

SHELLHARBOUR CITY COUNCIL PUBLIC PARTICIPATION RULES

Shellharbour City Council is not legally obliged under the Local Government Act to hold Public Participation. However the Council believes that there should be maximum feasible public impact into the decision making process. It therefore invites members of the community, with an interest in items before Council to participate in the process by addressing the Council.

1. Registration for public participation

- Registration of interest for Public Participation shall close promptly at 12 noon on the day of the Meeting and applicants must be listed on the form provided at the Administration Building, Lamerton House and Libraries. The request may be listed by the speaker or his/her representative or by a Council Officer at the speaker's request.

Late requests for Public Participation cannot be accepted under any circumstances.

- Public Participation may in particular circumstances be permitted in the Committee of the Whole Council Meeting but the speaker has no access to the Committee of the Whole Business Paper and must leave the Chamber after speaking.
- Only persons listed as requesting to speak in Public Participation shall be permitted to speak. However, the Mayor, with consent of Council, may in extraordinary circumstances permit an unlisted person to address the Council on a matter listed in the Business Paper.
- The Mayor in the absence of objection by any Councillor may agree to invite or allow a person to speak on a matter listed in the Business Paper, notwithstanding that any of the aforementioned rules have not been complied with.

2. At the meeting

- An item of Public Participation shall commence with the Mayor/Chairperson calling on the listed speaker(s) to address Council.
- All speakers shall speak to the Chair. Then, after the person(s) speaks there is the opportunity for councillors to ask, through the Chair, questions of the speaker(s). The Mayor then declares the matter "open for discussion" or words to that effect. This then closes the Public Participation on that item.
- The only opportunity then for a speaker to speak further is if the Mayor permits a comment by the speaker for the purposes of clarifying a point under discussion.
- Applicants who say "I'm here to listen to what the Councillors say" or " I do not wish to speak but I am here to ask or answer questions" will be given the opportunity to address Council but will not be given the opportunity to speak after the Councillors.
- Any person may address Council on matters relating only to an officer's report to a meeting and Committee Recommendations that are listed for adoption on the Agenda with the exception of matters relating to development applications which have been referred to the Council Development Advisory Committee (held before Traffic Committee) (Not on Mayor's/Councillors' reports, notices of motion, notices of rescission motion).
- The public address will be heard immediately before the matter is to be considered by Council as printed in the agenda of the business paper.
- Discussion or debate or questions involving Councillors or Council officers is not permitted.

- The subject matter only is to be discussed.
- Personalities are not to be addressed.
- The Mayor, with the consent of Council may limit speeches to two (2) speakers for and two (2) speakers against on the one subject. Groups are encouraged to nominate a representative to make the presentation to the Council on behalf of the group.
- Council expects each speaker to endeavour to keep his/her speech to as short a time as possible. An initial period of five (5) minutes will be allowed for each speaker, after which the Mayor, at his discretion, may give the speaker a further two (2) minutes to summarise and conclude.
- Presentations by members of the Public are to be made verbally. Written material or exhibits (including video, "PowerPoint", photographs) are NOT to be circulated, screened or displayed by the public at Council Meetings. Written information on matters other than Development Applications will be circulated to Councillors only if it is received by Council staff before 12 noon on the Monday prior to the day of the meeting. No late written submissions will be accepted from the public, regardless of the circumstances.

These rules apply to all public submissions for circulation to Councillors with the exception of Development Application submissions, whether or not the person has registered to speak at the meeting.

These rules do not apply to Development Application (DA) submissions. Separate rules govern the closing date of written submissions to DAs and these Public Participation Rules are not to be taken as granting any right to a member of the public to submit a late submission on a DA being presented to Council.

- Applicants have no right to interject during the debate. The rules of procedure as outlined in the Local Government Act 1993 and Regulations shall apply.

3. General rules

- Public Participation is not generally open to legal representatives acting in a professional capacity for a client. Council may permit legal representatives to address the Council, provided that sufficient notice is given so as to allow each of the parties concerned including Council where necessary the opportunity to have their legal representatives in attendance.
- Formal Public Participation shall not be permitted during Council inspections, however, Council may request interested residents to participate in discussion. This clause is subject to Council not making a final decision on the matter during the inspection.
- If a person or group seeks to address Council and raise allegations about the Council or staff handling of any matter this must be made in writing and sent to the General Manager. This will not be addressed in public participation. (This rule is not intended to restrict people raising matters with the Council. Council invites people to raise concerns about the Council or staff handling of matters in accordance with this rule. The requirement to provide written notice of allegations to the General Manager provides the opportunity for the General Manager to investigate and report the matter to Council at the time the complaint is made which would enable Council to take action on these matters at the time they are raised.)
- A speaker may only address Council once on any particular item on the Business Paper, unless the particular circumstances in the opinion of the General Manager have changed since Council's previous consideration.

- Placards are not to be brought into the Council Chamber. The public must conduct themselves with due respect to the Council and observe the rules of order and meeting procedure as contained in the Code of Meeting Practice.
- 4. The Rules of Public Participation shall extend to Council's Advisory Committees namely Australia Day/Special Promotions Advisory Committee, Disabilities Services Advisory Committee as well as to the Shellharbour Traffic Committee.

Public Participation must be registered by noon the day before the scheduled meeting for each committee.

Election rallies, speeches or the distribution of electoral material of a political nature will not be permitted within the confines of the Council Chamber building.

The General Manager is authorised on behalf of the Council to determine what actions constitute a breach of the above policy.

Procedure

Any person or persons in breach of this provision shall be treated as a trespasser and removed from the Council Chambers building using only such force (if any is required) as may reasonably be required in order to achieve that purpose.

In the event of a possible breach of the peace, the police are to be requested to attend to ensure no breach of the peace.

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Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting.

1. Apologies / Leave of Absence

2. Pecuniary Interest

3. General Manager's Office

3.1 2005/2006 Management Plan (8365294)

To the Mayor and Councillors

Division: General Manager's Division

Department: Executive Office

Manager: Brian Weir – General Manager

Author: Paul Henderson – Manager, Financial Services

Summary

Section 406 of the *Local Government Act 1993*, requires that before the end of each year, Council must adopt a management plan for the following year after it has been prepared and exhibited for a period not less than 28 days. In deciding on the final plan to be adopted, Council must take into consideration any submissions that have been made concerning the draft management plan.

This report presents the Management Plan and Budget to Council, along with any public submissions and changes that have been made since the Extraordinary Meeting on 18 May 2005 (**Councillors may wish to refer to original draft Management Plan business papers**). The report also reviews the works to be carried over to the next budget year and formally makes the annual rates and charges for the 2005/2006 financial year.

At the time of writing this report, Council had not yet received notification from the Department of Local Government regarding the success or otherwise of our special variation application to increase rates by 9.5%. The recommendation in this report therefore includes consideration of two options, being for a 9.5% increase or a 3.5% increase, only one of which will be required, depending on the outcome of our application.

In the event that the Minister approves a special variation other than 9.5%, a late report will be submitted to Council, detailing the rates in the dollar which need to be adopted, as well as recommendations for project inclusions and exclusions to achieve a balanced budget.

Recommendation

Recommendation A – 9.5% Rate Increase

1. That Council adopt the Management Plan as set on 18 May 2005.
2. That Council adopt the Operational Budget which includes a 9.5% increase to Council rates, Balance Sheet Budget and Capital Works Budget and New Items totalling \$900,900 as set on 18 May 2005:-

This will result in an overall estimated surplus of **\$14,091**.

3. That Council adopt the projects to be carried over as detailed in the report and listed on Attachment 1 totalling \$7,476,574.
4. That Council adopt the Revenue Policy as set on 18 May 2005.
5. That Council adopt the Fees and Charges with the amendments as detailed in the fees and charges section of this report.
6. That Council adopt one of the three options listed in the public submissions section of this report in relation to the Oak Flats Heated Pool three, six and twelve month season passes.
7. That Council adopt the Strategic Plan as set on 18 May 2005.
8. That the public submissions made, be received, taken into consideration and noted.
9. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three five one six one cents in the dollar (0.35161) and a Base Amount of two hundred and twelve dollars and thirty seven cents (\$212.37) per assessment in accordance with section 537 of the Local Government Act 1993 on all rateable land in the City of Shellharbour categorised as "RESIDENTIAL" in accordance with Section 516 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "RESIDENTIAL".

Further that the percentage of the base amount, pursuant to Section 500 of the Local Government Act 1993 is twenty five percent (25%) of the total amount payable by the levying of the rate.

10. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three three six three five cents in the dollar (0.33635) per assessment on all rateable land in the City of Shellharbour categorised as "FARMLAND" in accordance with Section 515 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in

accordance with section 543(1) of the Local Government Act this rate be named "FARMLAND".

11. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three five one two four cents in the dollar (0.35124) per assessment on all rateable land in the City of Shellharbour categorised as "BUSINESS" in accordance with Section 518 of the Local Government Act 1993 except all rateable land in the City of Shellharbour determined to be in the business sub-category "GENERAL" be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "NON-URBAN".

12. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point eight seven two eight six cents in the dollar (0.87286) per assessment on all rateable land in the City of Shellharbour used or zoned for professional/commercial trade or industrial purposes and determined to be a centre of activity and categorised as "BUSINESS" in accordance with Section 518, sub category "GENERAL" in accordance with section 529(1) of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "BUSINESS GENERAL".

13. That a Domestic Waste Service Charge and a Business Waste Service Charge of:

- i) \$150.00 per annum per 240 litre bin per fortnightly service;
- ii) \$234.00 per annum per 240 litre bin per weekly service;
- iii) \$135.00 per annum per 120 litre bin per fortnightly service;
- iv) \$178.00 per annum per 120 litre bin per weekly service, and;
- v) \$24.00 per available service (vacant land)

be now made for the period 1 July 2005 to 30 June 2006 in accordance with Section 496 of the Local Government Act 1993.

14. That a high-density bulk recycling (weekly) service charge of one hundred and four dollars (\$104) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

15. That a high-density bulk recycling (fortnightly) service charge of fifty two dollars (\$52.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

16. That a high-density bulk waste (weekly) service charge of one hundred and sixty five dollars (\$165.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

17. That a rate of interest of nine percent per annum (9% p.a.) accruing daily on rates and charges that remain unpaid after they become due and payable be now set for the period 1 July 2005 to 30 June 2006 in accordance with section 566 of the Local Government Act 1993.

18. That the amount of new loan borrowings be \$1,000,000, with \$1,000,000 to be borrowed if required from recognised banking institutions secured by mortgage over Council's consolidated fund income.

OR

Recommendation B – 3.5% Rate Increase

1. That Council resolves to increase rates by 3.5% being the maximum permitted by the Minister for Local Government.

2. That Council notes that a 3.5% rate increase results in a deficit of \$267,809 (because 9.5% less 3.5% = 6% = \$1,182,800) before the inclusion of any new items. Note that the new items include statutory, essential and other items selected by Council. (see attachment 3).

3. That Council resolves to adopt a balanced budget by achieving net savings of approximately \$267,809.

4. That in order to achieve a balanced budget Council must nominate from the following list those items that it wishes to include (this will add to the current deficit of \$267,809):-

- Statutory new budget items totalling \$82,000
- Essential new budget items totalling \$478,900
- Community Services Department Trainee (Priority 1) - \$45,000
- Play equipment soft fall (Priority 1) - \$20,000
- Replace sand in Warilla Pool sand filter (Priority 1) - \$18,000
- Works Depot Improvement – Extension of Parks & Gardens Garage (Priority 1) - \$35,000
- Adopt a road – Illawarra Road Safety Park (Priority 1) - \$5,000
- Stadium Materials Budget (Priority 1) - \$5,000
- Review of on site sewerage management DCP (Priority 1) - \$5,000
- Gross Pollutant Trap Maintenance (Priority 1) - \$10,000
- Additional Street Sweeper Operator (Priority 1) - \$26,000
- City Cemetery security measures - \$171,000 (Councillor items)

And that Council nominate from the following list those items that it wishes to exclude (total savings to be identified should equal the current deficit of \$267,809 plus the value of new item inclusions)

- Reduce Council's contribution to the Lake Illawarra Entrance Works to \$250,000 next year with the remaining \$250,000 to be considered for funding in the 2006/07 budget resulting in a saving of \$250,000 for 2005/06
- Reduce the funding allocation for the mowing of Council parks, reserves and sportsfields by 25% which will result in a saving of \$100,000
- Reduce the funding allocation for streetsweeping operations by 25%, saving \$35,000
- Reduce the sportsfield building maintenance budget by 50%, saving \$70,000

- Reduce swimming season by 2 weeks and 2 hours per day in shoulder season saving \$50,000
- Reduce annual library book acquisition allocation by \$50,000
- Reduce Tourism Shellharbour contribution by \$50,000
- Cancellation of the annual gardens program saving \$35,793
- Cancellation of the Council run Small Business Network saving \$15,000
- Cancellation of major community events including Carols by Candlelight and the Mayoress' New Year Fireworks celebration saving \$15,054 and \$32,820 respectively
- Deferral of the Ward Based Capital Works Program - this option defers the Ward Based component of the Capital Works Program (not the Main Roads Component). This will save \$840,000. This will also free up the Roads Component of the Financial Assistance Grant estimated to be \$535,000. Overall a budget saving of \$1,375,000.
- Reduce the Ward Based Capital Works Program by 50% per ward which will reduce capital expenditure by \$420,000 and free up \$114,000 of the Roads Component of the Financial Assistance Grant. Overall a budget saving of \$534,000. (see attachment 4 for new program)
- Defer replacement of Street Sweeper from the balance sheet budget which will save \$210,000

Further that the total of inclusions (new items) and exclusions (savings) must equal a net value of approximately \$267,809.

5. That Council adopt the projects to be carried over as detailed in the report and listed on Attachment 1 totalling \$7,476,574.
6. That Council adopt the Revenue Policy as set on 18 May 2005.
7. That Council adopt the Fees and Charges with the amendments as detailed in this report.
8. That Council adopt one of the three options listed in the public submissions section of this report in relation to the Oak Flats Heated Pool three, six and twelve month season passes.
9. That Council adopt the Strategic Plan as set on 18 May 2005.
10. That the public submissions made, be received, taken into consideration and noted.
11. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three three two three five cents in the dollar (0.33235) and a Base Amount of two hundred dollars and seventy three cents (\$200.73) per assessment in accordance with section 537 of the Local Government Act 1993 on all rateable land in the City of Shellharbour categorised as "RESIDENTIAL" in accordance with Section 516 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "RESIDENTIAL".

Further that the percentage of the base amount, pursuant to Section 500 of the Local Government Act 1993 is twenty five percent (25%) of the total amount payable by the levying of the rate.

12. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three one seven nine two cents in the dollar (0.31792) per assessment on all rateable land in the City of Shellharbour categorised as "FARMLAND" in accordance with Section 515 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act this rate be named "FARMLAND".

13. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three three one nine nine cents in the dollar (0.33199) per assessment on all rateable land in the City of Shellharbour categorised as "BUSINESS" in accordance with Section 518 of the Local Government Act 1993 except all rateable land in the City of Shellharbour determined to be in the business sub-category "GENERAL" be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "NON-URBAN".

14. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point eight two five zero three six cents in the dollar (0.82503) per assessment on all rateable land in the City of Shellharbour used or zoned for professional/commercial trade or industrial purposes and determined to be a centre of activity and categorised as "BUSINESS" in accordance with Section 518, sub category "GENERAL" in accordance with section 529(1) of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "BUSINESS GENERAL".

15. That a Domestic Waste Service Charge and a Business Waste Service Charge of:

- i) \$150.00 per annum per 240 litre bin per fortnightly service;
- ii) \$234.00 per annum per 240 litre bin per weekly service;
- iii) \$135.00 per annum per 120 litre bin per fortnightly service;
- iv) \$178.00 per annum per 120 litre bin per weekly service, and;
- v) \$24.00 per available service (vacant land)

be now made for the period 1 July 2005 to 30 June 2006 in accordance with Section 496 of the Local Government Act 1993.

16. That a high-density bulk recycling (weekly) service charge of one hundred and four dollars (\$104) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

17. That a high-density bulk recycling (fortnightly) service charge of fifty two dollars (\$52.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

18. That a high-density bulk waste (weekly) service charge of one hundred and sixty five dollars (\$165.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

19. That the amount of new loan borrowings be \$1,000,000, with \$1,000,000 to be borrowed if required from recognised banking institutions secured by mortgage over Council's consolidated fund income.

Background

At its Extraordinary Council meeting held on 18 May 2005, Council decided to place its draft Management Plan and Budget on public exhibition. The period of public exhibition commenced with the draft Plan being displayed on Council's website on Thursday May 19th 2005, being advertised and available in hard copy on Saturday 21 May 2005 and the exhibition period concluding at the close of business on Monday 20 June 2005. It is a requirement of the Local Government Act that Councils place their Management Plans on exhibition for at least 28 days.

