new signs, these costs will be taken from existing budgets.

Risk Implications

Altering the extent of the Dog Prohibited area at the southern end of Narrawallee Beach may have potential to not please those who use that portion of the beach to avoid all dogs while at the beach.

However, if the proposed Dog On-leash strip is fixed, at only 15m wide, and is located at the extreme western edge of the beach, this would aim to ensure all dogs will be kept away from people using that portion of the beach for other recreation. This would aim to minimise the impact of dogs in that area and further complaints may be avoided.

Overall, it is recognised that this is a busy area and action needs to happen quickly to ease issues over the peak summer period with residents and visitors. Once approved by Council, staff will work quickly to ensure infrastructure is in place before Christmas in line with the intent of the original Notice of Motion.

SA19.201 Marine Vegetation Protection - Jacob Ellmoos Reserve, Sussex Inlet.

HPERM Ref: D19/398801

Section: Recreation, Community & Culture

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Attachments:

1. Letter to Residents [↓](#)
2. Site map for re-application [↓](#)
3. Re-application permit to harm (under separate cover) [⇒](#)
4. Permit Amendment from NSW DPI [↓](#)

Reason for Report

Amended Permit to Harm PN18-22 received from NSW DPI Fisheries (Fisheries). Council to consider and report on amendments.

Recommendation (Item to be determined under delegated authority)

That Council

1. Adopt and sign Acceptance of Conditions Form for PN18/22 (permit amendment) and to harm marine vegetation associated with mowing of foreshore area of Jacob Ellmoos Reserve, Sussex Inlet – within and adjacent to Lot 7023 DP 1057156.
 - a. Reconsider methodology of delineating Fisheries identified saltmarsh zones within Jacob Ellmoos Reserve:
 - i. Notify neighbouring residents of Council's Resolution prior to installation of signage and ground level turf markers and provide Fisheries' brochure for their information.
 - ii. Install interpretive signage and ground level turf markers to delineate saltmarsh protection zones.
 - b. On the advice of NSW DPI Fisheries, abandon plans to use bollards to demarcate saltmarsh protection zones in the future.

Options

Option 1

That Council:

1. Adopt and sign Acceptance of Conditions Form for PN18/22 (permit amendment) and to harm marine vegetation associated with mowing of foreshore area of Jacob Ellmoos Reserve, Sussex Inlet – within and adjacent to Lot 7023 DP 1057156.
 - a. Reconsider methodology of delineating Fisheries identified saltmarsh zones within Jacob Ellmoos Reserve.
 - i. Notify the neighbouring residents of Council's Resolution prior to installation of signage and ground level turf markers and provide Fisheries' brochure for their information.
 - ii. Install interpretive signage and ground level turf markers to delineate saltmarsh protection zones.

SA19.201

- b. On the advice of NSW DPI Fisheries, abandon plans to use bollards to demarcate saltmarsh protection zones.

Implications:

- On ground turf marker methodology will remove the visual impact of saltmarsh delineation otherwise seen with bollards. This approach should appease the community and still give clear delineation to ensure that the salt marsh is not harmed and the conditions of the Permit to Harm are met.
- On ground turf marker and interpretive signage methodology has not been presented to community at present, therefore community response is unknown.
- Due to the State Government requirement to not mow the area and ensure a clear delineation this is a preferred option.

Option 2

2. Adopt and sign Acceptance of Conditions Form for amendment to PN18/22 and comply with NSW DPI Fisheries (Fisheries) amended Permit: PN18/22 in order to protect identified coastal Saltmarsh protected areas.

- a. Install bollards and signage at Jacob Ellmoos Reserve, Sussex Inlet as originally proposed.

Implications:

- Council likely receives strong opposition from residents as seen in previous community consultation regarding installation of bollards at the reserve.
- Bollards are a more obvious way to delineate no mow areas and this will better ensure that the conditions of the Permit to Harm will be met.

Background

This report is to advise Council of the amendment of Fisheries Permit to Harm PN18/22 – to harm marine vegetation associated with mowing of foreshore area at Jacob Ellmoos Reserve, Sussex Inlet – within and adjacent to Lot 7023 DP 1057156. Fisheries advises Council that permit amendment supersedes the original Permit PN18/22 issued 30 January 2018.

At the Strategy and Assets meeting of Council in October 2018, Council resolved the following (MIN18.811)

That Council:

1. *Install bollards and signage at Jacob Ellmoos Reserve, Sussex Inlet, to comply with NSW DPI Fisheries (Fisheries) issued Permit: PN18/22 in order to protect identified coastal Saltmarsh protected areas, aligning with the Fisheries recommended course of action.*
2. *Notify neighbouring residents of Council's Resolution prior to installation and provide Fisheries' brochure for their information.*
3. *Hold a workshop with relevant staff in 2019 to discuss potential Policy changes that may reflect Council's intent and outcomes expected when decisions are made on bollard placement within reserves and Parks.*

This report seeks to provide further information and a recommendation for Parts 1 and 2.

In relation to part 3, Councillors may recall that staff held a workshop early in 2019 and a further Councillor briefing in May 2019 to further discuss bollard placement in reserves.

Staff Notify Neighbours – significant issues and concerns raised.

On 13 March 2019 Council sent letters to twenty four (24) land owners from 238-282 River Rd, Sussex Inlet and 62 Thora St, Sussex Inlet detailing Council's intention to comply with Fisheries Permit to harm PN18/22 by means of installing 66 timber bollards to protect endangered saltmarsh plant community at Jacob Ellmoos Reserve, Sussex Inlet (Attachment 1).

- At that time, only 3 letters of opposition were received, however one of these letters requested an on-site meeting with Council and Fisheries staff to review the bollard proposal.
- Council and Fisheries agreed, and an on-site meeting was scheduled for 17th April.

Although only 3 letters of opposition were received, it was apparent at the meeting that many more residents were in opposition to the proposal than was originally anticipated. An estimated 20-25 community members vocally expressed their opposition to any bollards at Jacob Ellmoos Reserve.

On 20 May 2019 Sussex Inlet and Districts Community Forum invited Council staff and a Fisheries representative to their community meeting at Sussex Inlet Community Hall to present facts and take questions from community members regarding saltmarsh and the proposal to bollard saltmarsh protected areas of Jacob Ellmoos Reserve.

- The community remained vocally opposed and the meeting concluded with Fisheries offering to walk through the reserve with the community members to show where bollards would be placed. This walk though was carried out 11 June 2019 with many community and Council staff members present.

On 11 June 2019 a third round of community consultation was carried out on-site at Jacob Ellmoos Reserve with Council staff and a representative from Fisheries.

- The purpose of this meeting was to walk through the site and begin marking the proposed bollard locations so that community members could be present to witness the locations and provide immediate feedback to Council and DPI.
- The meeting was attended by a large group of community members as well as several Councillors.
- Overall, some community members remained vocally opposed to any bollard installation at Jacob Ellmoos Reserve, particularly in the middle of the reserve. The reason for this was that some community members perceived a loss of public amenity and increased snake presence in the reserve if these areas were to have reduced maintenance. There were also concerns raised about trees growing in the protected areas, limiting views and access on the reserve.
- The meeting concluded with the community requesting the two (2) large saltmarsh protected areas west of the shared footpath be relieved of protection and continue to be mown and maintained by Council as per historical practice, map indicating these areas Attachment 2.
- Fisheries advised the community that Council would be required to re-submit a Permit to Harm application to NSW DPI for any alterations to be considered from current saltmarsh mapping in PN 18/22, see Attachment 3.
- Council staff re-submitted the application of Permit to Harm outlining the community's wishes to Fisheries 13 September 2019
- Fisheries responded with a formal amendment, received 8 October, detailing changes to the original permit, see Attachment 4.

In addition, Council staff were requested to investigate GPS mowing technology as a means of delineating saltmarsh boundaries without use of bollards. This was discussed at a Council stakeholder meeting 6 August 2019 with Council's Parks Co-Ordinator who advised that: *"Regarding use of GPS technology to mow around the Salt Marsh in Jacob Ellmoos Reserve in Sussex Inlet, Parks do not have the technology to carry out geo-fencing."*

An Amended Permit and a Proposed Compromise

The permit amendment, received 8 October, outlined the following response from Fisheries see Attachment 4:

- Saltmarsh within areas shaded in yellow cannot be mown, trimmed or otherwise harmed, and delineation needs to occur – it is recommended in this report that this be with ground markers as detailed below.
- Saltmarsh within areas shaded in blue can be mown to a height of 100mm once per month with no delineation required. This area was the 'centre area' of most concern to residents at the site meetings. This permission will mean that Council can high mow the area and no bollards or ground markers are needed in this area as requested by the community.
- All other areas of saltmarsh on this plan (i.e. unshaded saltmarsh or saltmarsh that has not been outlined on the plan) can be mown as per standard grass mowing practices across the rest of the reserve.

An on-site meeting held 15 November 2019 between Fisheries representative and Council Staff.

- Council maintenance staff have ceased mowing saltmarsh areas since June 2019, and this has been going well. Salt scarred land was showing signs of recovery and some saltmarsh vegetation had reached height of 10-15cm.
- Fisheries advised that bollards are not necessary for Jacob Ellmoos Reserve and agreed with Council staff proposal to install ground level turf markers and interpretive signage to delineate saltmarsh in the areas marketed in yellow shown in Attachment 4 (example of these below).
- Fisheries advised that it is acceptable for Council to mow any areas with buffalo grass to a limit of 1 metre of salt scarred land in the reserve. It is intended that this will alleviate concerns raised about new trees growing in the reserve.



Example of ground level turf markers

Community Engagement

As detailed above, there has been significant community consultation on this matter:

- 13 March 2019 – Letters sent to residents adjacent to Jacob Ellmoos Reserve (238-282 River Rd, Sussex Inlet and 62 Thora St, Sussex Inlet) advising of Council's intention to bollard protected saltmarsh areas. Letter included Council's own saltmarsh information brochure.
- 17 April 2019 - On-site meeting with residents to discuss concerns raised from proposed bollards. Alasdair Stratton, Clinton Coker and Carla Ganassin from NSW DPI present.
- 20 May 2019 – Saltmarsh information session with Susan Edwards, Clinton Coker and Jillian Reynolds from NSW DPI at Sussex Inlet Community Hall. Meeting chaired by Gail Drummond of the Sussex Inlet and Districts Community Forum (CCB).
- 11 June 2019 – On-site meeting with residents to demarcate proposed bollard positioning.

Staff consider this revised approach is a balanced solution for community concerns, for amenity and the need for environmental protection. As such, it is recommended in this report that Council go ahead with the permit to harm and installation of the ground level turf markers without further consultation with community and notify neighbouring residents of the outcomes.

Policy Implications

If Acceptance of Conditions Form is completed and returned to DPI, Council will meet legislative requirements.

Financial Implications

- Council was previously quoted \$5,227.20 including GST to install 66 individual timber bollards.
- Council has been quoted \$4,392.00 excluding GST for manufacture and delivery of saltmarsh interpretive signage.
- Council staff have quoted \$2,500.00 to install up to 20 individual ground level turf markers.
- These costs will be covered from existing budgets.

Breach of Permit:

Maximum penalty for breach of permit by Council staff is 1,000 penalty units. The current rate of 'penalty units' is \$110 per unit, resulting in penalties of up to \$110,000.

Risk Implications

- Failure to implement PN 18/22 may result in loss of habitat for native flora and fauna. Significant financial implications may be applied to Council if NSW DPI Fisheries deem that a breach of the Permit has occurred.
- Regulatory signage advising of saltmarsh protection Fisheries imposed fines and all visitors to Jacob Ellmoos Reserve to be installed at the Gordon St, Thora St, pump station (unnamed road) and Chris Creek entrance points.
- Proceeding with bollard installation as a method of protecting saltmarsh will lead to further community unrest.
- The installation of on ground turf markers may be difficult to locate, therefore a risk that the salt marsh is mown in contravention of the Permit to Harm. Council staff have been informed of their obligations not to mow these areas and to date this is working

well, there is always a risk if new staff or casual staff mow the reserve, they may not see the ground level turf markers.

- Turf markers will be installed to ground level, occupying the same footprint as a bollard. Markers will be pine timber blocks measuring 150mm x 200mm installed to a depth of 100mm. Markers will be painted white for ease of identification to mowing staff and pedestrians walking nearby. Council's intention is to use 15-20 markers, approximately quarter (1/4) of the initially proposed bollards (66). Markers will be spot sprayed with glyphosate by Council staff to prevent vegetation overgrowth.
- The recommendation is a compromise. It is not preferred by those favouring environmental protection or those requesting no environmental protection. As such, there is a risk of community raising issues or concerns regardless of the outcome. It is believed this option recommended is a compromise for both sides of the debate.



Bridge Rd, Nowra NSW 2541 02 4429 3111
Deering St, Ulladulla NSW 2539 02 4429 8999

Address all correspondence to
The General Manager, PO Box 42, Nowra NSW 2541 Australia
DX5323 Nowra Fax 02 4422 1816

Council Reference: 5565E (D18/407332)
Your Reference:

Dear Resident,

**Identification of Protected Saltmarsh Community
Jacob Ellmoos Reserve Sussex Inlet**

Council wishes to inform you of changes to the reserve management of Jacob Ellmoos Reserve, which adjoins your property at River Rd, Sussex Inlet.

Due to historical loss and threats to Saltmarsh areas, along with the recognition of the importance in maintaining healthy estuaries and fish stocks, Saltmarsh has been classified as an 'Endangered Ecological Community'. It is protected under the *NSW Fisheries Management Act 1994*, the *NSW Threatened Species Conservation Act* and the Federal *Environment Protection and Biodiversity Conservation Act*. This means that Council is obliged to allow areas of saltmarsh within public reserves to regenerate.

A permit is required from DPI Fisheries for Council to continue to mow any areas of Saltmarsh. Council has been working with Fisheries staff to assess the condition of the Saltmarsh in the reserve and identify areas suitable for regeneration, along with areas where Council can continue to mow.

Council recognises the importance of community access and views to Sussex Inlet, and has taken this into consideration when identifying saltmarsh areas to be protected. Saltmarsh is a predominantly low growing community, the largest rushes reaching less than 1m in height. Areas within the reserve considered suitable for regeneration will be identified with spaced bollards to be installed in compliance with Council's permit from DPI Fisheries. Council has ceased mowing these areas, with bollard installation identified for Autumn 2019 pending contractor availability. Council has committed to the regular removal of any Casuarina (She-Oak) saplings that may sprout within the bollarded areas, along with the maintenance of existing access tracks to the Inlet. This will ensure that the height of the regenerating foliage remains low.

Please see included a brochure with detailed information regarding the saltmarsh. This brochure illustrates that mature, protected saltmarsh is an attractive foliage, providing numerous benefits for seaside environments.

The foreshores of Sussex Inlet are a major asset to the community and visitors to the area. Coastal Saltmarsh is a low growing intertidal community of plants providing habitat and food for marine and land animals. Saltmarsh communities can be found growing in patches inundated by the highest astronomical tides (spring tides) along the foreshore reserve.

Saltmarsh performs a pivotal role in the conservation of fish stocks. It provides habitat, shelter and food and is a key component in the life cycle of species such as Yellowfin Bream, mullet, Garfish, Sand Whiting, and prawns. Saltmarsh protects the fragile ecological zone between the marine environment and the land and ensures the Sussex Inlet waterways stay healthy, diverse and productive.

Please note that mowing and maintenance of the reserve and Saltmarsh areas can only be undertaken by Council. Residents should be aware that it is an offence under the *Fisheries Management Act 1994* to cause harm to Saltmarsh or any other marine vegetation without a permit. Heavy penalties of up to \$110,000 apply to individuals per offence.

Further information on Coastal Saltmarsh or the *Fisheries Management Act 1994* can be found at www.dpi.nsw.gov.au.

If you need further information about this matter, please contact Clinton Coker, Finance Corporate & Community Services Group on (02) 4429 3488. Please quote Council's reference 5565E (D18/407332).

Yours faithfully



Clinton Coker
Social Infrastructure Officer
Community & Recreation Unit
12/3/2019



Department of
Primary Industries

Our Ref: PN18/22 – PERMIT AMENDMENT; OUT19/13638

8 October 2019

General Manager
Shoalhaven City Council
36 Bridge Road
NOWRA NSW 2541
Attn: Mr Clinton Coker

Dear Mr Coker,

RE: Permit PN18/22 – Permit Amendment – to harm marine vegetation associated with mowing of foreshore area at Jacob Ellmoos Reserve, Sussex Inlet – within and adjacent to Lot 7023 DP1057156

I refer to your application of 30 September 2019 for a permit under Part 7 of the *Fisheries Management Act 1994* (FM Act) to amend the mowing plan established under DPI Fisheries permit PN18/22.

DPI Fisheries has assessed this request in light of the application made, numerous community meetings attended by DPI Fisheries regarding this matter and DPI Fisheries response (Our ref: C19/423) to Shoalhaven Council's request to remove the trial no mow zones (Council reference: 5565E (D19/203376)), originally established when PN18/22 was first issued.

An invoice for process of this amendment \$179 has been raised and will be posted separately.

Please find attached permit amendment under Part 7 of the FM Act for PN18/22 to harm marine vegetation associated with mowing of foreshore area at Jacob Ellmoos Reserve, Sussex Inlet.

Please carefully read and note the conditions included in this permit amendment. **If you agree that all the conditions are reasonable, appropriate and achievable, you must sign and date the attached sheet (Acceptance of Conditions) and return it to the Contact Officer as soon as possible. If you believe that you cannot comply with all the Conditions then you must not commence work.** Instead, you should contact the Contact Officer listed on the first page of the permit amendment so that your concerns can be considered.

If you intend to have the work undertaken by a contractor, please ensure that the contractor receives a full copy of the permit and understands the importance of abiding by the conditions. As the permit holder, Council is responsible for ensuring compliance with all conditions therein and with any other relevant legislative obligations. **Breaching a condition of a permit can incur an on-the-spot penalty notice of \$500 or up to \$11,000 through the courts pursuant to clause 259 of the *Fisheries Management (General) Regulation 2010*.**

The extent of work is to be restricted to that outlined in Attachment 1 to this permit amendment. **If for any reason, other works are required, or the works need to be extended to other areas, you must seek specific approval beforehand.** DPI Fisheries will require a justification for these variations and may charge additional assessment fees as outlined in the permit application.

If you have any queries please call Carla Ganassin on 4222 8342.



Yours sincerely,

A handwritten signature in black ink, appearing to read "Carla", followed by a horizontal flourish.

Carla Ganassin

Senior Fisheries Manager

Authorised delegate of the Minister for Primary Industries

cc: Glenn Staples - District Fisheries Officer, Shoalhaven Fisheries Office
cc: Sampson Hollywood - Fisheries Conservation Officer, South

SA19.201 - Attachment 4



Department of Primary Industries

Permit Amendment for PN18/22 under Part 7 of the **FISHERIES MANAGEMENT ACT 1994**

Permit Number:	PN18/22 – PERMIT AMENDMENT
Permit Holder:	Shoalhaven City Council 36 Bridge Street NOWRA NSW 2541 CONTACT PERSON: Clinton Coker Ph: 4429 3488 Email: clinton.coker@shoalhaven.nsw.gov.au
Permit Area:	Foreshore Area of Jacob Ellmoos Reserve – River Road, Sussex Inlet, within and adjacent to Lot 7023 DP 1057156 – See Attachment 1 to this permit amendment
Permit Activity:	Harm marine vegetation in association with or in relation to mowing of foreshore area
Departmental Contact Officer:	Jillian Reynolds Ph: (02) 4428 3406 Email: jillian.reynolds@dpi.nsw.gov.au
District Fisheries Officer:	Glenn Staples Ph: (02) 4428 3404 Email: glenn.staples@dpi.nsw.gov.au
Expiry Date:	Unless cancelled or suspended sooner, this permit shall remain in force until 31 January 2023

This permit amendment changes the Conditions within Fisheries Permit PN18/22, as follows (Note. Attachment 1 to this permit amendment replaces Figure 2 to PN18/22 sent on 30 January 2018):

ADMINISTRATIVE CONDITIONS

- 1) The **Acceptance of Conditions** form (attached) must be completed and returned to the Officers listed at the bottom of the form before commencing any works authorised by this permit.
Reason – To remove any doubt that the Permit Holder understands and accepts the Conditions before work commences.
- 2) This amendment to Fisheries Permit PN18/22 (or a true copy) including Attachment 1 to this permit amendment must be provided by the permit holder to all Council staff or sub-contractors prior to them undertaking any activity authorised by this permit within the permit area.
Reason – To ensure that all individuals undertaking activities authorised by this permit understand and adhere to all the conditions of the permit.

NATURE AND EXTENT OF WORKS

- 3) The permit holder must ensure that all works authorised by this permit are restricted to the permit area shown in Attachment 1 to this permit amendment and are undertaken in a manner consistent with those described in this Attachment. Other works, which have not been described, are not to be undertaken.
Reason – This permit has been granted following an assessment of the potential impacts of the described works upon the aquatic and neighbouring environments. Other works,



Department of Primary Industries

which were not described in the application have not been assessed and may have significant adverse impacts.

AVOIDING HARM TO MARINE AND RIPARIAN VEGETATION

- 4) Harm to marine vegetation (saltmarsh) from mowing activities must only occur within the areas of the reserve as outlined in blue or in unshaded areas on Attachment 1 to this permit amendment. Saltmarsh situated within areas shaded yellow on this Attachment are not to be mown, trimmed or otherwise harmed. The location of the blue and yellow areas and to be clearly communicated to Council staff or sub-contractors undertaking the works. *Reason – To restrict and minimise harm to saltmarsh plants from ongoing mowing and vegetation maintenance activities.*
- 5) Mowing or trimming of saltmarsh within Jacob Ellmoos Reserve is only to be undertaken by Shoalhaven City Council staff or sub-contractors registered by Shoalhaven City Council. *Reason – To ensure that all individuals undertaking activities authorised by this permit understand and adhere to the conditions of the permit.*
- 6) Mowing or trimming of saltmarsh within the areas outlined in blue on Attachment 1 must be undertaken to a height of no lower than 100mm. Mowing or trimming of saltmarsh or other vegetation within these blue zones is not to be undertaken more than once per calendar month. *Reason – To minimise harm to saltmarsh plants from ongoing mowing and vegetation maintenance activities.*

IMPORTANT NOTE:

In the event of any inconsistency between the conditions of this approval and:

- the drawings / documents referred to above, the conditions of this approval prevail to the extent of the inconsistency;
- any Government publication referred to in this permit, the most recent document shall prevail to the extent of the inconsistency; and
- the proponent's mitigation measures outlined in the application, the conditions of this approval prevail to the extent of the inconsistency.

STOP WORK ORDERS

A Fisheries Officer or other appropriate delegate who has reasonable cause to suspect that the conditions of this permit have not been complied with, **may order the work to stop immediately**. The order may be given to the permit holder or any person who informs the officer that they are acting in any capacity on behalf of the permit holder. Any damage caused to the habitat outside the specified permit area, or the carrying out of works not in accordance with the conditions specified in this permit and/or the application and that were accepted by the permit holder, could result in a breach of the *Fisheries Management Act 1994 or Regulations*, and penalties of up to \$220,000 may apply. Orders may also be made requiring work to rectify any damage caused by unauthorised works. **Breaching a condition of a permit can incur an on-the-spot penalty notice of \$500 or up to \$11,000 through the courts pursuant to clause 259 of the *Fisheries Management (General) Regulation 2010*.**



Yours sincerely,

A handwritten signature in black ink, appearing to read "Carla".

Carla Ganassin

Senior Fisheries Manager
Authorised delegate of the Minister for Primary Industries

8 October 2019

cc: **Error! Reference source not found.** District Fisheries Officer, **Error! Reference source not found.** Fisheries Office

cc: Sampson Hollywood, Conservation Officer, South

SA19.201 - Attachment 4



Department of Primary Industries

Permit No. PN18/22 (permit amendment) issued under Part 7 of the Fisheries Management Act 1994

PLEASE COMPLETE THIS PAGE AND RETURN TO Fisheries NSW

**In reference to Permit No. PN18/22 (permit amendment) to harm marine vegetation
associated with mowing of foreshore Area at Jacob Ellmoos Reserve, Sussex Inlet –
within and adjacent to Lot 7023 DP 1057156:**

Acceptance of Conditions Form

I the undersigned, acknowledge that I have read and understood and agree to comply with the conditions specified. I understand that penalties can be imposed for non compliance with conditions.

Permit holder's name: _____

Permit holder's signature: _____

Date: _____

**Please ensure you have SIGNED this page and RETAINED a
copy for your records before you email or text it to:**

District Fisheries Officer, Shoalhaven Fisheries Office
Email: glenn.staples@dpi.nsw.gov.au
Fax: (02) 4441 8961

Departmental Contact Officer: Carla Ganassin
Email: carla.ganassin@dpi.nsw.gov.au
Fax: 4225 9056



Department of Primary Industries

ATTACHMENT 1 – Mowing plan for Jacob Ellmoos Reserve – River Rd, Sussex Inlet authorised under PN18/22 (permit amendment).

Note:

- Saltmarsh within shaded in yellow in this plan cannot be mown, trimmed or otherwise harmed;
- Saltmarsh within areas shaded in blue can be mown to a height of 100mm once a month; and
- All other areas of saltmarsh on this plan (i.e. unshaded saltmarsh or saltmarsh that has not been outlined on this plan) can be mown as per standard grass mowing practices across the rest of the reserve.



SA19.202 Tenders - Trade Services Panel - 2020/2021

HPERM Ref: D19/402873

Section: Finance

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Reason for Report

To inform Council of the tender process for the Provision of Trade Services 2020/2021 and seek approval to appoint suppliers to a Panel of Preferred Suppliers.

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. The Committee accept the recommendation as presented.

Implications: Full details of the tendering process is available within the confidential report.

Details

Council invited tenders for the provision of Trade Services, with the successful tenderers to be appointed to a Preferred Supplier Panel for a period of two (2) years from the date of commencement with an option of 2 x 12 months extensions – which are at Council's discretion. This tender process is in line with best practice to ensure compliance with Councils Purchasing Policy, the Local Government Act 1993 and the NSW Tendering Regulations 2009.

The public tender was advertised in local and national newspapers, local radio and on Councils e-tendering portal. Current suppliers to Council and other regional suppliers identified through the Yellow Pages business directory were sent notifications via email.

The tender was released via Tenderlink on 13 September 2019 and closed on 9 October 2019.

The tender invited suppliers to enter into a contract for the provision of services for a period of two (2) years at rates submitted. The tender document defined three service zones across the Shoalhaven LGA – north, central and south.

There were 15 trades specified in the Tender including plumbing, electrical, building, roofing, concreting, air-conditioning and painting.

At close of tenders there were submissions from 74 suppliers.

