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1. Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Custodians of the Dharawal Country and recognise their continued connection to the land we meet on today. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this city and this region and extend our recognition to their descendants who continue to live on country.

Webcasting Statement

Due to the current COVID-19 restrictions this Council Meeting will be online. Pre-registered members of the public who address Council at the Addresses to Council Forum should be aware that their image, and comments will be recorded, and broadcast live from Council's website.

It should be noted that the Addresses to Council Forum is held prior to the Council Meeting from 4.30pm to 5.30pm.

Council broadcasts live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community. Recordings can be downloaded from Council's website for later viewing. For further information on Privacy refer to Council website.

Council accepts no responsibility for any defamatory or offensive statements. Conduct standards for appropriate behaviour during the public address forum is available on Council's website.

2. Apologies

3. Leave of Absence

4. Confirmation of Minutes

4.1 Ordinary Council Meeting 31 August 2021

That the Minutes of the Ordinary Council Meeting held on 31 August 2021 as circulated be taken as read and confirmed as a correct record of proceedings.

5. Disclosures of Interest

Note: Councillors and staff who declare an Interest at the Council Meeting are also required to complete a Declaration of Interest form.

6. Condolences

7. Mayoral Statements / Reports / Presentations

8. Mayoral Minutes

9. Councillors' Statements / Reports

10. Reports

10.1 Chief Executive Officer

10.2 Council Sustainability Directorate

10.2.1 2020/2021 Draft Annual Financial Reports (11732063)

To the Chief Executive Officer

Directorate: Council Sustainability
Group: Finance

Manager: Katie Buckman – Chief Financial Officer
Author: Paul Henderson – Manager Financial Services

Summary

The purpose of this report is for Council to consider the first stage of its draft Annual Financial Reports process for the year ended 30 June 2021.

Council's Financial Services staff have prepared the draft 2020/2021 Annual Financial Reports. The reports are in draft, and appear in a separate confidential attachment (**Attachment 1**). The reports will be reported back to Council following the external audit process and endorsement by Council's Governance, Risk and Audit Committee. The draft financial reports are now ready for Council's external auditors to carry out their audit and to form an opinion on the reports.

The recommendation of this report seeks Council's endorsement for the reports to be formally referred for audit, which includes the signing of the statements (**Attachments 2 and 3**).

Background

As per requirements of the *Local Government Act 1993* Council must comply with Sections 413, 415 and 416 by:

1. Resolving to sign off the statements regarding the 2020/2021 Annual Financial Reports.
2. Referring Council's Annual Financial Reports for the year ended 30 June 2021 for audit.

Financial Services staff have prepared the draft 2020/2021 Financial Reports as required by the *Act* and *Regulations* and seek a Council resolution to sign the statements, so the reports can be referred to the Audit Office of NSW for audit.

Council's external auditors have been booked to commence their audit this month. Once the external audit has been completed and endorsed for public exhibition by Council's Governance, Risk and Audit Committee, the 2020/2021 Annual Financial Reports will be reported back to Council for formal adoption.

Financial / Resources Implications

Council's draft 2020/2021 Annual Financial Reports provide extensive details regarding the cost of goods and services provided and the extent to which that cost was recovered from revenues, during the reporting period. The reports also include details on the assets, liabilities and equity of the Council as at 30 June 2021.

Legal and Policy implications

This report ensures Council meets the requirements of the *Local Government Act* regarding the preparation and auditing of its annual Financial Reports.

Public / Social Impact

Australian Accounting Standards require the preparation of annual financial reports to provide information to users for making and evaluating decisions about the allocation of scarce resources.

After the audit of the financial reports, they will be placed on public exhibition where any person may lodge a submission regarding the content of the reports.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.3 Ensure Council is financially sustainable and continues to be transparent and accountable

Consultations**Internal**

Nil

External

Deloitte Touche Tohmatsu
Audit Office of NSW

Political Donations Disclosure

Not Applicable

Recommendation

That:

- 1. Council note the draft 2020/2021 Annual Financial Reports.**
- 2. Council approve the application of the signatures of the Mayor, another Councillor, the Chief Executive Officer and the Responsible Accounting Officer to the General Purpose and Special Purpose Statements.**
- 3. The draft Annual Financial Reports be formally referred to the Audit Office of NSW for audit.**

Approved for Council's consideration: **Katie Buckman**
Chief Financial Officer

Date of Meeting: 21 September 2021

Attachments

1. Confidential Attachment - 2020/2021 Draft Annual Financial Reports - *issued under separate cover*
2. General Purpose Financial Statement for signature – *Page 8*
3. Special Purpose Financial Statement for signature – *Page 9*

Attachment 2 - General Purpose Financial Statement for signature

Shellharbour City Council

General Purpose Financial Statements
for the year ended 30 June 2021

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the
Local Government Act 1993 (NSW) (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993* (NSW) (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and professional pronouncements, and
- the *Local Government Code of Accounting Practice and Financial Reporting*.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 21 September 2021.

Marianne Saliba
Mayor
21 September 2021

John Murray
Councillor
21 September 2021

Carey McIntyre
Chief Executive Officer
21 September 2021

Katie Buckman
Responsible Accounting Officer
21 September 2021

Attachment 3 - Special Purpose Financial Statement for signature

Shellharbour City Council

Special Purpose Financial Statements
for the year ended 30 June 2021

Statement by Councillors and Management

Statement by Councillors and Management made pursuant to the Local Government
Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement '*Application of National Competition Policy to Local Government*',
- the Division of Local Government Guidelines '*Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality*',
- the Local Government *Code of Accounting Practice and Financial Reporting*,

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 21 September 2021.

Marianne Saliba
Mayor
21 September 2021

John Murray
Councillor
21 September 2021

Carey McIntyre
Chief Executive Officer
21 September 2021

Katie Buckman
Responsible Accounting Officer
21 September 2021

10.2.2 Progress of Land Transaction Matters – Catholic Church (Diocese of Wollongong) at Albion Park (11718301)

To the Chief Executive Officer

Directorate: Council Sustainability
Group: Business and Investment

Manager: Trevor James – Manager Business and Investment
Author: Michael Harben – Property Management Coordinator

Summary

The purpose of this report is to provide Council with a progress report on land transaction matters associated with a number of parcels of land in Albion Park which are the subject of negotiations between Council and the Catholic Church, Diocese of Wollongong (the Church).

Background

This matter has been the subject of a number of reports to Council and a Councillor briefing on 6 October 2020 when in-principle support was given to proceed as follows:

- Conclude negotiations with the Church for the Tongarra Road acquisition and report to Council;
- Advise the Church of the findings of the internal investigation, invite further discussion about access to community land for school playing fields and report to Council;
- Facilitate further discussions about Macquarie Street land holdings and report to Council.

Council staff continue to liaise with representatives of the Church in order to progress all the outstanding matters and the following provides a summary of the current status of each matter:

1. At its meeting on 2 February 2021, Council resolved to acquire Lot 1 DP 593675 at 247-251 Tongarra Road Albion Park from the Catholic Church, Diocese of Wollongong for \$146,000 (excl GST) for road widening purposes. The acquisition from the Church was finalised on 26 July 2021 and the land acquired was formally dedicated as public road by publication in the government gazette on 30 July 2021 in accordance with provisions of the *Roads Act 1993*.
2. At a meeting on 6 May 2021, the results of Council's investigation into the status of the various parcels of land comprising Council's community land south of St Paul's Church and Primary School at Albion Park were explained to solicitors Makinson D'Apice acting for the Church and to representatives of the Bishop of Wollongong (Catholic Education Office staff).

In recognition of the importance of the community land to the Church and the school community, Solicitors Makinson D'Apice, on behalf of the Catholic Church, submitted a proposal to Council on 28 June 2021 in relation to the ongoing occupation of Council's community land and the execution of agreements accordingly.

Correspondence has been forwarded to the Bishop of Wollongong on 16 August 2021 indicating that Council will not be considering these proposals formally until the meeting takes place that was proposed by Council in January 2021 for the Bishop and/or other Church representative to meet with the Mayor, Councillor Moran, Chief Executive Officer and Director Council Sustainability to discuss these matters. Further, the letter reiterated Council's commitment to bringing these matters to a resolution in an appropriate and timely manner.

Council officers, however, are continuing discussions with Church representatives to identify a mutually agreeable resolution for Council's future consideration.

3. Works to relocate fencing to the correct boundaries of Church owned property fronting Macquarie Street commenced in June 2020. If required, further discussion about this issue can take place following settlement of the matter in point 2 has been achieved.

Financial / Resources Implications

There are no financial or resources implications associated with this report.

Legal and Policy implications

Any Planning Proposal required to reclassify community land must be prepared in accordance with NSW Government guidelines.

Public / Social Impact

Any proposed land transaction between Council and the Diocese to formalise the use of community and privately owned land by the Dioceses and associated reports to Council will consider these impacts.

This report supports the following strategic priorities and actions of the property strategy:

Priority: Assign responsibility and accountability

Action: Clearly define ownership and control of assets

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.6 Deliver sustainable whole of life asset management for the community

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards

Consultations

Internal

Nil

External

Catholic Church (Diocese of Wollongong)
Kells the Lawyers

Political Donations Disclosure

Not Applicable

Recommendation

That Council receive and note the report titled “Progress of Land Transaction Matters – Catholic Church (Diocese of Wollongong) at Albion Park”.

Approved for Council's consideration: Trevor James
Manager Business and Investment

Date of Meeting: 21 September 2021

Attachments

Nil

10.3 Community and Customers Directorate

10.3.1 Planning Proposal Application 0001/2021 – 144 Calderwood Road, Calderwood to amend Shellharbour Local Environmental Plan 2013 (11731620)

To the Chief Executive Officer

Directorate: Community and Customers
Group: City Planning

Manager: Geoff Hoynes – Group Manager City Planning
Author: Jessica Lintern – Strategic Planner

Summary

The purpose of this report is to outline the details of a Planning Proposal application initiated by the landowner at 144 Calderwood Road (**Attachment 1**) and seek Council's resolution to not support the preparation of a Planning Proposal and not submit the Planning Proposal to the NSW Department of Planning, Industry and Environment (DPIE) for Gateway Determination.

The subject site covers land within the Shellharbour City Local Government Area (LGA) and the Wollongong LGA. The Planning Proposal application covers land only within the Shellharbour LGA and seeks to rezone approximately 25 hectares of RU1 Primary Production zoned land to mainly R2 Low Density Residential, with some R3 Medium Density Residential zoned land along Calderwood Road (**Attachment 2**). The remainder of the site (approximately 31 hectares within the Shellharbour LGA) will maintain its current zoning of RU1 Primary Production. The application proposes creating lot sizes ranging from 300m² to 600m² (**Attachment 3**).

Background

A planning proposal is a document that explains the intended effect of a proposed amendment to a Local Environmental Plan (LEP), such as a rezoning or reclassification of land, to amend the Shellharbour LEP 2013, and sets out the justification for making the amendment. A Planning Proposal sets out the justification for making the amendment which is known as the Gateway Process.

The Gateway Process has the following five key steps:

1. *Planning proposal* – Council is responsible for the preparation of a planning proposal, which explains the effect of and justification for the plan.
2. *Gateway determination* – The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further resources are allocated to the preparation of a plan. A community consultation process is also determined at

this time. Consultations occur with relevant public authorities, and if necessary, the proposal is varied.

3. *Consultation* – if required by the gateway determination, the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days). A person making a submission may also request a public hearing.
4. *Assessment* – Council will consider any submissions objecting to the proposal and the proposal may be varied as necessary prior to adoption. Parliamentary Counsel then prepares a draft local environmental plan – the legal instrument.
5. *Decision* – with the Minister’s (or delegate’s) approval the plan becomes law and is published on the NSW legislation website.

The final decision on whether the plan becomes law and in what form it becomes law, rests with the Minister for Planning, or if delegation is granted to Council, Council.

The Planning Proposal application is currently at step 1.

If Council resolves to support the Planning Proposal application, Council staff will prepare the Planning Proposal and send the relevant information to the DPIE for their review. This is step 2 of the Gateway Process as outlined above.

If Council resolves to not support the Planning Proposal application, Council staff will write to the applicant and advise them accordingly. No further action would be taken by Council unless the applicant chooses to seek a Rezoning Review from the DPIE. The Rezoning Review will be considered by the Southern Regional Planning Panel. The Panel will determine if the proposal has merit and should be submitted to Gateway, or not.

Council has the choice of deciding if they wish to accept the role of the relevant planning authority and prepare the Planning Proposal or not. If Council chooses not to, an alternate relevant planning authority will be appointed. The Planning Proposal is then submitted by the relevant planning authority to the DPIE for Gateway determination.

Planning Proposal Application1/2021

This application, initiated by the landowner, seeks to rezone approximately 25 hectares of land at 144 Calderwood, Calderwood, formally known as Lot 2 DP 651377. The site encompasses land within both the Shellharbour Local Government Area (LGA) and Wollongong LGA. The Planning Proposal application covers land only within the Shellharbour LGA. The site has historically been used for agricultural activities, primarily dairy farming and cropping. The remainder of the site within the Shellharbour LGA (approximately 31 hectares) will retain its current zoning of RU1 Primary Production.

The application proposes to rezone part of the site to mainly R2 Low Density Residential, with some R3 Medium Density Residential zoned land along Calderwood Road (**Attachment 2**). The applicant indicates that the site could deliver up to 400 lots.

The Concept Plan (**Attachment 4**) indicates that the proposal would be accessible via Calderwood Road and Cattle Road.

Financial / Resources Implications

The Stage 1 fee has been paid for the Planning Proposal application in accordance with Council's Fees & Charges Policy 2020/2021.

The review of the Planning Proposal application has utilised staff time and resources.

Legal and Policy implications

The relevant *Environmental Planning & Assessment Act* (EP&A Act) issues are outlined below.

Local Planning Directions (s9.1(2) EP&A Act)

Based on Council's assessment the Planning Proposal application is inconsistent with some of the Local Planning Directions. These are outlined in **Attachment 5**.

Illawarra Shoalhaven Regional Plan (ISRP)

The Planning Proposal application includes an assessment against the previous ISRP 2036. The previous ISRP 2036 notes that the West Lake Illawarra Growth Area, which includes Calderwood in the Shellharbour LGA, provides a 30-to-40-year housing supply and that due to this Shellharbour City Council has enough capacity to meet projected housing needs for greenfield land supply well beyond 2036. The currently ISRP 2041 was released on 1 June 2021 after the submission of Planning Proposal application 1/2021 to Council. However, the draft ISRP was placed on public exhibition from 2 November to 17 December 2020 and consideration of this draft should have been undertaken by the applicant.

The current ISRP notes the importance of providing housing supply in the right locations. It acknowledges that Shellharbour City Council through recent strategic planning work has identified that there is adequate supply within the LGA for the next 20 years to meet projected housing demand. The ISRP does not identify the subject site, or this development type as being required for additional housing type within the Shellharbour City LGA.

Illawarra Shoalhaven Urban Development Program (ISUDP)

The ISUDP was initially established to provide a regional response to the management of housing supply. The lands surrounding the Calderwood Concept Plan Approval Area in the 2010 ISUDP update were identified as a 'Calderwood Investigation Area'. This land was never investigated.

In addition, the ISRP states in relation to the 'Investigation Areas' identified by the ISUDP, that these areas can provide councils with a long term and strategic approach to respond to higher than expected housing demand. If Shellharbour City LGA was to experience higher than expected housing demand, the land surrounding Calderwood, as well as elsewhere in the LGA, would be investigated taking into consideration a range of factors including land suitability for urban use, regional housing supply and demand, population changes, potential alternative sites, competing land uses and environmental impacts. At this point in time, there is no need for Council to investigate additional housing supply as this was recently undertaken through the preparation of the Shellharbour Local Housing Strategy (LHS), which was adopted by Council in December 2019. Council regularly monitors housing development, including approvals and completions, which enables the continual monitoring of the LHS and the evidence base that informed it, which is discussed in detail below.

