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1. Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past, present and emerging.

Webcasting Statement

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 19 May 2020

That the Minutes of the Ordinary Council Meeting held on 19 May 2020 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 General Manager

10.1.1 Delivery Program 2018-2022 including the Draft Operational Plan 2020-2021 and the Draft Long Term Financial Plan 2020-2030 and the Draft Asset Management Plan 2020-2030 (11444028)

To the Mayor and Councillors

Directorate: General Manager
Group: Organisational Performance

Manager: Elise Woods – Group Manager Organisational Performance
Gary Grantham – Chief Financial Officer
Wayde Peterson – Group Manager Asset Strategy

Author: Terri Downton – Organisational Performance Coordinator
Paul Henderson – Manager Financial Services
Kyle Stevens – Asset Planning Manager

Summary

The purpose of this report is to seek Council's adoption of the Delivery Program 2018-2022 (previously 2018-2021) including the Draft Operational Plan 2020-2021, the Draft Long Term Financial Plan 2020-2030 and the Draft Asset Management Plan 2020-2030. These documents were placed on public exhibition from 10 April 2020 to 7 May 2020.

Five submissions were received during the exhibition period, and a summary of the submissions and subsequent changes is included in **Attachment 1 – Summary of submissions**.

Other changes are included in **Attachment 2 – Other Changes – Delivery Program 2018-2022** and Draft Operational Plan 2020–2021, **Attachment 3 – Post Exhibition Changes** and **Attachment 4 – Carry Over Projects From 2019-2020**.

The proposed 2020-2021 Operational Plan includes the following:

- Operational Expenditure totalling \$131.8M
- Capital Works totalling \$52.7M
- COVID-19 adjustments income reduction \$3.3M, expenditure reduction \$0.4M.

Background

The Integrated Planning and Reporting (IP&R) Framework provides Councils in NSW with the opportunity to work with their communities to determine the long term plan for their Local Government Area. The framework is a legislative requirement that forms part of the *Local Government Act 1993*.

Integrated Planning considers the long term future of Council and is directed by the Community Strategic Plan (CSP) which reflects the community's aspirations and needs for the future. The CSP is informed by relevant information relating to four key areas - Community, Environment, Economy and Leadership.

At its Ordinary Council meeting on 7 April 2020, Council resolved to:

1. *Endorse for the purpose of exhibition the Draft Operational Plan 2020/21 (including Draft Revenue Policy and Draft Fees and Charges 2020/21) and the Draft Long Term Financial Plan 2020/30.*
2. *Publicly exhibit the draft documents (Attachments 1 and 2) for a period of 28 days.*
3. *Endorse for the purpose of exhibition the Draft Asset Management Plan 2020/30.*
4. *Publicly exhibit the Draft Asset Management Plan 2020/30 (Attachment 3) period of 28 days.*
5. *Endorse the acceleration of the following 2020/21 Capital Projects and the adoption of their budgets within the 2019/20 Operational Plan:*
 - a. *Oak Flats Depot Upgrade Stage 2 - \$550,000 from General Revenue*
 - b. *Asphalt Renewal Program - \$400,000 from 2020/21 SRV allocation*
 - c. *Blackbutt Reserve Public Amenities - \$150,000 from 2020/21 SRV allocation*
 - d. *Tongarra Road Shared Path Stage 1B - \$180,000 from 2020/21 AIP allocation*
 - e. *The Links Course Works - funded from General Revenue*
6. *Waive Credit Card Payment Surcharges in the 2019/20 Fees and Charges as per Section 610E of the Local Government Act*

7. *Notes Council officers will continue to assess the COVID-19 impacts of the Draft Operational Plan 2020/21 during the exhibition period. During the period of public exhibition, the draft documents were advertised in the Illawarra Mercury on 16, 23, 30 April and 7 May. Council’s website and social media also promoted the exhibition period with the documents available online via Council’s “On Exhibition” page and Let’s Chat.*

Notifications were also sent out to sporting groups and regular hirers of halls and community centres via email.

SUBMISSIONS

Five submissions were received from community members and community groups during the exhibition period.

Table 1. Summary of Submissions Received includes a brief account of the submission matter and a brief summary of Council’s response. Detailed matter and Council response is included in **Attachment 1**.

Table 1. Summary of Submissions Received (Brief Summary)

Submission Matter	Council Response
New Footpath and traffic calming – Ocean Beach Drive	The request for a new path on Ocean Beach Drive has been reviewed and has not been added to the 2020-2021 Operational Plan. The submission will be held and provided as input for consideration to any future Shared Use Path Strategy update or revision. Council will raise the matter of traffic calming with the NSW Police at the Local Traffic Committee and ask if the area can be patrolled for speeding. Ocean Beach Drive will also be placed on Council’s list for future traffic data collection.
Additional Outdoor Shower – Shellharbour Harbour	Council officers will investigate the feasibility of constructing a multiuse shower and water consumption facility near to this location.
Various Capital/Maintenance upgrades at Beverley Whitfield Ocean Pool and surrounding area.	Council are currently not intending on providing a swimming clock, notice board or additional bench seating at the pool. Provision of a themed wading pool. Suitable child themed decals or imagery will be added to the Aquatic Facilities Program Level budget for implementation in 2020-2021. Provision of additional shelters at Beverley Whitfield Ocean Pool. Council already provides multiple sheltered seating options at this location and is not currently planning additional shelters. Additional footpath and steps at Beverley Whitfield Ocean Pool will be considered in future Shared Use path strategy updates.
Requests for Council to continue its track record of working to raise awareness and reduce the incidence and impact of Domestic and Family Violence.	Shellharbour City Council is committed to providing a vibrant, safe and inclusive community within Shellharbour where people feel safe to live, work and visit and will continue to support the reduction of incidence and impact of Domestic and Family Violence.

<p>The current booking fee is proposed to be increased. Given the current financial climate we believe that this should be kept at the same rate.</p> <p>Request for reduction or waiver of fees charged for sportsfields users as a result of COVID-19.</p> <p>Recreation Player Fee – Inclusion of Athletics with Recreation fee Category 'Touch Football, Oztag & Netball'.</p>	<p>The proposed increase in the sportsfield application fee is to assist in covering increased costs associated with this process. It is recommended that no waiver or credit apply.</p> <p>As a result of the impacts of COVID-19 on community sport, fees associated with the use of sportsfields will be charged on a pro-rata basis in line with the actual usage of the fields.</p> <p>With regard to the Recreation Player Fee two Strategy Actions will be implemented, as part of the recently adopted Shellharbour Open Space and Recreation Strategy (2020), in the short/medium term (1-4 years) will address the concerns identified in the submission. These being:</p> <p><i>Action 6.1 - Establish a Shellharbour Active Recreation Working Party</i></p> <p><i>Action 5.4 - Initiate a review of Open Space and Recreation facilities fees and charging policies with consideration given to differential pricing to help manage demand and encourage use of less popular assets.</i></p>
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Delivery Program Extension

The Office of Local Government advised Councils on 1 May 2020 that due to the deferral of the 2020 Local Government election the existing Delivery Program will apply for a further 12 months, maintaining the key themes and any activities not yet completed. Where additional activities are proposed that are significantly different to those identified in the existing Delivery Program, the usual public exhibition requirements will apply.

As a result of this an additional year, 2021-2022, has been added to the Delivery Program (**Attachment 2** – Other changes) for the period 2018-2022.

COVID-19 Impacts

During the finalisation of these documents, Council has considered the potential impacts arising from the COVID-19 pandemic. This pandemic has impacted our community and economy. The public exhibited Draft Operational Plan 2020-2021 contained a provisional amount of \$4.0M relating to COVID-19. A detail assessment of recent NSW Public Health Orders has resulted in a projected \$2.9M unfavourable impact resulting from COVID-19 for the 2020-2021 financial year.

Many of the adjustments to the public exhibited Draft Operational Plan 2020-2021 are the result of transferring the high level COVID-19 \$4.0M accrual to specific budget allocations. It is considered that all actions in the 2020-2021 Operational Plan placed on exhibition will be delivered however the manner in which they are delivered as well as the extent to which they are delivered may need to alter dependent on restrictions in place throughout the period.

Specific information on the forecast financial implications of COVID-19 for 2020-2021 are outlined in the section below along with **Attachment 3**. Council intends to address future changes resulting from the COVID-19 Pandemic and new NSW Public Health Orders during the Quarterly Budget Review process.

Shell Cove

In consultation with the NSW Audit Office, Council has assessed its interest in the Shell Cove project as a Joint Operation. This requires Council to reflect its share of the Shell Cove Project's assets, liabilities, revenue and expenses within Council's consolidated Financial Reports. The reporting implications result in significant accrual profits, for example \$14.5M in 2020-2021. As all cash surpluses are currently reinvested within the Shell Cove Project, cash surpluses will not be accessible by Council until dividends are received from the Shell Cove Project, several years into the future.

Financial / Resources Implications

Delivery Program 2018-2022 and Operational Plan 2020-2021

Since the public exhibition of the Delivery Program and Operational Plan, some changes have been made to the Operational Plan. It should be noted that these changes will also flow through to parts of the Resourcing Strategy. This includes the 10-Year Income Statement, Balance Sheet and Statement of Cashflow along with the seven Fit For the Future Ratios.

The "Changes Since Exhibition" column in the table below summarises the financial impact of all proposed changes (excluding carry overs) to Council's 2020-2021 Operational Budget, from what was originally considered by Council for exhibition purposes in April 2020. The changes can be classified into two distinct categories; 1) adjustments to forecasts as a result of COVID-19; 2) all other post exhibition changes.

To give an indication of the impact COVID-19 is expected to have on Council's operations in 2020-2021, income forecasts have been adjusted downwards by approximately \$3.3M. Council's expenses has seen some savings identified along with some additional costs with an overall forecast nett saving of approximately \$416,000. Combining the income and expenditure adjustments has seen Council with an unfavourable COVID-19 impact of approximately \$2.9M for 2020-2021.

A late adjustment that Council was notified of was the announcement that half of the 2020-2021 Financial Assistance Grant would be paid in advance in 2019-2020. This initiative has been occurring for several years now. Despite this, Council has forecast only receiving half of the usual income entitlement in 2020-2021. This has a negative impact for next year of \$2.7M. Although not included with the Operational Plan 2020-2021, it would not be unlikely that a similar prepayment of the 2021-2022 Financial Assistance Grant will occur, which will result in an improved budget position of approximately \$2.7M. This scenario is reflected in the normalised Operational Performance ratio of (1.95%) in **Table 4**.

Table 2. Operational Program Changes 2020-2021

Post Exhibition Changes to Council's Operating Result	Exhibited Draft Budget 2020-2021 \$'000	Changes Since Exhibition \$'000	Carry Overs from 2019-2020 \$'000	Notes	Revised Draft Budget 2021 \$'000
INCOME					
Rates & Annual Charges	65,668	307	-	1	65,975
User Charges & Fees	18,116	(2,023)	-	2, 3, 4, 5, 6, 7, 8, 9, 10	16,093
Interest & Investment Revenues	2,518	(434)	-	11, 12	2,084
Other Revenues	52,537	54	-	13, 14, 15, 16, 17, 18, 19	52,591
Operating Grants & Contributions	7,549	(2,568)	-	20, 21, 22, 23, 24	4,981
Capital Grants & Contributions	36,041	5,151	-	25, 26, 27, 28	41,192
Net Gains from Disposal of Assets	50	(355)	-	29	(305)
Total Income	182,479	133	-		182,612
EXPENSES					
Employee Benefits & On Costs	(40,750)	(558)	(50)	30, 31, 32, 33, 34, 35, 36, 37, 38	(41,358)
Borrowing Costs	(1,022)	-	-		(1,022)
Materials & Contracts	(25,884)	3,984	(39)	39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55	(21,938)
Depreciation & Amortisation	(17,918)	-	-		(17,918)
Other Expenses	(54,376)	4,813	(19)	56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66	(49,581)
Total Expenses	(139,950)	8,240	(107)		(131,817)
Net Operating Result for the year – surplus/(deficit)	42,529	8,373	(107)		50,795
Net Operating Result for the year before capital grants and contributions – surplus/(deficit)*	6,488	3,222	(107)		9,603
Less: Net Gains from Disposal of Assets (Add: Net Loss from Disposal of Assets)	(50)	355	-		305
Less: Shell Cove Joint Operation	(9,753)	(4,791)	-		(14,544)
Operating Performance excl Shell Cove Joint Operation - Surplus/(Deficit)	(3,315)	(1,214)	(107)		(4,636)

*Refer to table 3 below

The 2020-2021 Operational Plan included a \$4M provision for the impact of COVID-19 adjustments on Council's operating result. After removing this provision and adjusting for post exhibition changes, the total post exhibition movement can be broken down as follows:

Table 3. Post Exhibition Movements by Category

	Amount \$'000
Operating Result Surplus – exhibition	\$6,488*
Reverse out COVID-19 Provision	\$4,000
COVID-19 Adjustment	(\$2,918)
Other post exhibition budget adjustments	\$49
Carry overs	(\$107)
Financial Assistance Grant (FAG)	(\$2,701)
Shell Cove Joint Operation	\$4,791
Operating Result Surplus – post exhibition	\$9,603*

*Refer to table 2 above

Attachment 3 includes specific detail on Post Exhibition Changes including reference to “Notes” in Table 2 above. **Attachment 4** includes details on Carry Over changes.

Fit For the Future Operating Performance Ratio

The changes outlined above will have the following impact on the key Fit For the Future Operating Performance Ratio:

Table 4. Operating Performance Ratios

Operating Performance Ratios	Exhibition Draft Budget 2020-2021	Changes since exhibition	Revised Draft Budget 2020-2021
Operating performance (\$'000)	\$6,438	\$3,469	\$9,907
Operating performance (%)	4.40%	2.59%	6.99%
*Operating performance – Normalised (\$'000)	(\$3,315)	1,379	(\$1,936)
*Operating performance – Normalised (%)	-3.28%	1.33%	-1.95%

*Assumes Financial Assistant Grant prepayment continued in 2020-2021 and excludes Shell Cove Joint Operation

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Table 5. Capital Program Changes 2020-2021

Post Exhibition Changes to Council's Capital Program	Exhibited Draft Budget 2020-2021 \$'000	Changes Since Exhibition \$'000	Carry Overs from 2019-2020 \$'000	Notes	Revised Draft Budget 2020-2021 \$'000
RENEWAL PROJECTS					
Plant, Equipment & Other Assets	3,244	(15)	269		3,498
Buildings	3,533	(365)	-	1	3,168
Transport	4,306	(702)	-	2	3,604
Stormwater Drainage	1,356	108	-		1,464
Links, Shell Cove & Airport	5,410	(712)	-	3	4,698
Open Space / Recreational Assets	2,865	(130)	-	4	2,735
TOTAL RENEWAL PROJECTS	20,713	(1,816)	269		19,166
NEW PROJECTS					
Plant, Equipment & Other Assets	-	-	40		40
Land	-	709	-	5	709
Buildings	5,631	(132)	40	1	5,538
Transport	50	844	-	6	894
Stormwater Drainage	489	(43)	-		446
Links, Shell Cove & Airport	21,282	274	200	3, 7	21,756
Open Space / Recreational Assets	2,926	220	-	4	3,146
Waste Management	2,230	(1,220)	-	8, 9	1,010
TOTAL NEW PROJECTS	32,607	652	280		33,539
TOTAL PROJECTS	53,320	(1,164)	549		52,705

Other material post exhibition changes to Income Statement over Long Term Financial Plan (LTFF) Period

There have been some material changes to the Council's Income statement over the LTFF period commencing from 2021-2022 onwards.

Interest on Investments – COVID-19 has had a major impact on world financial markets with a significant deterioration in the global economy. After consulting with Council's financial investment advisors, forecast returns for investments have been adjusted with interest rates in Australia now expected to remain lower for a prolonged period.

The impact of the Interest on Investments adjustments is outlined in the table below.

Table 6. Interest on Investment Adjustments

Impact to the Operating Result (\$'000)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
	(461)	(460)	(459)	(458)	(457)	(455)	(454)	(453)	(452)

Shell Cove Joint Operation

The exhibited 2020-2021 Operational Plan and LTFP included Council's 50% share of the Shell Cove project's assets, liabilities, expenses and revenues. An updated 10-year forecast has now been provided.

The impact of the Shell Cove adjustments is outlined in the table below.

Table 7. Shell Cove Joint Operation Adjustments

Impact to the Operating Result (\$'000)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
	(4,800)	(3,604)	1,816	(7,615)	(5,881)	(4,302)	5,846	-	-

Proposed Loan Borrowings Changes Post Public Exhibition

The draft 2020-2021 Operational Plan which was placed on exhibition included proposed borrowings for the 2020-2021 year of \$10,505,095. This amount was related to funding required for the Shell Cove Marina businesses.

There have been some timing changes around the program expenditure with one impact being less forecast expenditure in the current 2019-2020 year (as advised at the March Quarter Budget Review). Due to the current market conditions around borrowings and the demand on credit, it was decided to fund the 2019-2020 expenditure from unrestricted cash rather than borrowings. Those funds will then be repaid in 2020-2021 through an amount of borrowings which addresses the spend for 2019-2020, as well as the planned 2020-2021 project spend.

The revised proposed borrowing amount for 2020-2021 has been changed to \$14,367,140.

Fees & Charges Changes Post Public Exhibition

There have been some proposed changes to the Fees and Charges document since exhibition:

1. Reduction or Waiving of Fees Approved by General Manager

The objective of Council's Fees and Charges document is to provide a framework with which transparent pricing and charging decisions can be made for services Council provides.

There are circumstances which can occur on occasions when there is a need to alter or remove these pricing decisions in a timely manner, for example during natural disasters like floods or bushfires or the current COVID-19 situation.

It is recommended that the following statement is included in Council's Fees and Charges:

“When it is not possible to report to a Council meeting for resolution, the General Manager may approve the reduction or waiving of fees and charges for temporary periods of time where required during extraordinary circumstances including natural disasters. These approvals will not require the normal public exhibition period and will be reported to the next meeting of Council”.

2. Council Run Events/Festivals

There is a need to provide some flexibility around event/ticket pricing for Council run events and festivals. It is proposed the following wording is included under the Media and Communications section of the Fees and Charges document.

“When it is not possible to report to a Council meeting for resolution, event rates will be set according to prevailing market conditions at the discretion of the General Manager. In line with industry practice, discounts and other forms of incentive marketing to advertise tickets will be at the discretion of the General Manager. These approvals will not require the normal public exhibition period and will be reported to the next meeting of Council.”

Carry Overs

Each year there are projects that overlap the 30 June financial year-end. Unspent estimates associated with these projects are then required to be “carried over” to the following financial year so work can continue from 1 July.

Table 2 Operational Program Changes 2020-2021 and **Table 5** Capital Program Changes 2020-2021 identify the various carry overs for both programs. Further detail on these carry overs are outlined in **Attachment 4** to this report. It should be noted these are estimates only with a number of weeks still remaining in the current financial year. Any material variances between the estimate and final year end position will be adjusted as part of a quarterly budget review process in 2020-2021.

To reduce the quantity of carry overs each year, Council encourages staff to transfer budgeted funds from projects that are not expected to be spent by 30 June as part of the March Quarter Budget Review.

Legal and Policy implications

The adoption of these draft documents is in accordance with the requirements of the *Local Government Act 1993*.

Public / Social Impact

The adoption of these draft documents provides numerous public and social benefits. It has facilitated the community to provide input into what Shellharbour City will look like in the future.

The documents provide a clear direction about the desired future of Shellharbour City. It outlines work that Council will undertake and ensures that Council is accountable on implementing these actions.

Link to Community Strategic Plan

The Integrated Planning and Reporting suite of documents supports the following objectives and strategies of the Community Strategic Plan:

Strategies of the Community Strategic Plan:

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

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

Consultations

Internal

General Manager
Director Amenity and Assets
Director Community and Customers
Director Council Sustainability
Executive Manager
Executive Assistant
Manager Community Life
Group Manager Community Connections
Acting Group Manager Design
Group Manger Services

External

The Delivery Program 2018-2021 including the Draft Operational Plan 2020-2021, the Draft Long Term Financial Plan 2020-2030 and the Draft Asset Management Plan were placed on public exhibition from 10 April 2020 to 7 May 2020.

Political Donations Disclosure

Not applicable

Recommendation

That Council:

- 1. Receive and note the Office of Local Government's requirement to extend the 2018-2021 Delivery Program to include 2021-2022.**
- 2. Incorporate the changes recommended throughout the report and adopt the Delivery Program 2018-2022, Draft Operational Plan 2020-2021, the Draft Long Term Financial Plan 2020-2030 and the Draft Asset Management Plan 2020-2030.**
- 3. Adopt an ordinary rate, consisting of an Ad-Valorem Rate of zero point two three seven five five cents in the dollar (0.23755) and a Base Amount of seven hundred and fifteen dollars and sixty three cents (\$715.63) per assessment in accordance with section 537 of the Local Government Act 1993 on all rateable land in the City of Shellharbour categorised as 'RESIDENTIAL, in accordance with Section 516 of the Local Government Act 1993, be now made for the period 1 July 2020 to 30 June 2021 and in accordance with section 543(1) of the Local Government Act 1993, this rate be named 'RESIDENTIAL'.**

Further that the percentage of the base amount, pursuant to Section 500 of the Local Government Act 1993 is forty-five per cent (45%) of the total amount payable by the levying of the rate.