Public Submissions

A total of 839 submissions which include 779 Council distributed feedback forms have been received regarding the 2005/06 draft Management Plan at the close of the exhibition period. Copies of all submissions received excluding the feedback forms have been included as attachments to this report.

1. Rate Increase

48 letters and emails have been received regarding Council's proposed 9.5% increase to rates, with 43 against, 4 in favour and 1 undecided. Comments made in the submissions mainly focus on affordability concerns, current expenditure occurring in the wrong places and suggestions where expenditure cuts should be made to balance the budget. Council has also received 779 feedback forms which were distributed by Council to approximately 22,500 households in our City. Of these 779 responses, 688 were against, 73 in favour and 18 were informal regarding the proposal. A petition which is stated to contain approximately 8000 signatures against the rate increase has also been submitted.

2. Oak Flats Heated Pool Charges

Seven letters have been received relating to the proposal to delete the 3, 6 and 12 month season passes for entry fees in 2005-2006. One letter was from the Oak Flats Swimming Club, five letters from people affiliated with the Oak Flats Swimming Club and one from the Member for Kiama, Matt Brown (who had been approached by one of the correspondents).

Council's Group Manager, Customer and Environmental Services made the following comment, "It has been acknowledged that if Council were to adopt the proposal to delete the season passes, a number of families, in particular those who train with the swimming club, would be paying significantly higher pool entry fees. However, it was not the intention of the proposal to dramatically increase the cost to any of the pool users.

A meeting of the Mayor, Councillors, Council staff and representatives of the swimming club was held on 16 June 2005. A proposal to reintroduce the season passes with an

increase in the fees was presented. The proposed cost of the season passes is intended to introduce some parity with the cost of single entry and with rates charged by other Councils.

The club's representatives welcomed the inclusion of season passes but raised objections to the size of the fee increase."

The salient outcome of the meeting was to present the following to Council for consideration:

- The reintroduction of the 3, 6 and 12 month season passes, with the 12 month season pass being valid for the fixed period from 1 July 2005 to 30 June 2006.
- A family would be defined as those named on the Medicare card.
- Staging the increase in fees over a number of years. The preferred option presented by the Swimming Club representatives was 36 months.

The options for staging the increase in fees are:

Option 1 – Fee increase of season passes (single increase)

	2004/2005 Fees (GST incl)	Proposed Fee in 2005-2006 (GST incl)
3 Month Pass		
Adult	76.10	90.00
Concession	62.60	75.00
Family	111.40	150.00
6 Month Pass		
Adult	113.50	130.00
Concession	93.10	105.00
Family	166.80	220.00
12 Month Pass		
Adult	173.30	195.00
Concession	141.40	160.00
Family	256.00	350.00

Option 2 – Fee increase of season passes across 24 months

	2004/2005 Fees (GST incl)	Proposed Fee in 2005-2006 (GST incl)	Possible Fee in 2006-2007 (GST incl) (notes 1 and 3)
3 Month Pass			
Adult	76.10	85.00	90.00
Concession	62.60	70.00	75.00
Family	111.40	130.00	150.00

6 Month Pass			
Adult	113.50	120.00	130.00
Concession	93.10	100.00	105.00
Family	166.80	195.00	220.00
12 Month Pass			
Adult	173.30	185.00	195.00
Concession	141.40	150.00	160.00
Family	256.00	300.00	350.00

Option 3 – Fee increase of season passes across 36 months

	2004/2005 Fees (GST incl)	Proposed Fee in 2005-2006 (GST incl)	Possible Fee in 2006-2007 (GST incl) (note 1)	Possible fees in 2007-2008 (GST incl) (notes 1 & 3)
3 Month Pass				
Adult	76.10	80.00	85.00	90.00
Concession	62.60	67.00	71.00	75.00
Family	111.40	124.00	137.00	150.00
6 Month Pass				
Adult	113.50	120.00	125.00	130.00
Concession	93.10	98.00	102.00	105.00
Family	166.80	185.00	205.00	220.00
12 Month Pass				
Adult	173.30	180.00	188.00	195.00
Concession	141.40	145.00	155.00	160.00
Family	256.00	290.00	320.00	350.00

Note 1: The stated charges for 2006-2007 and 2007-2008 will also need to be adjusted for CPI increases each year.

Note 2: All fees are GST inclusive

Note 3: It is important to note that Council can only approve the fees and charges for 2005-2006. In line with statutory requirements, the fees and charges for 2006-2007 and beyond, will be exhibited and put to Council for adoption toward the end of the preceding financial year.

3. Warilla Neighbourhood Centre

The Warilla Information and Neighbourhood Centre Committee have submitted a letter requesting consideration be given to increasing Council's annual donation to their organisation. The current donation is \$12,000 which the centre utilises for the

employment of an Assistant Youth Worker plus other administration costs. An increase of 10% in this donation has been requested which would take the annual figure to \$13,200.

The Group Manager, Community Services & Development made the following comment, " The Warilla Information and Neighbourhood Centre is the only centre in our City that receives direct funding for youth initiatives from Council. It is hard to recommend an increase in Council's annual donation to this centre, when other centres in our City operate without any assistance from Council."

Council currently allocates over \$250,000 in its annual budget for youth services.

4. Australian Aerial Patrol

A letter has been received from the Australian Aerial Patrol seeking Council's continued support to its organisation to ensure aerial beach and community operations are maintained over the Shellharbour region in 2005/06.

Council has included in the draft 2005/06 budget, financial assistance to the value of \$13,000 for the Australian Aerial Patrol.

5. Shellharbour Beachside Tourist Park

Council has received a letter from a Mr Richardson during the submission period along with a petition after the close of the exhibition period, in relation to the proposed fees at the Shellharbour Beachside Tourist Park. Both submissions express concern over the level of the fee increase for Holiday Van sites. The proposed fees & charges for the Tourist Park were developed following a review by an external Tourism Industry consultant. The recommended fees had regard to market rates and the beachfront location of the Tourist Park. It was not intended to unfairly burden the owners of Holiday Vans rather to realign our rates with other parks in the region. To reduce the financial impact on Holiday Van owners the proposed fee increase can be introduced over several years with the monthly fee for 2005/06 being \$265.00, representing a 5.0% increase from the 2004/05 price .

Mr Richardson in his letter also objects to the administration fee for new occupation agreements. The advertised fee of \$350 was only proposed to be charged to new owners of Holiday Vans for the preparation of the initial agreement. Existing Holiday Van owners were not to be charged any fees for the preparation of their initial Occupation Agreements but a new \$50 fee for the renewal of Occupation Agreements is recommended. This proposal is detailed in the fees and charges section of this report.

6. Life Education Illawarra

Life Education Illawarra have made a submission requesting Council to consider continuing its financial assistance support to their organisation.

Included as part of the recommendation for the 2005/06 budget, is the continuation of this annual support of \$4,500.

7. Operation of Restaurant on Footpath - Alfresco Dining

One letter has been received regarding the fees associated with the operation of a restaurant on Council's footpaths. The letter asks council not to charge businesses. Council's group Manager Corporate Services makes the following comment, "Council proposes to apply a small fee to the alfresco dining use of Council roadside property, by businesses throughout the City. The proposed fees are less than applied by neighbouring Councils with more established areas of alfresco business.

There is little doubt that the growing popularity of alfresco dining can be a positive for both the businesses using Council's footpaths and passing tourists, as well as for the community at large, through the generation of income to Council.

With the application of a reasonable system of fees to cover use of council property by businesses which generate income through that use, everyone is a winner. "

Fees and Charges

1. Cemetery Fees

Page 44 of the fees and charges document details prices of granite wall of niches and garden memorials. The supplier of these items to Council has provided updated prices which now need to be reflected in our fees and charges document. The following changes are proposed:-

	Old Fee (incl GST)	Proposed New Fee (incl GST)
Granite Wall of Niches		
Resident Fee	\$550.00	\$577.50
Non-resident Fee	\$720.00	\$748.00
Purchase of Granite Memorial Plot (2 Positions)		
Resident Fee	\$960.00	\$1,056.00
Non-resident Fee	\$1,260.00	\$1,375.00

2. Dunmore Waste Depot – Waste Disposal

The NSW EPA has recently confirmed that the charge for both cleanfill and rock are now exempt from the waste levy if these items are used for approved operational purposes. Initially, it was not known what the approved operational purposes would be for these materials and the waste levy component was included in our original fees and charges. If these materials are not used for the approved operational purposes, the full rate of \$72.50 per tonne (incl GST) will apply. The proposed new fee of \$5.50 is to cover the handling/processing costs of these items.