Shellharbour Local Housing Strategy

Council's LHS, adopted in December 2019, identified that the Shellharbour City LGA can meet future dwelling demands through existing supply in both greenfield and infill development in residential areas. The analysis undertaken as part of the LHS identified that there is no need for additional land release areas to cater for additional dwelling supply. Rather the focus within Shellharbour LGA is the facilitation of opportunities for affordability, housing diversity and choice and redevelopment opportunities in line with the 12 LHS Objectives that were developed through community and stakeholder engagement, as well as the evidence base.

The subject site for this Planning Proposal application is located within the Rural Balance statistical area. The Rural Balance area incorporates areas located in the west of the LGA, including Calderwood, Tullimbar and Tongarra, as well as Dunmore and Croom areas.

The Planning Proposal application argues that the need for this additional residential zoned land is required as the dwelling yield figures relied upon in the LHS overestimated the number of zoned available lots for development in 2016 by approximately 780 dwellings/lots. The applicant has stated that they have undertaken a detailed review of each project accounted for by Informed Decisions (ID), who develop Council's population and dwelling forecasts, and prepared a detailed analysis of actual known on ground dwelling yields. The applicant also argues that development projects within the area of the subject site have consistently delivered a significantly greater number of dwellings than anticipated in the LHS. These assumptions are not supported by Council staff.

The evidence base that informed the Council's LHS included:

- Demographics: population change, population sex and age, dwelling requirements (based on demographic projections to initially determine implied dwelling requirements), households, household types and family composition, average household size, dwelling structure, number of bedrooms, tenure and landlord type, household income, rental and mortgage stress, employment and key workers,

- Housing demand: projected dwelling demand, rents and property sales prices, housing for particular needs, projected dwelling need and housing demand model (considering two scenarios: propensity; and housing preferences)
- Housing supply: current and planned housing, rental vacancies, capacity of the land use controls to accommodate additional housing;
- Land use opportunities and constraints: opportunities, constraints, infrastructure and flooding etc.

This analysis outlined above was informed by evidence that included: demographic data, trends and forecast projections from ID; the ISUDP and the NSW Government; as well as a community Housing Preferences Survey. The Housing Preferences Survey used a sample size of the Shellharbour community to determine what changes in housing stock might be required over the next 10 years.

To determine housing supply requirements in the LHS a range of data was considered for current and planned housing, including:

- Dwelling approvals data for a three year period between 2015 and 2018;
- Dwelling yields for approved master-planned communities;
- An analysis of infill capacity in existing residential areas;
- Consideration of the capacity of key vacant development sites;
- The volume of sales and rental vacancy rates;
- Housing for particular needs; and
- Dwelling projections developed by ID, and compared with the dwelling projections from the NSW Government.

Council works closely with ID in developing the dwelling projections and provide information on likely development activity in each area. ID regularly monitors and reviews these projections against ABS dwelling approval data and the estimated resident population. The baseline for Council's current projections was the 2016 census.

The most recent review of the ID forecasts was undertaken in July 2020. This reviewed the forecasts for Shellharbour LGA against the Australian Bureau of Statistics (ABS) dwelling approval data for 2019. This review identified that new dwelling approvals were within 0.66% for the 2017-2019 forecast period. The estimated resident population (ERP) for Shellharbour indicates that the population forecasts are also tracking well, with a difference of 0.28% between the population projections and the ERP of 2020.

Council has begun work to review the dwelling projections again with ID. This initial review has indicated that our dwelling projections are tracking well. Additionally it reflects that population and dwelling approvals are falling within the Shellharbour City LGA and across the state. The initial work done to inform the most recent review or our dwelling projections found that there were eight fewer dwellings approved in the Rural Balance statistical area in the 2017-2020 review period than what was anticipated in the dwelling projections for the same period.

The dwelling projections by ID and used within the LHS state that in 2016 there were 471 dwellings in the Rural Balance statistical area, and that by 2041 there will 5,370 dwellings (an annual growth rate of 10.2%). It should be noted that these figures do not incorporate the recently approved Modification 4 to the Calderwood Concept Plan Approval, which approves the Calderwood Urban Development Project (CUDP) to deliver a total of 6,000 dwellings.

The first detailed review of the LHS will include a review of the evidence base and housing stock against the broader aims of the ISRP to ensure that the LHS is aligned with housing needs within the region and the Shellharbour City LGA. This review of the LHS will commence in 2024 with a review of the comprehensive evidence base that informed the LHS to identify any areas that need adjusting.

Given the level of detail analysed to inform the LHS and the comparison of recent dwelling completion figures by both the ABS and ISUDP, it is not considered that the dwelling projection figures contained within the LHS require review prior to the identified first comprehensive review beginning in 2024, or that additional greenfield housing supply is required within Shellharbour City LGA at this stage.

Local Strategic Planning Statement (LSPS)

Council's first LSPS was adopted in May 2020. The LSPS was developed with extensive community engagement and sets the land use vision for the future of Shellharbour City. This documents aims to provide the basis for planning decisions and managing future growth within the LGA. The LSPS contains 22 Planning Priorities that set the direction for Shellharbour City LGA, with each Planning Priority containing a number of actions on how to implement that priority.

The Planning Proposal application is considered to be inconsistent with a number of the LSPS Planning Priorities:

- P1 Deliver greater housing diversity and affordability to meet the changing needs of the community
The inconsistency of the Planning Proposal application with this Planning Priority is discussed in detail in the LHS section above.
- P6 Provide accessible and connected suburbs with a range of transport options
The impact of this proposal has not been considered when planning for the surrounding road infrastructure. It has been identified that the additional traffic generation from this proposal would require Calderwood Road to be upgraded to a four-lane road, rather than two-lanes as currently planned. The Planning Proposal application does not indicate how the upgrade of Calderwood Road, including the bridge and Tripoli Way intersection, will be undertaken or delivered.

- **P14 Protect and enhance our rural lands**
Consultation undertaken during the development of the LSPS highlighted the value of our rural lands to the community and their lack of support to rezone these areas. The LSPS recognises the importance of protecting rural zoned lands. The LSPS acknowledges that it will be important that Council develop a Rural Strategy to identify the future of our rural and environmental lands and what will be appropriate and viable for the future of these areas. However, as there is no requirement for additional residential zoned land the focus should be on protecting rural lands.
- **P19 Ensure infrastructure is aligned to accommodate planned growth and community needs**
As stated above, the proposal has not provided adequate detail on how infrastructure requirements, including traffic infrastructure, community services and social infrastructure will be delivered or impact existing services and infrastructure. The rezoning of this land has not been considered in planning for infrastructure delivery for the community.

Land Use Compatibility

The Planning Proposal application currently does not adequately address the integration of infrastructure and land uses with the CUDP, particularly with the location of an RU1 Primary Production property between the CUDP and the subject site. It is considered that this proposal creates an island effect and separation of 142 Calderwood Road and the land zoned RU1 Primary Production to the east of the site. Additionally, 154 Calderwood Road, which contains a single dwelling will also maintain its zoning of RU1 Primary Production and reduces the frontage of the proposed development on to Calderwood Road. The exclusion of 142 and 154 Calderwood Road creates potential land use compatibility issues and fragmentation of agricultural lands, which is not considered to be a good planning outcome.

Aboriginal Cultural Heritage

As part of the Planning Proposal application an Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared and submitted. The ACHAR undertook a testing program with a total of four artefact scatters identified. These sites are referred to as Calderwood Area 1, 2, 3 and 4. Calderwood Area 1 is identified as having moderate significance, however this may need to be revised should further investigations take place. The ACHAR recommends that Calderwood Area 1 be located within open space and to minimise any ground disturbance. The Planning Proposal application includes several lots to be rezoned that are contained within this area. Calderwood Area 1 is located If this portion of the site was to be rezoned an Aboriginal Heritage Impact Permit to destroy would be required for development to the location of these lots.

The application also proposes to rezone Calderwood Area 1 to RE1 Public Recreation and locate the proposed district park within this area. This is not considered appropriate as there will be financial implications for Council to take on such land.

It likely that there would be limited opportunity to embellish the site for recreational purposes due to the sensitivity of Calderwood Area 1. The ACHAR recommends that ground disturbance should be avoided. Should ground disturbance be required additional archaeological testing and/or salvage excavation may be necessary, and this would likely be required in order to provide the level of service expected in public open spaces as outlined in Council's Open Space and Recreation Needs Study.

City Planning Summary

The ISRP acknowledges that Shellharbour City Council has enough zoned land for the next 20 years and does not require further greenfield residential land to meet housing supply.

Council, nor the DPIE, have an endorsed strategy or policy position to support the rezoning of rural lands to residential. As such, there is no strategic approach to providing this development for our community.

Council regularly monitors the LHS and housing supply. If through the monitoring process it is determined that we are experiencing higher housing demand than expected, a review of Council's LHS evidence base and investigation of lands, including the investigation area surrounding Calderwood identified in the ISUDP, will be undertaken, taking into account a range of factors. As Council's dwelling projections are tracking well, there is no indication that such a review needs to occur at this point in time.

Therefore there is no strategic planning justification to support this Planning Proposal application.

Public / Social Impact

The land uses proposed in the Planning Proposal application would likely have public and social impacts, both positive and negative. The extent of those impacts would be further explored as part of the exhibition of the Planning Proposal if supported by Council and if a Gateway determination to exhibit was received.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A City that is connected through places and spaces

Strategy: 2.3.2 Undertake land use planning in a socially, economically and environmentally responsive manner.

2.3.4 Facilitate the development of the built environment to meet community needs.

Consultations

Internal

A review of the application has been undertaken by the following Council staff:

- Senior Transport Engineer
- Senior Civil Engineer
- Environment Officer
- Developer Contributions Planner
- Recreation Planner
- Aboriginal Community Liaison Officer
- Urban Release Team Leader

This internal consultation has informed the issues raised with the application outlined in detail above.

External

Nil at this stage. Consultation will be undertaken if Council resolves to support the Planning Proposal application and a Planning Proposal is prepared and submitted to the DPIE. The Gateway determination, if the proposal is to proceed, will require consultation with a number of State Government departments and agencies. These include Rural Fire Service, Transport for NSW and Department of Primary Industries (Agriculture). The Gateway determination would also outline any required community consultation. Generally adjoining land owners are required to be notified of the application as a minimum.

Political Donations Disclosure

Under Section 10.4(4) of the *Environmental Planning and Assessment Act 1979* (the Act) a person who makes a relevant planning application to Council is required to disclose any reportable political donations and gifts made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined, including:

- a) All reportable political donations made to any Councillor of this Council
- b) All gifts made to any Councillor or employee of this Council.

Under Section 10.4(5) of the Act, these disclosure requirements also apply to any person, or any associate of a person, who makes a relevant public submission to Council in relation to a relevant planning application.

Note: Section 10.4(1) of the Act states: ‘political donations or gifts are not relevant to the determination of any such planning application, and the making of political donations or gifts does not provide grounds for challenging the determination on any such planning application’.

The disclosure statements received by Council indicate that no reportable donations or gifts have been made.

Recommendation

That Council not support the preparation of Planning Proposal 1/2021 at Lot 2 DP 651377 – 144 Calderwood Road, Calderwood for the following reasons:

- (a) The proposal does not comply with a Council or Department of Planning, Industry & Environment endorsed strategy for this form of land development.**
- (b) The proposal is contrary to the Illawarra Shoalhaven Regional Plan 2041.**
- (c) The proposal will result in the loss of agricultural land that has the potential to make a contribution to local and regional food and fibre supply.**

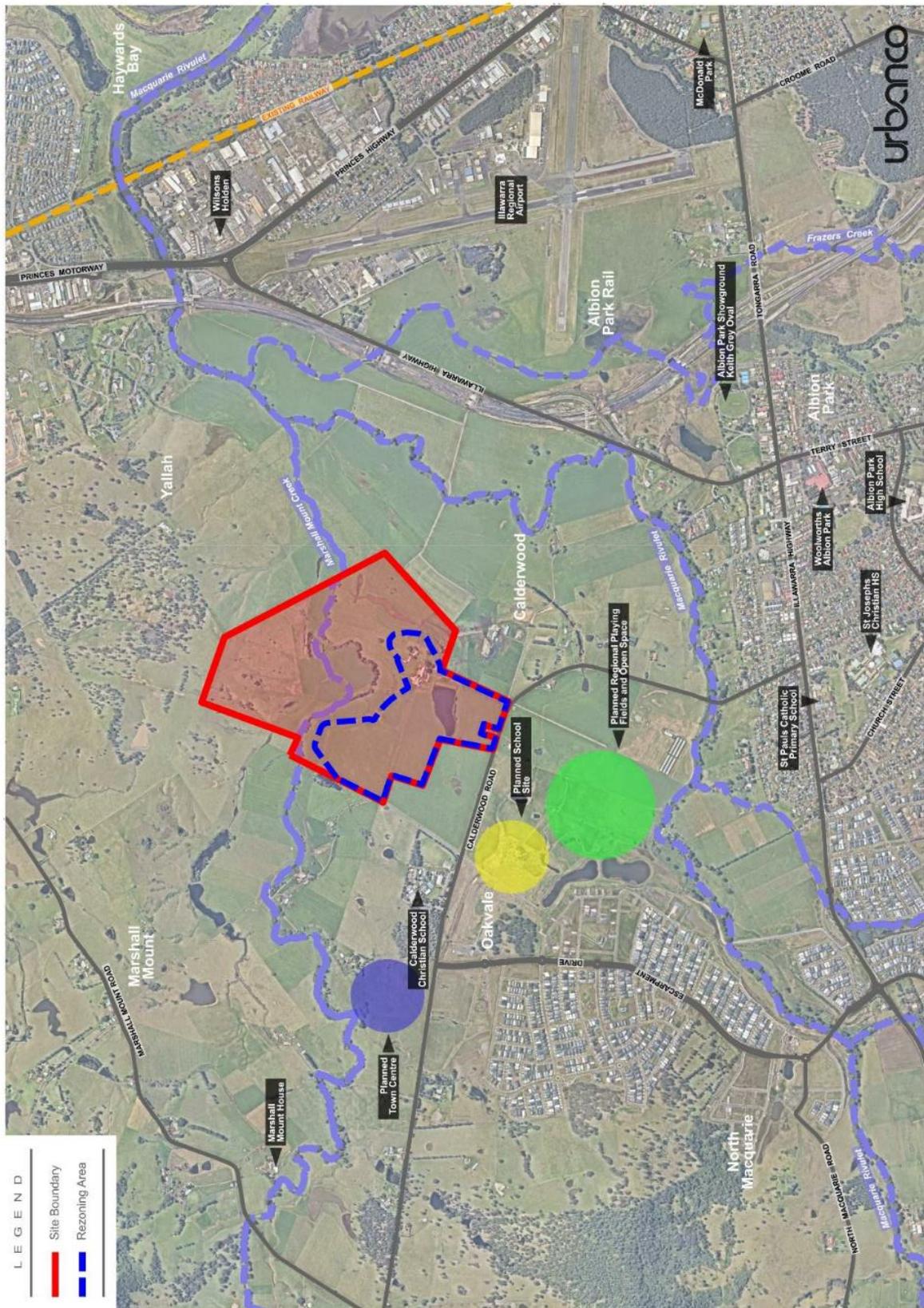
Approved for Council's consideration: Geoff Hoynes
Group Manager City Planning