Tenders Received

Tenders were received from the following:

Tenderer	Location
A J Grant Group	Kirrawee
Absolute Plumbing Service	Orient point
Accredited Plumbing (Mark Smith Plumbing)	Ulladulla
Albatross Plumbing Pty Ltd	Mollymook Beach
Aus Spark Electrics	Nowra Hill
Batmac Constructions Pty Ltd	North Nowra
Benjamin Guise Electrical	Lake Conjola
Brian Hayward Electrical Pty Ltd	Wollumboola
City Coast Plumbing Services	Oak Flats
Climax Air Conditioning	South Nowra
Coffey Information Pty Ltd	South Nowra
Colour Sensations Painting & Decorating	Ulladulla
Complete Plumbing & Fire Pty Ltd	Wollongong
Cool Blue Air Conditioning	Yallah
Core Electrical & Communications	Berry
Culburra Plumbing	Culburra Beach
Downer EDI Engineering Power Pty Ltd	Unanderra
Encat Pty Ltd	Unanderra
First Choice Fencing Pty Ltd	Prestons
Flavells Plumbing Services P/L	Shoalhaven Heads
Fowlers Plumbing Service Pty Ltd	Burrill Lake
Fulton Hogan Infrastructure Pty Ltd	Minto
Grosvenor Engineering Group Pty Ltd	Wollongong
Ian Jorgenson Electric & Data Pty Ltd	Bomaderry
Ibuild Creations Pty Ltd	Burrill Lake
IEC Solutions (Innovative Energy)	Nowra
Ison Lock & Key Pty Ltd	Terara
Ison Plumbing Pty Ltd	Terara
Jas Wearne Building Services	Nowra
Jervis Bay Installations	Vincentia
Jim Freeman Plumbing Pty Ltd	Bomaderry
John Hills Signs P/L	Bomaderry

SA19.202

Jordans NSW Pty Ltd	Kiama Downs
JS & IS Management Pty Ltd (Kangaroo Valley Painting)	Kangaroo Valley
Kalvinis Pty Ltd t/a MGC Civil Works	Tapitallee
Kiama Electrical Services (J Quinn Pty Ltd)	Shoalhaven Heads
Knowles Constructions	Wandandian
L. Sandstrom Installations	Culburra Beach
Lifestyle Plumbers	Milton
Mikes Tree Services	St Georges Basin
Northern Fencing Specialists	Nowra
Nowra Emergency Plumbing	Nowra
P J Curran Plumbing	Albion Park
Parrish Group NSW Pty Ltd	South Nowra
Pascall Group Pty Ltd	Bomaderry
Pipeguy Plumbing Services Pty Ltd	Kings Point
Planet Civil Pty Ltd	Arncliffe
Pro-Asset Painting Maintenance Pty Ltd	St Leonards
Programmed Property Services	Unanderra
Progroup Management	Macquarie Park
QES Electrical Contracting Pty Ltd	Mollymook Beach
Quantum FM Pty Ltd	Glendenning
R K Refrigeration Air Conditioning	Nowra
RBK Pty Ltd (topnotch fencing)	Eurobodalla
Relyon Constructions Pty Ltd	Caringbah
Robert Jansma T/A Shoreline Painting	Bawley Point
S & N Watson Plumbing (Steve Watson Plumbing)	Curarong
Sal's Excavations Pty Ltd ATF	Falls Creek
Shoalhaven Under Road Boring Pty Ltd	Sussex Inlet
Simmark	North Nowra
South Coast Glass Pty Ltd	South Nowra
South Coast Refrigeration & Air Conditioning	Bomaderry
Southern Infrastructure & Hire Pty Ltd	Termeil
Star Electrical Co Pty Ltd	Unanderra
Stowe Australia Pty Ltd	South Nowra
SW and R Roskelly (N and S Constructions)	Curarong
Transelect - ARA Electrical High Voltage Pty Ltd	Unanderra
Ulladulla Showerscreens & Glass	Ulladulla
Urban Civil Group Australia Pty Ltd	Panania

Veolia Energy technical Services	Rosehill
Vicool Pty Ltd (Southern Water Vicool)	Bomaderry
Wade Henry Electrical	Milton
Wellco Developments Pty Ltd	Milton
Wilson Hirst Carpentry, Building and maintenance	South Nowra

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

Community Engagement:

The tender process was undertaken in accordance with the requirement of the Local Government Act and was advertised publicly. The public tender was advertised in local and national newspapers, local radio and on Council's e-tendering portal. Current suppliers to Council and other regional suppliers identified through the Yellow Pages business directory were sent notifications via email.

Financial Implications:

The services will be delivered to various operational and capital works funded in the 2019/2020 budget and subsequent years.

SA19.202

SA19.203 State Government Funding for Public Libraries - Renew Our Libraries Phase Two

HPERM Ref: D19/404351

Section: Recreation Community & Culture

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Reason for Report

To seek Council support to make further representations regarding funding for NSW public libraries.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Make representation to the local State Members, the Hon. Shelley Hancock MP, and the Hon. Gareth Ward MP in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
2. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.
3. Take a leading role in lobbying for sustainable state government funding for libraries.
4. Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.

Options

1. Accept the resolution above as written

Implications: This will provide a continuation of the increased funding from the State Government and provide further certainty for libraries

2. To not accept the resolution above as written and to modify the resolution

Implications: Currently unknown

Background

The NSW Public Libraries Association's 2018-19 Renew Our Libraries campaign was a spectacular success, delivering an increase of \$60m in state funding for NSW public libraries over the quadrennial period 2019-20 to 2022-23. This is the largest single increase in state funding since the NSW Library Act was introduced in 1939.

This outcome was achieved as a result of the remarkable support of councils, libraries and communities across the state. Over 80% of NSW councils formally endorsed Renew Our Libraries through council resolutions.

The NSW Public Libraries Association has requested the support of NSW councils in its advocacy to State Government to develop a sustainable funding model for NSW libraries.

SA19.203

Renew Our Libraries Phase Two has recently been launched <https://renewourlibraries.com.au/> Well known media and advocacy company Essential Media has been engaged to administer the campaign, the objectives of which are to:

- **Index the total increased state funding contribution** to the Consumer Price Index (CPI) in perpetuity. Without indexation the actual value of state funding for NSW libraries will decline over time, leaving NSW councils to either meet the shortfall or reduce services.
- **Protect the new funding commitment** by including all elements of the new state funding model in legislation through the Library Act and/or the Library Regulation. Currently, only the per-capita component of the funding model (increasing from \$1.85 per capita to \$2.85 per capita over the 4-year period 2019-20 to 2022-23) is included in library legislation, **leaving 46% of the total funding for NSW libraries at risk.**

Index the Funding → Protect the Funding

These two simple measures will ensure that NSW councils continue to receive a significantly increased state government contribution to the operation of public libraries across the state, which will be protected by legislation and will not be subject to cost of living attrition over time.

This will also mean that the NSW Public Libraries Association, its member councils and libraries across the state can direct their funds and efforts to the ongoing support and development of high-quality library services for NSW communities, rather than engaging in expensive and time consuming future funding campaigns.

This is our opportunity to lock in the historic 2019 state funding increase for NSW libraries once and for all, thereby ensuring the future prosperity of the NSW public library network.

Accordingly, it is recommended that Council supports the NSW Public Libraries Association by formally endorsing Phase Two of the Renew Our Libraries Campaign to secure a sustainable funding model for NSW public libraries in perpetuity.

SA19.204 Tenders - Hardware Supply Panel 2020/2021

HPERM Ref: D19/406031

Section: Finance

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Reason for Report

To inform Council of the tender process for the Panel tender for the supply hardware, paints, electrical, plumbing, and garden supplies and to seek approval to appoint suppliers to a Panel of Preferred Suppliers.

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. The Committee accept the recommendation as presented.

Implications: Full details of the tendering process is available within the confidential report.

Details

Council invited tenders from suppliers for the provision of the following product categories:

- Hardware
- Paints
- Electrical and lighting
- Nursery & garden care
- Hand and power tools
- Plumbing supplies
- Building and construction materials

The successful tenderers are to be appointed to a Preferred Supplier Panel for a two (2) year expiring on 31 of December 2021 with two (2) x one (1) year extensions at Council's discretion. This tender process is in line with best practice to ensure compliance with Council's Purchasing Policy, the Local Government Act 1993 and the NSW Tendering Regulations 2009.

The public tender was advertised in local and national newspapers, on Council's e-tendering portal, and suppliers identified as currently supplying goods to Council were advised via email and site visitations were also performed by the Procurement Supervisor to local suppliers. The tender closed on 8 of October 2019.

At the close of the tenders there were submissions from 11 suppliers for the 7 different categories.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Bishop Seed and Produce	South Nowra
J.Blackwood and Son Pty Limited	Unanderra
Bunnings Group Limited	South Nowra & Ulladulla
BVN Landscape Supplies	St Georges Basin
Gordon MacDonald	South Nowra
Hendo's Power Tools	Ulladulla
Ison & Co Pty Ltd	Nowra, South Nowra, Sanctuary Point & Huskisson
Lawrence & Hanson	Nowra
Swan Plumbing	Nowra
Turfco Australia Pty Ltd	Berry
UES INT'L Pty trading as UES Jennings	South Nowra

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

Community Engagement:

The tender process was undertaken in accordance with the requirement of The Local Government Act, and was advised publicly. The public tender was advertised in local and national newspapers, on Council's e-tendering portal, and suppliers identified as currently supplying goods to Council were advised via email and site visitations were also performed by the Procurement Supervisor to local suppliers.

Financial Implications:

No financial implications as goods are purchased from ongoing operational budgets.

SA19.204

SA19.205 September 2019 Quarterly Budget Review

HPERM Ref: D19/388877

Section: Finance

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Attachments: 1. Quarterly Budget Review Statement September 2019 (under separate cover) [⇒](#)

Reason for Report

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. This has been carried out for the first quarter of the 2019/20 financial year.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the September Quarterly Budget Review information
2. Adopt the adjustments, as outlined in the September Quarterly Budget Review document.

Options

1. Adopt the recommendation

Implications: Nil

2. Not adopt the recommendation and make an alternative resolution

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

Background

The budget review involves an analysis of Council's annual budget for each Group to determine whether any changes in votes are required for the period. This process has been undertaken for the period to 30th September 2019, and any changes have been reported in the Quarterly Budget Review Document. This report also analyses the progress of each group in achieving its financial objectives.

Summary of Movements and Projected Budget by Council Funds

General Fund Budget and Quarterly Review Movements

The 2019/20 budget adopted by Council forecasted an operating profit of \$18M after capital grants, an operating deficit before Capital Grants and Contributions of \$3.2M, and a reduction in our cash and investments of \$1.99M.

The following table presents a high-level summary of the budget and movements for the General Fund for 2019/20.

SA19.205

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result
Operating Result	18,020	32,637	(7,224)	25,413
Operating Result before Capital Grants and Contributions	(3,213)	(4,502)	(6,788)	(11,290)
Net Cash & Investments Movement	(1,999)	(28,186)	(8,615)	(36,801)
Unrestricted Cash Movement	0	(29)	29	0

The main contributing factor for the change to the operating result is the portion of the Financial Assistance Grant (FAG) that was received in June. We budget for the annual amount of the FAG, but it is required to be recognised as income when it's received. In June 2019 Council received \$6.2M for the 2019/20 annual amount. This may also occur again during the current financial year, but there hasn't been any notification from the Federal Government at this stage. If this occurs again, this will improve the projected year end operating result.

The budget commenced the year with a balanced cash position. As a result of MIN19.411 (lease adjustment for 132 Kinghorne St \$4K) and MIN19.647 (Shoalhaven Heads tennis court synthetic resurfacing \$25K), the current budget position is a cash deficit of \$29K. A range of adjustments made in the September Quarterly Budget Review have identified funding for the \$29K cash deficit, maintaining the projected balanced unrestricted cash movement for General Fund for 2019/20.

The commentary on the recommended changes can be found below in the Revenue and Operating Expenditure Summary, and in the Group Overviews. Further detailed information is presented in the Quarterly Budget Review Document presented as Attachment 1.

SA19.205

General Fund Income Statement

Income Statement - General Fund

	Estimated Result For the Year Ending 30th June 2020				2019/20 Actual YTD	% Revised Budget
	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result		
	\$'000	\$'000	\$'000	\$'000	\$'000	
Income from Continuing Operations						
Revenue:						
Rates and Annual Charges	100,136	100,136	74	100,210	98,429	98.2%
User Charges and Fees	56,931	56,931	449	57,380	10,950	19.1%
Interest and Investment Revenue	5,363	5,363	(146)	5,217	843	16.2%
Other Revenues	3,772	3,791	209	4,000	1,218	30.5%
Internal Revenue	53,943	53,943	(39)	53,904	14,821	27.5%
Grants and Contributions provided for Operating Purposes	18,541	21,519	(6,265)	15,254	4,017	26.3%
Grants and Contributions provided for Capital Purposes	21,233	37,139	(436)	36,703	2,422	6.6%
Other Income:						
Net Gains from the disposal of assets	0	0	0	0	180	
Total Income from Continuing Operations	259,919	278,822	(6,154)	272,668	132,880	48.7%
Expenses from Continuing Operations						
Employee Benefits and On-Costs	77,706	78,240	(278)	77,962	19,275	24.7%
Borrowing Costs	1,810	1,810	0	1,810	449	24.8%
Materials and Contracts	47,114	50,971	1,313	52,284	11,293	21.6%
Depreciation and Amortisation	43,709	43,709	200	43,909	10,977	25.0%
Other Expenses	30,046	29,930	92	30,022	7,701	25.7%
Internal Expenses	41,514	41,525	(257)	41,268	11,681	28.3%
Net Losses from the disposal of assets	0	0	0	0	0	
Total Expenses from Continuing Operations	241,899	246,185	1,070	247,255	61,376	24.8%
Net Operating Result	18,020	32,637	(7,224)	25,413	71,504	
Net Operating Result before grants and contributions provided for capital purposes	(3,213)	(4,502)	(6,788)	(11,290)	69,082	

In terms of what is driving the operating result, the following are the amendments that are impacting:

Revenue:

As at 30th September, General Fund has achieved 49% of the revised budget. This is primarily due to the raising of rates revenue in full. Excluding rate income, General Fund has achieved 40% of the revised budget. The September Quarterly Budget Review Statement recommends a decrease of \$6.2M. The major adjustments in the review are:

Category	Amount (\$'000)	Reason
Rates and Annual Charges	+74	Additional rates revenue received
User Charges & Fees	+449	+\$228K for novated lease & leaseback income (offset by expenditure); +\$120K for expected revenue reflections café, offset by expenditure; +\$65K transfer from Internal Revenues; +\$16K proponent funded works; +\$13K NAIDOC awards ticket sales; +\$6K Art Prize money

SA19.205

Interest & Investment Revenue	-146	Reduction to reflect current Interest rates & economic outlook
Other Revenues	+209	Insurance reimbursement received, offset to reserves
Internal Revenues	-39	-\$65K transfer to User Fees and Charges; +\$60K Water Fund contribution to Utility Investigations; -\$29K tourist park van charges, -\$3K Noxious Weeds budget realignment, remaining -\$2K are assorted small adjustments
Grants & Contributions - Operating	-6,265	Reduction of the financial assistance grant due to it being received the prior year
Grants & Contributions – Capital	-436	New grants Local Land Services +\$223K; RFS capital increase +\$376K; Infrastructure Grant +\$94K for Regional Gallery (all offset by matching expenditure), - \$1.14M budgeted grants not receiving, offset by reduction in capital expenditure

Operating Expenditure:

General Fund is on target with operating expenditure at 25% of the revised budget. The September Quarterly Budget Review Statement recommends an increase of \$1,070K, made up of:

Category	Amount (\$'000)	Reason
Employee Benefits & Oncost	-278	-\$513K transfer to capital area, balance is net transfer in from reserves and materials and contracts
Materials & Contracts	+1,313	Expenditure of grants & NAIDOC (above); proponent funding received (above);+\$257K from internal expenses (below); +\$173K from developer contributions for Tannery & Beach Roads;+\$110K for ENSA from Reserves; +\$108K from Coastal Reserve for Lake Conjola expenditures incurred; RMS grants for road safety +\$15K; +\$10K from other expenses.
Depreciation	+200	Adjustment subsequent to revaluation
Other Expenses	+92	+\$200K from reserves for IT licences; -\$10K to Materials and Contracts; -\$51K grant reduction (offset by income reduction); -\$47K RFS grant allocation
Internal Expenses	-257	Re-categorise to materials and contracts above

General Fund Non-Operating Expenditure

Capital Expenditure as at 30th September is 12% of the revised budget (excluding commitments). The September Quarterly Budget Review Statement recommends a budget increase of \$1,692K. Increases of \$90K are recommended for Holiday Haven, related to the replacement of Power Heads at 3 sites; \$750K funds from RMS for remediation works in Berry and the Sand Track and \$730K of additional S7.11 funding for the Shoalhaven Indoor Sports Centre. Other grants recognised in income above are for capital works.

As recently reported to Council's Audit, Risk & Improvement Committee, the Project Q Corporate Business Information Systems Implementation (Technology One) program has reached the critical Phase 3 with the implementation of the Finance, HR, Payroll,

Procurement and Asset Management Modules. Given the complexity of this Phase and combined in-particular with a key senior staff vacancy in the Finance Team, it has been necessary to engage additional specialist financial and process mapping consulting services to keep the project timetable on-track. This will result in a budget variation for the project which will be reported to Council in conjunction with the December Quarterly Budget Review.

General Fund Asset Sales

Asset sales are at 12% of the September Adjusted Budget. An increase of \$2K has been recommended, due to sales of obsolete technical assets at the Entertainment Centre.

Water Fund Budget and Quarterly Review Movements

The budget adopted by Council forecasted an operating profit of \$1.2M, an operating profit before Capital Grants and Contributions of \$722K and a reduction in cash and investments of \$12.03M.

The following table presents a high-level summary of the budget and movements for the Water Fund for 2019/20.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result
Operating Result	1,222	1,222	(156)	1,066
Operating Result before Capital Grants and Contributions	722	722	(156)	566
Net Cash & Investments Movement	(12,032)	(14,234)	9,578	(4,656)

The commentary on the recommended changes can be found below in the Revenue and Operating Expenditure Summary below, and in the Group Overviews. Further detailed information is presented in the Quarterly Budget Review Document presented as Attachment 1.

Water Fund Income Statement

Income Statement - Water Fund

	Estimated Result For the Year Ending 30th June 2020				2019/20 Actual YTD	% Current Budget
	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result		
	\$'000	\$'000	\$'000	\$'000	\$'000	
Income from Continuing Operations						
Revenue:						
Rates and Annual Charges	4,781	4,781	0	4,781	1,086	22.7%
User Charges and Fees	19,679	19,679	0	19,679	4,447	22.6%
Interest and Investment Revenue	1,067	1,067	160	1,227	340	31.9%
Other Revenues	6	6	0	6	8	133.3%
Internal Revenues	4,198	4,198	0	4,198	1,049	25.0%
Grants and Contributions provided for Operating Purposes	0	0	0	0	0	
Grants and Contributions provided for Capital Purposes	500	500	0	500	178	35.6%
Other Income:						
Net Gains from the disposal of assets	0	0	0	0	0	
Total Income from Continuing Operations	30,231	30,231	160	30,391	7,108	23.5%
Expenses from Continuing Operations						
Employee Benefits and On-Costs	6,303	6,305	0	6,305	1,795	28.5%
Borrowing Costs	0	0	0	0	0	
Materials and Contracts	5,282	5,288	60	5,348	891	16.8%
Depreciation and Amortisation	9,798	9,798	269	10,067	2,517	25.7%
Other Expenses	1,853	1,847	0	1,847	481	26.0%
Internal Expenses	5,773	5,771	(13)	5,758	1,666	28.9%
Net Losses from the disposal of assets	0	0	0	0	1	
Total Expenses from Continuing Operations	29,009	29,009	316	29,325	7,351	25.3%
Net Operating Result	1,222	1,222	(156)	1,066	(243)	
Net Operating Result before grants and contributions provided for capital purposes	722	722	(156)	566	(421)	

Revenue

As at 30th September, Water Fund has achieved 23% of the revised budget.

The September Quarterly Budget Review Statement recommends an increase of \$160K. This adjustment relates mainly to the expected interest income due to reforecasting of capital projects.

Operating Expenditure

As at 30th September, Water Fund has achieved 25% of the revised budget.

An increase of \$316K is recommended for this review. This adjustment relates mostly to an increase in the expected depreciation charge for the year \$269K and the contribution of \$60K to the South Nowra utility investigation, and a reduction in internal expenses of \$13K for 2-way radios.

Water Fund Non-Operating Expenditure

Capital Expenditure as at 30th September is 11% of the revised budget (excluding commitments).

SA19.205

A reduction of \$9.46M is recommended after reviewing the timing of a number of key projects and expected outflow of payments.

Water Fund Asset Sales

Asset sales are at 0% of the revised budget. No adjustments have been recommended.

Sewer Fund Budget and Quarterly Review Movements

The budget adopted by Council forecasted an operating profit of \$8.7M, an operating profit before Capital Grants and Contributions of \$8M and a reduction in cash and investments of \$2.8M.

The following table presents a high-level summary of the budget and movements for the Sewer Fund for 2019/20.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result
Operating Result	8,769	8,769	(29)	8,740
Operating Result before Capital Grants and Contributions	8,019	8,019	(29)	7,990
Net Cash & Investments Movement	(2,887)	(25,680)	424	(25,256)

The major change in net cash between original and the current budget is due to the large capital projects that were carried forward from last year. The largest project being REMS, which was \$16.9M. Please note that the funds to cover this expenditure was also carried forward.

The commentary on the recommended changes can be found below in the Revenue and Operating Expenditure Summary below, and in the Group Overviews. Further detailed information is presented in the Quarterly Budget Review Document presented as Attachment 1.

SA19.205

Sewer Fund Income Statement

Income Statement - Sewer Fund

	Estimated Result For the Year Ending 30th June 2020				2019/20 Actual YTD	% Current Budget
	Original Budget	Current Budget	September Review Adjustment	Projected Year End Result		
	\$'000	\$'000	\$'000	\$'000	\$'000	
Income from Continuing Operations						
Revenue:						
Rates and Annual Charges	44,753	44,753	0	44,753	11,581	25.9%
User Charges and Fees	3,666	3,666	4	3,670	843	23.0%
Interest and Investment Revenue	700	700	0	700	210	30.0%
Other Revenues	0	0	0	0	0	
Internal Revenues	1,669	1,669	0	1,669	422	25.3%
Grants and Contributions provided for Operating Purposes	0	0	0	0	0	
Grants and Contributions provided for Capital Purposes	750	750	0	750	192	25.6%
Other Income:						
Net Gains from the disposal of assets	0	0	0	0	0	
Total Income from Continuing Operations	51,538	51,538	4	51,542	13,248	25.7%
Expenses from Continuing Operations						
Employee Benefits and On-Costs	7,242	7,242	0	7,242	1,768	24.4%
Borrowing Costs	4,741	4,741	0	4,741	1,217	25.7%
Materials and Contracts	10,181	10,181	20	10,201	1,112	10.9%
Depreciation and Amortisation	10,722	10,722	29	10,751	2,688	25.1%
Other Expenses	2,361	2,361	0	2,361	622	26.3%
Internal Expenses	7,522	7,522	(16)	7,506	1,794	23.9%
Net Losses from the disposal of assets	0	0	0	0	2	
Total Expenses from Continuing Operations	42,769	42,769	33	42,802	9,203	21.5%
Net Operating Result	8,769	8,769	(29)	8,740	4,045	
Net Operating Result before grants and contributions provided for capital purposes	8,019	8,019	(29)	7,990	3,853	

SA19.205

Revenue

As at 30th September, Sewer Fund has achieved 26% of the revised budget.

The September Quarterly Budget Review Statement recommends an increase of \$4K. This adjustment relates mainly to leaseback fees \$3.7K.

Operating Expenditure

Operating Expenditure as at 30th September is 21% of the revised budget.

The September Quarterly Budget Review Statement recommends an increase of \$33K. This relates mainly to the increase in the expected depreciation charge for the year \$29K and an increase in the funding for the Oyster Growers \$20K offset by reduction in the 2 way radio budget \$16K.

Sewer Fund Non-Operating Expenditure

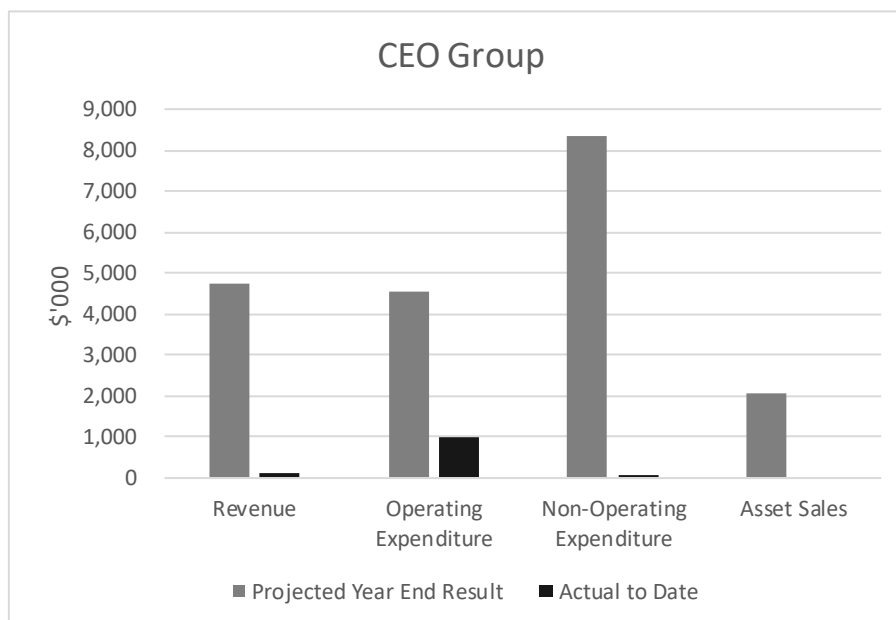
Capital Expenditure as at 30th September is 20% of the revised budget (excluding commitments). A reduction of \$423K is recommended after reviewing the timing of a number of key projects and expected outflow of payments.

Sewer Fund Asset Sales

Asset sales are at 1% of the revised budget. No adjustments have been recommended.

Summary of Movements and Projected Budget by Council Groups

Chief Executive Officer Group



The recommended budget changes, revised budget and result to date for the CEO Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	285	4,713	23	4,736	127	3%
Operating Expenditure	6,249	6,560	(1,985)	4,575	1,010	22%
Non-Operating Expenditure	3,370	8,415	(60)	8,355	56	1%
Asset Sales	2,050	2,050	0	2,050	0	0%

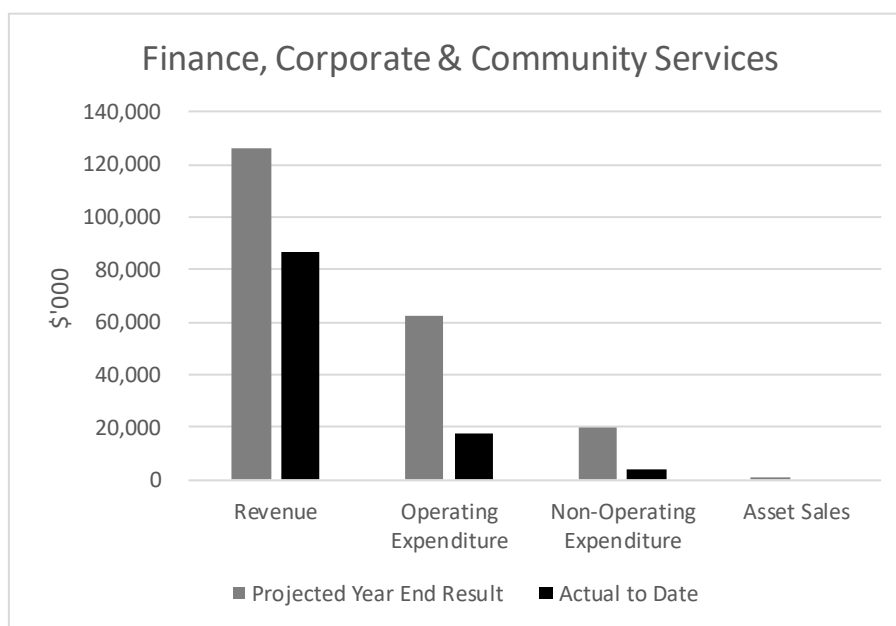
Chief Executive Officer Comments:

The main movement in the CEO Group is related to the distribution of salary related Special Rate Variation (SRV) funds and remuneration review funds to the relevant Directorates – having made a corporate provision for these expenses in the CEO's Group in the adopted 2019/20 Budget.

