



# **BUSINESS PAPER**

Notice is hereby given in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2005* of the below mentioned meeting.

## **Ordinary Council Meeting**

**Tuesday, 29 November 2022**

**Commencing at 6:30PM**

**Shellharbour Civic Centre  
Council Chambers**

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**1. Acknowledgement to Country**

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

**Webcasting Statement**

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 if Council receive any registrations for Addresses to Council this 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.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

In the event of an emergency, please evacuate the building using the nearest exit and follow the instructions given by the wardens. Do not use the lifts.

**Statement of Ethical Obligations**

The Mayor and Councillors are reminded of their Oath/Affirmation of office made under Section 233A of the Local Government Act 1993 and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

**2. Apologies****3. Leave of Absence**



**4. Confirmation of Minutes**

**4.1 Ordinary Council Meeting 8 November 2022**

That the Minutes of the Ordinary Council Meeting held on 8 November 2022 as circulated be taken as read and confirmed as a correct record of proceedings.

**5. Disclosures of Interest**

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

**6. Condolences**

**7. Mayoral Statements / Reports / Presentations**

**8. Mayoral Minutes**

**9. Councillors Statements / Reports**

**10. Reports****10.1 Chief Executive Officer****10.1.1 Delegations to the Chief Executive Officer (11967938)**

To the Mayor and Councillors

**Directorate:** Chief Executive Officer  
**Group:** Council Services

**Manager:** Flora Lepouras – Executive Manager / Public Officer  
**Author:** Lisa Davey – Governance Manager

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**Summary**

The purpose of this report is to endorse the amended Chief Executive Officer's delegations following a review in accordance with Section 380 the *Local Government Act 1993* (the Act).

**Background**

Section 380 of the Act states that each council must review its delegations during the first 12 months of each term of office. This report specifically relates to the delegations to the Chief Executive Officer.

The Act provides Council with powers, authorities and duties. It is the primary source of Council's functions although other legislation, such as the *Environmental Planning and Assessment Act 1979* and the *Roads Act 1993*, impose further functions for Council to administer.

Due to the nature, scope and complexity of the functions Council has to perform, the Act makes provision for the Council to delegate those functions to the Chief Executive Officer. Section 377(1) of the Act provides the following:

**377 General power of the council to delegate**

- (1) *A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following –*
- (a) the appointment of a general manager,*
  - (b) the making of a rate,*
  - (c) a determination under section 549 as to the levying of a rate,*
  - (d) the making of a charge,*

- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
- (j) the adoption of an operational plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

- (1A) *Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if –*
- (a) the financial assistance is part of a specified program, and*
  - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*
- (3) *A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.*

Section 335 of the Act details the statutory roles and functions of the Chief Executive Officer:

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,*
- (b) to implement, without undue delay, lawful decisions of the council,*
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,*
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,*
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,*
- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,*
- (g) to exercise any of the functions of the council that are delegated by the council to the general manager,*

- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,*
- (i) to direct and dismiss staff,*
- (j) to implement the council's workforce management strategy,*
- (k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.*

A copy of the Chief Executive Officer's current delegations are attached to this report (**Attachment 1**).

Following a minor review of the Chief Executive Officer's delegations, the following amendments are proposed:

1. Change reference from 'General Manager' to 'Chief Executive Officer'.
2. Expand notation on page 3 when referencing change to position title.
3. Amend 1(c) to:
  - (a) Include reference to 'applications for determinations and decisions subject to review' in first paragraph.
  - (b) Delete reference to (iii) and (vi) to make delegations value based which is consistent with how development applications are dealt with for the Regional Planning Panel.
  - (c) Addition of wording to reference Local Environment Plans.
4. Update reference to the *Local Government (General) Regulations* at 2.

The proposed updated Chief Executive Officer's delegations are attached to this report as **Attachment 2**.

Given that the Chief Executive Officer only recently commenced in September 2022, it is recommended that the Chief Executive Officer delegations, with the minor amendments noted above, be endorsed for the purposes of meeting the requirements of Section 380 of the Act. A full and thorough review of the Chief Executive Officer delegations will then take place in early 2023.

It should be noted that Section 378(2) of the Act also provides that the Chief Executive Officer may sub-delegate a function delegated to the Chief Executive Officer by the Council to any person or body (including another employee of the Council). There is no requirement under the Act for the Chief Executive Officer to refer these sub-delegations to Council. A comprehensive register of delegations is maintained which allocates the delegations, sub delegations, authorisations and appointments to Council employment positions. Following endorsement of the Chief Executive Officer's delegations by Council, a full review of the sub-delegations will also take place.

**Financial / Resources Implications**

Nil

**Legal and Policy implications**

Sections 377 to 381 of the *Local Government Act 1993* detail the statutory requirements for the issue of and operation of delegations.

It is most important that council officers, in the execution of their duties on behalf of Council, are authorised in accordance with the *Local Government Act 1993*, to undertake these duties.

**Public / Social Impact**

The adoption of the delegations to the Chief Executive Officer enables him and subsequently council staff, to make decisions within their granted authority. This is necessary to allow the provision of efficient and effective customer service to internal and external customers.

**Link to Community Strategic Plan**

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

Objective: 4.2 We have strong leadership

Strategy: 4.2.4 Undertake visionary, integrated, long term planning and decision making, reflective of community needs and aspiration

**Consultations****Internal**

Chief Executive Officer

**External**

Legal Advisors

**Political Donations Disclosure**

Not Applicable

**Recommendation**

**That Council endorse the updated delegations to the Chief Executive Officer as detailed in Attachment 2.**

Approved for Council's consideration:      Flora Lepouras  
Executive Manager / Public Officer

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**Date of Meeting:** 29 November 2022

**Attachments**

1. Chief Executive Officer's current delegations
2. Proposed amended Chief Executive Officer's delegations

**Attachment 1 – Chief Executive Officer's current delegations**

Address all communication to the Chief Executive Officer  
Shellharbour City Council,  
Dharawal Country  
Locked Bag 155, Shellharbour City Centre, NSW 2529  
DX 26402 Shellharbour City Centre  
p. 02 4221 6111 f. 02 4221 6016  
council@shellharbour.nsw.gov.au  
[www.shellharbour.nsw.gov.au](http://www.shellharbour.nsw.gov.au)

**SHELLHARBOUR CITY COUNCIL****DELEGATIONS & SUB-DELEGATIONS TO THE  
CHIEF EXECUTIVE OFFICER\***

Section 377 of the *Local Government Act 1993* empowers a Council, by resolution, to delegate to the General Manager any of the functions of the Council (excluding those functions specified in clauses (a) to (u) of section 377(1) of the *Local Government Act 1993*).

The Council of the City of Shellharbour resolves as follows:

**1. Specific limitations**

The Council of the City of Shellharbour delegates to the General Manager all of the delegable functions, powers, duties and authorities of the Council subject to the following limitations:

- (a) All functions delegated to the General Manager must be exercised in accordance with the applicable statutory requirements, as well as any resolution or policy adopted by the Council from time to time.
- (b) The General Manager shall not authorise works that have not been listed or had funds allocated in the Council's adopted budget unless, in the General Manager's opinion, the expenditure is necessary to respond to an emergency, community safety issue or potential public liability issue. Any such expenditure must be reported to the next Ordinary Meeting of the Council.
- (c) The General Manager does not have authority to determine development applications, applications to modify a development consent and applications for a complying development certificate in the following circumstances:
  - (i) where a submission by way of an objection to the application has been submitted to Council during the public notification period, unless in the General Manager's opinion, the objection:
    - (A) is unreasonable; or
    - (B) can be satisfied by the imposition of a condition of consent,
  - (ii) the development involves designated development as defined in the Environmental Planning & Assessment Act 1979,
  - (iii) the development involves the erection of, or alteration to, residential flat buildings containing more than 20 dwellings,
  - (iv) the development does not comply with any adopted Council policy (including a development control plan) unless, in the General Manager's opinion compliance with the policy is unreasonable and unnecessary in the circumstances,



- (v) the development does not comply with a development standard unless:
  - (A) in the case of a non-compliance with a development standard in the Shellharbour Local Environmental Plan 2013 the General Manager is satisfied of the matters prescribed by clause 4.6(4)(a) and the concurrence of the Director-General has been obtained; or
  - (B) in the case of a non-compliance with a development standard in any other Shellharbour Local Environmental Plan, the General Manager is satisfied of the matters prescribed in clause 7 of State Environmental Planning Policy No. 1 and the concurrence of the Director-General has been obtained,
- (vi) the development involves the subdivision of land into more than 100 lots,
- (vii) the development has an estimated value exceeding \$20million.
- (d) The General Manager does not have the authority to accept tenders over the value of \$500,000.

**2. Write-off of sundry debts**

The Council fixes the amount of \$5,000 as the amount above which sundry debts owed to the Council may be written off only by resolution of the Council, pursuant to clauses 131(1), 131(2) and 213(2) of the Local Government (General) Regulation 2005 (NSW).

**3. Shell Cove**

Council delegates to the General Manager authority with respect to the Shell Cove Project to act, and when necessary, react, on behalf of the Council to achieve and support the Council's stated policies and objectives.

**4. Calderwood Urban Development Project**

Council delegates to the General Manager in accordance with this instrument of delegation the functions of the Council relating to the Calderwood Urban Development Project specified or described in this instrument.

**Definitions**

In this instrument:

**Calderwood Urban Development Project** means the development the subject of the concept plan approval granted by the Minister to Major Project Application No. 09\_0082 under s75O(1) of the EPA Act on 8 December 2010.

**Function** means a function of the Council within the meaning of the LG Act that is capable of being lawfully delegated by the Council to the General Manager under s377 of the LG Act.

**EPA Act** means the *Environmental Planning and Assessment Act 1979*.

**General Manager** means the person appointed by the Council pursuant to s334 of the LG Act to the position of general manager, and a person appointed by the Council pursuant to s336 of the LG Act to act in the vacant position of general manager.

**LG Act** means the *Local Government Act 1993*.

**Minister** means the Minister for the time being administering the EPA Act.

**General Manager's Delegations, Sub-Delegations & Authorisations**

Section 378 of the *Local Government Act* empowers the General Manager to delegate any functions of the General Manager and sub-delegate the functions of Council which Council has delegated to the General Manager, to any person or body (including another employee of Council).

In accordance with Section 378 of the *Local Government Act 1993*, I Mike Archer, Chief Executive Officer\* of the Council of the City of Shellharbour hereby:

1. Delegate and sub-delegate (as the case may be) the functions identified in the **attached Register of Delegations** to the corresponding Council employment positions specified in the third column marked "Position";
2. Authorise and appoint (as the case may be) the Council employment positions to the corresponding appointment and authorisation identified in the **attached Register of Delegations** in the third column marked "Position"; and
3. Revoke all previous delegations, sub-delegations, appointments and authorisations made by the General Manager of the Council of the City of Shellharbour.

Any variation to the **attached Register of Delegations** may only be authorised by the General Manager and only takes effect when the General Manager signs the revised Register of Delegations.

Where a position title is referred to in the **Register of Delegations** and the position title changes during the applicable period of the Register, then any reference to the former position title shall be read as a reference to the new position title.

\_\_\_\_\_  
Chief Executive Officer\*

Date:

(\* Council resolved to change position title to Chief Executive Officer at its meeting on 1 September 2020 – Resolution No 161)

**Attachment 2 – Proposed amended Chief Executive Officer's delegations**

Address all communication to the Chief Executive Officer  
Shellharbour City Council,  
Dharawal Country  
Locked Bag 155, Shellharbour City Centre, NSW 2529  
DX 26402 Shellharbour City Centre  
p. 02 4221 6111 f. 02 4221 6016  
council@shellharbour.nsw.gov.au  
[www.shellharbour.nsw.gov.au](http://www.shellharbour.nsw.gov.au)

**SHELLHARBOUR CITY COUNCIL****DELEGATIONS & SUB-DELEGATIONS TO THE  
CHIEF EXECUTIVE OFFICER\***

Section 377 of the *Local Government Act 1993* empowers a Council, by resolution, to delegate to the General Manager any of the functions of the Council (excluding those functions specified in clauses (a) to (u) of section 377(1) of the *Local Government Act 1993*).

The Council of the City of Shellharbour resolves as follows:

**1. Specific limitations**

The Council of the City of Shellharbour delegates to the Chief Executive Officer all of the delegable functions, powers, duties and authorities of the Council subject to the following limitations:

- (a) All functions delegated to the Chief Executive Officer must be exercised in accordance with the applicable statutory requirements, as well as any resolution or policy adopted by the Council from time to time.
- (b) The Chief Executive Officer shall not authorise works that have not been listed or had funds allocated in the Council's adopted budget unless, in the Chief Executive Officer's opinion, the expenditure is necessary to respond to an emergency, community safety issue or potential public liability issue. Any such expenditure must be reported to the next Ordinary Meeting of the Council.
- (c) Authority to determine development applications, applications to modify a development consent, applications for determinations and decisions subject to review and applications for a complying development certificate is not delegated in the following circumstances:
  - (i) where a submission by way of an objection to the application has been submitted to Council during the public notification period, unless in the delegate's opinion, the objection:
    - (A) is unreasonable; or
    - (B) can be satisfied by the imposition of a condition of consent,
  - (ii) the development involves designated development as defined in the *Environmental Planning & Assessment Act 1979*,
  - (iii) the development does not comply with any adopted Council policy (including a development control plan) unless, in the delegate's opinion compliance with the policy is unreasonable or unnecessary in the circumstances,

Council Resolution:

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- (iv) the development does not comply with a development standard unless in the case of a non-compliance with a development standard:
  - (A) in the case of Shellharbour Local Environmental Plan 2013 the delegate is satisfied of the matters prescribed by clause 4.6(4)(a) and the concurrence of the Planning Secretary has been obtained
  - (B) in the case of Shellharbour Rural Local Environmental Plan 2004, the delegate is satisfied of the matters prescribed under clause 64A(4)(a) and the concurrence of the Planning Secretary has been obtained.
  - (C) in the case of Shellharbour Local Environmental Plan 2000 the delegate is satisfied of the matters prescribed by clause 90(4)(a) and the concurrence of the Planning Secretary has been obtained.
  - (D) in the case of *State Environmental Planning Policy (Precincts—Regional) 2021* at Appendix 5, the delegate is satisfied of the matters prescribed by clause 23 and the concurrence of the Planning Secretary has been obtained.
- (v) the development has an estimated value exceeding \$20million.
- (d) The Chief Executive Officer does not have the authority to accept tenders over the value of \$500,000.