Date of Meeting: 21 September 2021

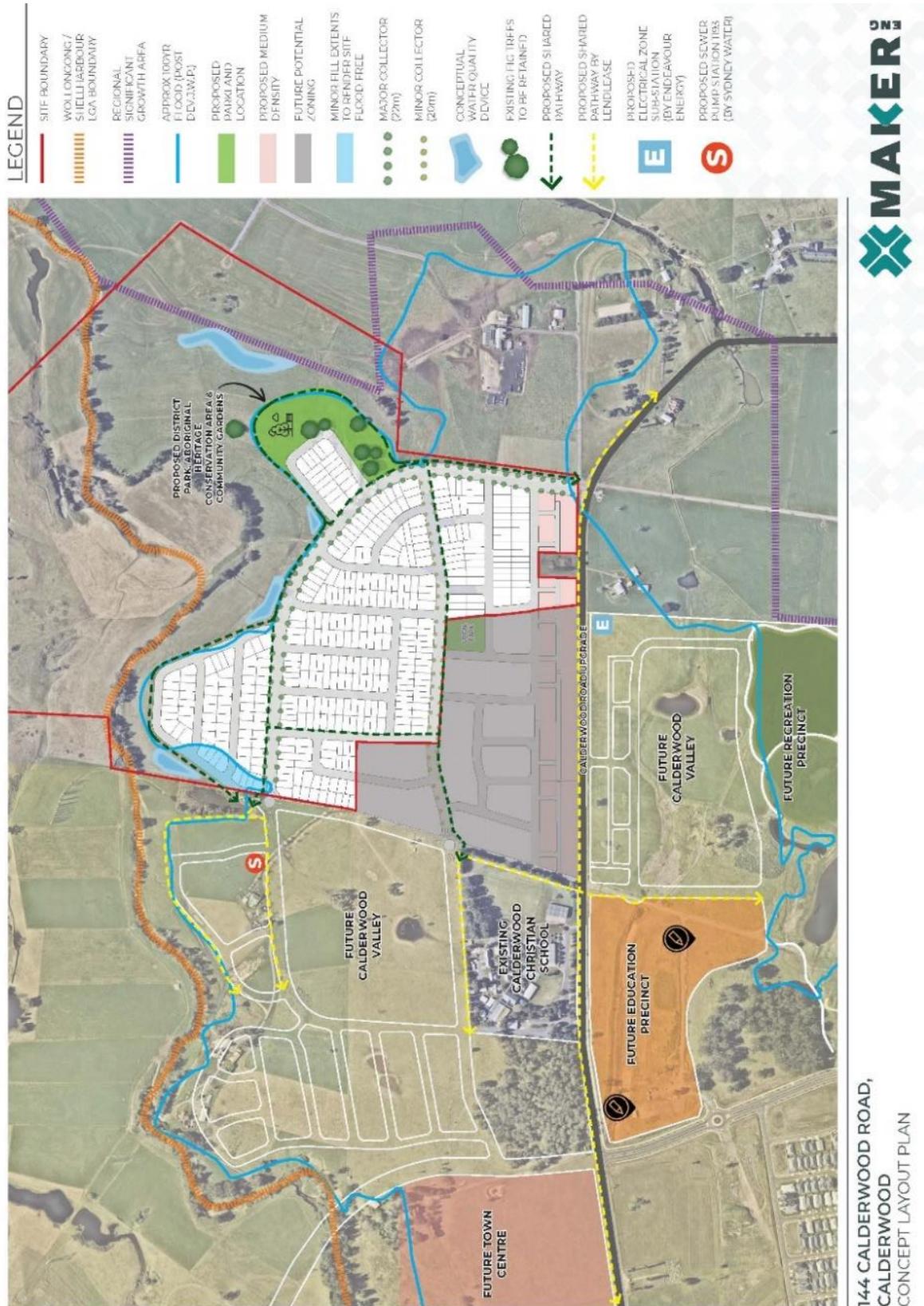
Attachments

- 1. Locality Plan – *Page 23*
- 2. Proposed Zoning Plan – *Page 24*
- 3. Proposed Lot Size Plan – *Page 25*
- 4. Concept Plan – *Page 26*
- 5. Local Planning Directions – *Page 27*

Attachment 1 - Locality Plan



Attachment 4 - Concept Plan



Attachment 5 - Local Planning Directions

Local Planning Directions

Based on Council's assessment there is an inconsistency with the following Directions. Additional information could be lodged to address these issues if Council was to support the preparation of a Planning Proposal, receipt of a Gateway Determination and prior to the public exhibition of the Planning Proposal.

1.2 Rural Zones

The Planning Proposal application is not consistent with this Direction as the application is not justified by a Council or Department Planning, Industry & Environment endorsed strategy, is not in accordance with the Illawarra Shoalhaven Regional Plan and the inconsistency is of major significance.

2.3 Heritage Conservation

An Aboriginal Cultural Heritage Assessment (ACHA) has been undertaken for the subject site to inform the Planning Proposal application. The ACHA was undertaken due to the presence of a registered site located in the norther portion of the study area, in addition to a significant Aboriginal artefact scatter located in the eastern adjacent Lot 3 DP 24143. A total of four artefact scatters were identified during testing for the ACHA. It is proposed to retain Area 1 within an open space to preserve it.

The proposal includes the rezoning of several lots that are contained within the identified Calderwood Area 1. As this area has been identified as high risk it is not considered appropriate to rezone this area.

The proposal is considered to be inconsistent with this direction.

3.1 Residential Zones

A planning proposal may be inconsistent with this direction if it can be demonstrated that it is justified by a strategy, justified by a strategy that is prepared in support of the planning proposal or in accordance with a relevant Regional Plan. The Planning Proposal application is not justified by any strategy. In addition no strategy has been prepared to justify the need for housing in this location. The Illawarra Shoalhaven Regional Plan does not outline the requirement for this land to be rezoned to residential.

Therefore, the proposal is considered to be inconsistent with this direction.

4.3 Flood Prone Land

The Macquarie Rivulet Flood Study (2017) identifies the subject site as being flood prone and within the identified Flood Planning Areas, therefore this direction applies. The proposal seeks to rezone RU1 Primary Production land to R2 Low Density Residential, R3 Medium Density Residential and RE1 Public Recreation, therefore this proposal is inconsistent with this direction.

Additional information would be requested if Council was to support the preparation of a Planning Proposal and if a Gateway Determination to exhibit the Planning Proposal was received.

4.4 Planning for Bushfire Protection

The Planning Proposal application is not consistent with this Direction as the land is mapped as bushfire prone. The Planning Proposal application would be referred to the NSW Rural Fire Service if Council was to support the preparation of a Planning Proposal and if Gateway determination to exhibit the Planning Proposal was received.

5.10 Implementation of Regional Plans

The Planning Proposal application is not consistent with this Direction. The Illawarra Shoalhaven Regional Plan 2041 does not specifically include this form of development. There is no strategy endorsed by Council or the Department of Planning, Industry and Environment supporting this form of development.

10.3.2 Opportunities for Tourist Related Facilities opposite Reddall Reserve, Lake Illawarra (11731621)

To the Chief Executive Officer

Directorate: Community and Customers

Group: City Planning

Manager: Geoff Hoynes – Group Manager City Planning

Author: Geoff Hoynes – Group Manager City Planning

Summary

The purpose of this report is to provide Council with information on the progress of a response to a Council resolution to explore opportunities for restaurant and tourist related facilities on land opposite Reddall Reserve, Lake Illawarra.

A planning investigation of the area has been carried out and it is considered that there are limited opportunities to provide such land uses in this location. However, there are a small number of sites that may warrant further, more detailed investigation. This investigation would be at a level of detail to support a planning proposal and changes to Council's Development Control Plan.

Before this occurs, it is recommended that an economic and market assessment be carried out to determine if such uses are feasible in the location and what land area and floor space requirements would be needed to support them. This would then inform Council if further investigation and development of planning controls were warranted.

Background

Council at its meeting of 16 March 2021 resolved after consideration of a Mayoral Minute:

That Council staff prepare a report for Council's consideration on opportunities for restaurant and tourist related facilities opposite Reddall Reserve.

The Mayoral Minute indicated that:

Reddall Reserve and Lake Illawarra is increasing in popularity as a destination for the local community and wider region for leisure and recreation.

There is the potential to attract longer stays to the area if additional food and tourist related facilities are located close to the lake foreshore, especially near Reddall Reserve. These could include but not limited to restaurants and hotel accommodation and serviced apartments. Shops and cafes may also improve the recreational experience for locals.

Current planning controls do not currently allow these types of uses in this area.

The area the subject of review is shown in **Attachment 1** of this report. The subject area is land fronting Reddall Parade from the intersection with Shellharbour Road to the west and its termination with Entrance Street to the east.

The area falls under Shellharbour Local Environmental Plan 2013 and is zoned predominantly R3 Medium Density Residential with a floor space ratio of 0.7:1, height limit of 9 metres and minimum lot size of 450m². The five properties closest to Shellharbour Road are Zoned R2 Low Density Residential with a floor space ratio of 0.5:1, height limit of 9 metres and minimum lot size of 450m².

The zoning and planning controls contained in Shellharbour Local Environmental Plan 2013 are primarily a transfer of the zoning and planning controls contained in Shellharbour Local Environmental Plan 2000. That is, no strategic land use assessment was made by Council for this area through the introduction of Shellharbour Local Environmental Plan 2013.

In terms of environmental constraints, flooding is the predominant issue for the area. This to a large extent has dictated the type of residential development being approved in the area as it makes the provision of basement car parking extremely problematic.

Land use in the area is almost exclusively residential apart from an older style take away food shop at 3 Reddall Parade. Residential development takes the form of dwelling houses ranging in age from recently constructed, to early 20th century. Residential types include a mixture dual occupancies, villas and town houses ranging from the mid 20th century to recently constructed. There is one heritage item of local significance, commonly known as the "California Guest House, which is currently being used as a residence.

In a general sense the area is going through a residential renewal with older housing stock being replaced by larger more expensive housing or upmarket dual occupancies and villas. This is reflective of the area's premium and desirable location opposite Lake Illawarra and Reddall Reserve.

The existing subdivision pattern contains lots generally ranging in size from 500m² to 4,000m². The smaller lots are primarily the result of recently constructed dual occupancies that have been subdivided. The larger lots contain villas and town houses that are either strata subdivided or owned by NSW Land and Housing Corporation.

The subject area also contains three vacant blocks at the south-eastern end of Reddall Parade ranging in size from 950m² to 1,011m², with two adjoining and under single ownership.

The high degree of redevelopment and investment in the area for residential purposes and land constraints, such as flooding, limits the ability to successfully integrate restaurant and tourist related facilities such as hotels. This is due to potential conflicts between residential amenity and tourist related uses due to noise and hours of

operation as well as the limitations on car parking provision due to flooding, noting that tourist related uses have high car parking demands that should be catered for onsite.

Therefore the broad introduction of restaurants and tourist related facilities as permitted land uses is not recommended.

However, a more finer grain assessment of opportunities for restaurant and tourist facilities focussing on vacant land and land containing ageing housing stock could be carried out. This assessment would also have to look at the impact of environmental constraints such as flooding on the viability of such development.

Before this occurs, it is recommended that that an economic and market assessment be carried out to determine if such uses are feasible in the location and what land area and floor space requirements would be needed to support them. This would then inform Council if further planning investigation and development of planning controls is warranted.

In this respect it should also be noted that Council at its meeting of 20 July 2021 resolved:

That Council:

- 1. Endorse Option 1 from the Reddall Reserve Kiosk Business Assessment (Attachment 3).*
- 2. Approve a \$100,000 budget reallocation from 2021/22 Sportsfield Amenities Program to 2021/22 Community Buildings Program for the purpose of preparing a Concept Design and seek development consent for the upgrade of the Reddall Reserve Kiosk.*

Option 1 is for the upgrade of the existing kiosk. The Reddall Reserve Kiosk Business Assessment attached to the Council report also assessed upgrading the kiosk to a cafe or restaurant. However, the assessment indicated that there was no current demand or community business interest in these types of uses.

Architectural modelling and massing would then be undertaken for sites in the subject area to assess the ability to accommodate such development on the identified land parcels. An assessment would also be made of resultant impacts on adjoining residential development in terms of bulk, number of storeys required, overshadowing etc.

This information would be reported back to Council for consideration and recommendation as to whether or not to proceed with a planning proposal application and amendment to Shellharbour Development Control Plan (DCP).

Financial / Resources Implications

The assessment to date has utilised Council staff and internal resources.

If Council resolves that further investigations into locating restaurants and other tourist related uses in this area is warranted, there will be financial and resource implications.

Firstly, an economic and market assessment would need to be prepared. This assessment, apart from other things would look at the feasibility of these uses (restaurants, serviced apartments, hotels etc) in this location and as importantly what land area and floor space would be needed to make such uses viable. This may involve the use of consultants who have expertise in specific areas, such as hotels and serviced apartments.

The findings of this work would then inform the types of planning controls that would be needed to make these uses viable. For instance, what degree of increase in floor space and height would be needed. This would then need to be modelled to determine overall built form and site design and its potential impact on adjoining properties. This may also involve flood modelling and assessment to see if basement car parking can be provided, as for instance a hotel use may not be viable with above ground parking as it will adversely affect ground floor layout and uses, such as cafes, restaurants, lobby entrances etc that should be at street level facing the street. This design analysis would also be needed to inform controls to go into Council's DCP.

This work will have resultant financial implications. The reason this level of detail is required is that the introduction of tourist related uses into a relatively low density residential zone, that is undergoing significant renewal, will create a degree of land use conflict that needs to be addressed at the outset, prior to any planning controls being changed.

Legal and Policy implications

The recommendation of this report has no legal or policy implications. However, if adopted it may lead to amendments to Shellharbour Local Environmental Plan 2013 and Shellharbour DCP. This will require further reports to Council for consideration and determination.

Public / Social Impact

Increasing opportunities for restaurants and tourist related activities can have positive socio-economic benefits by creating employment. Such uses also increase recreational opportunities for the local community. If incorrectly located, such uses can have negative social impacts such as noise, overshadowing and parking issues.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.2 Undertake land use planning in a socially, economically and environmentally responsive manner

Objective: 3.2 Supports and increases employment and business opportunities within a strong local economy

Strategy: 3.2.2 Create, promote and maintain local business, job, investment and lifestyle opportunities

Consultations

Internal

Acting Manager Business and Investment.

External

Nil

Political Donations Disclosure

Not applicable

Recommendation

That Council:

- 1. Receive and note the information contained in the Opportunities for tourist related facilities opposite Reddall Reserve, Lake Illawarra report.**
- 2. Prepare an economic and market assessment for the subject area to determine if restaurants and tourist related uses are feasible in the location and what land area and floor space requirements would be needed to support them.**
- 3. Require a further report on the outcomes of the economic and market assessment and whether further investigation and development of planning controls is warranted.**

Approved for Council's consideration: Geoff Hoynes
Group Manager City Planning

Date of Meeting: 21 September 2021

Attachments

1. Subject Area – *Page 33*

Attachment 1 – Subject Area



10.3.3 Draft Master Plan for Harrison Park, Shellharbour City Centre (11731622)

To the Chief Executive Officer

Directorate: Community and Customers
Group: City Planning

Manager: Geoff Hoynes – Group Manager City Planning
Author: Jessica Lintern – Strategic Planner

Summary

The purpose of this report is to seek Council's endorsement of the draft Master Plan and draft Master Plan Report (**Attachment 1** and **Attachment 2**) for Harrison Park, Shellharbour City Centre for the purposes of public exhibition.

This report recommends the endorsement of the draft documents be placed on public exhibition for a period of 28 days. If any relevant submissions are received, a report will be submitted to Council for consideration detailing the public exhibition outcomes. If there are no relevant submissions received as a result of the public exhibition and there are no substantial post public exhibition changes proposed for any other reasons, it is recommended that Council adopt the draft Master Plan and Master Plan Report as attached to this report.

The public exhibition of these documents will provide additional opportunities for the community to provide feedback and input to the development of the master plan documents.

Background

Shellharbour City Council's Open Space and Recreation (OSR) Needs Study and Strategy identifies Harrison Park, Shellharbour City Centre as a priority site for an open space Master Plan. A Master Plan for Harrison Park is also identified as being required in a Council Report prepared on the feasibility of a skate park at Harrison Park (Meeting 05/02/2019) and in Council's Development Control Plan (DCP), which recommends that Harrison Park be subject to a separate Master Plan to form a development strategy for the park.

Following an open tender process, Council appointed Group GSA in December 2020 to assist with the preparation of the master plan. The master plan has been informed by community and key stakeholder consultation, input from Council staff, and analysis of the existing park and its usage.

The master plan is a guidance document that identifies how the park may develop into the future and ensure that any future upgrades are undertaken strategically, taking into consideration all potential uses and opportunities.

Harrison Park

Harrison Park, Shellharbour City Centre, is categorised as a City-wide park, however existing facilities do not currently fulfil this role to full potential. The OSR Study recommends that the role of Harrison Park be strengthened and the diversity of uses be improved and that a Master Plan should be developed for the site.

The draft Master Plan identifies a number of upgrades and provision requirements for Harrison Park. The key components of the recommendations for Harrison Park are discussed below and outlined in further detail in the draft Harrison Park Master Plan Report (**Attachment 2**).