- 4. Adopt an ordinary rate, consisting of an Ad-Valorem Rate of zero point two two eight four one cents in the dollar (0.22841) per assessment on all rateable land in the City of Shellharbour categorised as 'FARMLAND' in accordance with Section 515 of the Local Government Act 1993 be now made for the period 1 July 2020 to 30 June 2021 and in accordance with section 543(1) of the Local Government Act, this rate be named 'FARMLAND'.**
- 5. Adopt an ordinary rate, consisting of an Ad-Valorem Rate of zero point eight six five eight nine cents in the dollar (0.86589) per assessment on all rateable land in the City of Shellharbour used or zoned for professional/commercial trade or industrial purposes and determined to be a centre of activity and categorised as 'BUSINESS' in accordance with Section 518 of the Local Government Act 1993 be now made for the period 1 July 2020 to 30 June 2021 and in accordance with section 543(1) of the Local Government Act 1993, this rate be named 'BUSINESS'.**
- 6. Adopt a Domestic Waste Service Charge of:**
 - a. \$570.00 per annum per 240 litre bin service (comprises fortnightly service of 240 litre garbage bin, 240 litre recycling bin and weekly collection of 240 litre Food Organics Garden Organics**

- b. **\$435.00 per annum per 140 litre bin service (comprises fortnightly collection of 140 litre garbage bin, 240 litre recycling bin and weekly collection of 240 litre Food Organics Garden Organics bin)**
 - c. **\$415.00 per annum per 80 litre bin service (comprises fortnightly collection of 80 litre garbage bin, 240 litre recycling bin and weekly collection of 240 litre Food Organics Garden Organics bin)**
 - d. **\$430.00 per annum per ALL 140 litre bin service (comprises fortnightly collection of 140 litre garbage bin, 140 litre recycling bin and weekly collection of 140 litre Food Organics Garden Organics bin)**
 - e. **\$705.00 per annum charge for a weekly service for special needs households**
 - f. **\$338.00 per annum off-kerbside service**
 - g. **\$338.00 per annum wheel in, wheel out service**
 - h. **\$92.00 availability fee be now made for the period 1 July 2020 to 30 June 2021 in accordance with Section 496 of the *Local Government Act 1993*.**
- 7. Adopt a Business Waste Service Charge of:**
- a. **\$615.00 per annum per fortnightly service (garbage, recycling & organic waste);**
 - b. **\$435.00 per annum per fortnightly service (garbage only)**
 - c. **\$140.00 per annum per fortnightly service (recycling only)**
 - d. **\$170.00 per annum per fortnightly service (organic waste only)**
 - e. **\$450.00 per annum per fortnightly service (garbage and recycling only)**
 - f. **\$200.00 per annum per fortnightly service (two recycling bins only) be now made for the period 1 July 2020 to 30 June 2021 in accordance with Section 501 of the *Local Government Act 1993*.**
- 8. Adopt a Stormwater Management Service Charge of:**
- a. **\$25 per residential assessment per annum**
 - b. **\$12.50 per residential strata unit per annum**
 - c. **\$25 per 350m² (or part thereof) per business assessment per annum capped at a maximum charge of \$150**
 - d. **Business Strata Lots – pro rata per unit entitlement of business calculation per annum (\$5 minimum) be now made for the period 1 July 2020 to 30 June 2021 in accordance with section 496A of the *Local Government Act 1993*.**
- 9. Adopt the interest rate of zero per cent (0.00% p.a) for the period 1 July 2020 to 31 December 2020 and an interest rate of seven per cent per annum (7.00% p.a.) for the period 1 January 2021 to 30 June 2021, accruing daily on rates and charges that remain unpaid after they become due and payable, be now set in accordance with Section 566 of the *Local Government Act 1993*.**

10. **Adopt the amount of new loan borrowing application be \$14,367,140 with \$14,367,140 to be borrowed if required from recognised banking institutions or government authorities. This loan will be secured by a mortgage over Council's consolidated fund income.**
11. **Authorise the General Manager to make minor amendments to the adopted documents as required.**
12. **Acknowledge and thank community members and organisations for their participation and feedback during the process of developing the Integrated Planning and Reporting documents.**
13. **Delegate to the General Manager, when it is not possible to report to a Council meeting for resolution, approval to reduce or waive fees and charges for temporary periods of time where required during extraordinary circumstances including natural disasters. These approvals will not require the normal public exhibition period and will be reported to the next meeting of Council. The delegation will be reviewed by Council annually.**
14. **Delegate to the General Manager, when it is not possible to report to a Council meeting for resolution, discretion to set event rates according to prevailing market conditions. The General Manager to also have discretion in line with industry practice, to approve discounts and other forms of incentive marketing to advertise tickets. These approvals will not require the normal public exhibition period and will be reported to the next meeting of Council. The delegation will be reviewed by Council annually.**

Elise Woods

Approved for Council's consideration: Group Manager Organisational Performance

Date of Meeting: 9 June 2020

Attachments

1. Summary of Submissions Received – *Page 18*
2. Other Changes – Delivery Program 2018-2022 and Draft Operational Plan 2020–2021– *Page 21*
3. Post Exhibition Changes to Councils Operating Result – *Page 24*
4. Carry Over Projects from 2019-2020 – *Page 31*

Attachment 1 – Summary of Submissions Received

Submission Number	Submitter	Submission Matter Issue	Council Response	Impact on Document
1	Resident	New Footpath and traffic calming – Ocean Beach Drive	<p>The request for a new path on Ocean Beach Drive has been reviewed and has not been added to the 2020-21 Operational Plan. The 2020-21 Operational Plan prioritises the renewal of existing paths that require replacement, subject to successful grant applications.</p> <p>A path on Ocean Beach Drive is not identified in Council's adopted Shared Use Path Strategy. However, this submission requesting a new path at Ocean Beach Drive will be held and provided as input for consideration to any future Strategy update or revision.</p> <p>With regards to the request for traffic calming in Ocean Beach Drive, Council will raise the matter with the NSW Police at the Local Traffic Committee and ask if the area can be patrolled for speeding. Ocean Beach Drive will also be placed on Council's list for future traffic data collection. The traffic data collected by Council will be used in conjunction with Crash Data collected by the Centre for Road Safety to inform possible future traffic calming measures if such measures are shown to be warranted.</p>	No impact on Document however will be considered in future update to Shared Use Path Strategy
2	Shellharbour Dolphins All Year Swimmers	Additional Outdoor Shower – Shellharbour Harbour	Council officers will investigate the feasibility of constructing a multiuse shower and water consumption facility near to this location. Investigation will occur in Quarter 1 2020-21. If service connection is not cost prohibitive, Council will look to install this facility during 2020-21. Due to the relatively small size of this project, the 2020-21 Operational Plan is not proposed to change.	No impact on Document investigation to occur
3	Shellharbour Dolphins All Year Swimmers	Various Capital/Maintenance upgrades at Beverley Whitfield Ocean Pool and surrounding area.	<p>Council officers have investigated the submission provided regarding the area around Beverley Whitfield Ocean Pool and provide the following responses:</p> <ol style="list-style-type: none"> 1. Provision of a clock, notice board and 4th bench seat. Council are currently not intending on providing a swimming clock, notice board or additional bench seating at the pool. The Beverley Whitfield Ocean Pool is provided with inclusions that befit an ocean pool. Council provides ancillary assets to support higher specified swimming needs at its other pool locations in Warilla, Albion Park and Oak Flats. 2. Provision of a themed wading pool. Suitable child themed decals or imagery will be added to the Aquatic Facilities Program Level budget for implementation in 2020-21. The 	No impact on Document themed wading pool added to Program and additional footpath and steps will be considered in future update to Shared Use Path Strategy

Submission Number	Submitter	Submission Matter Issue	Council Response	Impact on Document
			<p>relative minor cost of this item means that it would not be listed as an individual project within the Operational Plan.</p> <p>3. Provision of additional shelters at Beverley Whitfield Ocean Pool. Council already provides multiple sheltered seating options at this location and is not currently planning additional shelters.</p> <p>4. Additional footpath and steps at Beverley Whitfield Ocean Pool. Council's 2020-21 Operational Plan prioritises the renewal of existing shared paths currently in need of replacement. The submission received regarding new shared path in this area will be considered in future Shared Use path strategy updates.</p>	
4	General Manager - Illawarra Women's Health	Requests for Council to continue its track record of working to raise awareness, and reduce the incidence and impact of Domestic and Family Violence.	<p>Shellharbour City Council is committed to providing a vibrant, safe and inclusive community within Shellharbour where people feel safe to live, work and visit. This is achieved through the delivery of the actions within Council's community safety and crime prevention strategies – these include the <i>Shellharbour Safety Strategy 2016 – 2021</i>, and the <i>Shellharbour Domestic Violence Management Plan</i>.</p> <p>There are a number of outstanding actions within these strategies that will form the focus of the Community Safety program for the next 12-18 months – these tend to focus on community information, education and awareness activities. These activities align with two of the three recommendations from the <i>Community Domestic and Family Violence Prevention Report</i>:</p> <ul style="list-style-type: none"> - Increase community understanding of the different behaviours that make up domestic and family violence - Communicate the health impacts of domestic and family violence. <p>We look forward to continuing a strong working relationship with the Illawarra Women's Health Centre moving forward.</p>	No impact on Document already included
5	President, Lake Illawarra Athletics Inc	<p>The current booking fee is proposed to be increased. Given the current financial climate group believe that this should be kept at the same rate.</p> <p>Request for reduction or waiver of fees</p>	<p>The seasonal sportsfield application fee is a booking administrative fee. Administration work has been undertaken by Council staff earlier this year in processing the sportsfield applications. It is recommended that no waiver or credit apply.</p> <p>The proposed increase in the sportsfield application fee is to assist in covering increased costs associated with this process.</p>	No impact on Document

Submission Number	Submitter	Submission Matter Issue	Council Response	Impact on Document
		<p>charged for sportsfields users as a result of COVID-19.</p> <p>Recreation Player Fee – Inclusion of Athletics with Recreation fee Category 'Touch Football, Oztag & Netball'.</p>	<p>As a result of the impacts of COVID-19 on community sport, fees associated with the use of sportsfields will be charged on a pro-rata basis in line with the actual usage of the fields.</p> <p>The Recreation Player Fee was endorsed by Council on 21 September 2010. The Shellharbour Open Space and Recreation Strategy (2020) was adopted by Council on 7 April 2020. The Strategy provides a number of recommended actions for Council to investigate and implement. Two Strategy actions that will be implemented in the short/medium term (1-4 years) will address the concerns identified in the submission. These being:</p> <p><i>Action 6.1 - Establish a Shellharbour Active Recreation Working Party, comprising local sports clubs and associations, together with other community groups, to help facilitate an inclusive, shared-use approach to sportsgrounds and facilities; and</i></p> <p><i>Action 5.4 - Initiate a review of Open Space and Recreation facilities fees and charging policies with consideration given to differential pricing to help manage demand and encourage use of less popular assets.</i></p> <p>The establishment of an Active Recreation Working Party will provide a platform for discussion and idea sharing on a range of Active recreation issues that are relevant to the local sporting community. Once the Working Party is established, the review of the fees and charges can be communicated with the working party for consultation and further development.</p>	

Attachment 2 – Other Changes

Page Number	Document on Public Exhibition	Post Public Exhibition
Front Cover	Delivery Program 2018 -2021	Delivery Program 2018 - 2022
8 –9	Mayor & General Manager Messages	Updated Delivery Program Dates
25 - 65	Delivery Program (3 Years) Timeframe - June 2021	Delivery Program (4 Years) Timeframe – June 2022
25 - 65	Timeframe of Delivery Program and Operational Plan 2018 - 2021	Timeframe, an additional year, 2021-2022, has been added to each of the Actions proposed for 2020-2021 Operational Plan with the exception of Action 3.2.1.2 Facilitate the development of The Waterfront precinct, including the town centre, tourism facilities and residential land as this will be completed in 2020-2021
60	N/A	New Action: 4.2.1.9 - Lead Councils response to the COVID-19 pandemic to continue to meet the objectives of the Community Strategic Plan
68-71	Timeframe of Delivery Program and Operational Plan 2018 - 2021	Timeframe, an additional year, 2021-2022 has been added to the Capital Works Program. Please see detailed table below.

2021-2022 Capital Works Program

Renewal Projects - 2021-2022

Renewal projects involve works to replace or restore existing assets to their original capacity or performance capability.

In 2021-2022 Council has proposed to spend \$21,005,000 on renewal projects in various locations across the City. The following table outlines proposed renewal projects to be implemented over the Delivery Program period.

ASSET CLASS	LOCATION	2021-2022
Buildings		(\$'000)
Sportsfield Amenities	Various	2,000
Public Toilets	Various	1,500
Operational Buildings	Oak Flats	488
Community Buildings - Minor Capital	Various	1,500
Total Buildings		5,488
Transport		
Footpaths & Shared Paths	Various	1,000
Roadside Furniture	Various	1,990
Roads & Carparks	Various	4,108
Total Transport		7,098
Stormwater		
Stormwater Management	Various	1,475
Total Stormwater Management		1,475
Open Spaces		
Aquatics Facilities	Various	300
Sporting Facilities	Various	500
Play & Fitness Equipment	Various	400
Parkland Facilities	Various	1,600
Reddall Reserve Promenade Renewal	Lake Illawarra	400
Total Open Spaces		3,200
Bridges		
Bridges	Various	500
Total Bridges		500
Business Units		
Illawarra Regional Airport	Albion Park Rail	346
Shellharbour Beachside Holiday Park	Shellharbour	10
The Links	Shell Cove	415
Total Business Units		771
Plant, Equipment and Other Assets		
Fleet Vehicle & Major Plant Changeovers	Various	1,343
Library Book Acquisitions	Various	420
IT Software and Hardware Renewals	Various	410
Cemetery Facilities	Various	300
Total Plant, Equipment and Other Assets		2,473
TOTAL RENEWAL PROJECTS		21,005

New Projects - 2021-2022

New projects involve the creation of new assets and/or involve works to improve or enhance an asset beyond the asset's original capacity or function. These projects typically either cater for demand through population growth and tourism, provide environmental benefit or improve public safety.

In 2021-2022 Council has proposed to spend \$24,508,000 on new projects in various locations across the city. The following table outlines proposed new projects to be implemented over the Delivery Program period.

ASSET CLASS	LOCATION	2021-2022
Buildings		(\$'000)
Operational Buildings	Oak Flats	163
Community Buildings - Minor Capital	Various	100
Shell Cove Library & Community Centre	Shell Cove	4,858
Total Buildings		5,121
Transport		
Footpaths & Shared Paths	Various	400
Roads & Carparks	Various	600
Total Transport		1,000
Stormwater		
Stormwater Management	Various	1,025
Total Stormwater Management		1,025
Open Spaces		
Sporting Facilities	Various	3,071
Play & Fitness Equipment	Various	317
Parkland Facilities	Various	1,870
Total Open Spaces		5,258
Business Units		
Shellharbour Airport	Albion Park Rail	643
Shell Cove Marina	Shell Cove	10,312
Total Business Units		10,955
Waste Management	Location	
Bins	Various	150
Landfill Cells	Dunmore	1,000
Total Waste Management		1,150
TOTAL NEW PROJECTS		24,508
TOTAL CAPITAL PROGRAM		45,513

Attachment 3 - Post Exhibition Changes

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
1	An increase in expected Rates income as a result of additional properties added to Council's rate base since the preparation of the exhibition report.	307,432	Forecast change
2	Decreased expected income for Links Tavern, golf course and mini golf due to COVID-19 restrictions on operations (relates to Notes 46 and 64).	(1,122,689)	COVID-19
3	Decreased expected Airport income due to COVID-19 restrictions on travel.	(413,386)	COVID-19
4	Decreased expected income for Sportsfield Fees due to reduced winter sport activity as a result of COVID-19 restrictions.	(50,000)	COVID-19
5	Decreased expected income for Shellharbour Beachside Holiday park due to COVID-19 restrictions on operations (relates to Note 42).	(389,000)	COVID-19
6	Decreased expected income for the Stadium due to COVID-19 restrictions (relates to Notes 49 and 65).	(96,212)	COVID-19
7	Estimated decrease in income from pool programs and pool entry fees due to COVID-19 restrictions.	(241,000)	COVID-19
8	Estimated decrease in income due to the suspension of Food Inspections resulting from COVID-19 restrictions.	(15,000)	COVID-19
9	Additional expected Section 138 income compared to original budget assumptions.	150,000	Forecast change
10	Additional expected Subdivision fees income compared to original budget assumptions.	154,725	Forecast change
11	Decrease in income from Rates interest due to no interest being charged for late payments until after 30 September due to COVID-19. This has since been extended to 31 December 2020 based on the latest advice from the Office of Local Government.	(42,483)	COVID-19
12	Decrease in income for Interest on Investments for Council Portfolio due to depressed economic environment.	(391,343)	COVID-19
13	Land sales originally expected in 2019-2020 have been moved to 2020-2021 (relates to Note 59).	580,000	Forecast change

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
14	Decrease in income for Rates legal cost reimbursements due to late payments not being pursued until after 30 September due to COVID-19 (relates to Note 41).	(77,469)	COVID-19
15	Estimated decrease in income from Links Gaming due to COVID-19 restrictions.	(350,000)	COVID-19
16	Estimated decrease in sponsorship income from Events due to restrictions on gatherings due to COVID-19 (relates to Notes 44 and 57).	(10,500)	COVID-19
17	Estimated decrease in income from room hire at Civic Centre due to COVID-19 restrictions.	(32,500)	COVID-19
18	Reduction in rental income from road closures due to roads re-opening sooner than originally budgeted.	(46,000)	Forecast change
19	Reduction in forecast revenue for Shell Cove development based on advice provided by Council's Shell Cove development partner (refer to Note 66).	(9,157)	Joint Operation
20	Grant funding received from the New South Wales Government for increased Emergency Services Levy contribution (relates to Note 58).	229,385	Forecast change
21	Recognition of the remaining 10% of non-cash dedication which had been previously identified to be moved from 2019-2020 (relates to Note 60) (identified during 2020 Quarterly Budget Review process).	18,621	Forecast change
22	Decreased operating component of Developer Contributions as a result of reduced developer contributions (refer to Note 26).	(103,430)	COVID-19
23	Decreased grant funding to be recognised in 2020-2021 for floodplain management and studies.	(12,000)	Forecast change
24	Decreased income for 2020-2021 due to prepayment of two instalments of the Financial Assistance Grant.	(2,701,007)	FAG
25	Increase in capital contribution with delivery of a park originally expected in 2019-2020 now moved to 2020-2021.	1,026,667	Capital Grant
26	Reduction in expected capital contributions from developers. This has also impacted on the operating component of developer contributions (refer to Note 22)	(309,485)	Capital Grant

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
27	Restart NSW Grant for Airport capital works was originally expected in 2019-2020, however it has now moved to 2020-2021 due to delays in capital works (identified during 2020 Quarterly Budget Review process).	3,961,220	Capital Grant
28	Increased capital income for Voluntary House Purchase funding (relates to Note 29).	472,500	Capital Grant
29	Net loss on disposal of building acquired as part of Voluntary House purchase (relates to Note 28).	(354,500)	Forecast change
30	Expected increase to Workers Compensation Insurance Premium expense.	(200,000)	Forecast change
31	Decrease in employee expenses for known later recruitment of positions.	30,635	Forecast change
32	Decrease in employee expenses for capitalisation of wages associated with capital project.	23,319	Forecast change
33	Decrease in training budget due to expected impact of restrictions on gatherings due to COVID-19.	79,924	COVID-19
34	Estimated decrease in casual expenses due to restrictions on some council operations as a result of COVID-19.	205,742	COVID-19
35	Increase in employee costs on the assumption that staff will not utilise their full leave entitlements during the COVID-19 restrictions.	(600,000)	COVID-19
36	Increase in uniform expenses for carryover of employee uniform allowances not utilised during 2019-2020 financial year due to COVID-19 restrictions.	(63,255)	COVID-19
37	Increased vacancy factor for council on the presumption of slower recruitment as a result of COVID-19, resulting in a reduction in employee expenses for the year.	267,281	COVID-19
38	Increase in employee costs for structural changes and creation of new positions.	(301,463)	Forecast change
39	Increase in consultancy for Traffic Study works originally expected to be performed in 2019-2020 now to be performed in 2020-2021 (identified during 2020 Quarterly Budget Review process).	(70,000)	Forecast change
40	Decrease to Economic Gardening expense due to reduced activity from COVID-19 (identified	17,000	COVID-19

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
	during 2020 Quarterly Budget Review process).		
41	Decrease in expenses for Rates legal costs due to late payments not being pursued until after 30 September due to COVID-19 (relates to Note 14).	77,469	COVID-19
42	Decrease in expenses for Beachside Holiday park due to COVID-19 restrictions (relates to Note 5).	130,000	COVID-19
43	Additional expense for supply of soap sanitisers and installation and maintenance costs at all council locations except Links and Caravan Park due to COVID-19.	(150,000)	COVID-19
44	Decrease in Event expenses due to a number of events not expected to be held due to COVID-19 (relates to Notes 16 and 57).	106,648	COVID-19
45	Increase in expenses for cleaning Civic Centre building due to COVID-19.	(15,600)	COVID-19
46	Decrease in expenses for Links Tavern and golf course due to reduced operations at the Links as a result of COVID-19 restrictions (relates to Notes 2 and 64).	155,000	COVID-19
47	Library Grant unspent due to COVID-19 restrictions on library operations transferred to 2020-2021 from 2019-2020 (identified during 2020 Quarterly Budget Review process).	(39,383)	COVID-19
48	Reduction in Stormwater Levy Maintenance due to Stormwater Levy funding not being able to be used for maintenance.	50,000	Forecast change
49	Decrease in Stadium contractors due to COVID-19 restrictions on operations (relates to Notes 6 and 65).	18,213	COVID-19
50	Decrease in contractor expenses for Asset Improvement Program as a result of the budget being revised to match scope of works and no City Serve projects scheduled for delivery in 2020-2021.	45,000	Forecast change
51	Increased in expense for Bass Point Activation works to be completed in 2020-2021.	(65,000)	Forecast change
52	Increase in expense for Lake & Coastal Foreshore Management to allow for priority foreshore management works.	(50,000)	Forecast change

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
53	Increase in contractor expenses for Elliott Lake and Horsley Creek works due to delays in floodplain management studies and plans which were originally budgeted in 2019-2020.	(43,000)	Forecast change
54	Increase in expenses for hire of additional utility vehicles due to distancing requirements for COVID-19.	(182,000)	COVID-19
55	Removal of \$4,000,000 provision for COVID-19.	4,000,000	COVID-19 Accrual
56	Increase in expenses for the Youth Opportunities Grant which was previously expected to be spent in 2019-2020, but transferred to 2020-2021 as a result of the ceasing youth operations in the last quarter of 2020 due to COVID-19 restrictions (identified during 2020 Quarterly Budget Review process)	(38,800)	COVID-19
57	Decrease in Event expenses due to a number of events not being held as a result of restrictions on gatherings due to COVID-19 (relates to Notes 16 and 44).	13,217	COVID-19
58	Increased Emergency Services Levy contribution based on 2021 assessment (relates to Note 20).	(199,601)	Forecast change
59	Cost of Goods Sold moved from 2019-2020 to 2020-2021 for remaining land sales (relates to Note 13).	(178,066)	Forecast change
60	Recognition of the remaining 10% of non-cash dedication expense which had been previously identified to be moved from 2019-2020 (relates to Note 21) (identified during 2020 Quarterly Budget Review process).	(18,621)	Forecast change
61	Reduction in expenses due to Council meetings being held remotely due to COVID-19 restrictions.	12,955	COVID-19
62	Increased expense as Credit card surcharge fees being waived as part of council's response to COVID-19.	(32,000)	COVID-19
63	Bad debt expense budget recognised in anticipation of some of Council's debtors unable to pay due to financial hardship resulting from COVID-19.	(100,000)	COVID-19

Changes to Operational Program			
Variation Number	Description	\$ Amount	Type of change
64	Decrease in expenses for Links Tavern and golf course due to COVID-19 restrictions on operations (relates to Notes 2 and 46).	540,684	COVID-19
65	Decrease in expenses for Stadium due to COVID-19 restrictions on operations (relates to Notes 6 and 49).	13,703	COVID-19
66	Reduction in forecast expenses for Shell Cove development based on advice provided by Council's Shell Cove development partner (refer to Note 19).	4,799,937	Joint Operation

Changes to Capital Program			
Variation Number	Description	\$ Amount	Type of change
1	A reduction in Oak Flats Depot stage 3 due to the requirement for the project to undergo detailed design and environmental impact assessment prior to construction.	(650,000)	Forecast change
2	A decrease in Roads to Recovery as there are no Roads to Recovery projects scheduled for delivery in 2020-2021. The allocation was partly expended in 2019-2020 and the remainder will be used in 2021-2022.	(567,099)	Forecast change
3	Re-Phasing of the Shellharbour Airport Upgrade Project to align with both its current and forecast expenditure profile. An additional \$1.3M of work is being delivered in 2019-2020, and \$1M of work for the Business Park forecast for delivery in 2021-2022.	(2,304,577)	Forecast change
4	An increase in Albion Park Pool Splashplay due to delays associated with finalising the filtration system design.	300,000	Forecast change
5	An increase for a Voluntary House Purchase on Flood Prone land which had previously not been budgeted.	708,750	Forecast change
6	An increase in Land Acquisitions which were originally budgeted in 2019-2020.	843,730	Forecast change
7	An increase for Shell Cove Marina as a result of the project delay resulting in work being pushed to 2020-2021.	1,787,487	Forecast change

Changes to Capital Program			
Variation Number	Description	\$ Amount	Type of change
8	A decrease for Waste/Recycling Depot Landfill Cells due to the time expected to be required to finalise the detailed design components prior to construction.	(2,019,980)	Forecast change
9	An increase for the upgrade of leachate control and treatment system.	500,000	Forecast change

Attachment 4 – Carry Over Requests from 2019-2020

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
OPERATIONAL CARRY OVERS								
City Planning	Theatre Study (consultancy)	22,000	Development Contributions	2019-2020	Minor delay to the commencement of the project has pushed completion timeframe back to 1st Quarter of 2020-2021.	Completion of the Theatre Study	September	Small component to be carried over, so no significant impact on work program
Community Connections	Financial assistance /donations	5,915	Miscellaneous donations budget	2019-2020	Funds were not allocated during allocation rounds	Future allocations of donations	Throughout 2020-2021	Nil
Community Connections	Youth Week	2,629	NSW Youth Week grant	2019-2020	Event postponements due to COVID	Revised programs and events	Throughout 2020-2021	Nil
Community Connections	Multicultural Festival	1,110	Multicultural NSW event funding	2019-2020	The Cultural Treasures event was cancelled due to COVID	Still under review	Throughout 2020-2021	Minimal impact expected

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
Community Connections	Event Sponsorship	5,287	General Revenue	2019-2020	Government restrictions on public gathering meant that some sponsored events had to be postponed. Money has been allocated by the Financial Assistance Working Party and endorsed by Council, but not all payments have been made.	Agreed payments as per event sponsorship funding agreements	Anticipated by end of 2020, however there is no formal clarity on the return of public gatherings as yet.	Minimal impact expected

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
City Development	Unspent Small Environment Grants	5,650	General Revenue	2019-2020	Due to the impacts of COVID, the consultants were unable to deliver all the workshops prior to the shutdown of schools.	Funds will be spent on the original agreement between council and schools that had applied for the funding/ workshops, no change. The rolling over of funds will confirm council's commitment to local schools that had applied for environment workshops within the school without having to reapply in the new financial year.	Before the end of calendar year.	Minimal impact on the work program, this will require a small amount of coordination from Environment Staff, otherwise the program has been organised and ready for delivery.
Community Connections	Local Priority Grant 2017-18	14,000	State Library Grant	2017-2018	Reduced expenditure on library technology, equipment and marketing due to COVID-19	Library technology, equipment and marketing, as identified.	Jul-Dec 2020	Minimal impact expected

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
Community Connections	Law Week	597	NSW Grant	2018-2019	Deferral of Law Week 2020 activities due to COVID-19	Legal information activities	Oct 2020 - Dec 2020	Minimal impact expected
Human Resources	Corporate Training	50,000	General Revenue	2019-2020	COVID-19 impacted our ability to delivery Leadership training in line with the Leadership Framework. We anticipate we will need considerable investment in Leadership Framework training.	Leadership Training Development and Delivery	Throughout 2020/21	Minimal impact expected but would enable the opportunity to broaden the scope of participants able to be part of the program.
TOTAL OPERATIONAL CARRYOVERS		107,188						

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
CAPITAL CARRY OVERS								
Services	Cemetery Improvements	40,000	Developer contributions and Carryover reserve	2017-2018	The precise location of the condolence shelter was subject to the finalisation of the sites landscape master plan and its subsequent impact on the sites overall heritage. The landscape master plan was recently completed and the shelter has now been ordered and will be installed in early 2020-2021.	Manufacture and installation of shelter	July	Nil, to be delivered by contractor.