**2. Write-off of sundry debts**

The Council fixes the amount of \$5,000 as the amount above which sundry debts owed to the Council may be written off only by resolution of the Council, pursuant to clauses 131(1), 131(2) and 213(2) of the *Local Government (General) Regulation 2021* (NSW).

**3. Shell Cove**

Council delegates to the Chief Executive Officer authority with respect to the Shell Cove Project to act on behalf of the Council to achieve and support the Council's stated policies and objectives.

**4. Calderwood Urban Development Project**

Council delegates to the Chief Executive Officer in accordance with this instrument of delegation, all of the functions of the Council relating to the Calderwood Urban Development Project (s 377 of the *Local Government Act 1993*).

**Definitions**

In this instrument:

**Calderwood Urban Development Project** means the development the subject of the concept plan approval granted by the Minister to Major Project Application No. 09\_0082 on 8 December 2010.

**Function** means a function of the Council within the meaning of the *Local Government Act 1993* that is capable of being lawfully delegated by the Council to the General Manager under s377 of the *Local Government Act 1993*.

**EPA Act** means the *Environmental Planning and Assessment Act 1979*.

**Chief Executive Officer** means the person appointed by the Council pursuant to s334 of the *Local Government Act 1993* to the position of general manager, and a

Council Resolution:

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person appointed by the Council pursuant to s336 of the *Local Government Act 1993* to act in the vacant position of general manager.

**Minister** means the Minister for the time being administering the *Environmental Planning and Assessment Act 1979*.

#### **General Manager's Delegations, Sub-Delegations & Authorisations**

Section 378 of the *Local Government Act 1993* empowers the general manager to delegate any functions of the general manager and sub-delegate the functions of Council which Council has delegated to the general manager, to any person or body (including another employee of Council).

In accordance with Section 378 of the *Local Government Act 1993*, I **Mike Archer**, Chief Executive Officer\* of the Council of the City of Shellharbour hereby:

1. Delegate and sub-delegate (as the case may be) the functions identified in the **attached Register of Delegations** to the corresponding Council employment positions specified in the third column marked "Position";
2. Authorise and appoint (as the case may be) the Council employment positions to the corresponding appointment and authorisation identified in the **attached Register of Delegations** in the third column marked "Position"; and
3. Revoke all previous delegations, sub-delegations, appointments and authorisations made by the General Manager of the Council of the City of Shellharbour.

Any variation to the **attached Register of Delegations** may only be authorised by the Chief Executive Officer and only takes effect when the Chief Executive Officer signs the revised Register of Delegations.

Where a position title is referred to in the **Register of Delegations** and the position title changes during the applicable period of the Register, then any reference to the former position title shall be read as a reference to the new position title.

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Chief Executive Officer\*

Date:

(\* Council resolved to change the position title of 'General Manager', being the general manager of Council duly appointed under section 334 of the *Local Government Act 1993* to 'Chief Executive Officer' at its meeting on 1 September 2020 – Resolution No 161)

Council Resolution:

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**10.1.2 Your Ideas, Our Actions – First Quarter Review of the Delivery Program and Operational Plan 2022-2023 (11967898)**

To the Mayor and Councillors

**Directorate:** Chief Executive Officer  
**Group:** Organisational Performance

**Manager:** Sharne Colefax – Group Manager Organisational Performance  
Katie Buckman – Chief Financial Officer

**Author:** Terri Downton – Integrated Planning and Reporting Coordinator  
Chris Smith – Senior Management Accountant

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**Summary**

The purpose of this report is to provide an overview of Council's first quarter progress towards the achievement of the Actions and Key Performance Indicators of the 2022-2023 Delivery Program / Operational Plan from 1 July to 30 September 2022.

This first quarter review details progress against 154 Actions, of which 94% are progressing in accordance with the agreed timeframes, and the remaining 6% are behind schedule. A summary of the behind schedule actions is detailed in **Attachment 1** and a detailed report of Council's performance is outlined in **Attachment 2**.

The Actions outlined in the Operational Plan are funded in accordance with Council's 2022-2023 budget, through the provision of income and expenditure estimates. This report also reviews the quarterly progress against these financial estimates. Detailed financial statements have also been prepared and are included in the quarterly budget review, within **Attachment 2**.

From a financial perspective, the review this quarter has seen a decrease in our operating performance forecast to 30 June 2023. Council's standalone operating deficit has increased from a deficit of \$6.9m to a deficit of \$9.4m, resulting in an operating performance ratio of negative 9.04%. On a consolidated basis however, when the Shell Cove Project is included, Council is still forecasting a positive operating performance ratio of 5.21% or \$10.07m.

The decline in the operating performance is primarily driven by an increase in forecast depreciation expense as a result of an uplift in the fair value of Council's Infrastructure, Property, Plant & Equipment as at 30 June 2022, as well as an increase in electricity costs due to recent increases in electricity spot prices. There has also been a reduction in the forecast profit for the Shell Cove development due to some property sales pushing out to 2023/24.

Unfavourable variations in operating performance were offset by funding received under the Local Government Recovery Grant to support local economic and social recovery in areas impacted by the severe weather and flooding events.

## **Background**

In accordance with the NSW Integrated Planning and Reporting framework requirements, Council must have a Delivery Program and an Operational Plan. We have combined these into one document – Your Vision, Our Actions – Delivery Program 2022-2026 and Operational Plan 2022-2023.

The combined Delivery Program and Operational Plan is designed as the single point of reference for all principal activities undertaken by Council to achieve the community goals and aspirations identified in the Community Strategic Plan. All plans, projects, activities and funding allocations are directly linked to this Program.

To keep the community informed on the actual progress of achieving these plans, Council will report four times each year as part of the quarterly reviews and annually through the Annual report.

There were several key achievements and milestones throughout the quarter including the commencement of the new Chief Executive Officer (CEO), Mike Archer. We will continue to work collaboratively to build upon Council's great culture, strive to achieve our key focus areas and deliver benefits for the Community, Councillors, Customers and of course, the Council itself. Some other key highlights include:

## **Community**

### Dying to Know Day

Dying to Know Day (D2KD) is held during August each year to encourage conversations to improve knowledge and choices around end of life. This year saw the launch of the of the Healthy End of Life Project short [films](#).

Four people talked about their experiences with end of life, death and dying and how these experiences have enriched and added to the way they view and live their lives. Other activities held on the day included a special author talk by Doctor Dominic Frawley on his book Malachy – a father's story of love, laughter and loss; and a panel discussion 'You CAN Ask that' on death and dying.

### Opening of Collins Reserve Park and Sensory Garden

Council celebrated the opening of the updated Collins Reserve Park which has been designed as a multi-generational space and includes a Sensory Garden and new outdoor fitness equipment.

Students from a local preschool and primary school along with residents of a nearby retirement village were invited to enjoy storytime with Mayor, Chris Homer, play in the park, participate in a scavenger hunt, chat with our Nursery staff about the Sensory Garden and learn how to use the fitness equipment from an exercise physiologist.

**Environment**Scrap Together

The Scrap Together FOGO education project was launched during the quarter, providing residents with information on how to live more sustainably and how to get the best use of their household FOGO service to create a quality FOGO product.

The project comprised of a series of social media posts, website posts and newspaper advertising. The collateral was developed in conjunction with the Environmental Protection Authority, ensuring a consistent messaging with other NSW councils to better facilitate the most sustainable outcomes for the Shellharbour FOGO system.

Electric Vehicle (EV) Infrastructure Guidelines

Council adopted a new Electric Vehicle (EV) Infrastructure Guideline for the City. These guidelines will support and direct the uptake of EV infrastructure and promote Council's commitment to facilitating greener transport into the future.

Crown Reserve Plans of Management

Plans of management categorise land, authorise leases or licenses and determine what development can take place. The key values of the land and its purpose are identified so they can be protected and enhanced. We ensure public consultation happens for plans of management before they are adopted.

Eight Crown reserve plans of management were adopted this quarter which included Pioneer Park, Ski Way Park, Strong Reserve, Albion Park Reserve, Windang Island, Cowrie Island Reserve, Hennegar Bay Reserve and Hooker Park.

**Economy**Waterfront Shell Cove - Best Regional Development Award

The multi-award-winning The Waterfront, Shell Cove has added another prestigious honour to its lengthy list of accolades, picking up the Excellence in NSW Regional Development award, Best Regional Development, at the UDIA NSW Crown Group Awards for Excellence.

The honour reinforces the position of The Waterfront, Shell Cove, by Shellharbour City Council with Frasers Property Australia, not only as the most significant new marine tourism destination in Australia, but also one of the most significant and impressive developments anywhere in the state.

Shellharbour Good Times Marketing Campaign

Shellharbour's new Spring campaign, 'Good Times', went to market in mid-August and features four key experiences: Whale Watching; Golf; Dining; and Cycling. The campaign features vintage-style illustrations of Shellharbour locations to evoke emotions of happy seaside holidays to drive short stay holiday bookings.

The campaign has a mix of fixed outdoor and digital promotion platforms, targeting the Sydney market. Initial performance results for this phase of the campaign included a 400% growth in the number of users and web sessions on the Visit Shellharbour



website. The Google advertisements resulted in 5.5 million impressions and drove 16,740 clicks in the first four weeks in market.

## **Leadership**

### NAIDOC Week

On 4 July, Council successfully celebrated the opening of NAIDOC week by delivering the NAIDOC Community Day at the Civic Centre. Approximately 500 people attended the event, opening with a cultural performance by Gumaraa and a Welcome to Country by Uncle Richard Davis.

Attendees were treated to performances and there were 20 service providers supplying the community with information and fun activities across the day. Local Aboriginal artist Hannah Jensen facilitated a live paint across the day. There are plans to display this artwork across the City's Libraries and Community Centres.

### Opening of Services Depot Building

The new Services Depot Building was officially opened providing a great outcome for more than 150 staff that work across the depot site. The upgrade allows for future growth to enable essential services to be delivered to the City's growing community.

The building is an improvement on the 40-year-old facilities that the building replaces. It facilitates the ability to collaborate, train and improve the way we deliver our services.

## **Program Expenditure Phasing (PEP)**

Local Government has not been immune to the challenges which have faced the construction industry over the last 6 to 12 months, with COVID-19 delays, material supply shortages, cost inflation and unprecedented wet weather all taking their toll on Council's ability to continue to deliver its planned annual program of Capital Works.

As a result, and to improve Council's ability to deliver on its annual Capital Works Program, a program expenditure phasing (PEP) will be implemented to ensure a more holistic approach with regards to the way Council's current and future projects are planned and scheduled over the remaining years of the Delivery Program.

This approach will ensure projects which are significantly impacted by wet weather or other existing market challenges, such as those listed previously, are rescheduled to occur at a time when they are more likely to be delivered successfully.

Projects are evaluated using the following criteria:

- Is the project likely to be delayed as a result of current market or wet weather,
- Has a contract been awarded,
- Does the project have a grant funded timeframe requirement,
- Level of community consultation/engagement,
- Does this project have political, and community considerations.

After review of the current Capital Works Program and in accordance with the above criteria, the following projects were selected and are proposed to be rephased throughout the remaining Delivery Program:

- Addison Avenue Footpath Renewal
- Albion Oval Carpark Formalisation
- Shellharbour Foreshore Carpark Renewal
- Cuthbert Drive Stormwater Renewal
- Gross Pollutant Trap Refurbishments
- Konrads Road Stormwater Renewal

### **Quarterly Budget Review (Financials)**

Council's original standalone 2022/23 operating forecast was projecting a deficit of \$6.9m (exc. Shell Cove). The first quarter review has seen further decline in Council's standalone position to a deficit of \$9.4m. During the quarter, the Operating Performance ratio which has a benchmark of 0% or above, increased in deficit from 6.72% to 9.04%. Consolidating with the Shell Cove project, Council's operating surplus declined from \$13.9m or 7.01%, to \$10.07m or 5.21%.

The decline in the operating performance is primarily driven by a \$3m increase in forecast depreciation expense as a result of an \$84m uplift in the fair value of Council's Infrastructure, Property, Plant & Equipment as at 30 June 2022, as well as a \$250k increase in electricity costs due to recent increases in electricity spot prices. Unfavourable variations in operating performance were offset by \$1m received in Local Government Recovery Grant funding to support local economic and social recovery in areas impacted by the severe weather and flooding events. There has also been a reduction in the forecast profit for the Shell Cove development of \$1.34m due to some property sales pushing out to 2023/24.

Further details on the main adjustments made this review are included in **Attachment 2**.

### **Performance measures**

The revised forecasts of the performance measures for the 2022/23 financial year are detailed in **Table 1** below.

**Table 1: Revised Performance Measures for 2022-23**

	<b>September Revised Forecast</b>	<b>Benchmark</b>	<b>Pass / Not met</b>
<b>Operating Performance Ratio</b>	5.21% (-9.04% ex. Shell Cove)	>0%	Pass
<b>Own Source Revenue Ratio</b>	78.03%	>60%	Pass
<b>Debt Service Cover</b>	14.45	>2.00	Pass
<b>Infrastructure Renewals Ratio</b>	121.45%	>100%	Pass
<b>Asset Maintenance Ratio</b>	1.10	>1	Pass
<b>Infrastructure Backlog Ratio</b>	1.90%	<2%	Pass

**Financial / Resources Implications**

The Operational Plan outlines Council's 2022/23 financial implications. These are subject to continuous review during the year to ensure they remain current. The changes made this quarter has seen a decline in Council's key Operating Performance ratio.