Connection to the Civic Centre

The draft Master Plan Report recognises the importance of the connection of Harrison Park to the Civic Centre and its backyard. It is recommended that when Council is undertaking detailed design of the various elements within the Master Plan that connection to the Civic Centre is considered and improved where possible.

Blackbutt Youth Centre

The draft Master Plan recognises the importance of Blackbutt Youth Centre as a key use of Harrison Park. The plan identifies the opportunity to provide better connection and integration of the Youth Centre with the surrounding park. Opportunities to improve this connection include expanding the Youth Centre and providing open space connected to the Youth Centre. It is also proposed to create a 'Youth Space' adjoining the Youth Centre that will provide direct connection. This youth space will offer opportunities to incorporate elements such as a half basketball court, futsal table, a gathering area and direct connection with the Youth Centre.

Playground

In addition to the proposed youth space, the draft Master Plan also proposes a new playground located in close proximity to the Youth Centre. This playground will utilise the natural topography of Harrison Park, making use of the slope off Minga Avenue, and create areas that offer different challenges based on age.

There is currently no playground within Harrison Park.

Picnic and multi-purpose areas

The draft Master Plan proposes two picnic areas along the western side of Harrison Park as a way to activate and distribute activity throughout the park, and provide opportunities for visitors to the park to enjoy the area.

It is also proposed to incorporate a larger, informal gathering area near the north eastern corner of Harrison Park (near the corner of New Lake Entrance Road and Minga Avenue). This area will remain largely grassed, with the incorporation of some sandstone block terraces to provide informal seating.

Memorial Plaza

The draft Master Plan proposes to improve the visibility of Harrison Park on the eastern side by opening the Memorial Plaza towards Memorial Drive. This will include refurbishment of the existing paving and signage, relocating the seating at the edge of the plaza as well as providing a new feature tree that will be selected so to not reduce the capacity of the plaza for large gatherings.

Fitness circuit

It is proposed to activate the main circulation path of Harrison Park by providing fitness equipment areas that are suitable for both senior and younger users. This will increase the usability of the 700 metre walking loop around City Pond.

Land art and signage

The draft Master Plan proposes a large public art piece to be installed along the New Lake Entrance Road side of Harrison Park. This will increase the presence of the park. There are several other sites identified within Harrison Park that provide opportunities for public art, as well as wayfinding signage to improve accessibility.

Car Park

The current existing car park for Harrison Park is located off Cygnet Avenue and provides two entry points and 17 car park spaces. The draft Master Plan identifies the opportunity to consolidate the entrance points to the car park as well as expand the car park to the west to provide additional spaces.

Public Exhibition

The draft Master Plan and Master Plan Report for Harrison Park will be placed on public exhibition in September-October for 28 days. Notices will be placed on Council's website and social media advising that the documents will be on public exhibition. Adjoining residents and key stakeholders will also be notified of the public exhibition and invited to make a submission.

Financial / Resources Implications

There would be a number of financial and resource implications arising from the implementation of the Master Plan. The options identified in the Master Plan will be subject to detail design and funding. Once adopted, the options and recommendations of the master plan would be prioritised and incorporated into Council's Long Term Financial Plan, Delivery Program and Operational Plan. The master plan is a long term planning document, and as such the identified options and upgrades will be delivered over 10 to 20 years.

Legal and Policy implications

Council's OSR Strategy sets the policy direction for the future direction of open space, sporting facilities, aquatic facilities and a range of recreational needs. The development of the master plan assists with the implementation of the OSR Strategy.

Public / Social Impact

The preparation of open space master plan identifies a series of upgrades and potential improvements for the park. While these will be implemented over a number of years, it ensures Council is planning strategically for the park and provide upgrades in a coordinated and considered manner. This ensures that Council is providing quality public open space for the community. The master plan will significantly improve the public benefit of the park.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.2 Our City is Active and Healthy

Strategy: 1.2.1 Provide access to services and facilities where people can live, learn and play.

Strategy: 1.2.2 Provide diverse opportunities for sport, recreation and enjoyment in the City's parks, open spaces and facilities

The identified improvements and upgrades in the draft Master Plan for Harrison Park will ultimately be incorporated into Council's integrated planning and reporting framework.

Consultations

Internal

A key component of the project was the establishment of a Working Group, consisting of relevant staff who are involved with open space or community facility provision as part of their roles. There have been 15 staff from across the three directorates (Community and Customers, Amenity and Assets and Council Sustainability) who have been consulted throughout the development of the master plan.

External

A range of consultation activities were undertaken to enable the community the opportunity to provide input into the development of the master plan. Opportunities for input included:

- Letters posted to adjoining residents
- Let's Chat page where participants could identify a range of facilities and opportunities they would like to see
- Consultation with Youth Council
- Phone interviews with key stakeholders

Public exhibition of the master plan will enable further opportunity for the community to provide input into the master planning process.

Additionally, there will be further opportunity to engage with the community, as consultation will occur for each of the larger projects identified in the master plan.

Political Donations Disclosure

Not applicable

Recommendation

That Council:

- 1. Endorse the draft Master Plan and draft Master Plan Report (Attachment 1 and Attachment 2) for Harrison Park for public exhibition for a period of 28 days calling for submissions;**
- 2. If any relevant submissions are received or if there are any substantial post exhibition changes as a result of public exhibition, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption of the Harrison Park Master Plan; or**
- 3. If there are no relevant submissions received and no substantial post exhibition changes as a result of public exhibition, Council adopt the Harrison Park Master Plan.**

Approved for Council's consideration: Geoff Hoynes
Group Manager City Planning

Date of Meeting: 21 September 2021

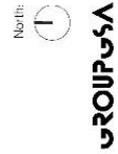
Attachments

- Harrison Park draft Master Plan – *Page 39*
- Harrison Park draft Master Plan Report – *Page 40*

Attachment 1 - Harrison Park draft Master Plan



- LEGEND**
- Existing Trees
 - Proposed Trees
 - Turf/Lawn
 - Fitness Softfall
 - Timber Decking
 - Gravel
 - Asphalt
 - Concrete Road
 - Play Softfall
 - Water
 - Sandstone Paving
 - Cobblestone Paving
 - Sports Surface
 - Sandstone Path
- KEY**
1. Artwork Signage
 2. Proposed Footpath
 3. Sandstone Amphitheatre Seating
 4. Proposed Market Space
 5. Upgraded Memorial Space
 6. Play spaces with informal access
 7. Blackbutt Youth Centre
 8. Seating Deck around Existing Trees
 9. Multipurpose Area
 10. Opportunity for Extended Carparking
 11. BBQ / Picnic Tables
 12. Turf Access to Pond
 13. Bird Watching
 14. Seating Area
 15. Fitness Stations



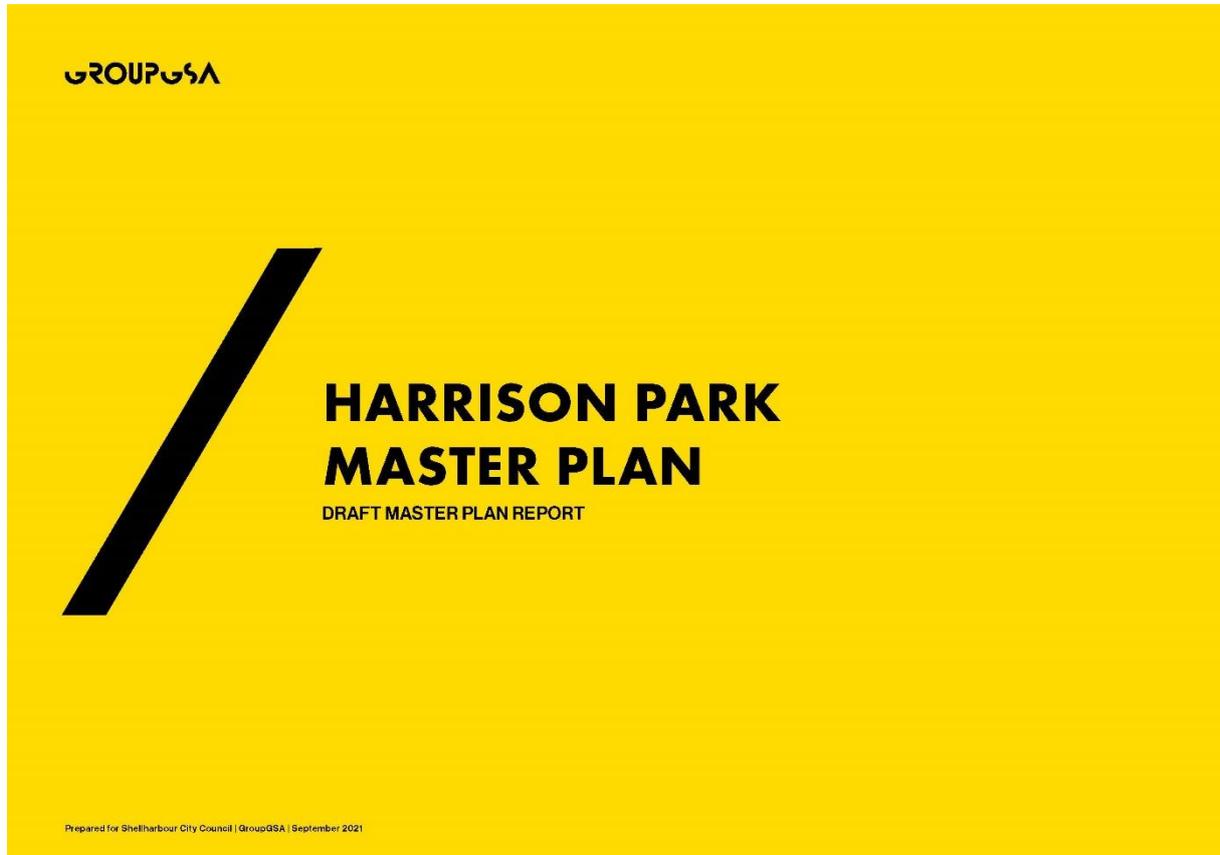
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Project No: 200729
 Drawing no: 01
 Rev: B
 Date: 03.09.2021

Project Name: HARRISON PARK MASTERPLAN
 Client: SHELLHARBOUR COUNCIL

HARRISON PARK CONCEPT

Attachment 2 - Harrison Park draft Master Plan Report



We acknowledge the traditional custodians of the land, and pay our respects to their elders past present and emerging, recognising their continuing connection to land, waters and culture.

Issue	Title	Date	Prepared	Checked
1	Analysis Report	May 2021	BP	SHF/z
2	Masterplan Draft - working Group 2	June 2021	BP	SHF/z
3	Masterplan	September 2021	FZ	SH
4	Masterplan Report	September 2021	FZ	SH
5				
6				
7				
8				

Pg 2 Harrison Park Master Plan Report
Shellharbour City Council

CO N T E N T S

MASTERPLAN REPORT

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Site Analysis	11
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Master Plan	26

APPENDIX

Heritage report

Pg 5

GROUPSA



Pg 4 Alloy Oval Master Plan Report
For Singleton Council



Harrison Park is a City Park .
It is a park which is close proximity to employment, community and the town centre activity.
It is a place of ecology, recreation , social connection and venue for gatherings. It will be used as people’s everyday backyard.

INTRODUCTION

01

Pg 5



INTRODUCTION

Harrison Park, a city wide park, located in the Shellharbour City Centre is strategically located adjacent the Shellharbour Civic Centre, Stockland Retail Centre and Blackbutt residential area.

The park contains a range of facilities including Blackbutt Youth Centre, a memorial and the City Pond.

The key outcomes of the master plan is to put forward and vision and a series of upgrades to the park which meet the needs of the existing and future community.

The Park is identified as a 'city wide park' (the equivalent of a regional facility serving tourists and communities within 10km) offers significant potential as a key destination – taking advantage of its strategic location.

Harrison Park is of key importance as open space to the development of the mixed use precinct of Shellharbour City Centre, serving residents and visitors to the precinct.



Pg 6 Harrison Park Master Plan Report
 Shellharbour City Council

REGIONAL CONTEXT

Physical context

Harrison Park is located within the Shellharbour City Centre which falls within the Shellharbour LGA.

Economic context

Shellharbour is a mix of residential and commercial uses with many uses anchored along New Lake Entrance Road. The core City Centre is located immediately adjacent, to the east of Harrison Park.

Harrison Park fronts New Lake Entrance Road and is surrounded by Shellharbour Civic precincts to the East and West. Residential dwellings are situated to the South of the park. Harrison Park is located alongside neighbourhoods of Oak Flats, Mount Warrigal and Blackbutt.

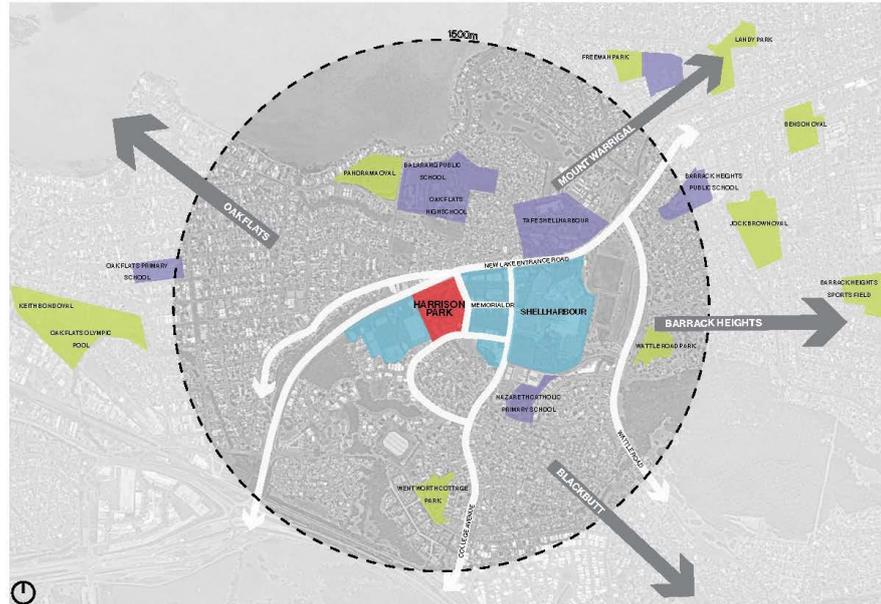


Fig 7

GROUPUSA

LOCAL CONTEXT

Recreation context

- Oak Flats Bowling Club
- Stockland Retail Park
- Panorama Oval
- Balarang Public School
- Oak Flats High-school
- Shellharbour Shopping/Civic Centre
- TAFE Shellharbour
- Nazareth Catholic Primary School

Accessibility

Bus Stops along New Lake Entrance Road

Located in the heart of Shellharbour City Council Harrison Park is surrounded on the western and northern edge along New Lake Entrance Road by commercial activity, while on the eastern side by mix use development with commercial offices and residential. Future development will be set to take place along Mungana Avenue. The park is facing mainly residential areas on the south.

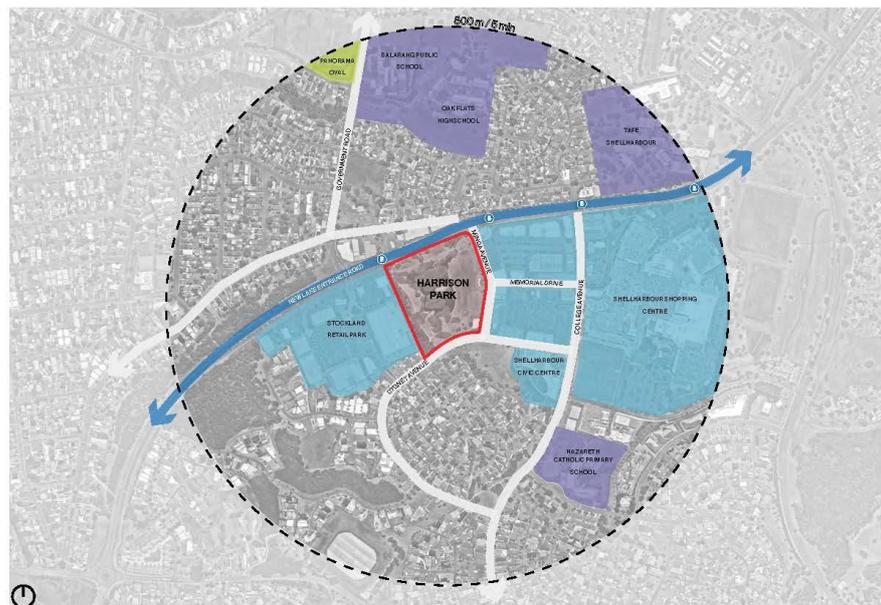


Fig 8 Harrison Park Master Plan Report
 Shellharbour City Council

CURRENT USE

Harrison Park Components

1. Water Retention Pond
2. Memorial
3. Youth Centre
4. Carpark

The large open space in Harrison park provides a venue for events and major anniversaries during the year.

