

Ordinary Meeting

Meeting Date: Tuesday, 28 August, 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 7)
All Councillors

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

Agenda

1. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting - 31 July 2018
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
10. **Notices of Motion / Questions on Notice**

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

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

Reports

CCL18.15 Supply & Lay Asphalt - 01/09/2018 - 30/06/2019

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CL18.185 Notice of Motion - Tip Vouchers - Commercial Ratepayers

HPERM Ref: D18/252657

Submitted by: Cllr Greg Watson

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council restore the issuing of free tipping vouchers to commercial ratepayers where domestic service bins (120L/240L etc) are supplied by Council.

Note by the General Manager

Council's policy on the issuance of domestic waste tip vouchers specifically provides for tip vouchers to domestic premises. Previous challenges in distinguishing between the different user types when issuing vouchers had been resolved and hence the application of this policy was rectified in the council resolution adopted at July 2017 Council meeting.

Domestic waste management and the charges for domestic waste management controlled by the Local Government Act 1996, requires a Council to provide services to domestic premises and to levy an annual charge for that service in accordance with a "reasonable cost calculation". This calculation includes the cost of providing and using the vouchers.

Commercial premises are not compelled to take on a Council waste collection service. Various options are available to commercial premises for managing waste that are not generally available to the householder. If Council provides vouchers to a commercial business, the cost of those vouchers need to be recouped, but cannot be recouped through the domestic waste charge. The gross value of vouchers that would be issued to commercial users is approx \$220,000. Council would therefore, in theory, have to raise the tipping fees to cover the cost of commercial use of vouchers.

Council has for nearly 20 years permitted commercial services to be collected through our domestic waste collection contract. The charge for this service is identical to that for the domestic service.

CL18.185

CL18.186 Notice of Motion - Support for Farmers

HPERM Ref: D18/268402

Submitted by: Cllr Mitchell Pakes
Cllr Andrew Guile

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council

1. Wishes to support in practical ways the plight of our farmers and those who make their living off the rich farming and grazing lands throughout the City.
2. Promotes the assistance provided by the NSW Government to those impacted by drought under the recently announced \$1 Billion support package.
3. Immediately suspend the accrual of interest from 1 July 2018 on all farmland rating properties with overdue rates and charges.
4. Receive a report at the September Strategy & Assets Committee Meeting on options available to Council to amend its Hardship Policy to provide further rates relief to affected farmers. Options Including,
 - a. A rates holiday for affected farmers that are eligible for assistance provided by the NSW Government
 - b. Payment plans for affected farmers
 - c. Other support options

Background

We all know of the difficulties being faced by our local farmers. Our fields may look a little greener than those west of the ranges, but the reality is drought is biting here as much as anywhere else around Australia.

I want to see a strong future for our agriculture sector in the Shoalhaven so I want to respond positively to the lead the NSW Government has given us with the release of their drought assistance package this week that kicks the can to the tune of \$1 Billion.

That's why I will move the following motion for the support of my colleagues at the next ordinary meeting of Council.

Note from General Manager:

The State Government will soon announce which councils in NSW will receive direct financial assistance to enable support to communities/farmers who are drought impacted.

CL18.186

CL18.187 Notice of Motion - Road Safety - Links Avenue, Sanctuary Point

HPERM Ref: D18/273668

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That the Shoalhaven Traffic Committee consider moving the "no stopping" sign currently located on Links Avenue, Sanctuary Point (near the western exit to the St George's Basin Country Club carpark) to a more appropriate position towards the Waratah Crescent intersection.

Background

Mr John Renshaw and Mrs Kim Renshaw of 176 Links Avenue, Sanctuary Point have recently constructed their new family home. Prior to this the site had been a vacant block of land for many years. They have become acutely aware of a serious traffic problem including parked vehicles, double white lines, exiting cars and mini-buses from the carpark, pedestrians and the occasional cyclist. As the Renshaw's point out, there is a conflict of use, which is exacerbated by vehicles having to cross the double white lines in order to negotiate past protruding parked vehicles. By re-locating the signs the potentially dangerous situation should be alleviated.

Note by the General Manager

The Shoalhaven Traffic Committee has no decision making powers. Under the delegation to Council, Council cannot make any changes to regulatory signage without first having considered the recommendation of the Shoalhaven Traffic Committee (which considers the technical aspects of the proposal). If Council resolve to move a sign, the matter is referred initially for investigation and then reported back to Council through the Traffic Committee process. Consultation is typically undertaken in the first instance with those directly affected by the change.

Accordingly, if the Notice of Motion is resolved by Council as worded, Council's traffic unit will investigate the request in the first instance, if any changes are practical and comply with standards, consultation will be undertaken with the community and affected residents in the first instance. Following the outcome of consultation, any regulatory changes will be referred to the Shoalhaven Traffic Committee for review, before being resolved by Council.

CL18.187

CL18.188 Notice of Motion - Tourism Infrastructure in the Shoalhaven

HPERM Ref: D18/273679

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council writes to our local parliamentary representatives, being the member for South Coast, Shelley Hancock, the member for Kiama, Gareth Ward and the member for Gilmore, Anne Sudmalis, to invite them to a meeting to discuss tourism infrastructure in the Shoalhaven.

Background

Council has acknowledged, on several occasions, the great work that is occurring on the Princes Highway, (including funding commitments towards the new Shoalhaven River bridge) and Council is most mindful of the massive increase in tourism numbers that is taking place and will continue to take place as a direct result. Council also acknowledges the good work carried out by the Shoalhaven Tourism Advisory Group, who have expressed their well-considered concern regarding increasing tourism numbers and the capacity of our infrastructure to cope. Council also acknowledges the tireless efforts of our dedicated tourism staff. With all this in mind it is only prudent to invite our politicians to a vital meeting to discuss "where to from here".

Note by the General Manager

Ongoing work is occurring to facilitate solutions for tourism infrastructure provision, with particular focus on Hyams Beach. Council has recently employed a Project Officer who will be working with the Hyams Beach and other local communities to find solutions for infrastructure provision in this location and Local members have been involved in a number of previous stakeholder meetings held regarding Hyams Beach and tourism infrastructure provision in the Shoalhaven and previously offered their support.

A further meeting with Local Members could continue to assist in facilitating opportunities for grants and other funding sources, to implement any solutions determined through up coming community engagement. Focus at this time remains on Hyams beach however it is acknowledged that there are other "hot spots" throughout the city and long term solutions need to be found. The input of all levels of government particular in understanding eligibility requirements and opportunities for funding would certainly be beneficial as many existing grants require evidence of how infrastructure could continue to bring more tourists to the area, rather than reduce impacts.

CL18.188

CL18.189 Notice of Motion - Donation - Sanctuary Point Community Pride Inc

HPERM Ref: D18/282288

Submitted by: Cllr Bob Proudfoot

Attachments: 1. Letter from Sanctuary Point Community Pride Inc [↓](#)

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council make a donation each year to the Sanctuary Point Community Pride Inc., being an amount equivalent to the Fair Trading charges of a \$180, and additionally, this year, Council make a donation to cover the cost of \$433 for the plaque, to be installed, at Francis Ryan Reserve, to honour Francis Ryan ('The Father of Amalgamation').

Background

See attached letter of request.

Note by the General Manager

An amount of \$42,349 is available in the 2018/19 Unallocated Donations vote.

A review of the Donations Policy is currently underway, the opportunity for ongoing funding past the 2018/2019 financial year will be dependent upon the provisions of the policy which Council adopts.

CL18.189

Monday, 30th July, 2018

Councillor Bob Proudfoot

Shoalhaven City Council


SANCTUARY POINT 2540

Dear Sir,

Sanctuary Point Community Pride Inc is a not for profit community organisation which was set up under the making a place for Sanctuary Point by James Harris, an officer of Council. We have been active in our community since 2011, hosting the Spring into Sanctuary Point Festival annually, hosting Neighbour Day annually since its inception in Sanctuary Point, conducted a youth program based in the Country Club for a 2 year period, only ceasing when funds ran out and due to the extensive renovations taking place in the club, cooperating with other groups in the village, such as Bendigo Community Bank, Sanctuary Point Public School, Sanctuary Point Connect, Bay & Basin Community Resources, Council itself, Clifton Park Learn to Ride Facility and the Country Club. We also regularly attend Basin Villages Forum to be aware of activities, concerns in our village.

We recently were advised that due to changes to Department for Fair Trading legislation, we were required to pay fees of which we were totally unaware; after discussions with Councillor Amanda Findlay, Mayor of the Shoalhaven regarding the placement of walking track identification around the village, we plan on the setting up of a plaque in the Francis Ryan Reserve to mark and honour Francis Ryan who was known as the Father of Amalgamation, combining the smaller shires into what we now know as the Shoalhaven City Council, medical practitioner and family man whose son and grandson have carried on the medical service to the City.

We specifically ask for a donation to cover the cost of Fair Trading charges of \$180.00 plus \$433 for the cost of the plaque to honour Dr. Francis Ryan in the reserve named for him.

We are requesting that our group be placed on the Council's donations register for support on an annual basis.

Yours sincerely,

Paul Hawkins



CL18.190 Notice of Motion - Bill Andriske Oval - Mollymook

HPERM Ref: D18/283884

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council

1. Re-affirm that Bill Andriske Oval is the 'home' of the Milton-Ulladulla Rugby League Football Club ('Bulldogs').
2. Continue to carry out regular maintenance work on the buildings, the ground and the surrounds according to a priority assessment
3. Gives it's in-principled support to the 'Bulldogs' for State and Federal Government funding applications to modernise their facilities.

Background

Going back almost ten years there has been some talk of moving the Bulldogs to Ulladulla Sports Park. The club has always resisted this proposal as it is of the view that the multitude of users at this location makes a re-location unviable. In their opinion the only answer is to stay put and work constructively towards upgrading their facilities at Bill Andriske Oval.

Note by the General Manager

Council's endorsed Community Infrastructure Strategic Plan 2017-2036:

- identifies that Bill Andriske is a single use site and underutilised (it is only played on by Ulladulla Senior Games (6-8 games a year); and
- states "*investigate the potential to relocate to Ulladulla Sports Park*"

Given councils funding constraints, council's priority has been to upgrade fields and amenities that have multiple users and are well utilised. Fields with multi sports and well utilised are also generally more favourable for grant applications.

A Management Committee has the care and control of Bill Andriske Oval - the toilets are cleaned by Council weekly.

CL18.190

CL18.191 Notice of Motion - Development Application - Kindergarten / Preschool - Lots 38, 39 & 40 DP1243551 Tahnee Street Sanctuary Point

HPERM Ref: D18/288169

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That DA18/1700 be called-in for determination by Council due to considerable community concern regarding traffic movements and noise emanating from the site, which is in a residential area.

CL18.191

CL18.192 Notice of Motion - Support for Local Farmers

HPERM Ref: D18/277682

Submitted by: Cllr Joanna Gash

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council recommends the Mayor's Relief Fund committee forwards \$10,000 to the most suitable charitable organisation to distribute the funds to our local farmers in need.

Background

The Mayors Relief Fund is just that...not only for floods ,bushfires, but for any disaster that befalls our community.

Note by the General Manager

The purpose of the Mayor's Relief Fund is :

- *The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund.*
- *A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community.*
- *Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity.*

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CL18.193 Notice of Motion - Draft Medium Density Amendment - Shoalhaven Development Control Plan 2014 - Post Exhibition Consideration and Finalisation

HPERM Ref: D18/286267

Submitted by: Cllr Andrew Guile

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council

1. Adopt the draft Medium Density Amendment as exhibited and as per attachment 1, but with the following additional changes:
 - a. Delete any reference to 'Mandatory Controls' as such content would be contrary to Section 4.15 (3A) of the EPA Act 1979, which requires the council to be flexible in applying DCP provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with an aspect of a proposed development. The current DCP if adopted would lead to breaches of the EPA Act if mandatory controls were contained within it. Any control currently noted as mandatory is to be re-written as an acceptable solution.
 - b. Delete iv from principle controls in Section 5.1
 - c. Delete reference to minimum lot size of 1000m² for battle-axe lots in A1.1.
 - d. Amend A5.1 to remove note referring to increased setback for tandem parking.
 - e. Amend Figure 3 and table 2 such that a maximum setback to a secondary street is 5m for dual occupancy dwellings on corner lots for detached dual occupancies. Figure 3 and table 4 shall be amended to include a 3.5m setback to secondary streets for attached dual occupancy dwellings with the garages setback 5.5m
 - f. Amend Table 2 to remove reference to 4m rear setback to dwellings and replace with 3m (average) rear setback.
 - g. Amend Table 4 to remove reference to 4m rear setback to dwellings.
 - h. Amend A6.2 to read:

A6.2: In addition to the formal landscaping area required at A6.1, a further area of at least 20% of the site is to be provided, which:

 - Has a minimum dimension of 1m in any direction.
 - Is inclusive of 40% deep soil planting.
 - Can Include landscaped area, decks, terraces, alfresco areas, swimming pools or other recreation areas / structures.
 - i. Amend A11.3 to add the words 'where practicable'.
 - j. Delete P12.4 & A12.4

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- k. Delete following dot point reference in A13.1 - "Retain adjacent trees by locating the driveway outside the drip line."
 - l. Delete Section 5.33 of the DCP in its entirety.
 - m. Delete Section 5.3.4 of the DCP in its entirety.
 - n. Amend Section 5.3.5 to delete item 1.
 - o. Delete Section 5.3.6 of the DCP in its entirety.
 - p. Amend A28.2 such that the setback required is only 5.5m and not 7.2m.
 - q. Amend Section 5.4.3 by:
 - r. Deleting reference to "Mandatory Controls"
 - s. Amending item 1 to read as follows:

All Class 1a and 2 developments, as defined in the Building Code of Australia, should provide accessible or adaptable housing at the following rate:

 - Developments containing 3-10 dwelling - 1 dwelling.
 - Developments containing 11 - 40 dwellings - 2 dwellings.
 - Development containing 41 - 60 dwellings - 3 dwellings.
 - Development containing 61 - 80 dwellings - 4 dwellings.
 - Developments containing 81 - 100 dwellings - 5 dwellings.
 - t. Amend A34.1 to state:

The required proportion of new Class 1a or 2 dwellings, should be designed so the dwelling can be easily and affordably adaptable at a later date. In this regard the Silver Standard for accessibility as outlined in the 'Liveable Housing Design Guidelines'.
2. Notify the adoption of the Medium Density DCP Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
 3. Rescind the following existing Shoalhaven Development Control 2014 chapters when the Medium Density Amendment is made effective:
 - a. Chapter G13: Dual Occupancy Development.
 - b. Chapter G14: Other Residential Development.
 4. Advise key stakeholders, including relevant industry representatives, of this decision, and when the Medium Density Amendment will be made effective.

CL18.193

Note by the General Manager

This is a detailed Notice of Motion and it is considered that staff provide a comprehensive outline of the implications.

Each of the proposed additions to the original recommendation from the Development Committee, including those as part of the Notice of Motion, is discussed below. This includes commentary on the implications of the proposed changes.

Councillors could also refer to the detailed summary of the submissions, with a Council staff response to all comments raised, found at Attachment 3 to the 14 August 2018 Development Committee Report on this matter. Copies of the actual submissions were made available for review in the Councillor's Room prior to the meeting.

Addition to Staff Recommendation	Discussion and Implications
<p>1.a. and NOM</p> <p>Delete any reference to 'Mandatory Controls' as such content would be contrary to Section 4.15 (3A) of the EPA Act 1979, which requires the council to be flexible in applying DCP provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with an aspect of a proposed development. The current DCP if adopted would lead to breaches of the EPA Act if mandatory controls were contained within it.</p> <p>Addition via NOM:</p> <p>Any control currently noted as mandatory is to be re-written as an acceptable solution.</p>	<p>Number of submissions on this matter: 2</p> <p>The mandatory controls within the DCP <u>are not</u> contrary to Section 4.15(3A) of the <i>Environmental Planning and Assessment Act 1979</i> (the Act).</p> <p>Section 4.15 (formally section 79C) of the Act states that in relation to development control plans, the consent authority:</p> <ul style="list-style-type: none"> • Must not require more onerous standards with respect to that aspect of the development, than the standard set by the DCP (summary of section 4.15(3A)(a)). • Is to be flexible in applying a provision where the development application does not comply with those standards. The consent authority is to allow reasonable solutions that achieve the objects of those standards (summary of section 4.15(3A)(b)). • May only consider those provisions in connection with the assessment of that development application (summary of section 4.15(3A)(c)). <p>Shoalhaven DCP 2014 is essentially a performance based DCP model. This means that the document is predominantly structured with performance criteria (i.e. a standard). Accompanying the performance criteria are acceptable solutions, which are Council's preferred solution for achieving the performance criteria. The DCP is clear in the Introduction Chapter that should an acceptable alternative solution be proposed, Council will consider this in conjunction with the relevant performance criteria, and objectives. This is consistent with section 4.15(3A)(b) of the Act.</p> <p>The use of the term mandatory controls in the DCP introduce a prescriptive element, but they are also considered a standard just like a performance criteria. The Introduction Chapter of the DCP describes a mandatory control as "specific, prescriptive measures required for achieving the desired objectives". The overall Shoalhaven DCP 2014 already includes a number of 'mandatory provisions' which were introduced when the single DCP came into force four years ago on 22 October</p>

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	<p>2014.</p> <p>It should be noted that the majority of DCPs across the State are prescriptive (within the stipulations set by the Act) in nature including all the other Council's in the Illawarra-Shoalhaven Region (Wollongong, Shellharbour and Kiama) as well as Bega Valley, Palarang-Queanbeyan, Wingecarribee, Sutherland, Wollondilly and Camden etc.</p> <p>Eurobodalla's DCP is a model very similar to Shoalhaven's, with development controls (i.e. Shoalhaven's mandatory controls), performance criteria and acceptable solutions.</p> <p>As such, what Shoalhaven calls a 'mandatory control' is not considered to be inconsistent with section 4.15(3A)(b) of the Act, especially as Council will and does consider variations in this regard. An applicant would need to demonstrate that the objective of the section/subsection and the Chapter are being met and that the development would not have any additional adverse impacts as a result of the variation.</p> <p>In relation to section 4.15(3A)(a), Council in its assessment of a development cannot and would not require an applicant to meet a standard more onerous than the mandatory control.</p> <p>In relation to section 4.15(3A)(c), Council would only apply a mandatory control where it related to the development. For example, the mandatory control relating to communal open space areas would only be applied to multi dwelling housing development with 8 or more dwellings. It could not be applied to a different medium density development type, or to a multi dwelling housing development with 7 or less dwellings.</p> <p><i>As such, it is clear that the use of 'mandatory controls' in the overall DCP are established practice and are not inconsistent with section 4.15(3A) of the Act. If the NoM change is resolved, clarification is needed on whether the intent relates to the whole DCP or just draft Chapter G13. If it is the whole DCP this will be a significant change that is outside the scope of the current amendment.</i></p>
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CL18.193

		<p>Implications:</p> <p>Within Chapter G13, only four ‘mandatory controls’ are provided as follows:</p> <ul style="list-style-type: none"> • To specify that where lot consolidation to provide a good-sized parent lot is not feasible, a development application must provide written evidence to Council’s satisfaction to demonstrate that consolidation is not feasible. This seeks to ensure that development sites are appropriate, and land consolidated where possible to avoid multiple narrow lots that which often result in poor built form outcomes or even sterilisation of surrounding lots for purpose of medium density development. • To specify that private open space must be located behind the front building line. This promotes private open space that is practical, with strong amenity qualities and also reinforces the streetscape, which was a key outcome of the Dual Occupancy Review. • To ensure that communal open space, where required, is accessible to all, including people with a disability, the aged, parents with prams and so on. It is noted that this provision is strongly supported by Council’s Inclusion and Access Advisory Group. • To identify a proportion of dwellings that must provide accessible or adaptable housing to ensure Shoalhaven is catering for all ages and abilities, now and into the future, particularly given the ageing population profile. It is noted that this provision is strongly supported by Council’s Inclusion and Access Advisory Group. <p>The intent of these provisions is to reinforce Council’s commitment to good built form outcomes, as well as high levels of amenity and liveability. The deletion of the content of all the mandatory controls based on the assertion that they are inconsistent with the Act would water down Council’s intent and outcomes in this regard.</p> <p>In terms of rewriting the mandatory controls as acceptable solutions, this can be achieved and would be preferable to the deletion of the provisions completely,</p>
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CL18.193