The capital movement is a transfer from capital expenditure to operational expenditure of \$60K for Utility Investigations, which has been jointly funded from the CEO, Planning Environment & Development, and Shoalhaven Water Groups.

SA19.205

Finance, Corporate and Community Services



The recommended budget changes, revised budget and result to date for the Finance, Corporate and Community Services Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	126,513	132,050	(5,668)	126,382	86,716	69%
Operating Expenditure	60,127	61,498	968	62,466	17,948	29%
Non-Operating Expenditure	4,629	18,269	1,360	19,629	3,670	19%
Asset Sales	0	0	2	2	2	100%

Group Director's Comments:

Whilst revenue for the Finance, Corporate & Community Services Group stands at 69%, when removing for the impact of rates revenue, revenue is at 21%, which is slightly behind the 25% expectation. This is attributable to the timing of grant payments (library operational area) and grant funded capital works. The recommended adjustment of revenue for the group relates primarily to the reversal of Financial Assistance Grant that was prepaid to Council at the end of last financial year. Recognition of \$200K revenue budget for novated leases (offset by expenditure), and reimbursements in the Insurance and Risk Management area \$375K are the other main recommended adjustments.

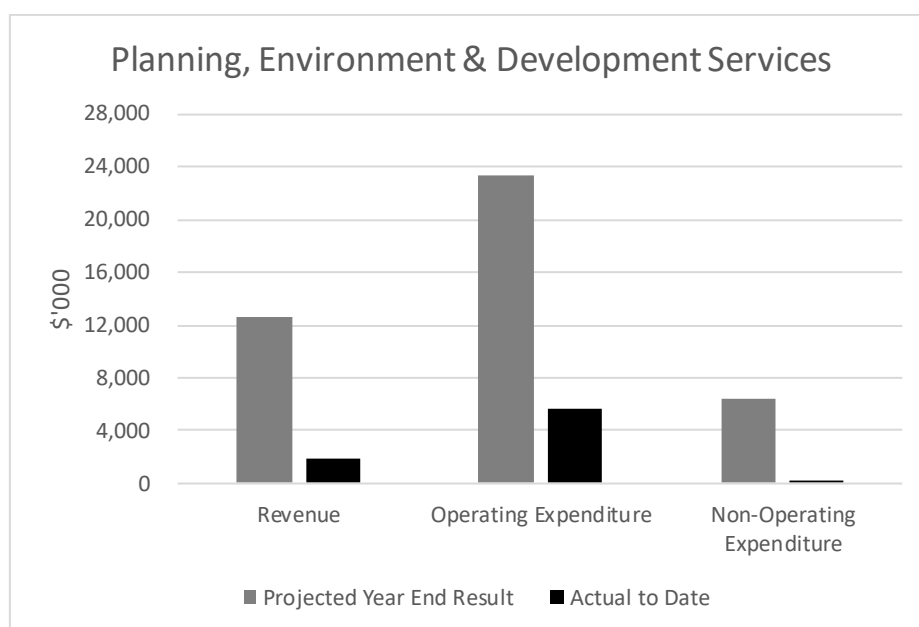
In terms of the expenditure area, the main adjustments for the Group are depreciation \$100K, and distribution of funds from the CEO's Group relating to Special Rate Variation funded positions (\$466K), and the remuneration review (\$636K). There has also been a transfer of operational budget to capital for Council's Corporate Business System, Technology One. The Groups operational expenditure is ahead pro-rata at 29%. This is due to public liability premiums being paid in full, and software licensing being paid in advance, either for the current year or for future years. Adjustments will be made in line with accounting standards to account for the prepayments of future years in the Information Services area. After removing the effects of the public liability and licensing, the Groups expenditure is at 23.7%.

SA19.205

Transfers from Communications Tower Reserve for Information Technology this quarter relate to software licencing and Council's PC Replacement Programme. Council's CIO has reviewed the current desktop, laptop and tablet devices throughout the organisation and determined that of the existing 1200 desktops/laptops/tablets, approximately 160 require replacement due to their incompatibility with Microsoft's latest operating system. Having all devices at the same operating system level ensures staff are able to utilise all features of Council's existing software, including the advanced collaborative and mobility tools available with Microsoft Office 365.

Additionally, as a result of staff growth and the ability to ensure staff have access to information from out in the field on mobile devices, additional Microsoft Office 365 licences need to be purchased to ensure Council's licencing obligations are met. Having all council staff on the same software platform enables staff to use the feature rich collaboration and teams-tools available. This will also establish a consistent foundation across the organisation from which to build additional mobility features for the future.

Planning, Environment and Development Services



The recommended budget changes, revised budget and result to date for the Planning, Environment and Development Services Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	9,442	12,731	(78)	12,653	1,945	15%
Operating Expenditure	20,404	22,656	671	23,327	5,679	24%
Non-Operating Expenditure	2,861	6,335	3	6,338	65	1%

SA19.205

Group Director's Comments:

Legal expenses have been well above budget, continuing from last financial year. Larmer Avenue, Sanctuary Point has been in excess of \$70K so far this financial year. A Worrigea subdivision has had 3 court hearing days and remains unresolved, and a number of other items also remain unresolved.

In the Building and Compliance area, a split in income areas between building and plumbing 2 years ago saw both areas attributed high income levels. These expectations have not been met and have been compounded by a reduction of activity in the sector. Further compliance income has been impacted by Council's direction to issue cautions which has resulted in potential revenue foregone this quarter is \$130K from Rangers, \$10.5K Parking & \$318K Building section. This will need to undergo further analysis and be considered for review and a reduction in income levels in the order of \$600-800K during the December review.

Bushfire Management as needed an increase of \$108K expenditure resulting from the need for Council to upgrade the Asset Protection Zones (APZ) on Council land to protect existing residential development. The recent service of notices and upgrade of protection requirements by the RFS has meant Council has needed to undertake a review of current APZs outlined in Council's Bushfire Management Plan. Council has around 150 locations where such APZs are provided, with many requiring widening as a result of the application of current standards.

Operational and Capital grants in the order of \$3.6M are yet to be realised.

The Sewage Management Facility team had a Fixed Term position with Motor Vehicle hire that needed to be acknowledged in budget. The motor vehicle cost is \$13K.

Changes to our Groups budget related to the remuneration review saw an increase of \$480K which was transferred from the CEO's Group.

Small Lot Rural Subdivision

The Rezoning Investigations have been carried out by Council in response to requests by landowners, as a user pays system via a special rate introduced in 2008 to enable more certainty surrounding the paper estates becoming approved estates with provision of infrastructure and services. The following report details the expenditures to date.

REZONING INVESTIGATIONS Updated 30th September 2019			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	350,000	150,000	200,000
Loan Funded (transferred from Road Design)		12,968	
Special Rates (from construction)		6,626	
Special Rates (from construction) (returned)		-5,213	
Strategic Planning Consultants Budget		25,000	
Previous Contributions (Pre 1996)	0	2,571	0
Transfer to Road Construction	-55,049		
	294,951	191,952	200,000
Expenditure			
Salaries	157,224	32,614	48,929
Consultants	123,636	157,396	72,548
Other	14,091	1,942	21,421
Commitments in 2019/20	0	0	0
	294,951	191,952	142,898
Variance	0	0	57,102
ROAD DESIGN AND INVESTIGATIONS Updated 30th September 2019			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	184,438	50,281	50,281
Transfer to road construction	-168,616	0	-22,800
Transfer to rezoning	0	-12,968	0
	15,822	37,313	27,481
Expenditure			
Salaries	0	0	0
Consultants	12,333	37,313	16,835
Other	3,488	0	0
Commitments in 2019/20	0	0	0
	15,821	37,313	16,835
Variance	0	0	10,646

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ROAD CONSTRUCTION			
Updated 30th September 2019			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded (from investigations)	168,616	0	22,800
General Fund	0	3,000	0
Strategic Projects (2008/09)	82,020	41,738	11,750
Special Rate Funded	232,640	141,011	84,373
Infrastructure Special Rate (Loan)	7,200,000	2,130,000	0
Transfer to Estate Rezoning		-6,626	
Transfer to Estate Rezoning (returned)		5,213	
Transfer from Estate Rezoning	55,049		
	7,738,325	2,314,336	118,923
Expenditure			
Salaries	148,787	35,439	5,569
Consultants	11,662	11,760	12,575
Other	5,279,947	1,673,079	87,926
Commitments in 2019/20	0	418,914	0
	5,440,396	2,139,192	106,070
Variance	2,297,929	175,144	12,853
Notes:			
Expenditure details will be updated quarterly.			
Upon completion of the rezoning investigations, any excess funding from rezoning investigations will be redirected to road investigations and construction for the relevant Estate at the appropriate time. Options to address any negative variance values will be considered in the future. If necessary, funding may be transferred between the rezoning investigation, road investigation and road construction budgets for each Estate. Funding will not be transferred from one Estate to another.			

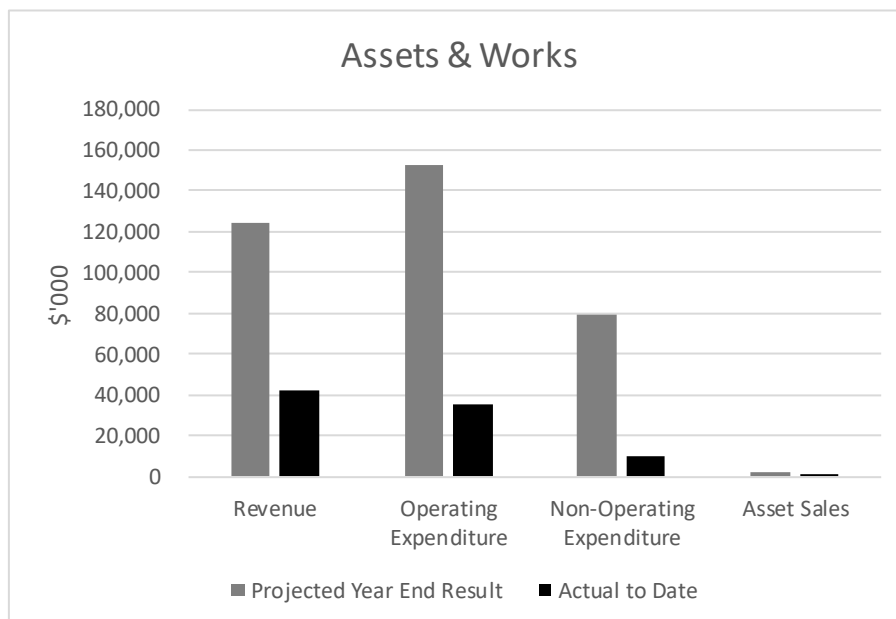
Nebraska Estate: \$57,102 remains for progressing rezoning investigations.

Verons Estate: The cost of the rezoning investigations was \$191,952 but only \$150,000 was borrowed in 2006. The deficit to Council was reconciled as part of the road upgrade project.

Road investigations and construction: The balance of the roadwork design budget for Nebraska Estate for 2019/2020 is \$10,646. The balance of the construction budgets for Jerberra, Verons and Nebraska Estates for 2019/2020 are \$2.29M, \$175K and \$12,853 respectively.

SA19.205

Assets and Works



The recommended budget changes, revised budget and result to date for the Assets and Works Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	119,249	124,899	(383)	124,516	42,706	34%
Operating Expenditure	150,518	150,874	1,641	152,515	35,693	23%
Non-Operating Expenditure	54,201	78,743	271	79,014	9,671	12%
Asset Sales	2,782	2,782	0	2,782	586	21%

Group Director's Comments:

New Grants from Local Land Services have been accepted, and they total \$225K. Removal of unsuccessful grant applications as forecast during the 19/20 budget process totalling \$1.030M have been made. The Rural Fire Service allocations have now been advised to Council and the budgets have been adjusted accordingly. Changes to the Bereavement Services income budget have also been made during this review. All changes to income budgets have had a corresponding change to the expenditure budgets (operational and capital).

Also during the period under review, distributions of funds from the CEO's Group relating to Special Rate Variation funded positions (\$216K), and the remuneration review (\$447K) have now been reflected in our Groups budget.

A change of \$404K to annual depreciation budgets has been included.

Capital expenditure changes include an additional \$90K for powerhead replacement at 3 tourist park sites and use of Developer Contributions in accordance with MIN19.711.

SA19.205

Stormwater Levy

Spending against the Stormwater Levy is 14% of budget, and 30% expended when including commitments.

Stormwater Levy Progress 2019/20

	Stormwater Levy Budget					Actual	Commit	Total	Budget Remaining	% Spent
	2018/19 unspent	2019/20	Adjustment	Adjustment Notes	Current					
Drainage Program										
Preliminary Works										
89 Sussex Inlet Road - Drainage	\$59,422	\$0	\$0		\$59,422	\$0	\$0	\$0	\$59,422	0%
Forest Meadows Way Worrige	\$17,157	\$0	\$0		\$17,157	\$0	\$0	\$0	\$17,157	0%
The Park Dr Sanctuary Pt	\$138,178	\$0	\$0		\$138,178	\$0	\$0	\$0	\$138,178	0%
Pipe inspection, renewal & refurbishment -south	\$0	\$140,000	-\$2,617	1	\$137,383	\$0	\$0	\$0	\$137,383	0%
Ormonde Cr (& Otway St) - Orient Point	\$0	\$75,000	\$0		\$75,000	\$3,053	\$16,500	\$19,553	\$55,447	26%
Timbs St pipe renewal - Ulladulla	\$0	\$48,500	\$0		\$48,500	\$0	\$0	\$0	\$48,500	0%
North St - Ulladulla K&G	\$0	\$90,000	\$0		\$90,000	\$0	\$0	\$0	\$90,000	0%
Pipe inspection, renewal & refurbishment - North	\$0	\$140,000	-\$23,189	2	\$116,811	\$0	\$0	\$0	\$116,811	0%
Pipe inspection, renewal & refurbishment - Central	\$0	\$140,000	\$0		\$140,000	\$0	\$0	\$0	\$140,000	0%
Pipe inspection, renewal & refurbishment - Basin	\$0	\$140,000	-\$133,826	3, 4	\$6,174	\$0	\$0	\$0	\$6,174	0%
Bendalong boat harbour	\$0	\$15,000	\$0		\$15,000	\$0	\$0	\$0	\$15,000	0%
Racemosa Av/Cavanagh Ln - West Nowra	\$0	\$25,000	\$0		\$25,000	\$4,139	\$2,436	\$6,575	\$18,425	26%
Nirimba Av - Sanctuary Point	\$0	\$20,000	\$0		\$20,000	\$2,918	\$0	\$2,918	\$17,082	15%
Buralee Dr easement - Worrige	\$0	\$60,000	\$0		\$60,000	\$0	\$0	\$0	\$60,000	0%
Did-dell St coastal erosion - Ulladulla	\$0	\$5,000	\$0		\$5,000	\$0	\$0	\$0	\$5,000	0%
Surfers Av coastal erosion - Mollymook Beach	\$0	\$7,000	\$0		\$7,000	\$0	\$0	\$0	\$7,000	0%
Discovery Pl/Noakes St - Shoalhaven Heads	\$0	\$15,000	\$0		\$15,000	\$0	\$0	\$0	\$15,000	0%
North St / Kingsley Av - Ulladulla	\$0	\$10,000	\$0		\$10,000	\$0	\$0	\$0	\$10,000	0%
Curtis St/Village Dr - Ulladulla	\$0	\$10,000	\$0		\$10,000	\$0	\$0	\$0	\$10,000	0%
Mollymook17 - Coastal Erosion	\$0	\$10,000	\$0		\$10,000	\$0	\$0	\$0	\$10,000	0%
Woodglen Cres - Mollymook Beach	\$0	\$40,000	\$0		\$40,000	\$3,240	\$0	\$3,240	\$36,760	8%
Hyams Bch Toilet Block	\$0	\$50,000	\$0		\$50,000	\$0	\$0	\$0	\$50,000	0%
Unallocated	\$10,681	\$0	\$0		\$10,681	\$0	\$0	\$0	\$10,681	0%
Total Preliminary Works	\$225,438	\$1,040,500	-\$159,632		\$1,106,307	\$13,350	\$18,936	\$32,286	\$1,074,020	1%
Construction Stage										
Bendalong Point, Bendalong - Drainage	\$49,668	\$0	\$0		\$49,668	\$27,163	\$0	\$27,163	\$22,504	55%
Edwards Street Berry	\$212,068	\$0	\$0		\$212,068	\$7,346	\$280,470	\$287,816	\$0	100%
Enterprise Ave & Browns Rd South Nowra	\$76,214	\$0	\$0		\$76,214	\$13,750	\$0	\$13,750	\$62,464	18%
Katela Avenue Bomaderry	\$41,748	\$0	\$0		\$41,748	\$11,462	\$182	\$11,644	\$30,104	28%
Lake Conjola Ent Rd - Culvert Upgrade - Drainage	\$40,000	\$0	\$0		\$40,000	\$0	\$4,294	\$4,294	\$35,706	11%
Orient Point Rd, Culburra Beach - Drainage	\$0	\$60,000	\$0		\$60,000	\$0	\$0	\$0	\$60,000	0%
Prince Edward Ave Culburra	\$64,190	\$0	\$0		\$64,190	\$0	\$9,624	\$9,624	\$54,566	15%
River Road, Shoalhaven Heads - Drainage	\$340,198	\$0	\$0		\$340,198	\$0	\$15,830	\$15,830	\$324,368	5%
St Andrews Way C'gatta Stage 2	\$4,512	\$0	\$0		\$4,512	\$60	\$0	\$60	\$4,453	1%
Total Construction Stage	\$828,598	\$60,000	\$0		\$888,598	\$59,782	\$310,400	\$370,181	\$594,166	7%
Completed Works										
Meroo Road Bomaderry - Drainage	\$0	\$0	\$14,710	2	\$14,710	\$10,158	\$4,552	\$14,710	\$0	100%
Reserve Road, Basin View - Drainage	\$58,976	\$30,000	\$30,579	3	\$119,555	\$115,847	\$3,708	\$119,555	\$0	100%
Urgent Pipe Repairs Basin	\$0	\$0	\$9,091	3	\$9,091	\$0	\$9,091	\$9,091	\$0	100%
Urgent Pipe Repairs Northern	\$0	\$0	\$8,479	2	\$8,479	\$5,495	\$2,985	\$8,479	\$0	100%
Urgent Pipe Repairs Southern	\$0	\$0	\$2,617	1	\$2,617	\$2,617	\$0	\$2,617	\$0	100%
Waratah Cr Sanct Pt Drain	\$11,837	\$0	\$99,355	3	\$111,192	\$102,101	\$9,091	\$111,192	\$0	100%
Total Completed Works	\$70,813	\$30,000	\$164,831		\$265,644	\$236,218	\$29,426	\$265,645	\$0	89%
Total Stormwater Levy	\$1,124,850	\$1,130,500	\$5,199.17		\$2,260,549	\$309,350	\$358,763	\$668,112	\$1,668,186	14%

Note: - The projects may have other additional funding, but only the Stormwater Levy is included in this table

1 - September QBR - Transfer from Pipe inspection South to Urgent South \$2,617

2 - September QBR - Transfer from Pipe inspection North (23K) to Meroo Road +15K & Urgent North +8K

3 - September QBR - Transfer from Pipe inspection Basin (139K) to Waratah Cres +99K, Reserve Road +31K & Urgent Basin +9K

4 - September QBR - Additional Stormwater Levy Funds received +5K to Pipe inspection Basin

Group Directors Comments

There are a large number of drainage projects currently in the preliminary stages of investigation. As these projects move into the construction phase, the expenditure will increase accordingly. The majority of the projects that were carried over from the previous financial year are either currently in construction or completed.

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Special Rate Variations

Expenditure against the Special Rate Variation from 2013/14 is 25% of budget, and 37% when including commitments.

Special Rate Variation Progress 2019/20 - (2013/14 SRV) - Reporting Year 7 of 10

	Special Rate Variation Budget					Actual	Commit	Total	Budget Remaining	% Spent
	2018/19 unspent	2019/20	Adjustment	Adjustment Notes	Current					
Special Rate Variation Programme										
St Anns Street, Nowra	\$463,394	\$0	\$0		\$463,394	\$432,302	\$31,092	\$463,394	\$0	100%
The Lake Circuit, Culburra Beach	\$601,199	\$0	\$0		\$601,199	\$274,513	\$326,686	\$601,199	\$0	100%
Jacobs Drive Streetscape, Sussex Inlet	\$76,660	\$0	\$0		\$76,660	\$6,861	\$69,800	\$76,660	\$0	100%
Hunter Street, Callala Bay	\$0	\$450,000	\$0		\$450,000	\$11,808	\$0	\$11,808	\$438,192	3%
Meroo Road, Bomaderry	\$0	\$470,000	\$0		\$470,000	\$4,789	\$0	\$4,789	\$465,211	1%
Main Road, Cambewarra	\$0	\$500,000	\$0		\$500,000	\$5,150	\$0	\$5,150	\$494,850	1%
Upper Kangaroo River Rd, Upper Kangaroo Rivery	\$0	\$545,457	\$0		\$545,457	\$0	\$0	\$0	\$545,457	0%
Donlan Road, Mollymook Beach	\$0	\$525,226	\$0		\$525,226	\$201,529	\$11,509	\$213,038	\$312,188	41%
Warrain Cres, Currarong	\$0	\$10,000	\$0		\$10,000	\$0	\$0	\$0	\$10,000	0%
Elmoos Avenue, Sussex Inlet	\$0	\$15,000	\$0		\$15,000	\$0	\$0	\$0	\$15,000	0%
Bawley Point Rd, Bawley Point	\$0	\$30,000	\$0		\$30,000	\$1,946	\$28,054	\$30,000	\$0	100%
Narang Road, Bomaderry	\$0	\$5,000	\$0		\$5,000	\$0	\$0	\$0	\$5,000	0%
Broughton Street, Kangaroo Valley	\$0	\$15,850	\$0		\$15,850	\$842	\$0	\$842	\$15,008	5%
Milton Showground Road, Milton	\$0	\$15,000	\$0		\$15,000	\$0	\$0	\$0	\$15,000	0%
BTU Road, Nowra Hill	\$0	\$33,693	\$0		\$33,693	\$487	\$0	\$487	\$33,206	1%
Murramarang Rd, Bawley Point	\$0	\$10,000	\$0		\$10,000	\$0	\$0	\$0	\$10,000	0%
Total Special Rate Levy	\$1,141,254	\$2,625,226	\$0		\$3,766,480	\$940,226	\$467,141	\$1,407,367	\$2,359,113	25%

Note: - The projects may have other additional funding, but only the Special Rate Levy is included in this table

Group Directors Comments

Expenditure is tracking as expected at the end of the first quarter.

Expenditure against the Special Rate Variation from 2018/19 is 41% of budget, and 45% when including commitments

Special Rate Variation Progress 2019/20 - (2018/19 SRV) - Reporting Year 2 of 10

	Special Rate Variation Budget					Actual	Commit	Total	Budget Remaining	% Spent
	2018/19 unspent	2019/20	Adjustment	Adjustment Notes	Current					
Special Rate Variation Programme										
Additional Resources	\$0	\$2,003,274	\$0		\$2,003,274	\$500,819	\$73,697	\$574,515	\$1,428,759	29%
Interest Repayments - Verons Infrastructure	\$0	\$71,248	\$0		\$71,248	\$71,248	\$0	\$71,248	\$0	100%
Public Halls Programmed Maintenance	\$52,000	\$205,000	\$0		\$257,000	\$69,402	\$27,945	\$97,347	\$159,653	38%
Parks Core Maintenance	\$0	\$205,000	\$0		\$205,000	\$15,570	\$18,609	\$34,179	\$170,821	17%
Local Roads Routine Maintenance	\$0	\$615,000	\$0		\$615,000	\$87,665	\$0	\$87,665	\$527,335	14%
Principle Repayments - Verons Infrastructure	\$0	\$77,733	\$0		\$77,733	\$77,733	\$0	\$77,733	\$0	100%
Building Renewal works	\$0	\$1,000,000	\$0		\$1,000,000	\$0	\$0	\$0	\$1,000,000	0%
Nowra Showground buildings	\$599,178	\$0	\$0		\$599,178	\$1,454	\$0	\$1,454	\$597,724	0%
Public amenity - Cudmirrah - Errol Bond Reserve	\$188,601	\$0	\$0		\$188,601	\$12,083	\$1,818	\$13,901	\$174,700	7%
Sports grounds upgrades	\$496,851	\$512,500	\$0		\$1,009,351	\$15,702	\$338,833	\$354,535	\$654,817	35%
Road renewal works	\$583,874	\$1,676,466	\$0		\$2,260,340	\$299,845	\$59,003	\$358,848	\$1,901,493	16%
Streetscape renewal	\$193,238	\$525,313	\$0		\$718,551	\$5,751	\$0	\$5,751	\$712,800	1%
Covering the costs of existing service levels	\$0	\$4,276,433	\$0		\$4,276,433	\$4,276,433	\$0	\$4,276,433	\$0	100%
Total Special Rate Levv	\$2,113,743	\$11,167,967	\$0		\$13,281,710	\$5,433,704	\$519,905	\$5,953,609	\$7,328,101	41%

Note: - The projects may have other additional funding, but only the Special Rate Levy is included in this table

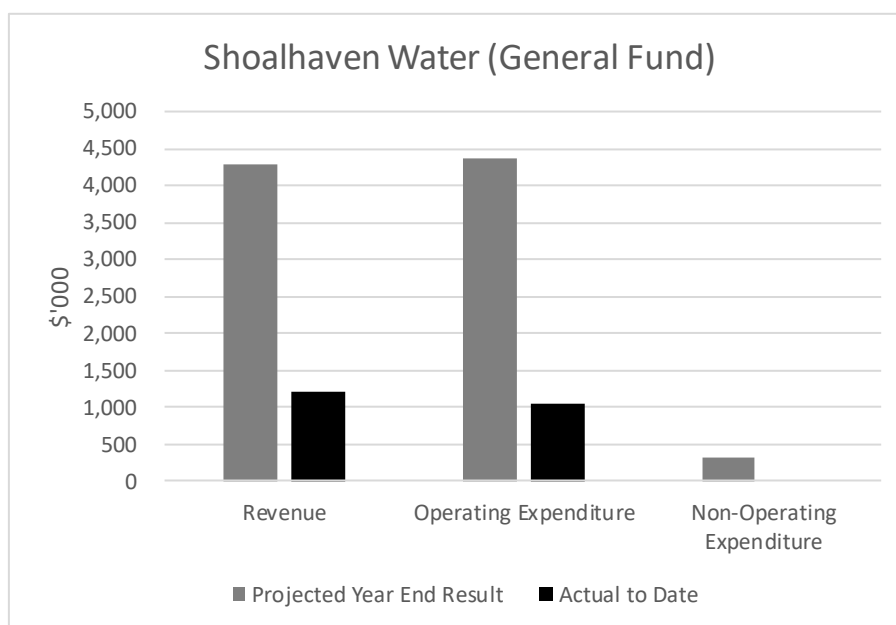
Group Directors Comments

Expenditure is tracking as expected at the end of the first quarter. Works on the Nowra Showground buildings has commenced during the second quarter and will be ongoing throughout this financial year. Consultants will be engaged to design appropriate fire compliance works.