The park is a city wide park where locals and visitors come from all around Shellharbour. Key events include ANZAC Day celebrations which take place in the at the end of Memorial Drive, on the elevated part of the park.

The Youth Centre is offering activity and community services and activates the south eastern side of the park, nearby the car park.

The wetland is at the centre of the park is well vegetated providing habitat for the local fauna and flora. It also provides water storage capacity for the local area.



Fig 9

GROUPUSA

EXISTING FACILITIES



01/ Youth Centre

- Opening Hours 3:30-5pm
- Drama Program
- Games Afternoon
- Cooking Program
- Mental Health Services



02/ Memorial

- 500m²
- Located on Memorial Drive



03/ Retention Pond

- Flooding Basin
- Ecological Area
- Mix Between Built Edge and natural edge



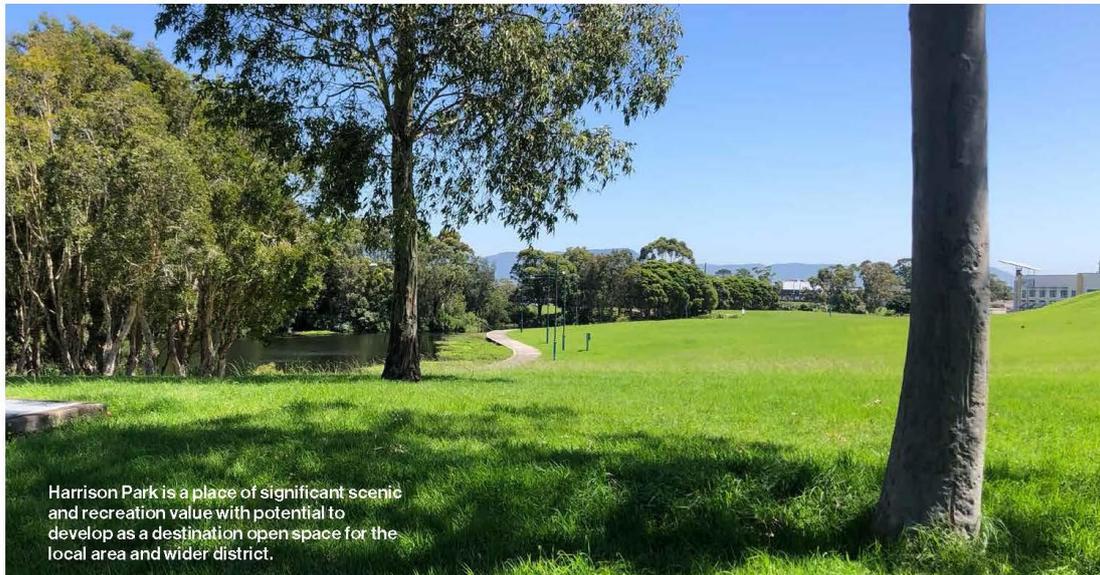
04/ Lawns

- 41500m²
- Approximately 24500m² Steep Lawn Space



05/ Carpark

- 900m²
- Asphalt Car Park
- 18 Car Parking Bays



Harrison Park is a place of significant scenic and recreation value with potential to develop as a destination open space for the local area and wider district.

Fig 11



TOPOGRAPHY & FLOODING

The maps of 1% AEP shows the lower area to be flood affected and used for water storage, while the southern end of the site is also affected. The permanent water is crossing the car park and O'Connell Avenue.

The existing Youth Centre is outside both 1% AEP and PMF level. If any expansion of the building will be proposed they will need to consider and respond to the actual flooding restriction and guidelines.

A Site Emergency Response Flood Plan is potentially required as this reserve is used by public and some parts of the reserve will be affected during the PMF event. As it is unsafe for the children and senior citizens and/or older people in the High Hazard zone during the 1% AEP event, for evacuation purposes, it is needed to demonstrate that there is reliable access for pedestrians during the 1% AEP event.

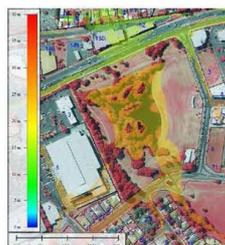


Image courtesy of Shellharbour City Council - Harrison Park 1% AEP Level

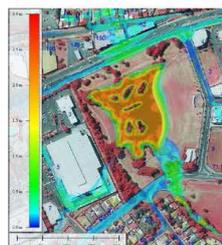


Image courtesy of Shellharbour City Council - Harrison Park 1% AEP Depth

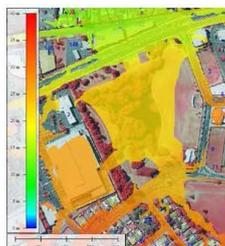


Image courtesy of Shellharbour City Council - Harrison Park PMF Level

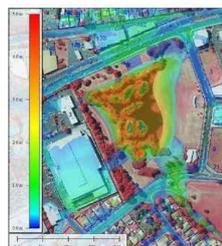


Image courtesy of Shellharbour City Council - Harrison Park PMF Depth

Note:

- Annual exceedance probability (AEP) – is the probability that a flood of given or larger magnitude will occur within a period of one year. Its reciprocal is equivalent to average recurrence interval.
- Probable maximum flood (PMF) – is the largest flood that could conceivably occur at a particular location.

ECOLOGY

State Vegetation Map

- Plant community mapping by Office of Environment and Heritage.
- No identified significant plant communities within the area immediately surrounding the site.

NSW Bionet

- Maps recorded species sightings within and in close proximity to the site.
- Threatened species of birds and bats were recorded in the local area.
- No threatened species were recorded within the site or immediate surroundings.

State Vegetation Map. Mapping by NSW Office of Environment & Heritage, accessed via SEED, 02/11/2020
NSW Bionet - Species Sightings. Mapping by NSW Office of Environment & Heritage, accessed via SEED, 02/11/2020



Fig 13



HERITAGE STUDY

During the master plan process a study for Non-Aboriginal Heritage Constraints Analysis and Aboriginal Due Diligence Assessment was undertaken by Artefact. The full analysis and report 4 can be found in the appendix at the end of this document.

The Non-Aboriginal Heritage Constraints Analysis shows that no heritage items are in or in the proximity of the park.

Recommendation:

- While the Shellharbour City Centre War Memorial not listed on the NSW War Memorials Register or any statutory or non-statutory heritage registers, it is likely to contain social significance amongst members of the local community. For example, it is included in the Monuments Australia website⁵ on the National Register of War Memorials⁶ and used for Anzac Day memorial services.

The Aboriginal Due Diligence Assessment shows that no recorded Aboriginal artefacts or intact areas where Aboriginal artefacts are likely to occur beneath the ground surface have been identified within study area.

- Co-consultation with Ilawarra Local Aboriginal Land Council and the South Coast People Native Title Claimants should take place.
- In accordance with the due diligence guidelines, no further archaeological investigation is required, and works can proceed with caution.
- Unexpected Aboriginal objects remain protected by the NPW Act. If any such objects, or potential objects, are uncovered during the activity, all work in the vicinity should cease, the site should be secured and the NSW Police and the Heritage NSW should be notified.
- If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity should cease, the site should be secured and the NSW Police and the Heritage NSW should be notified.
- Workers on the project should be made familiar with the unexpected finds procedure and it is recommended that a short heritage induction is provided by the proponent (or relevant group).



Image courtesy of Artefact. Location of heritage listed items surrounding the study area.



Image courtesy of Artefact. Aerial map.



Image courtesy of Artefact. 56 aerial photograph showing undeveloped land within the Put area (Harrison Park) and surrounding properties. Source: Spatial Lands Viewer.



Image courtesy of Artefact. 100 aerial photograph showing undeveloped land within the Put area (Harrison Park) and surrounding properties. Source: Spatial Lands Viewer.



Image courtesy of Artefact. 2007 aerial photograph showing undeveloped land within the Put area (Harrison Park) and surrounding properties. Source: Spatial Lands Viewer.

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Shellharbour City Council

Fig 14

DEVELOPING PLAY OPPORTUNITIES IN HARRISON PARK

Everyone Can Play

The NSW Government has developed guidelines called 'Everyone Can Play' for designing play spaces which address equality and inclusivity. Underpinning these design guidelines is the ethos to create an inviting space that encourages and supports the local community to come together.

The three key principles of this guidelines are:
 Can I get there? Can I play? and Can I stay?

Inclusion in Play

There has been a significant shift in the evolution of accessibility. For a good many years accessibility was about making playgrounds conform to AS1428. This was more an exercise in compliance than provision. This then evolved into making spaces more accessible, but with a view to also providing experience. For a very long time the focus of these efforts was particularly on wheelchair access and experience.

This, very slowly over time, evolved into wider provision. Whilst wheelchair access is a great measure of being able to get to places within the space, it does not necessarily make that space a destination for those with alternate disabilities.

The expansion of perception created a wider understanding of what could/should be incorporated in order to make access and experience for the broader community. It can still be revealing that we should be making provision for the seven senses, not five. Sound, smell, touch, hearing and sight are the commonly understood senses. However there are two more, and both are particularly pertinent to play space provision.

Vestibular explains the relationship of our body to gravity, movement and balance, i.e., acceleration, g-force, body movement and head position. For example, knowing where you are on a flying fox, or walking along a balance beam.

Proprioception is the sense of relative position of neighbouring parts of the body and the strength of effort employed in movement. This is important in order to understand where you body is in space and where we are positioned in order to plan and co-ordinate movement of body parts such as navigating through a narrow space, or being able to clap your hands with your eyes closed.

Both these "forgotten" senses are critical to consider when designing a play space.

Even though the concept still remains, the notion of accessibility has further evolved to become the notion of inclusion. The easiest way to describe this is that whilst accessibility is almost a measurable thing (ramp grade, door width, table heights, etc.) inclusion broadens the scope to not only consider whether a space is accessible internally, but whether it can be got to from the outside world. And it further considers not only internal accessibility, but it also considers a breadth of provision to engage and afford experience for a diversity of disability. But further, furthermore, it also expands into the notion of inclusion in a more complete way in that the space needs to be welcoming not just in relation to disability but also to culture, all ages, all aspirations. It is basically positing the notion that all who come can get there from the outside, i.e., and much greater consideration of external connectivity (paths, ramps, crossings, public transport, parking, etc.), a much broader provision of play not just for physical activity for able bodied, and also the notion of being able to stay for longer because of extra provision of comfort and facilities.

The level of provision for each play space will be relative to the "hierarchy" of the park, sometimes using older notions of local, district, regional (or the like). Harrison Park, with its central location, existing facilities and the lake would be likely to be considered a significant City Wide park with the highest level of provision of play and associated facilities. A showcase for how Shellharbour council sees itself into the future.



Fig 15

GROUPUSA

SITE ANALYSIS

Harrison Park Components

1. Youth Centre
2. Memorial
3. Retention Pond
4. Lawns
5. Carpark
6. Mature Native Vegetation



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 Shellharbour City Council

Fig 16

CONSULTATION ENGAGEMENT

Key Stakeholders

The objective of the community consultation process is to facilitate a dialogue between Shellharbour City Council and the public on the existing condition and future development of Harrison Park. To obtain a wide variety of community perspectives, Shellharbour City Council and the consultant team developed separate consultation methods for local residents and other key stakeholders.

- Consultation for this project includes:
- Council web site "Let's Chat" - Completed
 - Direct stakeholder engagement - July
 - Presentation to Council - Ongoing

Blackbutt Youth Centre

Our main focus is on providing a clean environment that local young people can access safely.

- PROGRAMS:
 1. Drama Program Monday & Wednesday 3:30pm - 5pm
 2. Games Afternoon - Tuesday 3:00pm - 5pm
 3. Cooking Program Thursday 3:00pm - 5pm

Council Workshop #1

OPPORTUNITIES

- Opportunity for multi functional space facility, including skating park, outdoor basketball, water to recreational items. (33%) Availability of Skate facility
- Harrison Park Shellharbour City Centre - Update Report (11/6/2015)
- Flooding boundary needs to be checked
- More trees, shade, seating desired to activate park
- Noted that commercial fitness operators use the site for gym sessions
- War memorial is not an official war memorial, opportunity to broaden its usage to become a welcoming place. It is used annually to host Shellharbour Anzac Day ceremony
- Opportunity for educational area with the boardwalks/vee/or edge.

CONSTRAINTS

- Land ownership along western edge.
- Flooding boundary needs to be checked.
- Maintenance of the pond needs to be considered when suggesting boardwalks. Pond needs maintenance access
- Proposing fencing around the pond/walland, water quality can be poor at times

Council Workshop #2

OPPORTUNITIES

- Amenities building to be located into the masterplan
- Adjacent to community centre, space is used for outdoor movies and bands. Opportunity for extra picnic space for use seating? Potential shift of table to the north to support covert space.
- Safety and security of playground in vicinity to pond. Opportunity to relocate the playground further away from the wetland.
- Opportunity for car park expansion
- Amenities potentially to be included near the Blackbutt Youth Centre. Ideal location near sewer services. Potentially moved to Cynagill road.
- Entry point on east of carpark and exit on west side of carpark whilst removal of roundabout entry and exit point. (Option to have one entry/exit location on east side)

CONSTRAINTS

- Maintain access to the wetland for maintenance masterplan
- Now lake entrance road/tree along crest to be removed due to integrity of flood bank on northern side of park.
- Western side of park to be mass planted, due to irregular access to boating docks.
- Council to provide flooding contours for Harrison park, determining level of structure and other activity.

Pg 17

GROUPSA

COMMUNITY CONSULTATION LET'S CHAT

Key Result

Let's Chat is an online platform that Council uses to receive feedback. The summary of the engagement was based on the 15 visitors who provided responses.

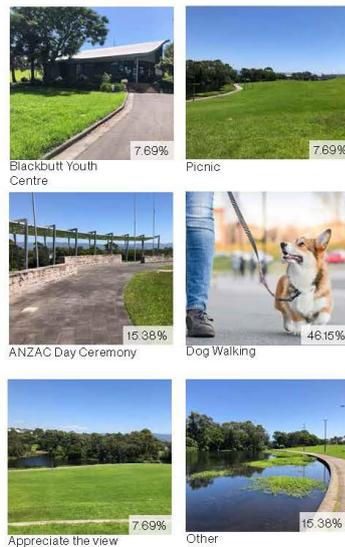
- + 13 local resident
- + 1 Casual visitor
- + 1 Student

- The majority of the user visit the park at least once at week.

Travel to:

- + Car 45.7%
- + Walk 28.5%
- + Ride a bike 14.3%
- + Other 11.5%

How the park is currently used?



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COMMUNITY CONSULTATION LET'S CHAT

What future project would you like to see?