**Legal and Policy implications**

Nil

**Public / Social Impact**

This report provides the community with an update on both the progress of the achievements of the strategies outlined in the 2022-2026 Delivery Program and the actions outlined in the 2021-2022 Operational Plan. In doing so, the report provides the opportunity for the community to be able to assess whether it can be satisfied with Council's progress in achieving the Objectives, Strategies and Actions set out in the Community Strategic Plan, Delivery Program and Operational Plan set for it by the Community and the Councillors.

**Link to Community Strategic Plan**

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

Objective: 4.2 We have strong leadership

Strategy: 4.2.1 Our Council is transparent and trusted to make decisions that reflect the values of the community collectively

4.2.2 The Council lives responsibly within its means and strengthens its financial sustainability

- 4.2.4 Undertake visionary, integrated, long term planning and decision making, reflective of community needs and aspiration

## **Consultations**

### **Internal**

All directorates across Council

### **External**

Nil

## **Political Donations Disclosure**

Not Applicable

## **Recommendation**

**That Council adopt the:**

- 1. Your Ideas, Our Actions - First Quarter Review of the Delivery Program/ Operational Plan 2022-2023.**
- 2. September 2022 Quarterly Budget Review with all recommended adjustments and strategies as contained in this report and Attachment 2.**

Approved for Council's consideration: Sharne Colefax  
Group Manager Organisational Performance

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**Date of Meeting:** 29 November 2022

## **Attachments**

- 1. Summary of Behind Schedule Actions**
- 2. Your Ideas, Our Actions - First Quarter Review of the Delivery Program / Operational Plan 2022-2023 - July to September  
(issued under separate cover - full copy available on Council's website)**

**Attachment 1. Summary of Behind Schedule Actions**

Action	Reason / Mitigation
1.2.1.11 - Promote maintenance of swimming pool barrier standards within the Shellharbour Local Government Area	<p>62% of inspected swimming pools were considered defective (non-compliant) in line with the Swimming Pool Act.</p> <p>Council will ensure that education in relation to swimming pool compliance continues and is currently exploring options to recruit a vacant specialised role for education and compliance of standards in this area.</p>
1.2.3.02 - Maintain Council parks, open spaces, sportsfields and recreational facilities	<p>Continued wet weather has reduced access to open spaces and sporting fields with several instances of mowers becoming bogged.</p> <p>Council continues to look at ways to adapt priorities and works programs to meet community expectations.</p>
1.2.3.04 - Supply and maintain Council's vehicle fleet to assist in the provision of efficient services to the community	<p>There are significant delays in supply of vehicles of 6-9 months due to delays in transport, materials and labour shortages.</p> <p>Council has increased its forward ordering to mitigate the risk of long lead times.</p>
2.2.1.06 - Implement monitor and review Council's Developer Contributions Program	<p>The number of voluntary planning agreements that are either in place or are being negotiated has placed increased pressure on staff and has slightly impacted on overall service delivery and the scheduled review of the plan.</p> <p>Council continues to look at ways to adapt works programs to meet our priorities. Collaboration with internal stakeholders, who are involved in delivering the Developer Contributions Program, is ongoing to identify options to minimise impacts on the service delivery and scheduled review of the plan.</p>
2.2.3.06 - Assess and determine Subdivision Works Certificates and Torrens title Subdivision Certificate applications	<p>Staff resourcing has limited our ability to assess and determine Subdivision Works Certificates and Torrens title Subdivision Certificate applications.</p> <p>Council is exploring options to engage specialist and technical consultants to comply with legislative requirements.</p>
2.2.3.07 - Provide engineering and landscape advice	<p>Staff resourcing has limited our ability to turn around engineering and landscaping advice within the required timeframes.</p> <p>Council is exploring options to engage specialist and technical consultants to comply with legislative requirements.</p>

Action	Reason / Mitigation
3.1.1.01 - Ensure The Links Shell Cove delivers strategic growth and community activation	<p>Shellharbour recorded its wettest calendar year on record in 2022. The wet weather impacted golf operations and caused the course to close for a record 21 days during the first quarter of 2023-23. As a result, several revenue and operational targets were not achieved.</p> <p>However, the Links has revenue diversification streams associated with the Tavern and Golf Driving Range. These activities received a growth in trade over the period relative to forecasts.</p>
3.1.1.03 - Operate a sustainable Nursery that provides quality service	<p>The wet weather has impacted visitations to the nursery.</p> <p>Council is implementing the Nursery Business Plan for long-term sustainable operations.</p>
4.1.4.02 - Progress plans for the development of the Aboriginal Interpretative Centre	<p>Council released a Request for Quote (RFQ) for a consultant to develop the Business Case however received no submissions.</p> <p>Council has reviewed their approach and has resolved to break the Business Case development into separate components commencing with market research.</p>

**10.2 Council Sustainability Directorate****10.2.1 Monthly Investment Report – October 2022 (11967767)**

To the Chief Executive Officer

**Directorate:** Council Sustainability  
**Group:** Finance

**Manager:** Katie Buckman – Chief Financial Officer  
**Author:** Lisa McCabe – Senior Financial Accountant

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**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, as well as to seek a resolution to receive and note the report. The report for the month of October 2022 details investment performance against applicable benchmarks and reviews the compliance of Council's investments with policy and legislative requirements.

As at the end of October 2022, \$773,000 of interest revenue has been accrued.

Council is approximately \$148,000 ahead of the annual budget forecast of \$1,875,000 (forecast = \$1,875,000 divided by 12 months and multiplied by 4 months = \$625,000). A budget forecast adjustment has been proposed for interest on investments as part of the first quarter review of this year's Operational Plan, which is being considered in a separate report in this business paper. The forecast has been increased to \$1,950,000.

**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 1993, 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, as well as ensuring that Council's liquidity requirements are also being met. To assist with this process, Council consults with its independent investment advisor (Imperium Markets Pty Ltd) prior to any investment being made. Close attention is paid to Council's Investment Policy document.

This report provides details on the performance for the month of October 2022 (**Attachments 1 and 2**).

The return on investment for the month of October 2022 was 0.15%, or approximately 1.80% when annualised. This compares to the AusBond Bank Bill Index of 0.24% for the month of October 2022. This underperformance is attributed to the unexpected aggressive rate hikes delivered by the RBA since May 2022.

### **Financial / Resources Implications**

Council is ahead of the annual budget forecast by approximately \$148,000 at the end of October 2022. There are additional fair value assessments of Floating Rate Notes, however these amounts are excluded from the Operational Performance Ratio.

Council remains one of the better performing Councils in the state of NSW where term deposits are concerned, earning on average, approximately \$421,000 in additional interest income compared to other Councils (based on August 2022 rankings). This rankings analysis is carried out on the term deposit portfolios of approximately 100 NSW Local Government Councils and is conducted by Council's independent investment advisors, Imperium Markets Pty Ltd. Council currently ranks in the upper quartile based on August 2022 rankings when analysing the returns generated over the last 12 months.

### **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 We have strong leadership

Strategy: 4.2.2 The Council lives responsibly within its means and strengthens its financial sustainability

### **Consultations**

#### **Internal**

Nil





## Attachment 1. Council's Investment Portfolio as at 31 October 2022



## Shellharbour City Council Investment Report by Investment Strategy as at 31 October 2022

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

Issuer	Rating	Instrument	Rate	Original Investment Date	Original Investment Term	Opening Balance 30/09/2022	Closing Balance 31/10/2022	Monthly Movement	Maturity
<b>Remaining Term to Maturity: 0-90 days</b>									
Commonwealth Bank	AA-	CASH	2.70			8,995,992	5,404,730	(3,591,262)	T
Macquarie Bank	A+	CASH	2.80	04/05/2022		1,965,055	1,969,518	4,463	T
HSBC	AA-	FRN*	2.60	27/09/2019	5 years	3,002,250	-	(3,002,250)	27/09/2024
						<b>13,963,298</b>	<b>7,374,248</b>	<b>5%</b>	<b>(6,589,049)</b>
<b>Remaining Term to Maturity: 91-365 days</b>									
ING Direct	A	TD	0.55	03/03/2021	2 years	2,000,000	2,000,000	-	01/03/2023
Police Credit Union SA	Unrated	TD	1.64	02/03/2020	3 years	2,000,000	2,000,000	-	02/03/2023
BOQ	BBB+	TD	2.30	18/06/2019	4 years	2,000,000	2,000,000	-	19/06/2023
Westpac	AA-	TD	0.56	06/07/2021	2 years	2,000,000	2,000,000	-	06/07/2023
AMP Bank	BBB	TD	4.30	30/08/2022	1 year	2,500,000	2,500,000	-	23/08/2023
Westpac	AA-	TD	0.82	04/09/2020	3 years	2,000,000	2,000,000	-	04/09/2023
AMP Bank	BBB	TD	4.30	30/08/2022	1 year	1,000,000	1,000,000	-	30/08/2023
Rabobank Australia Branch	A+	TD	3.40	04/09/2018	5 years	1,000,000	1,000,000	-	04/09/2023
Westpac	AA-	TD	0.84	07/09/2020	3 years	3,000,000	3,000,000	-	07/09/2023
Suncorp	A+	TD	4.15	15/09/2022	1 Year	5,000,000	5,000,000	-	24/09/2023
AMP Bank	BBB	TD	1.00	29/10/2021	2 years	4,000,000	4,000,000	-	30/10/2023
						<b>26,500,000</b>	<b>26,500,000</b>	<b>19%</b>	<b>-</b>
<b>Remaining Term to Maturity: 1-2 years</b>									
AMP Bank	BBB	TD	1.35	24/01/2022	2 years	2,500,000	2,500,000	-	24/01/2024
P&N Bank	BBB	TD	1.80	25/02/2022	2 years	1,000,000	1,000,000	-	26/02/2024
P&N Bank	BBB	TD	1.80	25/02/2022	2 years	1,000,000	1,000,000	-	26/02/2024
NAB	AA-	TD	1.90	14/03/2022	2 years	3,000,000	3,000,000	-	07/03/2024
P&N Bank	BBB	TD	2.06	14/03/2022	2 years	1,000,000	1,000,000	-	07/03/2024
Westpac	AA-	TD	1.91	14/03/2022	2 years	3,000,000	3,000,000	-	14/03/2024
BOQ	BBB+	TD	2.00	14/03/2022	2 years	1,000,000	1,000,000	-	14/03/2024
NAB	AA-	TD	2.00	15/03/2022	2 years	2,000,000	2,000,000	-	15/03/2024
ING Direct	A	TD	1.92	15/03/2022	2 years	3,000,000	3,000,000	-	15/03/2024
ING Direct	A	TD	4.20	04/07/2022	2 years	2,000,000	2,000,000	-	04/07/2024
BOQ	BBB+	TD	1.15	20/08/2020	4 years	2,500,000	2,500,000	-	20/08/2024
NAB	AA-	TD	0.94	07/09/2020	4 years	5,000,000	5,000,000	-	09/09/2024
Westpac	AA-	TD	4.42	14/09/2022	2 years	7,000,000	7,000,000	-	16/09/2024
Suncorp	AAA	FRN*	3.82	17/10/2022	5 years	-	1,999,056	1,999,056	17/10/2025
						<b>34,000,000</b>	<b>35,999,056</b>	<b>25%</b>	<b>-</b>
<b>Remaining Term to Maturity: 2-5 years</b>									
NAB	AA-	TD	0.85	18/12/2020	4 years	3,000,000	3,000,000	-	18/12/2024
Westpac	AA-	TD	0.76	18/12/2020	4 years	2,000,000	2,000,000	-	18/12/2024
BOQ	BBB+	TD	1.85	13/03/2020	5 years	2,000,000	2,000,000	-	13/03/2025
BOQ	BBB+	TD	1.25	04/09/2020	5 years	1,000,000	1,000,000	-	04/09/2025
NAB	AA-	TD	1.08	07/09/2020	5 years	7,000,000	7,000,000	-	08/09/2025
P&N Bank	BBB	TD	4.55	15/09/2022	3 years	1,000,000	1,000,000	-	15/09/2025
NAB	AA-	TD	1.05	18/09/2020	5 years	4,000,000	4,000,000	-	18/09/2025
BOQ	BBB+	TD	1.79	29/10/2021	4 years	3,000,000	3,000,000	-	29/10/2025
Northern Territory Treasury	AA-	BOND	1.20	16/09/2020	5.25 years	1,000,000	1,000,000	-	15/12/2025
Northern Territory Treasury	AA-	BOND	1.20	18/09/2020	5.25 years	1,000,000	1,000,000	-	15/12/2025
Northern Territory Treasury	AA-	BOND	1.00	14/10/2020	5.17 years	4,000,000	4,000,000	-	15/12/2025
Northern Territory Treasury	AA-	BOND	1.20	06/07/2021	4.45 years	3,000,000	3,000,000	-	15/12/2025
NAB	AA-	TD	1.00	18/12/2020	5 years	6,000,000	6,000,000	-	18/12/2025
Westpac	AA-	TD	1.12	03/03/2021	5 years	2,000,000	2,000,000	-	03/03/2026
NAB	AA-	TD	1.25	03/03/2021	5 years	1,000,000	1,000,000	-	03/03/2026
P&N Bank	BBB	TD	1.20	03/03/2021	5 years	6,000,000	6,000,000	-	03/03/2026
Northern Territory Treasury	AA-	BOND	1.30	17/03/2021	5.25 years	2,000,000	2,000,000	-	15/06/2026
Northern Territory Treasury	AA-	BOND	1.30	26/05/2021	5.06 years	1,500,000	1,500,000	-	15/06/2026
P&N Bank	BBB	TD	1.25	18/06/2021	5 years	3,000,000	3,000,000	-	18/06/2026
Westpac	AA-	TD	1.31	18/06/2021	5 years	3,000,000	3,000,000	-	18/06/2026
P&N Bank	BBB	TD	1.20	28/06/2021	5 years	2,000,000	2,000,000	-	29/06/2026
Westpac	AA-	TD	1.32	28/06/2021	5 years	5,000,000	5,000,000	-	29/06/2026
BOQ	BBB+	TD	1.94	29/10/2021	4 years	3,000,000	3,000,000	-	29/10/2026
Northern Territory Treasury Corporation	AA-	BOND	1.50	06/07/2021	5.45 years	5,000,000	5,000,000	-	15/12/2026
						<b>71,500,000</b>	<b>71,500,000</b>	<b>51%</b>	<b>-</b>
<b>Remaining Term to Maturity: 5-10 years</b>									
NIL						-	-	0%	-
<b>Senior Bond Performance (Excluding sale/maturity of investments)</b>						(944) **			
<b>Total Shellharbour City Council Portfolio</b>						<b>145,963,298</b>	<b>141,373,304</b>	<b>-6,589,049</b>	