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A number of sports fields have been identified for capital upgrades, and these works will be subject to tender to external parties.

Shoalhaven Water (General Fund)



The recommended budget changes, revised budget and result to date for the Shoalhaven Water (General Fund) Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

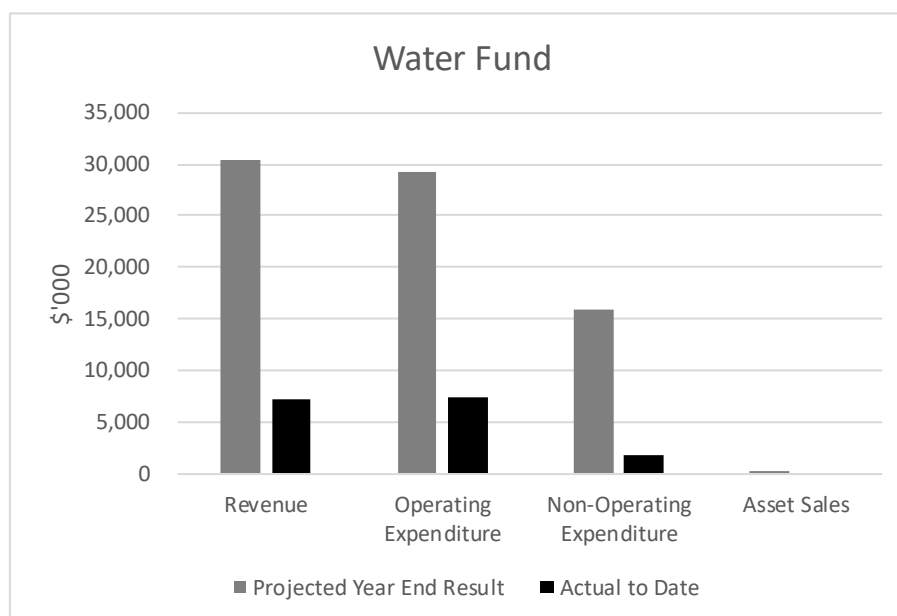
\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	4,428	4,428	(147)	4,281	1,203	28%
Operating Expenditure	4,601	4,601	(227)	4,374	1,045	24%
Non-Operating Expenditure	208	208	120	328	0	0%

Group Director's Comments:

The Shoalhaven Water General Group is operating on budget, with revenue at 28% of budget and operational expenditure at 24% of budget. The recommended reduction of (\$147K) to revenue is due to a decrease in the 2-way radio internal charge. The recommended reduction to operating expenditure of (\$227K) relates to the decrease in the expected depreciation charge for the year (\$112K), and a reduction to the 2-way radio internal charge (\$152K) offset by a redistribution of the remuneration review estimate \$37K. The capital program requires an increase of \$120K from reserves for the replacement of the Red Rocks communication tower.

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Shoalhaven Water (Water Fund)

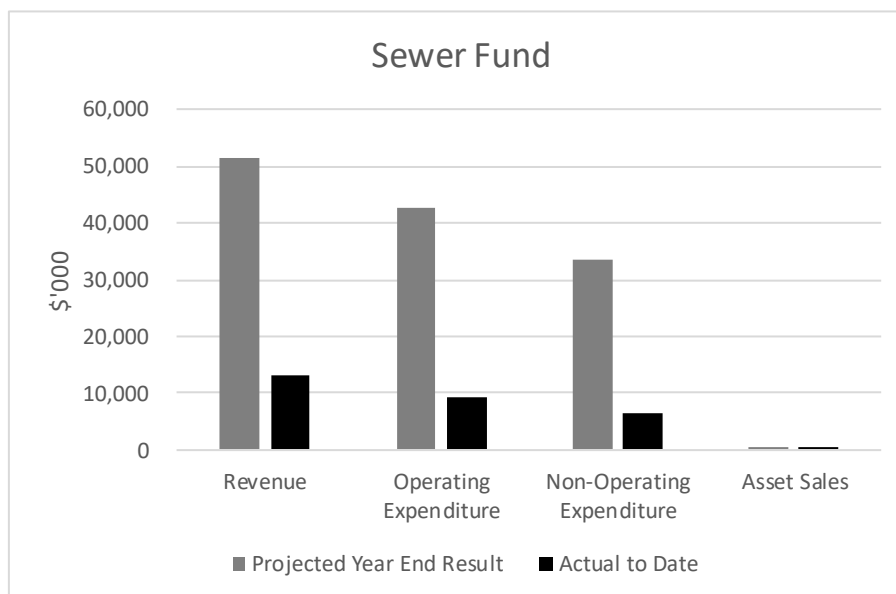


The recommended budget changes, revised budget and result to date for the Shoalhaven Water (Water Fund) Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	30,231	30,231	160	30,391	7,106	23%
Operating Expenditure	29,009	29,009	316	29,325	7,350	25%
Non-Operating Expenditure	22,207	25,395	(9,460)	15,935	1,742	11%
Asset Sales	120	120	0	120	0	0%

The Water Fund is operating on target, with operational expenditure at 25% and revenue at 23% of budget. The adjustment to revenue relates to the increase in interest revenue from investments, due to reforecasting of capital projects. The increase to operating expenditure relates to a contribution of \$60K to the draft contribution plan and an increase in the expected depreciation charge for the year \$269K. The capital program is progressing at 11% of budget and requires an adjustment of \$9.46M. This reduction has resulted in a change to the timing of a number of capital projects due to a delay in engagement of key project resources and contractor delays.

Shoalhaven Water (Sewer Fund)



The recommended budget changes, revised budget and result to date for the Shoalhaven Water (Sewer Fund) Group are summarised below, details of the adjustments and variances are included in the September Quarterly Budget Review Statement.

\$'000	Original Budget	Current Budget	September Review Adjustment Recommended	Projected Year End Result	Actual to Date	%
Revenue	51,539	51,539	4	51,543	13,249	26%
Operating Expenditure	42,768	42,768	33	42,801	9,201	21%
Non-Operating Expenditure	14,411	33,915	(423)	33,492	6,555	20%
Asset Sales	130	130	0	130	1	1%

Group Director's Comments:

The Sewer Fund is operating on target, with operating expenditure at 21% of budget and revenue at 26%. The adjustment to operating expenditure of \$33K relates mainly to the increase in the expected depreciation charge for the year of \$28K and an increase in the funding for the Oyster Growers \$20K this has been offset by a reduction in the 2-way radio budget \$16K. The capital program is at 20% of the budget and requires a reduction of \$423K. This reduction is due to a change in the timing of a number of capital projects and expected outflow of payments.

Current status of Council Resolutions Funding Requests

The following Council resolutions and reports have been noted as priority items for consideration/inclusion in future budgets:

SA19.205

Minute / Report	Group	Title	Requested Amount	Funding Obtained	Comment	Outstanding
MIN17.739	Planning & Development	LP406 - Falls Ck / Woollamia Deferred areas planning proposal	\$400,000			\$400,000
MIN17.797	Planning & Development	Hoarding & Domestic Squalor	\$50,000			\$50,000
MIN18.111	Finance & Corporate	SCARP update of Master Plan	\$300,000			\$300,000
MIN18.204	Finance & Corporate	Warden Head Lighthouse Ulladulla	\$75,000			\$75,000
MIN18.290	Assets & Works	Huskisson Traffic Control - roundabout intersection Owen/Sydney/Tomerong Streets	\$800,000	\$25,000	June 2018 QBR - for development design of roundabout	\$775,000
CL18.123	Assets & Works	Repay Land Decontamination Reserve (Berry RFS)	\$400,000			\$400,000
MIN19.168	Assets & Works	ANZAC Day Services ongoing	\$30,000			\$30,000
MIN19.502	Planning & Development	Narrawallee Beach - Victor Avenue Beach Access	Unknown			unknown
MIN19.505	Finance & Corporate	Yulunga Hall Playground	\$8,220	\$8,220	September 2019 QBR	\$0
MIN19.711	General Manager / Planning & Development	Additional Costs - VPA South Nowra	\$123,750			\$123,750
			\$2,186,970			\$2,153,750

As future funding is identified, it will be highlighted and recommended to Council to select their next highest priority from the above list.

Financial Implications

Whilst the adjustments made in the September Quarterly Budget Review have restored Council to a cash balanced budget position, ideally going forward Council should aim towards a positive cash-budget forecast. This will allow Council to make steps to progress unfunded resolutions if they are still a priority and permit Council to be responsive to the changing needs of our local community.

SA19.206 Sanctuary Point Library Building

HPERM Ref: D19/420440

Section: Recreation Community & Culture

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Attachments: 1. Sanctuary Point Library - Relocation Feasibility Study (under separate cover) ➡

Reason for Report

To provide Council with an update in relation to two outstanding Notices of Motion (MIN18.841 and MIN19.242) regarding the current Sanctuary Point Library building and its potential future uses, as well as provide an update on an outstanding Notice of Motion (MIN18.91) in relation to a future library at Sussex Inlet.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept this report as an update on MIN18.841 and defer the decision regarding the future use of the Sanctuary Point building until the new District Library at Sanctuary Point project has progressed.
2. Receive a future a report discussing relocation options for the building, including potential uses and locations (such as Sussex Inlet Library options and others as relevant), estimated costs of these options, and information about the possibility of leaving the existing building where it is.
3. Accept this report as an update on MIN19.242, and agree no further action be taken regarding the P.C.Y.C in Sanctuary Point.
4. Accept this report as an update on MIN18.91 and defer community consultation at Sussex Inlet until the new District Library at Sanctuary Point project has progressed to funded and approved for delivery.
5. Receive a future report covering the cost of relocating the building to Sussex Inlet, potential site locations and feedback on the outcomes of the community consultation.

Options

Option 1

1. Accept the resolution as written above

Implications:

- Allows staff to focus on the progression of the new District Library at Sanctuary Point
- Once plans for the Library at Sanctuary Point project are funded and approved, active plans can be put in place for options for the existing (old) library building. A report can be drafted to Council for consideration at that time.
- Finding a location to support library services in Sussex Inlet will remain a priority for staff

Option 2

SA19.206

1. Accept this report as an update on MIN18.841 and receive a report back as a priority on the future use of the Sanctuary Point building.
2. Accept this report as an update on MIN19.242 and seek further action regarding the P.C.Y.C in Sanctuary Point.
3. Accept this report as an update on MIN18.91 and start community consultation at Sussex Inlet about a possible library location as soon as possible.

Implications:

- Staff will investigate a variety of options for the old building at Sanctuary Point and report back to Council a variety of options for consideration
- Staff will write to the State P.C.Y.C encouraging a strategic priority in Sanctuary Point
- Staff will undertake community consultation with the Sussex Inlet community to determine a preferred library location and report back outcomes to Council in the first half of 2020.
- Community expectations will be built for the delivery of the new Sanctuary Point District Library as well as a Sussex Inlet facility, whilst the reality may be several years away.
- Library staff time will be split between several projects rather than focused on the delivery of the new District Library at Sanctuary Point.

Background - Sanctuary Point Library Building - MIN18.841

At Council's Ordinary Meeting on 30th October 2018 it was resolved:

MIN18.841

That the Chief Executive Officer undertake an assessment of the possibility of leaving the existing building onsite to be used by the school community. The assessment considers the following:

1. *The cost of relocating the building to Sussex Inlet, as originally intended, as opposed to the construction of a New building.*
2. *The possible use of an existing building at Sussex Inlet either leased or owned by Council.*
3. *Should relocation of the building be determined not to be desirable for any of the above reasons Council open negotiations with School Principal and the Department of Education regarding the possibility of leaving the building on site.*

Progress Update - assessment of the current building

An assessment of the Sanctuary Point Library building was conducted in October 2019 by MI Engineers and the Feasibility Study is attached to this report, see Attachment 1. The report concludes that the;

"... main structural elements shouldn't be adversely affected provided sufficient bracing is installed, and the lifting points match the current support for the steel beams. The finishes are likely to suffer some damage during the transportation, such as cracking in the wall linings, cladding and ceiling lining."

The report also lists transportation considerations which will require disconnecting the various modules, fitting braced lifting beams, additional bracing, new concrete footing and brick piers at a potential new site.

SA19.206

At this point in time, an analysis of the cost of the relocation of the building has not been undertaken, however the Feasibility Study suggests that relocation of the modular library building is possible if required.

With regard to point (2) and (3), staff have not yet progressed these points and will revisit these once there is greater clarity around the provision of a new library at Sanctuary Point. At this time staff will prepare a further report for consideration by Council.

It is recommended to defer any decision regarding the future use of the existing Sanctuary Point building until the new District Library at Sanctuary Point project has progressed.

At this time, staff will prepare a report to Council discussing relocation options for the building. This report will include potential uses and locations (such as Sussex Inlet Library options and others as relevant), estimated costs of these options, and information about the possibility of leaving the existing building where it is, as referenced in point (2) and (3) of the above Notice of Motion.

Further Sanctuary Point Library discussion for P.C.Y.C - MIN19.242

At a later Council meeting there was further discussion about the possible future use of the Sanctuary Point Library building. At Council's Ordinary Meeting on 30th April 2019 it was resolved that:

MIN19.242

Council Staff liaise with Nowra P.C.Y.C. with a view to establishing a P.C.Y.C. at Sanctuary Point, with the current Sanctuary Point Library building being considered as a possible future site. Staff identify funding opportunities and write to the local state member, the Honourable Shelley Hancock, Minister for Local Government seeking her preliminary support.

Susan Edwards, Community and Recreation Manager, contacted Natalie Faith, Manager of Shoalhaven P.C.Y.C, in August 2019 to discuss this request. P.C.Y.C informed staff that Nowra P.C.Y.C had applied to the 'My Community Grants' funding stream for \$60,000 funding to hold outreach activities in the Bay and Basin area, using existing community halls and schools, however they indicated that they did not have any plans for a new dedicated facility at Sanctuary Point. Shoalhaven P.C.Y.C was not successful in receiving grant funding in the 'My Community Grants' funding stream.

Further advice received from Shoalhaven P.C.Y.C was that these strategic decisions were determined by the State body. The current identified priority is to undertake works at their Nowra premises. Natalie advised that they were holding meetings with State Members to discuss these proposals and seek grant funding to upgrade the existing facilities.

Given the advice received that the project was not an identified priority for the P.C.Y.C, staff have not as yet proceeded with pursuing grant funding opportunities, or written to the Local Member, pending reporting the advice provided in this report to Council on P.C.Y.C.'s position on the matter and the outcome of their grant application.

It is recommended that Councillors receive this update for information on P.C.Y.C plans for a facility a Sanctuary Point and that no further action be taken on this matter at this time.

Sussex Inlet Library – background and update – MIN18.91

At Council's Strategy & Assets Committee meeting on 20 February 2018 it was resolved under delegated authority that:

MIN 18.91

SA19.206

“Council staff prepare a report on suitable sites for the establishment of a local library in the township of Sussex Inlet. The report would also address the possibility of re-locating the current Sanctuary Point Library, once the district library had been completed in that community.”

At Council’s Strategy & Assets Committee meeting on 12 June 2018 a report was presented regarding site options for a local library in the township of Sussex Inlet, and it was resolved under delegated authority that (MIN18.443):

“the General Manager hold a Councillor workshop to explore the need and possible options for the development and possible timing of a Library, noting the Committee’s preference for the site to be 29 Thomson St, Sussex Inlet.”

On 20 September 2018 a Councillor Workshop was held to investigate the options and timing for a library at Sussex Inlet.

- The workshop was facilitated by staff representative Coralie Bell, and staff in attendance were Stephen Dunshea, Finance Corporate and Community Group Director, Jane Lewis, Recreation, Community & Culture Manager and Sarah Taylor, Library Services Manager.
- The Councillors present were Councillor Patricia White, Councillor Jo Gash, Councillor Mark Kitchener and Councillor Bob Proudfoot.

At the workshop Councillors were provided with information regarding the current library service provision to Sussex Inlet; current and future population figures for the area; financial information; estimated costings and size requirements for a new library.

The four sites that had previously been identified in the report were discussed, highlighting that Option 2 had been identified as the preferred site:

- Option 1 - 19 Thomson Street, Sussex Inlet (Council Land)
- Option 2 - 29 Thomson Street, Sussex Inlet (Council Land)
- Option 3 – A potential private land site in Sussex Inlet
- Option 4 - Thomson Street, Sussex Inlet (Council Land)

An assessment of each site was provided including information about the owner, zoning, site size, utilities currently available, cost to acquire (if applicable) and general comments on existing developments, along with a plan of the location of the site.

Information was also provided in relation to the size of library commensurate with the Sussex Inlet population. Based on population and service-based benchmarking standards from the *“People Places: A Guide for Public Library Buildings in New South Wales”*, a library with a gross floor area of between 320m² and 460m² would be required to serve a community of this size. It was noted that the Sanctuary Point demountable building has a floor area of 140m².

Councillors discussed the alternative sites noting the distance from town of the three options at Thomson Street. The Councillors present advised that the community felt that Thomson Street was not a suitable location due to its distance from the CBD. It was noted that a District library at Sanctuary Point was a priority, and that consultation regarding a library at Sussex Inlet would be undertaken with the community at a later date.

It is recommended that this update be received for information and a further report be prepared for Council when the new District Library project at Sanctuary Point is sufficiently advanced in planning, and as such, plans for the relocation of the existing building can be recommenced.

Conclusion

Currently Council is at concept plan stage for a new district Library at Sanctuary Point, however completion of this project is still several years away. Council has an ongoing licence with the Department of Education for the lease of the land that the current Sanctuary

Point Library building is situated on. The current licence fee is \$3,500 per annum and currently negotiations are taking place to extend this licence for a further three years.

It is proposed that when building work has started on the new District Library in Sanctuary Point that Council staff investigate options for the future use of the building and consult with the local community in Sussex Inlet.

SA19.207 Shoalhaven Heads Community Centre - Proposed Extension

HPERM Ref: D19/420483

Section: Recreation Community & Culture

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Attachments:

1. 2010 Proposal and Concept Plans - Bushido Judo Club Inc (under separate cover) [↗](#)
2. 2017 Updated Proposal and Concept Plan - Bushido Judo Club Inc [↓](#)
3. Budget Estimate - Extension - Shoalhaven Heads Community Centre (Confidential - under separate cover)
4. Development Application Fee Estimate [↓](#)

Reason for Report

To provide information to Council in response to a Notice of Motion received at its Ordinary Meeting 27 August 2019, regarding a proposed future extension of Shoalhaven Heads Community Centre, as requested by the Bushido Judo Club Inc.

Recommendation (Item to be determined under delegated authority)

That Council

1. Not support the proposed extension of Shoalhaven Heads Community Centre.
2. Investigate funding options through Council's Sports Grants Program (Capital Works) (POL17/90), to purchase replacement tatami Judo mats as and when required for the operation of Bushido Judo Club Inc.
3. Encourage the club to utilise the Shoalhaven Indoor Sports Centre and assist to identify alternative venues if the Centre does not meet the Club's requirements.

Options

1. Adopt the recommendation as written.

Implications:

- No additional ongoing costs to maintain an additional asset
 - Encourage activation of the Shoalhaven Indoor Sports Centre
 - Supports development of active recreation in the Shoalhaven
2. Support the proposed extension of Shoalhaven Heads Community Centre in principle, as proposed by Bushido Judo Club Inc, and:
 - a. In order to identify all compliance requirements, Council identify a funding source and allocate \$73,000 to obtain a full construction cost estimate from a detailed design and Development Consent.
 - b. A full construction cost estimate be prepared.
 - c. Staff prepare a further report at the completion of parts (a) and (b) for Council

- d. Council officers undertake the process to pursue funding applications and to manage design and construction of the extension, subject to available funding as proposed in 2a.
- e. Council allocate 2% of final building costs, based on the estimate provided by the quantity surveyor at \$19,200 per year for 50 years depreciation, and \$2,000 per year for maintenance and operational costs of the new extension

Implications:

- Council will be constructing new recreational infrastructure in a low-usage location, where demand is low, for an individual user group
- Establishment of a custom single use venue for the Bushido Judo Club Inc
- Council will need to identify a funding source, which may delay other projects
- The funding allocation will enable plans and approvals necessary to progress the project
- Obtaining Development Consent will reduce the risk that Council may incur additional financial liabilities by entering into a funding agreement without accurate costings
 - If costs exceed estimates, Council may become liable for the balance of construction costs
- Will increase allocation of staff resources, to manage the project
- As Council subsidises hire and licence fees for community groups, ongoing maintenance and servicing costs are unlikely to be met by user charges
 - Will increase Council's financial exposure, with ongoing operational costs estimated to be \$20,000 per year
- There may be a community perception that Council should not be funding the extension due to low community demand
- May encourage an expectation by other clubs to construct custom venues
- If Bushido Judo Club Inc ceases operations, the new extension may not be utilised by other user groups

3. Make an alternative Resolution.

Implications:

Not known.

Background

In 2010, Bushido Judo Club Inc approached Council and the State Member for Kiama, Gareth Ward MP, seeking approval and funding to extend Shoalhaven Heads Community Centre for the purpose of constructing a custom facility for the practice of Bushido Judo. The proposal was not supported at that time.

In 2017, the Club again made representations to Mr Ward, who presented an amended proposal to Council on behalf of the Club, requesting consideration. Council investigated the proposal and advised the Club and Mr Ward that Council was again unable to support the proposal at that time due to:

- Low utilisation of the Community Centre
- Low demand for a custom martial arts facility in Shoalhaven Heads
- Council's commitment to constructing a new regional facility in Bomaderry to service local indoor sporting requirements

SA19.207

In 2017, the Club's usage of the Community Centre had diminished from 2 nights to 1 night per week, since the 2010 proposal. Current usage of the Centre remains at 1 night per week.

In response to a Notice of Motion at Council's Ordinary Meeting held on 27 August 2019, it was resolved:

"That Council:

"1. Gives in-principle support to investigate the future extensions of the Shoalhaven Heads Community Centre.

"2. Receive a report at the November Strategy & Assets Committee Meeting that provides:

- a. Information on the user groups, usage rates, shortfalls of the current buildings and demand at the Shoalhaven Heads Community Centre.*
- b. An outline of steps that would need to be undertaken to make extensions to the building on Crown Land and an estimated cost involved to have the project ready for grant funding applications.*
- c. Details of investigations to identify plans that were provided some time ago for the possible extensions to the Centre.*

"3. Makes representation to the State Member for Kiama, Mr Gareth Ward to seek funding for the project.

This Report provides the information as identified in the Council Resolution – noting that time to investigate and provide the necessary information prevented the report being presented to the November Meeting.

Resolution Item 1:

"Gives in-principle support to investigate the future extensions of the Shoalhaven Heads Community Centre."

In line with this Resolution, work has commenced to investigate future extensions of the Shoalhaven Heads Community Centre, as reported below:

Resolution Item 2a:

"Information on the user groups, usage rates, shortfalls of the current buildings and demand at the Shoalhaven Heads Community Centre."

User Groups and Usage Rates

The Shoalhaven Heads Community Centre's Management Committee advises the following regular user groups hire the hall for an approximate total of 13 hours per week, i.e., 2 hours per day, on average:

- 9 groups using the hall for 1-3 hours each, weekly (12 hours / week)
- 1 group using the hall for 2 hours, monthly (0.5 hour / week)
- 1 group using the hall for 5 hours on long weekends (0.5 hour / week)

Approximately 35 casual bookings per year for events are additional to this usage. Bushido Judo Club Inc utilises the hall 1 day per year for a Judo tournament. Current evening bookings at the Community Centre include:

- The Centre has a regular event booked for 1 hour on Monday nights
- Bushido Judo Club Inc uses the hall for 2.5 hours on Tuesday nights
- Wednesday and Thursday evenings are currently available for hire

This pattern of usage is identified as low usage for a community centre with a hall, commercial kitchen and meeting room

Total hire income in 2018/19 was \$12,826 - an 11% reduction from the previous year's income of \$14,404 in 2017/18.

Bushido Judo Club Inc – About the Club

The Bushido Judo Club Inc has provided the following information regarding the Club:

- The Club teaches Kodokan Judo, an international sport played in the Olympic Games
- The Club is family oriented and charges low fees to members, seeking to promote the sport and to provide financially accessible training for personal and community development
- Instructors do not receive payment
- The Club has 8 Black Belt coaches and 4 coaches of other grades, as well as an instructor qualified to train people with mental and physical disabilities
- The Club has 120 members and has operated for 50 years, firstly in Sydney, and has operated in the Shoalhaven for 22 years - the chief instructor is a former Olympic, Commonwealth Games and Australian Coach, and Shoalhaven Hall of Sporting Fame member
- The Club has previously operated from the local Surf Life Saving and Bowling Clubs, but was required to vacate each venue due to these Clubs developing alternative uses for the space
- Attendance often reaches 50 members at training sessions

Shortfalls of the current Community Centre

Bushido Judo Club Inc has consistently identified, since 2010, that the Community Centre does not meet the needs of their Club and has identified the following shortfalls:

- Floor to ceiling windows along the southern wall of the hall present a hazard to Judo practice - the Club lines this wall with cushioned mats during each session - the Community Centre Management Committee has advised that this practice is damaging to the curtains. The windows and glass doors are a beautifying and functional feature of the hall space, that open onto the outdoor area of the facility that the Committee has significantly embellished with planting, seats and a small stage area. Consequently, Council is assisting the Committee to identify alternative measures to protect the Judo participants, rather than remove the glass features. Council's maintenance staff have proposed removable netted fencing that can be easily set up and dismantled when the hall is required by different user groups.
- When the Club is required to put down and pack away the Judo mats before and after training sessions, this activity is time-consuming and onerous, and can cause wear and damage to the expensive mats
- The Club's 2000 Olympic Games' Judo mats are now 19 years old and still in good condition - suppliers advise that this is a good lifespan for tatami mats, possibly due to the very high quality of the mats
 - The Community Centre Management Committee estimates that the mats are currently able to be left down 8 out of 10 weeks each term, as the hall has very low utilisation

- Suppliers of tatami mats advise that there are no standard covers for the mats that would enable use of the space by hirers for social events
- It is common practice for tatami mats to be laid and taken up on a regular basis in public facilities

No other user groups have reported shortfalls of the current buildings. It is noted that many casual functions now make use of the local Surf Life Saving and Bowling Clubs for events, due to the provision of additional services offered at these venues.

Bushido Judo Club Request

All demand for use is currently met by the capacity of the Centre, except for Bushido Judo Club Inc's request to have a custom-built Judo room. There is no demand for an additional space based on a review of current usage and requests to Council. The facility is under-utilised, and all other current user groups are catered for by the existing space.

Bushido Judo Club Inc is requesting that Council support the construction of an additional room to the east of the existing Community Centre where the mats can be left down permanently. The Club has submitted two (2) proposals to Council, in 2010 and 2017 – refer Attachments 1 and 2. The 2017 proposal includes slight amendments to the 2010 concept plan.