		<p>however suitable performance criteria would also need to be drafted in response. In some instances, it may be more appropriate for the mandatory controls to be rewritten as performance criteria due to the nature of the DCP.</p> <p>Staff will require clear direction in this regard and also whether the change, if adopted, relates just to the chapter or the DCP as a whole.</p>
NOM	Delete iv from principle controls in Section 5.1.	<p>Number of submissions on this matter: 1</p> <p>It is assumed that 'iv' means objective iv in Section 5.1.1 being:</p> <p><i>Encourage high amenity streetscapes with wider street frontages.</i></p> <p>This objective is linked to the mandatory controls and performance criteria within this Section which seek to encourage site consolidation where practical/appropriate to ensure the development site is of a sufficient size and shape to achieve required DCP provisions.</p> <p>The wider street frontage relates to the parent lot, not any resulting lots following subdivision. This matter is addressed in other parts of the DCP.</p> <p>The objective also seeks to achieve high amenity streetscapes.</p> <p>Implications:</p> <p>Removing the objective relating to wider street frontages would weaken the existing mandatory control (or acceptable solution if it is rewritten as such as per the NOM). There needs to be a tangible link between the objectives and standards.</p> <p>It is recommended that the following wording be retained at the very least "Encourage high amenity streetscapes" as it has wider application in the Section, beyond the streetscape frontage issue. It is also fundamentally linked to the outcomes of the Dual Occupancy Review where improved presentation and design outcomes were identified as a needed outcome.</p>
1.b. and NOM	<p>Delete reference to minimum lot size of 1000m² for battle-axe lots in A1.1.</p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in</i></p>	<p>Number of submissions on this matter: 1</p> <p>This provision has been present in Shoalhaven DCP 2014 since 22 October 2014. It is generally acknowledged that a</p>

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	<p><i>the NOM, no changes are proposed to the above recommended addition.</i></p> <p>larger site area is required for dual occupancy development on a battle-axe lot, than required for a standard dwelling house, or a dual occupancy with street frontage.</p> <p>A larger site area enables amenity, privacy, private open space and access/circulation requirements to be appropriately considered for any future development. 1000m² is considered to be the minimum area required to enable a well-considered dual occupancy development based on operational considerations and a cross section of applications with similar characteristics.</p> <p>The following basic scenario demonstrates how a 1000m² minimum lot size for a dual occupancy on a battle-axe lot is appropriate:</p> <div data-bbox="810 801 1406 1337" style="border: 1px solid black; padding: 5px;"> <p>Scenario:</p> <p>Site area: 1000m² (excluding access handle)</p> <p>Floor area: 500m² (based on FSR of 0.5:1 as per Section 5.1.2 of exhibited Chapter G13)</p> <p>Landscaped area: 300m² (30% as per Section 5.1.2 of exhibited Chapter G13)</p> <p>Hardstand areas: Driveway (excluding access handle), manoeuvring areas (acknowledging requirement to enter and exit in forward direction, at grade car parking (if proposed), paving, decking, pool etc – assume a conservative 20% = 200m²)</p> <p>Total = 1000m²</p> </div> <p>Dual occupancies on smaller lots often seek to trade off landscaping or other amenity characteristics for the required larger manoeuvring area and desired built form elements.</p> <p>Such a lot fixing standard is not uncommon, with Kiama Municipal Council specifying a 1000m² minimum lot size for certain battle-axe lots where a dual occupancy is proposed.</p> <p>It is noted that this matter is being considered as part of the proposed Subdivision Review Planning Proposal (LEP Amendment) which will be reported to Council in due course.</p> <p>Implication of deletion:</p> <p>Deletion of this provision would potentially result in dual occupancies on battle-axe lots which are generally too small to deliver appropriate built form and amenity outcomes. This becomes more and more the case as</p>
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		expectations for larger dwellings increase.
1.c. and NOM	<p>Amend Figure 3 and Table 2 such that a maximum setback to a secondary street is 5m for dual occupancy dwellings on corner lots.</p> <p>Addition via NOM:</p> <p>The above applies to detached dual occupancies.</p> <p>Figure 3 and table 4 shall be amended to include a 3.5m setback to secondary streets for attached dual occupancy dwellings with the garages setback 5.5m.</p>	<p>Number of submissions on this matter: 1</p> <p>The front setback equation for the rear dwelling (secondary road frontage) is the average of the side setbacks of the front dual occupancy dwelling (A) and the adjacent dwellings (B):</p> $X = \frac{A+B}{2}$ <p>The average setback provisions for a rear dual occupancy dwelling have been in effect since 2010.</p> <p>The Building and Compliance Section have advised that the provision still works well, and results in good built form outcomes. It is important to have a transition between the front dual occupancy dwelling and the adjoining development to integrate the rear dwelling into the streetscape.</p> <p>This was a key outcome of the Dual Occupancy Review undertaken prior to proceeding with the DCP Amendment.</p> <p>The addition and NOM seeks to specify that the maximum front setback for the rear dwelling of a dual occupancy development should be capped at:</p> <ul style="list-style-type: none"> • Detached - 5m. • Attached - 3.5m, garages 5.5m. <p>Implications:</p> <p>In the rare case that the adjacent dwelling has an overly large setback, a capped 5m setback for a detached dual occupancy would look out of context and likely result in an awkward interface with the streetscape.</p> <p>The maximum front setback in relation to an attached dual occupancy would also look out of context and most likely result in an awkward interface with the streetscape. This provision essentially seeks to apply a side setback in place of a front setback. Further, an additional 2m setback from the building line to the garage is quite pronounced and may look overstated.</p> <p>The capped setbacks would most likely exaggerate the built form and, depending on the orientation and building design, could impact upon the amenity of adjacent development. This also conflicts with a number of the exhibited objectives in 5.1.3.</p>

		<p>The proposed additions require much greater consideration in isolation and also in relation to the draft Chapter as a whole. It would be more appropriate to retain the well tested equation and consider variations on a case by case basis in the context of the development and unique characteristics of the site.</p> <p>It is noted that any change to the front setbacks for dual occupancy development should be made to Table 2, and not Table 4. Table 4 does not apply to dual occupancy development.</p>
<p>1.d.</p> <p>1.e.</p> <p>And NOM</p>	<p>Amend Table 2 to remove reference to 4m rear setback to dwellings and replace with 3m (average) rear setback.</p> <p>Amend Table 4 to remove reference to 4m rear setback to dwellings.</p> <p>Addition via NOM:</p> <p><i>Although these matters are referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>Number of submissions on this matter:</p> <p>1.d. = 2,</p> <p>1.e. = 1</p> <p>The rear setback for medium density development has been set at 4m to enable substantial deep soil zones in the rear setback, the opportunity for vegetation corridors (i.e. along the rear of the site), and to consider amenity of surrounding development. The setback will also assist in the ability of the applicant to meet landscaping and private open space requirements for the dwelling at the rear. The general rear setback provision has been brought in line with the existing rear setback to a public reserve for consistency.</p> <p>Implications:</p> <p>The opportunity for vegetation corridors with connected deep soil zones at the rear of the site will potentially be diminished or lost. The wholistic approach to amenity, both within and external to the site would be impacted.</p>
<p>1.f.</p> <p>and NOM</p>	<p>Amend A6.2 to read:</p> <p><i>In addition to the formal landscaping area required at A6.1, a further area of at least 20% of the site is to be provided, which:</i></p> <ul style="list-style-type: none"> <i>Has a minimum dimension of 1m in any direction.</i> <i>Is inclusive of 40% deep soil planting.</i> <i>Can Include landscaped area, decks, terraces, alfresco areas, swimming pools or</i> 	<p>Number of submissions on this matter: 2</p> <p>The area described would more appropriately meet the definition of private open space area which is already considered in Section 5.3.5 of draft Chapter G13. Such a duplication is confusing and unnecessary.</p> <p>A landscaped area of at least 30% is not uncommon in DCPs across the state.</p> <p>The Standard Instrument LEP definition of landscaped area specifically excludes any building, structure or hard paved area to ensure that the area is used for growing</p>

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	<p><i>other recreation areas / structures.</i></p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>plants, grasses and trees.</p> <p>The recommended removal of this term represents the greatest implications for the provision.</p> <p>Implications:</p> <p>This outcome would only require 10% of the site to be landscaped plus the additional 8% deep soil zone area in acceptable solution A6.2, which would result in adverse amenity impacts and increased hardstand areas that do not facilitate onsite infiltration of stormwater runoff.</p> <p>It is noted that the existing landscaped area requirement in Chapter G13: Dual Occupancy Development is 30% and Chapter G14: Other Residential Development is 35%. As such, the amendment represents a reduction in the actual numerical requirement for landscaping by 40% to 49%, depending on the type of medium density development.</p>
1.g. and NOM	<p>Amend A11.3 to add the words 'where practicable'.</p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>Number of submissions on this matter: 1</p> <p>This provision requires one dwelling in a dual occupancy development to address the primary frontage and the other dwelling to address the secondary frontage, where the site is located on a corner.</p> <p>This acceptable solution is one way that the following related performance criteria can be achieved:</p> <ul style="list-style-type: none"> • The frontage, entries and habitable room windows of dwellings address the street. • The design and orientation of the dwellings, enhance the streetscape, complement existing development in the vicinity, provide visual interest and allow casual surveillance of public or communal streets or public domain. <p>The acceptable solution caters for the vast majority of sites.</p> <p>Implications:</p> <p>The introduction of the words 'where practical' waters down the provision for the vast majority of corner lots. Instead, it is considered more appropriate to consider variations for exceptions on a case by case basis, as Council currently does.</p>
NOM	Delete P12.4 & A12.4.	<p>Number of submissions on this matter: 1 (deletion of acceptable solution A12.4 only,</p>

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	<p>not the performance criteria)</p> <p>Performance Criteria P12.4 requires vehicles to be able to enter and exist the site in a forward direction. A12.4 specifies that where a dual occupancy is proposed on a site with access to a local street or above, it will need to be able to enter and exit a site in a forward direction.</p> <p>The provisions have been included to support existing acceptable solution A5.1 of DCP Chapter G21: Car Parking and Traffic, which applies to all development (including all medium density development types).</p> <p>A5.1 of Chapter G21 specifies that:</p> <p style="padding-left: 40px;"><i>Development must be designed so that vehicles enter and leave the premises in a forward direction.</i></p> <p>A12.4 provides additional clarification that this provision should not apply to a dual occupancy development on an access street or laneway. P12.4 and A12.4 directly relates to objective iv of the Section which seeks safe vehicular and pedestrian access.</p> <p>It is considered that access streets and laneways can better accommodate additional movements resulting from increased density as they are relatively low volume/speed, however roads above this status are not able to accommodate additional movements as easily. This will avoid vehicles reversing down long driveways and ensure that the road network is able to handle the additional vehicular and reversing movements.</p> <p>If a development on a small site cannot accommodate turning areas to enable a vehicle to enter and exit the site in a forward direction, it may be an indication that the site is not appropriate for such development.</p> <p>Implications:</p> <p>Deletion of these provisions will not negate consideration of A5.1 in Chapter G21: Car Parking and Traffic as part of the development application. Dual occupancy development on any street will be required to enter and exit the site in a forward direction, as per existing requirements, which is more onerous than suggested in exhibited P12.4 and A12.4.</p> <p>Safe access to and from the site should be an important consideration in the</p>
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		development assessment process.
NOM	Delete following dot point reference in A13.1 - "Retain adjacent trees by locating the driveway outside the drip line."	<p>Number of submissions on this matter: 1</p> <p>It is acknowledged that avoiding the drip line of all trees may not be practicable, however it is important that mature trees are retained where possible in line with industry standards and existing resolution MIN16.949(8):</p> <p><i>"In any future review of DCP's, Council consider the value of the contribution of mature trees' to providing shade and reducing the heat island effect."</i></p> <p>Trees add significant value to our built environment as they can (not exclusively):</p> <ul style="list-style-type: none"> • Increase residential property values. • Improve the climate by reducing the temperatures of the surfaces they shade by as much as 10-25 degrees Celsius. • Reduce energy consumption by the direct shading of buildings and less reliance on air coolers. • Improve air quality by absorbing pollution. Older larger trees can reduce pollution up to 60 times greater than a smaller tree. <p>It is noted that this provision only relates to siting of driveways, and not dwellings.</p> <p>If a development proposes the driveway to be located within the drip line of a tree, consideration should first be given to the redesign the development footprint. If this cannot be achieved, an application could consider seeking a variation to this acceptable solution.</p> <p>Implications:</p> <p>Deleting this part of A13.1 will most likely result in the loss of mature trees (including established shrubs and vegetation), particularly those that could otherwise be retained through careful design consideration.</p> <p>The deletion of the acceptable solution does not holistically consider the implications of the following objective in the Section:</p> <p><i>ii. Encourage driveway design that minimises visual impact, stormwater runoff and retains established trees and</i></p>


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		<p><i>vegetation.</i></p> <p>It is unclear whether the rest of A13.1 dot point 4 is also to be deleted: “Established shrubs and vegetation shall also be retained wherever possible”.</p> <p>Staff will require clear direction regarding this proposed change if ultimately resolved.</p>
1.h. and NOM	<p>Delete Section 5.3.3 of the DCP in its entirety.</p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>Number of submissions on this matter: 1</p> <p>Ceiling height affects the amenity of a dwelling and the perception of space is directly linked to receiving sufficient natural ventilation and daylight access to habitable rooms.</p> <p>The ceiling height controls suggested in the draft DCP present opportunities for better planning outcomes and improved amenity for residents. As unit/room sizes get smaller, increased ceiling height is important as it assists with the feeling of space. It is also likely that the increased ceiling height would add marginally to cost of development. Increased heights can also add visual interest when viewed from the public domain through variable approaches to elevation and configuration of the front façade which can contribute to the quality of the streetscape.</p> <p>It is noted that this provision (ceiling height) is included in the NSW Governments Low Rise Medium Density Design Guide and is considered valuable as there is currently a policy gap in this regard.</p> <p>Implications:</p> <p>The deletion of provisions relating to ceiling heights may reduce long term liveability and amenity to the occupants of the medium density development. It is also likely that the proposed change in ceiling heights will have a negligible impact on development costs over the whole of the development.</p>
1.i. and NOM	<p>Delete Section 5.3.4 of the DCP in its entirety.</p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>Number of submissions on this matter: 1</p> <p>It is noted that the majority of the content (Dwelling Size and Layout) within this Section is included in the NSW Government’s Low Rise Medium Density Design Guide and is considered valuable as there is currently a policy gap in this regard. The content is not word for word the same but offers a balance between the provisions of the different land uses in the Low Rise Medium Density Design</p>

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		<p>Guide.</p> <p>Generally, dwelling size is proportionate to the number of bedrooms. The provision of adequate living areas and other common spaces (kitchen, dining, bathroom, etc.) is also commensurate to the number of occupants, providing a higher standard of functionality and amenity for residents.</p> <p>Implications:</p> <p>This Section facilitates a range of dwelling sizes and types within larger developments (8 or more dwellings), which is a key consideration in affordability and diversity.</p> <p>Minimum dwelling sizes and room dimensions are also set for all medium density development to protect the long-term amenity and liveability of residents. It is noted that the sizes detailed in Section 5.3.4 are already considered to be at the lower end of the scale for functionality.</p> <p>The deletion of this provision will likely result in dwellings and rooms not being of a sufficient size to be functional.</p>
NOM	Amend Section 5.3.5 to delete item 1.	<p>Number of submissions on this matter: 0</p> <p>It is assumed that 'item 1' means Mandatory Control 1, being:</p> <p><i>Private open space must be located behind the front building line and not within the front setback of a dwelling.</i></p> <p>This provision was included in the exhibited Draft Chapter G13 as private open space forward of the building line often results in poor streetscape outcomes, adverse amenity impacts and a reduction in passive surveillance. Existing Chapter G13 does not include any provisions relating to the location of private open space, however A3.3 in Chapter G14 requires private open space to be located to the rear of dwellings to avoid the need for high fences to the street. High fencing with limited or no transparency often results in a poor design outcome (see example at figure below), poor integration with the streetscape and safety concerns. Part of the Dual Occupancy Review work identified the need to improve the design of this form of development wherever possible.</p>

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		 <p>A number of surrounding and comparable Council DCPs have identified that private open space located forward of the building line is generally not favoured (e.g. Eurobodalla, Kiama, Wollongong) and if private open space cannot be accommodated behind the front building line, the development is generally considered to be an overdevelopment of the site. Further, such an arrangement would only be considered on merit in exceptional circumstances.</p> <p>This would be the same with Chapter G13, in that exceptional circumstances would be considered following the submission of a variation statement. A merit assessment would consider a range of criteria including streetscape amenity, security and the amenity of that dwelling.</p> <p>Implications:</p> <p>Private open space forward of the building line often result in poor streetscape outcomes, adverse amenity impacts and a reduction in passive surveillance. Deletion of this provision (if not rewritten as an acceptable solution as suggested by the NOM), would be contrary to the outcomes of the Dual Occupancy Review in relation to this matter and may continue to deliver poor design outcomes.</p> <p>The implications of Council's recommendation would also need to be considered in relation to fencing treatment for private open space forward of the building line.</p>
1.j. and NOM	Delete Section 5.3.6 of the DCP in its entirety.	<p>Number of submissions on this matter: 2 (one supporting inclusive communal open space, one supporting deletion).</p> <p>Communal open space is an important component of larger medium density developments as it provides outdoor</p>

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	<p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p>	<p>recreation opportunities, connections to the natural environment, valuable 'breathing space' between dwellings, opportunities for casual social interaction among residents and increased amenity.</p> <p>The provision of communal open space is a common and consistent requirement for medium density development across the state. A number of surrounding and comparable local government areas have communal open space provisions including Kiama, Wollongong, Eurobodalla, Palerang-Queanbeyan, Newcastle and Tweed, for example.</p> <p>The provisions seek the creation of intentional communal open space within a development, where that development includes 8 or more dwellings.</p> <p>Implications:</p> <p>Whilst the communal open space provisions are a new addition to the DCP, they provide a significant opportunity for recreational opportunities within the site, interaction opportunities between residents and compensates for smaller private open space areas and larger concentrations of dwellings. The deletion of this Section will extinguish opportunities to facilitate liveable larger medium density development that provides long term communal amenity to residents.</p>
1.k. and NOM	<p>Amend A28.2 such that the setback required is only 5.5m and not 7.2m.</p> <p>Addition via NOM:</p> <p><i>Although this matter is referred to in the NOM, no changes are proposed to the above recommended addition.</i></p> <p>Amend A5.1 to remove note referring to increased setback for tandem parking.</p>	<p>Number of submissions on this matter: 1</p> <p>The visual and practical impact of vehicles parked in tandem forward of the building line in a dual occupancy development is an ongoing concern. Such an arrangement can result in:</p> <ul style="list-style-type: none"> • Pedestrian access issues – access to and from the dwellings can be obstructed. • Obstructions forward of the street frontage – larger vehicles parked forward of the building line can extend into the verge impeding pedestrian access and reducing sight lines. • Aesthetic considerations – tandem parking arrangements can dominate the street frontage and the streetscape. <p>These impacts can be alleviated by providing a greater setback to accommodate a tandem arrangement. To ensure that a vehicle parked in a tandem parking space will not</p>