The proposed changes relate to page 64 of the fees and charges document

**Old Fee (incl GST) Proposed New Fee
(incl GST)**

Bulk clean earth (VENM)-Clean fill suitable to Depot needs \$/ton	\$16.50	\$5.50
Bulk clean rock – (VENM) \$/ton	\$19.50	\$5.50

3. Street Bin Relocation

A number of requests from businesses have been received for the relocation of Council street bins which are located throughout our City. The requests are related to the operating of alfresco dining areas and the desire of having these areas free of street bins. It is proposed to introduce a new charge of \$150.00 (incl GST) to cover costs associated with the relocation of each street bin.

4. Season passes for Oak Flats Heated Pool

The exhibited fees and charges did not include 3, 6 and 12 month season passes. It is recommended:

1. That 3, 6 and 12 month season passes be reintroduced.
2. That 12 month passes be valid for a fixed period from 1 July 2005 to 30 June 2006.
3. That family be defined as those listed on a Medicare Card.
4. That Council determine the fee structure based on the three options listed in the public submission section of this report

All other fees and charges associated with the Oak Flats Heated Pool are unchanged from the exhibited Fees and Charges.

5. Shellharbour Beachside Tourist Park

	Draft 2005/06 Fee	Recommended Fee
Annual Holiday Van – Site Fee	\$280.00 / Month	\$265.00 / Month

A new fee for the renewal of existing occupation agreements for \$50 is recommended. An administration fee for the preparation of new occupation agreements will not be charged for existing owners of holiday vans on site at the Tourist Park.

Rates and Charges

Council's Valuation Register has been finalised with all new land values being added. Applying the increase of 9.5%, the following rates and charges will apply:-

Rate Category	Base Rate	Ad-Valorem Amount
Residential	\$212.37	0.35161 cents in the \$
Business	n/a	0.87286 cents in the \$
Non – Urban	n/a	0.35124 cents in the \$
Farmland	n/a	0.33635 cents in the \$

Applying the increase of 3.5%, the following rates and charges will apply:-

Rate Category	Base Rate	Ad-Valorem Amount
Residential	\$200.73	0.33235 cents in the \$
Business	n/a	0.82503 cents in the \$
Non – Urban	n/a	0.33199 cents in the \$
Farmland	n/a	0.31792 cents in the \$

Works to be carried over

Each year there are projects that overlap the June 30 financial year-end. Some projects are work in progress, whilst others are deferred for specific reasons beyond Council's control.

Listed below are Council approved projects that will be carried over and finalised in the next financial year. Most of these projects are fully funded by either grants, Section 94 Contributions, or restricted assets and some are funded by general revenue. Both the funding and the obligation to complete the work, are carried over to the new year.

The carry over from one financial year to the next is purely a matter of construction program timing. Whilst Council's available funds position will have a resultant increase for the year ended 30 June 2005, because the funds have not been spent, it will obviously return to the planned level the following financial year when these projects are completed.

Therefore additional funds are not being sought and the inclusion of these projects will not be detrimental to Council's overall financial position at the end of 2006.

Group Manager Works & Services Comment

"During the 2004/2005 financial year the Works and Services section has had one hundred and forty eight projects in its Works Program, totaling \$6.14 million. Of these projects, one hundred and four projects will have been completed by 30 June 2005.

The proposed rollover projects can be broadly broken up into three categories.

The first category are those projects that, because of their public impact or complexity, require significant consultation or investigation before the work can commence on site.

The second category are projects which are currently under way but, due to external factors, have not been able to be completed by the 30 June 2005.

The last category are those projects which have only been recently approved, but due to the lead time, have not commenced before the end of the financial year.”

An overall total of one hundred and twenty five projects from all sections of Council will need to be carried over from this financial year to the next financial year. These have been identified along with comments on the following list. Attachment 1 also lists these projects including their funding sources.

Group Manager Works & Services

- | | | |
|----------|---|------------------|
| 1 | Lamerton House Fire Protection | \$5,000 |
| | A purchase order has been raised to carry out fire protection work on the main service riser in Lamerton House but the contractor advised that due to a backlog of work this improvement may not be completed by 30 June. | |
| 2 | Ron Costello Grandstand Refurbishment | \$40,000 |
| | The refurbishment work has been put on hold while the Shellharbour Sharks League Club evaluate options on their future location. | |
| 3 | Shellharbour Streetscape | \$145,812 |
| | This work is ongoing and any residues from this year's programme will have to be rolled over into the 2005/2006 Works Program. | |
| 4 | Shellharbour Cycleways | \$26,680 |
| | Funding for stage 2 at the Town Street Cycleway will be rolled over for a feasibility analysis to be carried out on the proposed foreshore route between Town Street and Bardsley Park at the southern end of North Shellharbour Beach. | |
| 5 | Lake Illawarra Foreshore – Stage 1 Pur Pur Bay | \$104,190 |
| | This work is ongoing and any residues from this year's program will have to be rolled over into the 2005/2006 program. | |
| 6 | State Highway 1 Drainage | \$267,000 |
| | The R.T.A. gave approval on the 23 May 2005 for the drainage augmentation between Creamery Road and the | |

Airport Entrance on the Princes Highway. While this work will be substantially commenced by 30 June, some funds will have to rolled over into the 2005/2006 program.

- 7 Electronic Stock Control \$7,000**
- Extensive investigations have been carried out for a suitable bar-coding stock control system, in the Store at the Works Depot. A purchase order for the new system has been issued but the implementation may not be completed by 30 June.
- 8 Ward C Traffic Facility – Various \$85,117**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 9 Ward C Pavement Rehabilitation – Various \$1,500**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 10 Ward D Pavement Rehabilitation – Various \$1,814**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 11 Ward D Amenities Building Refurbishment \$4,104**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 12 Ward B Sportsfield & Buildings Refurbishment \$1,100**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 13 Ward F Bus /Park Seats & Shelters – Various \$15,734**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

14 Ward D Traffic Facilities – Various \$54,304

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

15 Ward E Traffic Facilities \$41,439

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

16 Ward F Traffic Facilities – Various \$55,357

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

17 Ward F Pavement Rehabilitation – Various \$92,237

This allocation has been earmarked for the widening of Croome Road between Tongarra Road and Cedar Street. Work has been delayed on this until an environment assessment is conducted on the roadside vegetation affected by the proposed road widening.

18 Ward B Bus /Park Seats & Shelters – Various \$10,946

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

19 Ward C Bus /Park Seats & Shelters – Various \$4,044

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

20 Ward D Bus /Park Seats & Shelters – Various \$15,000

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

21 Ward E Bus /Park Seats & Shelters – Various \$9,106

The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.

- 22 Ward F Building Refurbishment /Improvement \$3,405**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 23 Lamerton House Lift Upgrade \$37,657**
- Lift improvements were commissioned several months ago but the majority of the new equipment has to be imported from overseas which currently has a 3 month waiting period. It is anticipated that the installation of the new lift equipment will occur early in the new financial year.
- 24 Wattle Road Cycleway Between Benson / Wallaroo \$25,000**
- Funding for this work was only allocated recently. Due to higher priority projects, this work will not be commenced before 30 June.
- 25 Works Depot – Workshop Extension \$33,904**
- Development approval for this work is expected before the end of the financial year but the fabrication and erection will not be completed by 30 June.
- 26 Ward D Park Landscaping & Enhancement \$10,000**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 27 Greenmeadows A/C Cycleway Replacement / Links \$37,000**
- Work is currently progressing on this cycleway extension but it is unlikely that the covering of the adjacent box culvert structure will be completed by the end of the financial year.
- 28 Ward A Park Landscaping & Enhancement \$6,000**
- The residue funds in this allocation will need to be transferred into the Ward allocations in the 2005/2006 Capital Works Program.
- 29 Terry Street / Church Street, Albion Park Intersection \$116,506**
- This project is reliant on R.T.A. funding. Service
-

relocation options are currently being evaluated pending a grant application to the R.T.A. for this intersection improvement.

30 Ward Grant Matching \$73,800

The residue funds in this allocation will need to be transferred into the new financial year.

31 Ward Fund Allocations – Works & Sportsfields \$83,781

The residue funds in these allocations will need to be transferred into the new financial year.

Manager Assets

32 Albion Park Streetscape \$339,327

Some work was carried out during 2004/05. However, further work was delayed to allow finalisation of various design constraints with local shop owners. Further work is proposed early in the new financial year.

33 Oak Flats Streetscape \$233,635

This project has been ongoing. Some work was carried out in 2004/05 with further work to be completed in 2005/06.

34 Shellharbour North Beach Dune Refurbishment \$4,366

The final stage of the restoration work as a result of the State Surf Titles held in March 2004 will be completed during this winter.