The Club proposes that a protective canvas sheet can be used to cover the mats, effecting a stable walking surface so that the room can be used for other purposes by other hirers. This can be done in the existing space, however, the surface will not accommodate high-heeled shoes. Therefore, the suggested cover is not considered compatible with parties and social gatherings.

The Club advises that the proposed extension of the building would enable them to proceed to:

- Add an extra night of training each week during school terms
- Run Judo camps during school holidays
- Possibly enable use by the local school – the Club would approach the school to include Judo as a school sport

All these activities could proceed currently at the existing facility which has high availability.

There are currently no other identified user groups who require or have requested use of the proposed extension. All requests to date have been accommodated by the existing facility. Should Bushido Judo Club Inc cease operations at Shoalhaven Heads Community Centre, it is likely that there will be no alternative user for the proposed new facility.

There are 6 martial arts clubs and 4 commercial businesses listed on the internet, within a 20km radius of the new Shoalhaven Indoor Sports Centre in Bomaderry. There are an additional 3 martial arts clubs and 4 commercial businesses within a 20 to 100km radius of the Shoalhaven Indoor Sports Centre.

All these clubs operate from school halls, community halls, industrial units or converted shops, often custom-built / fitted for their sport. There is 1 local club hiring space at the Shoalhaven Indoor Sports Centre for 2 hours per week. Council has not been approached by other martial arts clubs for the provision of buildings to service their requirements.

Alternatives for the Bushido Judo Club Request

The Shoalhaven Indoor Sports Centre is a new custom-built facility to service indoor sports in the region, including Bomaderry, Nowra and neighbouring villages. Bushido Judo Club Inc provided a letter of support for the proposed new Centre, submitting that they would use the

facility for events. This facility is located 16 kilometres from the Shoalhaven Heads Community Centre, a 15-minute drive.

Bushido Judo Club Inc primarily draws participants from Shoalhaven Heads but reports that 20% of its members come from Berry, and 10% from Ulladulla, Gerringong, North Nowra and Falls Creek. The Club also seeks to promote and expand as a regionally significant sport, and to host regional, national and international competitions.

Patronage of the new Indoor Sports Centre could serve to broaden their membership base to include not just Shoalhaven Heads, but also Berry, Nowra, Bomaderry and surrounding villages.

Financial Implications

Option 1

If Council accept the recommendation, there are no additional financial implications.

Option 2

If Council recommends that the facility be upgraded there would be significant costs.

Estimated Costs

Staff have contracted the services of Quantity Surveyors to review building cost estimates for the concept plans provided by Bushido Judo Club Inc in 2010 and 2017 – see Attachment 3.

The concept plans and cost estimates received from the Club in 2010 are substantially outdated and understate the commitments required by current Building Code of Australia standards.

The cost estimate provided by the Quantity Surveyor has been funded from the 2019/20 Community Buildings Upgrades budget.

Exclusions in costings

If Council decide to allow an extension to the building, a Development Application would be required to develop the extension. The Development Application may trigger additional Building Code of Australia requirements. These, along with other exclusions in the costings could include:

- Carparking
- Fire services upgrades
- Electrical upgrades
- Relocation of underground services
- Accessibility requirements
- Seating
- Sprung floor
- Removal of asbestos from areas affected by the renovation - the building is identified as possibly containing asbestos

Grant Funding Opportunities

Should Council approve the upgrade to this facility, there would be some additional work that will need to be undertaken before the project would be ready to seek grant funding, this is estimated to be approximately \$73,000 and includes:

- Creation of concept and construction plans
- Approvals and assessments
- Community consultation

Bushido Judo have not at this stage provided Council with a business plan to support this request. A business plan will be a requirement for any grant funding submissions.

Ongoing Operational Costs – Depreciation and Maintenance:

It is estimated that there would be an estimated be \$20,000 per annum in operational costs if the facility is upgraded. These have been forecast by the staff, based on the QS. Additional cost estimates include:

- operational costs like building insurance, cleaning, electricity, water & gas
- additional ongoing maintenance needs.

Council does not currently have allocated budgets to support the additional ongoing operational costs of the extension.

Current financial position of the Shoalhaven Heads Community Centre Management Committee

In 2018/19, the Shoalhaven Heads Community Centre Management Committee operated at a profit of \$370, with an operational account balance of \$13,122. Over the past 3 years, the Committee has operated with an average profit of \$2,130. Based on current utilisation, the facility does not generate enough revenue to cover additional operational costs.

Could the Club support the additional operational costs?

In principle, a Licence Agreement could be developed to cover the operational costs, granting Bushido Judo Club Inc exclusive use of the extension. This agreement could enable the Club to hire the space out to other users and retain hire fees to support the Licence fees.

However, based on information provided by Bushido Judo Club Inc, neither potential hire income, nor potential revenue from a Licence Agreement with the Club would be estimated to cover the additional operational costs to Council.

Community Engagement

The Shoalhaven Heads Community Centre Management Committee and Bushido Judo Club Inc have been advised of, and have been consulted throughout, the writing of this Report.

The Management Committee is supportive of the proposal, however, has no available funding for co-contribution to the project, or financial capacity to subsidise the ongoing operational costs of additional infrastructure.

Should Council resolve to construct an extension to Shoalhaven Heads Community Centre, further targeted community consultation will be conducted to identify any additional specific community requirements, in order to promote multipurpose usage of the new infrastructure.

Risk Implications

- If Council proceeds to seek grant funding based on concept plans and cost estimates, Council will enter into a funding agreement to execute works prior to the identification of the actual full costs of construction - it is likely that Council would become liable for additional costs that would be identified during detailed design and Development Application processes, which would not be met by the grant funding
- At this stage any additional building compliance works that the extension may trigger on the existing Community Centre buildings are unknown and cannot be costed along with any of the exclusions that may be necessary to include in the scope of works

- Construction of the proposed extension would increase Council's exposure to ongoing and increasing financial liabilities, as it is not foreseen that the additional infrastructure would attract adequate revenue to service the facility
- Whilst a Quantity Survey has been undertaken on the concept plans, a more accurate indication of costs will not be known until a DA ready design has been completed and a construction certificate issued, any additional BCA compliance requirements that may be triggered through the DA process are detailed and this is put to the market to be tested through a request for tender process
- If Bushido Judo Club Inc ceases operations, the new extension may not be utilised by other user groups
- May encourage an expectation by other clubs to construct custom venues for single use
- There may be a community perception that Council should not be funding the extension due to low community demand, given the recent opening of a state-of-the art multi-use indoor sports centre within 16kms / 15 minute drive.

*Colin Wood -



Bushido Judo Club Shoalhaven INC.

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Mobile: 0434892002
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Secretary/Public Officer
Ken Murphy
25 Stanton Dve.
ULLADULLA NSW 2539
Ph: 02 4454 4352

Shoalhaven City Council

Received

Mobile: 0411061146
Email: admin@bushidojudoclub.com

- 1 NOV 2017

File No. SS01E

Referred to: C. Wood

Dear Colin

Thank you again for your support.

The mud map you requested is included, the sizes etc., are the result of a thorough walk around and inspection by at least two club officials involved in the building industry and fully versed in the needs of Judo. Its use as a Multi Purpose Room was considered before the final measurements were settled on, ensuring sufficient room was allowed for other uses.

The entry is in the small office, having it in this position it should have minimal effect upon the use of that Community Centre facility. No windows have been shown as the security and ventilation issues need to be examined prior to final planning. While the mats will be down permanently it is planned to have them covered by a protective sheet to allow use by other organisations.

In closing the Judo numbers continue to hold up; sessions accommodate between 40 & 50+ every week. It must be noted that Bushido Shoalhaven has operated in the area in excess of 20 years teaching the youth of the community vital living skills and the sport of Judo. Should the facility be built increasing the use of it by our club is almost certain.

Thank you for the opportunity to present this concept to you and we look forward to an ongoing relationship with the Council.

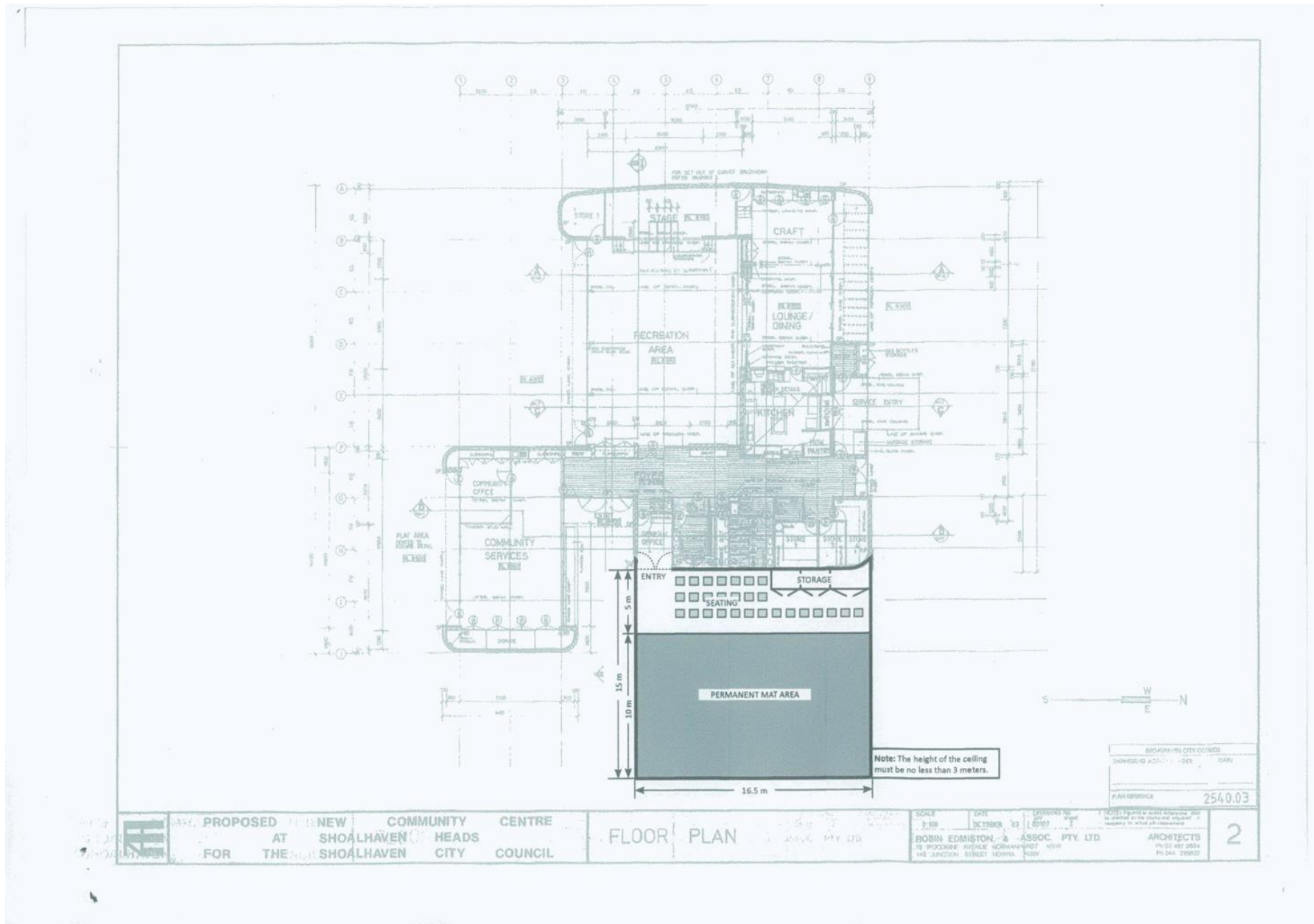
Kind Regards

Ken Murphy
Secretary Bushido Judo Club Shoalhaven (Inc.)

27 October 2017



SA19.207 - Attachment 2



Shoalhaven City Council - Fee Estimate (93826):

Tanya

PO Box 42 Tel: 44293111
Nowra Fax: 44221816

Description: Upgrade of Shoalhaven Heads Community Centre
Property: 111 Shoalhaven Heads Rd, Shoalhaven Heads

Recipient: Shoalhaven City Council

MICR: 0
Fee Estimate Date: 23 Oct 2019
Development Value: \$750,000.00

Fee Description	Amount	Qty	Total	Discount	Job No	GST	GST Incl
Additional Sewered Areas Fee Amount	\$290.00	290	\$290.00		25500.24060.99999	\$0.00	\$290.00
Advertised by letter in accordance with Council's Community Consultation Policy	\$205.00	1	\$205.00		25455.24040.99999	\$0.00	\$205.00
Amended Sewer - Minor alterations/additions only - (Max 1 Inspection)	\$145.00	1	\$145.00		25500.24090.99999	\$0.00	\$145.00
Archive Fee	\$43.00	1	\$43.00		22150.24060.15780	\$0.00	\$43.00
Construction Certificate - Contract price or Council determined value exceeding \$500,000 but not exceeding \$1,000,000	\$1,560.00	1	\$1,248.00	20%	25483.24060.12646	\$124.80	\$1,372.80
Development Exceeding \$500,001 but not exceeding \$1,000,000 - additional fee per \$1,000 above \$500,001	\$1.64	250	\$410.00		25430.24040.99999	\$0.00	\$410.00
Development Exceeding \$500,001 but not exceeding \$1,000,000 (base fee)	\$1,745.00	1	\$1,745.00		25430.24040.99999	\$0.00	\$1,745.00
Final Occupation Certificate	\$120.00	1	\$120.00		25483.24060.18851	\$12.00	\$132.00
Long Service Levy (WEF 01 Jan 2006)	\$750,000.00	0.0035	\$2,625.00		25507.24011.15780	\$0.00	\$2,625.00
Occupation Certificate - Commercial and industrial buildings - area up to 500 sq metres (max. 4 inspections)	\$580.00	1	\$580.00		25483.24060.18851	\$58.00	\$638.00

Sub Total: \$7,411.00
GST Total: \$194.80
Estimate Total: \$7,605.80

Notes:

1. A discount is only applicable where the Construction Certificate and the Development Application are applied for at the same time.

2. The fee estimate has been calculated based on the description of the proposed development and the estimated development value provided by the recipient and any changes to these items will render the estimate invalid.
3. Estimate of development value must include both materials and labour at contract rates. Council reserves the right to amend development value estimates where, in the opinion of Council, values have been underestimated.
4. On 1 July each year Council reviews its fees and charges and all valid fee estimates issued prior to that date will automatically become invalid at that date.
5. Subject to item 4 above, the fee estimate is valid for a period of 30 days from the date on this document.
6. All engineering plans reviewed after the first plan check will incur a further fee of 20% of the plan checking fee for the follow-up review (and each subsequent review as necessary).
7. A Long Service Levy of 0.35% is applicable for **civil works** over \$25,000. Please provide accepted quotation for works and pay with this invoice.

SA19.208 Investment Policy Review

HPERM Ref: D19/406691

Section: Finance

Approver: Jane Lewis, Acting Director Finance Corporate & Community Services

Attachments: 1. Investment Policy - updated [↓](#)

Reason for Report

At its Ordinary Meeting on 25 June 2019, Council asked the General Manager to bring forward the review of the Investment Policy and report to Council. Subsequently, at its Ordinary Meeting 26 November 2019 a Notice of Motion was resolved to remove the ESD principles from the Investment Policy.

Recommendation (Item to be determined under delegated authority)

That having actioned the resolution from the Ordinary Meeting 26 November to remove (previous) paragraph 15 from the Investment Policy, Council adopt the revised Investment Policy presented as Attachment 1, inclusive of the staff amendments outlined in the report.

Options

1. Adopt the recommendation, as written.

Implications: Nil

2. Adopt an alternative option and give further instruction to staff.

Implications: Staff will need to redraft the affected policy and present it to Council for adoption.

Background

At the Strategy and Assets Committee Meeting of 15 August 2017, Council adopted amended finance policies, including POL16/186 Investment Policy (MIN17.701). The amended Investment Policy included changes to reflect the following resolution adopted at Council's Ordinary Meeting (MIN17.221) held Tuesday 28 March 2017:

That Council instruct CPG Research and Advisory Pty Ltd, its investment advisors, to give preference to investing SCC funds with financial institutions that do not invest in, or finance, the fossil fuel industry where:

1. *Council's investment is compliant with its 'Investment Policy'.*
2. *The investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.*
3. *A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy*

In addition, changes recommended by CPG Research and Advisory Pty Ltd were made to section 4(d) Credit Quality Limits of the Policy, namely: the adoption of consensus rating in the event of a split rating, where possible; and an increase to the portfolio holding limit from 30% to 40% for the BBB category to address the impact of a downgrade to second-tier banks, due to increased property risk.

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In November 2017, Council submitted a Loan Facility Application to TCorp. In response to Council's application, TCorp requested that Council review its Investment Policy to limit its exposure to higher risk BBB-rated Authorised Deposit-taking Institutions (ADIs) and to unrated ADIs.

Following a staff review of POL16/186 Investment Policy, the following changes were proposed:

1. Council return to the rating portfolio profile it had before the downgrade of second-tier banks in the first half of 2017,
2. No further investment be made with unrated institutions,
3. An additional compliance requirement be added to ensure that Council's investment does not represent a significant part of an ADI's net assets, such that the counterparty limit not exceed the smaller of 10% of the portfolio or 2% of the institution's net assets.

The amended Investment Policy (POL18/57) was adopted at the Strategy and Assets Committee meeting of 23 January 2018 (MIN18.20) and re-adopted at the Ordinary Meeting of 18 December 2018 (MIN18.1023).

In monthly reports to Council accompanying the Investment Report this calendar year, CPG Research and Advisory Pty Ltd has questioned the efficacy of Council's divestment objective and proposed the following alternative approaches:

1. Drop the divestment objective
2. Drop the rating constraint
3. Position the portfolio into a handful of highly rated ADIs plus hypothecated green bonds of the majors

These options were expanded at the Councillor presentation on 20 June 2019 by Andrew Vallner, CEO CPG Research & Advisory Pty Ltd:

1. Drop the divestment objective
Accept 40-55% (depending on TCorpIM cash balance) will always go to fossil fuel lenders and wait for banks to organically end lending
2. Narrow the positioning of the investment portfolio
Aggressively manage counterparties within A rating (Suncorp, AMP; FRNs of ING and BNP branches) plus hypothecated green bonds of the majors
3. Active divestment
Stream heavily to green bonds/certified deposits, noting that they will be very limited and, therefore, an incomplete solution
4. Drop the rating constraint on portfolio mix to provide more investment flexibility
Abandon TCorp loans and risk regulatory scrutiny for true "hard divestment"; adopt 100% BBB / Unrated Policy
5. Strengthen the divestment objective
Stronger, but not absolute, wordings re "preferencing."

At the Ordinary Meeting of Council on 26 November 2019 Council resolved to remove paragraph 15, concerning the ESD principles, from the investment policy.

The removal of this paragraph has occurred as well as the following lines concerning the ESD principles.

Page 1 - Objectives

- To give preference to investing funds with financial institutions that do not invest in, or finance, the fossil fuel industry where the investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.
- Where financial institutions are otherwise included on fossil fuel exposure lists, to exempt covered bonds and similar securitisations that specifically exclude any fossil fuel loans, and designated Green bonds.

Page 4 - Credit Quality Limits

Where interest rates are comparable between similar potential eligible investments, preference shall be made toward the institution or investment with the higher credit quality and/or the ADI that does not invest in, or finance, the fossil fuel industry. Council must also ensure that the relevant counterparty limits are not exceeded.

The other changes in the attached policy are:

Page 2 – Risk Management

Additional paragraph –

Fidelity, legal and documentary risk – the risks of suffering loss from staff or counterparty fraud, theft, failure to document transactions and title with enforceable documents or compensation to third parties for these failures;

Page 3 – Authorised Investments

Correcting the name of the TCorpIM Funds, this has also occurred throughout the policy.

Page 4 – Credit Quality Limits

Remove the middle column from the table of the maximum holding limit. The middle column included limits to be applied up until July 2018, this date has now passed, and the column is no longer needed. The Unrated category has been changed from 2% to grandfathered, in line with the requirement from TCorp.

Page 5 – Counterparty Limits

Change the Unrated category from 5% and 2% to grandfathered, in line with the requirement from TCorp.

Page 5 – Term to Maturity Limits

A recommendation from the investment advisor to change the terminology from “time of investment” to “horizon of investment” and update the table, there is also an additional paragraph at the end of this section.

Page 7 – Performance Benchmark

A recommendation from the investment advisor to change the performance benchmark to the AusBond Bank Bill Index for all investment types and terms except for the TCorp IM funds.

Page 8 – Duties and Responsibilities of Council Officers

Updating the references to the Trustee Act 1925

The revised Investment Policy has been reviewed by our Investment Advisors and TCorp.

TCorp have advised that our policy is comprehensive and meets TCorps credit balance portfolio guidelines for funding.

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City Administrative Centre
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra
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Deering Street, Ulladulla - Phone: (02) 4429 8999 - Fax: (02) 4429 8939

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For more information contact the Finance Corporate & Community Services Group

INVESTMENT POLICY

Policy Number: POL19/72 • **Adopted:** 19/06/2001 • **Reaffirmed:** 28/09/2004, 18/12/2018 • **Amended:** 26/09/2006, 7/10/2008, 1/02/2011, 23/04/2013, 14/10/2014, 24/05/2016, 15/08/2017, 23/02/2018, 26/11/2019 • **Minute Number:** MIN01.788, MIN04.1165, MIN06.1217, MIN08.1339, MIN11.55, MIN13.368, D14/268858, MIN16.380, MIN17.221, MIN17.701, MIN18.20, MIN18.1023, MIN19.877 • **File:** 23767E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:** 1/12/2019

1. OBJECTIVES

The purpose of this policy is to provide a framework for making decisions concerning the appropriate investment of Council's funds, at the most favourable rate of interest available to it at the time to maximise returns, whilst having due consideration of risk, liquidity and security for its investments.

The policy establishes a series of limits within which Council officers must operate in the planning and process of investing council monies. In setting these limits Council is determining the general level of risk that is acceptable for monies managed on trust for the community of Shoalhaven.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return of investment. Council, therefore, has several primary objectives for its investment portfolio:

- Compliance with legislation, regulations, the prudent person tests of the Trustee Act and best practice guidelines;
- Preservation of the amount invested;
- To ensure there is sufficient liquid funds to meet all reasonably anticipated cash flow requirements;
- To generate income from the investment that exceeds the performance benchmarks mentioned later in this document;

2. LEGISLATIVE REQUIREMENTS

All investments are to comply with the following:

- *Local Government Act 1993*;
- *Local Government (General) Regulation 2005*;
- Ministerial Investment Order;
- *The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14*;
- *Local Government Code of Accounting Practice and Financial Reporting*;
- Australian Accounting Standards;

Shoalhaven City Council – Investment Policy

- Office of Local Government *Investment Policy Guidelines*; and
- Office of Local Government Circulars.

3. AUTHORITY

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager may in turn delegate the day-to-day management of Council's investment portfolio to the Responsible Accounting Officer and/or other Finance staff who must ensure adequate skill, support and oversight is exercised in the investment of Council funds.

Officers' delegated authority to manage Council's investments shall be recorded and they will be required to acknowledge they have received a copy of this policy and understand their obligations in this role.

4. RISK MANAGEMENT

Investments obtained are to be considered in light of the following key criteria:

- *Preservation of capital* – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);
- *Diversification* – the requirement to place investments in a broad range of products so as not to be overexposed to a particular sector of the investment market;
- *Credit risk* – the risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- *Fidelity, legal and documentary risk – the risks of suffering loss from staff or counterparty fraud, theft, failure to document transactions and title with enforceable documents or compensation to third parties for these failures;*
- *Market risk* – the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices or benchmark returns will unexpectedly overtake the investment's return;
- *Liquidity Risk* – the risk an institution runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby Council incurs additional costs (or in the worst case is unable to execute its spending plans);
- *Maturity Risk* – the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities; and
- *Rollover Risk* - the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future

Shoalhaven City Council – Investment Policy

The following indicates the limitations to be applied so as to avoid these risks:

a) Authorised Investments

All investments must be denominated in Australian Dollars. Authorised Investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth / State / Territory Government securities, e.g. bonds;
- Interest bearing deposits / senior securities issued by an eligible authorised deposit-taking institution (ADI);
- Bills of Exchange (< 200 days duration) guaranteed by an ADI;
- Debentures issued by a NSW Council under *Local Government Act 1993*;
- Deposits with T-Corp &/or Investments in T-Corp ~~IM Funds-Hour-Glass Facility~~; and
- Existing investments grandfathered under the Ministerial Investment Order.

b) Prohibited Investments

This ~~investment~~ Investment policy ~~Policy~~ prohibits the following types of new investment:

- Derivative based instruments¹;
- Principal only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind;
- Mortgage of land;
- Investment trusts, even where the trusts adhere to the Minister's Order fully with the exception of T-Corp IM Funds; and
- Any other investment written out of the Minister's Order.

This policy also prohibits the use of leveraging (borrowing to invest) an investment. However, nothing in the policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the expenditure of loan funds.

c) Liquidity and Maturity

Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment. Therefore, the maturity dates of each investment must be carefully chosen and reviewed to ensure that cash levels are sufficient to fulfil these estimated requirements.

¹ Prohibited investments are not limited to the list above and extend to any investment carried out for speculative purposes.

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d) Credit Quality Limits

The portfolio credit guidelines to be adopted will reference the Standard & Poor's (S&P) ratings system criteria and format - however, ~~references to~~ the Minister's Order also once recognised ~~s~~ Moody's and Fitch Ratings and any of the three ratings may be used where available.

In the event of disagreement between agencies as to the rating band ("split ratings"), the consensus rating will be considered the overall credit rating. Where there is ~~not a no~~ consensus, Council shall use the higher rating in assessing compliance with portfolio policy limits, but for conservatism shall apply the lower in assessing new purchases.

However, the primary control of credit quality is the prudential supervision and government support and explicit guarantees of the ADI sector, not ratings.

The maximum holding limit in each rating category for Council's portfolio shall be:

Long-Term Rating Range	Maximum % of Portfolio <u>from 1 July 2018</u>
AAA category	100%
AA category or <u>highly-rated-major</u> banks*	100%
A category	60%
BBB category	30%
Unrated category**	<u>2%grandfathered</u>

* For the purpose of this pPolicy, "highly-rated-major banks" are currently defined as the ADI deposits or senior guaranteed principal and interest ADI securities issued by the major Australian banking groups including their licensed subsidiaries and under other brands:

- Australia and New Zealand Banking Group Limited;
- Commonwealth Bank of Australia;
- National Australia Bank Limited; and
- Westpac Banking Corporation ~~(including ADI subsidiaries, such as Bankwest, whether or not explicitly guaranteed, and brands, such as St George).~~

Similarly, ~~with-where~~ other ADI groups ~~(such as Bendigo & Adelaide Bank)~~ own multiple banking licences, rating categories are based on the parent bank even if the subsidiary is not explicitly rated.

Council may ratify an alternative definition from time to time.

** No further investment will be made with Unrated institutions, ~~the a~~ maximum of 2% ~~from prior to~~ 1 July 2018 is in place for our current investments until they mature, after which the maximum allocation will be 0%.

e) Counterparty Limits

Exposure to individual counterparties/financial institutions will be restricted by their rating so that single entity exposure is limited, as detailed in the table below. No further investment will be made with Unrated institutions. The table excludes any government guaranteed investments.