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
Services	Caterpillar 306 Excavator	158,000	General Revenue	2019-2020	Delays in delivery due to COVID-19 affected transport logistics. The new ETA is expected to be late July 20.	The purchase of the new excavator.	July	Nil
Asset Strategy	The Links - Mini Golf Circuit	200,000	Links Land Sales and General Revenue	2019-2020	The project was not finished due to the development approval process taking longer than originally programmed.	Construction phase of the delivery of a mini golf facility at The Links Golf Course	Q1 & Q2	Nil
Asset Strategy	Oak Flats Library Upgrade	40,000	City Library State Development Grant	2016-2017	The project was not finished due to the development approval process taking longer than originally programmed.	Construction phase of the Oak Flats Library Upgrade	Q1 & Q2	Nil

Group	Project Description	Proposed Carry Over \$ for 2019-2020	Funding	Original Funding Year <i>*First year in which project was budgeted</i>	Comments including why work was not completed in 2019-2020	What the carried over funds will be spent on	Expected cashflow timing of this expenditure	Impact on 2020-2021 Work Program
Business Technology & Customer Service	CiAnywhere Transition	111,485	General Revenue	2019-2020	Delays in the release of CiAnywhere products from vendor.	Ongoing transition of CiAnywhere	Q1 & Q2	Minimal impact as the Business Technology roadmap has factored this into the schedule of works
TOTAL CAPITAL CARRY OVERS		549,485						
TOTAL CARRY OVERS		656,673						

10.2 Council Sustainability Directorate

10.2.1 Shell Cove Progress Report to 31 May 2020 (11441828)

To the General Manager

Directorate: Council Sustainability
Group: Shell Cove

Manager: Gary Grantham – Shell Cove Executive Manager
Author: Kevin James – Manager Shell Cove

Summary

The purpose of this report is to provide Council with the recent progress of the Shell Cove Project from 17 February 2020 to 31 May 2020.

Key activities and highlights were:

- A. There are 8 lots and 17 houses available to the public, as at 31 May 2020.
- B. 23 sales occurred in the period.
- C. 1 sales release occurred, being 11 houses ('off the plan').
- D. The Harbour construction works marginally progressed during the last 3 months because the contractor is waiting on the removal of the eastern surcharge mounds and the completion of the outer harbour piling and associated works, before it can remove the access bund separating the inner and outer harbours. Also, there were some weather impacts. The construction program has the expected completion date in July 2020, by which time the harbour pumps will be turned off.

The removal of the sand plug across the entrance channel is expected to occur in November 2020, subject to satisfaction of the requirements in the Environmental Protection Licence (EPL). From July to November (or later), the harbour will fill with residential stormwaters and ocean waters, and be monitored in accordance with the EPL. This is the approved strategy with the EPA.

A public opening of the Shell Cove Harbour and the Shellharbour Marina is not expected until May 2021 when the associated land-based services and facilities are completed. This date has not changed from the previous progress report to Council.

- E. The Project had a cash deficit of \$19,113,108 as at 30 April 2020.
- F. The expected sales income from lots that have not yet settled, called the Sales Due Value, is in the order of \$136.8 million. It is an asset of the Project.

- G. 80.8% of all employment on the works by the Shell Cove Project over the last 3 months to 30 April 2020 were residents of the Illawarra region.

This report seeks a Council resolution to receive and note the report.

Background

Timing of the Project

Residential subdivision, and associated major works and services are continuing in accordance with the program that is under continuous review and adjustment.

Harbour construction works are continuing in accordance with the program. The development program has May 2021 when the first boats will be able to moor in the Shellharbour Marina.

Residential Subdivision

Sales

There was 1 sales release during the period from 17 February 2020 to 31 May 2020:

- 11 houses 'pre-construction' in Precinct A – Stage 58/59 – on 26 March 2020.

Shell Cove continued to experience lower demands for the land and housing releases, compared to pre-2019 results. The slow and steady upwards increases experienced in late 2019 and early 2020 have stopped due to the market impacts caused by COVID-19. The Project's sales and marketing efforts were changed to being more online and contactless, and to align with the current restrictions.

The current sales summary, compared to the previous report, is in **Table 1**:

Table 1 - Sales Summary Comparison

SALES SUMMARY	31 MAY 2020	16 FEBRUARY 2020
Total Settled	2,187	2,166
Total Exchanged	99	103
Total Deposit	18	21
TOTAL "SOLD"	2,304	2,290
For Sale	25	28
To be released/not for sale	13	1
TOTAL LOTS	2,342	2,319

There were 23 sales for the period.

Status of the Stages

A summary is in **Table 2**:

Table 2 – Stages Status

STAGE	NO. OF LOTS	GROSS PROCEEDS
Residential Lots & Houses Stages 1 to 10 ➤ Completed & all available sold Excludes former shop, carpark & project office lots TOTAL	1,887	\$453,880,370
Residential Lots & Houses Stages 1 & 9 ➤ Former shop, carpark & project office lots ➤ Completed Settlements Exchanges Deposits Sub-total For sale Not for sale TOTAL	1 5 0 6 0 1 7	\$750,000 \$3,186,000 \$0 \$3,936,000 \$0 To be determined \$3,936,000+
The Waterfront Precinct A Lots ➤ Stage A1 completed and registered ➤ Stage A2 construction continues ➤ 7 sales releases Settlements Exchanges Deposits Sub-total For sale TOTAL	15 24 12 51 7 58	\$15,806,000 \$22,712,885 \$7,920,000 \$46,438,885 \$5,610,000 \$52,048,885
The Waterfront Precinct A Houses Stage 10 ➤ DA approved Settlements Exchanges Deposits Sub-total For sale TOTAL	0 9 1 10 0 10	\$0 \$8,750,000 \$895,000 \$9,645,000 \$0 \$9,645,000

STAGE	NO. OF LOTS	GROSS PROCEEDS
The Waterfront Precinct A Houses Stage 58/59 ➤ DA approved		
Settlements	0	\$0
Exchanges	0	\$0
Deposits	0	\$0
Sub-total	0	\$0
For sale	11	\$10,600,000
To be released	12	\$0+
TOTAL	23	\$10,600,000+
The Waterfront Precinct B1/C1 Lots & Houses ➤ Completed & all sold TOTAL	221	\$159,508,405
The Waterfront Precinct D – Town Centre – Lots ➤ 4 DAs approved		
Settlements	3	\$3,443,000
Exchanges	2	\$11,400,000
Deposits	0	\$0
Sub-total	5	\$14,843,000
For sale	0	\$0
TOTAL	5	\$14,843,000
The Waterfront Precinct E Lots ➤ Completed		
Settlements	55	\$38,665,410
Exchanges	1	\$620,000
Deposits	1	\$820,000
Sub-total	57	\$40,105,410
For sale	1	\$650,000
TOTAL	58	\$40,755,410
The Waterfront Precinct E Houses Stage 51/52 ➤ Completed		
Settlements	5	\$5,185,000
Exchanges	13	\$11,380,001
Deposits	0	\$0
Sub-total	18	\$16,565,001
For sale	0	\$0
TOTAL	18	\$16,565,001

STAGE	NO. OF LOTS	GROSS PROCEEDS
The Waterfront Precinct E Houses Stage 53 ➤ Under construction		
Settlements	0	\$0
Exchanges	11	\$10,027,000
Deposits	0	\$0
Sub-total	11	\$10,027,000
For sale	0	\$0
TOTAL	11	\$10,027,000
The Waterfront Precinct E Houses Stage 54 ➤ Under construction		
Settlements	0	\$0
Exchanges	0	\$0
Deposits	0	\$0
Sub-total	0	\$0
For sale	4	\$4,390,000
TOTAL	4	\$4,390,000
The Waterfront Precinct E Houses Stage 55 ➤ Under construction		
Settlements	0	\$0
Exchanges	16	\$13,184,000
Deposits	1	\$1,275,000
Sub-total	17	\$14,459,000
For sale	1	\$1,205,000
TOTAL	18	\$15,664,000
The Waterfront Precinct E Houses Stage 57 ➤ Under construction		
Settlements	0	\$0
Exchanges	10	\$9,818,000
Deposits	1	\$1,075,000
Sub-total	11	\$10,893,000
For sale	1	\$1,195,000
TOTAL	12	\$12,088,000

STAGE	NO. OF LOTS	GROSS PROCEEDS
The Waterfront Precinct E Houses Stage 58 ➤ Under construction		
Settlements	0	\$0
Exchanges	8	\$7,185,000
Deposits	2	\$680,000
Sub-total	10	\$7,865,000
For sale	0	\$1,195,000
TOTAL	10	\$9,060,000

Notes:

1. Gross proceeds for a lot are initially based on listed sales records but are adjusted to actual amounts as the sale progresses to settlement.

Major Construction

Precinct A – Stage 1 subdivision works completed.
 Precinct A – Stage 2 subdivision works continuing.

Financial Status

Current Financial Results (Cash)

The summary for the 2019/20 Financial Year to date is in **Table 3:**

Table 3 – 2019/20 Financial Year to date

	@ 30 April 2020
Total Income	\$35,680,452
Total Development Costs	(\$53,487,050)
Surplus/(Deficit)	(\$17,806,598)

Note: all figures unaudited

The summary for the Project to date, compared to the previous report, is in **Table 4:**

Table 4 – *page 44*

Table 4 – Project to date

	@ 30 April 2020	@ 31 January 2020
Total Income	\$684,375,436	\$666,702,114
Total Development Costs	(\$703,488,544)	(\$688,262,959)
Surplus/(Deficit)	(\$19,113,108)	(\$21,560,845)

Note: all figures unaudited

Income during the report period came from settlements in Precincts A and E1 lots and Stage 52 houses. Costs mostly involved Boat Harbour and Breakwater civil works, Precincts A, D and E subdivision works, Stage house building, landscaping and the marketing and selling of the lots.

The Project is currently in cash deficit due to the major costs being expended ahead of the receipt of income for that activity. For this reason, the Sales Due Value must be taken into account in assessing the overall financial performance of the Project.

Sales Due Value

The sales due value is defined as the expected sales income from existing and proposed lots (including those with houses) that have not yet settled. These include lots that are:

- available for sale,
- sales with part deposits paid,
- exchanged contracts, and
- withheld for operational and marketing reasons.

This is the unrealised income created from the current and past land subdivisions. It will be received in the future as the lots are settled. It is viewed as an asset of the Project.

The current Sales Due Value is in the order of \$136.8 million.

Feasibility Studies

Council approved the 2019 Feasibility Study at its meeting on 28 April 2020.

The Shell Cove Management Committee, at its meeting on 23 April 2020, exercised its powers under the Management Agreement and determined that the next Feasibility Study due on 1 July 2020 be deferred to 1 October 2021.

Boat Harbour & Marina

A public opening of the Shell Cove Harbour and the Shellharbour Marina is not expected until May 2021 when the associated land-based services and facilities are completed. This date has not changed from the previous progress report to Council.

Harbour

The construction works by local company Coastwide Civil involve:

- site establishment, including environmental measures and controls;
- the excavation of the harbour basin, involving over 1 million cubic metres of material and blasting of rock;
- land platform filling and surcharge mounds;
- treatment of acid sulphate soils;
- construction of the harbour edges, including concrete walls and rock revetment; and
- timber piling for the jetty and boardwalk.

There are about 96% of these works completed.

The Harbour construction works marginally progressed during the last 3 months because the contractor is waiting on the removal of the eastern surcharge mounds and the completion of the outer harbour piling and associated works, before it can remove the access bund separating the inner and outer harbours. Also, there were some weather impacts. The construction program has the expected completion date in July 2020, by which time the harbour pumps will be turned off.

The removal of the sand plug across the entrance channel is expected to occur in November 2020, subject to satisfaction of the requirements in the Environmental Protection Licence (EPL). From July to November (or later), the harbour will fill with residential stormwaters and ocean waters, and be monitored in accordance with the EPL. This is the approved strategy with the EPA.

The recent aerial photographs in **Attachment 1** were taken on 30 May 2020 and show the current status of the works.

Breakwater

The breakwater (the longer structure) and the groyne (the shorter structure) are completed. There will be no public access until all of the Harbour is completed.

Marina Berths

The steel piles for the marina berthing into the inner harbour floor are installed. Delays were experienced in commencing the installation of the steel piles for the marina infrastructure into the outer harbour floor because of the wet weather experienced in February 2020. These works were recently completed.

Current construction activities involve the installation of the pre-cast concrete sections for the heavy duty platform and travel lift rails at the harbour edge.

Marina Facilities

The development application for the Marina Services & Facilities Building received statutory planning consent in April 2020. A start to its construction depends upon finalisation of the approved tendering process and associated construction approvals.

The design and the preparation of the development application for the Boatyard Maintenance/Boat Storage Facility approached completion. The method of delivery continued to be investigated, and a date for its construction is yet to be determined.

Town Centre

Retail

Most of the shops are open, with efforts by Shopping Centres Australia (the owner of the centre) to get the others operational over the coming months.

The public piazza (with its public art and water feature) was completed but remains closed to the public because of the COVID-19 restrictions. Also, the operation of the water feature is subject to approvals from Sydney Water.

Restaurants & Aqua Apartments

The building is under construction by Duffy Kennedy Constructions (DKC) and reached its highest point – acknowledged with a traditional tree topping of the roof ceremony. Local television and press media attended the ceremony and reported the speeches by the Mayor and the other dignitaries, as well as presenting film or photographs of the Mayor signalling the hoisting of the tree by crane to the rooftop.

Associated contract works include the basement foundations for the Tavern, the adjacent foreshore, and the main public carpark for the Marina and the Tavern. Currently, it is expected to be opened in May 2021.

Hotel

Oscars Hotels – the successful bidder to build, own and operate the accommodation Hotel at The Waterfront Shell Cove – is waiting on the statutory planning approval of the development application.

Tavern

The construction of the Tavern building by the owner will start following the completion by DKC of the early works (the support piling into the Harbour, major retaining walls, the cantilvered concrete floor and the basement shell). The pouring of the concrete slab was a significant event because it is a major construction works activity because of its size and positioning, and it represented an important milestone.

Local television and press media attended the event and reported the speeches by the Mayor and the other dignitaries, as well as presenting film or photographs of the construction works.

Currently, the Tavern is expected to be opened in May 2021.

Library/Community Centre/Visitor Information Centre

The final design has completed but the method of delivery is yet to be finalised. When these items, the expected costs and a construction program are all known, a report will be provided to Council for consideration.

Local Labour Content

The Shell Cove Management Agreement sets minimum performance criteria for all combined Project works of 50% for local labour content.

Table 5 shows the summary for the statistics provided by Australand for the 3 months ending 30 April 2020:

Table 5 – Local Labour

Percentage		Equivalent Person Days	
Local	80.8%	Local	16,434
Other	<u>19.2%</u>	Other	<u>3,899</u>
Total	100%	Total	20,333

These statistics come from the data supplied by contractors to Australand, and the predominant works were on civil subdivision works (various sites), the housing construction (various Stages) and, significantly, the boat harbour civil works.

The cumulative statistic for the Shell Cove Project is 86.5%. Importantly, the Shell Cove Project has significantly exceeded its obligations for all combined Project works.

Financial / Resources Implications

It is considered that there are no implications as a consequence of this report.

Legal and Policy implications

It is considered that there are no implications as a consequence of this report.

Public / Social Impact

It is considered that there are no impacts as a consequence of this report.

Link to Community Strategic Plan

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

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

Strategy: 3.2.1 Activate the Shell Cove Harbour Precinct as a lifestyle and boating destination providing development, tourism and community opportunities.

Conclusion

This report summarises the tasks, achievements, activities and results of the Shell Cove Project from 17 February 2020 to 31 May 2020. The key activities and highlights are in the Summary at the start of this report.

Consultations

Internal

- Chief Financial Officer

External

- Australand Corporation (NSW) – part of Frasers Property Group
- Sales Team – Frasers Property Group
- Heard McEwan Lawyers

Political Donations Disclosure

Not Applicable.

Recommendation

That the progress report for the period from 17 February 2020 to 31 May 2020 for the Shell Cove Project be received and noted.

Approved for Council's consideration: Gary Grantham
Chief Financial Officer

Date of Meeting: 9 June 2020

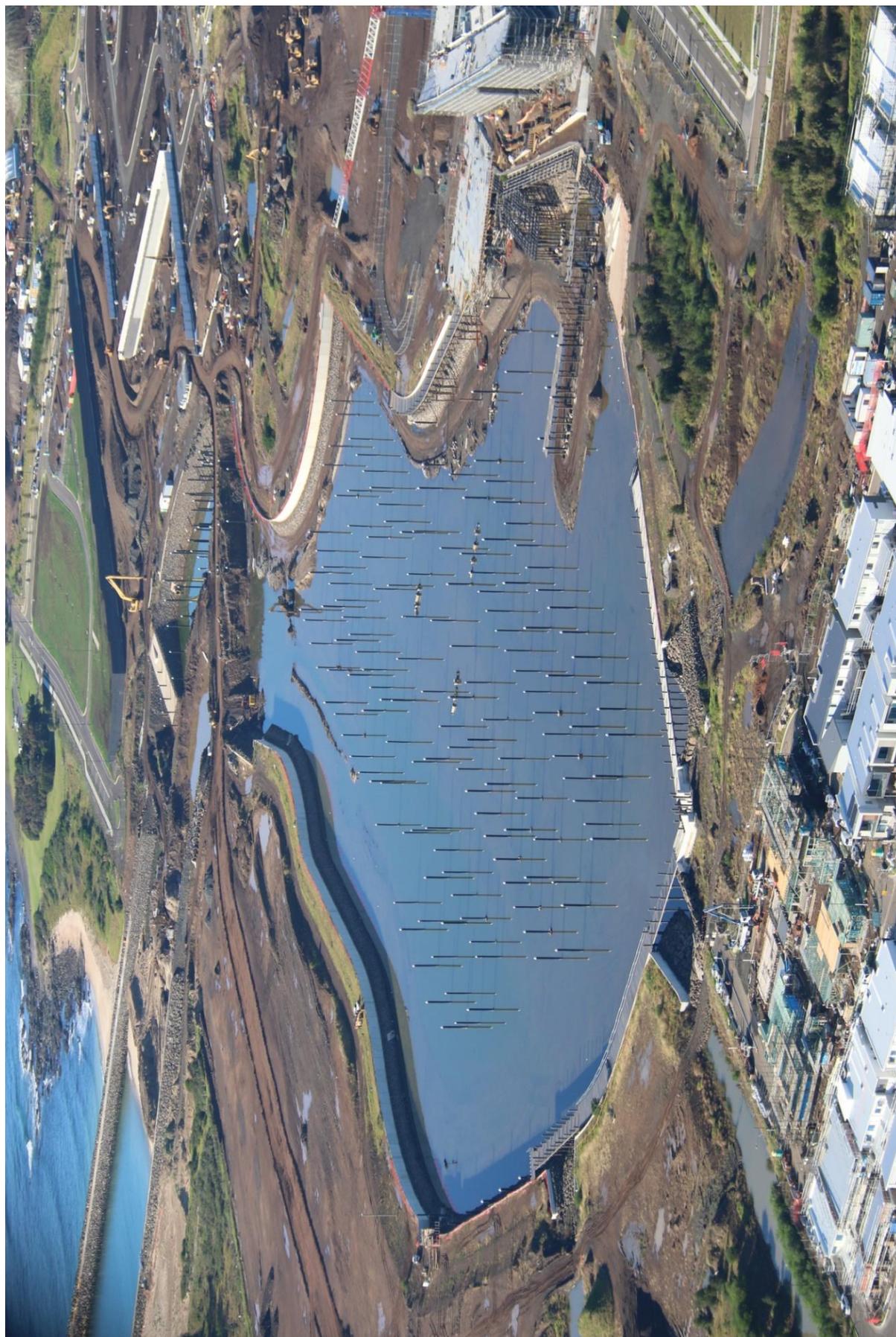
Attachments

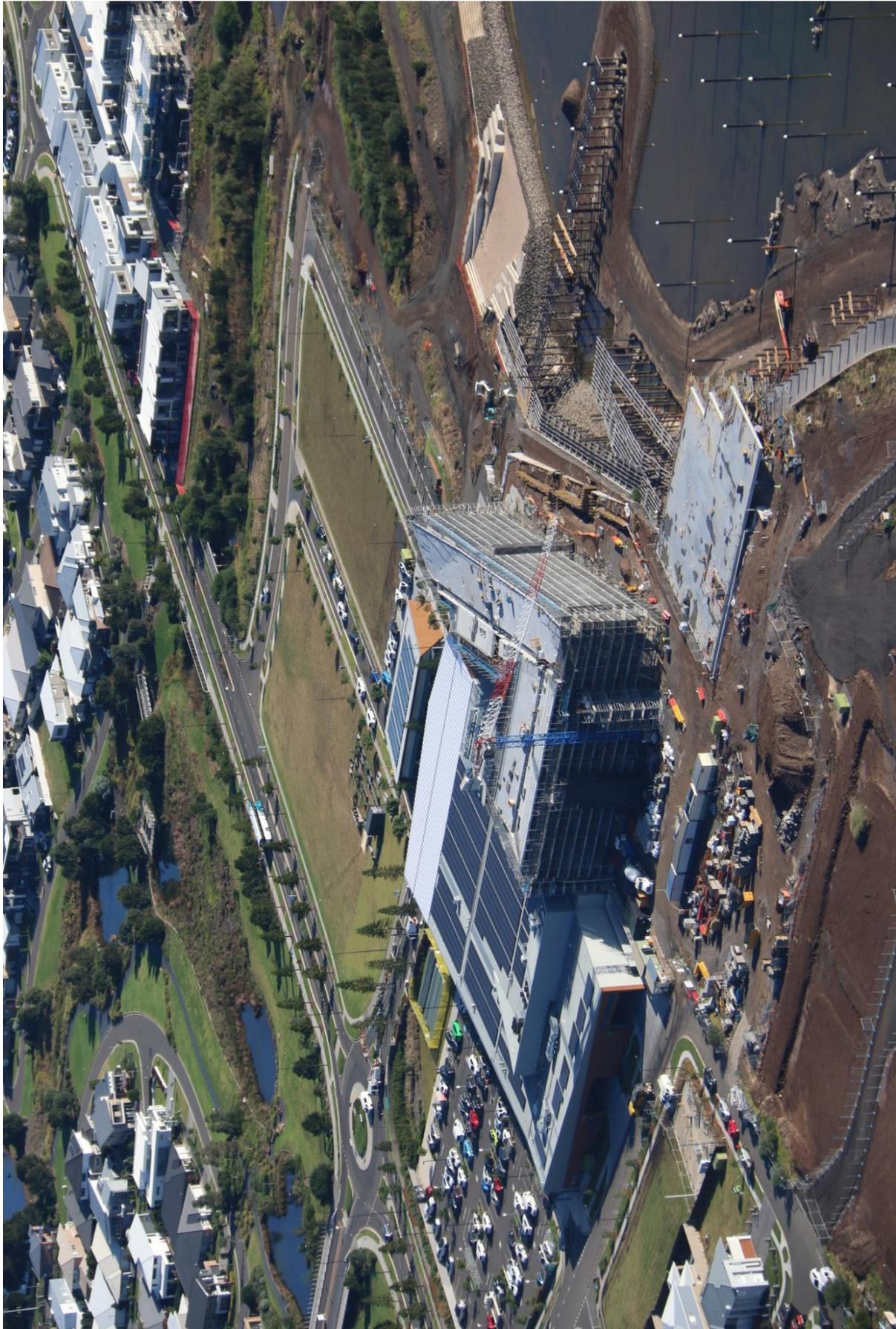
1. Aerial Photos showing the Harbour & Breakwater Works – *Page 49*

Attachment 1 – Aerial Photos showing the Harbour & Breakwater Works









10.2.2 Monthly Investment Report - April 2020 (11442009)

To the General Manager

Directorate: Council Sustainability
Group: Finance

Manager: Gary Grantham – Chief Financial Officer
Author: Paul Henderson – Manager Financial Services

Summary

The purpose of this report is to provide details to Council, of its current investment portfolio in terms of holdings and impacts of changes in market values since the last monthly report, and to seek a resolution to receive and note the report. The report for the month of April 2020 details investment performance against applicable benchmarks, and reviews the compliance of Council's investments with the recently revised policy and legislative requirements.