35 Con O’Keefe Amenities Albion Park \$23,789

This project is part of our Sportsfield Refurbishment Program. This project will be carried out under the “Work for the Dole” Program. Commencement of this project has been delayed with work to be completed next financial year.

36 Cec Glenholmes Tiered Seating \$10,854

This project involves the refurbishment of the old timber / steel tiered seating. Some refurbishment work has been carried out in 2004/05. Further work will be done in 2005/06.

37 Shellharbour Cemetery Wall of Niches and Landscaping \$24,899

Considerable investigation has been done on the most appropriate wall to be erected. Erection of the new wall is programmed for July / August 2005.

38 Ward C Playground Equipment / Park Improvements \$15,002

\$15,000 was spent on the installation of new playground equipment in Jones Park, Mt Warrigal. The remaining \$15,000 of this allocation was held over at the request of the Ward Councillors'.

39 Lake Foreshore Landscaping \$49,243

This project is being carried out in conjunction with the Lake Authority. It includes the installation of seating, bike racks, shelters, landscaping, picnic shelters and the removal of lantana along the Lake Foreshore between Madigan Boulevard and Boonerah Point. The project has been delayed due to a delay in the confirmation of the design concepts for the project.

40 Ward D Playground Equipment – Various \$34,793

This allocation is Council's contribution to the major playground on the western side of Reddall Reserve. The project is on hold pending the outcome of further grant applications for additional funding.

41 Cec Glenholmes Oval – Change Rooms & Kiosk \$6,738

This project is part of our Sportsfield Refurbishment Program. Considerable work has been completed. Further work will be carried out at the end of the 2005 football season.

42 Cec Glenholmes Oval – Installation of Irrigation System \$15,270

This allocation was for the investigation of the availability of suitable bore water for use on our sportsfields. Investigation revealed no suitable water available at Cec Glenholmes Oval. Further investigations are currently being carried out behind Terry Reserve / Croom Regional Sporting Complex.

43 Installation of Play Equipment – Dawes Park \$3,980

The majority of this allocation has been spent on the installation of the new playground equipment. The above residue is for Council's contribution to the installation of a pergola at Dawes Park. Further funding is being provided by the Dawes Park Community Group.

44 Mount Warrigal Reserve \$55,000

This project was delayed to allow for the preparation of a Review of Environmental Factors. This work has now been completed with the final design details currently being prepared. This will allow construction to be programmed for later this calendar year.

Group Manager Development & Technical Services**45 Local Roads Lighting Maintenance \$55,410**

The remaining funds in the 2004/05 Street Lighting Maintenance budget needs to be rolled over. Large street lighting projects by nature are not always constructed on a financial year basis and the residue funds will be allocated towards projects currently in the "pipeline". The Traffic Section of Council was without the services of an Assistant Traffic Engineer for 3 months of the 2004/05 financial year, impacting on the scheduling of new projects. Integral Energy is under resourced and unable to respond to our street lighting proposal requests in a timely fashion which would allow full budget expenditure within the financial year.

46 Road Safety Back To School Program \$4,261

This is an ongoing grant funded program. Unexpended grant funds need to be carried forward to the new budget year.

47 Koori Mentoring Project \$3,082

This relates to unexpended grant funds which are expected to be spent in the next financial year.

48 Graduated Licencing Scheme Workshops \$612

This relates to unexpended grant funds which are expected to be spent in the next financial year.

49 40 km Shared Zone Funding \$10,000

This relates to unexpended grant funds which are expected to be spent in the next financial year.

50 U-Turn The Wheel Road Safety Program \$1,105

This relates to unexpended grant funds which are expected to be spent in the next financial year.

51 Log Book Run Road Safety Program \$3,920

This relates to unexpended grant funds which are expected to be spent in the next financial year.

52 Road Safety Program Speed Check \$251

This relates to unexpended grant funds which are expected to be spent in the next financial year.

Manager Design**53 Elliott Lake Floodplain Management Study \$58,501**

This project has been delayed waiting for the consultant to complete the Elliot Lake Flood Study.

54 Floodplain Mapping \$8,857

This project is expected to be completed by 30 June 2005. However, it may not be possible to authorise final payments by that date.

55 Horsley Creek Flood Study \$51,888

This project will be ongoing in 2005/06. The Floodplain Management Committee has been established. A flood consultant has been engaged. Aerial photography has commenced. Ground and bathometric survey has commenced. Data collection and community consultation has also commenced.

56 Natural Disaster Risk Management Program – Aerial Photography \$34,400

This is expected to be completed by 30 June 2005. However, it may not be possible to authorise final payments until after that date.

57 Macquarie Shores Cycleway \$292,542

This project has been delayed due to the need to undertake environmental and heritage assessments.

58 Lamerton Crescent /Benson Avenue Roundabout \$126,082

The design has been completed. The commencement of construction is dependant on R.T.A. funding and land acquisitions.

59 Rivulet Crescent Extension – Design Costs \$23,000

The priority of this project has not been high enough to warrant the allocation of the resources required to commence.

Group Manager Customer & Environmental Services**60 Library Oral History Equipment \$2,109**

This is an ongoing project which depends on the availability of volunteers to interview elderly residents. This project may carry over for the next two years.

61 Waste / Recycling Depot Gas Control \$61,463

The life of the current landfill cell has been extended. Therefore, this work is not required until 2005/06. We are also awaiting NSW EPA design approval before works can commence.

62 Croom Development of Turfed Netball Court \$2,381

Additional funding will be required to finalise the project.

63 Shellharbour Foreshore Lighting \$560

This project will continue next financial year. Funds are required to be rolled over as we are still waiting for the Foreshore Management Plan to be completed before any further work may be undertaken.

64 Shellharbour Foreshore Works \$17,400

This work is still to be completed. We are awaiting the coastal hazard assessment. This assessment (report) is necessary for us to determine what works are permissible.

- 65 Centenary Field Multi-Purpose Indoor Facility \$200,000**
- This project is dependant on grant approval and this has not been determined yet.
- 66 Amenities Building – Village Green, Flinders \$134,748**
- Additional funds were allocated in May 2005. Construction is programmed to commence in September 2005.
- 67 Light Aeronautics Industry Cluster \$212,536**
- This project is required to be rolled over. The project is expected to be completed at the end of July 2005.
- 68 Myimbarr Sportsfields – Playing Surface \$556,136**
- The design and construction of the remaining fields are programmed for 2005/06 so unexpended funds are required to be rolled over to the next financial year.
- 69 Water Based Hockey Field – Croom Sporting Complex \$148,000**
- This project is in the planning stages. It is scheduled for completion in 2005/06.
- 70 Skate Facility City Park \$84,694**
- We are awaiting a final decision on the location of the skate facility.
- 71 New Shellharbour Library Design Work \$87,000**
- This project is required to be rolled over because we are awaiting the outcome of the Sixth Review of the Section 94 Contributions Management Plan which is expected to be adopted by Council early in the next financial year.
- 72 Surf Patrol Portable Site Shed \$3,851**
- We are still sourcing an appropriate shed.
- 73 Warilla Community Centre \$582,820**
- This project is required to be rolled over as the contract is to be awarded in July. Delays are due to the flood studies that have been necessary.
-

74 Tip Boom Gate & Traffic Lights \$56,209

Funds are required to be rolled over as the contract is to be awarded in July 2005.

Manager Environment and Recreation**75 Small Environmental Grants \$5,566**

Six of the small environmental grants projects have not been completed. \$943 is required to be carried over for the Tullimbar Landcare Group, \$227 is required to be carried over for Shellharbour TAFE, \$469 is required to be carried over for Mount Warrigal Landcare, \$1,240 is required to be carried over for Grey Street Parkcare, \$1,555 is required to be carried over for Mary Street Parkcare, and \$1,132 is required to be carried over for Oak Flats High School.

76 Shellharbour Reserve Management Plan \$33,182

This is grant funded. The Coastal Hazard Report to assess storm hazard for proposed coastal structures has not been finalised by the consultant. It is expected to be finalised by November 2005 so unexpended funds are required to be carried over to the next financial year.

77 Elliott Lake Bank Stabilisation / Beautification \$11,465

Grant funding is expected pending outcome of consultation on Lake Entrance works.

78 Elliott Lake Management Plan \$1,560

This represents unexpended grant funds. Further grant funds are being sought and the funding is likely to happen next financial year so these funds are required to be carried over.

79 Lake Illawarra Stormwater Management Plan \$39,963

A consultant brief has been prepared for study with recommendations for future projects.

80 Little Lake Catchment Caretakers Grant \$857

Interpretive signage has been purchased. Unexpended grant funds are required to be carried over for the signs to be erected.