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	<p>impede access to an approved parking space for another occupancy, or result in an obstruction to the verge, a greater front setback is required. The setback needs to be of a sufficient depth to:</p> <ul style="list-style-type: none"> • Accommodate a vehicle parked in the tandem parking space. • Maintain sufficient room for pedestrian access between the vehicle and any part of the building. • Allow for the vehicle to be parked so that it is no closer to the front property boundary than 1.2 metres. This provides a width to easily accommodate a wheelchair, pram, garbage bin and wheelbarrow, for example. <p>This means that the total depth required between the building and the property boundary should be an effective minimum of 7.2m (i.e. 5.5m car, 0.5m additional pedestrian access, 1.2m setback from property boundary).</p> <p>Implications:</p> <p>A reduction in the setback for a tandem parking space forward of the building line from 7.2m to 5.5m will only accommodate the vehicle and will not facilitate circulation or consider aesthetic considerations.</p> <p>It is noted that current G13: Dual Occupancy Development requires all parking to be provided behind the building line, so this new provision offers flexibility in this regard.</p> <p>It is noted that a setback of 5.5m to accommodate a parking space is inconsistent with other provisions draft Chapter G13. For example, Table 2 (setbacks for dual occupancy development in residential areas), requires a front setback of 5m or 6m, depending on the location. A5.3 requires that a garage must be setback a further 1m behind the front building line. As such, the setback to the garage would need to be at least 6m or 7m.</p> <p>There should not be any inconsistencies between provisions within the Chapter.</p> <p>This provision (A28.2) only requires the garage to be set back an additional 0.2m or 1.2m, depending on the location, beyond the front setback. The provision only applies to dual occupancy development.</p>
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		Should Council be of the mind to support a 5.5m setback for tandem parking, A28.2 should be deleted in its entirety, as well as the note at A5.1 and Figure 9. Draft Chapter G13 requires that the setback to the garage would need to be at least 6m or 7m depending on the location of the site, and as such, A28.2 becomes redundant.
1.I. and NOM	<p>Amend Section 5.4.3 by:</p> <ul style="list-style-type: none"> Deleting reference to “Mandatory Controls” Amending item 1 to read as follows: <i>Mandatory Controls:</i> <i>All Class 1a and 2 developments, as defined in the Building Code of Australia, must provide accessible or adaptable housing at the following rate:</i> <ul style="list-style-type: none"> Developments containing 3 – 10 dwelling – 1 dwelling. Developments containing 11 – 40 dwellings – 2 dwellings. Development containing 41 – 60 dwellings – 3 dwellings. Development containing 61 – 80 dwellings – 4 dwellings. Developments containing 81 – 100 dwellings – 5 dwellings. <p>Addition via NOM: Replacement of the word “must” with “should”.</p>	<p>Number of submissions on this matter: 2</p> <p>The matter of the deletion of mandatory controls is addressed above in this table.</p> <p>The proposed amendment essentially means that universal design provisions will not apply to dual occupancy development. It is noted that Council considers more applications for dual occupancy development than any other medium density type. Based on development application statistics between the 2014-15 and 2017-18 financial years, 410 medium density development applications were considered by Council. Of these, the majority related to dual occupancy development (75%).</p> <p>Given that Shoalhaven has a significant aged population (which continues to increase) and 1 in 5 Australian’s have a disability, it is considered important that a high standard is applied and that a rate is applied to all medium density development. It is noted that Councils Access and Inclusion Advisory Committee is supportive of universal design provisions being applied to dual occupancy development.</p> <p>The provisions require 1 of the 2 dwellings in a dual occupancy development to be accessible or adaptable. It is noted that existing Chapter G13 requires both dwellings to be accessible or adaptable. As such, the new provisions are already a relaxation of universal design provisions in this regard.</p> <p>Implications:</p> <p>Excluding dual occupancy development from the application of universal design provisions will result in the loss of a significant opportunity to support universal design and access in medium density development across Shoalhaven and does not represent good policy that responds to future needs.</p> <p>It is noted that the replacement of the word “must” with “should” has no implications if the mandatory control is rewritten as an</p>

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		acceptable solution, as per the NOM. However if read literally it does imply a watering down or weakening of this provision.
1.m. and NOM	<p>Amend A34.1 to state:</p> <p><i>The required proportion of new Class 1a or 2 dwellings, should:</i></p> <ul style="list-style-type: none"> <i>Be designed so the dwelling can be easily and affordably adaptable at a later date.</i> <p>Addition via NOM:</p> <p>The following sentence is proposed to be added after the above - "In this regard the Silver Standard for accessibility as outlined in the 'Liveable Housing Design Guidelines'".</p>	<p>Number of submissions on this matter: 3 (one supporting a silver standard for all except dual occupancies, one supporting a platinum standard and application to all medium density development, one supporting deletion of standard and exclusion of dual occupancies).</p> <p>One of the referenced submissions was from the Shoalhaven Inclusion and Access Advisory Group supporting the platinum standard.</p> <p>The provision as exhibited provides flexibility for the applicant to choose whether the dwelling is designed to be accessible or adaptable. It also sets a standard as a benchmark for assessment, being the gold standard under the 'Liveable Housing Design Guidelines'. It is noted that the Low Rise Medium Density Housing Code also requires design to consider the 'Liveable Housing Design Guidelines'.</p> <p>The 'Liveable Housing Design Guidelines' were created by Livable Housing Australia to "provide a nationally consistent, inexpensive and practical set of guidelines to make homes safer, more comfortable and easier to access for people of all ages"¹.</p> <p>The amendment excludes the option of accessibility (i.e. a dwelling designed for people requiring higher level access from the outset), which is an option that an applicant may desire and should be seen as an acceptable solution to Council. The amendment also strips away the standards for 'easily and affordably adaptable', however it is noted that the NOM reintroduced a silver standard as outlined in the 'Liveable Housing Design Guidelines'.</p> <p>Only two submissions were received regarding the standard for assessment. One submission suggested that the 'silver' standard be adopted based on affordability and practicality. The other submission suggested that the 'platinum' standard be adopted based on the need for whole of life consideration, and more specifically the rates of Australians with a disability and increasing</p>

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¹ www.livablehousingaustralia.org.au

		<p>aging population. As such, the exhibited gold standard was maintained in the post exhibition consideration report given that it is a mid-way standard between the two supported in submissions.</p> <p>For convenience, the difference between the Silver, Gold and Platinum standards are outlined below:</p> <table><tr><th>Standard</th><th>Criteria</th></tr><tr><td>Silver</td><td><p>Focuses on the key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home.</p><p>Seven core livable housing design elements:</p><ol style="list-style-type: none">1. Dwelling Access - A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.2. Dwelling Entrance - At least one, level (step-free) entrance into the dwelling.3. Internal doors and corridors - Facilitate comfortable and unimpeded movement between spaces.4. Toilet - A toilet on the ground (or entry) level that provides easy access.5. Shower - A bathroom that contains a hobless shower recess.6. Reinforcement of bathroom & toilet walls - Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.7. Internal stairways - Stairways are designed to reduce the likelihood of injury and also enable future adaptation.</td></tr><tr><td>Gold</td><td><p>Enhanced requirements for most of the core livable housing design elements (see elements 1-7 in Silver) plus additional 5 elements:</p></td></tr></table>	Standard	Criteria	Silver	<p>Focuses on the key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home.</p> <p>Seven core livable housing design elements:</p> <ol style="list-style-type: none">1. Dwelling Access - A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.2. Dwelling Entrance - At least one, level (step-free) entrance into the dwelling.3. Internal doors and corridors - Facilitate comfortable and unimpeded movement between spaces.4. Toilet - A toilet on the ground (or entry) level that provides easy access.5. Shower - A bathroom that contains a hobless shower recess.6. Reinforcement of bathroom & toilet walls - Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.7. Internal stairways - Stairways are designed to reduce the likelihood of injury and also enable future adaptation.	Gold	<p>Enhanced requirements for most of the core livable housing design elements (see elements 1-7 in Silver) plus additional 5 elements:</p>
Standard	Criteria							
Silver	<p>Focuses on the key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home.</p> <p>Seven core livable housing design elements:</p> <ol style="list-style-type: none">1. Dwelling Access - A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.2. Dwelling Entrance - At least one, level (step-free) entrance into the dwelling.3. Internal doors and corridors - Facilitate comfortable and unimpeded movement between spaces.4. Toilet - A toilet on the ground (or entry) level that provides easy access.5. Shower - A bathroom that contains a hobless shower recess.6. Reinforcement of bathroom & toilet walls - Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.7. Internal stairways - Stairways are designed to reduce the likelihood of injury and also enable future adaptation.							
Gold	<p>Enhanced requirements for most of the core livable housing design elements (see elements 1-7 in Silver) plus additional 5 elements:</p>							

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		<p>8. Kitchen space - The kitchen space is designed to support ease of movement between fixed benches and to support easy adaptation.</p> <p>9. Laundry space - The laundry space is designed to support ease of movement between fixed benches and to support easy adaptation.</p> <p>10. Ground (or entry level) bedroom space - There is a space on the ground (or entry) level that can be used as a bedroom.</p> <p>11. Switches and power points - Light switches and power points are located at heights that are easy to reach for all home occupants.</p> <p>12. Door and tap hardware - Home occupants are able to easily and independently open and close doors and safely use tap hardware.</p> <p>The gold level provides for more generous dimensions for most of the core livable housing design elements and introduces additional elements in areas such as the kitchen and bedroom.</p>
	Platinum	<p>Some further enhanced requirements for the core livable housing design elements (see Silver and Gold above) plus an additional 3 elements:</p> <p>13. Family/living room space - The family/living room features clear space to enable the home occupant to move in and around the room with ease.</p> <p>14. Window sills - Windows sills are installed at a height that enables home occupants to view the outdoor space from either a seated or standing position.</p> <p>15. Flooring - Floor coverings are slip resistant to reduce the likelihood of slips, trips</p>

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		<p>and falls in the home.</p> <p>This level describes design elements that would better accommodate ageing in place and people with higher mobility needs.</p> <p>This level requires more generous dimensions for most of the core livable design elements and introduces additional elements for features such as the living room and flooring.</p> <p>Note: For technical specifications, refer to the 'Livable Housing Design Guidelines'.</p> <p>Implications:</p> <p>The amendment alone, by its wording, is not definable/quantifiable. There is no flexibility between adaptability and accessibility, and there is no standard set for assessment.</p> <p>Without criteria to specify what standards an adaptable dwelling is required to meet, Council will not be able to achieve meaningful universal design outcomes that will benefit the needs of people requiring higher levels of access now, or into the future. It will also make it extremely difficult for staff to assess related development applications.</p> <p>The NOM does suggest the silver standard as outlined in the 'Liveable Housing Design Guidelines', however it provides for less generous dimensions for most of the core liveable housing design elements and does not consider elements in areas such as the kitchen and bedroom.</p> <p>It is also noted that the amendment will result in inconsistencies within the Section in relation to accessibility and the gold standard. Specifically, this can be seen within the mandatory control and P34.1 (and its associated note) as exhibited. The amendment is also inconsistent with the exhibited definition of 'accessible'.</p>
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Should the Medium Density Amendment be re-exhibited?

Clause 21 of the Environmental Planning and Assessment Regulation 2000 specifies that after consideration of any submissions, the council may approve the plan with such alterations as the council thinks fit.

However, it is noted that convention normally requires a council to re-exhibit a draft DCP amendment if the amendments are seen to **substantially change** the substance of the exhibited Plan.

It is suggested that an amendment of the combined magnitude detailed above (both recommended and adjusted via the NOM) would require re-exhibition as the content is not substantially the same as exhibited.

It is noted that the exhibition process, including consideration of submissions, is time and resource intensive.

Council Staff also need to spend additional time considering the consequences of all the changes foreshadowed under both the recommendation and NoM and possibly redrafting other parts of the DCP not covered above so that the whole chapter operates correctly and there are not inconsistencies within it resulting from any resolved changes.

Implications of the amendments in relation to the Design Guide for DAs

Recent changes to the Environmental Planning and Assessment Regulation 2000 require councils to consider the new Design Guide for DAs when it is assessing development applications for dual occupancy, manor house and multi dwelling housing (terraces) development, until development controls for these housing types are in place.

As such, until Council has appropriate controls in place in Shoalhaven DCP 2014 for dual occupancy, manor houses and multi dwelling housing (terraces), Council will be required to consider the Design Guide for DAs when assessing development applications for these development types.

It is considered that the exhibited draft Amendment includes appropriate controls for every medium type addressed by the Code and therefore Council would not need to rely on the Design Guide for DAs for development applications.

The amendment, however will see the removal of the following points of consideration addressed in the Design Guide for DAs: ceiling heights, dwelling size and layout and communal and open spaces. These provisions were included to address a policy gap in this regard and were considered to add value to the amenity and liveability of residents.

A number of additional matters for consideration within the Design Guide for DAs have also been watered down substantially as a result of the amendment (e.g. universal design, amenity, character and context of the streetscape).

The amended chapter would in basic terms address dual occupancy development, manor houses and multi dwelling housing (terraces), however Council would need to be satisfied, that the remaining provisions in Chapter G13:

- Adequately address dual occupancy, manor house and multi dwelling housing (terraces), and
- Are appropriate for Shoalhaven, and
- Deliver well-designed medium density development that provides good built form and amenity outcomes, and also fits into the local character of an area and immediate streetscape.

CL18.194 Question on Notice - Single Use Plastic Bags

HPERM Ref: D18/280996

Submitted by: Cllr Kaye Gartner

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation

That Council write another letter to NSW Premier, Ms Gladys Berejiklian and Minister for the Environment, Ms Gabrielle Upton, urging the NSW Government to act to ban single use plastic bags in NSW before the next election.

Background

On Tuesday August 7th, Ms Upton's Office circulated information lauding the success of the Return and Earn drink bottle recycling scheme. We are told this scheme has been very successful in cutting the incidence of plastic drink bottles in the waste stream:

"Return and Earn is responsible for a one third reduction in its type of drink container litter."

SCC was among many councils that wrote to encourage the introduction of this scheme, and acknowledges the success of the legislation.

SCC also wrote last year to encourage the ban on single use plastic bags. We were informed that legislation was not necessary due to the announcement of voluntary withdrawal of single use bags by the large supermarket chains.

The success of the legislated Return and Earn scheme calls into question the reluctance to legislate plastic bag withdrawal. Even if the major supermarket chains do successfully withdraw single use bags, small retailers and take away food shops have made no such announcements.

Legislation on this issue will create a level playing field, leave consumers in no doubt about the need to carry reuseable bags and reduce litter. Most importantly, legislation will reduce the plastic that ends up in our oceans, maiming and killing our marine animals and seabirds.

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CL18.195 Report of the Development Committee - 14 August 2018

HPERM Ref: D18/282457

**DE18.56 Draft Medium Density Amendment - Shoalhaven
Development Control Plan 2014 - Post Exhibition
Consideration and Finalisation**

**HPERM Ref:
D18/234448**

Recommendation

That Council:

1. Adopt the draft Medium Density Amendment as exhibited and as per attachment 1, but with the following additional changes:
 - a. Delete any reference to 'Mandatory Controls' as such content would be contrary to Section 4.15 (3A) of the EPA Act 1979, which requires the council to be flexible in applying DCP provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with an aspect of a proposed development. The current DCP if adopted would lead to breaches of the EPA Act if mandatory controls were contained within it.
 - b. Delete reference to minimum lot size of 1000m² for battle-axe lots in A1.1.
 - c. Amend Figure 3 and table 2 such that a maximum setback to a secondary street is 5m for dual occupancy dwellings on corner lots.
 - d. Amend Table 2 to remove reference to 4m rear setback to dwellings and replace with 3m (average) rear setback.
 - e. Amend Table 4 to remove reference to 4m rear setback to dwellings.
 - f. Amend A6.2 to read:

A6.2: In addition to the formal landscaping area required at A6.1, a further area of at least 20% of the site is to be provided, which:

 - i. *Has a minimum dimension of 1m in any direction.*
 - ii. *Is inclusive of 40% deep soil planting.*
 - iii. *Can Include landscaped area, decks, terraces, alfresco areas, swimming pools or other recreation areas / structures.*
 - g. Amend A11.3 to add the words 'where practicable'.
 - h. Delete Section 5.33 of the DCP in its entirety.
 - i. Delete Section 5.3.4 of the DCP in its entirety.
 - j. Delete Section 5.3.6 of the DCP in its entirety.
 - k. Amend A28.2 such that the setback required is only 5.5m and not 7.2m.
 - l. Amend Section 5.4.3 by:
 - i. Deleting reference to "Mandatory Controls"
 - ii. Amending item 1 to read as follows:

Mandatory Controls:

All Class 1a and 2 developments, as defined in the Building Code of Australia, must provide accessible or adaptable housing at the following rate:

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Developments containing 3 -10 dwelling – 1 dwelling.

Developments containing 11 – 40 dwellings – 2 dwellings.

Development containing 41 – 60 dwellings – 3 dwellings.

Development containing 61 – 80 dwellings – 4 dwellings.

Developments containing 81 – 100 dwellings – 5 dwellings.

m. Amend A34.1 to state:

The required proportion of new Class 1a or 2 dwellings, should:

Be designed so the dwelling can be easily and affordably adaptable at a later date.

2. Notify the adoption of the Medium Density DCP Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
3. Rescind the following existing Shoalhaven Development Control 2014 chapters when the Medium Density Amendment is made effective:
 - a. Chapter G13: Dual Occupancy Development.
 - b. Chapter G14: Other Residential Development.
4. Advise key stakeholders, including relevant industry representatives, of this decision, and when the Medium Density Amendment will be made effective.
5. Should the resolution of Council be substantially different from the draft Medium Density Amendment as exhibited, further advertisement and community engagement occur.

Note by the General Manager:

Please see Note attached to the Notice of Motion (CL18.193)

DE18.58 Development Application DA17/2435 - 148 Island Point Road, St. Georges Basin - Lot 43 DP 25550 - Access and Section 7.11 (94) Contributions

HPERM Ref: D18/261085

Recommendation

That Council depending on the outcome of detailed design review, commit to funding the upfront costs for the construction of the remaining section of the St Georges Basin Village Centre Service Lane identified in Contribution Project (CP) 03ROAD2113 through:

1. Funding the initial expenditure of the works and land acquisition using recoupment funds that may be available following the completion of the Shoalhaven Contributions Plan review or through general revenue allocations in the future Capital Works Program of up to \$200,000 (2018/19 Indexed Estimate for Project Costs rounded up) and request a further report should it require more than this amount.
2. Recouping the expended funds through Section 7.11 development contributions levied by Shoalhaven Contributions Plan 2010 for future development.
3. Including the design and construction of the remaining section of the St Georges Basin Village Centre Service Lane with an additional minimum width of 4.2m within properties that adjoin the existing service lane area adjacent to the IGA supermarket in Council's capital works planning.
4. Commencing the process of land acquisition for land required for the ultimate construction of the service lane and existing service areas identified in CP 03ROAD2113 to allow full public access in the service lane.