As at the end of April 2020, \$2.193M of interest revenue has been accrued. Council is ahead of the recently revised March quarter budget forecast up until the end of April by approximately \$3K (forecast = \$2.628M divided by 12 months and multiplied by 10 months = \$2.190M). As part of the March Quarter Budget Review the budget forecast was increased by \$34K.

Council continues to monitor its cash flows closely after implementing a number of financial relief measures in response to the COVID-19 pandemic. At this point in time, Council has sufficient funds to meet Council's liquidity requirements as they arise.

Background

Financial Services staff monitor Council's cash flow on a daily basis, with surplus funds being invested in accordance with Council's Investment Policy, the *Local Government Act*, Local Government (General) Regulation and the Ministerial Investment Order.

Subject to these constraints, Council's objective when investing funds, is to obtain the most favourable rate of interest, whilst taking into consideration the risks and security associated with the investment and ensuring that Council's liquidity requirements are also being met. To assist with this process, Council communicates with its independent investment advisors (Imperium Markets Pty Ltd) before any investment is made. Close attention is paid to Council's Investment Policy document.

This report provides details on the performance for the month of April (**Attachments 1, 2**). The return on investments for the month of April was 0.20% or when annualised approximately 2.40%. This compares very favourably with the AusBond Bank Bill Index of 0.05% for the month and 0.60% when annualised.

Financial / Resources Implications

Council is currently ahead of the most recent budget forecast up to the end of April by approximately \$3K. There are additional fair value assessments of Floating Rate Notes, however these amounts are excluded from the Operational Performance Ratio.

As discussed in prior month's investment reports, there has been a significant and rapid decline in financial markets since the beginning of the COVID-19 pandemic. This has seen some negative fluctuations in the market value of floating rate note/senior bond investments. If these are held to maturity, Council will receive the full principal along with all scheduled interest payments.

Legal and Policy implications

Section 212 of the *Local Government (General) Regulation 2005*, requires Council's Responsible Accounting Officer to provide a report to Council, detailing all investments held at the end of each month. This report confirms that the investments made, have been in accordance with the Act and the regulations, along with Council's Investment Policy.

Public / Social Impact

Council invests its surplus funds on the best available advice, to maximise interest returns in accordance with Council's Investment Policy. Any additional interest income achieved through the placement of investments will result in extra funds being put to facilities, operations and outcomes for the community.

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

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

Consultations

Internal

Nil

External

Imperium Markets Pty Ltd

Political Donations Disclosure

Not Applicable.

Recommendation

That Council receive and note the Investment Portfolio report as at 30 April 2020.

Approved for Council's consideration: Gary Grantham
Chief Financial Officer

Date of Meeting: 9 June 2020

Attachments

1. Council's Investment Portfolio as at 30 April 2020 – *Page 56*
2. Council's Investment Portfolio Graphs as at 30 April 2020 – *Page 57*

Attachment 1 - Council's Investment Portfolio as at 30 April 2020



Shellharbour City Council Investment Report by Investment Strategy as at 30 April 2020

The table below shows the actual performance of Council's investment portfolio. It is provided as required by the Local Govt (General) Reg 2005 (Cl 212).

Issuer	Rating	Rate	Opening Balance 31/03/2020	Closing Balance 30/04/2020	Monthly Movement	Maturity
Cash Funds						
NSWTCIM CF	AAA	0.94	312,737	313,558	821	T + 3
Commonwealth Bank	AA-	1.45	5,647,979	5,453,813	194,166	T
Rabobank Australia Branch	A+	1.50	-	-	-	T
Senior Bonds						
AMP Bank	BBB+	2.23	2,000,826	2,003,346	2,520	24/05/2021
Newcastle Permanent	BBB	2.32	1,752,543	1,757,109	4,566	06/02/2023
NAB	AA-	1.85	3,980,212	4,033,288	53,076	26/09/2023
Westpac	AA-	1.86	1,990,726	2,016,864	26,138	16/11/2023
ANZ Bank	AA-	1.92	3,991,212	4,044,008	52,796	06/12/2023
Commonwealth Bank	AA-	2.03	2,001,426	2,029,544	28,118	11/01/2024
Westpac	AA-	1.79	2,467,883	2,512,180	44,298	16/08/2024
ANZ Bank	AA-	1.58	1,474,190	1,500,689	26,499	29/08/2024
HSBC	AA-	1.75	2,929,869	2,944,239	14,370	27/09/2024
Senior Bond Performance					252,380	*
*Excluding sale / maturity of investments						
Term Deposits						
Commonwealth Bank	AA-	2.85	2,000,000	-	2,000,000	03/04/2020
Rural Bank (Bendigo and Adelaide Bank)	BBB+	2.90	2,000,000	-	2,000,000	06/04/2020
Police Credit Union SA	Unrated	2.95	1,000,000	1,000,000	-	05/06/2020
AMP Bank	BBB+	3.15	1,500,000	1,500,000	-	29/06/2020
BOQ	BBB+	3.00	2,500,000	2,500,000	-	20/08/2020
BOQ	BBB+	3.00	1,000,000	1,000,000	-	21/08/2020
Westpac	AA-	3.00	2,000,000	2,000,000	-	04/09/2020
Rabobank Australia Branch	A+	3.00	2,000,000	2,000,000	-	07/09/2020
Westpac	AA-	2.93	5,000,000	5,000,000	-	07/09/2020
NAB	AA-	1.70	1,000,000	1,000,000	-	16/09/2020
ING Direct	A	2.87	5,000,000	5,000,000	-	18/09/2020
ING Direct	A	2.90	4,500,000	4,500,000	-	14/12/2020
Summerland Credit Union	Unrated	3.15	1,000,000	1,000,000	-	14/12/2020
QBANK	BBB-	3.60	2,000,000	2,000,000	-	01/03/2021
Australian Unity Bank	BBB+	3.10	2,000,000	2,000,000	-	02/03/2021
Bank of Sydney	Unrated	1.70	1,000,000	1,000,000	-	02/03/2021
BOQ	BBB+	3.60	2,000,000	2,000,000	-	03/03/2021
AMP Bank	BBB+	1.60	1,500,000	1,500,000	-	25/05/2021
Auswide Bank	BBB	2.22	3,000,000	3,000,000	-	18/06/2021
Westpac	AA-	2.22	3,000,000	3,000,000	-	21/06/2021
Bananacoast Community CU	BBB	2.35	2,000,000	2,000,000	-	28/06/2021
St George Bank	AA-	2.30	5,000,000	5,000,000	-	28/06/2021
Westpac	AA-	1.70	1,000,000	1,000,000	-	16/09/2021
Australian Military Bank	BBB+	1.78	2,000,000	2,000,000	-	29/11/2021
Rabobank Australia Branch	A+	3.00	2,000,000	2,000,000	-	13/12/2021
Newcastle Permanent	BBB	3.05	1,500,000	1,500,000	-	24/01/2022
Police Credit Union SA	Unrated	2.99	1,000,000	1,000,000	-	25/02/2022
Police Credit Union SA	Unrated	2.99	1,000,000	1,000,000	-	25/02/2022
AMP Bank	BBB+	2.75	2,500,000	2,500,000	-	11/03/2022
Newcastle Permanent	BBB	2.90	3,500,000	3,500,000	-	14/03/2022
St George Bank	AA-	2.30	2,000,000	2,000,000	-	04/07/2022
Police Credit Union SA	Unrated	1.64	2,000,000	2,000,000	-	02/03/2021
BOQ	BBB+	2.30	2,000,000	2,000,000	-	19/06/2023
Rabobank Australia Branch	A+	3.40	1,000,000	1,000,000	-	04/09/2023
BOQ	BBB+	1.85	2,000,000	2,000,000	-	15/03/2021
Westpac	AA-	2.03	3,000,000	3,000,000	-	05/09/2022
Total Shellharbour City Council Portfolio			107,049,602	103,108,637	-3,940,965	

* Returns are calculated using a daily time weighted methodology. The performance figures are net of all fees.

* Council's unrestricted cash balance position as at 30 June 2019 was \$32.864M.

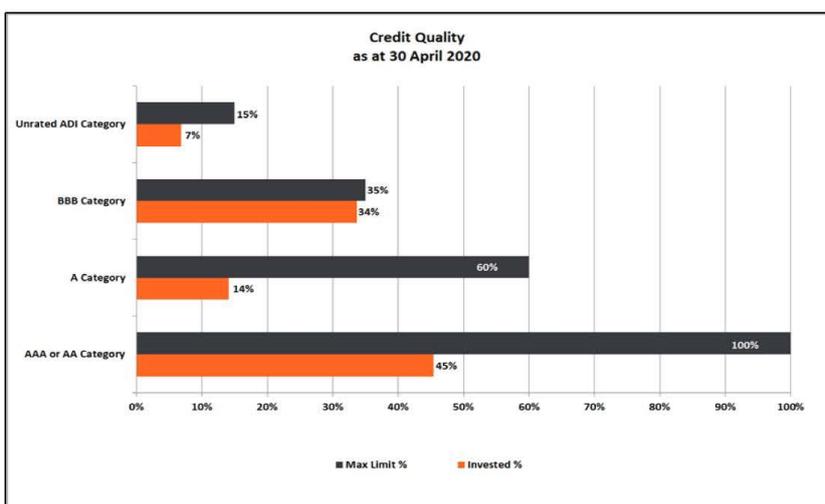
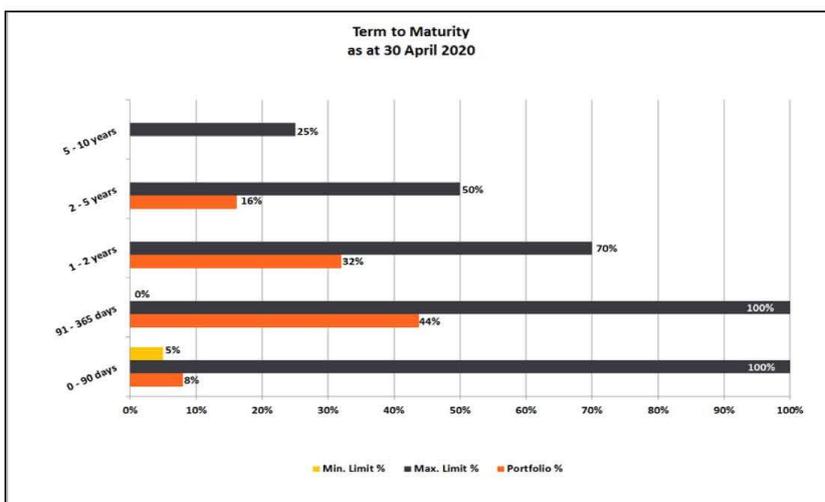
This will be earmarked for the ongoing budget as part of Council's financial management strategy.

Attachment 2 - Council's Investment Portfolio Graphs as at 30 April 2020

Performance

Performance	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	2.00%	0.10%	0.29%	0.61%	1.17%
AusBond Bank Bill Index	0.05%	0.22%	0.46%	0.83%	1.12%
Council's T/D Portfolio	0.22%	0.65%	1.34%	2.28%	2.78%
Council's FRN Portfolio	0.14%	0.45%	0.93%	1.67%	2.14%
Council's Portfolio[^]	0.20%	0.62%	1.26%	2.17%	2.69%
Outperformance	0.15%	0.40%	0.81%	1.34%	1.57%

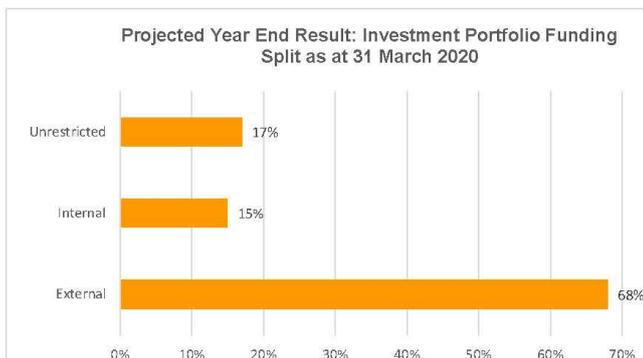
[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.



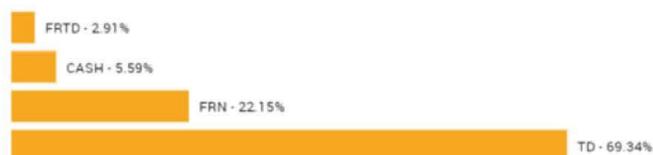
Counterparty

Compliant	Issuer	Rating	Invested (%)	Max. Limit (%)
✓	NSW TCorp	AAA	0.30%	40.00%
✓	ANZ	AA-	5.38%	25.00%
✓	CBA	AA-	2.86%	25.00%
✓	HSBC	AA-	4.88%	25.00%
✓	NAB	AA-	7.26%	25.00%
✓	Westpac (SGB)	AA-	24.76%	25.00%
✓	Rabobank Aus.	A+	4.85%	15.00%
✓	ING	A	9.21%	15.00%
✓	AMP	BBB+	7.28%	10.00%
✓	Aus. Military Bank	BBB+	1.94%	10.00%
✓	BoQ	BBB+	9.21%	10.00%
✓	Australian Unity	BBB	1.94%	10.00%
✓	Auswide Bank	BBB	2.91%	10.00%
✓	Newcastle PBS	BBB	6.55%	10.00%
✓	P&N Bank	BBB	1.94%	10.00%
✓	QBank	BBB-	1.94%	10.00%
✓	Bank of Sydney	Unrated	0.97%	10.00%
✓	Police CU SA	Unrated	4.85%	10.00%
✓	Summerland CU	Unrated	0.97%	10.00%
			100.00%	

* In accordance with the Australian Government Guarantee Scheme introduced in 2008, the Commonwealth Government guarantees \$0.25m against large deposits for each Authorised Deposit-Taking Institution.



Breakdown by Asset Type



10.2.3 Seasonal Camping Areas (11395542)

To the General Manager

Directorate: Council Sustainability
Group: Business and Investment

Manager: Scott Bridgement – Director Council Sustainability
Author: Trevor James – Manager Business and Investment

Summary

The purpose of this report is to provide an update to Council on the progress of actions to establish seasonal camping areas within Shellharbour City.

Background

Council at its meeting of 27 November 2018 resolved:

- 1. That Council staff begin the process of adding camping as an additional permitted use to the zoning of Ron Costello Oval, Albion Park Showground and Beverley Whitfield Park, to enable future use of those sites for seasonal camping; and*
- 2. That Council staff undertake detailed investigations and provide a report to Council on what other issues need to be addressed to enable seasonal camping to occur at these sites.*

Council officers have made further investigations regarding: the details of the process required for camping to be added to the zoning of the specified sites as an additional permitted use; the estimated timeframes involved; and the costs that Council could incur.

Overall issues to be addressed on each site include: specific planning requirements; seasonal availability, taking into account existing formal and informal users; existing amenities and/or sewerage availability; vehicle access; security/fencing requirements; proximity to residential areas; and operational management matters.

The benefits to Council and the community of progressing this matter include the provision of a new service for visitors and the increased economic activity generated from this visitation.

A Planning Proposal pre-lodgement meeting has been held with Council officers to identify specific issues that will be required to be addressed for each site.

It has been assessed that of the three sites proposed for consideration for seasonal camping, Albion Park Showground has the least issues that would be required to be addressed for Council to consider a Planning Proposal.

Beverley Whitfield Park has environmental concerns and any Planning Proposal for this site would require significant studies to address these concerns to show that seasonal camping is appropriate on this site.

Ron Costello Oval would also require studies to support any Planning Proposal to show that seasonal camping would be appropriate on this site, given its proximity to residential development.

Due to the location of the Albion Park Showground and the land constraints of the other two proposed sites, the Showground is considered to be a minor Planning Proposal as it will require the least amount of technical studies to be included as part of the Planning Proposal.

Due to the different nature of each site, Council considers that when Planning Proposals are lodged that:

- Ron Costello Oval would be considered a major planning proposal
- Beverley Whitfield Park would be considered a major planning proposal
- Albion Park Showground would be considered a minor planning proposal

A Planning Proposal lodged including all three sites would also be considered a major Proposal.

Specific issues that are required to be assessed for each site are detailed in **Table 1**.

Table 1 – Issues to be addressed in a planning proposal for seasonal camping at identified sites

Site	To be considered
Ron Costello	Consistency with the community land classification Acid sulphate soil Noise impacts Water quality Flooding Lighting impacts Economic impact assessment Open space management – conflicts with existing users Infrastructure servicing
Beverley Whitfield Park	Consistency with the community land classification Flora and/or fauna Soil stability, erosion, sediment, landslip assessment and subsidence Water quality Stormwater management Flooding Sea level rise Economic impact assessment Open space management – conflicts with existing users Infrastructure servicing

Albion Park Showground	Consistency with the community land classification Acid sulphate soil Stormwater management Flooding Economic impact assessment Heritage impact assessment Open space management – conflicts with existing users Infrastructure servicing
------------------------	--

Council will now engage an external consultant to prepare a Planning Proposal to advance the establishment of such camping in Shellharbour City to achieve optimal outcomes for Council, the community and visitors.

The timeframes for the preparation and assessment of a major Planning Proposal are in contained in **Table 2**.

Table 2 – Estimated Timeframes for Planning Proposal Preparation and Assessment

Action	Indicative Timeframe
Preparation of lodgement documentation including the planning report and consultants reports	8-12 weeks
Lodgement by the applicant (i.e. Council's property section/consultant)	1 week
Preparation of the planning proposal by the planning authority	10 weeks
Consideration by Council and a resolution to proceed with the planning proposal	6 weeks
Preparation and lodgements of Gateway Application	2 weeks
Gateway determination stage (12 month timeframe may set from here)	8 weeks
Preparation of additional information by applicant	8-12 weeks
Community and agency consultation	8 weeks
Assessment by the planning authority	8 weeks
Consideration by Council and a resolution for making of the LEP	4 weeks
Consideration of the LEP by the DPIE and making of the LEP by the Minister or delegate	10 weeks
Total	73-81 weeks (18 – 20 months)

A further report on the progress of these matters will be provided to Council when a specific way forward has been identified.

Financial / Resources Implications

The costs associated with the submission and assessment of planning proposals are:

Stage 1 - Initial investigation and report to Council:

- Minor \$4,176
- Major \$9,740

Stage 2 - Statutory processing of the plan:

- Minor \$11,132
- Major \$20,869

Therefore, total costs are anticipated to be \$15,308 for a minor Planning Proposal and \$30,609 for a major Planning Proposal.

Legal and Policy implications

The development process of a Planning Proposal will identify any legal and policy implications that are required to be addressed to enable the establishment of seasonal camping areas.

Public / Social Impact

Council would be providing a new service for visitors and the community could obtain some benefit from visitors using seasonal camping sites through increased economic activity. This benefit needs to be balanced against possible disruption and loss of access to existing amenities for our residents.

Link to Community Strategic Plan

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

Objective: 1.2 Active and healthy

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

Objective: 3.3 Welcomes, engages and attracts visitors

Strategy: 3.3.1 Promote our City as a tourist destination of choice

Consultations

Internal

Director Amenity and Assets
City Planning Staff
Tourism Manager
Property Management Coordinator
Business Performance and Development Manager

External

TCG Planning
Caravan and Motorhome Club of Australia

Political Donations Disclosure

Not Applicable

Recommendation

That Council receive and note the information in this report relating to an update of actions to establish seasonal camping areas within Shellharbour City, including the engagement of an external consultant to progress the planning proposals for Ron Costello Oval, Beverley Whitfield Park and Albion Park Showground.

Approved for Council's consideration: Scott Bridgement
Director Council Sustainability

Date of Meeting: 9 June 2020

Attachments

Nil

10.2.4 Creation of Easement for Water Supply – Lot 10 DP 1157377 – Shellharbour Airport (11433198)

To the General Manager

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 seek Council's approval for the creation of an easement for water supply over Council owned land at part Lot 10 DP 1157377, Shellharbour Airport. The easement is required as part of the Shellharbour Airport Redevelopment Project.

Background

As part of the project for the new Shellharbour Airport Terminal, Council's Projects Team was required to carry out a survey of existing in-grounds assets. This survey identified an existing Sydney Water asset which encroaches onto Council operational land comprised in Lot 10 DP 1157377 which will require the creation of an easement to benefit Sydney Water.

The location of the proposed easement is shown on **Attachment 1**.

A survey plan and Section 88B (Conveyancing Act) instrument have been created and Council authority is required to create the easement before the survey can be lodged at Land Registry Services for registration. The terms of the S88b instrument are set out in **Attachment 2**.

There are no objections to the creation of the easement which is to protect Sydney Water assets which deliver potable water to the airport precinct. The alternative is to require relocation of the water main (at Council's cost) but as this would not be cost effective it is not in Council's best interests to do so.

This is being referred to Council, as the creation of an easement over Council land requires a resolution of Council.

Financial / Resources Implications

All costs associated with this matter are to be met out of the Shellharbour Airport Redevelopment Project budget.

Legal and Policy implications

There are no legal or policy implications.

Public / Social Impact

The provision of potable water to the airport precinct is beneficial to Council as a property owner, to occupants/owners of property in the area and members of the broader community who have a need to use the assets and facilities in the area from time to time.

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

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

Manager Projects

External

Nil

Political Donations Disclosure

Not Applicable

Recommendation

That:

- 1. Council approve the creation of an easement encumbering Lot 10 in DP 1157377 in favour of Sydney Water for water supply.**
- 2. The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the creation of the easements for water supply on the title of Lot 10 in DP 1157377 Shellharbour Airport, under Council Seal.**
- 3. The costs associated with the creation of the easement for water supply at Lot 10 in DP 1157377 Shellharbour Airport be funded through the Shellharbour Airport Redevelopment Project budget.**

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

Date of Meeting: 9 June 2020

Attachments

1. Location of Easement for Water Supply – Lot 10 DP 1157377 – *Page 67*
2. Terms of S88b Instrument for Water Supply Easement – Lot 10 DP 1157377 – *Page 68*

Attachment 1 – Location of Easement for Water Supply – Lot 10 DP 1157377



Attachment 2 - Terms of S88b Instrument for Water Supply Easement – Lot 10 DP 11573771

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 1 of 4)

Plan: Plan of Easement and Restriction on the Use of Land over Lot 10 in DP1157377

Full name and address of the owner(s) of the land: Shellharbour City Council
76 Cygnet Avenue
Shellharbour City Centre NSW 2529

Part 1 (Creation)

Number of Item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement for Water Supply Purposes 2 wide and variable [AW]	10/1157377	Sydney Water Corporation ABN 49 776 225 038
2	Restriction on the Use of Land [RW]	10/1157377	Sydney Water Corporation ABN 49 776 225 038

Part 2 (Terms)

1. Terms of Easement numbered 1, in the plan

Easement for Water Supply purposes the terms of which are set out in Schedule 4A, Part 10 of the Conveyancing Act 1919.

Name of Authority empowered to release, vary or modify the easement numbered 1 and referred to in the plan

Sydney Water

2. Terms of Restriction on the Use of Land numbered 2, in the plan

(a) The land owner must not do or allow to be done within the easement, any of the following:

(i) erect, construct or place any building, structure, retaining walls and/or fences (with the exception of boundary fences with removable panels which can be readily dismantled). Sydney Water shall not bear any responsibility for damage to any of the above which are constructed or placed within the easement in contravention of this clause, whatever the cause;

(ii) damage or interfere with any part of the pipeline or works;

(iii) cover, obscure or obstruct any surface fitting; or

(iv) permit the land to be used in any way that would restrict or prevent Sydney Water or its agents from gaining access to the works at any time for any reasonable purposes.