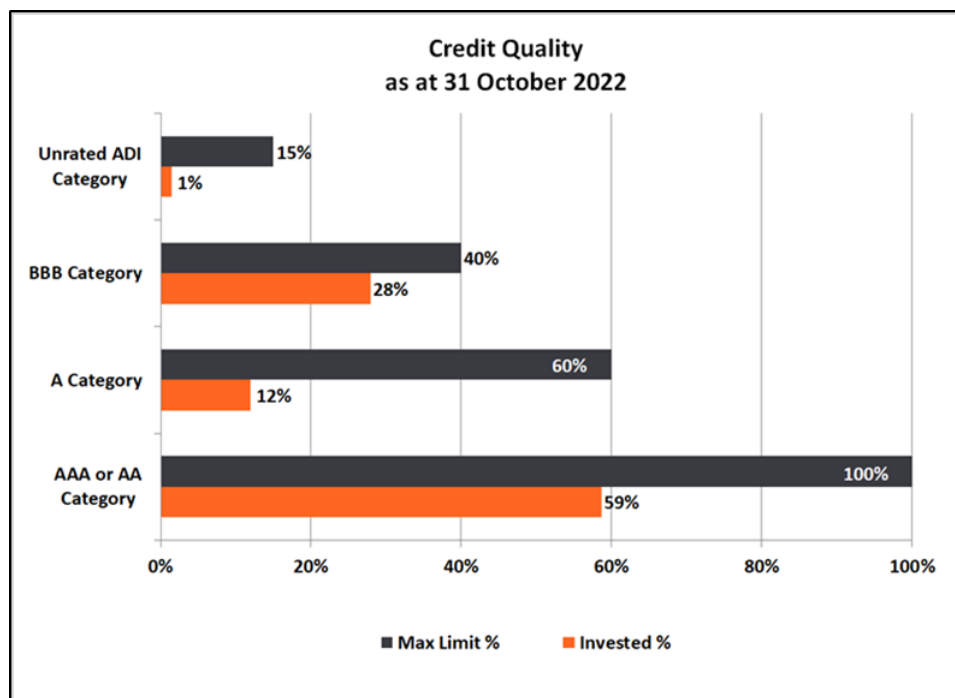
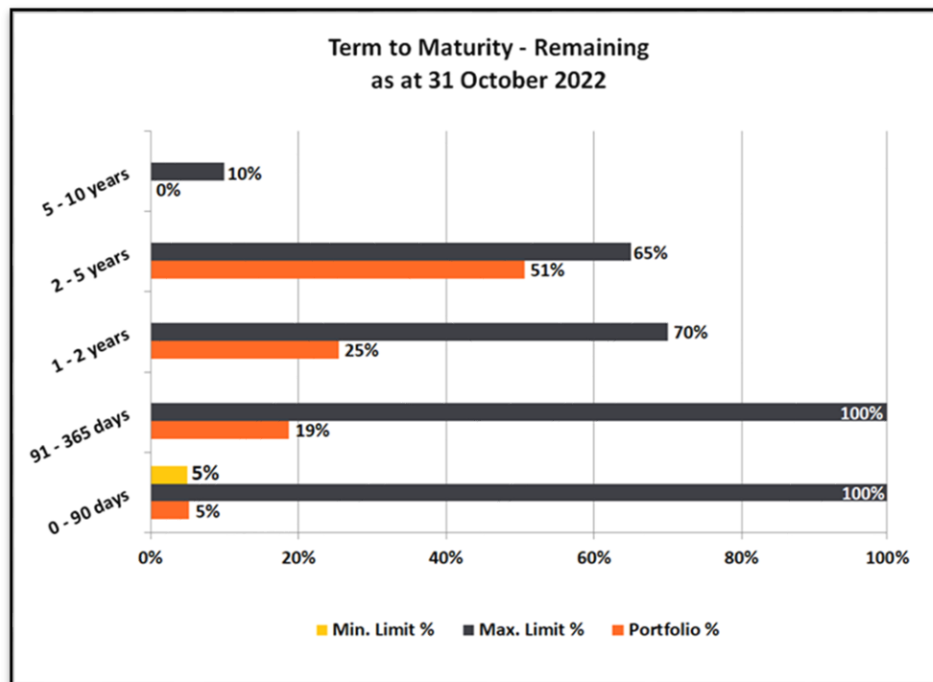
\* Maturity classification of these Floating Rate Notes [FRNs] are based on a Held-For Trading basis, as they are expected to be sold prior to maturity.

\*\* 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 2021 was \$28.337M. This will be earmarked for the ongoing budget as part of Council's financial management strategy.

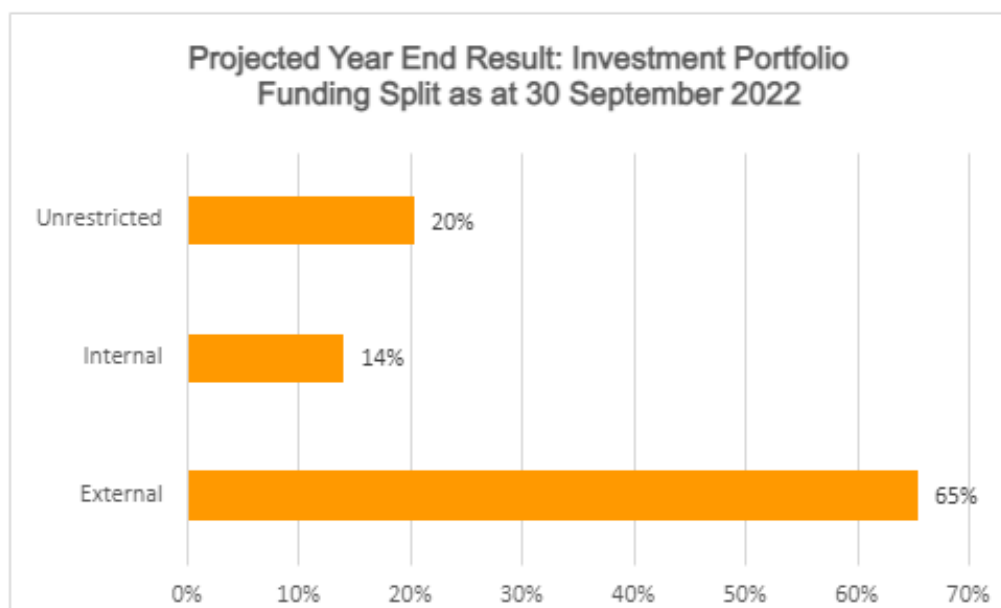
**Attachment 2. Council's Investment Portfolio Graphs as at 31 October 2022**

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year	2 years	3 years
Official Cash Rate	0.22%	0.57%	0.78%	0.68%	0.83%	0.46%	0.45%
AusBond Bank Bill Index	0.24%	0.54%	0.75%	0.67%	0.76%	0.39%	0.43%
Council's T/D Portfolio	0.16%	0.42%	0.77%	0.54%	1.46%	1.56%	1.90%
Council's FRN Portfolio	0.33%	0.88%	1.41%	1.11%	2.22%	2.13%	2.03%
Council's Bond Portfolio	0.11%	0.33%	0.65%	0.44%	1.29%	1.23%	-
<b>Council's Portfolio^</b>	<b>0.15%</b>	<b>0.42%</b>	<b>0.76%</b>	<b>0.54%</b>	<b>1.46%</b>	<b>1.55%</b>	<b>1.84%</b>
<b>Outperformance</b>	<b>-0.09%</b>	<b>-0.13%</b>	<b>0.01%</b>	<b>-0.13%</b>	<b>0.70%</b>	<b>1.16%</b>	<b>1.40%</b>



**Counterparty**

Compliant	Issuer	Rating	Invested (%)	Max. Limit (%)
✓	CBA	AA-	3.82%	25.00%
✓	NAB	AA-	21.93%	25.00%
✓	Northern Territory	AA-	12.38%	25.00%
✓	Westpac (SGB)	AA-	20.51%	25.00%
✓	Macquarie Bank	A+	1.39%	15.00%
✓	Rabobank Aust	A+	0.71%	15.00%
✓	Suncorp	A+	4.95%	15.00%
✓	ING Bank Aus.	A	4.95%	15.00%
✓	BoQ	BBB+	10.26%	12.50%
✓	AMP	BBB	7.07%	12.50%
✓	P&N Bank	BBB	10.61%	12.50%
✓	Police CU SA	Unrated	1.41%	10.00%
			100.00%	

**Breakdown by Asset Type**

**10.3 Community and Customers Directorate****10.3.1 Provision of Shade in Playgrounds (11967773)**

To the Chief Executive Officer

**Directorate:** Community and Customers  
**Group:** City Planning

**Manager:** Jessica Lintern – Acting Group Manager City Planning  
**Author:** Bernadette Sharpe – Recreation Planner

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**Summary**

The purpose of this report is to respond to a resolution from Council at its meeting of 28 June 2022 where it was resolved:

*“That a report be prepared providing a prioritised list of playgrounds that could benefit from the establishment of shading via trees and/or built structures.”*

This report provides details of the approach staff developed to prioritise play spaces resulting in a list of five top play spaces that could benefit from shading.

It is recommended that Council receive and note the information in this report on the provision of shade in playgrounds and seek funding opportunities to provide shade at the play spaces identified in the priority list; and include the consideration of shade at any individual future master plan, upgrades and renewal projects.

**Background**

The provision of shade is an important element that contributes to the overall enjoyment and safety of open spaces including play spaces.

State open space planning documents including the NSW draft Greener Spaces Guide, and NSW Government’s Everyone Can Play Guidelines identify the importance of shade in open spaces.

This increasing importance and demand for shade by the community is also reflected in Shellharbour’s Open Space and Recreation Needs Study (the Study) adopted in 2020 (Council’s strategic guidance on open space planning).

When planning open spaces, the Study suggests, where possible, to include shade to improve the quality and sustainability of open spaces, with the provision of at least 50% natural shade. In addition, park embellishments should include seating and shade for caregivers and elderly people in conjunction with younger children’s play areas.

## **Future Play Strategy**

An action out of the Open Space and Recreation Needs Study is to prepare a play strategy. A play strategy will identify play spaces that require (among other things) upgrades and renewals including the provision of shade. The provision of different types of shade and implementation at specific play spaces can be explored further during the preparation of the play strategy and will set Council's position on implementing shade in play spaces.

Until the play strategy is complete, Council will continue to implement shade options at individual play spaces through future park upgrades and renewals. In addition, new play spaces and future masterplans will ensure the provision of shade.

## **Natural Shade**

Natural shade involves the planting of trees with a canopy that is dense and close to the ground. While there are many health, environmental, social and economic benefits to natural shade, generally, this is a long-term solution and will not provide instant shade for play spaces.

To implement natural shade at play spaces would involve the planting of advanced shade trees that can cost up to \$2000 each. This would also incur an ongoing annual maintenance of up to \$2500 per tree.



**Figure 1 – Natural Shade Example**

**Built Shade**

Built shade can be stand-alone, or it can be built onto existing buildings or structures. Built shade consist of two parts, the supporting structure that keeps the shade structure in place and the primary shading element which is the material that makes up the canopy or roof of the shade device such as a sail.

With built shade, the shade cast is more predictable, they also provide additional protection from the rain, can be constructed quickly and have alternative uses such as collection of rainwater or support a solar device. Built shade does incur budgetary allowances for construction and ongoing maintenance.

Installation of a shade sail over a play space similar to the Image in **Figure 2**, is estimated to cost approximately \$30,000 and would need replacing every 10-15 years.



**Figure 2 – Built Shade Example**

**Combination natural and built shade**

The integration of tree planting and the installation of a shade structure is an alternate option when considering shade in plays spaces.



## Review of Shade in Shellharbour Play Spaces

Shellharbour's play spaces, sport fields and reserves form a 'hierarchy' of open space, meaning that each area primarily services either the local, district or citywide community.

Each park or reserve generally offers facilities and amenities, which relate to its hierarchy; for example, a citywide park usually is greater in area size and has higher community use, therefore, greater resources will be supplied. **Figure 3** provides a further explanation of park hierarchy.



**Figure 3 – Shellharbour Open Space Hierarchy**

Shellharbour has approximately 98 parks that are local, district or citywide that have play equipment of varying condition, size and popularity with the local community and wider public. A review was conducted on the amount of shade in the 98 parks along with other determining factors to establish a priority list of play spaces that could benefit from shade.