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CL18.196 Report of the Strategy & Assets Committee - 21 August 2018

HPERM Ref: D18/290310

MMS18.4 Mayoral Minute - Acknowledgements for the Kingiman and Bomaderry Fires

HPERM Ref:
D18/286339

Recommendation

That in response to the Bushfires in the Shoalhaven this month and the incredible efforts of many in our community, that Council

1. Acknowledges the ultimate sacrifice given by Allan "Tully" Tull in fighting the Kingiman Fires in Milton, and send the deepest condolences to Tully's family and to all of those who called him a friend and colleague.
2. Contribute a donation of \$2,500 from the unallocated donations budget, and note that a Mayoral Appeal has been opened to collect financial donations for Tully, in response to calls from Jill Blackler and many others within the Milton Ulladulla Community
3. Thanks and acknowledges all the work that has been undertaken by volunteers and paid staff alike across the district during this very trying time.
4. Arrange for a suitable plaque to be raised to commemorate the lives of Fixed Wing Pilot David Black and Helicopter Pilot Allan Tull and with the aid of the community find a location that is fitting for it.
5. Hold a community picnic day of "Commemoration, Celebration and Commiseration" to be held at Milton Showgrounds at a future date and ensure that no fees are charged to community organisations for the event.
6. Forward an acknowledgement to Cllr Pakes thanking him for his contribution during the emergency in the absence of the Mayor and Deputy Mayor.

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SA18.190 Notice of Motion - Donation - Berry Small Farm Field Days

HPERM Ref:
D18/268440

Recommendation

That Council support Berry Rotary's Small Farm Field Day event by voting \$2000 from the unallocated donations vote.

SA18.191 Notice of Motion - Traffic/Parking Control Plan - Owen/Sydney/Tomerong Streets Huskisson

HPERM Ref:
D18/278044

That further to the Council Resolution of 24 April 2018 (MIN18.290) for the Council to prioritise and take action in regard to "a comprehensive current traffic/parking control plan for the intersection of Owen/Sydney/Tomerong Streets (Picture Theatre Corner)" that funds be now sourced so that a design and costing study can be completed to take the project to the stage of being "shovel ready".

**SA18.197 City of Shoalhaven Eisteddfod Inc. Nowra Request
for Additional Funding****HPERM Ref:
D18/260411****Recommendation**

That:

1. Council donate the sum of \$10,000 per annum from the Donations budget to the City of Shoalhaven Eisteddfod Inc.
2. The donation be indexed annually in accordance with the Consumer Price Index.

**SA18.201 Unit 2 (Nowra Steakhouse), 10 Pleasant Way Nowra -
Assignment of Lease****HPERM Ref:
D18/270604****Recommendation**

That Council:

1. Authorise the execution of the Deed of Consent and Assignment of Lease for Unit 2, 10 Pleasant Way Nowra from Eating Habits Pty Limited to Somporn Daichuenchit; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the City of Shoalhaven to all documentation required to be sealed.

**SA18.205 Development Application Fees - Refund Request -
GJ Gardner Homes - Variety Freedom House -
Patonga Street, Nowra - DA18/1808****HPERM Ref:
D18/239219****Recommendation**

That Council:

1. Reimburse GJ Gardner Homes \$4836.00, being the development application and associated fees in relation to DA18/1808 for construction of a house at Lot 800 DP1240170 Patonga Street, Nowra, and that Council be appropriately acknowledged for this contribution to the Variety Freedom House project.
2. Fund the reimbursement from the Unallocated Donations budget.

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CL18.197 Report of the Nowra CBD Revitalisation Strategy Committee - 1 August 2018

HPERM Ref: D18/277352

Attachments: 1. CBD18.46 - Report - Nowra CBD Revitalisation Strategy Committee 1 August 2018 [↓](#)

CBD18.45 Change to Annual Promotions Budget conditions

HPERM Ref:
D18/245949

Recommendation

That Council's resolution that Nowra CBD Business Chamber provide audited quarterly reports to Council on promotional activities and expenditure be amended to remove the requirement for audit and instead require the forwarding to Council of an annual financial report.

CBD18.46 Removal of Advertising Seats - Nowra CBD

HPERM Ref:
D18/237033

Recommendation

That:

1. The 11 advertising courtesy seats in the Nowra CBD be removed as soon as possible at an estimated cost of \$52,000 (inc GST)
2. The Nowra CBD Revitalisation Strategy Committee not contribute to cost of the removal, given that the seats do not comply with the CBD standards,
3. It be noted that the Nowra CBD Revitalisation Strategy Committee would be prepared to consider funding the replacement of the seats with those that fit within the designs/colours of the CBD upgrade.

Note by the General Manager:

The financial implications from removing the seats are:

- i. Claude Outdoor are to receive \$45,000 + GST for the removal of all 11 sites listed;
- ii. Shoalhaven Council will not receive any further license fee for bus seats until after the end of the current term dated 31 January 2026, and
- iii. Shoalhaven Council will be responsible for the removal and cost of removal for the 11 sites and any costs associated with disposal of the seats and returning the 11 sites to their original condition.

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CBD18.46 Removal of Advertising Seats - Nowra CBD

HPERM Ref: D18/237033

Group: Assets & Works Group
Section: Project Delivery & Contracts

Purpose / Summary

To advise the Committee of the options for early termination of the legal agreement between Council and Claude Outdoor to enable removal of 11 advertising courtsey seats in the Nowra CBD.

Recommendation

That the 11 advertising courtesey seats in the Nowra CBD be removed as soon as possible at an estimated cost of \$52,000 (inc GST) and that the funding for the removal be provided from the Nowra CBD Revitalisation Strategy Committee and Council on a 50/50 basis. With the Nowra CBD Revitalisation Strategy Committee's contribution capped at \$26,000 (inc GST)

Options

1. The 11 seats are removed and Nowra CBD Revitalisation Strategy Committee funds the full cost of the removal.
Implications: Cost of \$52,000 including GST to Committee. Loss of annual income to Council from seats of \$3,870 p.a.
2. The 11 seats are removed and Council funds the full cost of removal using the income generated by fees collected from Claude Outdoor as part of the courtsey seats and illuminated street signs agreements.
Implications: Cost of \$52,000 including GST to Council. Loss of annual income to Council from seats of \$3,870 p.a.
3. The 11 seats are retained until the contract ends in year 2026 at which time either the contract can be extended or the seats can be removed at no cost.
Implications: No immediate cost to Council or committee. Retention of seats until at least 2026.

Background

Council is currently bound by a legal agreement with the advertising provider Claude Outdoor which enables advertising in the road reserve on bus shelters and courtsey seats at locations agreed to by Council. The agreement was first signed on 1 February 2001 and renewed on 1 February 2016 and benefits Council by providing maintained infrastructure for public amenity at no cost. There are a number of bus shelters and courtsey seats around the Shoalhaven that are provided and maintained by Claude Outdoor.

The current agreement is binding until 1 February 2026 at which time the contract can be extended, re-negotiated, or not renewed. Should Council elect not to renew the contact at that time, Claude Outdoor will be entitled to remove all assets which were provided in accordance with the agreement including the 11 courtsey seats in the Nowra CBD.

Community Engagement

Recently both the Nowra CBD Business Chamber and the Nowra CBD Revitalisation Strategy Committee have advised that they would prefer not to retain the 11 advertising courtsey seats within Nowra CBD, on the grounds that in many cases they do not provide appropriate levels of public amenity, are not in accordance with the Nowra CBD streetscape guidelines, and may in some cases represent a traffic hazard.

In response to this request, Council staff have negotiated with Claude Outdoor to arrive at an appropriate financial penalty for early termination of the agreement for these 11 seats in year 2018.

Policy Implications

By making payment to Claude Outdoor to terminate the agreement early for the 11 courtsey seats within the Nowra CBD only, the agreement remains active for the remainder of courtsey seats and bus shelters within the Shoalhaven.

Financial Implications

Council currently collects a tariff of \$2,015 p.a for the 11 courtsey seats within the Nowra CBD from Claude Outdoor in accordance with the agreement. If these 11 seats are retained for the life of the agreement until 1 February 2026, a total of \$17,020 will be collected in tariffs.

To date Council has collected approximately \$21,000 for the Nowra courtsey seats only. This income derived from Claude Outdoor seating and identilites and courtsey seating has up until June 2018 been incorporated into the General Fund, however a new job number has been created to capture this income separately going forward.

Following negotiations between Council staff and Claude Outdoor, a rate of \$4,500 including GST per seat has been agreed upon as an appropriate early termination fee, this represents a total of \$49,500 including GST for the 11 seats in the Nowra CBD. Consideration is given to the fact that Claude Outdoor must terminate individual advertising contracts with their clients for each seat that is removed from the agreement.

A further cost of \$2,500 has been quoted for removal of these seats by Council's works and services section. The disposal of the seats will be cost neutral as they will either be installed elsewhere in the Shoalhaven (without advertising), or recycled as scrap metal.

On the basis that if these seats are retained for the life of the agreement they can then be removed at no cost, and that Council will collect tariffs in this time, the option to remove the seats at a cost had not previously been considered. As Council does not have a budget allocated for removing these seats in 2018, and as the Nowra CBD Revitalisation Strategy Committee has requested that they be removed, the first recommendation is that the Committee elects to fund the full cost of the removal

Risk Implications

If the Nowra CBD Revitalisation Strategy Committee elects to proceed with Option 2, where Council funds the full cost of removal, this will have an impact on the availability of funds for other projects and maintenance.

CL18.198 Report of the Shoalhaven Traffic Committee - 14 August 2018

HPERM Ref: D18/279710

Attachments:

1. Plans for TC18.80 (under separate cover) ➡
2. Plans for TC18.81 (under separate cover) ➡
3. Plans for TC18.83 (TRAV2018/53) (under separate cover) ➡

The Shoalhaven Traffic Committee is a technical review committee not a committee of Council under the Local Government Act, 1993.

The Roads and Maritime Services has delegated certain powers to Council under the Transport Administration Act 1988 (Section 50). A condition of this delegation is that Council must take into account the Traffic Committee recommendations.

IMPORTANT NOTE:

Council cannot amend a Traffic Committee recommendation. The Council can only:

- 1. Adopt the Traffic Committee recommendation;*
- 2. Not Adopt the Traffic Committee recommendation; or*
- 3. Request the Traffic Committee reconsider the issue.*

Other issues can be raised as Additional Business at the Ordinary Meeting.

The full guide to the delegation to Council's for the regulation of traffic can be viewed at: [RMS Website](#)

TC18.80 Dedicated Parking for People with Disabilities - Boat Harbour Beach Toilet Facility – Boronia Street, Bendalong (PN 3496)

HPERM Ref:
D18/224862

Recommendation

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage and line marking for the proposed dedicated parking space for people with disabilities and the associated shared zone, Boat Harbour Beach boat ramp car park, Boronia Street, Bendalong. As detailed in the attached plan.

TC18.81 Regulatory Signage and Line Marking - Roundabout and Pedestrian Refuge - Cambewarra Road, Bomaderry (PN 3508)

HPERM Ref:
D18/271265

Recommendation

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed works on Cambewarra Road, Bomaderry, as part of the Woolworths Development, as detailed in the attached plans, including the proposed roundabout, pedestrian refuge, bus zone, and associated signs and lines proposed, subject to further review of:

1. Turning movements associated with access/egress arrangements for the existing KFC development (likely to require a modification to the internal access immediately to the south of Cambewarra Road);

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2. Detailed engineering plans associated with the mountable roundabout;
3. Line marking and signage between the proposed roundabout and the Princes Highway to ensure appropriate and continuous delineation for motorists travelling through these facilities which are impacted by the proposed works (line marking and signage amendments required); and
4. Street lighting to be in accordance with AS1158 (associated with the roundabout and pedestrian refuge facilities proposed).

TC18.82 No Stopping Zone - Moonah Road, Hyams Beach (PN 3504)

**HPERM Ref:
D18/273219**

Recommendation

That:

1. The Shoalhaven Traffic Committee not support the installation of No Stopping zone time restricted between 6am to 2pm Fridays, on the northern side of Moonah Road for its length.
2. The General Manager (Director Assets and Works) review its decision if a trial collection of bins at an alternate location is unsuccessful.

TC18.83 Business Arising from Previous Minutes - TC18.78 - Regulatory Signage and Line Marking - Roundabout - Intersection Sussex Inlet Road & Golf Course Way, Sussex Inlet (PN 3333)

Recommendation

That:

1. Council rescind the resolution relating to TC18.78 (MIN18.590) adopted on the 31 July 2018 and
2. The General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the revised plans submitted for the Intersection Sussex Inlet Road & Golf Course Way, Sussex Inlet as detailed in the attached plan TRAF2018/53 - a to k subject to a review of:
 - a. Street lighting pursuant to AS1158 but with consideration to reducing the number of hazardous poles in close proximity to the roundabout and associated approach works and;
 - b. Other matters to be addressed in accordance with Shoalhaven Development Control plan 2014 (chapter S2: Badgee urban release area) to mitigate any adverse environmental impacts on residents.

TC18.85 Additional Item - Use of Myrtle Street by Tractors

Recommendation

That the General Manager (Director Assets & Works) be requested to arrange community consultation in relation the load limit being lifted on Myrtle Street, Milton to allow farmers to use this route.

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CL18.199 Amendment of Delegation to the Development Committee

HPERM Ref: D18/283659

Group: General Manager's Group

Purpose / Summary

To amend the adopted delegation afforded to the Development Committee to reflect the changes in numbering of the provisions of the Environmental Planning and Assessment Act, 1979.

Recommendation

That the Delegation of the Development Committee of the Council be amended to the following:

Development Committee

THAT pursuant to s377 (1) of the Local Government Act 1993 the Committee is delegated the functions conferred on Council by the Environmental Planning & Assessment Act 1979 (EPA Act), Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the attached Schedule, subject to the following limitations:

- i. The Committee cannot make a decision to make a local environmental plan to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the LG Act;
- ii. The Committee cannot review a section 8.11 or section 8.9 EPA Act determination made by the Council or by the Committee itself;
- iii. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- iv. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council; and
- v. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council.

SCHEDULE

- a. All functions relating to the preparation, making, and review of local environmental plans (LEPs) and development control plans (DCPs) under Part 3 of the EPA Act.
- b. All functions relating to the preparation, making, and review of contributions plans and the preparation, entry into, and review of voluntary planning agreements under Part 7 of the EPA Act.
- c. The preparation, adoption, and review of policies and strategies of the Council in respect of town planning and environmental matters and the variation of such policies.
- d. Determination of variations to development standards related to development applications under the EPA Act where the development application involves a development which seeks to vary a development standard by more than 10% and the application is accompanied by a request to vary the development standard

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under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or an objection to the application of the development standard under State Environmental Planning Policy No. 1 – Development Standards.

- e. Determination of variations from the acceptable solutions and/or other numerical standards contained within the DCP or a Council Policy that the General Manager requires to be determined by the Committee
- f. Determination of development applications that Council requires to be determined by the Committee on a case by case basis.
- g. Review of determinations of development applications under sections 8.11 and 8.9 of the EP&A Act that the General Manager requires to be determined by the Committee.
- h. Preparation, review, and adoption of policies and guidelines in respect of the determination of development applications by other delegates of the Council.

Options

1. Adopt the amendments as outlined in the recommendation

Implications: No change of procedure, or meeting practice is required, the changes merely reflect the new provision numbers in the amended act.

2. Make other amendments to the Delegation of the Committee

Implications: The wording of the delegations is based upon legal advice to the Council. It is suggested that should the Council wish for other changes to be made, that a recommendation be made for a report to be provided to the Council outlining amended wording which meets the intent of the Council and legal requirements.

Background

The last delegation of the Development Committee was adopted on 26 September 2017 (MIN17.847) as part of the annual review and appointment of Core Committees.

In November 2017, the NSW Parliament passed the Environmental Planning and Assessment Act 2017 which amended the Environmental Planning and Assessment Act, 1979 and commenced on 1 March 2018.

The changes included the renumbering of existing provisions which are reflected in the Development Committee's Delegation.

The proposed recommendation seeks to address the changes to numbering of the provisions which are quoted in the delegation; namely amending the previous references of:

- s82A to the new provision section 8.11 (at Part ii and Schedule g) of the delegation)
- s96AB to the new provision section s8.9 (at Part ii and Schedule g) of the delegation)
- Part 3 (contributions plans, voluntary planning agreement) to the new Part 7 (at Schedule b) of the delegation

The reference to Part 3 (at Schedule a) of the delegation) remains correct.

The proposed changes do not impact upon the operations of the Committee.

CL18.199

CL18.200 Bi-Annual Delivery Program and Operational Report - 1st January 2018 to 30th June 2018

HPERM Ref: D18/286803

Group: General Manager's Group
Section: Executive Strategy

Attachments: 1. Bi-Annual Report Delivery Program and Operational Plan - Jan 2018 - June 2018 (under separate cover) [↗](#)

Purpose / Summary

The purpose of this report is to provide information on how the organisation has performed against targets in the Delivery Program and Operational Plan during the last six months of the 2017/18 financial year commencing 1 January 2018.

Recommendation

That the report of the General Manager (Executive Strategy) regarding progress to 30 June 2018 on the 2017/2021 Delivery Program and 2017/2018 Operational Plan be received for information, endorsed and published on Council's website.

Options

1. As recommended

Implications: Council will meet its legislative requirements under the Local Government Act and inform the community of progress towards Community Strategic Plan Key Priorities.

2. Adopt the recommendation and seek a further report on specific aspects of the six monthly report

Implications: Additional staff resources required to produce additional information

Background

Attached (**Attachment '1'**) is the six-monthly progress report on the Delivery Program and Operational Plan. The Bi-annual Report provides a snapshot of how the organisation has performed against targets during the last six months of the 2017/2018 financial year. Currently all four-year Goals are 'on' target and have associated comments describing the work completed over the past two quarters. Highlights for each Key Priority have been provided to document the range and depth of work currently being completed.

Community Engagement

Community engagement on the development of the Delivery Program and Operational Plan is maintained through the feedback mechanism provided by this report.

CL18.200

CL18.201 Investment Report - July 2018

HPERM Ref: D18/279893

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Monthly Investment Report - Shoalhaven City Council (under separate cover) ➡

Purpose / Summary

In accordance with section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation, a written report is provided to Council setting out details of all money it has invested.

Recommendation

That the report of the General Manager (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 31 July 2018 be received for information.

Options

1. The report on the Record of Investments for the period to 31 July 2018 be received for information.

Implications: Nil.

2. Further information regarding the Record of Investments for the period to 31 July 2018 be requested.

Implications: Nil.

3. The report on the Record of Investments for the period to 31 July 2018 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 31 August 2018.

Implications: Nil.

Background

Please refer to the attached monthly report provided by Council's Investment Advisor – CPG Research and Advisory Pty Ltd.

The interest earned to the month of July was \$546,857; 13.60% of the full year budget. Spending against the loan funds for the REMS 1B project is on track but slightly behind estimated project cashflows, producing higher than expected interest earnings for the month.

Fund	Budget	Actual	%
General	\$2,328,000	\$285,288	12.25%
Water	\$794,000	\$120,859	15.22%
Sewer	\$900,000	\$140,710	15.63%
Total	\$4,022,000	\$546,857	13.60%

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The interest earned for the month of July was \$546,857, which was \$205,263 above budget. As the total cash declines during the year and the longer term deposits mature, the actual interest earned will reduce.

Fund	Monthly Budget	Actual	Difference
General	\$197,721	\$285,288	\$87,568
Water	\$67,436	\$120,859	\$53,423
Sewer	\$76,438	\$140,710	\$64,272
Total	\$341,595	\$546,857	\$205,263

While Council's fossil fuel exposure is reported as 58% at July 2018, this relates to REMS 1B funds currently invested in the TCorp IM Cash Fund; the underlying exposure is 44%.