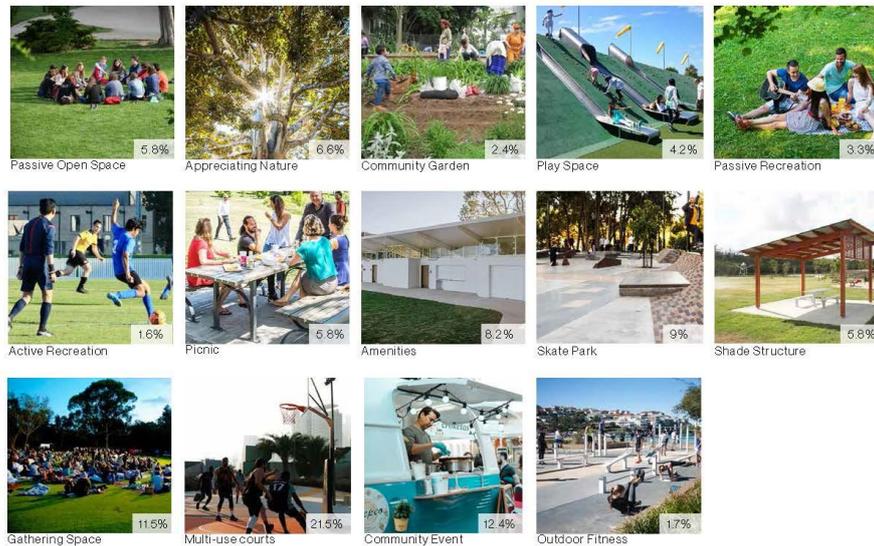


Fig 9

GROUPUSA



Pg 20 Alloy Oval Master Plan Report
For Singleton Council



Fig 21

MASTERPLAN

02

GROUPSA

HARRISON PARK MASTER PLAN



View to new play space
An ArtImpression

Fig 22
Harrison Park Master Plan Report
Shellharbour City Council

SITE OPPORTUNITIES PLAN



Fig 28

GROUPUSA

LEGEND

- Existing Trees
- Proposed Trees
- Turf/Lawn
- Fitness Softfall
- Timber Decking
- Gravel
- Asphalt
- Concrete Road
- Play Softfall
- Water
- Sandstone Paving
- Cobblestone Paving
- Sports Surface
- Sandstone Path

KEY

- 1. Artwork Signage
- 2. Proposed Footpath
- 3. Sandstone Amphitheatre Seating
- 4. Proposed Market Space
- 5. Upgraded Memorial Space
- 6. Play spaces with informal access
- 7. Blackbutt Youth Centre
- 8. Seating Deck around Existing Trees
- 9. Multipurpose Area
- 10. Opportunity for Extended Carparking
- 11. BBQ / Picnic Tables
- 12. Turf Access to Pond
- 13. Bird Watching
- 14. Seating Area
- 15. Fitness Stations



HARRISON PARK CONCEPT

Project Name: **HARRISON PARK MASTERPLAN**
 Client: SHELLHARBOUR COUNCIL

Project No: 200780
 Drawing no: 01
 Rev: 0
 Date: 03/09/2021

Scale: 1:1500 @ A3
 0 20 40 60 80m



GROUPUSA

CONNECTIVITY & AMENITIES

Connectivity and Accessibility

The driving factor of the master plan is to increase the usability and accessibility of the park. Currently the park, and especially the western side is disconnected and there is not a true loop path around the wetland. The memorial is also reachable only along Mings Avenue and there is not accessible connection from the park.

The master plan proposes a series of new footpath links which will increase the connectivity, and provide a contiguous loop around the park.

The path connecting to the proposed play area is a ascending path to address the slope of the land whilst providing connection to the nodes of play.

The paths are designed for accessibility with grades of ramp that complies with the Australian Standard.

The master plan propose and highlight the opportunity for a new amenities block to be located along one of the new paths. The map shows two options for possible location of the amenities building that will need to be discussed with Council during the future stages of the project.

LEGEND:

- Existing footpath
- Proposed footpath
- Proposed location for amenities building
- Opportunity to incorporate the amenities with Blackbutt Youth Centre
- Opportunity for future connection to Shellharbour Civic Centre

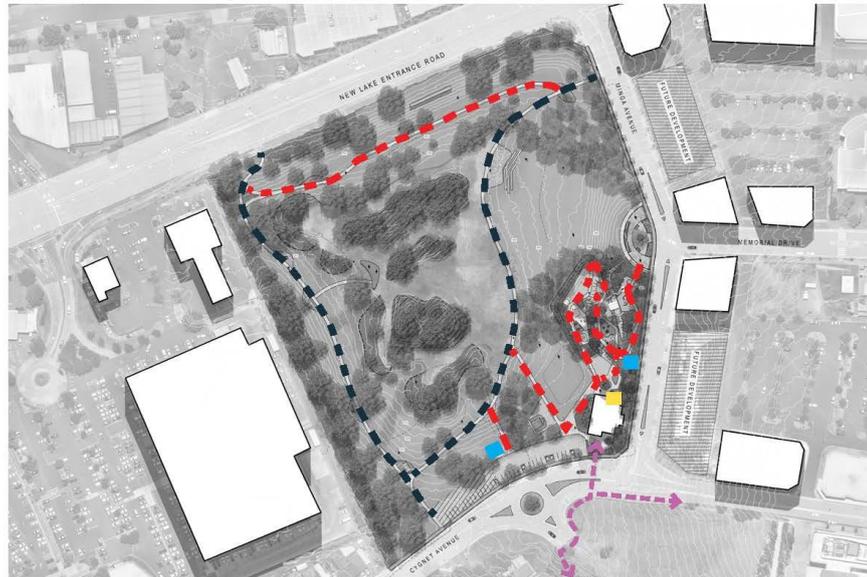


Fig 25

GROUP USA

BLACKBUTT YOUTH CENTRE

The focus is on providing a clean environment that local young people can access safely.

Blackbutt Youth Centre is the main activator of the park on the day to day. In the future it is envisaged that Council will investigate future opportunity to expand the centre with also the opportunity to incorporate public amenities.

The space surrounded the Blackbutt Youth Centre is thought as a flexible outdoor space that can allow for small to medium events, with a paved area nearby the north side of the park that creates opportunity for the centre to open into the park.

The yellow area represents the opportunity to create a visible statement and formal entry from Cygnet street. A meeting space such as a large seating area within the existing tree can present a good opportunity in this regards.

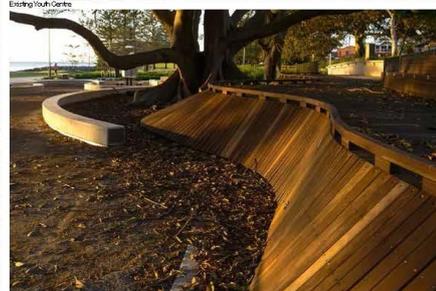
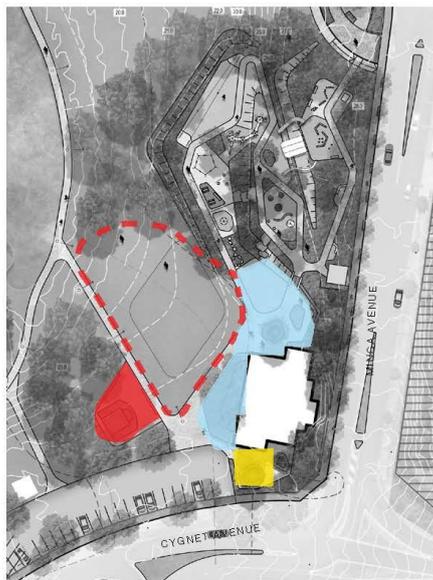
On the western and north side of the centre the space for formal gathering and lounges where weekly classroom and activity can take place.

The centre is focused on young people and opportunity for active space should be explored in the future. The master plan propose a small area (in red) for basketball court and ping pong table.

The centre organises larger events that can take place in the taller lawn area facing the wetland (red dashed on the map).

LEGEND:

- Youth Centre Entry and seating
- Outdoor space and gathering
- Larger flexible outdoor space for event



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YOUTH AREA

A space for young users

The master plan includes an area with a youth focus which is centred around active sport and activity and social seating areas. The location is central and within viewing distance of the Youth Centre, play space, and car park to provide passive surveillance. The activity:

- Half basketball court
- Ping pong tables
- football table
- Lounges and seating area for gathering space
- Direct connection with Youth Centre

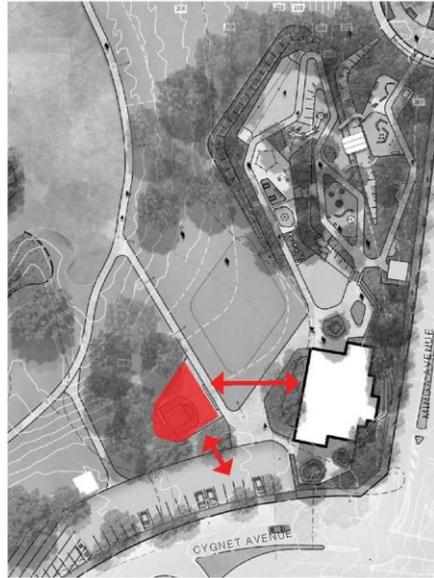


Fig 27

Pingpongtable

GROUPUSA

PLAY SPACE

A playground that offers different challenges based on age and abilities. The play space is embedded into the natural slope of the site.

An accessible footpath connects the memorial plaza with the youth centre. The playground is carved into the landscape and follows the existing contours.

The embankment is designed as a series of terraces with planting, turf and rubber to address the main level change and create flat areas. Within the terraces, a diversity of play equipment is set to engage with all types of users. The area on the top of the slope provides slides and climbing activity on the rubber slope, with lounges and seating opportunities. The middle area is for older children with the greatest level of challenges. The lower portion of the playground, for the younger users. It has a more natural feeling with timber platforms and balance elements. This area connects with the plaza in front of the youth centre.

Advanced tree are proposed in the playground to create a cooler environment during the summer months and shade. Deciduous tree should be incorporated into the area to allow for winter sun.

- Young users:
 - 1. sandstone low climbing element
 - 2. sensorial path
 - 3. contained turf area
- Mid users:
 - 4. slides
 - 5. climbing and balance
 - 6. trampolines
 - 7. accessible spinner and rocker
 - 8. balance logs and timber platforms
- Older users:
 - 9. fly fox
 - 10. five way swings
 - 11. climbing tower
- Other:
 - 12. sensorial trail
 - 13. lounges and shelter
 - 14. seating and lounges



Fig 28

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Existing site



New location



View to new play space

An impression

Fig 29

GROUPSA

Precedent images of play space elements which provide a diverse and exploratory setting including:

- flying fox,
- climbing tower,
- swings, and
- mounded rubber surface areas.



Flying fox



Swing



Climbing tower



Soft Rubber Mounds

Fig 30 Harrison Park Master Plan Report
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Precedent images of play space elements which provide a diverse and exploratory setting including

- slides built into sloping land,
- accessible carousel,
- natural play on stone steppers.



Embankment slide



Accessible carousel



Homestead laboratory path



Slide Structure, rubber slip-resistant timber platform

Fig 31

GROUP USA

WETLAND, VEGETATION & BIRD WATCHING PLATFORM

Harrison Park set the goal to achieve 40% canopy coverage.

The wetland is envisaged to be left almost untouched with the master plan. Access for maintenance is required to the border and the islands, to ensure safety and to promote a healthy growth of the existing vegetation as explained in the wetland management plan.

Opening views throughout the pond is also important to encourage a sense of safety for the user of the park walking along the western side.

A low habitat fence is proposed around the pond to discourage people to walk into the existing vegetation. A bird watching deck platform is proposed at the western edge of the wetland.

The bird watching platform and explanatory signage will encourage the user to understand and connect with the local fauna and flora.

Park tree planting

An extensive tree planting is proposed to the park and at the playground with a clear goal to achieve 40% of canopy coverage for the park as a whole in line with the most recent NSW Greener Spaces guidelines.

LEGEND:

- habitat fence 
- vegetation care and maintenance 
- extraordinary maintenance to existing tree to open views through the wetland 
- bird watching platform 
- Tree removal over crest of embankment to preserve stability 
- heavily planted buffer to nearest property 



Bird watching



Bird watching

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Fig 32

PICNIC AREA & MULTIPURPOSE AREA

Harrison Park facilitates activation all year round.

Whether a Sunday picnic or lunch break, the park provides a gateway into the nature at the heart of Shellharbour

Picnic areas are located on the western side of the park with the intent to activate and distribute the activity throughout the park.
 The park hosts community event during the year. For large gatherings, the flattened lawn area with a small paved section at the north east end of the park serves as an informal stage to the sloped lawn which provides a perfect amphitheatre. This area is further defined with a series of seating walls set into the slope.
 The promenade along the wetland is also proposed to become a space for market during the events in the park.



- LEGEND
- Picnic, BBQ and shelter
 - Gathering space for event
 - Market



Fig 33

GROUPUSA

FITNESS CIRCUIT

Encouraging walking and activity

The main circulation path is activated with fitness stations which are suitable for all ages.
 The new footpath creates a loop around the wetland of approximately 700m. Small info signs integrated into the paving can keep the user informed on the distance walked.
 The fitness equipment is proposed on the western side of the pond to support the strategy to activate this side of the wetland.



- LEGEND:
- Fitness station
 - Fitness loop



Pg 34 Harrison Park Master Plan Report
 Shellharbour City Council



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View of fitness station and picnic shelter on park loop path

An Impression

Fig 35

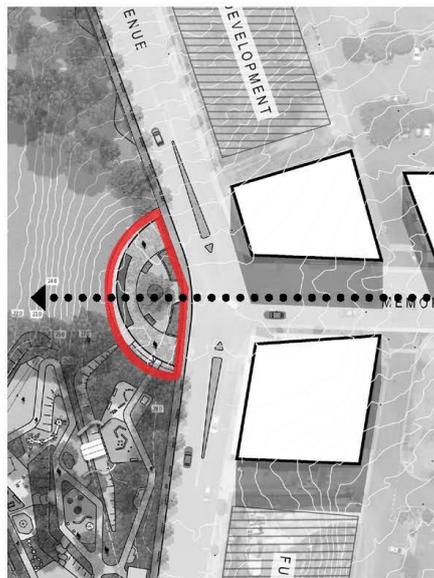
GROUPSA

MEMORIAL PLAZA

The memorial plaza is located at the higher point of the park. This advantageous area is overlooking the park and out towards district views of the Illawarra Escarpment.

The plaza is used and known to host the ANZAC Day ceremony each year.

The master plan propose small refurbishment to the area, with improved planting and seating.



Existing Memorial Plaza



ANZAC Day Ceremony

Fig 39
Harrison Park Master Plan Report
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LAND ART & SIGNAGE

A new land art opportunity provides an entry statement for Harrison Park and Shellharbour City Centre

The New Lake Entrance Road is one of the main arterial roads entering Shellharbour. A high embankment along the north side of Harrison Park park impedes the views into and the presence of the Park.

A large art work is proposed at the north east corner to highlight the presence of the park and the Shellharbour City Centre.

The broader strategy of wayfinding signage is brought into the area with informative signage located at the main entry point and key area.

A second layer of interpretative signage is also proposed to enhance the connection between the user and the nature of the site.

LEGEND:

- Art work
- wayfinding signage
- interpretative signage



Fig 37

Wayfinding signage location

GROUPUSA

CAR PARK

The existing car park (17 car spaces) has two entry point along Cignet Avenue one on the eastern side and the second from the roundabout.

The car park has opportunity to expand to the west. Additional parallel Parking can be also added along the North side with an addition of 15 car park spaces to meet future park demands.

To allow for the car park expansion the master plan proposes to relocate the central entry point from the roundabout to the eastern side with an in and out approach and additional exit point from the western side.

Further traffic studies will be required for the future stage of the project.

LEGEND:

- proposed additional car park
- proposed parallel parking
- proposed and existing entry
- removed existing entry



Fig 38 Harrison Park Master Plan Report
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Additional car park

LIGHTING STRATEGY

Pedestrian Lighting

Existing lighting along the main footpath are recommended to be changed to more sustainable LED in the future when due for renewal. New pedestrian and shared path lighting is proposed along primary routes within the precinct to enable and encourage safe use after dark.

General principles for lighting include:

- Light specification to minimize light spill beyond pathways, roads or fields, particularly into residential properties
- Lighting levels to Australian Standards

Car Park Lighting

Solar lighting could be considered for the car park and the future redevelopment.

Car park lighting is to be designed to minimise light spill and may include provision of timers to allow automatic control of light after certain hours.



LEGEND:

- Existing lighting
- proposed main footpath lighting
- proposed secondary footpath lighting
- car park lighting

Fig 39



Feature LED Lighting

GROUP USA

STAGING AND IMPLEMENTATION

It is proposed to develop Harrison Park in two main stages.