**Table 1** identifies the factors considered in the review of shade in the parks with play equipment. Parks with play equipment were considered against a number of factors, which assisted in the prioritisation of play spaces, which could most benefit from shade. Hierarchy is an important factor to consider with shade provision, as it is more beneficial and cost effective to implement shade in play spaces that are at a district or citywide level as they attract high visitation, utilisation and have higher budgets for embellishment.



**Table 1 – Factors Considered – Review of Shade in Shellharbour Play Spaces**

<b>Shade considerations</b>
No Tree Canopy.
Tree canopy around the edge of the park, but core use area not shaded
Sparse canopy – singular trees in isolation covering or nearby the core use area. Users could seek out shelter as a relief.
Good canopy – multiple trees through the reserve comprising an almost continuous canopy over the core use areas.
Existing shade / sail structure over the play space.
<b>Other Considerations</b>
Whether the play space has a local, district or citywide hierarchy classification.
Has the play space had any renewal and or upgrade in the past five years. Shade structures over relatively new play equipment compared to older play equipment provides a better value for money in terms of life cycle costs.
Has there been any customer enquiries for shade at specific play spaces.
How popular the space is in terms of usage.

### Outcome of Review

The outcome of the review revealed that 87% of the 98 play spaces could benefit from an increase in shade. This equates to 2 citywide parks, 24 district and 59 local. The following identifies the top five of these play spaces that could benefit from an increase in either natural or built shade:

1. Little Park Shellharbour Village – Citywide
2. Blackbutt Reserve Play Space – Citywide (Wattle Roadside)
3. McDonald Park Albion Park Rail – District
4. Pelican View Reserve – District
5. Keith Barns Oval – District

In addition to the five play spaces, it is noted that in response to a report on Shade Measures at Public Reserve 34452 Balmoral Parade, Tullimbar at its meeting of 7 June 2022, Council staff continue to seek funding and delivery of shade structures, including appropriate vegetation, at the public reserve 34452 Balmoral Parade, Tullimbar.

A program to implement shade at any play space will require further consideration of specific site characteristics to determine the best location and type of shade for that space.

**Financial / Resources Implications**

Shade is not a specific budget item in many play space renewals and upgrade projects, especially for local parks. This is because local parks compared to district and citywide parks have less usage and less embellishment budgets.

Natural shade such as trees are a more affordable option for shade compared to build structures, however trees still involve costs with purchase, time taken for establishment and ongoing maintenance.

District and Citywide play spaces generally have higher visitation rates, attract people from outside of the immediate area and provide opportunity for longer duration of play. These spaces have budget allocation proportionate to these characteristics; therefore, provision of shade at these locations could benefit a greater proportion of the community in comparison to local play spaces.

**Legal and Policy Implications**

The provision of shade over play spaces and open spaces is supported by the NSW Government Premier's Priorities – Greening our City and the Public Spaces in the Illawarra Shoalhaven Region: Opportunities for a Recreational Grid, a study which informed the development of the Illawarra Shoalhaven Regional Plan 2041.

Local trends in open space planning identified through the Shellharbour Local Strategic Planning Statement and the Shellharbour Open Space and Recreation Needs Study also reflect the importance of shade.

**Public / Social Impact**

Adequate shade can increase the time people spend in open spaces, contribute to health and wellbeing, improve amenity of parks, reduce ambient temperatures and protect people from heat and sun exposure.

**Link to Community Strategic Plan**

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

Objective: 1.2 We are a liveable community

Strategy: 1.2.1 Inclusive, accessible and safe spaces for our entire community

Strategy: 1.2.2 Promote healthy living and high-quality public spaces that are well maintained and activated

**Consultations****Internal**

Manager Asset Planning

Development Contributions Contractor  
Graduate Strategic Planner  
Manager Parks  
Manager Community Engagement and Activation

**External**

None

**Political Donations Disclosure**

Not Applicable

**Recommendation**

**That Council:**

1. **Receive and note the information in this report on the provision of shade in playgrounds; and**
2. **Seek funding opportunities to provide shade at the play spaces identified in the priority list; and**
3. **Develop a program to implement shade in future play space upgrades and renewal projects; and**
4. **Include shade with future open space masterplans that include a play space.**

Approved for Council's consideration:      Jessica Lintern  
Acting Group Manager City Planning

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**Date of Meeting:** 29 November 2022

**Attachments**

Nil

**10.3.2 Dog Agility Water Park (11967792)**

To the Chief Executive Officer

**Directorate:** Community and Customers  
**Group:** City Planning

**Manager:** Jessica Lintern – Acting Group Manager City Planning  
**Author:** Melissa Muscat – Graduate Strategic Planner

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**Summary**

The purpose of this report is to respond to a Council resolution, from its meeting of 17 May 2022, where it was resolved:

*“That Council officers provide a report on the feasibility and estimated costs of establishing the first Dog Agility Water Park for Shellharbour local government area and the Illawarra Region at Keith Barnes Oval Albion Park or in an existing dog agility park, or in a new standalone location.”*

This report recommends that Council receive and note this information. The report findings do not favour the provision of a dog agility water park due to costs of establishment, maintenance and management.

**Background****Dog-Friendly Spaces Strategy**

Council's Dog Friendly Spaces Strategy (the Strategy), adopted in 2019 guides the provision, improvement and management of dog friendly spaces within Shellharbour City. Dog friendly spaces include: dog agility parks, a fenced off area where dogs can exercise off-leash under the supervision of their owners; dog off-leash areas, where dogs can exercise off-leash under the supervision of their owners, but it is not fenced; dog on-leash area, where dogs can be on a lead under the supervision of their owners.

The Strategy has been informed by best practice and community consultation. It explains how Council manages these spaces and identifies factors that need to be considered to balance the needs of dog owners and open space users.

The Strategy contains information on the expansion and improvement of the dog-friendly spaces network through a series of Actions to be implemented over the life of the Strategy. Any future improvements to the dog-friendly spaces network, or implementation of actions identified in the Strategy are considered in the preparation of Council's Operational Plan, Delivery Program, Community Strategic Plan and Long-Term Financial Plan.

**Dog-Friendly Spaces Network**

The Strategy and its actions have informed the scheduling, site investigation, planning and delivery of dog friendly spaces including dog off-leash areas at Barrack Heights, Albion Park Rail, Shell Cove and Mount Warrigal, and dog agility parks at Flinders and Oak Flats (**Attachment 1**).

A site selection criterion provides a framework for assessment of the suitability of potential dog friendly spaces including dog off-leash areas and dog agility parks.

Staff are currently investigating multiple opportunities to expand the dog friendly spaces network. Detailed investigations into the provision of dog-friendly beach areas are underway, with Reviews of Environmental Factors for Kiyong Beach and Shellharbour Beach being assessed. A contract to construct the new Warilla dog park has been issued. Plans to upgrade the existing embellishment in the small dog area at Oak Flats Dog Park and the preparation of a design for the dog agility park at Croome are also underway.

**Community Feedback**

Community feedback on proposed dog agility embellishment was undertaken in 2021. The feedback did not identify a desire for water play opportunities in existing or new dog parks, but did identify priority embellishment features, including; drinking water, designated zones for activities, provision of tunnels, agility and sensory play features, and noted the importance of seating, park accessibility, lighting, maintenance and provision of aluminum fencing, compostable bags and bins.

Community feedback noted preference for dog parks to be embellished with appropriate signage, shade and seating to enhance the human experience and provide opportunities for park activation, coaching and play groups.

When planning for any new dog friendly space or agility park, embellishment requirements contained in the Dog Friendly Spaces Strategy are considered alongside embellishment preferences and requests from community. Additional preferences, such as inclusion of water play will incur significant cost increases in addition to the estimated cost of the space.

**Feasibility and estimated costing of establishing a Dog Agility Water Park**

Water play or water feature facilities in the Local Government Area are located at the Civic Centre, Waterfront at Shell Cove and a children's splash play area, located at Albion Park Pool. These facilities have been used to inform the estimated costing of a dog water feature facility.

The splash play area was delivered in 2020 for an approximate cost of \$541,000. The splash play area is approximately 200m<sup>2</sup> and is embellished with interactive water sprays including water cannons, sprays and tipping buckets. The maintenance cost of this facility is included in the budget for Albion Park Pool.

The water feature at the Waterfront in Shell Cove has been maintained by Council staff to public pool standards, the operational budget for this facility in 2021/22 was approximately valued at \$21,000. This includes staff wages for maintenance and daily water testing, materials (for servicing and repairs) and electricity. As this facility is stand alone, it could be comparable to a dog water play facility of the same footprint.

However, dog agility water park facilities would require detailed design; considerations including waste (debris and dog faeces) run off into the water and filtration system. The availability of water services and overall complexity of design would inform the final design and installation costs.

Further to the water facility costing, ongoing maintenance costs for dog friendly areas in the Shellharbour LGA have been considered in the feasibility and costing for a water agility facility, however are dependent on size and embellishment levels. Maintenance figures from 2021 identified a grass dog off leash area requires mowing at \$1,000 to \$5,000 per annum, dependant on site size. For Council's existing grass dog agility parks, maintenance costs are estimated between \$5,000 to \$10,000 per annum to service additional mowing, dog waste bags and minor maintenance of assets.

A Splash and Play Dog Park, located in the suburb of Flagstone, in the Logan City Council LGA, Queensland was delivered in 2017 by a developer as part of a regional recreation park. The segregated small and large dog park includes spouts of bubbly water that shoot from the ground at the push of a button, dog tunnels that weave through cave-like heaped rocks and play equipment, like tennis ball trees made of locally felled tree stumps. Logan City Council was consulted by the developer on the design and degree of embellishment to be provided at the regional recreation park. The Flagstone dog park was delivered for a total of \$1,045,000; of this, the drainage, irrigation, pavement hard surfacing and water embellishment totalled approximately \$230,000. To use this as an example of a dog agility water park, the 2017 values provided by the developer for final costing have been indexed to reflect the 2022 consumer price index, at an approximate cost of \$1,176,000 with drainage, hard surfacing and water at an approximate cost of \$260,000.

Consideration towards the financial life cycle costs and resourcing implications needs to occur before placing infrastructure into any public space, including dog friendly spaces. Consideration of a water play facility for dogs brings additional ongoing maintenance considerations to ensure cleanliness, water treatment and testing, as well as asset maintenance is completed on a routine basis. The location of the facility would influence and inform costs to establish and maintain the asset.

### **Dog Agility Water Park located at Keith Barnes Oval, Albion Park**

Keith Barnes Oval (the Oval) is located on Tongarra Road, Albion Park and includes both Council owned land and a Crown Land reserve, known as 'Albion Park Reserve' or 'Crown Reserve 89510' (**Attachment 2**). Albion Park Reserve is owned by the NSW State Government (the Crown) and is managed by Shellharbour City Council as Crown Land Manager, under the *Crown Land Management Act 2016*.

The Oval is used for a variety of general passive recreation purposes and is classified as a district level open space. The Oval is not currently utilised for organised sporting events by any sporting code; however, Council staff are considering the potential to formalise it as sporting field as demand for sporting facilities increases in the LGA. This use should be further investigated prior to any consideration of a dog park at this location.

The Oval is surrounded by a variety of uses and adjoins All Saints Church, All Saints Preschool, St Paul's Catholic School and Cemetery to the north, and adjoins St Joseph's Catholic High School and residential properties to the south. The site has limited street frontage, two pedestrian thoroughfares connect the Oval to Church Street to the west and Macquarie Street to the east. There are ample on street parking opportunities along these streets. Passive surveillance exists from nearby café and schools which are activated during business hours, however limited passive surveillance exists after hours due to lack of lighting, limited street frontage and nearby activation. There is risk of vandalism or misuse of a water dog play facility at this location. An asset of this nature would be better positioned in a highly activated site with increased passive surveillance opportunities than those, which exist at Keith Barnes Oval.

### **Dog Agility Water Park located at an existing dog agility park**

Two dog agility parks exist in the LGA; a segregated dog agility park at Kingston Street, Oak Flats and a non-segregated dog agility park on Whittaker Street, Flinders. The size of these areas limits their ability to accommodate water play facilities.

### **Dog Agility Water Park located at a new standalone location**

Staff are currently investigating opportunities to expand the dog friendly spaces network. Detailed investigations into the provision of dog friendly beach areas are underway and staff are collaborating on the design of two new dog agility parks at Croome and Warilla. A contract to construct Warilla Dog Park has been issued and water play is not feasible or viable at this stage of the project. Provision of water play at these parks was not factored into the project brief, or the 2022/23 Operational Plan.

### **Financial / Resources Implications**

Provision of dog agility water parks or dog water play assets are not currently in our Delivery Program or Operational Plan.

The associated costs with establishing new dog friendly spaces including dog agility water parks or water play assets would need to be sought from capital works, developer contributions or grant funding.

The associated costs with maintaining and monitoring dog agility water parks or water play assets, would need to be considered as part of Council's operational budget and will have an impact Council's maintenance, compliance and regulation resources.

**Legal and Policy implications**

The Open Space and Recreation Strategy, 2020 action 1.11 recommends the continued implementation of the Dog Friendly Spaces Strategy. The actions identified in the Dog Friendly Spaces Strategy, allows Council to plan strategically for future dog friendly spaces.

The *Companion Animals Act (1998)* must be considered when implementing actions in the Dog Friendly Spaces Strategy. Division 12, Clause 14 – Dogs prohibited in some public places, prescribes dogs are prohibited within 10 metres of any children's playing areas.

Dog agility parks and off-leash areas may be constructed under the *Infrastructure State Environmental Planning Policy (SEPP) (2007)*, Division 12, Clause 65 – Exempt Development.

**Public / Social Impact**

There are no public or social impacts associated with the preparation of this report.