RECORD OF INVESTMENTS Cash and Investment Balances

	July 2018	June 2018
Cash And Investments Held		
Cash at Bank - Transactional Account	\$8,053,158	\$9,281,485
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$55,670	\$32,120
Other Cash and Investments	\$205,584,179	\$211,172,343
	\$213,694,247	\$220,487,188
 Fair Value Adjustment	 \$167,510	 \$152,871
Bank Reconciliation	\$117,945	\$123,686
	\$285,455	\$276,556
 Book Value of Cash and Investments	 \$213,979,702	 \$220,763,744
 Less Cash & Investments Held In Relation To Restricted Assets		
Employee Leave Entitlements	\$8,135,913	\$8,135,913
Land Decontamination	\$1,530,473	\$1,530,473
Critical Asset Compliance	\$2,140,515	\$2,335,632
North Nowra Link Road	\$475,234	\$466,051
Other Internal Reserves	\$4,952,924	\$5,324,032
Section 94 Matching Funds	\$340,693	\$340,693
Strategic Projects General	\$2,327,439	\$3,085,261
Industrial Land Development Reserve	\$7,617,308	\$7,361,598
Plant Replacement	\$2,297,891	\$1,852,948
Financial Assistance Grant	\$6,217,467	\$6,217,467
S94 Recoupment	\$519,243	\$508,212
Commitment To Capital Works	\$3,962,319	\$5,122,239
Property Reserve	\$415,618	\$1,992,078
Total Internally Restricted	\$40,933,037	\$44,272,595
 Loans - General Fund	 \$8,070,574	 \$8,179,717
Self Insurance Liability	\$1,327,814	\$1,518,973
Grant reserve	\$8,146,314	\$10,786,717
Section 94	\$33,535,344	\$33,339,755
Storm Water Levy	\$729,076	\$690,761
Trust - Mayors Relief Fund	\$74,740	\$74,740
Trust - General Trust	\$4,323,742	\$3,732,744
Waste Disposal	\$7,574,049	\$3,840,348
Sewer Fund	\$53,133,177	\$61,272,159
Sewer Plant Fund	\$2,009,745	\$2,070,687
Section 64 Water	\$18,933,475	\$18,679,697
Water Fund	\$25,436,420	\$25,197,308
Water Communication Towers	\$1,147,837	\$1,088,371
Water Plant Fund	\$1,985,411	\$1,856,748
Total Externally Restricted	\$166,427,717	\$172,328,725
 Total Restricted	 \$207,360,754	 \$216,601,320
 Unrestricted Cash And Investments		
General Fund	\$6,618,948	\$4,162,424

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The table below lists the major movements:

Total Cash and Investments	-\$6,784,042	
Unrestricted General Fund	+\$2,456,524	
Sewer Fund	-\$8,138,983	Spending on REMS
Strategic Projects Reserve	-\$757,822	Spending on projects
Commitment to capital works	-\$1,159,920	Spending on projects
Property Reserve	-\$1,576,459	Property purchases
Grant Reserve	-\$2,640,404	Spending on projects
Waste Disposal	+\$3,733,702	Timing of contract payments

Financial Implications

It is important for Council to be informed about its investments on a regular basis. Revenue from interests forms a vital part of Council's revenue stream

Certification – Responsible Accounting Officer:

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy number POL18/8.



Michael Pennisi
Chief Financial Officer

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CL18.202 Quarterly Budget Review Statement June 2018

HPERM Ref: D18/262069

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Quarterly Budget Review Statement June 2018 (under separate cover)

Purpose / Summary

In accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to Council a budget review statement after the end of each quarter. This has been carried out for the fourth quarter of the 2017/18 financial year.

Recommendation

That Council:

1. Receive and endorse the June Quarterly Budget Review Report and budget carry forwards (Works In Progress).
2. Adopt the adjustments, including movements to and from Reserves, as outlined in the June Quarterly Budget Review Statement, noting that the Review identifies a favourable variance in the net cost of services of \$937K for 2017/18.
3. Adopt the Revotes (Committed), as recommended in the June Quarterly Budget Review document.
4. Adopt the Revotes (Uncommitted) or alternatively critically review these to determine which projects/programs are no longer required.
5. Allocate \$400K of the favourable variance for 2017/18 as a provision for urgent detailed design works to have strategic infrastructure projects 'shovel ready' for current and pending grant opportunities.
6. Retain the \$537K balance of the favourable variance in net cost of services to improve Council's net cash position.

Options

1. Adopt the recommendation.

Implications: Nil.

2. Adopt parts 1 to 4 of the recommendation and change part 5 to determine the unfunded projects to be included in the 2018/19 budget from the identified positive variance.

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

3. Not adopt the recommendation and make an alternative resolution.

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

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Background

The budget review involves an analysis of Council's annual budget for each Group to confirm the carry forward and revote of funds to 2018/19. This process has been undertaken for the period to 30 June 2018 and any changes have been reported in the Quarterly Budget Review document. This report also analyses the progress of each Group in achieving their financial objectives.

Projects requiring funding

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

Minute / Report	Title	Requested Amount	Funding Obtained	Outstanding
MIN17.797	Hoarding & Domestic Squalor	\$50,000		\$50,000
MIN18.204	Warden Head Lighthouse Ulladulla co-contribution	\$75,000		\$75,000
MIN18.92	Old Erowal Bay - Playground, BBQ Area & Amenities	\$100,000		\$100,000
MIN17.739	LP406 - Falls Ck / Woollamia Deferred areas planning proposal	\$400,000		\$400,000
MIN18.290	Huskisson Traffic Control - roundabout intersection Owen/Sydney/Tomerong Streets	\$800,000		\$800,000
MIN18.295	Drain Maintenance - The Park Drive Sanctuary Point	\$30,000	2018/19 Drainage Capital Program	\$0
MIN18.296	Artie Smith Oval - development of detailed designs	\$200,000	Funded MIN18.470	\$0
MIN18.111	SCARP - Athletics Facility	\$300,000		\$300,000
CL18.123	Repay Land Decontamination Reserve (Berry RFS)	\$400,000		\$400,000
		\$2,355,000		\$2,125,000

With regard to the proposed public toilets at Tomerong, there remains uncertainty about cost depending on:

- the ability to connect to the trustee's water and effluent pump out;
- access from street level and the need for gradients for persons with disabilities to gain access; and
- impact on compliance with current building regulation by the trustee, if the public toilet is attached to the building and availability of compliant car parking for a person with a disability.

Should corrective action be required, then the cost could increase from an estimated \$100,000 to \$300,000. There is nothing in the Contributions Plan that would allow the use of Developer Contributions funds for this project. As investigations continue, updates will be provided to Council regarding the required works and cost.

Net cost of service is the difference between capital and operating revenue and expenditure in a financial year and is calculated to determine movement in accumulated funds for the year. The preliminary results for General Fund in 2017/18 show a favourable variance of \$937K between budget and actual for net cost of service.

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\$'000	Current Budget	June Review Recommended Adjustment	Revote / Carry Forward	Adjusted Budget (net of Carry Forward)	Actual	Variance
Group						
General Manager	1,447	(717)	(368)	362	358	4
Finance, Corporate & Community Services	(34,924)	(8,118)	(6,882)	(49,924)	(51,009)	1,085
Planning, Environment & Development Services	14,313	(47)	(2,573)	11,693	11,580	113
Assets & Works	98,038	(3,520)	(13,280)	81,238	81,371	(133)
Shoalhaven Water	(129)	(19)	0	(148)	(249)	101
Overall Budgeted Cash Deficit to fund	(92)	(115)	0	(207)	0	(207)
Removal of Depreciation Variance						(26)

It is recommended that \$400K of the favourable variance in net cost of services for 2017/18 be allocated a provision for urgent detailed design works for strategic infrastructure projects to have them 'shovel ready' for current and pending grant opportunities.

It is further recommended that the \$537K balance of the favourable variance be retained to improve Council's net cash position.

Council will need to decide whether to:

1. Retain the favourable variance of \$937K to improve Council's net cash position
2. Apply any, or all, of the favourable variance to currently unfunded projects.

Council can also consider if any of the unfunded projects above have a higher priority than the revote (uncommitted) projects, a full list of these projects is found in the Quarterly Budget Review document.

Capital Program

Council adopted a capital works program of \$189.8M for 2017/18 and there were projects carried forward with a value of \$40.3M. During the year, including previous quarterly budget reviews, this budget was reduced by \$31.4M, due to project delays, and the funds were included in the 2018/19 capital program. The resulting final budget is \$198.7M of which \$152.1M has been spent. The following tables and graphs illustrate Council's capital expenditure during 2017/18 and previous financial years (all amounts are in \$'000s).

Capital Expenditure by Fund

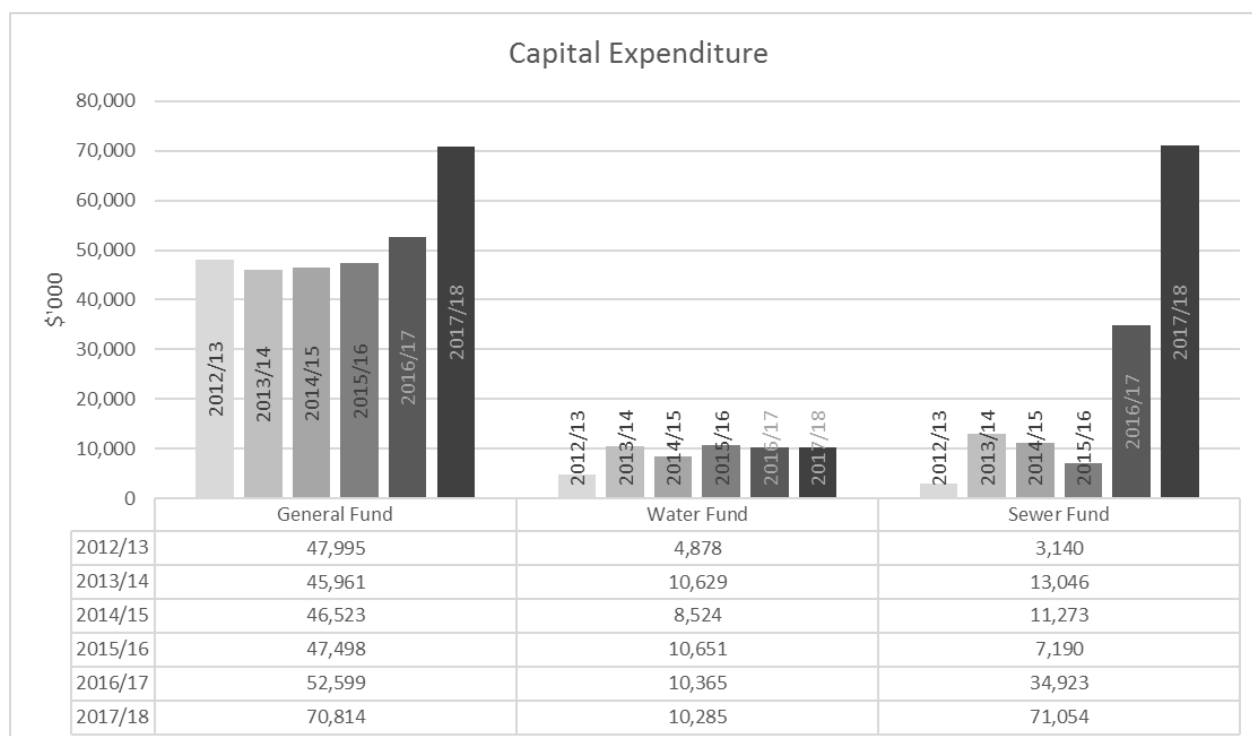
Fund	Original Budget	Carried Forward 16/17	Adjustments during year	Adjusted Budget	Actual	Variance	% Spent
General Fund	62,262	35,363	620	98,245	70,814	27,431	72%
Water Fund	16,065	3,090	-6,055	13,100	10,285	2,815	79%
Sewer Fund	111,467	1,934	-26,042	87,359	71,054	16,305	81%
	189,794	40,387	-31,477	198,704	152,153	46,551	73%

Capital Expenditure by Group

Group	Original Budget	Carried Forward 16/17	Adjustments during year	Adjusted Budget	Actual	Variance	% Spent
General Manager	4,060	5	-3,685	380	293	87	77%
Finance, Corporate & Community Services	12,372	10,248	-3,948	18,672	12,456	6,216	67%
Planning, Environment and Development Services	1,190	816	-390	1,616	866	750	54%
Assets and Works	44,632	24,294	8,643	77,569	57,199	20,370	74%
Shoalhaven Water	127,540	5,024	-32,097	100,467	81,339	19,128	81%
	189,794	40,387	-31,477	198,704	152,153	46,551	73%

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Capital Expenditure by Fund – Previous four years



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Carry Forwards

In this Quarterly Budget Review, three categories of Carry Forward are reported:

1. Works In Progress – projects where the works span more than one financial year and were substantially commenced in 2017/18. These projects do not require the budget to be revoted in 2018/19 and are rolled-over into 2018/19.
2. Revotes (Committed) - projects that have not been substantially commenced but there is a contractual obligation entered by Council. These projects are required to be voted by Council; however, due to contractual obligations, it is highly recommended to vote these funds into 2018/19
3. Revotes (Uncommitted) - projects have not been substantially commenced. No contractual obligation has been made but the works are still expected to be completed. These projects are required to be voted by Council. Council may consider if these projects are still a priority for 2018/19 or if any projects on the unfunded list above have a higher priority.

Below are summaries of the Carry Forwards by Council Groups (amounts are in \$'000s):

Capital Expenditure Carry Forwards

Group	Carry Forwards			
	Works In Progress	Revote (Committed)	Revote (Uncommitted)	Total
General Manager	88	0	0	88
Finance, Corporate & Community Services	3,902	520	1,831	6,253
Planning, Environment and Development Services	0	577	18	595
Assets and Works	11,572	7,715	1,055	20,342
Shoalhaven Water	19,518	0	0	19,518
	35,080	8,812	2,904	46,796

Operating Expenditure Carry Forwards

Group	Carry Forwards			
	Works In Progress	Revote (Committed)	Revote (Uncommitted)	Total
General Manager	403	0	0	403
Finance, Corporate & Community Services	423	100	136	659
Planning, Environment and Development Services	1,383	1,898	389	3,670
Assets and Works	48	344	0	392
Shoalhaven Water	0	0	0	0
	2,257	2,342	525	5,124

Grants and contributions still anticipated that are a source of funding for these Capital and Operating Carry Forwards are summarised in the following table of Revenue Carry Forwards.

Revenue Carry Forwards

Group	Carry Forwards			
	Works In Progress	Revote (Committed)	Revote (Uncommitted)	Total
General Manager	123	0	0	123
Finance, Corporate & Community Services	-5	33	0	28
Planning, Environment and Development Services	1,213	478	0	1,691
Assets and Works	4,984	2,466	0	7,450
Shoalhaven Water	0	0	0	0
	6,315	2,977	0	9,292

Some of the major projects classified as Works in Progress are:

Project	Works in Progress \$	Comment
REMS 1B	\$17.7M	Works ongoing – contract spans multiple years
Jerberra Estate Construction works	\$2.5M	Works are at practical completion
Shoalhaven Indoor Sport Centre construction	\$2.1M	Estimated completion Dec 18
Flinders Road full length widening	\$1.2M	Estimated completion end Oct 18
Corporate Business Systems	\$716K	Works ongoing –multiple modules
Chris Creek – Shared Path	\$679K	Estimated completion March 19
Moona Moona Creek Bridge, Naval College Road	\$657K	Official opening Q1 18/19
Jacobs Drive Streetscape	\$533K	Completion estimated Q1 18/19
Landfill extension – West Nowra	\$475K	Estimated completion Q4 18/19
Water main replacement between Burrill Lake and Lake Tabourie	\$200K	Works nearing completion

Some of the major Revotes (Committed) projects are as follows:

Project	Revote (Committed) \$	Comment
Verons Estate Construction works	\$2.1M	Special rate funded on Veron's residents. Delays due to environmental surveys in May 2018, requiring redesign (currently in progress).
Greenwell Point Marina	\$1.1M	Grant funded project. Approvals being sought

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Project	Revote (Committed) \$	Comment
The Wool Road Old Erowal Bay	\$1.1M	Contractor now appointed, additional funds in 18/19
Woollamia Regional Boat Ramp	\$773K	Grant funded project, designs finalised July 18. Staged construction during 18/19.
Prince Edward Avenue Stage 2	\$684K	Contractor now appointed

Council need to determine whether some of the major Revotes (Uncommitted) projects should proceed in 2018/19:

Project	Revotes (Uncommitted)		Comment
	Unrestricted	Restricted	
Bay & Basin Community Hub: \$807K	\$211K	\$251K Developer Contributions Recoupment \$210K Developer Contributions \$135K Developer Contributions matching funds	Project is funded by Developer Contributions. Should this not proceed, funds will be returned to Developer Contributions Reserve
Nowra Administration Building – Chiller Replacement: \$427K	\$377K	\$50K Plant Replacement Reserve	Project has been designed. Intention is for replacement to proceed Q3 18/19 should funds be revoted
Nowra CBD Revitalisation Funds: \$388K	\$388K	\$0	Whilst these funds are unspent, the intention is to combine with the new budget allocation of \$500K in 18/19 in order to fund upgrades to Berry Street.
Shoalhaven Regional Gallery Climate Control System: \$278K	\$0	\$278K Strategic Projects Reserve	Grant funds are currently being sought to supplement the project budget. This project is critical for ongoing Gallery operations and exhibitions
Voyager Memorial Park – Playground \$249K	\$249K		Currently on hold pending design of the park upgrade. Part of this funding is tied to future Federal Grant funding.
Skate Park Provision: \$245K	\$0	\$245K Loans	It is proposed to use these funds for the skatepark at Bay & Basin per the planning & design requirement.

A full list of the projects being Carried Forward (Works in Progress, Revote (Committed) and Revote (Uncommitted)) can be found in the Quarterly Budget Review document.

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2017/18 Preliminary Budget Results and Movements - Council's Funds

General Fund

Summary of General Fund 2017/18 Budget Result

The budget adopted by Council for 2017/18 produced an operating surplus of \$15.6M including capital grants and an operating deficit before Capital Grants and Contributions of \$2.6M. The preliminary results at year-end are favourable with the operating result exceeding the June adjusted budget.

General Fund - Summary of Results

\$'000	Original Budget incl revotes	Adjusted Budget	2017/18 Actual YTD
Total Income from Continuing Operations	\$239,105	\$256,992	\$248,983
Total Expenses from Continuing Operations	\$223,517	\$230,969	\$226,443
Net Operating Result	\$15,588	\$26,023	\$22,540
Operating Result before Capital Grants and Contributions	-\$4,051	-\$1,927	\$1,272
Non-Operating Expenditure	\$97,626	\$98,242	\$70,814
Cash & Cash Equivalents - start of year	\$12,499	\$12,499	\$12,499
Net Cash Movement:			
<i>Operating Activities</i>	\$53,587	\$65,182	\$67,534
<i>Investing Activities</i>	-\$59,803	-\$49,443	-\$55,311
<i>Financing Activities</i>	\$3,504	\$3,577	\$3,576
Cash & Cash Equivalents - end of year	\$9,787	\$31,815	\$28,298
Total Cash and Investments - end of year	\$66,677	\$79,705	\$110,596

It is important to remember that the above figures are preliminary results only. Year-end adjustments relating to the discounting of employee leave entitlements, adjustments to provisions and other year-end reconciliations and movements will create the final results and the financial indicators for the 2017/18 financial year. These results will be audited and subsequently published in Council's Annual Financial Statements.

Income

As at 30 June, General Fund achieved 97% of the June Adjusted Budget.

The key reason for the underperformance on income was a shortfall of \$8.8M for grants and contributions. The shortfall in grants this year is expected to be received in the new year and the budget has been carried forward. Excluding grants and contributions, General Fund achieved 100% of the income budget.