.....
Authorised Person
Sydney Water

.....
Date

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 2 of 4)

Plan: Plan of Easement and Restriction on the Use of Land
over Lot 10 in DP1157377

(b) The land owner must not do or allow to be done any of the following without prior written approval from Sydney Water and then only in strict compliance with such conditions as Sydney Water may impose:

- (i) make any alterations to surface levels of the land within the easement;
- (ii) place any pavement, including concrete or paved driveways and footpaths on the land within the easement;
- (iii) stack or place any material or obstruction including without limitation timber, rubbish, fuel and building material;
- (iv) plant any trees or shrubs or carry out any landscaping works;
- (v) park any vehicle or item of plant which cannot readily and easily be removed; or
- (vi) install or lay any service, pipe, conduit, cable or similar.

(c) Where Sydney Water has given approval in relation to any of the items in (b) above:

- (i) the land owner will bear all responsibility for any damage to Sydney Water's works as a result of the matters approved; and
- (ii) Sydney Water will not be held liable for damage to any approved structures or property located within the easement.
- (iii) With respect to Sections (c) (i) and (ii) above, an indemnity in the form of a covenant registered on title is required to bind present and future owners of the property.

(d) No modifications or renewals shall be made to any building or structure located within the easement, notwithstanding that the building or structure may have existed prior to the easement being acquired.

(e) Where any building, structure or other property which would normally require Sydney Water's approval has been constructed, placed, modified or renewed within the easement area prior to the easement being acquired by Sydney Water and subsequent to the works being taken over by Sydney Water, the owner of the land will bear full responsibility for that building, structure or other property and any damage to it, whatever the cause.

Name of Authority empowered to release, vary or modify the easement numbered 2 and referred to in the plan

Sydney Water

.....
Authorised Person
Sydney Water

.....
Date

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 3 of 4)

Plan: Plan of Easement and Restriction on the Use of Land
over Lot 10 in DP1157377

Executed by SYDNEY WATER

.....
Signature of signatory

.....
Signature of witness

.....
Name and title of signatory

.....
Name of witness

.....
Address of witness

.....
Authorised Person
Sydney Water

.....
Date

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 4 of 4)

Plan: Plan of Easement and Restriction on the Use of Land
over Lot 10 in DP1157377

Executed by SHELLHARBOUR CITY COUNCIL by its authorised delegate pursuant to s.377 Local Govt. Act, 1993:

.....
Name and signature of delegate

I certify that I am an eligible witness and that the delegate signed in my presence.

.....
Signature of witness

.....
Name of witness

.....
Address of witness

.....
Authorised Person
Sydney Water

.....
Date

10.3 Community and Customers Directorate

**10.3.1 Shellharbour Local Environmental Plan 2013 Planning Proposal
No. 0004/2018 Lot 17 DP 1168920 Exeter Place, Tullimbar
(11443409)**

To the General Manager

Directorate: Community & Customers
Group: City Planning

Manager: Geoff Hoynes – Group Manager City Planning
Author: Ian Rankine – Senior Strategic Planner

Summary

The purpose of this report is to seek Council's resolution to prepare a Planning Proposal to amend *Shellharbour Local Environmental Plan 2013* (Shellharbour LEP 2013) by rezoning Lot 17 DP 1168920 from Residential 2(e) and Rural 1(a) in Shellharbour LEP 2000 to a mix of R2 Low Density Residential, R5 Large Lot Residential, SP2 Infrastructure (Electricity Transmission and Distribution) and E3 Environmental Management and introducing other planning controls.

The land was deferred by Council when it was considering the adoption of Shellharbour LEP 2013 at its meeting of 29 May 2012. Council resolved, amongst other matters, that the land identified in Map 1.4 in the Urban Fringe Local Environmental Study be deferred from the Draft Shellharbour Local Environmental Plan 2011 so that potential increases in residential densities can be studied/assessed.

The location and the current zoning of Lot 17 DP 1168920 are shown in **Attachment 1**.

This Planning Proposal was initiated by the landowner.

The report also recommends that the Planning Proposal be submitted to the NSW Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination. A copy of this report will form part of Council's submission to DPIE.

Background

About Planning Proposals

A planning proposal is a document that explains the intended effect of a proposed amendment(s) to a Local Environmental Plan (LEP), in this case the Shellharbour LEP 2013, and sets out the justification for making the amendment.

This Planning Proposal will involve 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* – 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 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.

Council is considering step 1.

Existing Tullimbar Controls

The urban release area of Tullimbar is zoned 2(e) Mixed Use Residential under Shellharbour LEP 2000. The zone was specifically developed by Council for urban release areas to allow for fully developed neighbourhoods and permit a range of residential and commercial uses that would be expected in fully developed neighbourhoods. The Standard Instrument LEP (Shellharbour LEP 2013) does not have a zone similar to the 2(e) zone or contain the framework to permit such a flexible approach to planning as the current controls.

Planning Proposal 4/2018

This Planning Proposal applies to all of Lot 17 DP 1168920, Exeter Place, Tullimbar.

As shown in **Attachment 1**, part of the land is zoned Residential (Mixed Use) 2(e) and the remainder of the land is zoned Rural 1(a) in Shellharbour LEP 2000.

Part of the 2(e) zoned land is subject to Development Consent 0073/2018 considered by Council at its meeting of 24 September 2019. Development Consent was granted to a 290 Lot Staged Subdivision, Comprising of 283 Residential Lots, Three Open Space Lots, One Riparian Area and Three Residual Lots.

The proposed zoning and other planning controls for the site are outlined in **Attachment 2** and relevant maps are in **Attachments 4 – 11**.

Generally, the proposed zones are R2 Low Density Residential, R5 Large Lot Residential, E3 Environmental Management and SP2 Infrastructure (Electricity Transmission and Distribution).

Proposed lot sizes will range from a minimum of 300m² on the R2 zoned land to 1,000m² or greater on the R5 zoned land, with E3 zoned land greater than 10,000m².

The increase from 300m² to 1,000m² or greater is proposed to provide a transition to larger lots on the periphery of the site or where the land adjoins existing large lot development.

To assist in providing a land use outcome that limits residential accommodation to no more than one dwelling and a secondary dwelling (that is, no attached dual occupancies that could be subdivided) on the proposed R5 zoned land, a local clause is intended that will only permit one dwelling and a secondary dwelling as residential land uses. A secondary dwelling has a maximum floor area of 60m² and can't be subdivided under current legislation.

The No Development Map and Clause is also proposed on the E3 zoned land to the south and near the knoll towards the west of the site to minimise the opportunity for a dwelling house to be constructed on the land where none are intended but still permit the subdivision of the land.

Another Local clause is proposed to impose a Floor Space Ratio (FSR) on those lots zoned R2 Low Density Residential that are greater than 450m². A FSR on lots less than 450m² is not proposed because Building Design Guidelines are required under the Tullimbar provisions of the Shellharbour Development Control Plan (DCP) for lots less than 450m². These guidelines will outline building setbacks which will assist in limiting the building footprint on lots less than 450m².

It is also recommended that a Terrestrial Biodiversity map be created to cover the important vegetation on the proposed E3 zoned land. The map will generally follow the boundaries of the Terrestrial Biodiversity Map exhibited with Draft Shellharbour LEP 2011.

Financial / Resources Implications

The Stage 1 Planning Proposal fee of \$7,880 (28 June 2018) has been paid. Should Council support the preparation of the Planning Proposal, the Stage 2 fee currently \$20,869 (2019/2020 financial year) will need to be paid prior to sending the Proposal to the DPIE for Gateway determination. As the Stage 2 fee will be paid next financial year, this cost will be adjusted to suit Council's adopted fees and charges for 2020/2021.

Staff resources have and will be required to continue processing the Planning Proposal.

Legal and Policy implications

Should Council support the preparation of a Planning Proposal, the Planning Proposal will need to be sent to DPIE for Gateway assessment.

Environmental Planning & Assessment Act and Regulations

The Planning Proposal will need to be prepared and assessed in accordance with the requirements of the *Environmental Planning & Assessment Act and Regulations*, the Guide to Preparing Planning Proposals and the Guide to Preparing Local Environmental Plans prepared by the DPIE.

Shellharbour Local Housing Strategy

The Shellharbour Local Housing Strategy (SLHS) was adopted by Council at its meeting of 17 December 2019 and endorsed by the DPIE's Director, Southern Region, Local and Regional Planning on 12 May 2020.

As this Planning Proposal was lodged on 28 June 2018 it is unreasonable for the Planning Proposal to be consistent with all the recommendations of the SLHS.

The SLHS includes a number of objectives. Objective 4 is:

The Shellharbour LEP and associated planning controls continues to provide opportunities for new residential development through already committed greenfield estates and redevelopment opportunities within established communities, to meet the needs of its residents. No new land release areas are required.

The letter from the Department endorsing the SLHS included

"In relation to Objective 4 which focus on greenfield and in-fill development, while it is noted that additional land is not required to meet projected housing demand, the Department remains open to receiving applications to rezone land for residential development"

The SLHS Evaluation of Options table recommendation 4, pages 82 & 83 and the Implementation and Delivery Plan recommendation 4, page 93, generally discusses differentiating planning controls between different areas and the need for fine grained planning to be undertaken to develop these details. It is considered that this Planning Proposal application has undertaken that fine grained work to propose the rezoning of the land and a range of lot sizes in this locality.

A large proportion of this site is already zoned residential and it is considered reasonable, in this instance, to consider rezoning the remainder of the land as proposed due to its location adjoining the existing residential zoned land, proximity to existing and planned infrastructure and physical constraints such as flooding and environmental issues can be managed in a positive manner.

In this instance, the inconsistency with the SLHS is considered to be minor.

Shellharbour Local Strategic Planning Statement

Council adopted the Shellharbour Local Strategic Planning Statement (LSPS) at its meeting of 19 May 2020.

This Planning Proposal was lodged on 28 June 2018 which was before Council initiated the LSPS project.

Section 3.33(2)(c) of the *Environmental Planning & Assessment Act* requires a Planning Proposal to include whether the Proposal will give effect to the LSPS.

Two of the priorities of the LSPS are:

1. Deliver greater housing diversity and affordability to meet the changing needs of the community (P1, page 31 LSPS) and continue the program to carry over the deferred lands into LEP 2013 (P1.3, page 31 LSPS)
2. Develop a Rural Strategy for our City (P14.1) to help identify the future of our rural and environmental lands, and what will be appropriate and viable for the future of these areas of the LGA (page 56 LSPS).

As this Planning Proposal:

- was lodged prior to the commencement of the LSPS project,
- includes proposed land use outcomes that are on existing or adjoin current or future Residential zoned land,
- is on land with minimal agricultural and rural land use options due to its location adjoining residential development,
- is on or adjoins land identified in the Illawarra Shoalhaven Regional Strategy as providing housing opportunities,
- will add to the diversity and mix of lot sizes within our Local Government Area,
- addresses the Council resolution of 29 May 2012 that required the increased densities of the land deferred from Shellharbour LEP 2013 to be studied/assessed, and
- addresses Action 1.3 “continue the program to carry over the deferred lands into LEP 2013”,

it is considered that this Planning Proposal meets the general intent of Priority 1 of the LSPS and the circumstances of this Planning Proposal over-ride the need to wait for the commencement and completion of a Rural Strategy.

Draft State Environmental Planning Policies, State Environmental Planning Policies (SEPPs)

Council officers have made an assessment of the planning proposals against the SEPPs. Based on this assessment, the planning proposal is consistent with, or not applicable to, the SEPPs.

Local Planning Directions (S9.1 of the *Environmental Planning and Assessment Act*)

There are some inconsistencies with the Planning Directions and these are outlined in **Attachment 3**.

Generally, these inconsistencies are considered to be minor. An assessment of the significance of the inconsistency and approval for the inconsistencies will need to be undertaken by the DPIE as part of their assessment.

Illawarra Shoalhaven Regional Plan

The Planning Proposal is generally consistent with the Regional Plan.

The existing Residential zoned land has been identified in the Plan as providing a contribution to greenfield land supply to the Region. The extension of this area as proposed is considered to be reasonable and make a minor contribution to the overall supply of Residential zoned land. The Proposal adjoining existing Residential zoned land will assist in maximising the use of the infrastructure required to be provided to the existing residential zoned land as it is developed.

In this regard the Planning Proposal is considered to satisfy Direction 2.3 *Deliver housing in new release areas best suited to build new communities, provide housing choice and avoid environmental impact*.

The Planning Proposal intends to protect the important flora on the site by zoning it E3 Environmental Management. The use of the Terrestrial Biodiversity mapping layer to the relevant parts of this zoned land is also proposed. In this regard, the Planning Proposal is considered to satisfy the intent of Direction 2.4 *Identify and conserve biodiversity values when planning new communities*.

Illawarra Shoalhaven Urban Development Program

That part of the site currently zoned Residential 2(e) is identified in Map 4 of the Illawarra Urban Development Program Update 2010. The remainder of the site was not identified for urban development in the 2010 Update.

The Illawarra Shoalhaven Urban Development Program Update 2018 identifies Tullimbar Village by text only and identifies the locality as having greenfield subdivision potential of 1270 on zoned and serviced land.

Urban Fringe Local Environmental Study

The Urban Fringe Local Environmental Study (UFLES) was adopted by Council for the purpose of public exhibition with the then Draft SLEP which, when finalised became Shellharbour LEP 2013.

The UFLES had a significantly less development than included in this Planning Proposal being considered by Council.

Since the completion of the UFLES, the development scenarios in the Calderwood & Tullimbar localities has changed. Calderwood has been approved and is being developed to cater for about 4,800 dwellings and the original development vision for Tullimbar has changed and generally as development moves further away from the Village Centre, does not include the development outcomes of rear lanes and housing styles.

Further, and importantly, Council deferred the UFLES lands so that potential increases in residential densities could be studied/assessed.

Based on the current development in this locality and the site specific merits of this Proposal, it is considered reasonable to increase the development potential of this land as outlined in this report.

Loss of Agricultural Land

The majority of the site is Class 3 lands, with some class 4 & 5. The Class 3 lands includes land already zoned Residential.

Class 2 – 4 lands are capable of being used for agricultural activities but may not include cropping or regular cultivation of the land.

The location of the land next to existing residential zoned land to the north and northwest and rural residential to the west, would make the carrying out of agricultural activities difficult due to the potential conflict with residential land uses.

Whilst agricultural land can play an important role in our City, the location of this site does not readily lend itself to sustainable agricultural pursuits.

Flooding

A Water Cycle Management Report has been reviewed. The assessment concluded that the residential components of the Planning Proposal will comply with the necessary requirements of Local Planning Direction 4.3 Flood Prone Land.

Further details on stormwater design will be required as part of any future development application.

Flora and Fauna

An ecological report has been submitted.

The land contains two Ecological Endangered Communities, being Illawarra Lowlands Grassy Woodland and Illawarra Subtropical Rainforest under the *Biodiversity and Conservation Act 2016*. The site also includes Illawarra and South Coast Forest and Woodland which is critically endangered under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999*.

Part of the site is mapped on the Biodiversity Values Map. Development in areas covered by the Biodiversity Values Map will trigger Biodiversity Offsetting under the *Biodiversity and Conservation Act 2016* and also require Assessments as a Matter of National Environmental Significance under the Commonwealth *Environmental Protection Biodiversity Conservation Act 1999*. This will be addressed as part of any future Development Application.

There are also records of the site having the threatened species *Zieria granulata* and *Irenepharsus Trypheris* (Illawarra Irene).

If clearing is proposed as part of any future development application a comprehensive Biodiversity Assessment report (BAR) must be prepared using the Biodiversity Assessment Method to assess the full biodiversity significance and offsetting requirements.

The area to the south of the site, proposed to be zoned E3 Environmental Management, has environmental significance. The Proposal does not intend to include a dwelling house on this land and this will be controlled by the local clause that outlines this area and identifies the maximum number of lots this land can be subdivided into is three and is proposed to include the no development layer of Shellharbour LEP 2013. The land could then be consolidated with adjoining R5 zoned lots to provide a residential component and an environmental component.

Bushfire

The Planning Proposal contains land that is mapped as bushfire prone land. A Bushfire assessment report has been submitted.

Asset Protection Zones (APZs) will be required as part of any future development. The Bushfire assessment report indicates that there is potential for development of the land although and future development applications will need to take into account the need for APZs and design an appropriate lot layout.

As part of the processing of this Planning Proposal (should it be supported by Council and receive a Gateway determination to proceed), referral to the NSW Rural Fire Service (RFS) is required by Local Planning Direction 4.4 Planning for Bushfire Protection. The comments from the RFS will need to be taken into account and incorporated into the Planning Proposal.

Traffic

The proposal will generate additional traffic in this locality. The review of the submitted traffic impact assessment reports concluded that due to the variables associated with future development in Tullimbar and Calderwood it is difficult to make a definitive assessment of the impacts of this proposal on the intersections of Yellow Rock Road and the Illawarra Highway and the intersection of Broughton Avenue and the Illawarra Highway.

One impact that can be quantified is the increased traffic volume on Yellow Rock Road up to Araluen Terrace.

The Tullimbar Village Development Control Plan originally intended for the Yellow Rock Road intersection with the Illawarra Highway to be closed. As a result of this, the road was envisaged to be a local street cul-de-sac and retained a carriageway width of only 6m with no provision for parking. This, coupled with the fact that the road still retains its rural geometric design, creates road safety and traffic management issues.

To address this matter Council is considering options to upgrade parts of Yellow Rock Road to an urban road standard. The Council traffic assessment concluded that as part of the Planning Proposal it is considered reasonable to require a proportional contribution to the upgrade.

The contribution is justified on the basis that only two access points (Broughton Avenue and Yellow Rock Road) to the Planning Proposal site are guaranteed. Additionally, the last traffic report indicated that at a minimum, one third or 33% of traffic from the site would use Yellow Rock Road even with the additional access point into the Allam subdivision area. Should that access never eventuate, it is reasonable to assume a 50:50 split between Yellow Rock Road and Broughton Avenue. Through discussions with the applicant and landowner, they have agreed to consider entering into a Planning Agreement with Council to contribute to the upgrade of parts of Yellow Rock Road to be able to cope with the additional traffic volumes brought about by the application.

Local Infrastructure Contribution Issues

Council's Contributions Plan was based on land that was, at the time of preparation of the Plan, zoned for residential development. As much of the subject site was outside of this area and was not zoned for Residential use, it was not included in the consideration of infrastructure that would be needed to support the development of Tullimbar.

For this reason, whilst some of the infrastructure needed to support the development of this site was included in the Contributions Plan, other infrastructure may be needed to address those parts of the site not included in the Plan.

The extent of that infrastructure needs to be determined by the applicant and will be determined on lot yield.

Satisfactory provision of local infrastructure can be provided by amending the Shellharbour Local Infrastructure Contributions Plan 2019 to include this land, zoning changes and development yield. Alternatively, the legislation provides for the preparation of a Planning Agreement to be entered into as a means of providing for infrastructure that is required to support development, and is a useful means of delivering infrastructure outside the contributions plan.

Entering into a Planning Agreement at rezoning stage would provide certainty that the infrastructure would be delivered. Any such Planning Agreement should provide the infrastructure (or funding for that infrastructure) that is identified above, specifically:

- Dedication and embellishment of sufficient and suitable open space land to meet the demand created by the development
- A monetary contribution towards the upgrade of Yellow Rock Road in addition to the contributions required under Council's Local Infrastructure Contributions Plan
- Contribution towards, or agreement to provide Drainage Works (outside those required as "direct works" – that is, those required to enable the development). Any drainage structures that are required could also be dedicated through this Planning Agreement, possibly accompanied by a contribution for maintenance.

Such an Agreement would also identify the interaction of these matters with Council's current Contributions Plan.

The land owner has provided a letter of intent to enter into a Planning Agreement (dated 27 May 2020). Although this intent is noted, the letter is not considered to be a formal Letter of Offer to enter into an agreement as it does not provide sufficient information on the following:

- How it interacts with the Planning Proposal
- Details of infrastructure to be included, timing of provision and concept design/estimated costs of that infrastructure
- Details of how the Planning Agreement will interact with Council's Contributions Plan. For example, extent of any offsets sought, cash contributions they will pay outside of the contributions plan
- If the Planning Agreement involves works for which they will be seeking reimbursement from Council, details of what is sought (amount, timing)
- Any restrictions they are seeking to place on negotiations

If the landowner wishes to address the infrastructure relating to this proposal through a Planning Agreement, they will need to provide Council with a formal Letter of Offer to enter into a Planning Agreement that addresses these issues so that it can be considered as part of the further assessment of the Planning Proposal.

Any Letter of Offer that is submitted will be reported to Council separately to determine whether Council is willing to enter negotiations for a Planning Agreement on the basis of the information provided in the Letter of Offer. If Council supports the Planning Proposal, it is recommended that when sending the Planning Proposal for a Gateway determination that Council request the Planning Proposal and Planning Agreement be exhibited at the same time.

To ensure that all the local infrastructure can be provided as a result of this development, should a final Letter of Offer not be submitted with 30 days of Council's resolution on this item, a separate report will be made to Council to consider amending the Shellharbour Local Infrastructure Contributions Plan 2019 to include, amongst other things, contributions towards the upgrade of parts of Yellow Rock Road.

City Planning Summary

The proposed rezoning will provide an extension to the existing residential zoned land at Tullimbar.

The concept of providing 300m² lots immediately adjoining the existing residential zoned land and transitioning to lots of a minimum 1000m² with no more than 1 dwelling house and a secondary dwelling generally on the periphery of the site is considered a reasonable form of development in this locality. The land having significant environmental attributes is proposed to be zoned E3 Environmental Management and include the Terrestrial Biodiversity mapping layer.

The proposal provides a transition in lot size and development density whilst adding to the diversity of lot and housing products in our City. The proposal addresses the Council resolution that deferred the land in 2012 and provides an end state for this part of the Tullimbar valley. The proposal also addresses Action 1.3 of the LSPS, "continue the program to carry over deferred lands into LEP 2013".

Plan making delegations

Given the matters in this Planning Proposal are considered to be of local significance, it is intended that as part of its Gateway submission, Council staff apply to DPIE to use Council's plan making delegations, including to make or not make the plan under Section 3.36 of the *Environmental Planning and Assessment Act*, after any required consultation on the draft plan.

Public / Social Impact

The Planning Proposal will provide public and social benefits with the provision of additional housing in the LGA. Progressing the Planning Proposal to Gateway determination and if received, public exhibition will provide an opportunity for interested parties to provide their views for Council's consideration.

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

Consultations

Internal

- City Development Planning
- City Development Environment
- Subdivision
- Flooding and
- Infrastructure Contributions

Another round of referrals will be undertaken as part of the consultation process should the Planning Proposal receive a Gateway determination to progress.

External

Subject to the Planning Proposal progressing to a Gateway determination, any future consultation with our community will be undertaken in accordance with the Gateway's recommendation.

Consultation will also be required with:

NSW Rural Fire Service
Civil Aviation Safety Authority and Manager Shellharbour Airport
Utility providers
Department of Planning, Industry & Environment – Planning & Environment teams
Transport for NSW

Political Donations Disclosure

Information lodged with each of the Planning Proposal applications indicate that no political donations have been made.