**Link to Community Strategic Plan**

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

Objective: 1.2 We are a liveable community

Strategy: 1.2.1 Inclusive, accessible and safe spaces for our entire community

Strategy: 1.2.2 Promote healthy living and high-quality public spaces that are well maintained and activated

**Consultations****Internal**

Recreation Planner  
Community Safety Officer  
Senior Community Planning Officer  
Parks Manager  
Manager Asset Planning  
Project Delivery Officer

**External**

Assistant Development Manager, PEET Limited.  
Logan City Council

**Political Donations Disclosure**

Not Applicable



**Recommendation**

**That Council receive and note the Dog Agility Water Park report.**

Approved for Council's consideration:      Jessica Lintern  
Acting Group Manager City Planning

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**Date of Meeting:**    29 November 2022

**Attachments**

1. Dog Friendly Spaces in Shellharbour City LGA
2. Keith Barnes Oval, Albion Park

**Attachment 1 – Dog Friendly Spaces in Shellharbour City LGA**





**Attachment 2 – Keith Barnes Oval, Albion Park**



**10.3.3 Requests for Financial Assistance – Second Quarter Allocation 2022-2023 (11968672)**

To the Chief Executive Officer

**Directorate:** Community and Customers  
**Group:** Community Connections

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

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**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) at its meeting on 26 October 2022 for the second round of allocations for the 2022-2023 financial year, from the Miscellaneous Donations budget.

This report recommends that Council provide financial assistance from the Miscellaneous Donations Budget 2022-2023 totalling \$6,400.

**Background**

Councils may provide financial assistance to others, under S356 of the *NSW Local Government Act 1993*. 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.

## Second Quarter Financial Assistance

Applications for the second quarter allocations for financial assistance (donations) were promoted on social media, print advertisement, through Council networks from early September 2022, and closed on 20 October 2022. A total of nine (9) applications were received, two (2) of which were from organisations that have not previously applied for funding.

At the meeting of 26 October 2022, the Working Party considered all applications for assistance and made the following recommendations for the second round of allocations, as outlined in **Table 1** below.

**Table 1 – Recommendations Quarter 2 – Miscellaneous Donations Budget**

Organisation	Reason Requesting	Amount requested	Amount approved
Illawarra Women's Health Centre	To assist with a Seniors Week Event; an Outdoor Market featuring stall holders of local older women selling hand-made items including art, craft, clothing, plants and food as well as performers.	\$2,000	\$500
Lake Illawarra Athletics Association	To assist with the purchase of line marking paint, as our organisation has to pay and mark our lines independently. Having this paid for will enable us to leave the cost associated out of our fees for athletes.	\$960	\$900
Seated in Circle-Women's Support Group	To assist with the costs associated with running a program for women, mothers and children to come together to improve mental health of families in Shellharbour. Covering the cost of hiring council building (and maybe even tea/coffee/food).	\$700	\$200*
Shell Cove Community Garden	The purchase of Public Liability Insurance for the garden community. In addition, there is a constant need to purchase soil, seedlings, seeds, fertilisers and other products for the successful running of the garden.	\$1,000	\$300**
St Vincent De Paul Society	To purchase food for store workers to provide clients with food hampers when welfare workers are not available for interviews.	\$900	Nil

Organisation	Reason Requesting	Amount requested	Amount approved
St Vincent De Paul Society – All Saints Conference Shellharbour	To purchase food vouchers and food for parcels, and other material aid for people in crisis in the Shellharbour LGA.	\$2,000	\$500
The Shepherd Centre	To provide 'Talk together' an early intervention program for children with hearing loss and their families from Shellharbour. The 'Talk Together' program will benefit 15 children with hearing loss, 30 parents from the Shellharbour, and countless indirect beneficiaries such as siblings, extended family members etc.	\$1,650	\$1,000
Volunteer Marine Rescue NSW Shellharbour	Operational and fuel costs for Shellharbour Marine Rescue activities.	\$2,000	\$1,000
Warilla Barrack Point Surf Life Saving Club	Purchase 4 nipper boards to be used in our Nipper program, which provide youth aged 6 – 12 years with surf skills to secure their long-term safety in the water. The new boards will enable expansion of participation numbers.	\$2,000	\$2,000
<b>TOTAL AMOUNT REQUESTED:</b>			<b>\$13,210</b>
<b>TOTAL APPROVED ALLOCATION BY WORKING PARTY:</b>			<b>\$6,400</b>

\*The Working Party recommended that the \$200 to be allocated to Seated in Circle – Women's Support Group is to be used for tea/coffee and food only not for hiring of the Council building.

\*\*The Working Party recommended that the \$300 to be allocated to Shell Cove Community Garden is to be used on materials from Council nursery and not to assist with the purchase of Public Liability Insurance.

All applicants will be advised in writing. Successful applicants will be advised of the allocation amount and any conditions of the allocation.

## Financial / Resources Implications

Allocations are made within Council's approved budgetary limits.

If the recommendations listed in **Table 1** are adopted, an amount of \$12,428.78 will remain in the Miscellaneous Donations Budget for allocation in future rounds of the 2022-2023 financial year. This amount has been calculated as shown in **Table 2**.

**Table 2 – Miscellaneous Donations Budget 2022-2023**

Original budget allocation 2022-2023 plus carry over from previous year of \$4,803.78 (miscellaneous donations only)	\$24,803.78
Less amount allocated in first quarter (July - Aug)	-\$5,975
Less amount proposed allocation in second quarter (Sept - Nov)	-\$6,400
<b>Balance remaining for future allocation in the 2022-2023 financial year</b>	<b>\$12,428.78</b>

## Legal and Policy implications

The allocation of financial assistance is in accordance with Council's Financial Assistance - Donations Policy.

## Public / Social Impact

Financial assistance provided by Council 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 We inspire community spirit

Strategy: 1.1.1 Foster creativity and events that bring people together

Strategy: 1.1.2 Work within our communities to connect people, build resilience and opportunities to participate in community life

Objective: 1.2 We are a liveable community

Strategy: 1.2.2 Promote healthy living and high-quality public spaces that are well maintained and activated

Strategy: 1.2.4 Our town centres are activated, liveable, and provide a welcoming sense of place



**Consultations****Internal**

Financial Assistance Working Party  
Group Manager Asset Strategy  
Management Accountant

**External**

Submissions received from organisations requesting financial assistance.

**Political Donations Disclosure**

Not Applicable

**Recommendation**

**That Council provide financial assistance from the miscellaneous donations budget totaling \$6,400 to the following groups:**

<b>Illawarra Women's Health Centre</b>	<b>\$500</b>
<b>Lake Illawarra Athletics Association</b>	<b>\$900</b>
<b>Seated in Circle- Women's Support Group</b>	<b>\$200</b>
<b>Shell Cove Community Garden</b>	<b>\$300</b>
<b>St Vincent De Paul Society–All Saints Conference Shellharbour</b>	<b>\$500</b>
<b>The Shepherd Centre</b>	<b>\$1,000</b>
<b>Volunteer Marine Rescue NSW Shellharbour</b>	<b>\$1,000</b>
<b>Warilla Barrack Point Surf Life Saving Club</b>	<b>\$2,000</b>

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

**Date of Meeting:** 29 November 2022

**Attachments**

Nil



**10.4 Amenity and Assets Directorate****10.4.1 Tender 2022-60 - Barrack Heights Shared Path**

To the Chief Executive Officer

**Directorate:** Amenity and Assets

**Group:** Asset Strategy

**Manager:** Daniel Brilsky – Acting Group Manager Asset Strategy

**Author:** Edith Lume – Graduate Project Delivery Officer

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**Summary**

The purpose of this report is to inform Council of the tender process for Tender 2022/60 - Barrack Heights Shared Path construction project and to seek a resolution to reject all tenders and commence negotiations with interested parties, in accordance with *Section 178(3)(e) of the NSW Local Government (General) Regulation 2021*.

**Background**

The Barrack Heights Shared Path project involves the construction of an 800m long shared path with an estimated construction timeframe of 3 months. The project includes several complex elements such as adjusting service pit levels and stormwater drainage, construction of a blister pedestrian crossing and the removal of a concrete bus stop. The project requires extensive traffic control for both the Shellharbour Rd intersection with Barrack Avenue, bridge crossing and the Junction Road pedestrian blister crossing.

Tenders for 2022/60 - Barrack Heights Shared Path were called and advertised on 6 September 2022. Tender submissions closed on Tuesday 27 September 2022. A total of three (3) tender submissions were received.

All tender submissions were reviewed by the Tender Assessment Panel (TAP) in accordance with Council's Procurement Policies and Procedures.

Confidential information related to the assessment of tenders is contained within the confidential **Attachment 1**. The tender submissions were evaluated against non-price and price criteria covering company experience, experience of proposed project team members, sub-contractor experience, proposed construction methodology, program and cost.

The TAP recommends not accepting any tender submissions.

**Justification for Recommendation**

In accordance with *NSW Local Government (General) Regulation, 2021 Clause 178(3)*, Council has the following options should Council decide to decline to accept any of the tenders:

- a) Postpone or cancel the proposal for the contract.
- b) Invite in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details.
- c) Invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract.
- d) Invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract.
- e) Enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
- f) Carry out the requirements of the proposed contract itself.

If Council resolves to enter into negotiations, the resolution must state:

- a. The Council's reasons for declining to invite fresh tenders.
- b. The Council's reasons for determining to enter into negotiations.

With no suitable tenderers for this project, it is recommended that Council decline all tenders and commence direct negotiations with interested parties, in accordance with *Section 178 (3)(e) of the NSW Local Government (General) Regulation 2021*.

Should Council endorse the recommendations of this report, negotiations with suitable contractors will take place with the aim of commencing the construction phase of the project in 2023. Following the award of the contract, Councillors will be updated and the contract details will be added to Council's public contracts register.

**Impact on delivery program**

Commencement of the project will be delayed until 2023 depending on the outcome of the proposed negotiations.

**Financial / Resources Implications**

Council has secured funding via the Local Roads and Community Infrastructure Phase 3 Grant Program to deliver this project and community consultation was undertaken during the design phase to engage with residents.

The grant funding deed sets a completion date for the project by 30 June 2023. The proposed negotiations will be conducted to ensure the project is delivered in accordance with the grant delivery milestones. Additionally, should the recommendations of this report be endorsed community consultation will be undertaken to update nearby residents to the revised construction program.

### **Legal and Policy implications**

The tender process has been undertaken in accordance with the Local Government Act, Local Government (General) Regulations 2021 (NSW), Part 7 Tendering and Council's Procurement Policy. Negotiations are conducted by a panel in accordance with the procurement guidelines and a negotiation plan.

The contract proposed is based on the NSW Government's MW21 standard contract. The MW21 contract is designed for government agencies to manage construction contracts valued up to \$1 million. The MW21 contract template is accessible on the NSW Government website. The proposed contract conditions contain no confidential conditions that prohibit release of information relating to the contract with Council.

### **Public / Social Impact**

The Barrack Heights Shared Path was identified as a missing link in Council's footpath network, and has been prioritised based on feedback from the community. The project also includes a pedestrian blister crossing on Junction Rd to improve safety for pedestrians and motorists.

### **Link to Community Strategic Plan**

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

Objective: 1.2 We are a liveable community

Strategy: 1.2.3 Construct and upgrade buildings and infrastructure that meet current and future community needs

Objective: 2.2 We are a beautiful and connected city

Strategy: 2.2.2 Provide and promote a sustainable and integrated active travel and transport network

### **Consultations**

#### **Internal**

Manager Procurement and Supply

#### **External**

Nil

**Political Donations Disclosure**

Not Applicable

**Recommendation**

**That:**

- 1. Council decline to accept any tender in accordance with clause 178(1) of the NSW Local Government (General) Regulation 2021.**
- 2. In accordance with Section 178(3)(e) of the NSW Local Government (General) Regulation (2021), Council enter into negotiations with any person with a view to entering into contracts in relation to the subject matter of the Tender and not invite fresh tenders for the following reasons:**
  - a) Clarification of the path design and work methods through a negotiation may reduce the prices offered**
  - b) Current unavailability of competitive tenderers**
- 3. Council delegate to the Chief Executive Officer or their nominated delegate the authority to undertake and finalise negotiations, sign the letters of acceptance and execute the contracts, variations and associated documents on behalf of Shellharbour City Council.**
- 4. In accordance with the Government Information (Public Access) Act 2009, the name of the successful contractor and amount payable under the contracts be added to the contracts register.**

Approved for Council's consideration: Daniel Brilsky  
Acting Group Manager Asset Strategy

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**Date of Meeting:** 29 November 2022

**Attachments**

- 1. Confidential Memo – 10.4.1 Summary of Tender Evaluation 2022/60 – Barrack Heights Shared Path (under separate cover)**

**10.4.2 Tender 2022-64 - Lake Entrance Road Retaining Wall Renewal (11968906)**

To the Mayor and Councillors

**Directorate:** Amenity and Assets

**Department:** Asset Strategy

**Manager:** Daniel Brilsky – Acting Group Manager Asset Strategy

**Author:** Arvin De Mesa – Acting Manager Projects

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**Summary**

The purpose of this report is to inform Council of the tender process for Tender 2022/64 - Lake Entrance Road Retaining Wall Renewal and to seek a resolution to decline tenders and commence negotiations with interested parties, in accordance with *Section 178(3)(e) of the NSW Local Government (General) Regulation 2021*.

**Background**

The Lake Entrance Road Retaining Wall project involves the construction of a purposed designed retaining wall and crash barrier system, which once installed will improve user safety. The project is complex and includes anchors, steel reinforcements, concreting and management of underground services.

Tenders for 2022/64 - Lake Entrance Road Retaining Wall Renewal were called and advertised on 13 September 2022. Tender submissions closed on Tuesday 4 October 2022. A total of two (2) tender submissions were received.

All tender submissions were reviewed by the Tender Assessment Panel (TAP) in accordance with Council's Procurement Policies and Procedures.