- 81 Estuarine Vegetation Protection Grant \$592**
- The first instalment of this grant was received in June 2005 under the Southern Rivers Catchment Authority's Estuarine Vegetation Protection Grant Program. The project is expected to be completed by November 2005.
- 82 Towards A Sustainable Shellharbour Grant \$16,243**
- This project is partly grant funded. The project is scheduled for completion by August 2005.
- 83 Bushfire Management Planning Project \$39,199**
- This project is partly grant funded. The project is scheduled for completion by September 2005.
- 84 Bushfire Prevention & Preparedness Project \$52,630**
- This grant funded project is scheduled for completion by January 2006.
- 85 Management of Zieria Granulata – Shell Cove \$10,000**
- This unexpended contribution from Sydney Water is required to be carried over. The project is scheduled for completion by June 2006.
- 86 Energy Smart Home Rating Program \$7,180**
- This grant funded project is scheduled for completion by August 2005.
- 87 Croom Voluntary Conservation Area \$31,100**
- We are awaiting the completion of the Ecological and Bushfire study in November 2005.
- 88 Lamerton House Design For Ecological Sustainable Development Upgrade \$8,640**
- The draft report has been received. The project is scheduled for completion by September 2005.
- 89 Elliot Lake Bank Stabilisation Works \$94,636**
- Grant funding pending outcome of consultation on Lake Entrance works.

- 90 Dawes Park Sheltered Eating Area \$5,220**
- Funds for this project were allocated in April 2005 and include old Section 94 funds. They are required to be rolled over as the project is expected to be completed in the new year.
- Group Manager Community Services & Development**
- 91 Communities Development Worker \$7,915**
- The unexpended grant for the Communities Development Worker is required to be carried over to the 2005/06 financial year. The grant funding year does not correspond to the financial year so unexpended funds need to be rolled over.
- 92 Safer City Project \$4,799**
- The unexpended grant for the Safer City Project is required to be carried over to the 2005/06 financial year. This is an ongoing project funded by the NSW Attorney General's Department.
- 93 Illawarra Community Safety Week \$3,678**
- Unexpended contributions for Illawarra Community Safety Week 2005 needs to be carried forward to fund this event in the new budget year.
- 94 Never Again Anti-Burglary Program \$26,913**
- The unexpended grant for the Never Again Anti-Burglary Program is required to be carried over to the 2005/06 financial year. This is an ongoing program funded by NRMA Insurance.
- 95 Safer City Good Neighbour Scheme \$38,528**
- The unexpended grant for the Safer City Good Neighbour Scheme is required to be carried over to the 2005/06 financial year. This is an ongoing program funded by NRMA Insurance.
- 96 Shell Cove Community Centre Fit-out \$6,657**
- S.94 Funds need to be carried over for the Shell Cove Community Centre fit-out.

97 Youth In Public Places Project – Regional Youth Arts Strategy Grant \$20,000

Shellharbour Council is the “budget holder” for these grant funds. We await invoicing by Kiama Council before these restricted funds can be released. The unexpended grant funds for this project need to be rolled over to the 2005/06 financial year.

98 Sparx Production – Regional Youth Arts Strategy Grant \$20,000

The unexpended grant funds for this project need to be rolled over to the 2005/06 financial year. As above, Shellharbour is the “budget holder” only for these funds.

99 Shell Cove Community Centre \$14,465

This is a Section 94 project. Unexpended funds need to be rolled over for completion of the project.

100 Regional Youth Strategy Grant Computer Equipment \$5,367

Ministry for the Arts grant funding. The unexpended grant funds for this project need to be rolled over to the 2005/06 financial year.

Manager Youth Services

101 Warilla Youth Network After Hours Extension \$60,985

The unexpended grant funds for this project need to be rolled over to the 2005/06 financial year. Because of the timing of the initial funding approval the project commenced later than expected and did not correspond with the financial year.

Manager HACC Services and Development

102 Disabilities Strategic Plan \$58,805

This money needs to be carried over because it is committed for expenditure in the next financial year according to the Disabilities Strategic Plan. Internally restricted funds.

103 EPA Mobility Management Project \$1,044

The unexpended grant funds for the EPA Mobility

Management Project is required to be carried over to the 2005/06 financial year.

104 Warilla Transport Choice Initiative \$30,711

The unexpended grant funds for the Warilla Transport Choice Initiative is required to be carried over to the 2005/06 financial year. This Community Solutions grant funded project commenced out of phase with a full financial year.

Manager, Children and Family Services Development

105 Community Development Worker Flinders \$24,529

The unexpended grant funds for the Flinders Community Development Worker is required to be carried over to the 2005/06 financial year. Funded from December to November.

106 Families First Program \$18,163

The unexpended grant funds for the Families First Program is required to be carried over to the 2005/06 financial year. This is a Department of Community Services Grant, and again a timing issue.

107 Making Men Matter Project \$8,127

This is an Area Assistance Grant and unexpended grant funds need to be carried over to the 2005/06 financial year. Project did not commence until second quarter of financial year.

108 Flinders Community Garden Activity Space \$31,979

A storage shed is required to be built but the quote is excessive so cheaper alternatives are currently being investigated, with grant submissions a possibility. Available funds are S.94

Group Manager Planning Services

109 Urban LEP & DCP \$5,272

This amount is to be rolled over into next year's budget, which will be used to progress the development of a new LEP as required by DIPNR. The project has been delayed due to other priorities and we are awaiting further details from DIPNR on the Model LEP and Regional Strategy on

which to base our new LEP.

110 LEP Review & Consolidation \$112,000

This money has been received from DIPNR to assist in the review of our commercial centres, surrounding densities and consolidation of our 2 LEP's. We are awaiting further information from DIPNR on the Model LEP and Regional Strategy on which to base our new LEP. The full amount will need to be rolled into next year's budget.

111 Shellharbour City Heritage Study \$40,969

Council has engaged an independent consultant to undertake a comprehensive heritage study of the LGA. The study has progressed well with payments made as work is completed. It is expected that the project will be completed by October 2005, and therefore, \$40,969 will need to be rolled over for consultant payments into next year's budget.

112 Urban Fringe LEP – Consultants \$10,782

This account is used to pay consultants undertaking work for the LEP. Remaining funds are be rolled over to next year to finalise payments for studies undertaken. We are awaiting confirmation of work provided prior to payment of some invoices received.

113 Urban Fringe LEP – Contributions \$17,150

This money was provided by Council and is to be rolled over to next year's budget to be used to finalise the development of the Urban Fringe LEP.

114 S117(2) State Significant Minerals Review \$100,000

This money has been received from DIPNR to fund a review of state significant mineral resource extraction boundaries. Council, DIPNR and Kiama Council are in the process of finalising a brief for parts of this project, and therefore the full amount will need to be rolled over into the 2005/06 budget.

115 City Centre Improvement Works \$125,000

This money is to be used to complete improvement works in the City Centre. Tree planting has commenced with some of this funding used, however the remainder of tree

purchasing / planting has been delayed until spring as many of the plants require more time to grow larger in their pots. The remainder of this money is to be rolled into next year's budget to enable completion of the capital works (tree purchasing and planting, median treatment etc) in accordance with the City Centre Entry Masterplan.

Manager Corporate Support

116 Central Library Land Acquisition \$573,600

These are Section 94 funds which are required to be carried over into the next financial year for the library land acquisition.

Group Manager Corporate Planning

117 Outcome Manager Implementation \$13,993

Funds are required to be carried over to the 2005/06 financial year for the implementation of the Outcome Manager software.

118 Industrial Road Realignment \$598,497

This road construction work is scheduled to take place early in the next financial year, consistent with the construction timetable developed at the beginning of the year. The exercise has required Development consent to be issued, design plans for both new road and services relocation and actual services relocation prior to road works commencing. The remaining amount in the budget is required to be carried over in order for the project to be completed.

119 Bass Point Access Steps \$9,000

This money is part of a Coastcare grant given to the Friends of Bass Point Community Group and is specific in that it has to be spent for walking / access steps. There has not been a need for this work in Bass Point to date, but there undoubtedly will be in the future when future walking trails are established.

120 Bass Point Signage \$4,400

This money is part of a grant under the old Coastcare program and is specifically for marine / fisheries signage. We have decided to wait till all signage programs are completed (imminent) in order to put these new signs in

the correct locations.

121 Bass Point Indigenous Walk Program \$9,000

This program, for interpretive walk signage, is active and the signage will be made in the last few months of the financial year. We aim to have this program completed this financial year, however, there is a chance that we will not have the signage before the year is concluded. In that event the funds will need to be rolled over to the 2005/06 financial year.