Shoalhaven City Council – Investment Policy

Limits do not apply to Federal or NSW-guaranteed investments, which are uncapped. It should be noted that the NSW government does not guarantee the capital value or unit price of the TCorp ~~IM_Hour-Glass-FacilitiesFunds~~. This table ~~also~~ does not apply to any ~~grandfathered~~ managed fund where it is not possible to identify a single counterparty exposure.

Individual Institution or Counterparty Limits		
Long-Term Rating Range	Not exceed the smaller of:	
	Maximum % of Portfolio	% of institution or counterparty's net assets
AAA category*	40%	n/a
AA category of highly rated banks**	30%	n/a
A category	15%	n/a
BBB category***	10%	2%
Unrated category****	grandfathered 5%	2% grandfathered

- * 100% Commonwealth Government and Government-guaranteed deposits are included in this category, but without any upper limit applying to the government as counterparty.
- ** For the purpose of this ~~p~~Policy, "highly rated banks" are currently defined as the ADI deposits or senior guaranteed principal and interest ADI securities issued by the major Australian banking groups: See list above.
- *** It should be noted that some existing BBB investments do not meet the new limit; invested funds in these institutions will be brought into compliance with this policy as the instruments mature.
- **** This category includes unrated ADIs such as some Credit Unions and Building Societies to the extent not Commonwealth-guaranteed. No further investment will be made with Unrated institutions.

f) Term to Maturity Limits

Council's investment portfolio shall be structured around the ~~time-h~~ horizon of investment to ensure that liquidity and income requirements are met.

Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk method of obtaining additional return as well as reducing the risks to Council's income. However, Council always retains the flexibility to invest as short as required by internal requirements or the economic outlook. Judgment of the state of domestic and global economic circumstances should also be carefully taken into account when making decisions on the terms of an investment.

The factors and/or information used by Council to determine minimum allocations to the shorter durations include:

- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capital expenditure forecasts;
- Known grants, asset sales or similar one-off inflows; and
- Seasonal patterns to Council's investment balances.

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Investment Horizon Description	Maturity Date Horizon	Maximum % of Portfolio
Working Capital Funds	0-3 months	100%
Short-Term Funds	3-12 months	100%
Short-Medium Term Funds	1-2 years	70%
Medium-Term Funds	2-5 years	50%
Long-Term Funds	5-10 years	25%

Within these broad ranges, Council relies upon assumptions of expected investment returns and market conditions that have been examined with its investment advisor.

On advice, Council shall designate an appropriate horizon to investment in managed funds, which have no maturity date. In addition, Council may allocate a horizon to eligible tradeable or callable securities which have an anticipated holding period shorter than the legal maturity.

5. THIRD PARTY SUPPLIERS AND DEALERS

Council will structure its affairs in order to be economical in its investment management costs, favouring dealing direct in its fixed interest, where possible (or, where intermediated, arrangements that result in a rebate of brokerage).

At times, it will be advantageous to deal with third parties that are remunerated on a transaction, rather than retainer basis. Council will use such suppliers where it is to its advantage, and have regard to apply the a "best execution" test ~~in its Investment Policy~~. Specifically, Council will have regard to:

- Administrative cost savings;
- Ability to access higher (retail) rates where exceeding the direct transaction costs;
- Access to ADIs that would not normally have an institutional direct channel;
- Limited access or initial offering deals, or other secondary market opportunities that are only available from specific sources; and
- The costs of other distribution channels that do not involve transaction remuneration.

Council will take steps to ensure that:

- Any suppliers used are appropriately licensed, reputable and capable;
- Funds and identification data are sufficiently secured;
- Third party arrangements do not materially worsen Council's credit risks by creating exposure to the dealer as counterparty; ~~and~~
- Council maintains ownership of investments facilitated by a third party at all times; and
- Remuneration arrangements are reasonable and transparent, whether paid by Council or by the issuer directly.

6. INVESTMENT ADVISOR

Council's investment advisor is appointed by the Council and must be licensed by the Australian Securities and Investment Commission (ASIC). The advisor must be independent and must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is-are free to choose the most appropriate

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product within the terms and conditions of ~~the investment policy~~Policy. This includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed, unless such remuneration is rebated 100% to Council.

7. ACCOUNTING

Council will comply with appropriate accounting standards in valuing its investments and quantifying its investment returns.

In addition to recording investment income according to accounting standards, published reports may show a break-down of its duly calculated investment returns into realised and unrealised capital gains and losses, and interest.

Other relevant issues will be considered in line with relevant Australian Accounting Standards, such as discount or premium, designation as held-to-maturity or on a fair value basis and impairment.

8. SAFE CUSTODY ARRANGEMENTS

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit;
- The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and
- The Institution or Custodian recording and holding the assets will be:
 - The Custodian nominated by T-Corp~~IM~~ for ~~Hour-Glass facilities~~its Funds;
 - Austraclear;
 - An institution with an investment grade Standard and Poor's, Moody's or Fitch rating; or
 - An institution with adequate insurance, including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

9. PERFORMANCE BENCHMARK

The performance of each investment will be assessed against the benchmarks listed in the table below.

It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark by sufficient margin to justify the investment taking into account its risks, liquidity and other benefits of the investment.

~~It is also expected that Council will take due steps to ensure that any investment is~~ and executed at the best pricing reasonably possible.

Shoalhaven City Council – Investment Policy

Investment	Performance Benchmark	Time Horizon
11am accounts, short dated bills, ADI deposits issued by financial institutions of appropriate term, TCorpIM Cash .	AusBond Bank Bill Index Official RBA Cash Rate (Net of Fees and Expenses)	3 months or less
Term Deposits or FRNs of appropriate remaining term, FRNs nearing maturity .	AusBond Bank Bill Index (Net of Fees and Expenses)	3 months to 12 months
Term Deposits with a maturity date between 1 and 2 Years, FRNs, TCorpIM Short Term Income .	AusBond Bank Bill Index (Net of Fees and Expenses) Bloomberg AusBond Composite 2-5 Year Bank Bill Index (Net of Fees and Expenses)	1 to 2 yrs
FRNs, Bonds, Term deposits with a maturity date between 2 and 5 Years. Grandfathered Income Funds .		2 to 5 yrs
TCorpIM Managed Funds (outside fixed interest sectors)	Fund's Internal Benchmark (Net of Fees and Expenses)	3 yrs (M/T Growth and unlisted growth sector funds) 5+ yrs (L/T Growth and listed growth sector funds)

Grandfathered investments (i.e. managed funds, ~~deposits and securities~~ and securities) are allocated to the appropriate horizon based on expected or average ~~maturity exit~~ date and should be taken into account when allocating the rest of the portfolio.

The decision on when to exit such investments are based on a range of criteria specific to the investments – including but not limited to factors such as:

- Returns expected over the remaining term
- Fair values
- Competing investment opportunities
- Costs of holding
- Liquidity and transaction costs
- Outlook for future investment values

In general, it is expected that professional advice will be sought before transacting in “grandfathered” investments. This policy does not presume disposal; however, the removal of an asset from the Minister's Order would warrant a review of its suitability for retention.

10. REPORTING AND REVIEWING OF INVESTMENTS

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

The documentary evidence must provide Council legal title to the investment.

For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts of investment held on Council's behalf at 30 June each year and reconciled to the investment register.

Shoalhaven City Council – Investment Policy

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis. The report will detail the investment portfolio in terms of holdings and impact of changes in market value since the previous report and the investment performance against the applicable benchmark. Council may also nominate additional content for reporting.

A monthly report will be provided to Council detailing the money invested as required by clause 212 of the *Local Government (General) Regulations 2005*.

11. DUTIES AND RESPONSIBILITIES OF COUNCIL OFFICERS

The *Trustee Act 1925* requires trustees to “*exercise the care, diligence and skill that a prudent person of business would exercise*” in investing beneficiary funds, and this test is adopted by the Guidelines, which also state “*A prudent person is expected to act with considerable duty of care, not as an average person would act, but as a wise, cautious and judicious person would.*”

As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

When exercising the power of investment the council officer should consider the following issues:

- The risk of capital or income loss;
- The likely income return and the timing of income return;
- The length of term of the proposed investment;
- The liquidity and marketability of the proposed investment;
- The likelihood of inflation affecting the value of the proposed investment; and
- The costs (such as commissions, fees, charges and duties) of making the proposed investment.

12. ETHICS AND CONFLICTS OF INTEREST

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also to declare that they have no actual or perceived conflicts of interest and receive no inducements in relation to Council's investments, as outlined more fully in the Investment Advisor section.

13. IMPLEMENTATION

The Finance Section within the Finance Corporate & Community Services Group has responsibility for implementation of this policy.

14. REVIEW

This policy shall be reviewed annually and as required in the event of legislative change or as a result of significantly changed economic/market conditions. Any proposed amendments to the Investment Policy must be approved by a resolution of Council.

SA19.209 Materials Recovery Facility (MRF) proposal - Business Case

HPERM Ref: D19/386132

Section: Commercial Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

To inform Council of the business case to support the proposal to establish a Materials Recovery Facility at West Nowra.

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 That Council consider a separate confidential report 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 business case is available within the confidential report to enable Councillor's to make an informed decision.

2. Council could propose and alternative recommendation

Implications: Not recommended as some commercial in confidence information would be available to the general public

Background

Council resolved on 31 July 2019 to prepare a business plan with the intention to process commingled recyclables in house at West Nowra and thus not contract out this service after 2020.

Details relating the business case are contained in the confidential report.

Financial Implications

The business case outlines the financial implications for Council.

Risk Implications

The business case outlines the risk implications for Council.

SA19.209

SA19.210 Revolving Energy Fund (REFund) - Project Updates

HPERM Ref: D19/369795

Approver: Paul Keech, Director Assets & Works

Attachments: 1. Worksheet for establishing a Revolving Energy Fund at SCC [↓](#)
2. Procedure - Revolving Energy Fund Allocation (under separate cover) [⇒](#)

Reason for Report

The purpose of this report is to identify a prioritised list of energy efficiency and renewable energy projects to be progressed under the Revolving Energy Fund (REFund) initiative established by Council on the 25 June 2019 (MIN19.419).

Recommendation (Item to be determined under delegated authority)

That Council endorse the following list of projects to be initiated under the \$230,000 Revolving Energy Fund (REFund) in 2019/20:

Location	Initiative	Budget Estimate	Payback Period
Nowra Library	Energy savings LED lighting upgrade	\$40,000	4.5 years
Bomaderry Works Depot	30 kW solar PV installation on Auto Workshop	\$33,000	6 years
Nowra Library	30 kW solar PV rooftop installation	\$33,000	3 years (tariff benefits included)
Aquatic Centres - various	Energy savings LED lighting upgrade	\$30,000	5 years
TOTAL		\$136,000	

Options

Nil

Background

At the Ordinary Meeting of 25/6/2019 Council resolved as follows (MIN19.419);

That Council

1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a \$230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of \$230,000 for the establishment of the REFund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.

SA19.210

4. *Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.*

The Revolving Energy Fund (REFund) is a pool of funds used to implement energy management projects across Council. The REFund is a revolving fund where the financial savings achieved by projects are reinvested back into the REFund to enable new projects in the future. Energy projects will vary in nature but must provide Council with savings in billed energy.

Since establishing the REFund, there have been two meetings of the REFund Committee (30/7/19 and 16/10/19). The committee consists of the following staff representatives:

Darren O'Connell, Andrew Truran – Energy Management consultants;
Stephanie Moorley, (previously Michael Pennisi) - Finance
Paul French – Procurement
Kelie Clarke – Environmental
Peter Herald, Brad Davis – Assets & Works

A number of actions have progressed since the inception meeting, including:

- Completing a REFund Worksheet/Checklist to cover off all the things that need to be determined to establish and manage the fund (Attachment 1);
- Preparation of the draft REFund Allocation Procedure to outline how the fund will be administered including a Project Application Form and Project Funding Agreement, (Attachment 2). Projects with short payback periods (around 5 years) are preferred to enable the REFund to be replenished quickly and funds available again for new projects.;
- Gathering cost estimate quotes from electrical contractors for potentially high priority projects.

From cost estimates received to date, priority REFund projects for implementation in 2019/20 are:

Location	Initiative	Budget Estimate	Payback Period
Nowra Library	Energy savings LED lighting upgrade	\$40,000	4.5 years
Bomaderry Works Depot	30 kW solar PV installation on Auto Workshop rooftop	\$33,000	6 years
Nowra Library	30 kW solar PV rooftop installation	\$33,000	3 years (tariff benefits included)
Aquatic Centres - various	Energy savings LED lighting upgrade	\$30,000	5 years
TOTAL		\$136,000	

Some additional projects that have previously been recommended from energy audits and staff that may be suitable as future REFund projects include the Nowra Admin Centre Building Management System (BMS) optimisation and pool heating optimisation at Council's Aquatic Centres.

Policy Implications

The REFund is a recommended project in Council's adopted Sustainable Energy Policy.

Financial Implications

Finance has budgeted for the \$230,000 REFund seed funding in the 2019/20 budget.

To ensure a buffer in the REFund for any cost overruns, the priority list of recommended projects shown totals \$136,000 for 2019/20.



REVOLVING ENERGY FUND WORKSHEET & CHECKLIST

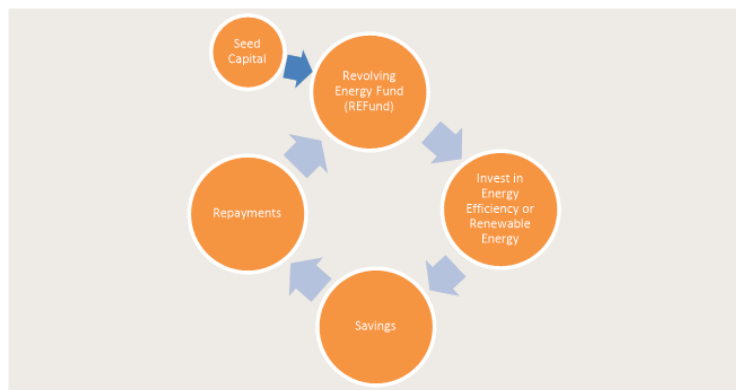
A Revolving Energy Fund (aka 'Green Revolving Fund' or 'Sustainability Revolving Fund') is an internal fund that provides financing to implement energy efficiency, renewable energy, and other sustainability projects that generate cost savings. These savings are tracked and used to replenish the fund for the next round of investments, thus establishing a sustainable funding cycle while cutting operating costs and reducing the environmental impact of an organisation.

1. BACKGROUND WORK

- ☐ Find out how electricity bills are distributed and paid.
Electricity bills are paid through Shoalwater Accounts section.
REFund projects must make savings for Council (i.e. internal funding ONLY - not for direct community funding)
- ☐ Investigate how money is transferred internally.
FINANCE
- ☐ Determine stakeholders that contribute to decisions about facility, asset management & project finance.
REFund Committee established and includes Council finance, purchasing, assets and energy staff.
- ☐ List of stakeholders that need to be consulted to build buy-in for the fund.
REFund Committee established and includes Council finance, purchasing, assets and energy staff.

2. PITCHING THE FUND

- ☐ Determine the basic structure.



- ☐ Create a mission, scope (operations, entire community), goals and objectives for the fund.

See Procedure – Revolving Energy Fund (REFund) Allocation (TRIM PRD18/104)

- ☐ Identify logistical, political, and financial barriers.

The establishment and seed funding for the REFund was adopted at the 25/6/2019 Ordinary Meeting (MIN19.419).

Excluded from the REFund are projects within Shoalhaven Water, Wastewater and Council Waste sections, as these do not come under the General Fund.

- ☐ Develop a strategy for overcoming these barriers.

See Procedure – Revolving Energy Fund (REFund) Allocation (TRIM PRD18/104)

- ☐ For the first few rounds of investment determine the pipeline of projects.

To be determined by REFund Committee as per Council resolution MIN19.419 Part 4

- ☐ Forecast how the portfolio of projects as a whole will perform.

Selection criteria for suitable projects are established in Procedure PRD18/104

3. STAKEHOLDER ENGAGEMENT AND BUY-IN

- ☐ Determine essential stakeholders and decision makers.

REFund Committee established to review, select and manage projects. REFund Committee includes Council finance, purchasing, assets and energy staff.

- ☐ Organise a meeting and explain what has been done to date, including the first draft of how the fund will be set up

First meeting of REFund Committee held on 30/7/2019 to commence planning process.

- ☐ Adjust the structure of the fund according to the feedback from stakeholders.

For discussion at second meeting of REFund Committee.

- ☐ Ensure you get stakeholder buy-in.

REFund Committee established and includes Council finance, purchasing, assets and energy staff.

4. SIZE OF THE FUND AND SEED CAPITAL

- ☐ Determine the size of the fund.
Seed funding for the REFund was adopted at the 25/6/2019 Ordinary Meeting (MIN19.419) at \$230,000.
- ☐ Get the seed capital (loan, operational budget, savings from current EE projects, grant, other).
Seed funding for the REFund was adopted at the 25/6/2019 Ordinary Meeting (MIN19.419) at \$230,000
- ☐ Decide whether the fund is allowed to go into a deficit.
REFund cannot go into deficit.

5. FINANCIAL FLOWS

- ☐ Determine who pays the project invoice and which account they will use.
FINANCE
- ☐ Decide which account will be making repayments over the course of the loan, how often the repayments will occur and whether they will be fixed or adjustable.
FINANCE
- ☐ Decide whether projects have to repay only a portion of their savings, the full loan value, or an amount greater than the original loan.
Projects are to pay the full calculated annual savings from the measure into the REFund until the capital cost is repaid in full plus 10% of CAPEX to cover administrative and project management costs.
- ☐ Determine whether the repayments will attract an interest rate, or administrative fee, or whether the payments will be increased along with the CPI.
Projects are to pay the full calculated annual savings from the measure into the REFund until the capital cost is repaid in full plus 10% of CAPEX to cover administrative and project management costs.
- ☐ Decide how the flows of money will appear on the various departmental budgets and balance sheets.
FINANCE

6. MANAGEMENT OF THE FUND

- ☐ Formalise guidelines and other necessary guiding documents.
See Procedure – Revolving Energy Fund (REFund) Allocation (TRIM PRD18/104)
- ☐ Develop project criteria (payback period, environmental benefits, community benefits, other)
Specified in **Procedure – Revolving Energy Fund (REFund) Allocation (TRIM PRD18/104)**
- ☐ Make stakeholders aware of the documentation and get their buy-in.
To be promoted after Year 1 when applications will open for new projects.
- ☐ Determine who can lodge an application for a project to be funded.
Any Shoalhaven Council staff member can apply for REFund funding after Year 1. Initial Baseline Year

projects will be determined by the REFund Committee to a max budget of \$230,000.

- ☐ Decide on who will be the fund manager (committee, staff members from various teams, community members, councillors, etc.)

The REFund Committee comprised of representatives from Finance, Assets, Purchasing and Energy will be the fund manager

- ☐ Decide on who will sign off on an application.

The Director Assets & Works will approve Project Application Forms and Project Funding Agreements.

- ☐ Decide on how the savings of a project will be determined (estimated, calculated based on actual performance, mix of both methods depending on the project, estimated savings plus verification that project performs to specs, other).

Annual savings will be calculated based on a mix of both actual and estimated performance depending on data availability.

- ☐ Decide on the key roles and responsibilities of the fund.

See Procedure – Revolving Energy Fund (REFund) Allocation (TRIM PRD18/104)

- ☐ Determine how often the financial and project status of the fund will be reported and to whom.

Meetings of the REFund Committee will occur quarterly with annual reporting of the REFund status to Council.

- ☐ Determine how the energy and cost savings will be monitored.

Where interval electricity consumption data is available (e.g. Large Sites) or actual data is captured (e.g. solar PV loggers), the energy and cost savings will be measured and monitored, where possible.

- ☐ Create a communication plan to share success stories with staff, management, councillors, community and the media.

TBA

- ☐ Optimise and improve the fund based on changing circumstances and new findings.

TBA

SA19.211 Special Rates Review - Streetscape Renewal Budget 2019/20

HPERM Ref: D19/380677

Section: Technical Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

This report is to provide Council with an opportunity to consider the proposed landscape/streetscape renewal projects to be funded through the Special Rates Variation – Streetscape Renewal Budget.

Recommendation (Item to be determined under delegated authority)

That Council adopts the landscape/streetscape renewal projects in accordance with the Special Rates Variation – Streetscape Renewal Budget funding of \$525,000. As per the table below.

SRV 2019/2020	High Ranking	
Town/Village	Description of work	Estimate
Shoalhaven Heads		\$48,400
Shoalhaven Heads Rd & Woolstencraft St landscape corner	Landscape corner removes bike rack & replace with new. Shoalhaven Heads Landscape Masterplan	\$24,200
Shoalhaven Heads Rd & opposite Lloyd St - Shopping Complex, landscape	Street trees, seats, bin enclosure, garden bed. Shoalhaven Heads Landscape Masterplan	\$24,200
Nowra		\$151,364
Batts Folly	Landscape refurbishment. Maintain memorial, plant curtilage & include footpath & crossings.	\$99,000
Nowra Sails	landscape, sandstone walling, signage	\$52,364
Nowra East		\$22,550
Nowra East Shops	Landscape improvements to include approximately 200m2 of low maintenance garden beds and say 8 x 75L trees.	\$22,550
Callala Beach		\$24,320
Emmett St opposite shops	Tree planting 100 x 45L @\$220 ea	\$24,320
Huskisson		\$102,431
Huskisson Rd	North & south sides of road between Huskisson Bowling Club entrance & Kioloa Rd.	\$80,431

SA19.211

Owen St 2018/19 rolled over budget for 8 new bins.	8 x bins to match	\$22,000
Vincentia		\$55,400
Jervis Bay Rd & Forest Rd corner stockpile site landscape	Mound stockpile with soil, plant	\$27,700
Naval College Rd & Forest Rd corner stockpile site landscape	Mound stockpile with soil, plant	\$27,700
Milton		\$46,640
Mick Ryan Reserve, Princes Highway	Landscape design of pathway link from Princes Highway under fig to amenity block. Protection of significant fig tree, mulching, landscape.	\$46,640
Ulladulla		\$52,850
Princes Highway	Additional bin enclosures. 20 bin surrounds required	\$52,850
Mollymook		\$21,000
Matron Porter Drive roundabout & nibs landscape and concrete works	Low landscape and oxide concrete apron to the roundabout, 3m wide concrete oxide to entry nibs	\$21,000
		\$524,955

SA19.211

Options

1. Adopt the recommendation

Implications: This will provide guidance on which projects are a priority for Council for the 2019/20 financial year

2. Council changes the priority list order by substituting in a medium ranking project

Implications: All projects are basically ready to go so constructability is not a factor to consider in the prioritisation. This will provide guidance on which projects are a priority for Council

Background

In previous years, Council staff have received requests for streetscape upgrades from various people and community groups. These requests were prioritised based on a cost-benefit analysis and the projects providing the highest benefit at the lowest costs were undertaken. There was little or no public consultation with this process.

The 2019/20 SRV Streetscape renewal budget of \$525,000 provides for Landscape / Streetscape renewal projects. This year a public consultation process has been undertaken to develop the list of streetscape projects. This list has been prioritised after community feedback into High Ranking and Medium Ranking projects.

A total of 13 projects with a total estimated cost of \$524,955 have been listed in the table below having been considered as a high priority. An additional table of 2 projects to a value of \$43,000 is listed for consideration as alternative swaps with the above-mentioned listing. These projects are ranked as having a medium priority ranking.

All projects are basically ready to go so constructability is not a factor to consider in the prioritisation.

SRV 2019/2020	High Ranking	
Town/Village	Description of work	Estimate
Shoalhaven Heads		\$48,400
Shoalhaven Heads Rd & Woolstencraft St landscape corner	Landscape corner removes bike rack & replace with new. Shoalhaven Heads Landscape Masterplan	\$24,200
Shoalhaven Heads Rd & opposite Lloyd St - Shopping Complex, landscape	Street trees, seats, bin enclosure, garden bed. Shoalhaven Heads Landscape Masterplan	\$24,200
Nowra		\$151,364
Batts Folly	Landscape refurbishment. Maintain memorial, plant curtilage & include footpath & crossings.	\$99,000
Nowra Sails	landscape, sandstone walling, signage	\$52,364
Nowra East		\$22,550
Nowra East Shops	Landscape improvements to include approximately 200m2 of low maintenance garden beds and say 8 x 75L trees.	\$22,550
Callala Beach		\$24,320
Emmett St opposite shops	Tree planting 100 x 45L @\$220 ea.	\$24,320
Huskisson		\$102,431
Huskisson Rd	North & south sides of road between Huskisson Bowling Club entrance & Kioloa Rd.	\$80,431
Owen St 2018/19 rolled over budget for 8 new bins. Phil Critchley to obtain.	8 x bins to match	\$22,000
Vincentia		\$55,400
Jervis Bay Rd & Forest Rd corner stockpile site landscape	Mound stockpile with soil, plant	\$27,700
Naval College Rd & Forest Rd corner stockpile site landscape	Mound stockpile with soil, plant	\$27,700
Milton		\$46,640
Mick Ryan Reserve, Princes Highway	Landscape design of pathway link from Princes Highway under fig to amenity block. Protection of significant fig tree, mulching, landscape.	\$46,640
Ulladulla		\$52,850
Princes Highway	Additional bin enclosures. 20 bin surrounds required	\$52,850
Mollymook		\$21,000

SA19.211

Matron Porter Drive roundabout & nibs landscape and concrete works	Low landscape and oxide concrete apron to roundabout, 3m wide concrete oxide to entry nibs	\$21,000
		\$524,955

SRV 2019/2020	Medium Ranking	
Town/Village	Description of work	Estimate
Shoalhaven Heads		\$84,150
Surf Club Carpark & Road (between Surf Club & McIntosh Rd)	Footpath (Northern side) - Carpark & View Platform	\$66,000
Corner of Bolong Road & Coolangatta Road	Landscape Works to screen stockpile site	\$18,150
Callala Beach		\$49,720
Quay Road – Callala Beach Road	Road Verge Tree Planting	\$49,720
		\$133,870

Community Engagement

Community Consultative Bodies, representatives from various local Chamber of Commerce groups and Community Forum members in addition to proactive community members have contributed to the development of this list.

Community consultation will continue to be undertaken as part of the delivery of these projects.

Policy Implications

Nil

Financial Implications

Nil. Budget for 2019/20 is \$525,000. The estimate of cost for the top 13 projects is \$524,955.

Risk Implications

Nil.

SA19.211

SA19.212 Retail Lease - Shop 39/43 Kinghorne Street Nowra

HPERM Ref: D19/394291

Section: Technical Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

To provide Council with an opportunity to consider approval of a new two (2) year lease agreement with a two (2) year option to the current tenant Louise Fenton-Jones trading as Pony Clothing for the premises known as Shop 39/43 Kinghorne Street, Nowra.

Recommendation

That Council;

1. Enter into a lease with Louise Fenton-Jones trading as Pony Clothing for two (2) years with a two (2) year option at a commencing rent of \$23,718.72 inc GST, per annum with annual 3% fixed increases; and
2. Authorise the Chief Executive Officer to sign all documentation required to give effect to the 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: The retail shop known as Pony Clothing will continue trading and the Council will continue to receive a monthly rental income.

2. Not resolve as recommended

Implications: Pony Clothing will cease to operate from the subject premises and be forced to find an alternate location. Council will be left with a vacant shop until such time as a new tenant can be found.

Background

Shop 39, 43 Kinghorne Street, Nowra, is one of six (6) shops (in a line under one title) owned by Council and occupied under various retail lease agreements. The various occupants include a travel agent, cake shop, cafe and retail & candle making shop.