Confidential information related to the assessment of tenders is contained within the confidential **Attachment 1**. The tender submissions were evaluated against non-price and price criteria covering company experience, experience of proposed project team members, sub-contractor experience, proposed construction methodology, program and cost.

The TAP recommends not accepting any tender submissions.

**Justification for Recommendation**

In accordance with *NSW Local Government (General) Regulation, 2021 Clause 178(3)*, Council has the following options should Council decide to decline to accept any of the tenders:

- a) Postpone or cancel the proposal for the contract.
- b) Invite in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details.
- c) Invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract.
- d) Invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract.
- e) Enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
- f) Carry out the requirements of the proposed contract itself.

If Council resolves to enter into negotiations, the resolution must state:

- a. The Council's reasons for declining to invite fresh tenders.
- b. The Council's reasons for determining to enter into negotiations.

With no suitable tenderers for this project, it is recommended that Council reject all tenders and commence direct negotiations with interested parties, in accordance with *Section 178 (3)(e) of the NSW Local Government (General) Regulation 2021*. This process will provide an opportunity to refine the scope of the traffic facilities and retaining wall construction methods. This negotiation will also provide an opportunity to provide the best value for Council.

Upon completion of the negotiation and award of the contract, a status update on the project and the anticipated commencement date will be provided to Councillors.

**Impact on delivery program**

Commencement of the project is expected in 2023, depending on the result of negotiations. Inspections and maintenance of the retaining wall are continuing until renewal takes place.

**Financial / Resources Implications**

The project is expected to commence within the fourth quarter in 2023. Community consultation was undertaken during the design phase with residents. Should the recommendations of this report be endorsed community consultation will be undertaken to update nearby residents to the revised construction program.

**Legal and Policy implications**

The tender process has been undertaken in accordance with the Local Government Act, Local Government (General) Regulations 2021 (NSW), Part 7 Tendering and Council's Procurement Policy. Negotiations are conducted by a panel in accordance with the procurement guidelines and a negotiation plan.

The contract proposed is based on the NSW Government's MW21 standard contract. The MW21 contract is designed for government agencies to manage construction contracts valued up to \$1 million. The MW21 contract template is accessible on the NSW Government website. The proposed contract conditions contain no confidential conditions that prohibit release of information relating to the contract with Council.

**Public / Social Impact**

The renewal of the existing retaining wall, installation of crash barriers, placement of pedestrian blisters, and signage installation will provide improved safety for resident access, pedestrians and motorists.

**Link to Community Strategic Plan**

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

Objective: 1.2 We are a liveable community

Strategy: 1.2.3 Construct and upgrade buildings and infrastructure that meet current and future community needs

Objective: 2.2 We are a beautiful and connected city

Strategy: 2.2.2 Provide and promote a sustainable and integrated active travel and transport network

**Consultations****Internal**

Manager Procurement and Supply

**External**

Illion Australia Pty Ltd (Financial Capacity Assessor)

**Political Donations Disclosure**

Not Applicable

**Recommendation**

**That:**

- 1. Council decline to accept any tender in accordance with clause 178(1) of the NSW Local Government (General) Regulation 2021.**
- 2. In accordance with Section 178(3)(e) of the NSW Local Government (General) Regulation (2021), Council enter into negotiations with any person with a view to entering into contracts in relation to the subject matter of the Tender and not invite fresh tenders for the following reasons:**
  - a. Clarification of traffic facilities, construction materials and work methods through a negotiation may reduce the prices offered**
  - b. Current unavailability of competitive tenderers**
- 3. Council delegate to the Chief Executive Officer or their nominated delegate the authority to undertake and finalise negotiations, sign the letters of acceptance and execute the contracts, variations and associated documents on behalf of Shellharbour City Council.**
- 4. In accordance with the Government Information (Public Access) Act 2009, the name of the successful contractor and amount payable under the contracts be added to the contracts register.**

Approved for Council's consideration: Daniel Brilsky  
Acting Group Manager Asset Strategy

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**Date of Meeting:** 29 November 2022

**Attachments**

- 1. Confidential Memo – 10.4.2 Summary of Tender Evaluation 2022/64 - Lake Entrance Road Retaining Wall (under separate cover)**



**11. Committee Recommendations**

**11.1 Recommendations from the Traffic Committee Meeting held 2 November 2022 recommended for adoption.**

That the Recommendations from the Traffic Committee Meeting held 2 November 2022 be adopted.

**11.2 Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 9 November 2022 recommended for adoption.**

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 9 November 2022 be adopted.

**12. Items for Information**

**13. Notices of Rescission/Alteration Motions**

**14. Notices of Motion**

**14.1 Notice of Motion submitted by Cr Robert Petreski: Car Parking Study and Review (11972447)**

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**Notice of Motion:**

1. That Council officers prepare a report to conduct a parking study and review into the current parking provisions in our city and town centres, with a view to identifying opportunities that may better facilitate our communities parking requirements. This review should include, but not be limited to, the current DCP parking provision requirements for medium and high-density developments in our LGA.
2. This review may be staged, commencing with the Shellharbour City Centre, then rolling out to Town Centres.
3. This report be presented in time for the Parking Study and Review's consideration in the 2023-2024 Operational Plan.

Approved for Council's consideration:

Cr Robert Petreski

**Date of Meeting:**

29 November 2022

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

**16. Urgent Business**

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

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

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

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

**Minutes from Committee Meetings for Adoption – Traffic Committee-2  
November 2022**



**Traffic Committee Meeting**

**MINUTES**

**Wednesday, 02 November 2022**

**Commencing at 9:30 AM**

**Shellharbour Civic Centre**



**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

Page 2

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**1. Attendance****Present:**

Cr John Davey (Chair)	Shellharbour City Council
Andy Gaudiosi	Transport for NSW
Cr Maree Duffy-Moon	Member for Shellharbour Representative
Jarrold Thompson	Premier Illawarra
Mitch Vidler	Transport for NSW
Mark Bright (part)	Wings Over Illawarra

**In Attendance:**

Matthew Apolo	Group Manager Built and Natural Environment
Adam De Clouett	Manager Floodplain and Transport
Wayne Wilson	Senior Transport Engineer
Mark Miller	Manager Compliance and Regulation
Stephanie Luo	Engineering Technical Officer
Jake Richards	Civil Engineer - Cadet
Allison Bonaz (Minute Taker)	Corporate Meetings Officer

**2. Acknowledgement to Country**

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

**3. Apologies / Leave of Absence**

Apologies were tendered for Senior Constable of NSW Police, Craig Gray, Member for Kiama Representative, Paul Grebert and Road Safety Officer, Jenny Davies for this meeting.

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This is page 2 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

Page 3

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**4. Confirmation of Minutes**

**4.1. Traffic Committee Meeting 5 October 2022**

That the Minutes of the Traffic Committee Meeting held on 5 October 2022 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED with UNANIMOUS SUPPORT

**5. Addresses to Traffic Committee**

Nil

**6. Disclosure of Interest**

Nil

**7. Presentations**

Nil

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This is page 3 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

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**8. Traffic Reports****8.1. Shell Cove Waterfront Markets – Temporary Full Road Closure**

## Committee Recommendation

That Council approve the temporary closures of Waterfront Promenade and Cove Boulevard, Shell Cove and traffic management for this event as shown in **Attachment 1**, subject to the following conditions:

1. Suitable access to construction sites restricted by the proposed road closure given the current operation hours for construction around the Shell Cove Marina area.
2. Additional signposting to forewarn drivers approaching the road closure along the northern end of Aquatic Drive.
3. 40km/h signposting for the area as per the TGS.
4. VMS boards along Harbour Boulevard to forewarn drivers of the event and change in traffic conditions.
5. The applicant must inform all residents/businesses within or with access/frontage to any property who may be impacted by this temporary partial closure of Waterfront Promenade and Cove Boulevard, at least seven days and then one day before the closure via a letterbox drop.
6. The applicant must cater for the access requirements of any resident/business/organisations with direct access to their properties from that section of Waterfront Promenade and Cove Boulevard that will be impacted by the partial closure, with accredited Traffic Controllers at all times while the closure is operational.
7. The applicant must supply and erect any barriers and traffic signs necessary for the road closure as stipulated by the approved Traffic Control Plan (TCP) and remove them at the completion of the works.
8. The organisers are to provide Hostile Vehicle Management measures during the event in accordance with Federal Hostile Vehicle Guidelines for Crowded Places.
9. Council must be indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the activities. A copy of Public Liability Insurance Cover to the value of \$20,000,000 shall be provided to Council prior to the event and Council must be listed as an interested party on the insurance.
10. Council must be reimbursed for the cost of repair of any damage caused to Council property as a result of the activities.
11. The applicant must inform all Emergency Services of the proposed road closure (that is NSW Police, Fire Brigade, Ambulance, State Emergency Services, Transport for NSW, and Council maintenance staff).
12. Shellharbour City Council reserves the right to cancel this approval at any time.

CARRIED with UNANIMOUS SUPPORT

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This is page 4 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

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**8.2. Lapwing Avenue and Aquatic Drive, Shell Cove - Installation of 'No Stopping' Zone**

## Committee Recommendation

That Council approve the proposed signage and linemarking installation along Aquatic Drive and Lapwing Avenue, Shell Cove as shown in **Attachment 2**.

CARRIED with UNANIMOUS SUPPORT

**8.3. Shell Cove Road, Barrack Point - Installation of Timed Bus Zone**

## Committee Recommendation

That Council approve the proposed conversion of the existing 'Bus Stops' to timed 'Bus Zones (6:00AM – 6:00PM Mon – Fri and 8:00AM – 5:00PM Sat)' along Shell Cove Road, Barrack Point. Subject to the location of the 'B' pole being in a suitable position, the position of the zone to be brought forward towards the intersection with Cliff Avenue. Where the 'B' pole is in an unsuitable position the conversion will be as shown originally in **Attachment 2**.

CARRIED with UNANIMOUS SUPPORT

**8.4. Reynolds Lane, Oak Flats – Replacement of current Give Way signs to Stop signs and associated linemarking**

## Committee Recommendation

That Council approve the proposed replacement of the current 'Give Way' signs with 'Stop' signs and associated linemarking along Reynolds Lane at Griffiths Street, Fisher Street, Kingston Street and Hopetoun Street, Oak Flats as shown in **Attachment 2**.

CARRIED with UNANIMOUS SUPPORT

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This is page 5 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022



**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

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**8.5. Proposed Major Event and Temporary Road Closures –  
Tongarra Road and Hargraves Avenue, Albion Park Rail –  
Wings Over Illawarra**

## Committee Recommendation

That Council approve the temporary closures and traffic management for the Wings over Illawarra event on 12 and 13 November 2022 as shown in **Attachment 1**, subject to the following conditions:

1. The applicant must inform the Transport Management Centre of the approved event, temporary closures (including the Road Occupancy License approval document) and provide them with all associated documentation at least 7 days prior to the event.
2. The applicant must inform all residents/businesses within or with access/frontage to any parts of those sections of the Illawarra Highway, Croome Avenue, Hargrave Avenue and Poplar Avenue at least seven (7) days and then one (1) day before the closure via a letterbox drop.
3. The applicant must cater for the access requirements of any resident/business/organisations with direct access to their properties from those sections of the Illawarra Highway, Croome Avenue and Hargraves Ave, with accredited Traffic Controllers at all times while the closure is operational.
4. The applicant must supply and erect any barriers and traffic signs necessary for the road closure as stipulated by the approved Traffic Control Plan (TCP) and remove them at the completion of the works.
5. The organisers are to provide Hostile Vehicle Management measures during the event in accordance with Federal Hostile Vehicle Guidelines for Crowded Places.
6. Council must be indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the activities. A copy of Public Liability Insurance Cover to the value of \$20,000,000 shall be provided to Council prior to the event and Council must be listed as an interested party on the insurance.
7. Council must be reimbursed for the cost of repair of any damage caused to Council property as a result of the activities.
8. The applicant must inform all Emergency Services of the proposed road closure (that is NSW Police, Fire Brigade, Ambulance, State Emergency Services and Transport for NSW).
9. Shellharbour Council reserves the right to cancel this approval at any time.

CARRIED with UNANIMOUS SUPPORT

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This is page 6 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

**SHELLHARBOUR CITY COUNCIL**

Traffic Committee Meeting - Wednesday, 02 November 2022

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**9. General Business**

There was some general discussion around traffic matters in Warilla at the intersection of Lake Entrance and Shellharbour Roads.

Missing linemarking on Sophia and Church Streets in Albion Park was raised.

**10. Items for Information**

**10.1. Police Matters**

A late item of hooning along Trumper Street near Morley Park at Warilla was added to the report for potential future patrols.

The items for information were formally NOTED by the Committee.