The options identified in the master plan will be subject to detailed design and funding. The options and recommendations will be prioritised in accordance with the staging plan and incorporated into Council's Long Term Financial Plan, Delivery Plan and Operational plan.

The main focus for Stage 1 works is to develop the connectivity and the circulation of the park including the additional footpath, picnic area, shelter and fitness area. Wayfinding signage also are proposed to be part of the first stage of development. The first stage should aim to enhance the existing character of the park, provide a new accessible loop around the park and activate the western edge that at the moment it is disconnected. As part of the first stage of works initial wayfinding signage could also be placed to enhance the existing character of the park.

Stage 2 is more focus to the east side of the park with the new playground, gathering and potentially the renewal of the existing Blackburn Youth Centre.

Generally, the proposed additional tree planting and lighting would best to follow the nearest stage.



LEGEND:

- STAGE 1
- STAGE 2

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CONCLUSION

This Master Plan document has been prepared with the aim of providing a robust and flexible plan to guide the future of Haines Park. The document is intended to guide future decisions on planning and development including facility upgrades, park uses, remediation strategies and planning.

The priority of the actions proposed in the staging and implementation strategy need to be reviewed and developed over time as the needs of the community change.

Fig 41

GROUPSA



10.3.4 Draft Community Facilities Needs Study, Strategy and Action Plan (11731623)

To the Chief Executive Officer

Directorate: Community and Customers
Group: Community Connections

Manager: Kathryn Baget-Juleff – Group Manager Community Connections
Author: Bonnie Hittmann – Manager Community Life
Lauren Peters – Senior Community Planning Officer

Summary

The purpose of this report is to seek Council's endorsement of the Draft Shellharbour Community Facilities Needs Study (the Study), Draft Shellharbour Community Facilities Strategy 2021-2031: Activate, Connect, Evolve (the Strategy) and Draft Shellharbour Community Facilities Action Plan 2021-2031: Activate, Connect, Evolve (the Action Plan) (**Attachments 1, 2 and 3**) for the purpose of public exhibition.

The Strategy outlines a set of principles and priorities and the Action Plan identifies key areas of focus to guide how Shellharbour City Council provides, manages and activates its community facilities over the next ten years, for the benefit of the Shellharbour community. The Strategy and Action Plan also provide a framework and rationale for future planning and investment in different types of facilities.

This report recommends endorsement of the Study, Strategy and Action Plan to be placed on exhibition for a period of 28 days. If any relevant submissions are received, a report will be submitted to Council for consideration, detailing the public exhibition outcomes. If there are no relevant submissions received as a result of the public exhibition and there are no substantial post public exhibition changes proposed for any other reasons, it is recommended that Council adopt the Draft Study, Strategy and Action Plan as attached to this report.

Background

The purpose of the Strategy and Action Plan is to guide Council's decision making on community facilities across the Shellharbour Local Government Area for the 2021-2031 period. The Study contains the evidence that has shaped the Strategy and Action Plan.

Council appointed the Institute for Public Policy and Governance at the University of Technology Sydney (UTS) in November 2020 to assist with the preparation of a Community Facilities Needs Study and Strategy.

The new Study, Strategy and Action Plan will replace Council's 2010 Open Space, Recreation and Community Facilities Needs Study, which has guided the planning and development of open space, parks, sporting fields and community facilities over the last ten years. Council has also developed a separate Open Space and Recreation Strategy 2020-2030, which will complement this Strategy and Action Plan.

The Strategy and Action Plan focuses on:

- Halls, function and event spaces
- Baby, parent and child centres
- Club houses and amenity rooms
- Youth facilities
- Senior citizen centres
- Community and neighbourhood centres
- Arts and cultural centres
- Other community facilities

Two briefings with Councillors occurred on 1 December 2020 and 14 September 2021 and Councillors also participated in a Councillor workshop on 9 March 2021 as part of the extensive community and stakeholder engagement program.

Shellharbour City Council also operates several other community facilities that are considered out of scope for this study. This is because they have been covered in other current Council plans and strategies. Those out of scope facilities include:

- Libraries and museums
- Commercial facilities used by the community
- Emergency services facilities
- Operational facilities
- The Shellharbour Theatre
- Shellharbour Civic Centre
- Sports stadiums or sports amenities
- Open space facilities such as parks, sportsgrounds and picnic areas.

While these types of facilities are deemed out of scope, they have still been considered in the development of the Strategy and Action Plan.

The Strategy and Action Plan seeks to provide benefits to four key stakeholders, Community, Councillors, Customers and Council, to ensure Shellharbour's community facilities are well planned for into the future. In developing the three documents, Council undertook extensive community and stakeholder engagement, best practice research and demographic analysis.

Community Engagement Program

As with all Council projects, Shellharbour City Council has a strong commitment to community and stakeholder engagement and participation. The extensive range of activities that were part of the community engagement program are set out in **Table 1** below. The core focus of the engagement activities was to understand current use and attitudes to community facilities and identify areas for improvement and future needs.

Table 1: Shellharbour Community Facilities Project – Community Engagement Program

Community/Stakeholder Engagement Method	Feedback Received
3 Community Surveys	<ul style="list-style-type: none"> • Representative sample telephone survey (451 residents) • Council website Let's Chat community survey (79 residents) • Council website Let's Chat community facilities hirer and service provider survey (25 service providers)
7 Stakeholder Workshops	<ul style="list-style-type: none"> • Approximately 65 individuals participated in 7 workshops focused on the Aboriginal community, seniors and people with disability, young people, local service providers, parents and carers
12 In-depth Interviews and Focus Groups	<ul style="list-style-type: none"> • Series of interviews, focus groups and workshops with Council staff and Councillors
Written Feedback	<ul style="list-style-type: none"> • A series of feedback boards were provided at seven community facilities • UTS received emails and feedback from a range of stakeholders

Shellharbour Community Facilities Needs Study

The Study outlines the feedback gathered through the extensive community and stakeholder engagement process undertaken, which has been influential in shaping priorities and recommended actions in the Strategy and associated Action Plan. In addition, the Study provides an overview of the changing demographic profile of the Shellharbour LGA. It also maps current community facilities, policy settings, trends in community facility planning, as well as industry standards and usage patterns.

The Study provides the detail and the evidence that informed the development of the recommended priorities and actions within the Strategy and Action Plan.

Shellharbour Community Facilities Strategy 2021-2031: Activate, Connect, Evolve

The Strategy provides a blueprint for community facilities planning up to 2031. The purpose of the Strategy is to guide how Council will plan, manage and activate current and future community facilities. This is achieved through a planning framework comprising of six guiding principles, as outlined in **Table 2**, which will be used to inform decision making at all levels of Council. It is then built around five priorities that outline the key directions Council will focus on over the next ten years.

Table 2: Shellharbour Community Facilities Strategy – Six Principles

Principle	Description
1) Responsive to Community and Place	<p>Community facilities will be planned, managed and activated to meet the needs of people across the LGA, and also be responsive to place.</p> <p>They will be planned in an integrated way, delivering a coordinated network of good quality facilities and activities.</p>
2) Accessible Inclusive and Adaptive	<p>Community facilities will be designed and managed to be accessible to all members of the Shellharbour community, mindful of public transport and after-hours access.</p> <p>They will be operated and managed fairly and equitably, taking all possible steps to be inclusive of all user groups and individuals living in the Shellharbour community.</p>
3) Nurturing Cohesion and Creating Connections	<p>Community facilities, and the activities they support, will enhance the vibrancy, harmony and liveability of the LGA, nurturing cohesion, providing meaningful opportunities for individuals and groups to connect.</p> <p>As much as possible, they will also support a diversity of uses and be open to shared use in terms of types of users, activities and different times of operation.</p>
4) Affordable and Equitable	<p>Community facilities, and the activities they support, will provide affordable access, consistent with Council's commitments to inclusion and social justice principles.</p> <p>Further, Council's policies and practices will support equitable access to facilities and support measures to ensure disadvantaged and vulnerable members of the community can access, use and enjoy Council's assets.</p>
5) Informed by Evidence and Best Practice	<p>Community facilities, and the activities they support, will be responsive to community. Council will regularly seek their input on how facilities should be activated and managed, and also work to build social capital and community participation.</p> <p>In addition, Council will be informed by the latest community facilities research and trends and use these to ensure its approaches remain contemporary and fit-for-purpose.</p>

6) Sustainable and Future Orientated	<p>Community facilities will be managed, upgraded and maintained sustainably, giving due consideration to both environmental impacts and value for money.</p> <p>Further, Council will ensure its planning considers changes in population profiles and demographic needs.</p>
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The principles underpin five Strategy priorities and key directions that comprise of key focus areas for Council, as identified in **Table 3**.

Table 3: Shellharbour Community Facilities Strategy – Five Priorities and Key Directions

Priorities and Key Directions	
1.	Maximise community access to community facilities and grow participation
2.	Cater for diverse and emerging community needs in how community facilities are designed and managed
3.	Systematically enhance the features and facilities available within and adjoining community facilities
4.	Expand how Council collaborates and engages in joint ventures to extend access to facilities
5.	Continuously improve how Council plans, manages and activates its community facilities

Shellharbour Community Facilities Action Plan 2021-2031: Activate, Connect, Evolve

The Action Plan sets out the key recommended actions under each priority. These actions have been identified based on the community engagement findings and other population and planning trends.

These will be systematically implemented by Council, either as an ongoing action, or based on the following timeframes:

- Short term (0-2 years)
- Medium term (2-4 years)
- Long term (5+ years)

To know the Strategy and Action Plan is on track, Council will conduct ongoing community consultation and engagement and also put in place regular monitoring and reporting mechanisms as part of its Integrated Planning and Reporting process. A review of the Strategy and Action Plan will occur each time the Delivery Program is renewed and actions will be monitored and reviewed annually in line with the preparation of the Operational Plan. These elements provide Council with a robust framework to systematically *Activate, Connect and Evolve* its community facilities over the coming decade.

Public Exhibition

The final Draft Study, Strategy and Action Plan will be placed on exhibition in September-October 2021 for 28 days. It is anticipated that community feedback will be sought via the Let's Chat platform. UTS will be provided with all results for further analysis.

Notices will be placed on Council's website and social media advising that the documents will be on public exhibition. Notices will be placed in the Illawarra Mercury newspaper two times during the exhibition period and, in addition, key stakeholders who have been part of the extensive community consultation program will be notified of the public exhibition and invited to make a submission.

Financial / Resources Implications

This Strategy and Action Plan will be implemented over 10 years and the financial implications will be considered through the Integrated Planning and Reporting framework. While no Council budgets have been allocated to the recommended actions in the Strategy, this will be considered through the life of the plan and the review and preparation of the Delivery Program, Operational Plan and Long Term Financial Plan.

Funding of the recommended actions could come from a number of sources such as grants, development contributions and general revenue.

Legal and Policy implications

No legal implications.

Over the life of the Strategy and Action Plan, existing and future policy directions for community facilities allocation and a range of needs will be reviewed and prepared.

Public / Social Impact

Community facilities are imperative in promoting physical activity, wellbeing, sports participation, community interaction and social cohesion, particularly for groups who may not have many opportunities for community interaction in their day-to-day lives, such as those who are retired, unemployed or caring for someone. Community facilities provide for the health, welfare, social and cultural needs of the community and play an essential role in the development of vibrant neighbourhoods, especially for minority groups such as culturally and linguistically diverse people and people with disability.

The development of the Study, Strategy and Action Plan has strengthened Council's current understanding of the importance of community facilities and its role in supporting residents to have the opportunity to remain healthy, connected and involved within the Shellharbour LGA.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.2 Our city is active and healthy

Strategy: 1.2.1 Provide access to services and facilities where people can live, learn and play

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.4 Facilitate the development of the built environment to meet community needs

Actions identified in the Strategy and Action Plan will ultimately be incorporated into Council's Integrated Planning and Reporting Framework.

Consultations

Internal

A key component of the project was the establishment of an internal Think Tank consisting of relevant Council staff who are directly involved with community facilities as part of their roles. There have been in excess of 15 indoor and outdoor staff across the three directorates (Community and Customers, Amenity and Assets and Council Sustainability) who have been consulted throughout the life of the project.

External

A range of consultation activities were undertaken to enable the community to provide their input and feedback that informed the Study, Strategy and Action Plan. See **Table 1**.

Political Donations Disclosure

Not applicable.

Recommendation

That:

1. Council endorse the Draft Shellharbour Community Facilities Needs Study, Draft Shellharbour Community Facilities Strategy 2021-2031: Activate, Connect, Evolve and Draft Shellharbour Community Facilities Action Plan 2021-2031: Activate, Connect, Evolve to be placed on public exhibition for a period of 28 days calling for submissions.
2. If any relevant submissions are received as a result of public exhibition, a report will be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption.
3. If there are no relevant submissions received as a result of the public exhibition, and there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Draft Shellharbour Community Facilities Needs Study, Draft Shellharbour Community Facilities Strategy 2021-2031: Activate, Connect, Evolve and Draft Shellharbour Community Facilities Action Plan 2021-2031: Activate, Connect, Evolve as attached to this report.

Approved for Council's consideration: Kathryn Baget-Juleff
Group Manager Community Connections

Date of Meeting: 21 September 2021

Attachments

1. Draft Shellharbour Community Facilities Needs Study – *Under Separate Cover*
2. Draft Shellharbour Community Facilities Strategy 2021-2031: Activate, Connect, Evolve – *Under Separate Cover*
3. Draft Shellharbour Community Facilities Action Plan 2021-2031: Activate, Connect, Evolve – *Under Separate Cover*

10.4 Amenity and Assets Directorate

10.4.1 Procurement of Posi-Shell Landfill Cover Material (11732035)

To the Chief Executive Officer

Directorate: Asset Strategy
Group or Team: Waste Services

Manager: Adam De Clouett – Acting Group Manager Asset Strategy
Author: Ryan Stirling – Waste Contracts Manager

Summary

The purpose of this report is to seek Council approval to procure Posi-Shell landfill daily cover material from Envirofix Pty Ltd, without undertaking a tender process in accordance with the *Local Government Act 1993*. Envirofix Pty Ltd is the exclusive distributor of this product in Australia. Posi-Shell is used at the Dunmore Landfill site to cover waste, in accordance with Environment Protection Licence 5984.

In accordance with Section 10A (2)(d)(i) of the *Local Government Act 1993*, some information will remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. This information will be considered in a separate confidential attachment (**Attachment 1**).

Background

Posi-Shell is a mortar material that mixes with water to create a slurry and is then spray-applied to the newly deposited waste on a landfill to provide “daily cover”. It is a legislated requirement that a landfill in NSW apply daily cover to waste to minimise the impact of the waste facility on the environment by reducing odour emissions, reducing water ingress into a landfill, and deterring pests and wildlife from scavenging.

The Dunmore Landfill operates under the Environment Protection Licence 5984 (EPL 5984), which specifies what types of daily cover may be used (EPL 5984, clause O7.9). Posi-Shell is the only spray-on material that is approved for use by the NSW Environment Protection Authority (EPA). Posi-Shell is used in-lieu of other alternative daily cover materials such as Virgin Excavated Natural Material and metal structures due to the smaller amount of precious landfill volume it consumes, the low cost, and the speed and ease at which it is applied.

The Posi-Shell product was developed in the USA, and it is a proprietary product from Envirofix Pty Ltd and are the exclusive licenced distributor of this product in Australia and New Zealand. No alternative product can be identified in the market in Australia that has EPA approval for use at the Dunmore Landfill.

Financial / Resources Implications

Detailed financial information relating to the costs of Posi-Shell is contained within **Attachment 1**.

Legal and Policy Implications

Daily cover must be applied to waste at the Dunmore Landfill to ensure compliance with EPL 5984. No EPA-approved alternative equivalent product to the proprietary Posi-Shell that is available in the Australian market.

Section 55 of the *Local Government Act 1993* requires Councils to publicly tender for contracts when expenditure exceeds \$150,000 (\$250,000 Regs.). However, this requirement does not apply under s55(3)(i) whereby *“if the contract, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders”*.

It is recommended that pursuant to section 55(3)(i) of the *Local Government Act 1993*, that Council resolves not to call for public tenders for a contract for supplying Posi-Shell as it is satisfied that extenuating circumstances exists.