Shop 39 was initially occupied as a florist and giftware shop in 2014 with the lease assigned in 2016 to the current tenant as a retail clothing store. The lease terminated in July 2017 and the option period was not exercised with the tenant continuing to occupy the premises on a month to month basis. Integrity Real Estate as Council's Managing Agent has now secured a new lease agreement with the Tenant on behalf of Council.

The commencement rent as shown in the table below is the same rent as currently paid.

SA19.212

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

Premises	Shop 39/43 Kinghorne Street, Nowra
Commencing Date	January 2020 (subject to confirmation and execution of the lease)
Term	Two (2) years
Option Period	Two (2) years
Rent	\$ 23,718.72 inc GST per annum
Rent Free period	Nil – Current tenant
Rent Review Mechanism	Fixed 3% annually
Permitted Use	Retail
Outgoings	100% for all separately metered utilities such as, but not limited to, Electricity, Internet, Telephone; 100% - Trade Waste; 100% - Waste; 100% - Management Fees; 16.75% - Council Rates; 16.75% - Water Rates/usage; 16.75% - Building Insurance Premiums.

SA19.212

Community Engagement

Not required as the land is Operational Land.

Policy Implications

The agreement is in accordance with Council's Occupation of Council Owned or Managed Land policy.

Financial Implications

Council will receive monthly rental payments, with annual 3% increases for the term of the lease, and outgoings.

Risk Implications

No risks identified.

SA19.213 Retail Lease - Schofields Lane Nowra

HPERM Ref: D19/396438

Section: Technical Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

To provide Council with an opportunity to consider approval of a new one (1) year lease agreement with a one (1) year option to the current tenants, Phillip & Jayanne Robertson, trading as Paceway Cafe for the premises known as 3 Schofields Lane Nowra.

Recommendation

That Council;

1. Enter into a lease with Phillip & Jayanne Robertson trading as Paceway Cafe for one (1) year with a one (1) year option at a commencing rent of \$22,653.36 inc GST, per annum with annual 3% fixed increases; and
2. Authorise the Chief Executive Officer to sign all documentation required to give effect to the 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: The retail shop known as Paceway Café will continue trading and the Council will continue to receive a monthly rental income.

2. Not resolve as recommended

Implications: Paceway Café may choose to cease operation with one months' notice or be forced to find an alternate location. Council may be left with a vacant shop until such time as a new tenant can be found.

Background

3 Schofield Lane Nowra has operated as a Café for over 10 years with the most recent tenants being Phillip and Jayanne Robertson trading as Paceway Café. Council consented to an assignment of lease from Detter & Orford trading as Café Continental to the current tenants on the 15 October 2014.

The current lease terminated on 30 April 2018 with no option period available. Since this time the Robertson's have contemplated their future plans for the business including listing the business for sale. The request for a one (1) plus one (1) year lease in this instance allows flexibility in their decision making whilst still providing the security of a tenant to Council for the next year.

SA19.213

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

Premises	3 Schofields Lane, Nowra
Commencing Date	January 2020 (subject to confirmation and execution of the lease)
Term	One (1) years
Option Period	One (1) years
Rent	\$ 22,653.36 plus GST per annum
Rent Free period	Nil – Current tenant
Rent Review Mechanism	Fixed 3% annually
Permitted Use	Retail
Outgoings	100% for all separately metered utilities such as, but not limited to, Electricity, Internet, Telephone; 100% - Trade Waste; 100% - Waste; 100% - Management Fees; 55% - Council Rates; 30%- Water usage & availability; 30% - Sewerage usage & availability; 55% - Building Insurance Premiums.

SA19.213

Community Engagement

Not required as the land is Operational Land.

Policy Implications

The agreement is in accordance with Council's Occupation of Council Owned and/or Managed Land policy.

Financial Implications

Council will receive monthly rental income with annual 3% increases for the term of the lease, and outgoings.

Risk Implications

No risks identified.

SA19.214 RMS Bridge Construction Licences on Crown Land

HPERM Ref: D19/401872

Section: Technical Services

Approver: Paul Keech, Director Assets & Works

Attachments:

1. Construction Licence Plan Part Lots 7302 & 7303 & 7325 [↓](#)
2. Construction Licence Detail Plan Part Lots 7302 & 7303 [↓](#)
3. Construction Licence Detail Plan Part Lot 7325 [↓](#)

Reason for Report

This report provides Council with an opportunity to issue concurrence to Roads & Maritime Services (RMS) for Construction Licences over Crown Land which Shoalhaven City Council is the Crown Land Manager of, to progress the Nowra Bridge Project.

Recommendation (Item to be determined under delegated authority)

That Council as the Crown Land Manager of Reserves No R68918 and R70802 issue concurrence to construction licences between Roads & Maritime Services (RMS) and Dept of Planning, Industry and Environment – Crown Lands.

1. R68918 being Part Lots 7302 (approx. 11,780m² and 8,389m²) & 7303 (approx. 1,981m²) DP 1164490 (Greys Beach & Fairway Drive)
2. R70802 being Part Lot 7325 (approx. 156m²) DP 1166966 (Scenic Drive Nowra).

Options

1. Adopt the Recommendations

Implications: RMS and Crown Lands will enter into construction licences with the Dept of Planning, Industry and Environment – Crown Lands and the Bridge Project will progress.

2. Not adopt the Recommendation

Implications: This will extend the forecasted timeline for the RMS Bridge Project and RMS may instigate their use of power under Sec 175 of the Roads Act 1993 and may take possession of land over Fairway Drive.

Background

In addition to the Council land acquired and leased for the Nowra Bridge project (refer to Council resolution MIN19.604 adopted at Council Ordinary meeting 27th August 2019), RMS is seeking construction licences over river foreshore Crown land.

As Council is the Crown Land Manager of the respective Reserves, RMS must seek Council's concurrence to the licence between them and Dept of Planning, Industry and Environment – Crown Lands in the first instance.

There are three parcels of Crown land (Attachment 1) being considered, being part Lots 7302 (approx. 11,780m² and 8,389m²) & 7303 DP 1164490 (approx. 1,981m²) Attachment 2 (Greys Beach & Fairway Drive being Reserve R68918)

Part Lot 7325 DP 1166966 (approx. 156m²) (Scenic Drive Nowra being Reserve R70802). (Attachment 3)

Both Greys Beach and Scenic Drive will be utilised for construction areas for the Nowra Bridge project and both areas will be reinstated following completion of the works.

As with all major road projects, general community consultation was instigated by RMS starting in 2013 to introduce the Bridge Project. In June 2014 RMS sought feedback from the Community for options that followed on with workshops, displays, information sessions and general meetings up to as recently as October 2019. The Community was also invited to participate in an online survey.

The Review of Environmental Factors (REF) was displayed for 33 days from 27 August 2018 – 29 September 2018 to seek feedback from the Community, with a total of 109 submissions.

The RMS Submissions Report dated May 2019 addresses all submissions with detailed RMS responses. The full report can be found at:

<https://www.rms.nsw.gov.au/projects/01documents/nowra-bridges-shoalhaven-river/nowra-bridge-submissions-report-may-2019.pdf>

Greys Beach – Refer to Attachments 1 & 2

From the above-noted report comments and responses specific to Greys Beach are noted below:

2.9.2 ACCESS and CONNECTIVITY:

Issue description – Community member

One respondent asked about maintaining access to the boat launching facilities at Greys Beach Boat ramp during construction.

RMS Response

The REF acknowledges the impacts of the proposal on users of the Greys Beach boat ramp and car parking area during construction. This issue was also raised by Shoalhaven City Council in its submission (refer Section 3.2.8 of this submissions report). Subsequent to the exhibition of the REF, Roads and Maritime reviewed the impacts of the proposal on parking at Greys Beach. As a result of this environmental management measure SE4 has been amended to make it clear access to the boat ramp at Greys Beach would be maintained at all times. Access to parking would be largely maintained between the September/October school holidays to the Monday after Anzac Day.

Outside of these times about half of the existing parking area (about 50 spaces) would be available.

SE4: Use of the Greys Beach Reserve site for temporary construction activities will ~~should~~ be planned to consider peak usage periods of the river for recreational users. Access to the boat ramp at Greys Beach will be maintained at all times. Access to parking would be largely maintained between the September/October school holidays to the Monday after Anzac Day. Outside of these times about half of the existing parking area (about 50 spaces) will be available.

Members of the public will be kept informed of construction activities through the Community and Stakeholder Engagement Plan, which will include notification of any works or activities that could affect users of this boat ramp. Environmental management measures SE3 and SE4 address management of impacts on users of this area.

Issue description – Nowra Golf Club

The operator of the Nowra Golf Club has expressed concern that construction works at Grey's Beach would affect access to the golf club and asked if there was a plan to manage this issue. It was also asked whether Roads and Maritime would consult with the golf club to work together in minimising restrictions on access to the golf club car park.

RMS Response

A Transport Management Plan (TMP) will be prepared as part of the Contract Environmental Management Plan (CEMP) for the proposal (environmental management measure T1). This will be used by the construction contractor to manage impacts on traffic associated with construction activities, including those activities that will or could affect access to businesses and properties. The TMP will include requirements and methods to consult and inform the local community of impacts on the local road network. These will be integrated with the Community and Stakeholder Engagement Plan noted above.

3.2.8 AMENITY:**Issue description – Shoalhaven City Council**

The works involve impact to the use of Greys Beach for parking, passive recreation and access to the boat ramp as a result of the site being utilised for a potential ancillary site and launching area. It is acknowledged that the proposed lease indicates that the boat ramp is not included in the lease area but will be utilised for the storage of plant and material, launching of construction barges and transfer of plant and materials during the construction of the Nowra Bridge. North Nowra Rotary Park is significantly impacted by the acquisition of land required for the northbound landing of the bridge and the widening of Illaroo Road.

Greys Beach has been recently master planned and some works undertaken on the boat ramps, access ways and car parking. The area is highly utilised, particularly from September through to May by watercraft users. Appendix I of the exhibited material indicates that Greys Beach will be affected by a temporary lease of part of the land, construction of a temporary jetty and associated exclusion zone. The lease / works will have significant impact on users of this area; specifically the reduced navigable water area of the Shoalhaven River will impact non-motorised sporting groups which practice and race in this location. In addition, the Study indicates that during the construction of the Nowra Bridge (i.e. such as during craning new sections of the bridge into place), marine vessels will be restricted and, in these events, community and river users would be notified in advance. This will also impact users of Paringa Park in the same regard. The Study indicates that there would be an overall high impact.

Roads and Maritime must consider potential replacement infrastructure to minimise impact to watercraft users during construction of the Nowra Bridge.

In addition, Roads and Maritime must ensure that Greys Beach is returned to its original or improved condition once construction is complete.

Council would encourage dialogue with Roads and Maritime to ensure that the needs of the user groups are met as part of the finishing of the site after the project is complete. The works will restrict navigable water area of the Shoalhaven River which is utilised by non-motorised sporting groups. The direct impact of the works to Paringa Park are considered minor as it is not associated with any lease or land acquisition, however the reduction of the navigable water area could have significant impacts for Shoalhaven River user groups. Indirect impacts will occur as a result of the significant impacts to Greys Beach during the construction of the Nowra Bridge. As per

recommendations made for Greys Beach, Roads and Maritime must consider potential replacement infrastructure to minimise impact to watercraft users during construction of the Nowra Bridge. Council is open to liaising with the affected groups and Roads and Maritime regarding a suitable solution to this impact.

RMS Response

The REF acknowledges the impacts of the proposal on users of the Greys Beach boat ramp and car parking area during construction, and notes Council's advice regarding utilisation of the area, particularly from September through to May. The revised assessment of parking impacts at Greys Beach (refer Section 5.5 of this submissions report) has provided amendments to environmental management measure SE4 to provide clarity on access to the boat ramp and to the provision of parking. The revised environmental management measure SE4 is described in a previous response.

A navigational exclusion zone and 50 metre navigation channel would be implemented during construction of the proposal. The navigational exclusion zone would extend 200 metres upstream and 100 metres downstream of the existing bridges and would be marked by navigation buoys in the river. An exclusion zone would also be established in the river adjacent to the Greys Beach ancillary site.

The movement of barges and other watercraft would be carried out in accordance with all applicable maritime safety requirements. Members of the public will be kept informed of construction activities through the Community and Stakeholder Engagement Plan, which will include notification of any works that could affect users of this and other boat ramps (environmental management measure SE1). Environmental management measures SE3 and SE4 address management of impacts on users of this area and at the other boat ramp in the proposal area.

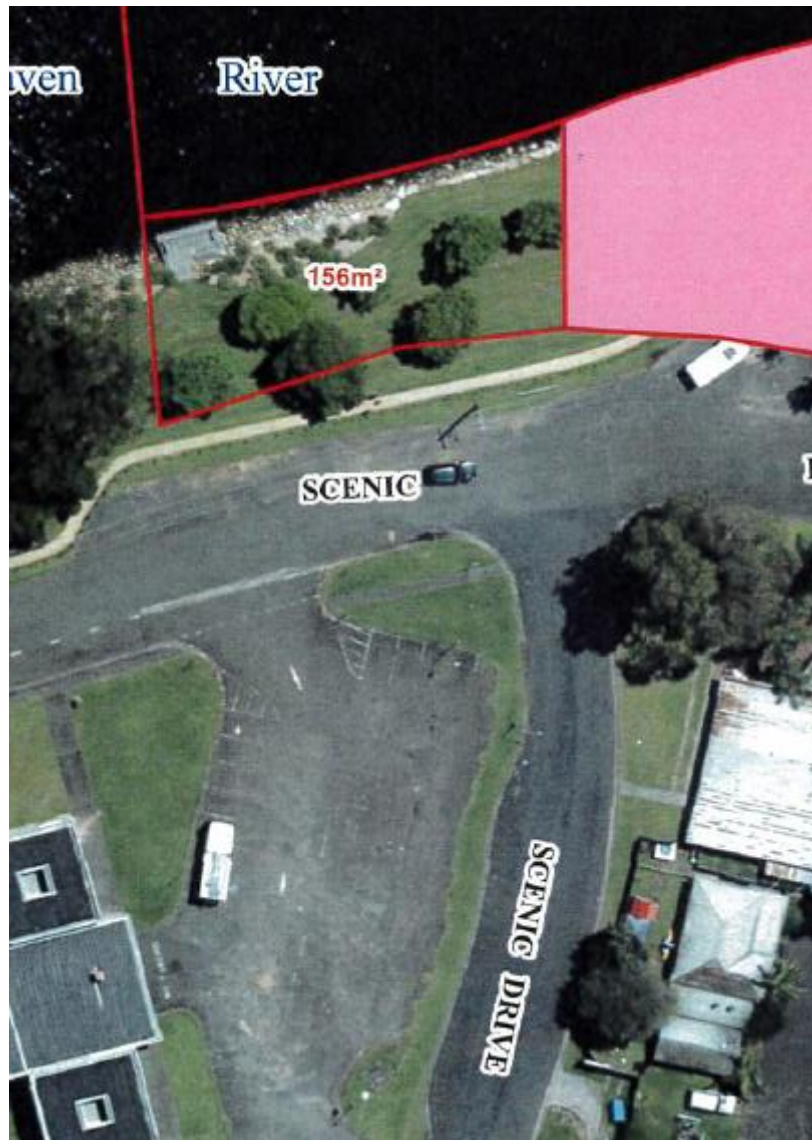
All construction work sites and ancillary sites, including the Greys Beach area, will be returned to at least their pre-construction state, unless otherwise detailed in the proposal design. This will be carried out progressively during the construction program where possible, and at the completion of construction for all remaining sites. This is addressed through environmental management measure LV10.

Roads and Maritime will consult further with Council to ensure there is no material change to access or amenity of user groups following completion of construction and restoration of the Greys Beach ancillary site. This will include consideration of opportunities to improve amenity in this and other affected open space areas.

Council staff met with RMS representatives on Friday 15th November to discuss the above as part of RMS commitment to liaise with Council during the Nowra Bridge project as noted within the RMS "Submissions Report".

In addition to the responses noted above RMS requires the successful contractor to "submit a Greys Beach Access Management Plan to RMS and Shoalhaven City Council for review and comment at least 30 business days prior to the use of the site".

Scenic Drive – Part Lot 7325 DP 1166966 – about 156m² – Refer to Attachments 1 & 3



The land comprised within the 156m² as noted in the aerial photo above (just north of the Nowra Aquatic Centre car park) will be utilised in conjunction with the Crown land acquired by RMS as shown pink to the east. The area will have a temporary wharf (floating pontoons) and loading facility built to service the construction activities associated with the bridge project.

Access to this area will predominately be from the Riverhaven Motel site which has also been leased for the life of the bridge project for construction activities by RMS.

Community Engagement

RMS has conducted extensive community consultation as described in the background of this Report.

Policy Implications

Not Applicable

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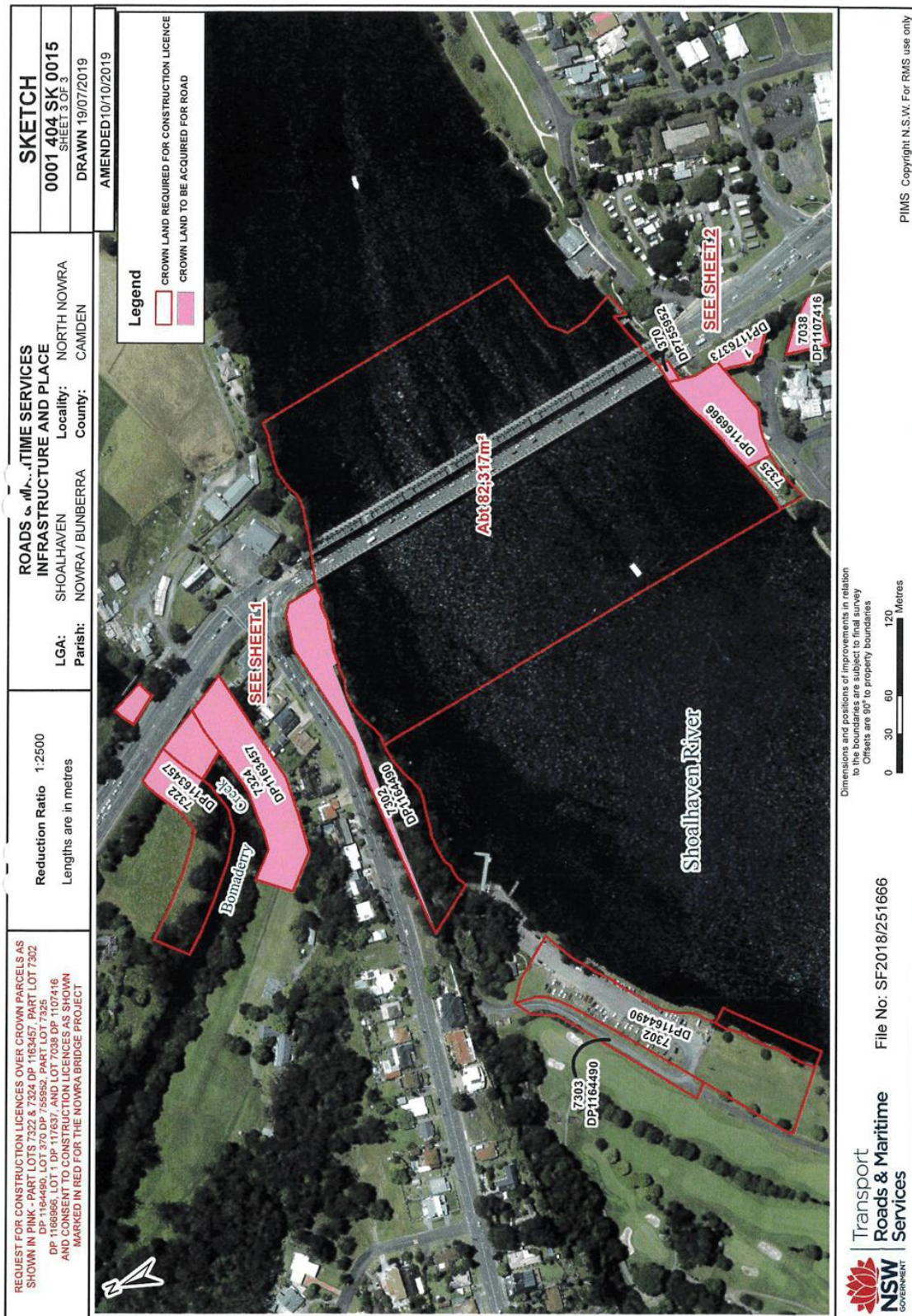
Financial Implications

Council is not a party to the Construction licences between RMS and Crown Lands and as such is not impacted (benefit or detriment) financially.

Risk Implications

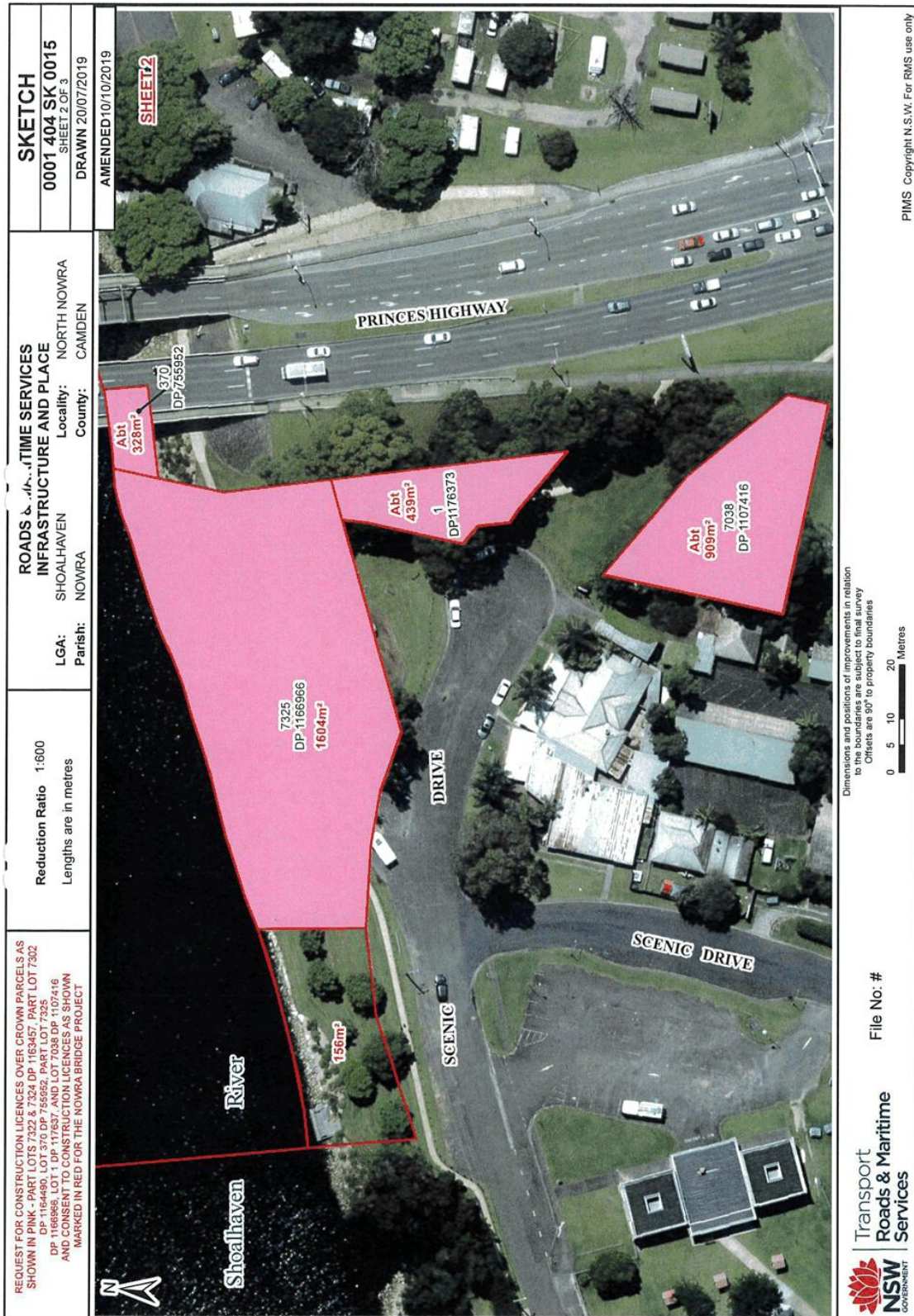
Not Applicable

SA19.214



SA19.214 - Attachment 1





SA19.214 - Attachment 3

SA19.215 Opportunity Shops - Tipping Fee Support

HPERM Ref: D19/401918

Section: Commercial Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

The purpose of this report is to address Council Minute MIN19.571.

Recommendation (Item to be determined under delegated authority)

That Council note that the Opportunity Shops listed below have taken up the EPA levy exemption and Council's charitable organisations assistance and thus have received fee reductions of \$39,881 in 2018/19:

- a. Anglicare
- b. Salvation Army
- c. Salvation Army Ulladulla
- d. Salvation Army Illawarra
- e. St Vincent de Paul
- f. Uniting Church

Options

1. Adopt recommendation and thus not change the shared responsibility approach of approximately 50% subsidy.

Implications: Council will continue to provide fee relief for Opportunity Shops but with no additional cost to Council in accordance with the adopted budgets and policy

2. Should Council wish to increase the assistance provided to Opportunity Shops, Council could adopt the recommendation and add item 2 for any or all of the following:

- a. Increasing the limit dollar value registered charitable organisations waste disposal charges

Item 2 Increase the dollar value limit from \$2,500 to \$5,000 per annum for registered charitable organisations' waste disposal charges and in accordance with the provisions of Section 356 of the Local Government Act place the changes on Public Notice for 28 days before implementation;

Implications: Council will continue to provide fee relief for Opportunity Shops with an increased cost to Council.

The estimated additional assistance (loss in revenue) for this option is:

- Based on the 2018/2019 financial year experience applying Council's 50% relief (up to a max of \$2,500) resulted in lost income of \$6,740. So, increasing the amount to \$5,000 could result in an additional say \$5,000 (say total \$10,000) lost revenue depending on the take up.

SA19.215

And/Or:

- b. Providing one 240 litre bin service funded by Council

Item 2 Provide one 240 litre bin service to each eligible Opportunity Shop within the Shoalhaven and in accordance with the provisions of Section 356 of the Local Government Act place the changes on Public Notice for 28 days before implementation.

Implications: Council will continue to provide fee relief for Opportunity Shops with an increased cost to Council.

The estimated additional assistance (loss in revenue) for this option is:

- \$13,251 per year if a bin service is provided to all Opportunity Shops.

And/Or:

- c. Providing 2 “No Tipping Charge Vouchers” to the registered charities.

Item 2 Provide two “No Tipping Charge Vouchers” to each eligible Opportunity Shop within the Shoalhaven and in accordance with the provisions of Section 356 of the Local Government Act place the changes on Public Notice for 28 days before implementation.

Implications: Council will continue to provide fee relief for Opportunity Shops with an increased cost to Council.