The June Quarterly Budget Review Statement recommends a budget increase of \$8.9M, largely due to the advance receipt of the first instalment of the Financial Assistance Grant. The major adjustments (offset by a corresponding adjustment in expenditure, unless otherwise stated) in the review are:

Category	Amount \$'000	Reason
Rates & Annual Charges	62	<ul style="list-style-type: none"> Additional rating income received from part-year rating +\$63K Reduction in Stormwater levy received (-\$1K)

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Category	Amount \$'000	Reason
User Charges & Fees	834	<ul style="list-style-type: none"> Waste receipts +\$752K, offset to reserve UOW Mind the Gap +\$111K to match total of project funding agreement Telecommunication tower, reduction offset to reserve (\$23K) Crematorium reserve – align per MIN07.229b – offset to reserve (\$7K)
Interest & Investment Revenue	100	<ul style="list-style-type: none"> Reduction to Waste services interest (-\$18K), offset to reserve Increase in Developer contributions interest +\$118K, offset to reserve
Other Revenues	21	<ul style="list-style-type: none"> Insurance receipts from claims +\$67K, offset to reserve Community Path contribution +\$5K Waste receipts decrease (-\$51K), offset to reserve
Internal Revenue	1,081	<ul style="list-style-type: none"> Business units contributions to insured events +\$26K, offset to reserve Waste services, increase of +\$527K (predominantly for plant recoverables), offset to reserve Plant & Fleet, increase of +\$489K, offset to reserve Telecommunication towers increase of +\$62K, offset to reserve Return of contribution to Shoalhaven Water (-\$26K) for Sustainable Futures
Grants & Contributions - Operating	6,330	<ul style="list-style-type: none"> Advance receipt of Financial Assistance Grant +\$6.2M, offset to reserves 2 new grants Economic Development +\$75K 3 new grants for biodiversity and flying foxes +\$82K 3 new grants Waste +\$287K Grant reductions x 2 (change of scope) (-\$320K)
Grants & Contributions – Capital	530	<ul style="list-style-type: none"> Reduction per MIN18.491 2a (\$955K) Reduction per MIN17.821 (\$190K) Developer contributions offset to reserve +\$1.62M Reclassification of grants between capital and operational +\$40K

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Operating Expenditure

General Fund ended the year at 98% of the June Adjusted Budget. The June Quarterly Budget Review Statement recommends a budget increase of \$1.4M. This increase consists of:

Category	Amount \$'000	Reason
Employee Benefits & Oncost	35	<ul style="list-style-type: none"> Return of section 94 budget to reserves (\$5K) Fund expenditure Fleet Administration +\$43K, offset by reserves
Materials & Contracts	(826)	<ul style="list-style-type: none"> Waste services – return to reserves (\$1.5M) Buildings and Property – fund expenses +\$262K SEC – transfer to capital (\$39K) Arts centre – transfer to reserve +\$6K Economic Development +\$124K – UOW +\$112K increase, offset by revenue; +\$12K increase to fund expenditure on Industrial Land, offset by reserve Environmental Management +\$57K increase Transfers between capital and operational +\$161K Insurance costs +\$3K, offset by reserve Regulatory Services, increase +\$102K for grants (Heritage, Biodiversity, Flying foxes)
Other Expenses	1,705	<ul style="list-style-type: none"> Waste Levy increase +\$1,693M Transfers between capital and operational +\$105K Fleet management expenses, offset to reserve +\$38K Reductions in Insurance (\$156K), offset to reserves
Internal Expenses	457	<ul style="list-style-type: none"> Fleet management expenses +\$239K, offset to reserves Insurance expenses +\$142K, offset to reserves Waste services expenses +\$132K, offset to reserves Return to Shoalhaven Water for Sustainable futures (\$26K) Transfers between capital and operational (\$30K)

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Capital Expenditure

Capital expenditure as at 30 June 2018 is 72% of the June Adjusted Budget (excluding commitments). The June Quarterly Budget Review Statement recommends a budget decrease of \$4.7M. This decrease consists of:

Program	Amount \$'000	Reason
Buildings & Property	(399)	<ul style="list-style-type: none"> Transfer (\$350K) to operating to fund expenditure not being capitalised. The remaining was unspent funds transferred to Bolong Road works, to fund works still to be completed.
Commercial Undertakings	39	<ul style="list-style-type: none"> Shoalhaven Entertainment Centre – transfer from operational budgets for a range of capital improvements (carpeting, elevated work platform, new POS system)

Program	Amount \$'000	Reason
Economic Development	(446)	<ul style="list-style-type: none"> Align to new forecast of spend, full details in the report
Environmental Management	(397)	<ul style="list-style-type: none"> Transferred to operating to fund expenditure not being capitalised.
Fire Protection and Emergency Services	107	<ul style="list-style-type: none"> Transfer from unrestricted general fund for the SES hard stand
Internal Corporate Services	(1,069)	<ul style="list-style-type: none"> Return (\$973K) to plant replacement reserve for unspent funds Transferred (\$96K) to operating to fund expenditure not being capitalised
Land Use Planning	7	<ul style="list-style-type: none"> From Developer Contributions reserve to fund set up of website.
Open Space, Sport and Recreation	85	<ul style="list-style-type: none"> Transfer (\$22K) to operating to fund expenditure not being capitalised +\$94K contribution received for lighting upgrades, project to continue into 2018/19 +\$32K received for a capital grant at Voyager Park, project to continue into 2018/19 Completed Narang Road tennis lighting, (\$23K) transferred to various projects requiring funding to be completed in 2018/19
Roads and Transport	(2,176)	<ul style="list-style-type: none"> Reduction in Currarong Road for a reduced grant (\$955K) Return unspent fund on Greenwell Point Road to Plant Replacement Reserve (\$370K) Corrected budget for shared user path in Vincentia (\$190K) Return funds to Strategic Projects Reserve (\$323K) as the Far North Collector Road is not Federally Funded and Turpentine Road is completed. Waterways grants reduction in expenditure (\$94K) Return unspent funds to Developer Contributions reserve for Sussex Inlet Carparks (\$73) The remainder is transfers to operating expenditure for projects that are not able to be capitalised
Waste and Recycling Program	(492)	<ul style="list-style-type: none"> Unspent funds returned to Waste Management Reserve

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Asset Sales

Asset sales are at 100% of the June Adjusted Budget, with sales of industrial lands exceeding forecast, partly offset by less than expected asset sales associated with landfill and transfer station operations.

Reserve Movements

The June Quarterly Budget Review Statement recommends a budget increase of \$12.5M in transfers to reserves. This increase consists of:

Reserve	Amount \$'000	Reason
Arts Collection	6	<ul style="list-style-type: none"> Unspent arts purchase, returned to reserve
Cemeteries	(7)	<ul style="list-style-type: none"> Reduction in Cremator income and decreased transfer to the reserve.
Communication Towers	19	<ul style="list-style-type: none"> Net increase in tower income received
Economic Projects	107	<ul style="list-style-type: none"> Return unspent funds to reserve
Financial Assistance Grant	6,217	<ul style="list-style-type: none"> Prepayment of 2018/19 Financial Assistance Grant received in June 2018
General Insurance	41	<ul style="list-style-type: none"> Return unspent funds to reserve
Industrial Land	649	<ul style="list-style-type: none"> Return unspent funds to reserve +\$439K Sale of industrial land +\$210K
Land Decontamination	10	<ul style="list-style-type: none"> Return unspent funds to reserve
Plant Replacement	1,533	<ul style="list-style-type: none"> Return unspent funds to reserve +\$1,075K Additional revenue +\$458K
Developer Contributions	1,761	<ul style="list-style-type: none"> Developer contributions received offset to reserve +\$1,743 Return unspent fund to reserve +\$18K
Self Insurance	69	<ul style="list-style-type: none"> Additional income from Statewide distribution +\$52K Return unspent funds to reserve +\$17K
Property Reserve	137	<ul style="list-style-type: none"> Return unspent funds to reserve +\$90K Additional income received +\$47K
Sporting Facilities	(9)	<ul style="list-style-type: none"> Fund expenditure by Tennis Associations that contributed to the restricted account (\$6K) Reduction in income to reserve (\$3K)
Strategic Projects	392	<ul style="list-style-type: none"> Return unspent funds to reserve
Waste Disposal	1,616	<ul style="list-style-type: none"> Return unspent funds to reserve +\$349 Additional income reserve to reserve +\$1,267K

CL18.202

Water Fund

Summary of Water Fund 2017/18 Preliminary Budget Result

The original budget adopted by Council for 2017/18 produced an operating surplus of \$2.1M and an operating surplus before Capital Grants and Contributions of \$607K. The preliminary results at year-end are favourable, with the operating result exceeding the June adjusted budget.

Water Fund - Summary of Results

\$'000	Original Budget incl revote	Adjusted Budget	2017/18 Actual YTD
Total Income from Continuing Operations	27,261	30,820	33,022
Total Expenses from Continuing Operations	25,154	26,371	26,022
Net Operating Result	2,107	4,449	7,000
Net Operating Result before grants and contributions provided for capital purposes	607	2,402	4,953
Non-Operating Expenditure	19,155	13,100	10,285
Cash & Cash Equivalents - start of year	4,600	4,600	4,600
Net Cash Movement:			
<i>Operating Activities</i>	10,118	13,736	15,926
<i>Investing Activities</i>	(2,306)	3,789	(6,976)
<i>Financing Activities</i>	(1,552)	(1,552)	(1,570)
Cash & Cash Equivalents - end of year	10,860	20,573	11,980
Total Cash and Investments - end of year	32,928	42,641	46,822

The June Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and variances to date.

Income

As at 30 June, Water Fund has achieved 107% of the revised budget. The variance of \$2.202M is mainly due to drier weather conditions resulting in increased water usage.

The June Quarterly Budget Review Statement recommends an increase of \$981K. This adjustment mainly relates to Section 64 income and interest received exceeding forecasts in the last quarter.

Category	Amount \$'000	Reason
User Charges & Fees	149	<ul style="list-style-type: none"> Communication tower income received, offset to reserve.
Interest and Investment Revenue	237	<ul style="list-style-type: none"> Interest income higher than expected due to reforecasting of some capital projects
Other Revenues	11	<ul style="list-style-type: none"> Income from general fines and costs recovered higher than expected.
Internal Revenues	187	<ul style="list-style-type: none"> Plant hire income received, offset to reserve
Grants & Contributions – Capital	397	<ul style="list-style-type: none"> Section 64 contributions received, offset to reserve.

CL18.202

Operating Expenditure

Water Fund is on target with operating expenditure at 98% of the revised budget.

An adjustment of \$98K is recommended for this review. This adjustment relates to the return of funds to reserves.

Category	Amount \$'000	Reason
Employee Benefits & Oncost	(26)	<ul style="list-style-type: none"> Unspent budget returned to reserve.
Materials and Contracts	(26)	<ul style="list-style-type: none"> Unspent Communication Tower budget returned to reserve
Internal Expenses	150	<ul style="list-style-type: none"> Transfer budget from fleet reserve.

Capital Expenditure

Capital expenditure, as at 30 June, is 79% of the June Adjusted Budget (excluding commitments). The variance of \$1.2M (after carry forwards) is mainly due to a number of projects coming in under budget.

Program	Amount \$'000	Reason
Water Services	(188)	<ul style="list-style-type: none"> Unspent funds being returned to Water Fleet and Tower reserves

Asset Sales

Asset sales is at 100% of the revised budget. There is an adjustment of \$49K recommended to the Water Fleet Reserve, as sales proceeds exceeded the forecast.

Sewer Fund

Summary of Sewer Fund 2017/18 Preliminary Budget Result

The budget adopted by Council produced an operating surplus of \$11.9M and an operating surplus before Capital Grants and Contributions of \$10.4M. The preliminary results at year-end are favourable with the operating result exceeding the June adjusted budget.

CL18.202

Sewer Fund - Summary of Results

	Original Budget incl revote	Adjusted Budget	2017/18 Actual YTD
\$'000			
Total Income from Continuing Operations	48,016	51,154	52,251
Total Expenses from Continuing Operations	36,086	36,001	34,447
Net Operating Result	11,930	15,153	17,804
Net Operating Result before grants and contributions provided for capital purposes	10,430	12,506	15,157
Non-Operating Expenditure	113,401	87,359	71,054
Cash & Cash Equivalents - start of year	10,364	10,364	10,364
Net Cash Movement:			
<i>Operating Activities</i>	20,745	24,658	27,827
<i>Investing Activities</i>	(68,161)	(42,099)	(38,215)
<i>Financing Activities</i>	44,511	44,511	44,509
Cash & Cash Equivalents - end of year	7,459	37,434	44,485
Total Cash and Investments - end of year	10,463	40,438	63,344

The June Quarterly Budget Review Statement details the recommended budget adjustments with comments on these adjustments and any significant variances. Below is a summary of the adjustments and variances to date.

Income

As at 30 June, Sewer Fund has achieved 102% of the revised budget. This variance of \$1.097M is mainly due to the following:

- Wastewater availability and usage increased due to new assessments
- Chargeable works increased
- Trade waste income increased with higher usage
- Effluent service charges increased

An increase of \$743K is recommended for this review. This adjustment mainly relates to the increased number of Section 64 contributions received in the last quarter.

Category	Amount \$'000	Reason
Interest and Investment Revenue	210	• Interest income higher than expected due to reforecasting of capital projects
Other Revenues	19	• Plant hire income received, offset to reserve
Internal Revenues	17	• Plant hire income received, offset to reserve
Grants & Contributions – Capital	497	• Section 64 contributions received, offset to reserve.

CL18.202

Operating Expenditure

Operating Expenditure as at 30 June is 96%. This variance of \$1.585M is largely reflected in the operations and maintenance of mains, pumping stations and treatment works.

An adjustment of \$10K is recommended for this review. The major adjustments include a transfer between water and sewer fund for shared business services

Category	Amount \$'000	Reason
Internal Expenses	10	<ul style="list-style-type: none"> Transfer budget from fleet reserve.

Capital Expenditure

The original sewer capital budget was \$111M. This was revised during the year to \$87.6M. The final expenditure for the financial year was \$71.0M which represents 81% of the revised budget.

Program	Amount \$'000	Reason
Sewer Services	(287)	<ul style="list-style-type: none"> Unspent funds being returned to Sewer Fleet reserve

Asset Sales

Asset sales are at 99% of the revised budget. An adjustment of \$34K is recommended, to the Sewer Fleet Reserve as sales proceeds exceeded the forecast.

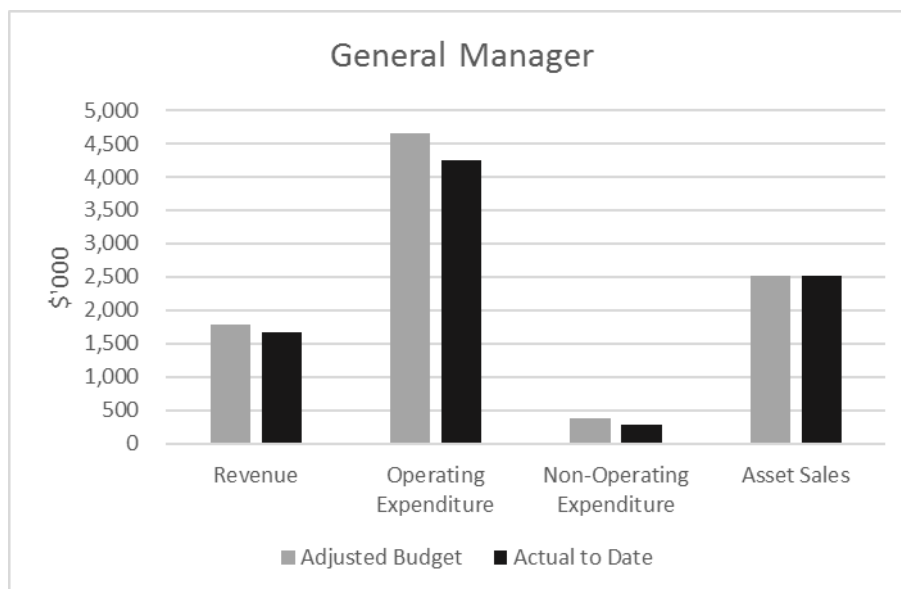
Key Performance Indicators

The June Quarterly Budget results are preliminary only and year-end adjustments relating to the discounting of employee leave entitlements, adjustments to provisions and other year end reconciliations and movements will create the final results and the final key performance indicators for the 2017/18 financial year.

CL18.202

Council's Groups

General Manager's Group



The recommended budget changes, revised budget and result to date for the General Manager's Group are summarised below, details of the adjustments and variances are included in the June Quarterly Budget Review Statement.

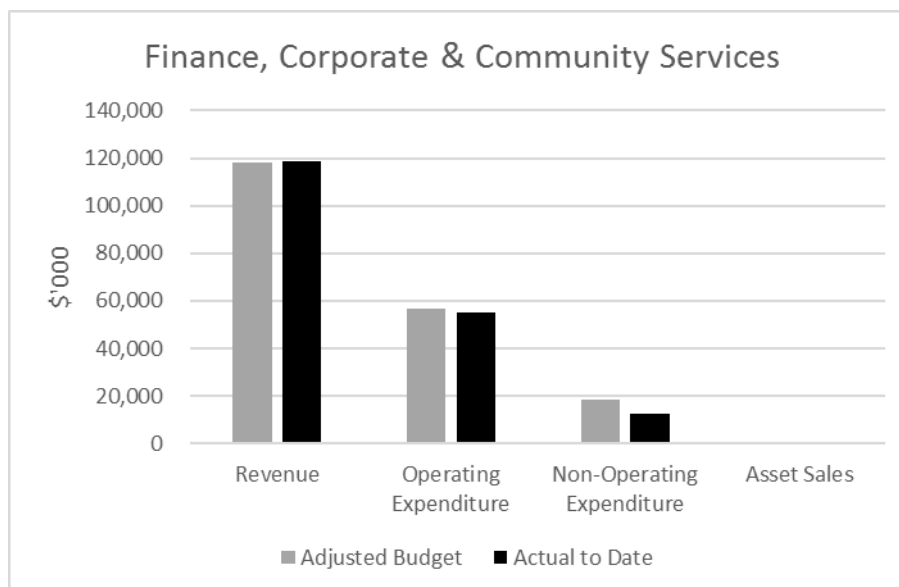
	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance
Revenue	1,607	183	1,790	1,671	93%	(119)	(123)	4
Operating Expenditure	4,528	122	4,650	4,246	91%	404	(403)	1
Non-Operating Expenditure	826	(446)	380	293	77%	87	(88)	(1)
Asset Sales	2,300	210	2,510	2,510	100%	0	0	0

General Manager's Comments:

The budget results are primarily on track. The variations and revote/carry forwards as noted in the attachments relate to grant funded projects: Mind the Gap, Ulladulla Harbour Berthing Facility and the Motorsports project investigations.

CL18.202

Finance, Corporate and Community Services



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

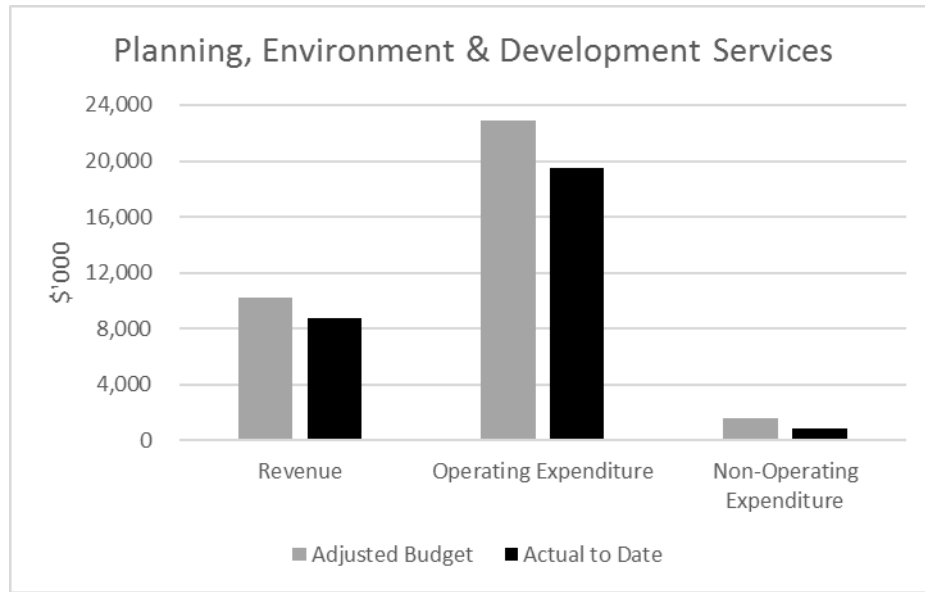
	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Carry Forward	Balance	
Revenue	110,144	8,172	118,316	118,709	100%	393	(28)	421	1,085
Operating Expenditure	56,604	13	56,617	55,255	98%	1,362	(658)	704	
Non-Operating Expenditure	18,631	41	18,672	12,456	67%	6,216	(6,252)	(36)	
Asset Sales	15	0	15	11	73%	(4)	0	(4)	

Group Director's Comments:

The year-end results for Revenue and Operating Expenditure are in line with budget forecasts. After allowing for Operating Expenditure carry forwards as presented in the Quarterly Budget Review Statement, the savings relates to a range of operational functions within the HR, Governance & Finance departments.