122 Bass Point Plan of Management Implementation \$2,141

Funds remaining in this project are required to be carried over to the 2005/06 financial year so that it can be used to implement further aspects of the Bass Point Plan of Management and to assist in the installation of the interpretive signage. A change in work priorities under the Plan of Management occurred over the year and a major cost item was deleted from this year's work. The works under the Plan of management will continue for at least a further 5 years, budget allocation dependent.

123 Shellharbour Links Clubhouse Locker Room \$29,363

This work has commenced but the works will not be fully completed so unexpended funds will have to be carried over to the next financial year to enable the works to be completed. It should be noted that funds allocated for this item are to be repaid in due course, from the sale of blocks of land adjoining the golf course along with lease income proceeds.

124 Shellharbour Links Airlock on Ground Floor \$19,458

There has been considerable difficulty in working out a satisfactory outcome for this project due to the requirements of the Building Code of Australia and to achieve a good end result. A Development and Construction Certificate application has to be lodged for this work, meaning there is little chance of having the work completed by 30 June so unexpended funds will have to be carried over to the next financial year. It should be noted that funds allocated for this item are to be repaid in due course, from the sale of blocks of land adjoining the golf course along with lease income proceeds.

125 Shellharbour Links Terrace Roofing / Screening \$10,000

This work has not been undertaken due to uncertainty with the actual building materials to be used to achieve the best end result. A development application has been lodged for this work but has not as yet been determined to allow any work to take place. It should be noted that funds allocated for this item are to be repaid in due course, from the sale of blocks of land adjoining the golf course along with lease income proceeds.

Consultations**Internal**

Councillors

Directors

All Budget Responsible Officers

External

Placed on public exhibition as required by the Local Government Act.

Considerations

Financial/resources implications

Rate Increase	3.5%		9.5%	
	\$		\$	
Operating Budget	1,920,198		737,398	
Balance Sheet Budget	2,852,200		2,852,200	
Capital Works Budget	2,746,731	7,519,129	2,746,731	6,336,329
<i>Less</i>				
Depreciation	9,400,000		9,400,000	
Section 94 funded items	754,731		754,731	
Restricted Assets	(271,385)		(271,385)	
Book Value Assets Sold	1,000,000		1,000,000	
Loan Funded Items	0	10,883,346	0	10,883,346
<i>Add</i>				
Section 94 surplus	3,349,207		3,349,207	
Land Sale (60:40 policy)	0		0	
Domestic Waste Surplus	214,527		214,527	
Community Transport Surplus	68,292	3,632,026	68,292	3,632,026
Deficit before new items		(267,809)		
Surplus before new items				914,991
Recommended New Items				900,900
(Deficit)/Surplus		(267,809)		14,091
<i>It should be noted that the above deficit / surplus does not include the carry over projects. These will be included in the 2005/06 budget at the September Quarterly Budget Review once the 2004/05 financial year is closed and final project balances determined.</i>				

The Management Plan and Budget are Council's major planning documents for the next 12 months. They determine the type and extent of services that we are to provide to the community.

Legal & policy implications

All legal requirements of the Local Government Act have been complied with.

Public/social impact

The draft management plan was placed on public exhibition for a period of not less than 28 days as required by the Local Government Act.

Options

1. That Council adopt recommendation "A".
2. That Council adopt recommendation "B".
3. That Council adopt some other recommendation.

Conclusions

The Management Plan and Budget are the culmination of many months' work. They represent our plans for the forthcoming financial year and the benchmark by which our performance will be measured.

The outstanding works to be carried over to the 2005/6 financial year are a direct result of the huge number of projects being attempted across the City during the current year.

The Works & Services Section alone currently has had 148 projects to complete of which 104 should be completed by June 30, 2005. Whilst every effort will be made to complete the outstanding works as quickly as possible, nonetheless it must be recognised that there are very valid reasons why the works have not been completed. Some of these are beyond Council's control, whilst others include our desire to ensure an even spread of work for our employees and construction equipment. Council does utilise contractors on its building, maintenance, concreting and specialised works where possible.

Substantial progress will continue to be made on the majority of works listed from the time of writing this report to the end of June. The actual carry over figure after the closing of our accounts as at 30 June, in my opinion, will be less than indicated in this report. However, for accounting purposes it is preferable to show all works in progress as being carried over.

The quarterly Management Plan reports during 2004/5 have reflected an unprecedented level of service, including major projects, occurring within our city. This will continue in the new financial year based, not only on the projects carried over, but also the large number of new projects to be funded in the forthcoming financial year.

The process of compiling our budget commenced in November last year. In previous years we have been able to compile our budget and have a surplus of funds available for

the allocation of new items. After factoring in the allowed 3.5% rate increase, we were facing a deficit of approximately \$270,000 before the consideration of these new items. Influences beyond our control have been the main contributors to this position including recently announced unavoidable expenditure increases. Examples include the reintroduction of the compulsory employer superannuation contributions, workers compensation legislation changes and further rises in general insurance premiums. Council's deficit position can also be associated with the significant increases in Government charges and contributions we have had to absorb over the recent years. In previous budgets, Council has been able to cover such increases and still have sufficient funding available to include a level of new items allowing Council to continue to provide high levels of services to our community. This year with the number of unforeseen increases, Council finds itself in a deficit position before considering any new items.

The prospect of increasing our rates beyond the 3.5% allowable increase is not a decision any Council takes lightly due to the additional burden that it places on our community. When considering the expenditure factors beyond our control and the growing needs of our community, Shellharbour can see no other viable alternative. If Council does not receive permission to increase its rates by 9.5%, a range of services will have to be cut to enable Council to operate with a balanced budget. The option of operating with a large deficit has been rejected as poor financial management .

The advertised draft budget, now presented for adoption, represents the combined efforts of Council staff and the Council over several months in formulating a budget with not only next year, but also the next 5 – 10 years, in mind. It includes over \$44 million in operational budget expenditure and over \$5.5 million in new capital works and asset replacement programs.

This budget reflects a continuation of this City's exciting, fully planned and sustainable development whilst still remaining in a sound financial position. The recommended small surplus position or at the very least a balanced budget is therefore I believe the correct financial philosophy to adopt to ensure we remain on track to meet future financial commitments.

I commend the Management Plan and Budget for adoption.

Approved for Council's consideration:  _____

Attachments

1. Works to be carried over (issued under separate cover)
2. Public Submissions (issued under separate cover)
3. New Items 2005/2006 (issued under separate cover)
4. Ward Based Capital Works Program with 50% reduction (issued under separate cover)

3.2 2005/2006 Management Plan (8374896) – LATE REPORT

To the General Manager

Division: General Manager's Division

Department: Executive Office

Manager: Brian Weir – General Manager

Author: Paul Henderson – Manager, Financial Services

Summary

Notification has been received from the Department of Local Government advising that Council's special variation application has not been approved by the Minister. The Minister has given approval for Council to increase its general rate income by 3.728%. The additional 0.228% above the rate-pegging limit of 3.5% relates to an income adjustment for land that has become rateable during the 2004/05 year.

Recommendation

1. That Council resolves to increase rates by 3.728% as determined by the Minister for Local Government.
2. That Council adopt the Operational Budget as set on 18 May 2005 except for the following changes:-
 - Operational budget to reflect a general rate increase of 3.728% (additional income of \$44,000 above 3.5%)
 - Lake Illawarra Entrance works contribution to be reduced from \$500,000 to \$250,000 with the final \$250,000 to be considered for funding in the 2006/07 budget (saving \$250,000)
3. That Council adopt the Capital Works and Balance Sheet budgets as set on 18 May 2005 except for the following changes:-
 - The ward works, sportsfield and grant matching contributions be deleted for the 2005/06 budget year (saving \$324,000)
 - The ward based capital works program be reduced by 50% per ward (saving \$420,000). Revised program is detailed in attachment four of business paper.
4. That Council adopt the New Items as set on 18 May 2005 except for the following changes (revised total \$770,900):-
 - Deletion of new item for Works Depot Improvement – Extension of Parks & Gardens Garage (Priority 1) – (saving \$35,000)
 - Deletion of Community Services Department Trainee (Priority 1) – (saving \$45,000)
 - Reduction in City Cemetery security measures (Councillor items) from \$171,000 to \$121,000 (saving \$50,000)

This results in a Deficit of \$709

5. That Council adopt the projects to be carried over as detailed in the business paper and listed on Attachment 1 totalling \$7,476,574.
6. That Council adopt the Revenue Policy as set on 18 May 2005.
7. That Council adopt the Fees and Charges with the amendments as detailed in the business paper.
8. That Council adopt one of the three options listed in the public submissions section of the business paper in relation to the Oak Flats Heated Pool three, six and twelve month season passes.
9. That Council adopt the Strategic Plan as set on 18 May 2005.
10. That the public submissions made, be received, taken into consideration and noted.
11. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three three three two five cents in the dollar (0.33325) and a Base Amount of two hundred and one dollars and seventeen cents (\$201.17) per assessment in accordance with section 537 of the Local Government Act 1993 on all rateable land in the City of Shellharbour categorised as "RESIDENTIAL" in accordance with Section 516 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "RESIDENTIAL".