The estimated additional assistance (loss in revenue) for these options are:

- \$4,725 per year if two vouchers are provided

Background

At the Ordinary Meeting on 27 August 2019 Council resolved as follows (MIN19.571):

That:

- Council's Waste services team provide to council options of the following:*
 - Possibility of setting up a program to assist volunteer Op-Shops with Tipping fees.*
 - Options for providing volunteer Op-Shops with tipping vouchers.*
 - Costs associated with the above options*
- Following the report back (part 1 above) Council write to all Op-Shops other than St Vincent De Paul, Anglicare and Salvation Army advising them of the provisions for exemption under the Environmental Protection Authority Act and invite them to apply for the exemption.*

Current Options available to Opportunity Shops

In acknowledgement of the problems that Opportunity Shops face with regard to people dumping rubbish rather than reusable goods in and around their bins, Council has in place options for reducing the costs of managing waste for the opportunity shops.

In Council's current Delivery Program & Operational Plan, Opportunity Shops are supported as follows:

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

Note that for Opportunity Shops registered as charities this equates to an estimated assistance to community charities of approximately \$7,000 per year.

Further to the relief provided by Council, Opportunity Shops can apply to the EPA for exemption from the EPA levy. Current exemptions are in place for several opportunity shops who have applied to the EPA. Other Opportunity Shops can approach the EPA to obtain an exemption. These Opportunity Shops will also need to open a Tip Account with Council's Waste Services, so that the exemption can be affected by Council's waste tracking system.

The EPA assistance can be found on <https://www.epa.nsw.gov.au/your-environment/litter-and-illegal-dumping/prevent-illegal-dumping/charity-donation-bins-and-shops>

The cumulative effect of the EPA levy exemption and Council's 50% discount results in a reduction in their tipping fee of up to 71%.

Tip fees after removing the levy (and including GST) for the 2018/19 financial year:

	Full Fee	Discount (EPA + Council)	Amount actually paid
Anglicare	\$410	\$291	\$119
Salvation Army	\$8,476	\$6,018	\$2,458
Salvation Army Ulladulla	\$1,848	\$1,312	\$536
Salvation Army Illawarra	\$45,412	\$20,311	\$25,101
St Vincent de Paul	\$21,806	\$11,053	\$10,753
Uniting Church	\$1,262	\$896	\$366
Total	\$79,216	\$39,881	\$39,335

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Addressing the Notice of Motion

Item 1a

The current policy for Opportunity Shops that are registered charitable organisations in the DP/OP provides relief for large bulky rubbish and any combination of the percentage or the limit could be applied at Council's discretion.

To provide assistance with smaller rubbish items Council could offer to provide a 240 litre bin service (waste and recycling) for kerbside collection. Given that there are twenty-one or more Op Shops, the cost to Council would be \$13,251 per year

Item 1b

Each tipping voucher is effectively worth up to a maximum of \$112.50.

Council currently has a No Charge Tipping Vouchers policy (POL16/169 Review Date: 1/12/2020). The purpose of this policy is as follows:

'No Charge Tipping Vouchers' were introduced to help homeowners get rid of excess waste which may accumulate at their properties during the year that cannot be managed by the normal kerbside collection system.

Issuing vouchers to other than homeowners is not currently covered by this policy. Council could resolve to issue 'No Charge Tipping Vouchers' to Registered charitable organisations upon written request (up to say 2 per year) as a one-off gesture and if this proves to be an effective form of assistance Council could review POL16/169 and make such assistance a matter of policy

Given that there are twenty-one or more Op Shops, the cost to Council to issue two vouchers to each entity would be \$4,725 per year.

Item 1c

Based on the 2018/2019 financial year experience applying Council's 50% relief (up to a max of \$2,500) resulted in lost income of \$6,740.

The disposal fees quoted above exclude payments by the Opportunity Shops to a commercial operator to remove the waste.

Commentary

Opportunity Shops go a long way to assist the community reuse and recycle and their achievements are predominantly achieved by dedicated and hardworking volunteers.

The EPA does not apply the levy exemption to a mixed commercial load. Council is also unable to effectively subsidise a commercial operation where waste from Opportunity Shops are mixed with commercial waste in the same load.

Policy Implications

Council may consider amending POL16/169 (or developing a standalone policy) to make No Tipping Vouchers for Op Shops a matter of policy

Financial Implications

The current annual assistance provided by Council is \$6,740.

Providing two tipping vouchers to each Opportunity Shop that is registered as a charity could result in a further subsidy of \$4,725 per year (a 70% increase).

Providing a 240 litre bin service to each Opportunity Shop that is registered as a charity could result in a further subsidy of \$13,251 per year (a 196% increase).

Providing an increase in the dollar limit from \$2,500 to \$5,000 to each Opportunity Shop could result in a further subsidy of \$5,000 per year (a 74% increase).

All of these assistance packages are unfunded and will add to the Waste Service expenses

Risk Implications

Offering to pay the full disposal fee for Opportunity Shops is a major departure from the existing shared responsibility model and has a risk of stimulating more illegal dumping and Council will effectively be subsidising illegal dumpers.

The dumping of rubbish is a shared responsibility and the small remaining cost is intended to encourage the Opportunity Shops to think and implement different solutions, to maximise reuse and recycling, to reduce illegal dumping and therefore their own costs.

Subsidising disposal costs does not address the problem of managing the materials coming in or waste being dumped at the Opportunity Shops. Opportunity shops have a responsibility for the management of their operations, while Council remains willing to assist them in proactively targeting the illegal dumpers

SA19.216 Coronial Inquest (1 May 2019) - Stormwater Inlet - Public Reserves / Land - assessment

HPERM Ref: D19/404183

Section: Works & Services

Approver: Paul Keech, Director Assets & Works

Reason for Report

The purpose of this report is to update Councillors on the progress of the Stormwater Inlets Audit as a result of the Coronial Inquest (1 May 2019).

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes that as at the end of November 2019, 75% of the required inspections of stormwater drainage system has been completed and five sites have been identified to date that require remedial works, pursuant to the Coronial Inquest (1 May 2019) – Stormwater Inlet – Public Reserves/Land.
2. The total cost to finish the inspections, adjust the identified (and likely remaining) Stormwater Inlet pits will be in the order of \$50,000 and this work will be funded from savings identified in the next 2019/2020 budget quarterly review.

Options

1. Do nothing

Implications: Leaves Council open to a known risk.

2. Complete initial assessment and undertake remedial works

Implications: Council will have completed its obligation with regard to its duty of care in relation to the findings of the coronial inquest (1 May 2019) for stormwater inlets for public lands / reserves in the Shoalhaven area.

Background

The inquest concerns the death of Ryan Teasdale who died 16 March 2017 as a result of drowning after he was forced by the flow of water into an open stormwater inlet. Recommendation 89 of the inquest into the death of Ryan Teasdale states:

"I agree with Counsel Assisting would be beneficial to the community to ensure that the tragic circumstances of Ryan's death are brought to the attention of other Local Government Councils within New South Wales. This is to prompt such entities to give appropriate attention to the safety of existing stormwater inlet structures within their area of responsibility. To the extent that their risk assessment process may be facilitated by the QLD guidelines, the existence of those guidelines should also be brought to their attention through these findings. The hope is that other councils prioritise this as an important safety issue and ensure it receives urgent attention."

SA19.216

At the Group Directors Meeting 11 June 2019 it was resolved that an initial assessment of stormwater inlets be undertaken to identify any public parks or easily accessible public lands in populated areas that may contain a similar stormwater inlet to that of Riley Park Unanderra, South Wollongong and that risk assessments are undertaken to determine if any further measures are required.

Council staff have carried out inspections of approximately 75% of the Shoalhaven area drainage network.

Five sites have been identified thus far that have similar stormwater inlets to that of Riley Park. Those sites are Ray Abood Oval Cambewarra, Princess Park Berry, Ratcliffe Park Worrigee, Cornelius Close (East Nowra) and Orient Point Foreshore near Orana Crescent.

Works have been completed at the Cambewarra site. Works on the Ratcliffe Park site is set to commence early December with the rest to follow before the end of the financial year.

The remaining inspections will be completed by the end of March 2020

Financial Implications

The initial assessment of the drainage network is approximately 75% complete and five sites have been identified as requiring remedial works to bring them up to a standard that Council considers safe in the light of the coronial findings. Based on the initial assessment findings to date and the cost of the work completed on the Cambewarra site, it is estimated that a budget of \$50,000 is required to complete all the works.

Risk Implications

Once the works are completed Council will have completed its obligation with regard to its duty of care in relation to the findings of the coronial inquest (1 May 2019) for stormwater inlets for public lands / reserves in the Shoalhaven area.

SA19.217 Roadwork Coordination Plan Production - Construction Phase

HPERM Ref: D19/427894

Approver: Paul Keech, Director Assets & Works

Reason for Report

The purpose of this report is to provide an update regarding the coordination of and planning for roadworks to minimise inconvenience to local residents during the construction stage as per MIN19.241.

Recommendation (Item to be determined under delegated authority)

That Council note that in order to improve coordination and planning of roadworks a graphical representation of proposed work locations is being developed for Council's website and this will be available early in 2020.

Options

Nil

Background

At the Ordinary Meeting on the 30 April 2019 Council resolved as follows (MIN19.241)

That Council staff produce a roadworks co-ordination plan so as to minimise inconvenience to local residents during the construction stage.

At the time when Councillors were considering this matter there were two prominent examples where works were undertaken and the inconvenience to local residents was publicly discussed.

These were on Woodhill Mountain Road (pavement rehabilitation) and Larmer Ave (pavement strengthening)

In the Woodhill Mountain Road instance, work crews moved to site two weeks after notification of extensive detours.

Larmer Ave works coincided with other works being undertaken by other contract crews as well as private developers, adjacent to each other on the same stretch of road and thus there were three traffic control plans operating within a short distance of each other.

Consideration

To improve coordination and planning a graphical representation of proposed work locations is being developed for Council's website.

The idea being that as Council allocates funds to projects or Council approved developers to work on roads these sites will be plotted on a map that all Council staff and all members of the community can access.

Staff can refer to this map when planning works to make sure that they take into consideration other planned works.

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Of course, this system won't cater for the inconvenience caused by unplanned response, however the system may prompt bringing forward planned works to coincide with an unplanned response and thus minimise inconvenience.

To bring this arrangement for fruition the following processes are being developed;

1. Council's webpage is being updated to allow information to be easily mapped
2. The approval process for Works on Roads (referred to as 138 Approvals) is being revised.

Community Engagement

Nil. Internal discussions have taken place, and any changes will be coordinated by the Assets and Works Group.

Policy Implications

Nil.

Financial Implications

Nil.

Risk Implications

Nil.

SA19.217

SA19.218 Citywide CMP Scoping Study - Variation of Project Funds and Scope

HPERM Ref: D19/371286

Section: Environmental Services

Approver: Phil Costello, Director Planning Environment & Development Group

Reason for Report

Inform Council of the funding allocations and arrangements, as approved by NSW Department of Planning, Industry and Environment (DPIE) - Coast and Estuaries Grants Unit, to fund the Coastal Management Program (CMP) - Citywide Scoping Study.

Recommendation

That Council:

1. Endorse the variation in scope, removing the need to prepare a scoping study, for the Lake Conjola and Shoalhaven River estuary Coastal Management Program (CMP) grant projects, as detailed in this report, as a Draft Citywide Scoping Study has been prepared for the open coast and all estuaries.
2. Acknowledge the shortfall of funds remaining in the Open Coast and St Georges Basin/Sussex Inlet CMP grant, as the full cost of preparing the citywide Scoping Study has been attributed to this grant (job number 15885).
3. Submit a grant variation to NSW DPIE for an increase of the project costs by \$114,000 (50% to be funded by Council) to fund the preparation of the Open Coast and St Georges Basin/Sussex Inlet CMP.
4. Allocate additional funds of \$57,000 from job number 75742 to the Open Coast and St Georges Basin/Sussex Inlet CMP (job number 15885), as Council's 50% contribution to item 3 above at the December 2019 quarterly review.

Options

1. As recommended

Implications: All scoping study funds are consolidated into a single grant. This approach delivers improved results due to a single scoping study for the entire Shoalhaven coast and estuaries. This will deliver a faster, cheaper and more consistent scoping study than if separate scoping studies were undertaken for individual CMP's.

2. Leave Council's scoping study matching funding, in the Lake Conjola and Shoalhaven River CMP Grant projects.

Implications: There will be a shortfall in Citywide Scoping Study funds. And risks breaching the 50/50 terms of the grant approval.

3. Alternate recommendation

Implications: Unknown

Background

In March 2019 NSW Department of Planning, Industry & Environment (DPIE) recommended to Council that a preferable approach to undertaking multiple scoping studies for the coast

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and each estuary would be to conduct a single citywide local government area (LGA) scoping study.

NSW (DPIE) advised that this approach was now being used by other LGA's, to deliver improved results because a single scoping study for an entire LGA delivers a faster, cheaper and more consistent scoping study.

In July 2019 Council submitted a variation request for the Open Coastline and St Georges Basin/Sussex Inlet CMP grant project. The variation sought to extend the CMP grant funding term from 30 November 2019 to 31 December 2020 and to expand the area of scoping study to include the open coast and all estuaries within the Shoalhaven LGA.

In September 2019 DPIE Grants approved the request on the condition that Council submit a further variation request to reduce the scope and cost associated with undertaking the scoping study element from the Shoalhaven River and Lake Conjola CMP grants.

NSW DPIE had advised Council that no further requests for additional funds will be considered until the Shoalhaven River and Lake Conjola CMP grants are varied to reduce the scoping study milestone scope and cost.

In October 2019 Council submitted two variation requests for the Shoalhaven River and the Lake Conjola CMP grants, in line with the DPIE Grants requirement above. Based on the recommendation from DPIE Coast and Estuary Grants, it was agreed that Council should seek as little a grant reduction as possible, citing that a single Shoalhaven LGA scoping study now spreads the costs across many more estuaries. Therefore, the reduction in grant from the individual estuaries of Shoalhaven River and Lake Conjola should reflect this.

NSW DPIE also advised Council that due to the increase in the extent of the scoping study to the whole LGA, Council will need to submit a variation request for additional funding, to fund the completion of stages 2 – 4 (CMP preparation) for Open Coast and St Georges Basin/Sussex Inlet CMP.

On 20 November 2019, the NSW DPIE Grants team advised Council that they no longer require Council to vary the Lake Conjola and Shoalhaven River CMP Grant Project to reduce the funding amounts to compensate for the additional funds expended on the Citywide Scoping Study. DPIE grants have only requested Council vary the scope of the project to remove the scoping study component of the projects. This means that, although Council previous intent was to apportion the cost of the Scoping Study across the 3 CMPs, this will no longer be necessary. However, a grant variation will need to be submitted for the Open Coast/St Georges Basin CMP to cover the shortfall in grant funds required to complete the preparation of this CMP.

Community Engagement

Community engagement now encompasses a Citywide Scoping Study, as a first phase requirement in the preparation of a CMP. This will facilitate a faster, cost effective, and more consistent scoping study for all the coast and estuaries throughout the Shoalhaven LGA.

Six community workshops and community drop-in sessions have been held across the city, as part of the citywide Scoping Study community engagement process.

Policy Implications

There are no policy implications with this redistribution of Council matching funds between approved grants.

Financial Implications

The total cost of the preparation of the Citywide Scoping Study is \$134,000, which Council is required to fund 50% (\$67,000). This leaves \$66,000 remaining in the Open Coast and St

Georges Basin/Sussex Inlet CMP Grant project budget. As detailed above, NSW DPIE have advised that the entire grant amount for Lake Conjola and Shoalhaven River estuary CMPs will remain and that the preparation of the scoping study milestone in these work programs should be removed to acknowledge the preparation of the citywide draft Scoping Study. This means that Council does not need to apportion the cost of the citywide Scoping Study across all three (3) grants. However, as a result, all of the costs of the citywide Scoping Study have come from the Open Coast and St Georges Basin/Sussex Inlet CMP grant, therefore leaving a large shortfall of funds in this grant to prepare the actual CMP.

NSW DPIE has acknowledged this will leave a shortfall in funding for the preparation of this CMP and have verbally advised, that any variation submitted to increase the CMP grant will be looked upon favourably.

Based on cost of preparing a CMP from other local government areas and the cost of the Coastal Zone Management Plan (CZMP) preparation, it is estimated that the Open Coast/St Georges Basin/Sussex Inlet CMP preparation will cost up to \$200,000. Therefore, \$134,000 additional funds would be required of which Council can apply for a grant variation for 50% of these costs, meaning that council would need to contribute the other 50% of costs, \$67,000.

However, the actual cost will not be known until the project is tendered.

Risk Implications

There is a financial risk that DPIE Grants will not approve variation requests for additional funding for the Open Coast and St Georges Basin/Sussex Inlet CMP Grant project.

SA19.219 Draft Citywide Scoping Study Report - Public Exhibition

HPERM Ref: D19/416733

Section: Environmental Services

Approver: Phil Costello, Director Planning Environment & Development Group

Attachments: 1. Consultation Outcomes Report (under separate cover) [⇒](#)
2. Questionnaire results (under separate cover) [⇒](#)

Reason for Report

Inform Council of the draft Shoalhaven Citywide Scoping Study Report and seek authorisation to place the draft Citywide Scoping Study on public exhibition.

Recommendation

That Council:

1. Adopt the draft Shoalhaven Citywide Coastal Management Program (CMP) Scoping Study report for public exhibition from mid-December to mid-February to allow sufficient time for the community to make submissions, taking into account the Christmas and Summer holiday period.
2. Copies of the draft Shoalhaven Citywide Coastal Management Program (CMP) Scoping Study report to be placed on Council's 'Get Involved' webpage; at the Nowra, Sanctuary Point, Milton and Ulladulla libraries; the Bay & Basin and Ulladulla Leisure Centres and Council administration buildings.
3. Notify those people that participated and provided their contact details in the scoping study community consultation workshops and drop-in sessions; Council Consultative Bodies and owners of properties located in known coastal hazard locations that the Draft Shoalhaven Citywide Coastal Management Program (CMP) Scoping Study is on public exhibition.
4. Report back to Council following the public exhibition period detailing any submissions received and any recommended amendments to the draft Shoalhaven Citywide Coastal Management Program (CMP) Scoping Study report, for final adoption.

Options

1. As recommended.

Implications: The public will have an opportunity to comment on the draft Scoping Study report as written by the independent consultant. The public exhibition period and Council review of received public comments will extend the time required to produce a final report. Council will be more confident of the public's opinions to the report before it is reported to Council for final adoption in March 2020.

2. Delay the exhibition of the Draft Scoping Study report.

Implications: This will result in a delay in completing the Scoping Study and will delay preparation of Coastal management programs (CMPs).

3. Alternative recommendation.

Implications: Unknown

Background

The first signed funding agreement between SCC and the NSW Department of Planning, Industry and Environment (DPIE) - Coastal and Estuary Grant for delivering the first group of Coastal Management Programs for the Shoalhaven occurred in September 2017.

The tender to prepare the Scoping Study element for this grant (covering the Open Coastline, St Georges Basin and Lake Conjola) was awarded to Advisian in November 2018.

NSW DPIE advised the Scoping Study should be expanded to a single citywide study in February 2019.

Following this advice and agreement from NSW DPIE that Advisian could be awarded the expanded Citywide Scoping Study in April 2019 as a variation to the original contract, a new proposal from Advisian was received in June 2019.

In June 2019 the RPS Group, were also engaged to prepare the Community Engagement Strategy to inform the Citywide Scoping Study. Part of this proposal was to run and report on three community engagement events (Two-hour focused workshops and two-hour general community drop-in sessions) at Ulladulla, St Georges Basin and Nowra. The number of sessions and locations was increased following feedback Council received from the community and the council resolution below.

On 20 September 2019, Ordinary Council resolved the following (MIN19.650), in relation to the Shoalhaven Citywide Scoping Study;

1. *Endorse the holding of three (3) additional focus group workshops and drop-in sessions for the coastal management program citywide Scoping Study at Shoalhaven Heads, Sussex Inlet and Lake Conjola in addition to those planned for Nowra, St Georges Basin and Ulladulla; also the overall framework for community consultation as outlined in this report in regard to the preparation of the city wide scoping study.*
2. *Allocate an additional budget of \$19,228 from the September 2019 quarterly budget review to job number 15885.*
3. *Staff formulate a draft list of questions for inclusion in a Question and Answer sheet / online questionnaire for the Scoping Study community engagement and distribute to involved coastal groups for comment and suggestions in regard possible gaps that can be addressed as in final community consultation documents.*

As per part one of the resolution the number of community workshops and drop-in information sessions events was increased from three to six. Subsequently, sessions were organised for the following locations;

1. Ulladulla
2. St Georges Basin
3. Nowra
4. Lake Conjola
5. Sussex Inlet
6. Shoalhaven Heads

As per part three of MIN19.650, the Scoping Study Questionnaire was developed in September 2019 and was available for public submission from 1 – 31 of October 2019. The questionnaire was one of the tools used to gain more insight as to the values, threats and priorities that need to be addressed, in the development of a scoping study across the Shoalhaven.

All the above has been used by Advisian to produce the draft Citywide Scoping Study (a copy will be placed on the Councillor Hub and in the Councillors Room Ref. D19/425923). Noting that Appendix H is to be completed and will contain a list of relevant existing information, studies and reports. This list is currently being finalised and will be completed prior to exhibition.

The outcomes report for the workshops and drop-in sessions, prepared by RPS Group is contained in Attachment 1. The results of the community questionnaire are contained in Attachment 2. These documents are also contained within the Draft Scoping Study report as Appendices.

Community Engagement

The scoping study is Stage 1 of the process in preparing a Coastal Management Plan (CMP). The purpose of the scoping study is to:

- Identify local priority management issues;
- Review the performance of existing management;
- Identify information gaps; and
- Identify how consultation and engagement should take place during preparation of a CMP.

The community engagement process and report, undertaken by RPS Group, directly informs the Citywide Scoping Study.

It is recommended that the draft Citywide Scoping Study report be placed on public exhibition from mid-December 2019 to mid-February 2020. Which will cover the summer school holiday period and overlap into the first school term. With finalisation of the Scoping Study report to be put forward for Council adoption in March 2020.

Council has also recently received further additional written submissions from the Sussex Inlet Safe Navigation Action Group (SNAG) and the Sussex Inlet and Districts Community Forum. Input from both groups was received during the stakeholder focus workshops and the drop-in sessions. At the time of receiving these submissions the draft Scoping Study had been completed and further consideration of the submissions will be undertaken during the public exhibition period.

Policy Implications

The citywide coastal management Scoping Study will form the basis for preparing Coastal Management Programs (CMPs). CMPs are strategic documents that will update the existing Estuary Management Plans and the 2018 Coastal Zone Management Plan for the Shoalhaven Coastline.

Financial Implications

As outlined above, the expanding scope of the Scoping Study and increased community engagement has required extra time and costs. The cost has increased from approximately \$35,000 for the original Open Coast/St Georges Basin scoping study to \$134,000 for the citywide scoping study that includes the open coast and all estuaries as well as additional community engagement. An increase of \$99,000.

The extra costs of expanding the Scoping Study have been funded from the Open Coast and St Georges Basin CMP Grant. This increase in scope and cost have been approved by NSW DPIE Coastal and Estuary Grants program, who recognise the significant extra level of benefits from such an expanded approach. A grant variation will need to be submitted to seek additional grant funds to complete the preparation of the Open Coast and St Georges Basin CMP. Council will also need to commit 50% of the additional cost.

Risk Implications

Extending the public exhibition period will reduce the amount of time available to review submissions and make any amendments to the draft Scoping Study and this may result in staff not being able to meet the project milestone of reporting the amended Final Draft Scoping Study back to Council for adoption. This is offset by the knowledge that all persons and communities have had sufficient time to review and comment, which will ensure community issues are considered in the CMP process.

SA19.220 Expressions of Interest Water and Sewer Mains Construction Panel

HPERM Ref: D19/410998

Section: Water Asset Planning & Development

Approver: Robert Horner, Acting Director Shoalhaven Water

Reason for Report

To inform Council of the Expressions of Interest process for the Water and Sewer Mains Construction Panel.

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. As recommended

Implications: The confidential report will be considered.

2. Council could propose an alternative process for consideration of the issue.

Implications: Not recommended as the tender process has been carried out in accordance with relevant policies and the confidential report addresses the relevant requirements.

Details

In September 2013 and December 2014, Council resolved to create a panel of contractors for minor main replacement and mains construction program throughout the City of Shoalhaven. Over the past six years this procurement method has proved very successful with 22 minor mains and 22 major mains projects.

Shoalhaven Water, through its Asset Management system and Water and Sewer Servicing Strategies, has identified further large packages of asset renewal, upgrade or installation of new water and sewer mains throughout the City. Given the scale of work in this program it was determined that the most efficient procurement method was to appoint a panel of qualified contractors. This report seeks Council's concurrence to create such a panel.

EOIs Received

Expressions of Interest were received from the following:

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Tenderer	Location
Select Civil Pty Ltd	73 Reddalls Road, Kembla Grange
Hisway Pty Ltd T/A Hisway Earthmoving	13a Investigator Street, Nowra
Interflow Pty Ltd	254 Toongabbie Road, Girraween
Ledonne Pty Ltd	43 Planthurst Road, Carlton
Murphy, McCarthy & Associates Pty Ltd T/A MMA Civil Contractors	43 Hubert Street, Leichhardt
Green Civil Con Pty Ltd	26/5 Inglewood Place, Baulkham Hills
Eire Constructions Pty Ltd	Level 1, Suite 4, 109 William Street, Port Macquarie
Killard Infrastructure Pty Ltd	60 Robinson Street, Goulburn
UEA Pty Ltd	25 Penelope Crescent, Arndell Park
Infrastructure Renewal Services Pty Ltd	10 Muscios Road, Glenorie
Pipe Replacement Solutions Pty Ltd	66-68 Townsville St, Fyshwick
Lis-Con Pty Ltd	8 - 10 Pilcher Street, South Strathfield
Lynch Civil Contractors Pty Ltd	27-29 Quinns Lane, South Nowra
Cadifern Pty Ltd	601 Princes Highway, Russell Vale
EL Civil Engineering Pty Ltd	Level 1, 11 Tangarra Street East, Croydon Park
Utilstra Pty Ltd	12/14 Arnott Street, Hume
Burke Pipe & Civil Contractors Pty Ltd	Unit 42, 7 Salisbury Road, Castle Hill
City Coast Plumbing Services Pty Ltd	1A/139 Industrial Road, Oak Flats
Precision Pipe Networks Pty Ltd	401-14 Lexington Dr, Bella Vista
All Line Plumbing Pty Ltd	8 Strauss Place, Seven Hills
Beno Excavations Pty Ltd	65 Bayldon Road, Queanbeyan
Carve Earthworks and Construction Pty Ltd	29 Cokeworks Road, Coledale
Trazilbat Pty Ltd	D14, 101 Rookwood Road, Yagoona

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

Community Engagement:

Expressions of Interest (EOI) were called on 28 September 2019 for the provision of non-price evaluation criteria used to select a panel of suitable pipe laying & relining contractors.

An EOI Evaluation Committee (EEC) was formed and an EOI Evaluation Plan (EEP) was developed for the tender analysis.

The EOI closed at 10am on 28 October 2019.

Once the Panel has been established community consultation will be undertaken on a project by project basis as the scope of works and designs are developed for each work package. Similarly, Reviews of Environmental Factors will be undertaken during this period to minimise the environmental impact of the works on the landscape.

Policy Implications

The EOI for this Panel selection has been undertaken in accordance with Council's Purchasing Policy POL18/74. The recommendation for this report is consistent with the provision of Councils Purchasing Policy.

Financial Implications:

Adequate funds have been allocated in the water and sewer capital budget for this program.

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.