Recommendation

That Council:

- 1. Prepare Planning Proposal No 4/2108 to amend Shellharbour Local Environmental Plan 2013 in the following manner:**
 - a. Amend Shellharbour LEP 2013 Land Zoning Map generally in accordance with Attachment 4**
 - b. Amend Shellharbour LEP 2013 Minimum Lot Size Map generally in accordance with Attachment 5**
 - c. Amend Shellharbour LEP 2013 Building Height Map generally in accordance with Attachment 6**
 - d. Amend Shellharbour LEP 2013 by introducing a Local clause and associated map that identifies a Floor Space Ratio of 0.5:1 for those lots zoned R2 Low Density Residential and equal to or greater than 450m² generally in accordance with Attachment 7**
 - e. Amend Shellharbour LEP 2013 by introducing a Local clause and associated map that identifies land zoned R5 Large Lot Residential and the only form of residential accommodation permitted is a dwelling house and a secondary dwelling generally in accordance with Attachment 8**
 - f. Amend Shellharbour LEP 2013 by introducing a Local clause and associated map that permits the subdivision of the land as generally identified in Attachment 9 into a maximum of three lots and no residential accommodation is permitted**
 - g. Amend Shellharbour LEP 2013 No Development Map generally in accordance with Attachment 10**
 - h. Amend Shellharbour LEP 2013 Biodiversity Terrestrial Map by including a map generally in accordance with that exhibited in Draft Shellharbour LEP 2011 generally in accordance with Attachment 11**
- 2. Advise the landowner that if they intend to enter into a Planning Agreement a formal Letter of Offer to enter into a Planning Agreement must be submitted within 30 days of Council's resolution on this item and include the following:**
 - How the Planning Agreement interacts with the Planning Proposal**
 - Details of infrastructure to be included, timing of provision and concept design/estimated costs of that infrastructure**
 - Details of how the Planning Agreement will interact with Council's Contributions Plan. For example, extent of any offsets sought, cash contributions they will pay outside of the contributions plan**

- If the Planning Agreement involves works for which they will be seeking reimbursement from Council, details of what is sought (amount, timing)
 - Any restrictions they are seeking to place on negotiations
3. As part of the gateway submission to the Department of Planning, Industry and Environment seek the exhibition of the Planning Agreement with the Planning Proposal.
 4. Not finalise the Planning Proposal until a satisfactory Planning Agreement is entered into or the Shellharbour Local Infrastructure Contributions Plan 2019 is amended.
 5. Request a further report be submitted to Council if a formal Letter of Offer is not received within 30 days of Council's resolution on this item, to consider amending the Shellharbour Local Infrastructure Contributions Plan 2019 to include, amongst other things, contributions towards the upgrade of Yellow Rock Road.
 6. Authorise the General Manager to submit Shellharbour Local Environmental Plan 2013 Planning Proposal No 4/2018 to the NSW Department of Planning & Environment in accordance with section 3.34 of the *Environmental Planning & Assessment Act 1979* for review and gateway determination.
 7. Delegate to the General Manager authority to make minor mapping and Local Environmental Plan instrument changes to Shellharbour Local Environmental Plan 2013 Planning Proposal No 4/2018 if and as required by the NSW Department of Planning & Environment's gateway determination.
 8. As part of its gateway submission apply to the Department of Planning and Environment to use its plan making related delegations including making or not making the plan under section 3.36 of the *Environmental Planning and Assessment Act*, after any public exhibition of the draft plan.
 9. Approve Shellharbour Local Environmental Plan 2013 Planning Proposal No 4/2018 to be publicly exhibited in accordance with the gateway determination.
 10. Endorse a further report be provided to Council for consideration after the public exhibition period has closed, detailing the public exhibition outcomes and with further recommendations regarding adoption.

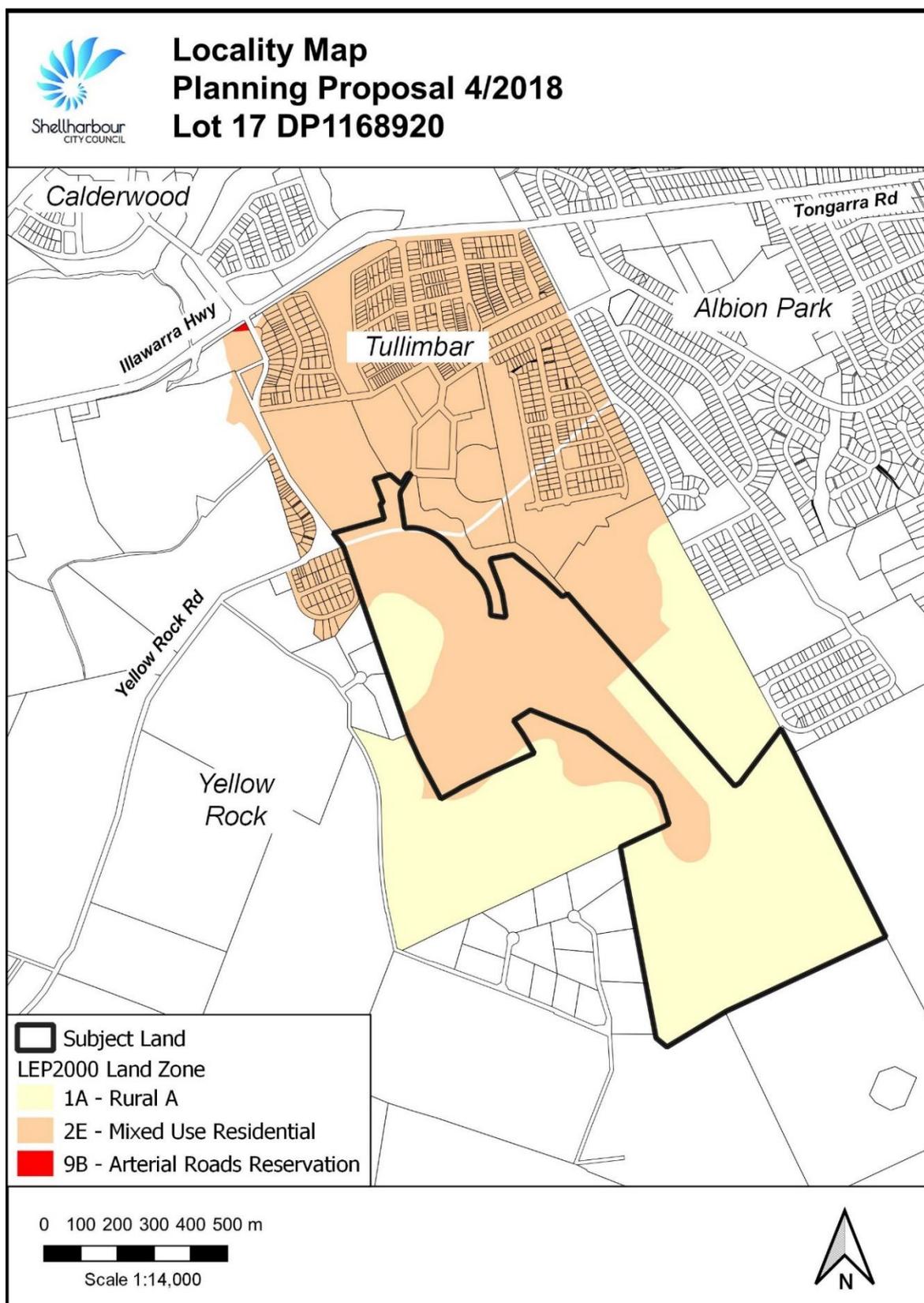
Geoff Hoynes
Approved for Council's consideration: Group Manager City Planning

Date of Meeting: 9 June 2020

Attachments

1. Locality and current zoning plan – *Page 87*
2. Proposed planning controls – *Page 88*
3. Inconsistent Local Planning Directions – *Page 89*
4. Proposed zoning – *Page 92*
5. Proposed Minimum Lot Size – *Page 93*
6. Proposed Building Height – *Page 94*
7. Proposed Local Clause Floor Space Ratio – *Page 95*
8. Proposed Local Clause limiting residential accommodation on R5 zoned land to a single dwelling house and a secondary dwelling – *Page 96*
9. Proposed Local Clause that permits the subdivision of E3 zoned land to the south of the site into a maximum of three lots and no residential accommodation – *Page 97*
10. Proposed No Development Map – *Page 98*
11. Proposed Terrestrial Biodiversity Map – *Page 99*

Attachment 1 – Locality and current zoning plan



Attachment 2 – Table of Zoning and Planning Controls

Property	Area	Existing Planning Controls Zone/Clause/Schedule	Proposed Planning Controls			
			Zone/Clause/Schedule	Min Lot Size	Height	FSR:1
Lot 17 DP 1168920	74.83 hectares	2(e) Residential and 1(a) Rural Schedule 6 - 1 lot	R2 Low Density Residential	R2 - 300m ²	R2 - 11m	R2 less than 450m ² – Nil R2 greater than or equal to 450m ² – 0.5:1
			R5 Large Lot Residential	R5 - 1,000m ²	R5 - 9m	R5 - Nil
			SP2 Infrastructure (Electricity Transmission and Distribution)	Nil	Nil	Nil
			E3 Environmental Management	Part 10,000m ² Part 40ha	Nil	Nil
			Local Clause – FSR of 0.5:1 on lots zoned R2 and equal to or greater than 450m ²	Nil	Nil	Nil
			Local Clause to permit the subdivision of the E3 zoned land to the south of the site into a maximum of three lots	Nil	Nil	Nil
			Introduce the No Development map layer to the E3 zoned land to the south and northwest of the site	Nil	Nil	Nil
			Introduce the Terrestrial Biodiversity Map	Nil	Nil	Nil
			Local Clause on R5 zoned land - the only form of residential accommodation to be a maximum of one dwelling house and one secondary dwelling on each lot	Nil	Nil	Nil

Attachment 3 – Local Planning Directions

Attachment 3 - Local Planning Directions

Based on Council's assessment of the Planning Proposal there is an inconsistency with the following Directions. These inconsistencies are considered to be minor in nature and meets the criteria that permits inconsistency with the Directions. However, an assessment of the significance of the inconsistencies and approval for the inconsistencies needs to be undertaken by the Department of Planning Industry & Environment (DPIE).

1.2 Rural zones

The Planning Proposal is not consistent with this Direction as part of the Proposal is to rezone Rural zoned land to Residential.

The existing Residential zoned land component of the Planning Proposal is in the Illawarra Shoalhaven Urban Development Program (ISUDP) and partly included in the Illawarra Shoalhaven Regional Plan (ISRP).

Whilst the Proposal is inconsistent with this Direction, it is considered of minor significance as part of the land is in the ISUPD and ISRP. The remainder of the land adjoins existing residential zoned land identified in the ISUDP/ISRP and development of this adjoining land is considered more appropriate than considering a rezoning of greenfield land not within reasonable distance of existing infrastructure.

The rezone to Residential consists of Low Density Residential on existing residential zoned land and on the rural land immediately adjoining that land and a transition to an increase in lot size on the proposed Large Lot Residential zoned land generally towards the periphery of the site.

1.5 Rural Lands

The Planning Proposal is not wholly consistent with this Direction as the Planning Proposal is not justified by a strategy endorsed by DPIE but is generally consistent with the Illawarra Shoalhaven Regional Plan and Shellharbour's Local Strategic Planning Statement. The Planning Proposal is also in accordance with the Council resolution of 29 May 2012 when the property was deferred from Shellharbour LEP 2013. This resolution deferred the land so that potential increases in residential densities could be studied/assessed.

The land has minimal ongoing agricultural production value due to its size and location and proximity to existing and proposed residential zoned land.

The proposal is identifying and protecting land with significant environmental attributes by minimising development on those lands and by zoning that land Environmental.

The land is not State significant agricultural land under State Environmental Planning Policy (Primary Production and Rural Development) 2019.

The Planning Proposal is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses by reducing rural land uses in an inappropriate location which would cause conflict with the rural land uses on existing residential zoned land.

The Planning Proposal will not adversely affect the operation and viability of existing and future rural land uses and related enterprises as the surrounding land has minimal rural land uses.

The use of the land for residential purposes will continue the residential use from adjoining land as well as a future residential development on an adjoining property that has received a conditional recommendation from the Southern Regional Planning Panel to proceed to a Gateway determination.

The inconsistency is considered to be relatively minor in terms of the land location and proximity to existing and other proposed residential zoned land, maximising use of existing and proposed infrastructure, minimal use for rural/agricultural pursuits and the proposed method to minimise environmental impacts on the important ecological lands.

3.5 Development near Licensed Aerodromes

The Planning Proposal is inconsistent as a referral to CASA is required should a Gateway determination be received. This Direction can be reviewed once advice is received from CASA.

4.4 Planning for Bushfire Protection

The Planning Proposal is inconsistent as this land is bushfire prone and a referral to the NSW Rural Fire Service (NSW RFS) is required if a Gateway determination is received and prior to public exhibition. This Direction can be reviewed once advice is received from the NSW RFS.

6.3 Site Specific Provisions

This Planning Proposal is inconsistent with this Direction as it is proposing:

1. limiting development to one dwelling house and a secondary dwelling on the proposed R5 Large Lot Residential zoned land on the edges of the development site where Council does not consider small lot residential development to be appropriate.

This inconsistency is considered minor as the land use outcome is providing a transition from the R2 Low Density Residential zoned land with a minimum lot size of 300m² to the R5 Large Lot Residential zoned land with a minimum lot size of 1000m². The location of these lands is either:

- on the periphery of the site where the intent is to provide product that adds to the diversity and mix of lot sizes within our Local Government Area, minimises adverse impacts on surrounding Environmental zoned land and bushland; or immediately adjoins rural residential development that range in lot size from 6145m² - 1.03 hectares and dual occupancy development
- and multi-dwelling housing adjoining these properties is not considered an appropriate or a desired outcome.

2. Limiting the subdivision of the southern area proposed to be zoned E3 Environmental Management by limiting the subdivision of the land into three lots but with no minimum lot size to enable a site specific subdivision pattern to be developed.

3. A floor space ratio of 0.5:1 for those lots zoned R2 Low Density Residential and having a lot size greater to or equal than 450m². A floor space ratio on lots less than 450m² is not appropriate as building design guidelines are a requirement of the Shellharbour Development Control Plan for these lands. The guidelines will set the relevant setbacks and dwelling design criteria and a floor space ratio of 0.5:1 on these smaller lots will adversely impact on dwelling design and floor space on these lots.

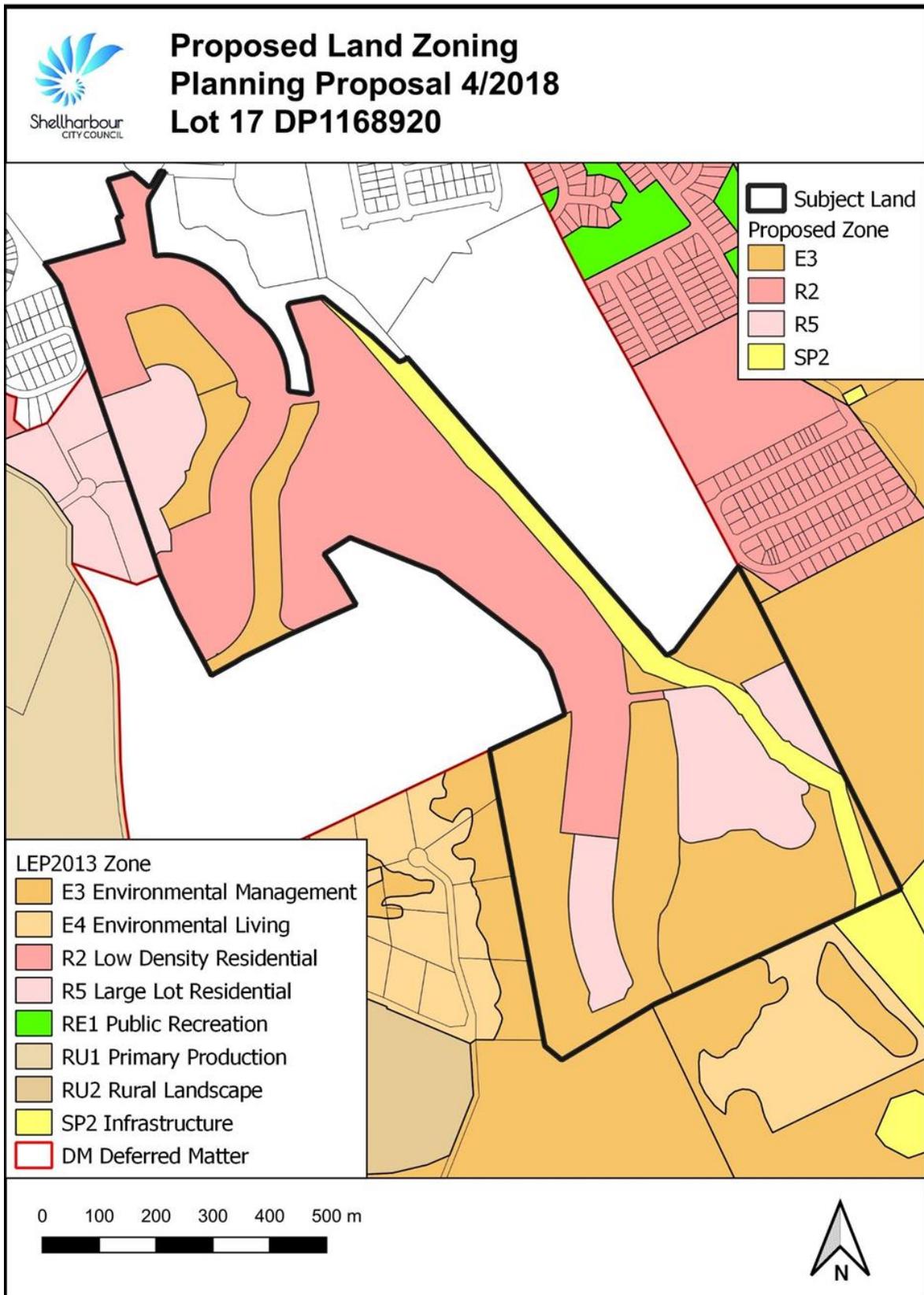
These proposed provisions will complement Council's adopted Shellharbour Local Housing Strategy (SLHS) and Local Strategic Planning Statement (LSPS) in that it will encourage greater housing diversity, by identifying areas to increase density, and encouraging greater mix of lot and dwelling sizes and continue the program to carry over deferred lands into LEP 2013 (LSPS Planning Priority 1).

The SLHS has indicates that there is enough zoned land to provide for the projected dwelling demands over the next 20 years. As such there is no pressure to zone more land for residential development (page 28 LSPS). The proposed minimum lot size of 300m² on the existing 2(e) Residential zoned land and the proposed R2 Low Density Residential zoned land immediately adjoin the 2(e) zoned land, transitioning to R5 Large Lot Residential zoned land with a minimum lot size of 1,000m² will assist in providing increased density and a mix of lot and dwelling sizes in this part of the LGA.

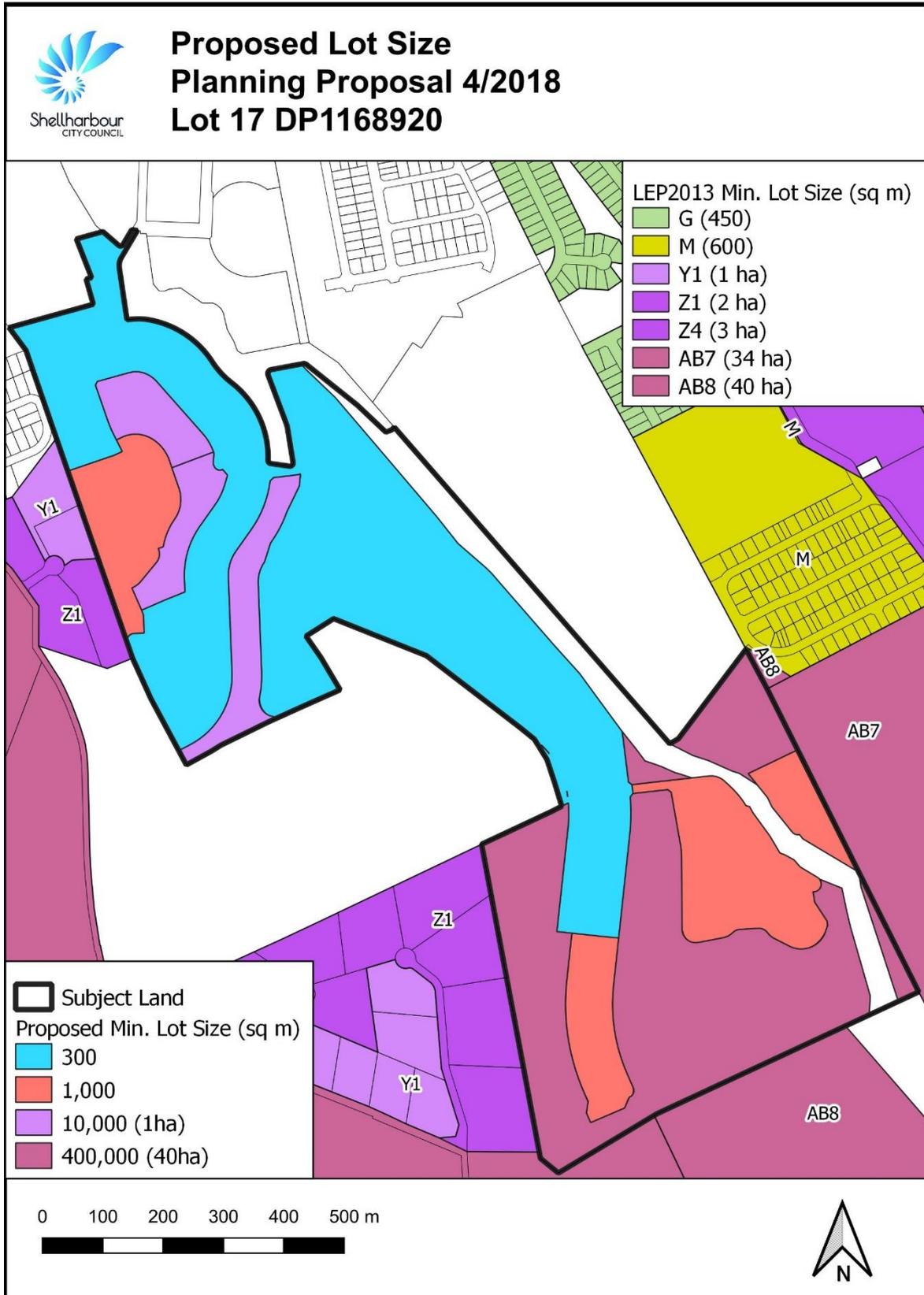
The rezoning of the Rural land to Residential is a continuation of the existing Residential zoned land and will result in the provision of services that will be an extension of that required for the existing residential zoned land.

The proposed rezoning will not result in an adverse impact on other residential development fronts in the LGA or more generally across the region, due its relatively small yield (about 160 lots) and it is considered to be a small release area that will add to existing development fronts including Tullimbar (page 38 Illawarra Shoalhaven Regional Plan).