CL18.202

Planning, Environment and Development Services



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

	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance	
Revenue	10,407	(200)	10,207	8,777	86%	(1,430)	(1,691)	261	113
Operating Expenditure	22,713	144	22,857	19,491	85%	3,366	(3,669)	(303)	
Non-Operating Expenditure	2,007	(391)	1,616	866	54%	750	(595)	155	

Group Director's Comments:

Considering all the unknown issues experienced in this quarter the budget is tracking well. There have been a number of unexpected costs, e.g., court matters. The proposed revotes essentially relate to ongoing projects that have been externally funded or relate to Council Minutes.

CL18.202

Small Lot Rural Subdivision

REZONING INVESTIGATIONS			
Updated 30th June 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	350,000	150,000	200,000
Loan Funded (transferred from Road Design)		12,968	
Special Rates (from construction)		6,626	
Special Rates (from construction) (returned)		-5,213	
Strategic Planning Consultants Budget		25,000	
Previous Contributions (Pre 1996)	0	2,571	0
Transfer to Road Construction	-55,049		
	294,951	191,952	200,000
Expenditure			
Salaries	157,224	32,614	48,929
Consultants	123,636	157,396	61,876
Other	14,091	1,942	20,085
Commitments in 2018/19	0	0	0
	294,951	191,952	130,890
Variance	0	0	69,110
ROAD DESIGN AND INVESTIGATIONS			
Updated 30th June 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded	184,438	50,281	50,281
Transfer to road construction	-168,616	0	-22,800
Transfer to rezoning	0	-12,968	0
	15,822	37,313	27,481
Expenditure			
Salaries	0	0	0
Consultants	12,333	37,313	16,835
Other	3,488	0	0
Commitments in 2018/19	0	0	0
	15,821	37,313	16,835
Variance	0	0	10,646

CL18.202

ROAD CONSTRUCTION Updated 30th June 2018			
	Jerberra	Verons	Nebraska
Funding			
Loan Funded (from investigations)	168,616	0	22,800
General Fund	0	3,000	0
Strategic Projects (2008/09)	82,020	41,738	11,750
Special Rate Funded	232,640	141,011	77,108
Infrastructure Special Rate (Loan)	7,200,000	2,130,000	0
Transfer to Estate Rezoning		-6,626	
Transfer to Estate Rezoning (returned)		5,213	
Transfer from Estate Rezoning	55,049		
	7,738,325	2,314,336	111,658
Expenditure			
Salaries	50,282	33,432	5,569
Consultants	11,662	0	12,575
Other	4,906,108	146,554	79,996
Commitments in 2018/19	39,665	0	0
	5,007,718	179,986	98,139
Variance	2,730,607	2,134,351	13,519
Notes:			
Expenditure details will be updated quarterly.			
Upon completion of the rezoning investigations, any excess funding from rezoning investigations will be redirected to road investigations and construction for the relevant Estate at the appropriate time. Options to address any negative variance values will be considered in the future. If necessary, funding may be transferred between the rezoning investigation, road investigation and road construction budgets for each Estate. Funding will not be transferred from one Estate to another.			

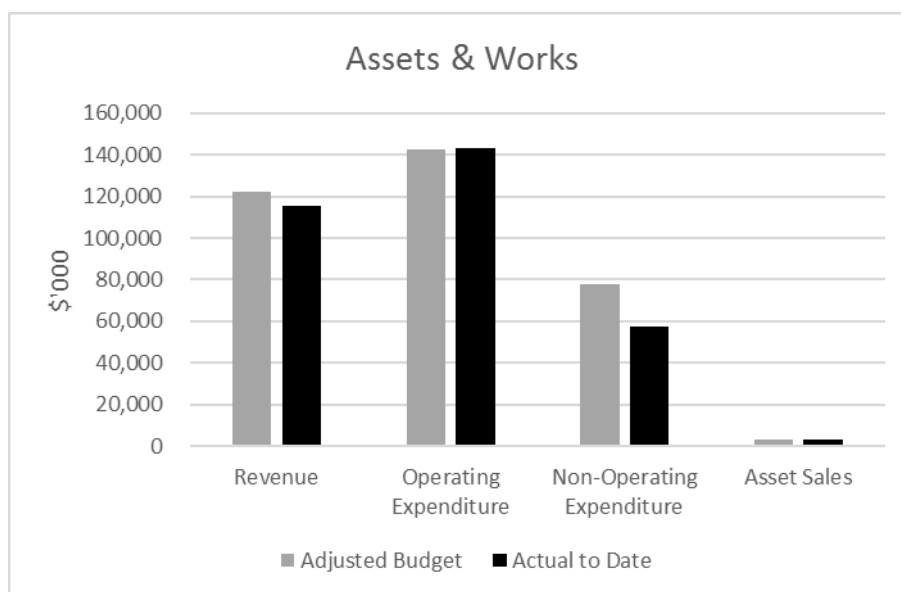
Nebraska Estate: \$69,110 remains for progressing rezoning investigations.

Verons Estate: The \$150,000 borrowed in 2006 to fund the rezoning investigations has been fully spent. A total of \$25,000 has now been transferred from the Strategic Planning Consultants budget. This will need to be recouped from the landowners at a later date. \$1,413 has also been transferred from road construction to rezoning investigations. Further transfer(s) may be necessary to complete the project.

Road investigations and construction: The balance of the roadwork design budget for Nebraska Estate for 2017/2018 is \$10,646. The balance of the construction budgets for Jerberra, Verons and Nebraska Estates for 2017/2018 are \$2.7M, \$2.1M and \$13,519 respectively.

CL18.202

Assets and Works



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

	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance
Revenue	121,458	765	122,223	115,475	94%	(6,748)	(7,452)	704
Operating Expenditure	141,468	1,071	142,539	143,014	100%	(475)	(392)	(867)
Non-Operating Expenditure	81,515	(3,946)	77,569	57,199	74%	20,370	(20,340)	30
Asset Sales	3,487	(120)	3,367	3,367	100%	0	0	0

(133)

Group Director's Comments:

At the commencement of every year, the aim is to have zero funds in the revote uncommitted column. It is pleasing that at the end of the 2017/18 financial year, there are only three projects in this area:

1. The chiller replacement project for the administration building has been designed and is aimed to be implemented towards the end of the 2018/19 financial year.
2. Kids Korner Carpark is now DA approved and is ready to be commenced.
3. The Nowra CBD funds are planned to be combined with the 2018/19 budget allotment for upgrades to Berry Street.

These three projects represent 2.6% of the total capital works budget for Assets and Works and, it should be noted, are subject to Council approval for delivery to occur.

Stormwater Levy

Spending against the Stormwater Levy is 61% of budget.

CL18.202

Stormwater Levy Progress 2017/18

	Stormwater Levy Budget					Actual	Budget Remaining	% Spent
	2016/17 unspent	2017/18	Adjustment	Adjustment Notes	Current			
Drainage Program								
St Andrews Way Coolangatta Stage 2	\$122,062	\$0	-\$80,000	11	\$42,062	\$1,864	\$40,198	4%
The Park Dr Sanctuary Pt	\$141,988	\$0			\$141,988	\$3,810	\$138,178	3%
Dacres St Vincentia Drainage	\$29,739	\$0	\$29,048	1, 3, 5	\$58,787	\$92,285	\$0	100%
802 Sussex Inlet Road - Drainage	\$15,501	\$150,000	-\$165,501	2, 3	\$0	\$0	\$0	100%
Greville Ave Sanctuary Point	\$5,519	\$250,000	-\$164,196	4	\$91,323	\$160	\$91,163	0%
Drainage Sth Nowra Industrial	\$47,125	\$0	-\$47,125	9, 12, 13, 14	\$0	\$0	\$0	100%
Bolong Rd Bomaderry Culvert upgrade	\$73,065	\$250,000	\$137,992	6, 9	\$461,057	\$461,057	\$0	100%
Adelaide & Church St Greenwell Point	\$76,425	\$107,500	-\$7,529	13	\$176,396	\$176,396	\$0	100%
Sunset Strip Manyana	\$38,177	\$0	-\$19,941	13	\$18,236	\$5,247	\$12,989	29%
River Rd Sussex Inlet Drainage	\$27,092	\$0			\$27,092	\$23,217	\$3,875	86%
Waratah Cres Sanctuary Point - Drainage	\$0	\$143,000	\$13,155	7	\$156,155	\$162,701	\$0	100%
Reserve Road, Basin View - Drainage	\$0	\$100,000	-\$89,966	10, 11	\$10,034	\$3,109	\$6,926	31%
River Road, Shoalhaven Heads - Drainage	\$0	\$100,000	\$250,000	11	\$350,000	\$2,383	\$347,618	1%
89 Sussex Inlet Road - Drainage	\$0	\$0	\$60,000	2, 11	\$60,000	\$31,113	\$28,887	52%
Links Avenue Sanctuary Point	\$0	\$0	\$27,479	8, 10	\$27,479	\$27,479	\$0	100%
Pritchard Avenue Huskisson	\$0	\$0	\$15,000	12	\$15,000	\$250	\$14,750	2%
Prentice Avenue Old Errol Bay	\$0	\$0	\$15,000	12	\$15,000	\$11,933	\$3,067	80%
Bannisters Head Road Mollymook	\$0	\$0	\$31,285	13	\$31,285	\$31,285	\$0	100%
Total Stormwater Levy	\$576,694	\$1,100,500	\$4,701		\$1,681,895	\$1,034,287	\$687,651	61%

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

1. September Quarterly Review - additional stormwater levy received \$5,378
2. September Quarterly Review - transfer \$150K from 802 Sussex Inlet Road to 89 Sussex Inlet Road
3. September Quarterly Review - transfer \$15,501 from 802 Sussex Inlet Road to Dacres St Vincentia
4. December Quarterly Review - transfer to other projects - unexpected delays on site
5. December Quarterly Review - transfer \$2,391 from Greville Ave to Dacres St Vincentia
6. December Quarterly Review - transfer \$131K from Greville Ave to Bolong Road
7. December Quarterly Review - transfer \$13,155 from Greville Ave to Waratah Cres
8. December Quarterly Review - additional stormwater levy received \$395; transfer \$17,118 from Greville Ave
9. March Quarterly Review - transfer from Drainage South Nowra to Bolong Road Bomaderry \$6,460
10. March Quarterly Review - transfer from Reserve Road to Links Avenue \$9,966
11. April Council Resolution - MIN18.323 - transfer stormwater levy to a total of \$350K on River Road for grant matching
Reductions on St Andrews Way \$80K, Reserve Road \$80K, Sussex Inlet \$90K
12. May - transfer \$30K from Drainage South Nowra to Pritchard Avenue \$15K and Prentice Avenue \$15K
13. June Quarterly Review - transfer unexpended funds from completed projects as follows:
Drainage South Nowra - reduce \$9593
Adelaide & Church St - reduce \$7,529
Sunset Strip - reduce \$19,941
Dacres St - increase \$5,778
Bannisters Head - increase \$31,285
14. June Quarterly Review - reduction in stormwater levy received -\$1072

Group Director's Comments:

A number of projects have budgets that span two financial years. This allows for design work to commence, so that delivery can occur during the next financial year. This is the case with 6 projects.

The Park Drive Sanctuary Point & St Andrews Way Coolangatta haven't significantly progressed, due to land matters.

Special Rate Variations

Spending against the Special Rate Variation from 2013/14 is 98% of budget.

CL18.202

Special Rate Variation Progress 2017/18 - (2013/14 SRV)

	Special Rate Variation Budget					Actual	Budget Remaining	% Spent
	2016/17 unspent	2017/18	Adjustment	Adjustment Notes	Current			
Special Rate Variation Program								
Agars Lane Sealing	\$15,745	\$0	-\$15,745	4	\$0	\$0	\$0	100%
Mollymook Beach Res Cycleway - Mitchell Pde	\$28,988	\$0			\$28,988	\$28,988	\$0	100%
Coolangatta Road	\$533,756	\$0			\$533,756	\$533,756	\$0	100%
Jacobs Dr, Sussex Inlet	\$375,548	\$0	-\$375,548	1	\$0	\$0	\$0	100%
Naval College Road	\$319,533	\$0			\$319,533	\$319,533	\$0	100%
Bendalong Rd Ch 1.6-2.4	\$0	\$800,000	-\$170,000	5	\$630,000	\$630,000	\$0	100%
Warden St Ulladulla Ch 0.32-0.566	\$0	\$300,000	-\$166,852	2, 6	\$133,148	\$133,148	\$0	100%
The Wool Rd Old Errowal Bay Ch 9.727-11.120	\$0	\$800,000			\$800,000	\$23,195	\$776,805	3%
Coonemia Rd Ch 0-2	\$0	\$603,613	-\$603,613	3	\$0	\$0	\$0	0%
Ulladulla Traffic & Pedestrian Improvements			\$93,231	2	\$93,231	\$186,462	\$0	100%
Naval College Road intersection			\$603,613	3	\$603,613	\$1,207,226	\$0	100%
Bendalong Rd Ch 0.0-5.6			\$230,000	5	\$230,000	\$230,000	\$0	100%
Currarong Road			\$15,745	4	\$15,745	\$15,745	\$0	100%
Millbank Road			\$13,621	6	\$13,621	\$13,621	\$0	100%
Total Special Rate Levy	\$1,273,569	\$2,503,613	-\$375,548		\$3,401,634	\$3,321,673	\$776,805	98%

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

1. September QBR - combine Jacobs Drive Streetscape into one project budget (combine with SRV 2018 funds)
2. September QBR - combine Ulladulla Projects together
3. September QBR - defer Coonemia Road project and transfer funds to completed Naval College Road project
4. March QBR - transfer funds to Curarong Road (Hillcrest works less than budget)
5. March QBR - Extend scope of Bendalong Road
6. June QBR - Transfer unspent funds to Millbank Rd for completion

Group Director's Comments:

All projects have been completed with the exception of The Wool Road, which has experienced delays. This project has been carried forward into the 2018/19 financial year.

Spending against the Special Rate Variation from 2017/18 is 90% of budget.

CL18.202

Special Rate Variation Progress 2017/18 - one year only

	2017/18	Adjustment	Adjustment Notes	Current	Actual	Budget Remaining	% Spent
Special Rate Variation Program							
Public Halls Programmed Mtce	\$200,000			\$200,000	\$200,000	\$0	100%
Parks Core Maintenance	\$200,000			\$200,000	\$169,619	\$30,382	85%
Local Rds Routine Maintenance	\$600,000			\$600,000	\$600,000	\$0	100%
Millbank Road Local Road Repair	\$400,000			\$400,000	\$400,000	\$0	100%
Hillcrest Ave Local Road Repair	\$300,000	-\$50,223	3, 4	\$249,777	\$249,777	\$0	100%
Jindy Andy Lane Brundee	\$700,000	-\$7,886	2, 4, 5	\$692,114	\$692,114	\$0	100%
Local Road Resurface	\$1,996,012			\$1,996,012	\$1,996,012	\$0	100%
Callala Beach Rd 1.8 to 3.3 km - Stage 1	\$400,000	-\$81,891	5	\$318,109	\$318,109	\$0	100%
Jacobs Drive Streetscape	\$500,000	\$375,548	1	\$875,548	\$341,749	\$533,799	39%
Graham Road	\$0	\$100,000	2	\$100,000	\$100,000	\$0	100%
Bendalong Rd Ch 0.0-5.6	\$0	\$40,000	3	\$40,000	\$40,000	\$0	100%
Total Special Rate Levy	\$5,296,012	\$375,548		\$5,671,560	\$5,107,379	\$564,181	90%

Note: - The projects may have other additional funding, but only the 2017/18 Special Rate Levy is included in this table

1. September QBR - Jacob's Drive project combined with 2013/14 SRV funds
2. September QBR - transfer \$100K from Jindy Andy Ln to Graham Road
3. March QBR - transfer from Hillcrest to Bendalong Road \$40K
4. June QBR - transfer from Hillcrest to Jindy Andy Ln \$10,223
5. June QBR - transfer from Callala Beach Road to Jindy Andy Ln \$81,891

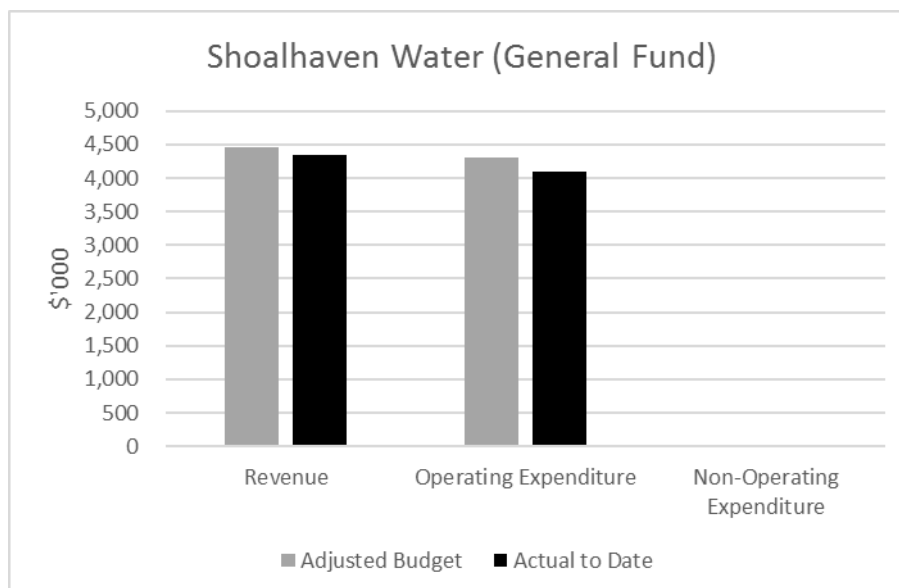
Group Director's Comments:

Jacobs Drive Streetscape works are well underway at the end of 2017/18. Delays with street furniture have meant that the practical completion has been revised to Q1 2018/19.

The unspent parks maintenance works are related to the removal of existing treated pine barriers that were at the end of their useful lives. Contractors were engaged to conduct replacement with new fencing and gates. Works will be completed Q1 2018/19.

Both projects have been carried forward into the new financial year.