Public / Social Impact

The use of Posi-Shell material at the Dunmore Landfill allows the site to operate efficiently and sustainably, providing a benefit to the operation of this strategic community asset.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.2 Practices sustainable living

Strategy: 2.2.2 Provide effective and sustainable waste operations and services for the City

Consultations**Internal**

Manager Procurement and Supply

External

Nil

Political Donations Disclosure

Not Applicable

Recommendation

That Council:

- 1. Under section 55(3)(i) of the *Local Government Act 1993*, not tender for the supply of Posi-Shell, as landfill cover material as a satisfactory result would not be achieved by inviting tenders due to the following extenuating circumstances:
 - **Due to the proprietary nature of the Posi-Shell, alternative providers can not supply an alternate product without a wholesale change in the method of applying daily cover and EPA licence**
 - **A tender that requires wholesale changes to provide daily cover will be substantially greater in cost and operational risk than the quote from the Posi-Shell supplier****

- 2. Delegate to the Chief Executive Officer the authority to approve purchase orders for Posi-Shell landfill daily cover material, provided that no suitable alternative product exists in the Australian market.**

Approved for Council's consideration: Adam De Clouett
Acting Group Manager Asset Strategy

Date of Meeting: 21 September 2021

Attachments

1. Confidential Memo – Procurement of Posi-Shell Landfill Cover Material – *under separate cover*

10.4.2 Availability and cost of Bulky Kerbside Collection (11732241)

To the Chief Executive Officer

Directorate: Amenity and Assets

Group: Asset Strategy

Manager: Adam De Clouett – Acting Group Manager Asset Strategy

Author: Ryan Stirling – Waste Contracts Manager

Summary

The purpose of this report is to respond to a resolution of Council at the ordinary Council meeting of the 31 August 2021, whereby Council resolved:

‘That a report be provided to Council on costing and availability for a one off bulky kerbside collection, to be conducted prior to November. The report is to include COVID-19 considerations, promotion, collections, landfilling and recycling of the collected material.’

Background

Council provides the community with a user-pays on-call clean-up collection service (OCCS) at a current charge of \$100 per collection in the 2021/2022 financial year. The collection service is provided by Council’s waste collection services contractor, Remondis.

The OCCS is a subsidised service, as the \$100 charge in the current financial year does not cover the full cost to Council for providing the service. The full cost is comprised of contractor costs, but is primarily waste disposal and processing costs, including the NSW Waste Levy. Approximately 700 OCCS are currently provided each year in the City.

Implementation Methodology

To implement the program in an efficient and timely manner across the entire Local Government Area (LGA), it would require Remondis to source additional staff and waste collection vehicles for the once off service. This service arrangement is not considered within the existing 2013/22 Collection Services contract with Remondis, and has an overall collection and disposal cost as outlined in **Table 1**. It is estimated that a minimum of two months will be required for Remondis to source the required vehicles and staff, leading to a commencement in December.

It is estimated that 150 properties could be serviced per day, five days per week, which could see the program last up to approximately nine months – December 2021 – August 2022 inclusive - if the entire 28,600 properties in the LGA took up the bulky waste collection service.

Table 1 below details the key costs of the program. Note that costing assumes that 100% of eligible properties within the LGA receive an OCCS, and does not include additional costs such as Council staff time. However, if say only 50% of residences opted in, the cost would be halved.

Table 1 – Key costs

Cost per property (Collection and Disposal)	\$187
Total Program Cost (Contractor and waste disposal and processing costs)	\$5.35 million
Service Delivery Period	December 2021 – August 2022
Estimated Tonnes to Landfill	Up to 4,862

Recycling

The Illawarra Shoalhaven Joint Organisation (ISJO) and the University of Wollongong (UOW) recently completed a benchmarking study of council bulky waste collection services and published the *Benchmarking, characterising and valuing the resources in household bulky waste clean-up services – Summary report and ISJO recommendations* (the Study).

The Study found that across NSW in 2018-2019 over 85% of waste disposed of via a household bulky waste collection services was landfilled. Each property currently has an allowance of 200kg for the OCCS, which would equate to a total of 5,720 tonnes for the entire LGA, and an estimated minimum of 4,862 tonnes going to landfill. In the year of implementation this would increase the typical annual amount of material sent to the Dunmore landfill by approximately 15%.

The Study also found that approximately 70% of items were disposed of:

- To declutter;
- Because they no longer had a use for them in a particular household;
- They were out of fashion or had been replaced; and
- They were moving house.

This finding suggests that 70% of items could potentially be reused or repurposed by different households, if given the appropriate opportunity, noting that a relatively small percentage of items were actually broken.

Another finding of the Study was that the majority (>90%) of item types can currently be recycled or repurposed at the Dunmore Recycling and Waste Disposal Depot for free or a small fee, including scrap metals, e-waste, mattresses, whitegoods, tyres, clothing, textiles, garden tools/equipment, furniture, sporting goods/equipment, toys and baby items.

There is the possibility for Council or a contractor to carry out post-collection separation activities to recover resources, however in practicality post-collection sorting would only be feasible if all collections were to be undertaken using flat-bed trucks, which would be highly time and cost inefficient, and would result in the program taking a substantially longer time and costing substantially more. The option of post-collection sorting and processing is therefore not considered within this report.

COVID-19 Considerations

The program would assist the community to clean their household and manage any potential additional waste they have during the COVID-19 pandemic period.

The placement of items on the kerbside will provide the opportunity for other residents to search and rummage through items, and this may increase the likelihood of resident-to-resident interaction. Messaging and advertising will need to be appropriate for the COVID-19 related restrictions at the time.

COVID-19 will affect the manner in which Remondis could implement the service, with a policy of one driver per vehicle.

Promotions

Promotion of the program would be undertaken via a variety of avenues to ensure the community is sufficiently aware of the opportunity. Promotion avenues would include:

- The shellharbourwaste.com.au website;
- Council social media posts;
- Newspaper and radio advertising; and
- Other publications such as the Sustainable Shellharbour newsletter.

Messaging around COVID-safe behaviours will also need to be part of the promotions to reduce risks to the community and Remondis staff.

Financial / Resources Implications

If a once off bulky waste kerbside collection was implemented, it would cost approximately \$187 per property and up to a maximum of \$5.35M in total, depending on the actual uptake.

Section 504 of the NSW Local Government Act (1993) states that a council must not apply income from an ordinary rate towards the cost of providing domestic waste management services.

As the once off bulky waste kerbside collection is a domestic waste management service, Council's Domestic Waste Management Fund (DWMF) would be the source of funding. This fund supports expenditure related to the future construction of landfill cells and changes to the kerbside collection contracts. If the funding was allocated from the DWMF, the future Domestic Waste Management Charges (applied annually in Council's Rates Notice) would need to be increased to recover the costs of providing the once off bulky waste kerbside collection.

Legal and Policy implications

In accordance with the *Local Government Act 1993*, all costs relating to providing this domestic waste service must be funded from funds sourced from the Domestic Waste Management Charge that is levied on each rateable property.

Public / Social Impact

Nil

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.2 Practices sustainable living.

Strategy: 2.2.2 Provide effective and sustainable waste operations and services for the City

Consultations

Internal

Finance

External

Remondis

Political Donations Disclosure

Not applicable.

Recommendation

That Council receive and note the report Availability and Cost of Bulky Kerbside Collection.

Approved for Council's consideration: Adam De Clouett
Acting Group Manager Asset Strategy

Date of Meeting: 21 September 2021

Attachments

Nil

11. Committee Recommendations**11.1 Recommendations from the Traffic Committee Meeting held on 1 September 2021 recommended for adoption**

That the Recommendations from the Traffic Committee Meeting held on 1 September 2021 be adopted.

12. Items for Information**12.1 Items for Information - Responses to Questions taken on Notice****12.1.1 Question Taken on Notice**

Council Meeting 31 August 2021 – Item 10.2.2 Deed of Variation of Agreement for Lease and replacement Construction Agreement – The Disability Trust – Lot 180 DP 1230389, 12-14 Adam Murray Way, Flinders (11718348)

Councillor Moran asked why a Construction Agreement is needed? The Chief Executive Officer took the Question on Notice.

Response

A Construction Agreement is used in conjunction with an Agreement for Lease when the prospective Lessee intends to construct on the land. It is issued prior to the commencement of the Lease. A Construction Agreement is a legally binding agreement which sets out the terms, timeframes, public liability, indemnity and the like during the construction stage. It is required to protect the interests of both Council and the prospective Lessee.

A Construction Agreement was included in the original Agreement to Lease that was assigned from KidzWish to The Disability Trust.

Responsible Manager: Trevor James
Manager Business and Investment

Date of Meeting: 21 September 2021

12.1.2 Question Taken on Notice

Council Meeting 31 August 2021 – Item 10.2.2 Deed of Variation of Agreement for Lease and replacement Construction Agreement – The Disability Trust – Lot 180 DP 1230389, 12-14 Adam Murray Way, Flinders (11718348).

Councillor Moran asked for an explanation of the term 'in fee simple'. The Chief Executive Officer took the Question on Notice.

Response

Fee simple is a legal term used to represent the absolute ownership a landowner can have over real property. This is opposed to non-freehold land and leasehold land which in some instances can apply to government owned land.

Responsible Manager: Trevor James
Manager Business and Investment

Date of Meeting: 21 September 2021

12.1.3 Question Taken on Notice

Council Meeting 31 August 2021 – Item 10.1.2 Your Ideas, Our Actions – Fourth Quarter Review of the Delivery Program and Operational Plan 2020-2021 (11721176).

Councillor Moran referred to ‘2.1.1.03 – Maintain and manage wetlands in line with management plans’ on page 22 in Attachment 1 and asked for clarification as to why maintenance and management of wetlands continued in line with plans of management for Boonerah Point when there are no wetlands in that location. The Chief Executive Officer took the Question on Notice.

Response

The reference to wetlands at Boonerah Point was an error in the response to action 2.1.1.03. This resulted due to the merging of comments during preparation of the quarterly report. The response should read “Maintenance and management of wetlands continued in line with plans of management. During the quarter there was a strong focus upon replanting washed away stock along creek lines and minimising emergent trees located along creek flow lines at Shell Cove.”

Responsible Manager: Ben Rawson
Acting Group Manager Services

Date of Meeting: 21 September 2021

12.1.4 Question Taken on Notice

Council Meeting 31 August 2021 - 15.1 Question on Notice submitted in writing by Cr Kellie Marsh (11725888) Question on Notice: Could Councillors please be advised on what have been the changes within the Governance function of the Council over the last three years?

Response:

The following information outlines the changes within the governance function in Council in the last 3 years:

Governance Manager

The Governance Manager position was created and approved by the Executive Leadership Team in February 2018. The first Governance Manager was recruited for and commenced in April 2018. That employee resigned in November 2020.

The following Governance Manager commenced in March 2021 and resigned in June 2021. This position is being recruited for at present.

Governance Officer

During this period a Governance Officer commenced in September 2017 and resigned in September 2019. The present incumbent commenced in November 2019.

Responsible Manager: Flora Lepouras
Executive Manager / Public Officer

Date of Meeting: 21 September 2021

13. Notices of Rescission/Alteration Motions

Nil

14. Notices of Motion**15. Questions on Notice (must be submitted in writing)****16. Urgent Business**

17. Consideration of Motions to Declassify Reports Considered in Closed Session

17.1 Consideration of Motion to Declassify Reports Considered in Closed Session: Benson Basin (11730450)

To the Chief Executive Officer

Directorate: Council Sustainability
Group: Business and Investment Team

Manager: Trevor James – Manager Business & Investment
Author: Amy Celima – Property Officer

Summary

The purpose of this report is to seek approval to declassify the following confidential reports:

Report	Council Meeting Date	Item Number
Contract for Sale of Part of Lot 2000 DP717478 Wattle Road, Shellharbour City Centre known as Benson Basin (10736243)	19/07/2016	4.1
Benson Basin – Part Lot 2000 DP717478 Wattle Road, Shellharbour City Centre, Disposal of Land (10799104)	13/12/2016	4.1
Disposal of Land update – Benson Basin Contract for Sale of Lot 2002 in DP 1250959 – Wattle Road, Shellharbour City Centre (11695106)	20/07/2021	17.1

Background

On 19 July 2016 a confidential report was considered by Council regarding the Contract for Sale particulars of part Benson Basin being part Lot 2000 in DP717478. On 13 December 2016 a confidential report was considered by Council providing information pertaining to negotiations between Council and the proposed purchaser of part Benson Basin. On 20 July 2021 a confidential report was considered by Council in relation to an update regarding the Contract for Sale of part Benson Basin.

The grounds for classifying these reports as confidential was pursuant to Section 10A(2) (c), (d) (i) and (d) (ii) of the *Local Government Act 1993*, permitting the meeting to be closed to the public for business relating to:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d) commercial information of a commercial nature that would if disclosed:

- i. Prejudice the commercial position of the person who supplied it; or
- ii. Confer a commercial advantage on a competitor of the Council

The reports advised Council that it was not in the public interest to disclose information as they identified the chosen purchaser, commercial terms and strategies surrounding the sale of Council land.

It was identified that the confidential reports would be declassified on completion of the sale of the land. Settlement of the land occurred on 20 August 2021.

Councillors have been provided with a confidential memo (**Attachment 1**) with a copy of each of the subject classified reports.

Financial / Resources Implication

There are no financial implications in declassifying the reports.

Legal and Policy implications

There is no need for the reports to remain confidential as the sale of the land has been finalised and there is no commercial advantage that could be gained.

The 'Code of Meeting Practice' states at item 12.6:

The Council may resolve to declassify a report considered in closed session after determination of the matter. Declassified material will be subject to privacy and commercial in confidence provisions.

Public / Social Impact

Declassification of the reports is in line with the principles of the *Government Information (Public Access) Act 2009 (GIPA Act)* providing an open and transparent process for giving the public access to information.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.1 Led through collaboration

Strategy: 4.1.2 Actively engage, consult and inform the community

Consultations

Internal

Executive Manager/Public Officer
Acting Governance Manager

External

Nil

Political Donations Disclosure

Not Applicable

Recommendation**That Council:**

1. **declassify the report presented to the Council meeting on 19 July 2016 titled Contract for Sale of Part of Lot 2000 DP717478 Wattle Road, Shellharbour City Centre known as Benson Basin, and that the declassified report be added to the Minutes of the Ordinary Council meeting of 21 September 2021.**
2. **declassify the report presented to the Council meeting on 13 December 2016 titled Benson Basin – Part Lot 2000 DP717478 Wattle Road, Shellharbour City Centre, Disposal of Land, and that the declassified report be added to the Minutes of the Ordinary Council meeting of 21 September 2021.**
3. **declassify the report presented to the Council meeting on 20 July 2021 titled Disposal of Land update – Benson Basin Contract for Sale of Lot 2002 in DP 1250959 – Wattle Road, Shellharbour City Centre, and that the declassified report be added to the Minutes of the Ordinary Council meeting of 21 September 2021.**

Trevor James

Approved for Council's consideration: Manager Business and Investment

Date of Meeting:

21 September 2021

Attachments:

1. Confidential Memo - Declassification of reports - Declassify Reports considered in Closed Session: Contract for Sale of Part of Lot 2000 DP717478 Wattle Road, Shellharbour City Centre known as Benson Basin (10736243), Benson Basin – Part Lot 2000 DP717478 Wattle Road, Shellharbour City Centre, Disposal of Land (10799104) and Disposal of Land update – Benson Basin Contract for Sale of Lot 2002 in DP 1250959 – Wattle Road, Shellharbour City Centre (11695106) - *issued under separate cover*

18. Confidential Business (Committee of the Whole in Closed Session)**18.1 Chief Executive Officer's Performance - Twelve Month Review 2020/2021 (11732291)****Reason for Confidentiality**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals

This matter has been classified as confidential under Section 10A(2)(a) of the Local Government Act 1993 as it relates to the Chief Executive Officer's performance review as a personnel matter and is in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Office of Local Government (guidelines under Section 23A of the Local Government Act 1993).

19. Committee of the Whole in Closed Session (Closed to the Public): Adjournment**20. Committee of the Whole in Closed Session: Consideration of Adoption of Decisions Reached in Closed Session**