**11. Next Meeting**

Date: 7 December 2022

**Meeting Closed: 10.45AM**

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This is page 7 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

## SHELLHARBOUR CITY COUNCIL

Traffic Committee Meeting - Wednesday, 02 November 2022

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## Attachment 1 to Item 8.5 – Proposed Major Event and Temporary Road Closures – Tongarra Road and Hargraves Avenue, Albion Park Rail – Wings Over Illawarra

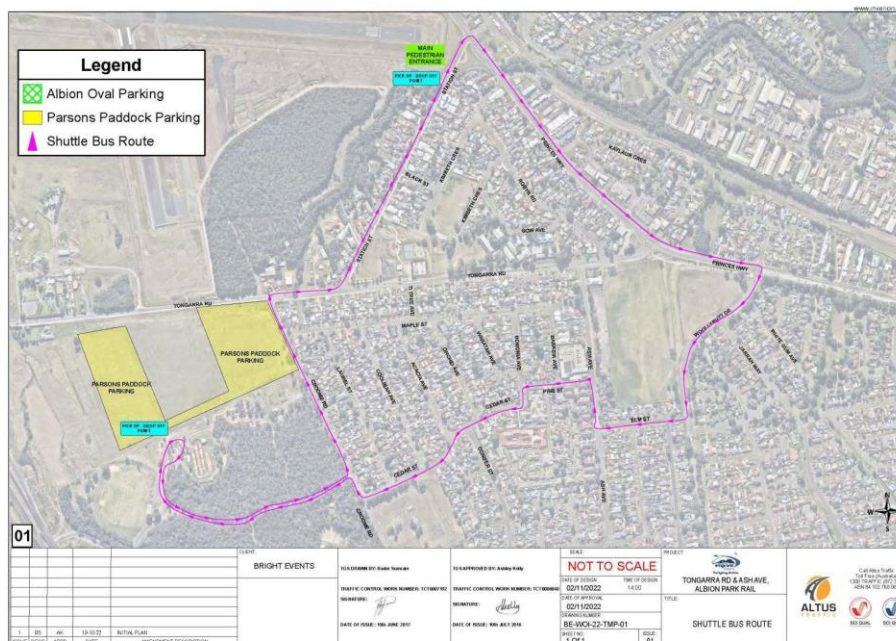


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## SHELLHARBOUR CITY COUNCIL

Traffic Committee Meeting - Wednesday, 02 November 2022

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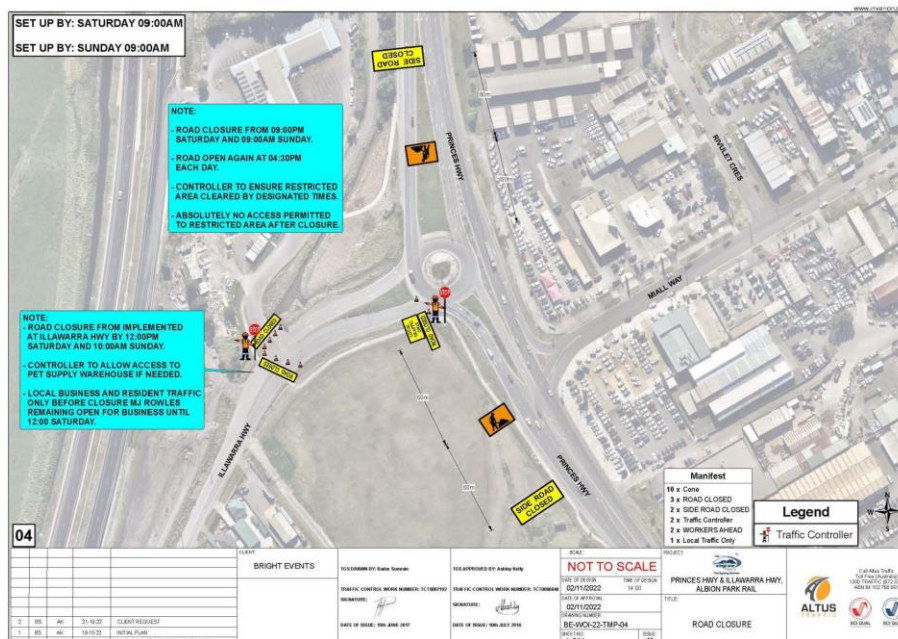


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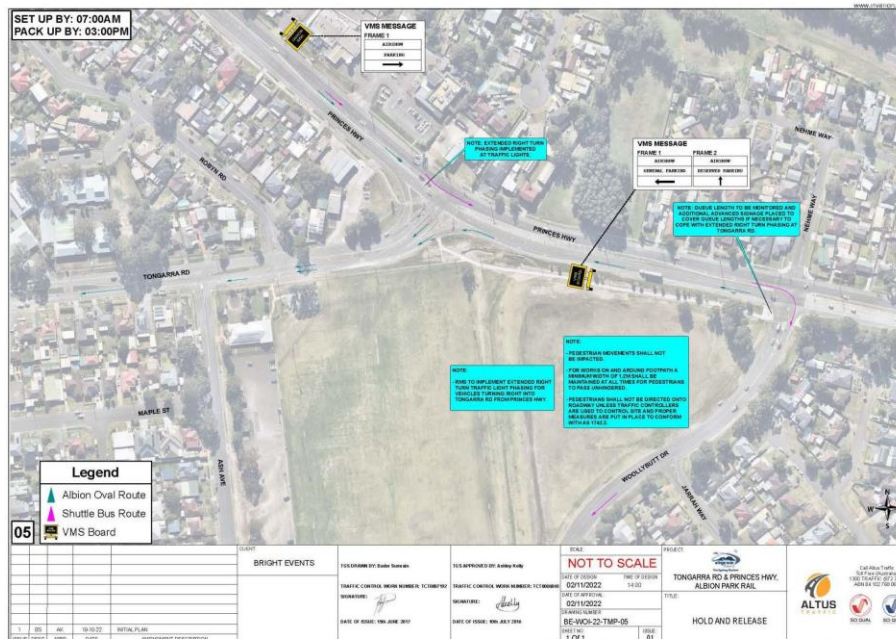




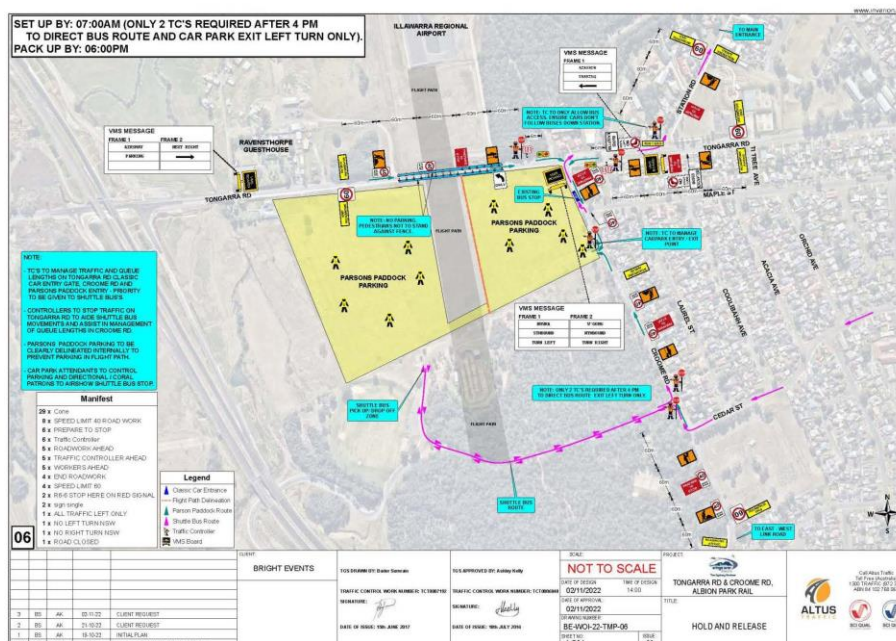
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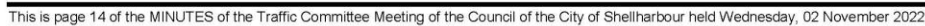


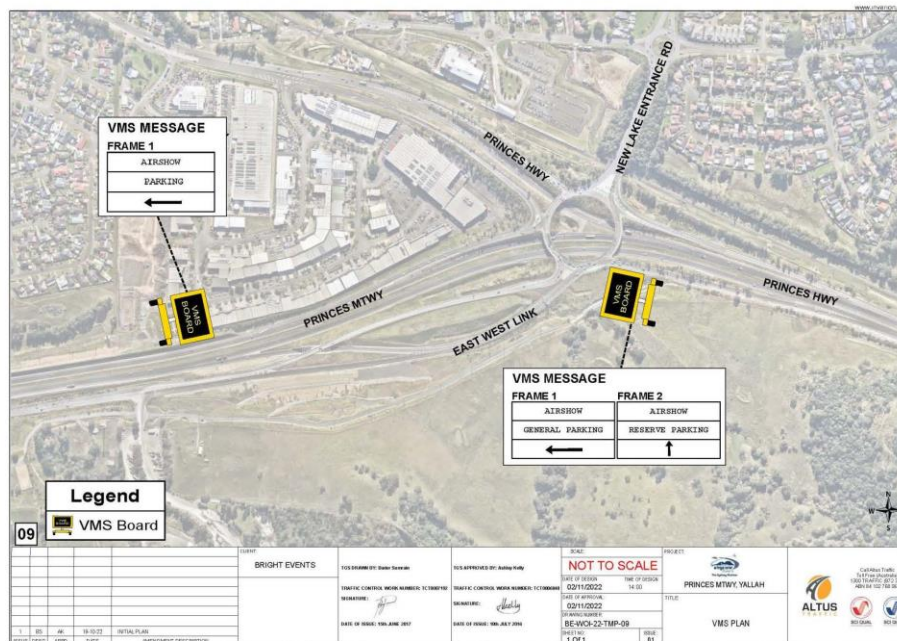
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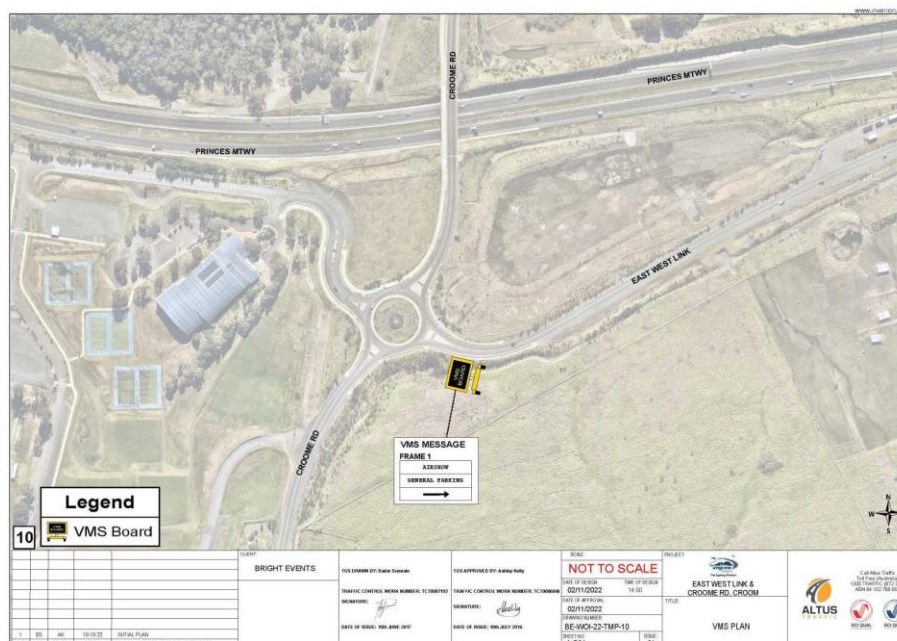
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This is page 17 of the MINUTES of the Traffic Committee Meeting of the Council of the City of Shellharbour held Wednesday, 02 November 2022

**Minutes from Committee Meetings for Adoption – Disability Access and Inclusion Advisory Committee-9 November 2022****SHELLHARBOUR CITY COUNCIL**Disability Access and Inclusion Advisory Committee Meeting – 9 November 2022

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**Minutes of the  
Disability Access and Inclusion Advisory Committee  
Held in the Auditorium – Jungah 1, Shellharbour Civic Centre  
on Wednesday 9 November 2022  
Commencing at 11:30am**

**Present:**

Cr Jacqui Graf (Chair)

Councillor, Shellharbour City Council

**Community Members:**

Mr Eric Klein

Community Representative

Ms Simonne Elise

Community Representative

Ms Ilinka Brankovic

Community Representative

Ms Jessica Pinkerton

Community Representative

**In Attendance:**

Ms Bonnie Hittmann

Manager Community Life

Ms Narelle Williams

Community Development Officer

Ms Lauren Peters

Senior Community Planning Officer

Ms Allison Bonaz (Minutes Taker)

Corporate Meetings Officer

**1. Acknowledgement to Country**

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

**2. Apologies / Leave of Absence**

Apologies were tendered on behalf of Councillor Moira Hamilton and Community Representative, Ms Sandra Pearson.

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This is page 1 of the Minutes of the Disability Access and Inclusion Advisory Committee Meeting of the Council of the City of Shellharbour held 9 November 2022



**SHELLHARBOUR CITY COUNCIL**

Disability Access and Inclusion Advisory Committee Meeting – 9 November 2022

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**3. Confirmation of Minutes**

**3.1 Disability Access and Inclusion Advisory Committee Meeting 14 September 2022**

COMMITTEE RECOMMENDATION: Klein / Elise

That the Minutes of the Disability Access and Inclusion Advisory Committee Meeting held on 14 September 2022 as circulated be taken as read and confirmed as a correct record of proceedings.

CARRIED

**4. Disclosures of Interest**

Nil

**5. Presentations**

**5.1 Health and Wellbeing Action Plan**

Senior Community Planning Officer, Lauren Peters provided a presentation and sought feedback from the Committee on the Health and Wellbeing Action Plan.

A link to the 'Let's Chat' page survey was sent following the meeting.

**5.2 Draft Disability Access and Inclusion Plan: 2023 to 2026 – An Inclusive City**

Community Development Officer, Narelle Williams provided a verbal report.

**5.3 We Are Shellharbour**

From the five stories in the *Our people, Our stories* on Council's website, Ilinka's story was played for the Committee.

A link to the web page was sent following the meeting.

**6. Staff Reports**

Nil

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This is page 2 of the Minutes of the Disability Access and Inclusion Advisory Committee Meeting of the Council of the City of Shellharbour held 9 November 2022

**SHELLHARBOUR CITY COUNCIL**

Disability Access and Inclusion Advisory Committee Meeting – 9 November 2022

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**7. General Business**

Nil

**8. Next Meeting**

March 2023 - TBC

**Meeting closed at 12:30pm**

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This is page 3 of the Minutes of the Disability Access and Inclusion Advisory Committee Meeting of the Council of the City of Shellharbour held 9 November 2022