Further that the percentage of the base amount, pursuant to Section 500 of the Local Government Act 1993 is twenty five percent (25%) of the total amount payable by the levying of the rate.

12. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three one eight six two cents in the dollar (0.31862) per assessment on all rateable land in the City of Shellharbour categorised as "FARMLAND" in accordance with Section 515 of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act this rate be named "FARMLAND".
13. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point three three two seven one cents in the dollar (0.33271) per assessment on all rateable land in the City of Shellharbour categorised as "BUSINESS" in accordance with Section 518 of the Local Government Act 1993 except all rateable land in the City of Shellharbour determined to be in the business sub-category "GENERAL" be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "NON-URBAN".
14. That an ordinary rate, consisting of an Ad-Valorem Rate of zero point eight two six eight five cents in the dollar (0.82685) per assessment on all rateable land in the City of Shellharbour used or zoned for professional/commercial trade or industrial purposes and determined to be a centre of activity and categorised as "BUSINESS"

in accordance with Section 518, sub category "GENERAL" in accordance with section 529(1) of the Local Government Act 1993 be now made for the period 1 July 2005 to 30 June 2006 and in accordance with section 543(1) of the Local Government Act 1993 this rate be named "BUSINESS GENERAL".

15. That a Domestic Waste Service Charge and a Business Waste Service Charge of:

- i) \$150.00 per annum per 240 litre bin per fortnightly service;
- ii) \$234.00 per annum per 240 litre bin per weekly service;
- iii) \$135.00 per annum per 120 litre bin per fortnightly service;
- iv) \$178.00 per annum per 120 litre bin per weekly service, and;
- v) \$24.00 per available service (vacant land)

be now made for the period 1 July 2005 to 30 June 2006 in accordance with Section 496 of the Local Government Act 1993.

16. That a high-density bulk recycling (weekly) service charge of one hundred and four dollars (\$104) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

17. That a high-density bulk recycling (fortnightly) service charge of fifty two dollars (\$52.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

18. That a high-density bulk waste (weekly) service charge of one hundred and sixty five dollars (\$165.00) per bin per annum be now made in accordance with section 501 of the Local Government Act 1993.

19. That a rate of interest of nine percent per annum (9% p.a.) accruing daily on rates and charges that remain unpaid after they become due and payable be now set for the period 1 July 2005 to 30 June 2006 in accordance with section 566 of the Local Government Act 1993.

20. That the amount of new loan borrowings be \$1,000,000, with \$1,000,000 to be borrowed if required from recognised banking institutions secured by mortgage over Council's consolidated fund income.

Background

As stated above Council's application for a 9.5% rate increase has not been granted by the Minister for Local Government. Council staff have prepared for this outcome as outlined within Recommendation B of Item 3.1 of tonight's Business Paper. As a result, over the last week we have been refining Recommendation B to guide the Council should the increase not be permitted.

Consultations

Internal

Director Operations & Services

Director Community Planning & Strategies
Director Shell Cove Business Unit
Group Manager Corporate Planning
Group Manager Corporate Services
Manager Financial Services

External

Department of Local Government

Considerations

Financial/resources implications

Rate Increase	3.728%	
	\$	
Operating Budget	1,626,198	
Balance Sheet Budget	2,852,200	
Capital Works Budget	2,002,731	6,481,129
<i>Less</i>		
Depreciation	9,400,000	
Section 94 funded items	754,731	
Restricted Assets	(271,385)	
Book Value Assets Sold	1,000,000	
Loan Funded Items	0	10,883,346
<i>Add</i>		
Section 94 surplus	3,349,207	
Land Sale (60:40 policy)	0	
Domestic Waste Surplus	214,527	
Community Transport Surplus	68,292	3,632,026
Surplus before new items		770,191
Recommended New Items		770,900
(Deficit)		709
<i>It should be noted that the above deficit / surplus does not include the carry over projects. These will be included in the 2005/06 budget at the September Quarterly Budget Review once the 2004/05 financial year is closed and final project balances determined.</i>		

Council has the option of reducing Capital Works expenditure or Council's services. It should be noted that whilst reducing services would provide a sustainable budget it would impact directly on our community and therefore it would be more appropriate to consider reducing Capital Works expenditure.

It should also be noted that reducing Capital Works will only provide a short term solution (one year), however Council will also need to look closely at reducing future recurrent costs or seeking additional income by the next budget period to maintain long term financial sustainability.

Legal & policy implications

All legal requirements of the Local Government Act 1993 have been complied with.

Public/social impact

The draft management plan was placed on public exhibition for a period of not less than 28 days as required by the Local Government Act. The result of this exhibition has been reported in the Business Paper.

Options

1. That Council adopt the recommendation, or
2. That Council vary the recommendation

Conclusions

Shellharbour City Council is a rapid growth area and is suffering the demands of a need for capital infrastructure whilst meeting the increasing requirements for services for its community.

I would like to highlight the fact that Council's financial position is sound. Council is committed to remaining financially viable well into the future and it does not want to reduce its assets for short term gain and leave a future Council in a weakened financial position.

Council should also note that the priority for the next financial year will be to endeavour to maintain the current level of services for the community whilst monitoring the current budget and reassessing Council's long term financial plan.

Approved for Council's consideration:



Attachments

Nil

4. Operations & Services Division

4.1 Pricing for Sand and Soil Products (8370507) - LATE REPORT

To the General Manager

Division: Operations & Services Division
Department: Customer and Environmental Services

Manager: Graham Standen – Group Manager Customer & Environmental Services
Author: Graham Standen – Group Manager Customer & Environmental Services

Summary

This late report is to advise Council of a proposed further change to the Fees and Charges section of the 2005/2006 Management Plan.

The change will enable Council to respond to the competitive nature of the market for sand and soil products. It is proposed that Council's sale prices for these products be determined by a panel of senior Council staff.

Recommendation

It is recommended that the charges for the sand and soil products be amended by deleting the current fixed price structure as detailed on page 67 of the draft Fees and Charges document (existing charges on page 68 to remain as listed) and substituting the following:

The price structure for sand and soil products is based on the cost price plus a profit margin plus GST. No Council subsidy will be incorporated into the sale price.

Further, that the General Manager nominate a panel of senior Council staff who will be responsible for the establishment and review of sale prices.

Background

Council at its Dunmore Waste Depot produces a number of sand and soil products through its sand mining and recycling processes. To enhance this product range Council, on 23 June 2005, commissioned a sand dredge and washing facility and is now able to offer for sale large quantities of "washed sand" which has considerable market potential within the construction industry.

The market for sand and soil products is very competitive and Council needs to be able to respond quickly to changes in the market to establish and maintain a share of the market for these products.

The process adopted to date, of fixing the price of its sand and soil products on an annual basis, has hindered sales because Council has been unable to respond to the market changes and be competitive particularly for larger contracts or potential orders.

To ensure that good governance is maintained, it is proposed that a panel of senior Council staff be charged with the responsibility of establishing and reviewing the prices for the sand and soil products.

Consultations

Internal

Director Operations & Services
Group Manager Works & Services
Group Manager Corporate Services
Manager Financial Services

External

Nil

Considerations

Financial/resources implications

Council has an ongoing cost to produce the sand and soil products including the Contract cost for the operation of the dredge and washing facility. To fund the cost of operation it is necessary to maintain sales of the products.

The price of the sand and soil products needs to be based on the cost of production, plus a margin for profit, plus GST. No Council subsidy of the products is considered appropriate.

Legal & policy implications

All legal requirements of the *Local Government Act* have been complied with.

Public/social impact

Nil

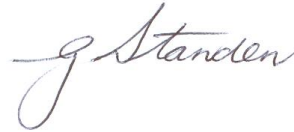
Options

1. That Council adopt the recommendation
2. That Council adopt some other recommendation

Conclusions

Being able to respond to market price fluctuations will enable Council to maximise its opportunities for sales and profit.

Fixing fees for all individual sand and soil products on an annual basis hinders Council's ability to respond to market changes and bids by competitors, thus reducing the opportunities for maximising sales.



Approved for Council's consideration: _____

Attachments

Nil