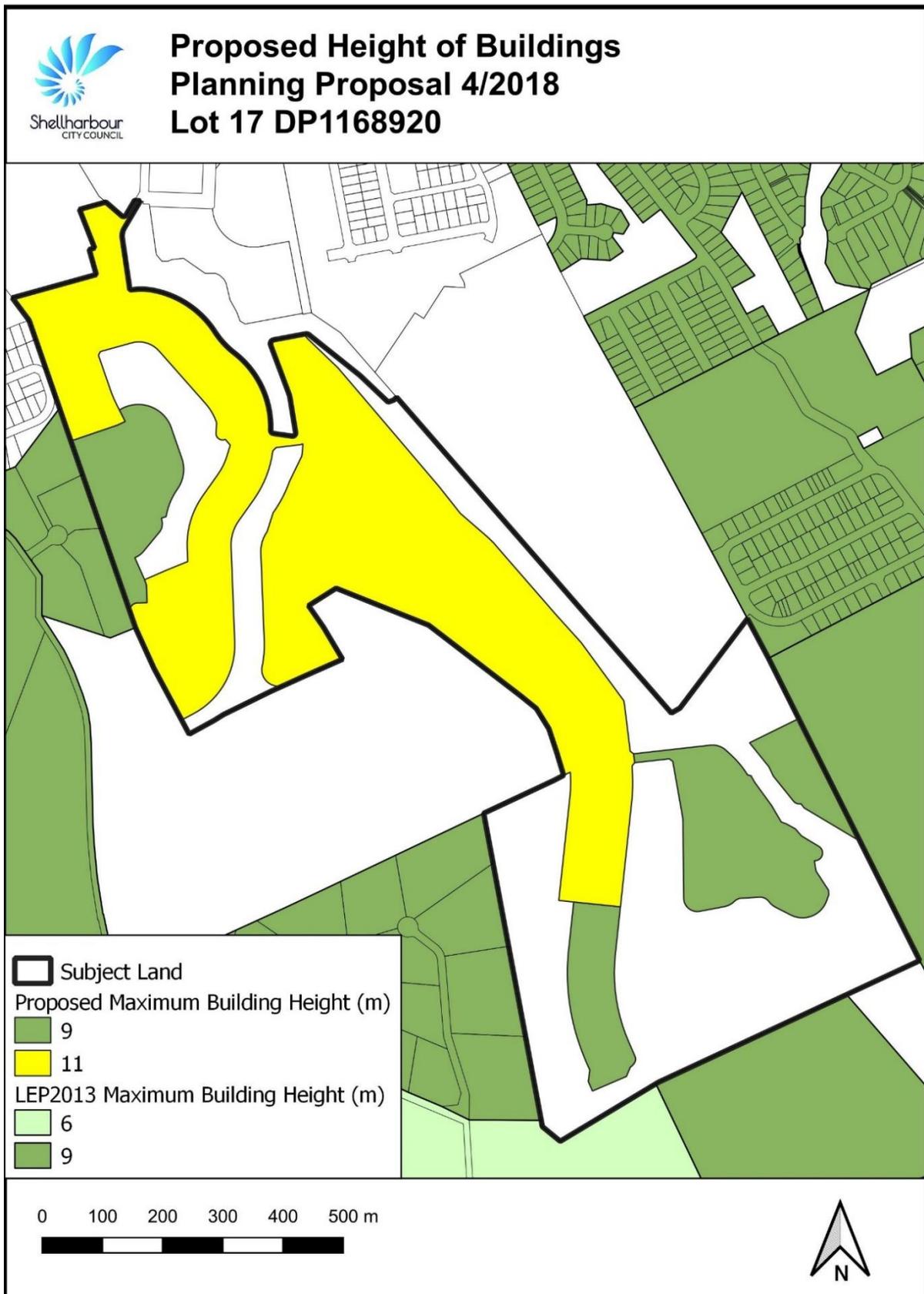
Attachment 4 - Proposed zoning



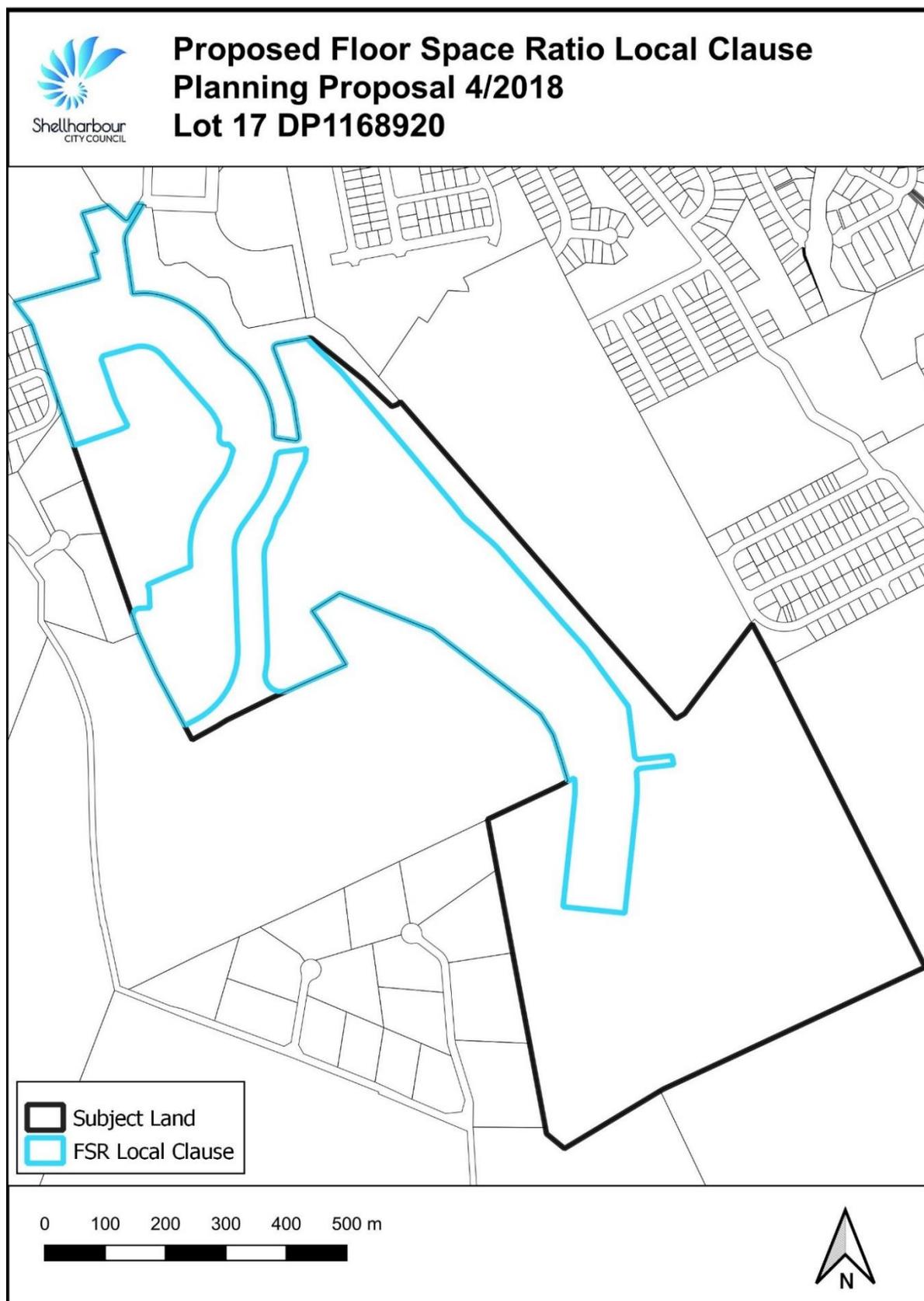
Attachment 5 – Proposed Minimum Lot Size



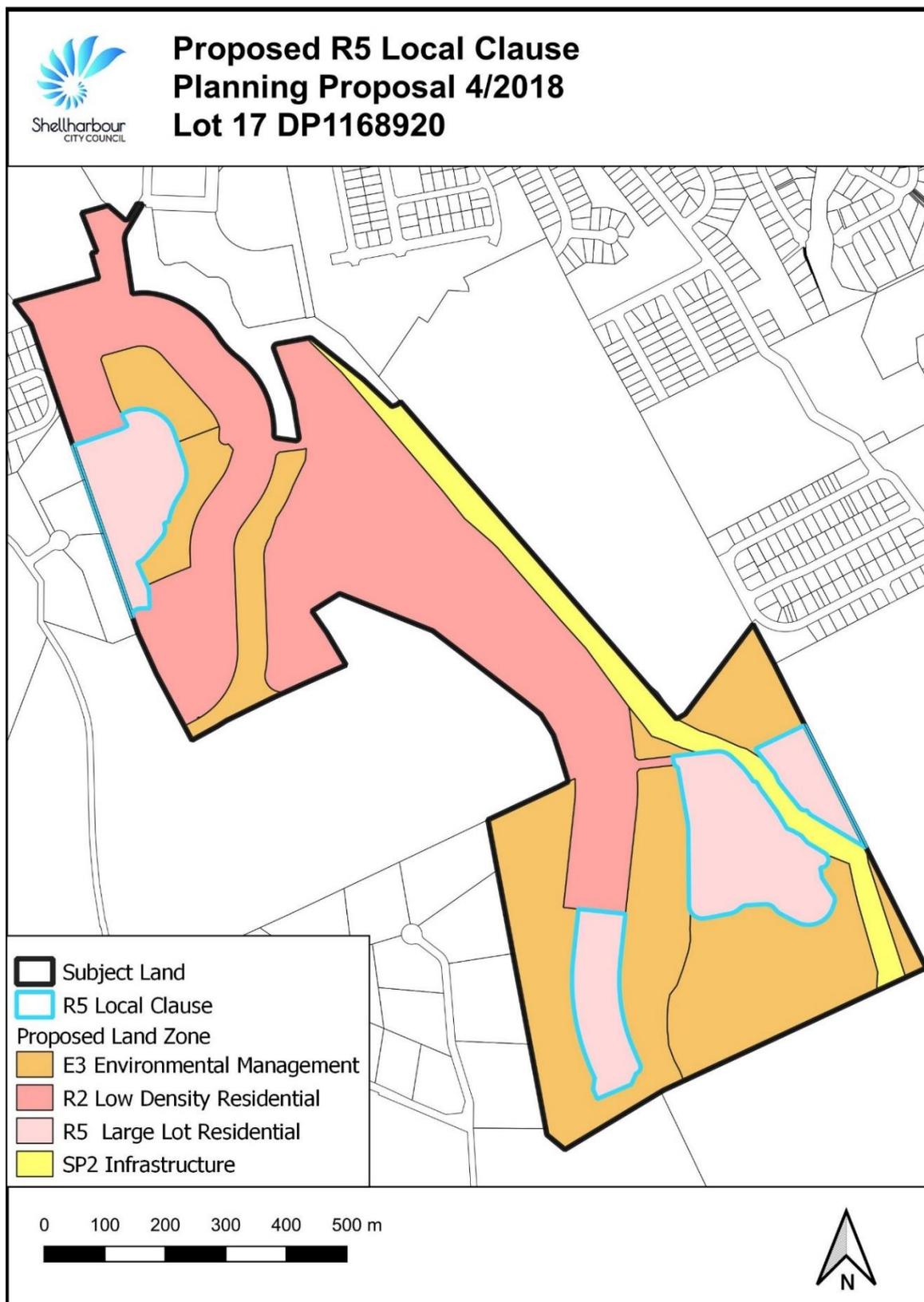
Attachment 6 – Proposed Building Height



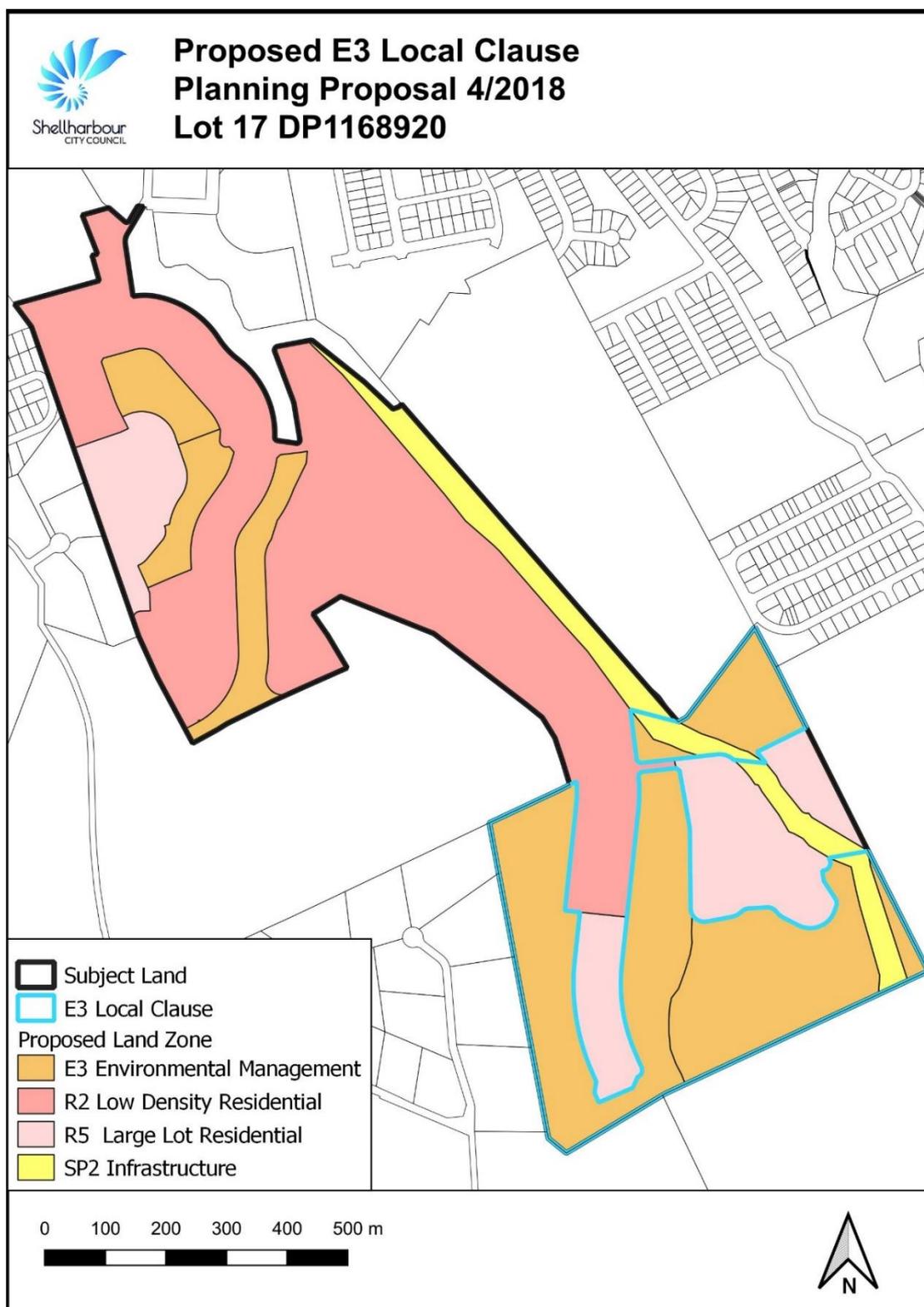
Attachment 7 – Proposed Local Clause Floor Space Ratio



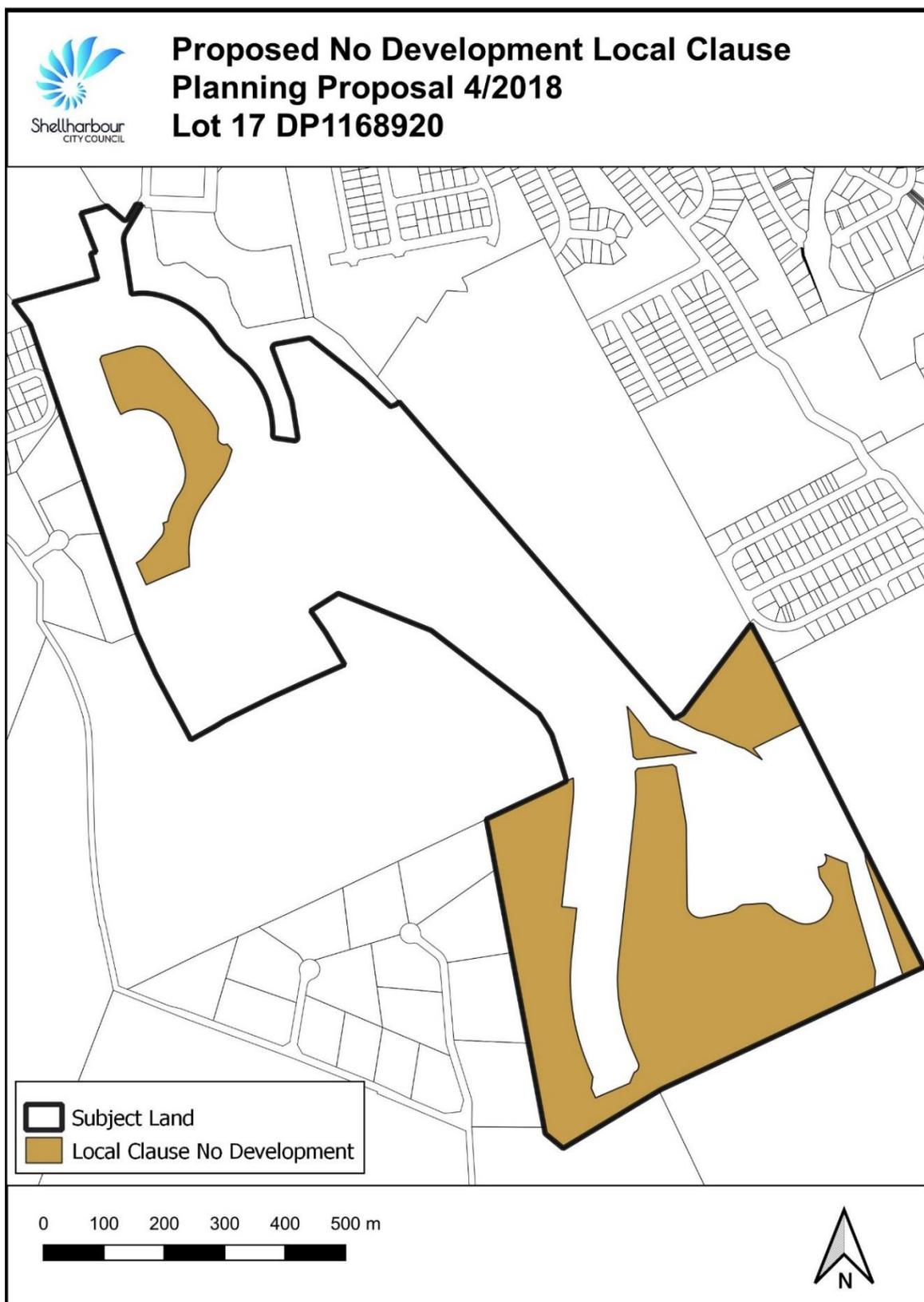
Attachment 8 – Proposed Local Clause limiting residential accommodation on R5 zoned land to a single dwelling house and a secondary dwelling



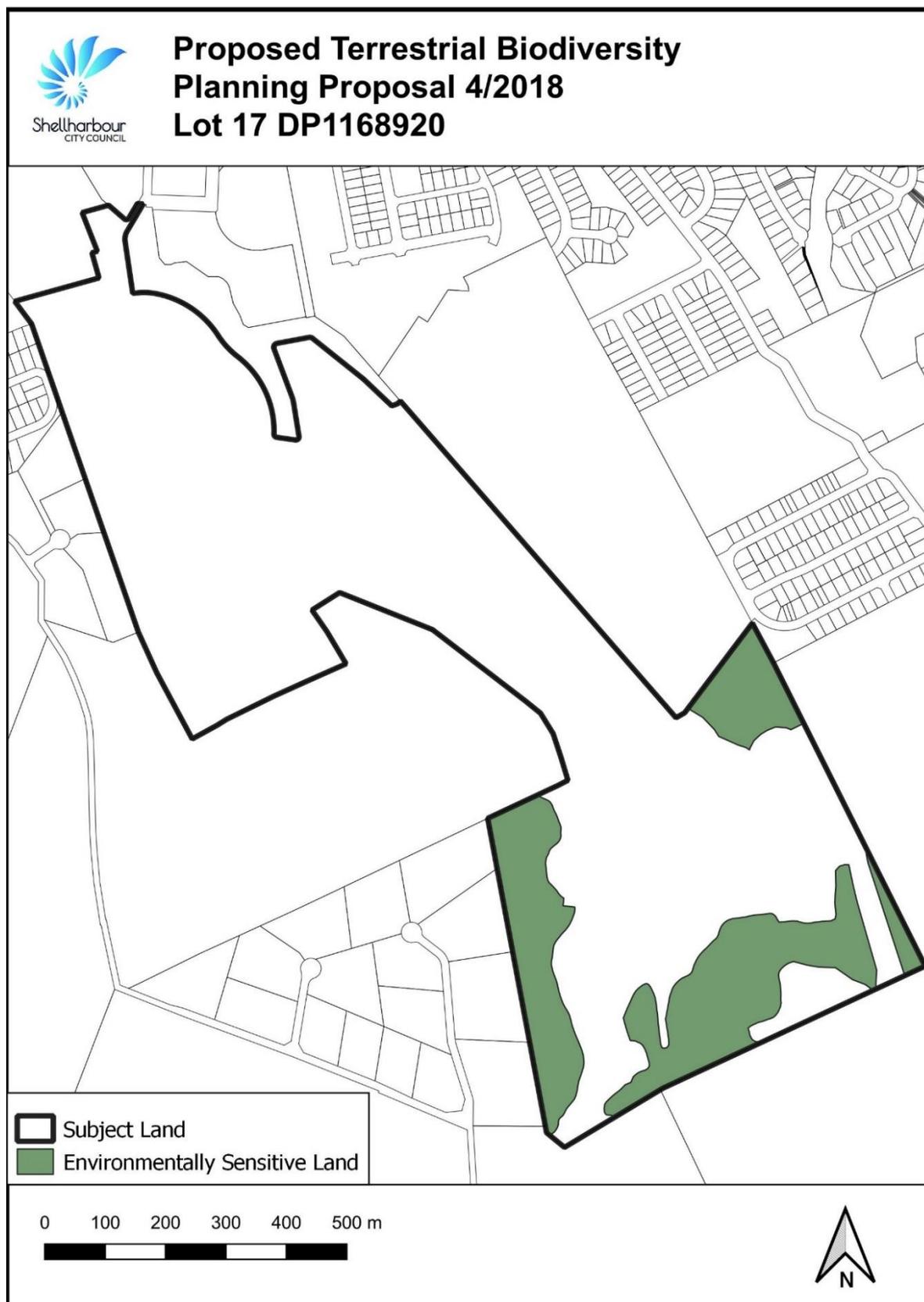
Attachment 9 – Proposed Local Clause that permits the subdivision of E3 zoned land to the south of the site into a maximum of three lots and no residential accommodation



Attachment 10 – Proposed No Development Map



Attachment 11 – Proposed Terrestrial Biodiversity Map



10.3.2 Requests for Financial Assistance - Fourth Quarter Allocation 2019/2020 (11442262)

To the General Manager

Directorate: Community and Customers
Group: Community Connections

Manager: Kathryn Baget-Juleff – Group Manager Community Connections
Author: Renee Acers – Administration Officer

Summary

The purpose of this report is to seek Council's endorsement of the proposed contributions recommended by the Financial Assistance Working Party (Working Party) for the fourth round of allocations for the 2019/20 financial year, from the Miscellaneous Donations budget.

The amount for allocation this financial year from the miscellaneous donations budget is calculated as follows:

Original budget allocation 2019/2020 plus carry over from previous year of \$2,948.50 (miscellaneous donations only)	\$22,948.50
Less amount allocated in first quarter (Jul-Sep)	-\$6,425.00
Plus amount allocated in first quarter for Community Service Awards that were not spent	+ \$161.50
Less amount allocated in second quarter (Oct-Dec)	-\$3,000.00
Less amount allocated in third quarter (Jan-Mar)	-\$6,770.00
Balance remaining for allocations during 2019/20 period	\$6,915.00

This report recommends that Council provide financial assistance from the miscellaneous donations budget totalling \$1,000 and that the remaining funds of \$5,915.00 be carried forward to the 2020/2021 financial year.

Background

Councils may provide financial assistance to others, under S356 of the *NSW Local Government Act 1993* (the Act). Shellharbour City Council allocates funds for certain kinds of donations, listed as miscellaneous donations in each annual Operational Plan and the distribution of funds is managed by the Working Party, which includes all Councillors. Advice and additional information is provided to the meeting by relevant staff.

The Working Party considers requests for financial assistance and makes recommendations to Council subject to the Act, the history of the beneficiary proposal, Council's policy and programme objectives.

The Working Party considers requests for assistance in the form of cash, as well as reductions or waivers of Council fees and charges associated with use by applicant organisations, of city facilities or services.

In such cases, Council may charge the value of any fee reduction, against the budget for donations, thereby ensuring that any fee waiver is recognised as a donation and Council is properly credited with this form of financial assistance.

Financial assistance is provided to germinate volunteer projects and individual aspirations, which are in accordance with Council's objectives outlined in the Financial Assistance – Donations Policy. Financial assistance is never intended to be ongoing, or assured. Not all requests for funding assistance are granted. Not all requests are approved exactly as requested. Approval is generally recommended in part or in full, within Council's budget limits, for those applications that are deemed to fit the guidelines of Council's Financial Assistance - Donations Policy, Council's Fee Reduction Policy and Council's programme objectives.

The fourth quarter allocations for financial assistance closed on 1 May 2020. This round was promoted on social media, print advertisement and through Council networks from 28 March 2020.

The Working Party considered all applications for assistance for the fourth quarter and made recommendations to the total value of \$1,000. See **Table 1** below.

Table 1 – Recommendations Quarter 4 – Miscellaneous Donations budget

Organisation	Reason Requesting	Amount Requested	Amount Approved and supported by FAWP
The Shepherd Centre	To provide a social skills workshop for children with hearing loss in the Shellharbour area, called 'Confident Kids'.	\$2,000	\$500
St Vincent de Paul Society – Shellharbour All Saints Conference	To assist in providing financial and material support to disadvantaged families.	\$500	\$500
TOTAL		\$2,500	\$1,000

Successful applicants will be advised of the allocation amount and any conditions on the allocation.

Financial / Resources Implications

Allocations are made within Council's approved budgetary limits. An amount of \$5,915.00 remains for carry over to the 2020/2021 financial year. This amount is calculated as shown in **Table 2**.

Table 2 – Miscellaneous Donations Budget 2019/20

Original budget allocation 2019/20 plus carry over from previous year of \$2,948.50 (miscellaneous donations only)	\$22,948.50
Less amount allocated in first quarter	-\$6,425.00
Plus amount allocated in first quarter not spent	\$161.50
Less amount allocated in second quarter	-\$3,000.00
Less amount allocated in third quarter	-\$6,770.00
Less amount proposed to be allocated in fourth quarter	-\$1,000.00
Balance remaining for carry over to 2020/2021 financial year	\$5,915.00

Legal and Policy Implications

Nil

Public / Social Impact

The financial assistance provided has a positive social impact as it supports projects and activities within the community in accordance with Council's policy and program objectives.

Link to Community Strategic Plan

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

Objective: 1.1 Vibrant, safe, creative and inclusive City

Strategy: 1.1.1 Deliver and promote events and activities for our community

Objective: 1.2 Active and healthy

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

Consultations

Internal

Financial Assistance Working Party

External

Submissions received from organisations requesting financial assistance.

Political Donations Disclosure

Not Applicable

Recommendation

That:

- 1. Council provide financial assistance from the miscellaneous donations budget totalling \$1,000 to the following groups:**

The Shepherd Centre	\$500
St Vincent de Paul Society – Shellharbour All Saints Conference	\$500

- 2. That the remaining funds of \$5,915 be carried forward to the 2020/2021 Financial Assistance budget.**

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

Date of Meeting: 9 June 2020

Attachments
Nil

10.4 Amenity and Assets Directorate

10.4.1 Public Toilet Amenities in Shell Cove (11389371)

To the General Manager

Directorate: Amenity and Assets
Group: Asset Strategy

Manager: Ben Stewart – Director Amenity and Assets
Author: Wayde Peterson – Group Manager Asset Strategy

Summary

The purpose of this report is to respond to the following resolution of Council from its meeting of 25 February 2020:

That Council officers provide a report to a future meeting of Council outlining the actions officers have taken to provide public toilet facilities in Shell Cove. Such a report shall include, but not be limited to, possible locations (including the area previously used by the Council to host Christmas parties) community consultations and community safety by design considerations.

The report outlines the various criteria used in selecting James Cook Park as the most suitable location for a new amenities facility in Shell Cove. The onsite construction of the facility commenced on 5 May 2020.

Background

In 2017 it was identified that there was a demand for another public toilet in Shell Cove area. Currently, Shell Cove has one public amenities building located at the eastern end of Cove Boulevard within the Waterfront shopping precinct. Master planning of the Shell Cove waterfront includes additional future public amenities to be delivered with the sporting fields, community centre and surrounding foreshore facilities.

When selecting a location for new or upgraded amenities facilities, Council uses the following principles:

- **Safety** – Safety is considered in terms of its physical location, lighting, opportunities for concealment and opportunities for casual surveillance. These are commonly referred to as Crime Prevention through Environmental Design (CPTED) principles.
- **Performance** – Considerations of the comfort, physical condition, service provisions (e.g. ability for sewer connection, water connection etc.) and quality of the facility and its internal fittings.

- Accessibility – A measure of how accessible the facility is for people with disabilities, and the compliance of the facility with modern standards.
- Demand – Considerations of the user-driven demand of the facility and co-location including sensitivity of the location.

The provision of new and upgraded public toilets incorporates Crime Prevention through Environmental Design (CPTED) guidelines and principles. The application of CPTED principles when designing public toilets improves the functionality, safety (actual or perceived) and the overall appearance.

In the case of Shell Cove, after an initial desktop review of sites in accordance with the aforementioned criteria, three options were presented for community and stakeholder feedback. The three location options presented for community feedback were:

1. James Cook Park
2. Seafarers Reserve
3. Seascape Park

To ensure Council, stakeholders and the local community were informed about the proposed new amenities for Shell Cove, a range of communication tools and techniques were used to promote the project and seek feedback.

The consultation approach utilised a number of engagement channels to ensure it was transparent, accessible and targeted. A dedicated project page was established on Council's online engagement platform 'Let's Chat' in March 2019 which has been further supported by social media engagement, letters to residents, face to face meetings and direct feedback to Councillors, all allowing for varying levels of contribution. The feedback was not restricted to individual geographical areas of Shell Cove. The results of the 'Let's Chat' engagement (alone) are provided in **Attachment 1**.

After considering the received feedback and the aforementioned site selection principles the decision was made to locate the new amenities building at James Cook Park, Shell Cove. James Cook Park is a large open space with a variety of recreation and passive facilities including; basketball half court, cricket pitch, soccer goals, picnic shelter, seating, onsite parking, playground and footpaths. Additionally, James Cook Park can be connected to utility services and is not located in close proximity to another public amenities facility. The James Cook Park location also has clear visibility and relatively high levels of casual surveillance.

The development of this new community focused infrastructure has benefits for visitors and local residents accessing the park. There are ongoing concerns of adjacent property owners that the amenities building will be detrimental to the local safety and amenity.

In February 2020, Council advised 51 residences located around James Cook Park of the impending construction of an amenities building.

In response Council has received multiple instances of feedback including a petition like document. In summarising all responses (petition, telephone, email etc), 39 local residences have informed Council that they are against the proposed location and 3 local residences have indicated their support for the proposed location.

The provision of new and upgraded public toilets incorporates Crime Prevention through Environmental Design (CPTED) guidelines and principles. The application of CPTED principles when designing public toilets improves the functionality, safety (actual or perceived) and the overall appearance. The CPTED process for the James Cook Park location concluded that site has the following key benefits:

- Good location setback and orientation
- Good shared co-located spaces
- Good spatial gaps
- Good visibility
- Good lighting
- Co-location with play areas
- No entrapment opportunities
- No underpasses, footbridges or tunnels

The overall CPTED assessment resulted in a “good” 80-100% positive rating and an overall “low risk” assessment outcome. Other CPTED criteria have been applied to the detailed design of the toilet block itself, including the potential to have the toilets locked and unlocked at dusk/dawn.

Additionally, the Lake Illawarra Police Department (LIPD) reported at the 18 February 2020 Crime Prevention Partnership meeting that the James Cook Park area is not considered a “hot spot” for criminal activity or antisocial behaviours. LIPD further clarified that if there are issues of concern occurring in this area, they are currently not being reported to the Police.

When compared against the assessment principles, the other potential locations considered, namely Seafarers Reserve and Seascape Park (previous location of Shell Cove Christmas Party), were not as appropriate as James Cook Park. Seafarers Reserve is subject to low activation with a minimal amount of co-located attraction embellishments such as parkland furniture etc. Additionally, community feedback indicated that other locations were more appropriate. Seascape Park, although more embellished than Seafarers Reserve, has an activation level significantly inferior to that of James Cook Park, has a lower CPTED score and is within walking distance of the Waterfront shopping precinct facility where other amenities already exist.

Financial / Resources Implications

The current adjusted 2019-20 budget for public toilets construction is \$646,000 exc GST. This figure includes the delivery (in full or part) of two other amenities buildings in addition to the Shell Cove facility. The actual delivery of some of the amenities buildings will bridge between the current financial year budget (2019-20) and the next financial year budget (2020-21).

Legal and Policy implications

The 2007 State Environmental Planning Policy Infrastructure assists various providers including local councils by simplifying the process for providing infrastructure to the communities they support. Specifically, Division 12 Part 65 Section 3 states that amenities for people using a reserve, including toilets and change rooms may be undertaken without development approval as set out in the Environmental Planning and Assessment Act.

Public / Social Impact

Public amenities, in the form of sanitary facilities, improve the quality of the public domain, its pedestrian amenity and the liveability of the local government area (LGA). Moreover, public amenities are an integral part of the essential community infrastructure and services that public users in the LGA would expect to be available.

Link to Community Strategic Plan

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

- Objective: 3.1 Plans, builds and manages infrastructure for the community
- Strategy: 3.1.1 Provide the community with a range of infrastructure delivered in a sustainable manner
- Objective: 1.2 Active and healthy
- Strategy: 1.2.2 Provide diverse opportunities for sport, recreation and enjoyment in the City's parks, open spaces and facilities

Consultations

Internal

Community Engagement Officer
Community Safety Officer

External

Nil for this report. However, extensive external consultation was undertaken for public amenities in Shell Cove.

Political Donations Disclosure

Not applicable

Recommendation

That Council receive and note the report titled Public Toilet Amenities in Shell Cove.

Approved for Council's consideration: Wayde Peterson
Group Manager Asset Strategy

Date of Meeting: 9 June 2020

Attachments

1. "Let's Chat' engagement report – *Page 109*

Attachment 1 – ‘Let’s Chat’ engagement report

Lets Chat Shellharbour

Report Type: Form Results Summary
Date Range: 19-03-2019 - 25-04-2019
Exported: 20-03-2020 12:36:54

Closed

Feedback has now closed, thank you for your contribution.

[New amenities for Shell Cove](#)

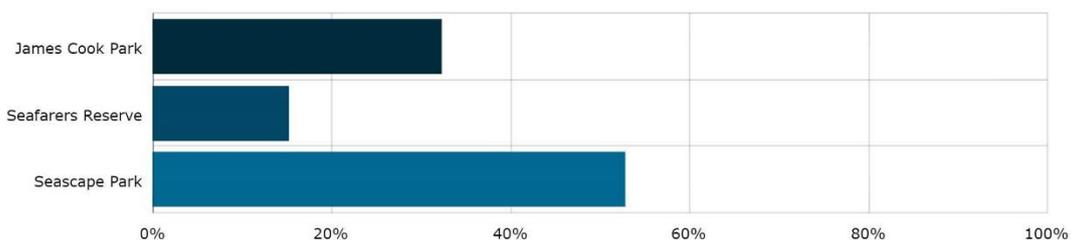
150
Contributors

164
Contributions

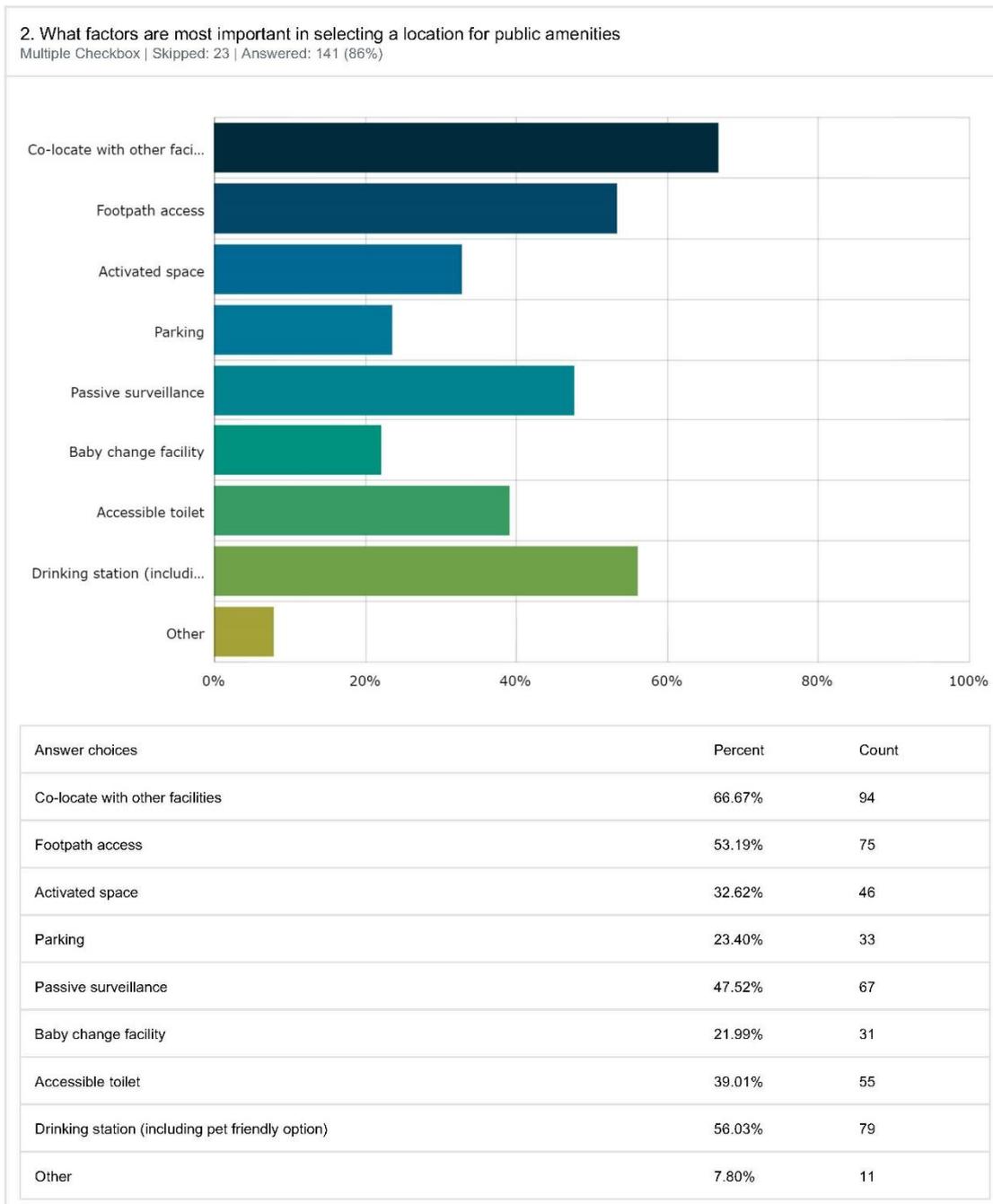
Contribution Summary

1. My preferred location for a new amenities building in Shell Cove is

Multiple Checkbox | Skipped: 18 | Answered: 146 (89%)



Answer choices	Percent	Count
James Cook Park	32.19%	47
Seafarers Reserve	15.07%	22
Seascape Park	52.74%	77



3. Other feedback

Long Text | Skipped: 102 | Answered: 62 (37.8%)

The James Cook Park is mostly used by residents that live close by and don't require toilets. Recently we had a car burnt out and dumped in the park because it is secluded from the public. There have been incidents of underage drinking and antisocial beh...
Contribution 62 of 62 | 25 April, 2019

Seascape park is under attack by magpies for many months.
Contribution 61 of 62 | 30 March, 2019

Something that is maintained daily with lights for safety
Contribution 60 of 62 | 29 March, 2019

Parking at James Cook Parkway is already a safety issue with many cars driving onto the park and parking on corners restricting visibility. This is absolutely not the right place for an amenities block also.
Contribution 59 of 62 | 28 March, 2019

There needs to be some science behind any decision to install new toilet facilities at any park. Firstly there should be a study done on pedestrian traffic at the location of the proposed facilities. I'm not convinced that toilets are required but if they...
Contribution 58 of 62 | 28 March, 2019

There are no public toilets in any of the "old" parks in Western part of Shell Cove. Ratepayers have been funding Council for decades. Need facilities here rather than everything going into the new Hell Cove.
Contribution 57 of 62 | 26 March, 2019

Away from the school is best. Thanks
Contribution 56 of 62 | 26 March, 2019

Not near the primary school please.
Contribution 55 of 62 | 26 March, 2019

I really would not like to see the amenities block at Seafarers reserve as this park is often used by the primary school. I would not be comfortable with a public toilet block being on the grounds the children frequently use.
Contribution 54 of 62 | 26 March, 2019

Close to foreshore and beach to rinse down. Plenty of drinking stations throughout the areas even At Killalea
Contribution 53 of 62 | 26 March, 2019

This is a great location, as it's also where some of Shell Cove's events take place (Christmas party, fun run, etc) Makes sense!
Contribution 52 of 62 | 26 March, 2019

<p>Seascape park is a good location but there needs to be parking and the actual park is rusting and in need of an upgrade I had to stop my toddler from jumping on the top of the slide area where the steering wheels are because it is rusting and it felt like...</p> <p>Contribution 51 of 62 26 March, 2019</p>
<p>Good location because many parents walk kids home from school via that park.</p> <p>Contribution 50 of 62 26 March, 2019</p>
<p>In a section that has no facilities of its type.</p> <p>Contribution 49 of 62 26 March, 2019</p>
<p>I have given my preference earlier. I would like to say in my opinion that a toilet block in Seafarers Park should be last for consideration. This park is not used recreationally to the extent of the other two on your list. Priority should be those with e...</p> <p>Contribution 48 of 62 25 March, 2019</p>
<p>Please put toilets near playgrounds.</p> <p>Contribution 47 of 62 25 March, 2019</p>
<p>Best option out of the three. Utilised more than the others by groups and the others are closer to precinct where amenities are already located (eg if at seafarer could walk to shops if needed). Plus not much else as a draw card nearby. People go to James...</p> <p>Contribution 46 of 62 25 March, 2019</p>
<p>Out of the 3 areas chosen. Seafarers is used the most. The park is very popular and has constant pedestrian traffic! For young children using the park- if they have an urgent toilet need then you have to drive home or over to Woolies or go into the bushes...</p> <p>Contribution 45 of 62 25 March, 2019</p>
<p>I don't believe any of these options needs a toilet. I think it should be located down at the snake park (opposite woolies and the show homes). This is a place where you go with young kids who can't wait for a toilet and also you don't want to leave othe...</p> <p>Contribution 44 of 62 25 March, 2019</p>
<p>Best spot be should be nearer the tavern</p> <p>Contribution 43 of 62 25 March, 2019</p>
<p>Showing 20 latest contributions only. Please see the data results for all contributions to this question.</p>

11. Committee Recommendations

12. Items for Information

12.1 Items for Information: Responses to Questions Taken on Notice (11447532)

12.1.1 Question on Notice

At the Ordinary Council Meeting of 7 April 2020, Councillor Petreski asked if Councillors could be provided with a concise report that provides data with player numbers per designated field.

Response

After subsequent discussions with Cr Petreski a format for the data was established and it was agreed that data be provided for Football (Soccer), AFL, Rugby League, Rugby Union and Cricket.

The data shown in **Table 1** (attached – *page 114*) has been collated through a range of sources being:

- data provided to Council through the sports field booking system and external sources
- information provided through both the Open Space, Recreation and Community Facilities Study Report 2010 and the Open Space and Recreation Needs Study and Strategy 2020; and
- other Council records.

The data is taken from winter 2019 season and summer 2019/2020 season and identifies the current fields used by the relevant sports clubs and codes. It should be noted that this is a quantitative assessment and not a qualitative one and therefore usage across the fields may be affected by their standard such as lighting or surface quality.

Responsible Manager: Geoff Hoynes
Group Manager City Planning

Date of Meeting: 9 June 2020

Table 1 – Sports field usage per sports club for Football, Rugby League, Rugby Union AFL and Cricket 2019 / 2020

Sport	Club	Registered Players	Male	Female	Field Allocation	Player Per Field Ratio	Days Per Week	Notes
Football (Soccer)	Shellharbour Junior FC	775	585	190	3	258	7	
Football (Soccer)	Shell Cove FC	49	49	Nil	3	16	3	
Football (Soccer)	Oak Flats Amature Soccer Club Inc	51	35	16	1	51	2	Two fields, though only one field can be used per season for the preservation of the turf centre wicket. Shared field with Cricket. No lights
Football (Soccer)	Oak Flats Falcons FC	106	71	35	1	106	6	
Football (Soccer)	Oak Flats Junior FC	218	178	40	5	44	6	2 Senior fields and 3 Junior
Football (Soccer)	Warilla Wanderers FC	47	47	Nil	1	47	6	
Football (Soccer)	Warilla Wanderers Junior FC	151	112	39	2	76	5	
Football (Soccer)	Albion Park FC	594	476	118	7	85	7	4 Senior fields, 3 Junior fields (Terry Reserve) 7 days, Albion Oval (Training only, 5 days. This field has not been included within the field allocation) Senior fields at Terry Reserve are shared with Albion Park White Eagles. Albion Oval is shared with Albion Park Cows and Touch Football.

Sport	Club	Registered Players	Male	Female	Field Allocation	Player Per Field Ratio	Days Per Week	Notes
Football (Soccer)	Albion Park White Eagles FC	50	50	Nil	3	17	5	Senior fields are shared with Albion Park FC
Football (Soccer)	Albion Park Cows	35	35	Nil	1	35	2	The use of this field is shared with Albion Park FC and Touch Football
Football (Soccer)	Albion Park Razorbacks	47	47	Nil	1	47		Moved to private field Winter 2020 season
Football (Soccer)	Shellharbour Makos FBC	21	21	Nil	1	21	1	Return Winter 2020 Season, Registered Player number is based on historical data
Football (Soccer)	Illawarra Churches Association	119	57	62	2	60	1	Seniors only
TOTAL		2263	1763	500	31	73	-	
Rugby League	Albion Park Oaks Flats Junior & Minor RLFC Inc	388	290	98	4	97	7	
Rugby League	Albion Park-Oak Flats (Senior) RLFC	101	74	27	1	101	5	
Rugby League	Mt Warrigal Kooris (Senior) RLFC	67	48	19	1	67	6	Limitations with use due to turf centre wicket
Rugby League	Stingrays Junior RLFC Shellharbour	473	331	142	4	118	6	Flinders Reserve (6 days) Jock Brown (5 days, training only) King Memorial (5 days, training only)
Rugby League	Stingrays of Shellharbour (Senior) RLFC	135	80	55	3	45	7	Flinders Reserve (6 days)

Sport	Club	Registered Players	Male	Female	Field Allocation	Player Per Field Ratio	Days Per Week	Notes
Rugby League	Warilla Lake South Minor RLFC	225	197	28	2.5	90	7	
Rugby League	Warilla Lake South Senior RLFC	89	68	21	2	45	3	
Rugby League	Shellharbour Sharks Senior RLFC	125	81	44	1	125	4	
Rugby League	Shellharbour Sharks Junior RLFC	314	217	97	5	63		4 days - Ben Fretus 2 days - Pioneer Park (Training only) 3 days - Keith Hockey 5 days - Scout Willoughby (Training only) 1 day - Ron Costello (Competition only)
Rugby League	Albion Park Outlaws	TBA					3	Proposed return Winter 2020 season, shared field with Rugby Union and Dog Agility
TOTAL		1917	1386	531	23.5	81		
Rugby Union	Shellharbour City Crushers Rugby Club	27	27		1	27	5	Inclusive seniors and juniors Shared field with proposed Rugby League and Dog Agility
TOTAL		27	27		1	27		
AFL	Albion Park Crows AFC	142	60	82	1	142	7	Inclusive seniors and juniors Limitation with use of field due to turf centre
AFL	Shellharbour Suns AFL (Senior)	97	60	37	1	97	3	Shared field with Shellharbour Swans AFL and Oztag

Sport	Club	Registered Players	Male	Female	Field Allocation	Player Per Field Ratio	Days Per Week	Notes
AFL	Shellharbour Swans AFC (Junior)	141	100	41	1	141	3	Shared field wth Shellharbour Suns AFL and Ozttag
TOTAL		380	220	160	3	126		
Cricket	Lake Illawarra Cricket Club	58	58	Nil	2	29	5	Inclusive seniors and juniors Morley Park (Competition only)
Cricket	Oak Flats Cricket Club	64	59	5	3	21	6	Inclusive seniors and juniors Geoff Shaw Oval (6 days) Shane Lee, Panorama Oval (6 days) Myimbarr (West), Competition Only
Cricket	Albion Park Cricket Club	85	82	3	3	28	4	Inclusive seniors and juniors Con O'Keefe Oval (4 days) Des King Oval (3 days) Keith Grey Oval (4 days)
Cricket	The Rail Cricket Club	95	87	8	2	48	4	Inclusive seniors and juniors Croom Oval (4 Days) Albion Oval (4 Days)
Cricket	Kookas Cricket Club	86	76	10	3	29	5	Inclusive seniors and juniors Jock Brown Oval (Competition only) King Memorial Oval (competition only) Oakleigh Park (5 days)

Sport	Club	Registered Players	Male	Female	Field Allocation	Player Per Field Ratio	Days Per Week	Notes
Cricket	Shellharbour City Cricket Club	120	113	7	5	24	7	Inclusive seniors and juniors Dawes Park (7 days) Scout Willoughby Oval (7 days) Pioneer Park (7 days) Myimbarr (East) (Competition only) Keith Hockey Oval (7 days)
TOTAL		508	475	33	18	28		

13. Notices of Rescission/Alteration Motions

Nil

14. Notices of Motion

15. Questions on Notice (must be submitted in writing)

16. Urgent Business

17. Confidential Business (Committee of the Whole in Closed Session)

**18. Committee of the Whole in Closed Session (Closed to the Public):
Adjournment**

**19. Committee of the Whole in Closed Session: Consideration of Adoption of
Decisions Reached in Closed Session**

**20. Consideration of Motions to Declassify Reports Considered in Closed
Session**