Shoalhaven Water



CL18.202

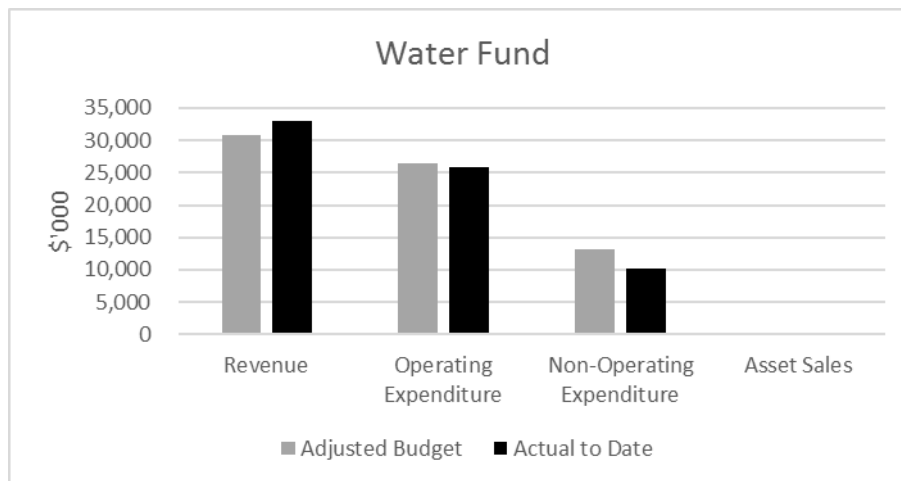
The recommended budget changes, revised budget and result to date for the Shoalhaven Water (General Fund) Group are summarised below, details of the adjustments and variances are included in the June Quarterly Budget Review Statement.

	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance	
Revenue	4,421	40	4,461	4,352	98%	(109)	0	(109)	101
Operating Expenditure	4,284	21	4,305	4,103	95%	202	0	202	
Non-Operating Expenditure	8	0	8	0	0%	8	0	8	

Group Director's Comments:

The Shoalhaven Water General Group is operating on target, with revenue at 106% of budget and operational expenditure at 97% of budget. The increase in operating income and operating expenditure relates mainly to the communication towers.

Water Fund



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

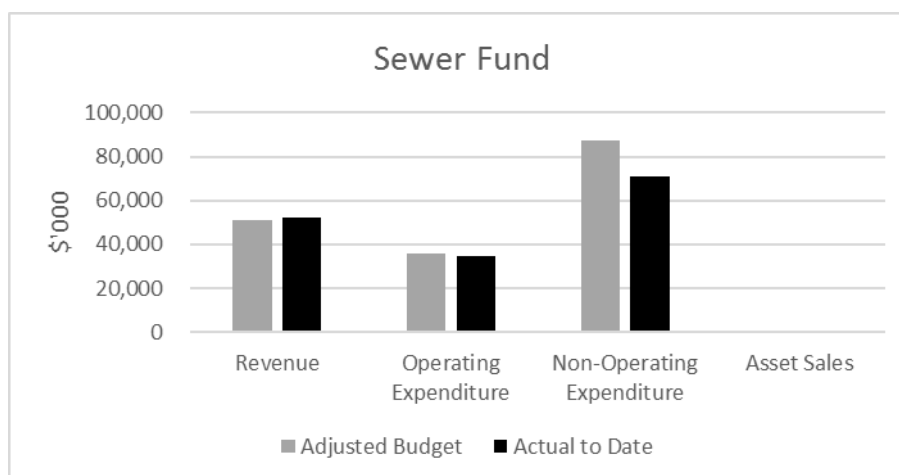
	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance	
Revenue	29,839	981	30,820	33,022	107%	2,202	0	2,202	4,024
Operating Expenditure	26,273	99	26,372	25,838	98%	534	0	534	
Non-Operating Expenditure	13,288	(188)	13,100	10,285	79%	2,815	(1,527)	1,288	
Asset Sales	182	49	231	231	100%	0	0	0	

Group Director's Comments:

The Water Fund result was positive for Council, with the operational expenditure at 98% and revenue slightly higher than the projected year end result. The adjustment to revenue relates to Section 64 income tracking higher than expected with the increased developer activity and interest income higher due to the timing of capital expenditure. The variance in income of \$2.202M is reflective of the increased water usage due to drier weather conditions this year. The capital program is at 78% of budget and requires an adjustment of \$188K this quarter. This adjustment mainly relates to the transfer of funds to the plant reserve. A carry forward of \$1.527M is required.

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Sewer Fund



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

	Current Budget	June Review Recommended Adjustment	Adjusted Budget	Actual to Date	%	Variance	Revote / Carry Forward	Balance	
Revenue	50,411	743	51,154	52,251	102%	1,097	0	1,097	995
Operating Expenditure	35,991	10	36,001	34,416	96%	1,585	0	1,585	
Non-Operating Expenditure	87,646	(287)	87,359	71,054	81%	16,305	(17,992)	(1,687)	
Asset Sales	122	35	157	157	100%	0	0	0	

Group Director's Comments:

The Sewer Fund result was positive for Council, with operational expenditure at 96% of budget and revenue above the projected year end result. The adjustment to revenue relates mainly to Section 64 income tracking higher than expected with increased developer activity. The variance in income of \$1.097M is mainly due to the increase in assessments resulting in higher usage, increased chargeable private works and increased effluent services income due to increased septic tank cleanouts. The capital program is at 81% of budget and requires an adjustment of \$287K this quarter. This adjustment mainly relates to the transfer of funds to the Sewer Fund plant reserve. A carry forward of \$17.992M is required.

Financial Implications

It is important to remember that the results presented above are preliminary only. Year-end adjustments will impact the results reported in Council's financial statements for 2017/18.

Council's pathway to financial sustainability is premised on continued fiscal constraint over the next three financial years.

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CL18.203 Supply & Lay Asphalt - 01/09/2018 - 30/06/2019

HPERM Ref: D18/270391

Group: Assets & Works Group
Section: Works & Services

Purpose / Summary

To inform Council of the tender process for the supply and laying of asphalt throughout the Shoalhaven City Council region.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests. This information will be considered under a separate confidential report.

This report is submitted directly to the Ordinary Council Meeting pursuant to Clause 3 of Council's "Acceptance of Tenders – Reports to Council" Policy.

Recommendation (Item to be determined under delegated authority)

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

Options

1. Council accept the recommendation as presented.

Implications: Details of the tender submission and the assessment are included in the confidential report.

2. Council amend the recommendation.

Implications: Tenders have been subject to assessment in accordance with the Tender Evaluation Plan and this is included in the confidential report.

Details

Council called tenders for City of Shoalhaven - Supply & Lay Asphalt – September 2018 to June 2019 with 7 tenders received in the tender box at the close of tender. One late tender was received.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Avi John Contracting	Smeaton Grange
Bitupave Ltd (Boral)	Greystanes

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Borthwick Pengilly Asphalt	Penrith
Downer EDI Works	Mogo
Fulton Hogan	Kembla Grange
Roadworx Group	Unanderra
State Asphalt Services	Prestons

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

Financial Implications:

The services will be delivered to various projects funded in the capital works & maintenance budget in FY18/19 and subject years, subject to the extension provisions.

CL18.204 Exhibition Outcomes and Proposed Finalisation - Draft Planning Package - Moss Vale Road South Urban Release Area

HPERM Ref: D18/230848

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments:

1. Summary of Submissions (under separate cover) ➡
2. Summary of Changes to Draft Planning Package (under separate cover) ➡
3. Submission - Illawarra-Shoalhaven Local Health District (under separate cover) ➡
4. Submission 1 - NSW Roads & Maritime Service (under separate cover) ➡
5. Submission 2 - NSW Roads & Maritime Service (under separate cover) ➡
6. Submission - Council's Assets & Works Group (under separate cover) ➡

Purpose / Summary

Report the public exhibition outcomes of the draft planning package of the Moss Vale Road South (MVRS) Urban Release Area (URA) for consideration and to enable the matter to proceed to finalisation with changes as summarised in this report and its attachments.

Note: this matter is being reported direct to Council given the priority of this key planning project and the need to finalise the package of plans.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt Planning Proposal (PP024) Exception to Minimum Lot Size – Moss Vale Road South Urban Release Area, as exhibited, with the following changes:
 - a. Reduce the area of application to exclude the flood affected land on the western portion of the Urban Release Area.
2. Forward Planning Proposal (PP024) to the NSW Parliamentary Counsel's Office to draft the required Amendment to the Shoalhaven Local Environmental Plan 2014.
3. Make the resulting Amendment to Shoalhaven Local Environmental Plan 2014 using the plan making delegations issued under Section 2.4 of the *Environmental Planning & Assessment Act 1979*.
4. Adopt Shoalhaven Development Control Plan Amendment No. 19 and insert Chapter NB3: Moss Vale Road South Urban Release Area as exhibited, with changes identified in Attachment 2 of this report.
5. Adopt Shoalhaven Contributions Plan Amendment No. 9 as exhibited, with changes identified in Attachment 2 of this report.
6. Adopt the Tree Species List as exhibited, with changes identified in Attachment 2 of this report.
7. Advertise the adoption of the Shoalhaven Development Control Plan Amendment No. 19, and Shoalhaven Contributions Plan Amendment No. 9 in the newspaper within 28 days of Council's decision.

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8. Advise submitters, public authorities and NSW Department of Planning and Environment of the adoption of the Shoalhaven Development Control Plan Amendment No. 19, and Shoalhaven Contributions Plan Amendment No. 9.
9. Commence investigations to establish a Special Rate in Moss Vale Road South Urban Release Area, with a view to include Moss Vale Road North Urban Release Area once development has been completed.

Options

1. Adopt the recommendation.

Implications: This is the preferred option as it will enable the finalisation of the draft planning package which will therefore satisfy Clause 6.3 of Shoalhaven Local Environmental Plan (LEP) 2014 by adopting a specific Development Control Plan (DCP) and Contributions Plan (CP) for the URA. Finalising the planning package would enable Council to determine existing and future Development Applications (DAs) within the URA, and formally release land for development.

2. Adopt an alternative recommendation. Alternatives which Council may consider, as detailed in the report, are:

- a) Alternative Indicative Layout Plan (ILP) which does not include any additional small lots; and

- b) Alternative Staging Plan which swaps Stages 2 and 3 to reflect the existing DAs.

Implications: Depending on what the alternative recommendation is, this might mean that the adoption of the draft planning package may be delayed. Any delay on the adoption of the draft planning package may further delay the determination of existing and future DAs in the URA and therefore the formal release of land for development.

If the alternative recommendation is to adopt Options a) or b), or both, Council must consider their individual implications. Option a) would result in a lower dwelling yield by approximately 14 dwellings, however given the nature of the Planning Proposal (PP), there is the ability to compensate for any additional dwelling yield loss. Option b) may reflect the DAs currently being considered by Council, however adopting this staging plan would be inconsistent with the advice of Council's Traffic Unit and Shoalhaven Water and result in a less logical development of the URA and less efficient method of delivering infrastructure.

3. Do not proceed with adopting the draft planning package with the recommended changes.

Implications: This is not recommended as it will result in Clause 6.3 of Shoalhaven LEP 2014 not being met. This will delay the adoption of the draft planning package, the determination of existing and future DAs in the URA and the formal release of land for development.

Background

Note: Councillors were briefed ahead of this report on this matter on 26 July 2018.

Moss Vale Road South (MVRS) URA was first identified in the early 2000s as part of the Nowra-Bomaderry Structure Plan (NBSP). After the NBSP was endorsed by Council in 2006, and by NSW Department of Planning & Environment (DP&E) in 2008, Council rezoned the land as part of the change from Shoalhaven LEP 1985 to Shoalhaven LEP 2014 (see Figure 1). In addition to changing the zone from rural to residential, the changeover to Shoalhaven LEP 2014 also introduced requirements under Part 6 of Shoalhaven LEP 2014

which stipulated pre-requisites for development of the URA. These include satisfactory arrangements for State Public Infrastructure and public utility infrastructure (i.e. Contribution Plan), and a site-specific DCP.

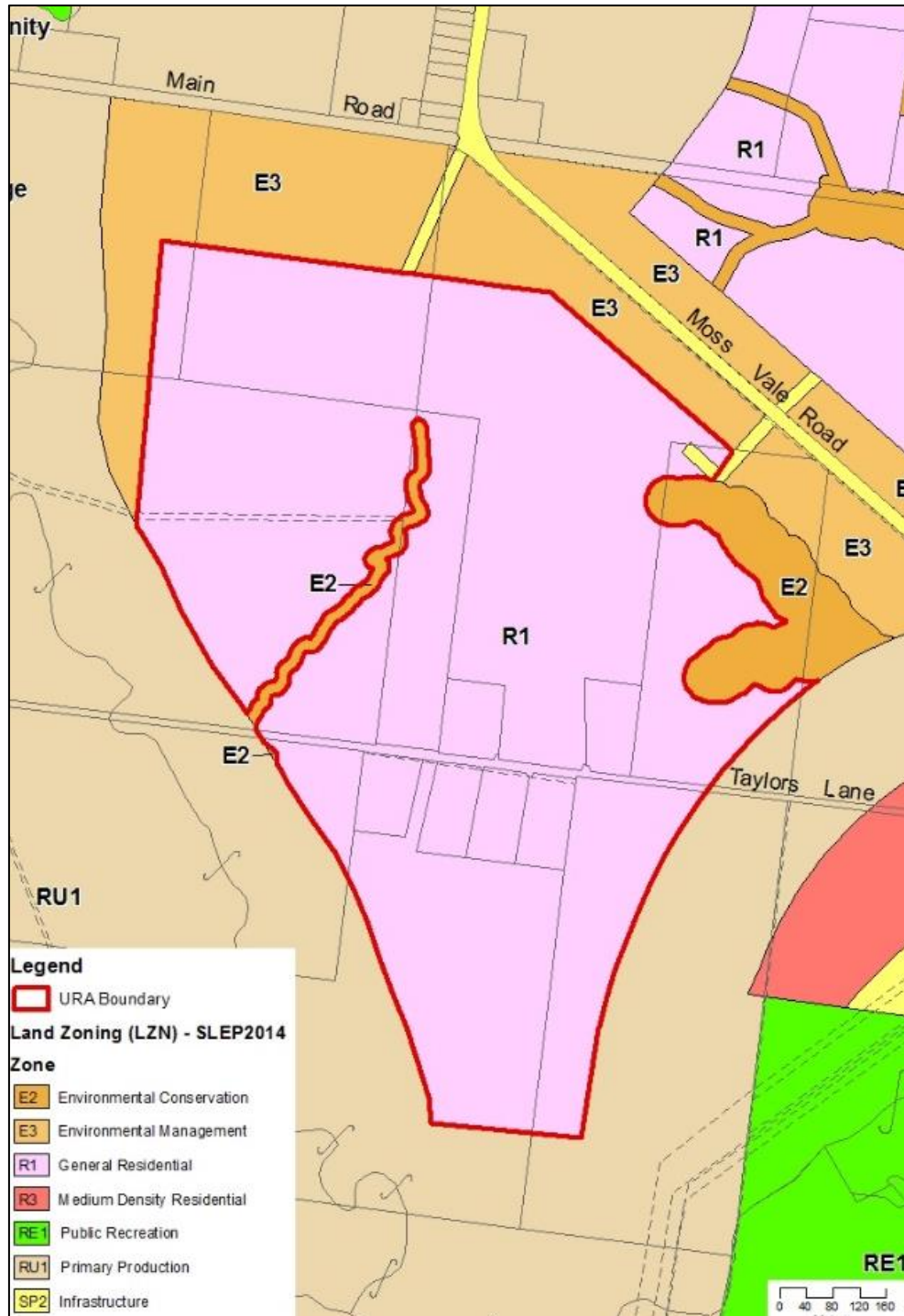


Figure 1 – MVRs URA

In May 2017, Council's Development Committee resolved (MIN17.374) to commence the detailed planning work for MVRs URA as per Part 6 of Shoalhaven LEP 2014 to enable its actual release/development, including:

- PP to potentially enable lots as small as 300m² in certain areas,
- Area-specific DCP Chapter; and
- Contributions Plan (CP).

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In December 2017, Council's Development Committee received a report seeking to proceed to publicly exhibit the draft planning package, which included a PP to enable small lot sizes in a nominated area, Area-specific DCP Chapter, CP Amendment, Integrated Water Cycle Assessment (IWCA), and Tree Species List. Council's Development Committee resolved to proceed to public exhibition for a minimum period of 54 days (MIN17.1045).

Public Exhibition

As per the Council resolution, the draft planning package was ultimately exhibited for a period of 11 weeks from 20 December 2017 to 2 March 2018 (inclusive). A total of 27 submissions were received from the general community including landowners and interested parties; 1 submission from State Member on behalf of a landowner; and 5 submissions from public authorities (Office of Environment and Heritage (OEH), Illawarra-Shoalhaven Local Health District (ISLHD), NSW Roads and Maritime Services (RMS), and Council's Assets & Works Group).

Copies of the actual submissions are available in the **Councillor's Room** prior to the meeting. **Attachment 1** to this report includes a summary of the individual submissions and Council staff comments. **Attachment 2** details the proposed changes to the various documents in the draft planning package which seek to address the submissions received where required.

It is also noted that during the exhibition of the draft planning package, DAs for the proposed subdivision of Lot 1 Taylors Lane and 169 Taylors Lane were also publicly exhibited for the same period. Some of the submissions suggested that it was doubtful that the planning package would achieve the key development outcomes, given the lodgement of the DAs prior to the public exhibition of the draft planning package and its adoption.

Consultation with Public Authorities

As part of the Gateway determination received for the PP, consultation was required with OEH, Shoalhaven Water and Endeavour Energy. Responses were received from all three public authorities and were attached to the exhibited PP Report. The key issues raised in the submissions are summarised and responded to below.

OEH

The following matters were raised in the submission from OEH. They relate to not just the PP, but also the DCP and CP that are part of the draft planning package.

- Do not support changes to the minimum lot size applying to drainage corridors or areas containing significant native vegetation.
- Areas with significant / remnant vegetation is zoned R1 General Residential, this is at odds with some of the objectives of the URA to protect and enhance significant / remnant vegetation. Deferral of key technical issues (flora and fauna) will result in processes that do not assist in the efficient preparation of DAs.
- The Bomaderry Creek Floodplain Risk Management Study and Plan (FRMSP) did not consider post-development conditions. The zoning of flood prone land may not be appropriate in the post-development context. Council could utilise a cumulative impact assessment of post-development conditions to inform flood risk related decision making. Council should exclude drainage corridors from the minimum lot size exemption.
- The ILP identifies areas with significant / remnant vegetation as 'recreation'.
- Staging is uncertain given the current DAs received.
- While an Aboriginal heritage assessment has not been done, the site is expected to contain Aboriginal sites. Early assessment of Aboriginal heritage values is recommended and must be done prior to any ground disturbance. OEH supports the controls relating to Aboriginal cultural heritage and notes the need to undertake consultation with the local

Aboriginal community in implementing these controls. It is recommended that the DCP acknowledges OEH as the approval body under the relevant legislation, that Aboriginal objects are protected under the Act, and details / references are provided on the relevant OEH guidance documents.

- The CP identifies areas with significant and remnant vegetation as land for passive recreation. It is unclear how the CP will deal with the management of riparian and areas of natural value. Some of the open space and recreation land identified in the open space CP project is outside of the mapped URA, but included in the URA, this may have legal implications. It is preferable for all CP components to be identified spatially in the one final document.

Staff Comment

The submission raises issues that are outside the scope of this exercise, such as the zoning of the land, which is not part of the PP and was resolved actually resolved in 2014 as part of the Citywide LEP process. The PP does not propose to revisit the zoning of the land, rather it seeks to establish an exception to the current mapped minimum lot size of 500m² to potentially enable lots as small as 300m² in identified locations. To address OEHs concerns with respect to increasing the density over the flood affected land, it is recommended that the PP area be reduced to exclude the area to the west of Unnamed Creek. **Figure 2** below identifies the original application area for the PP over land which is flood hazard area, and the proposed modification to the application area to address the concerns of OEH. Reducing the application area to exclude this area will also result in the exclusion of flood prone land from the exception clause. The areas containing significant native vegetation are generally avoided or are located in the designated open space areas.

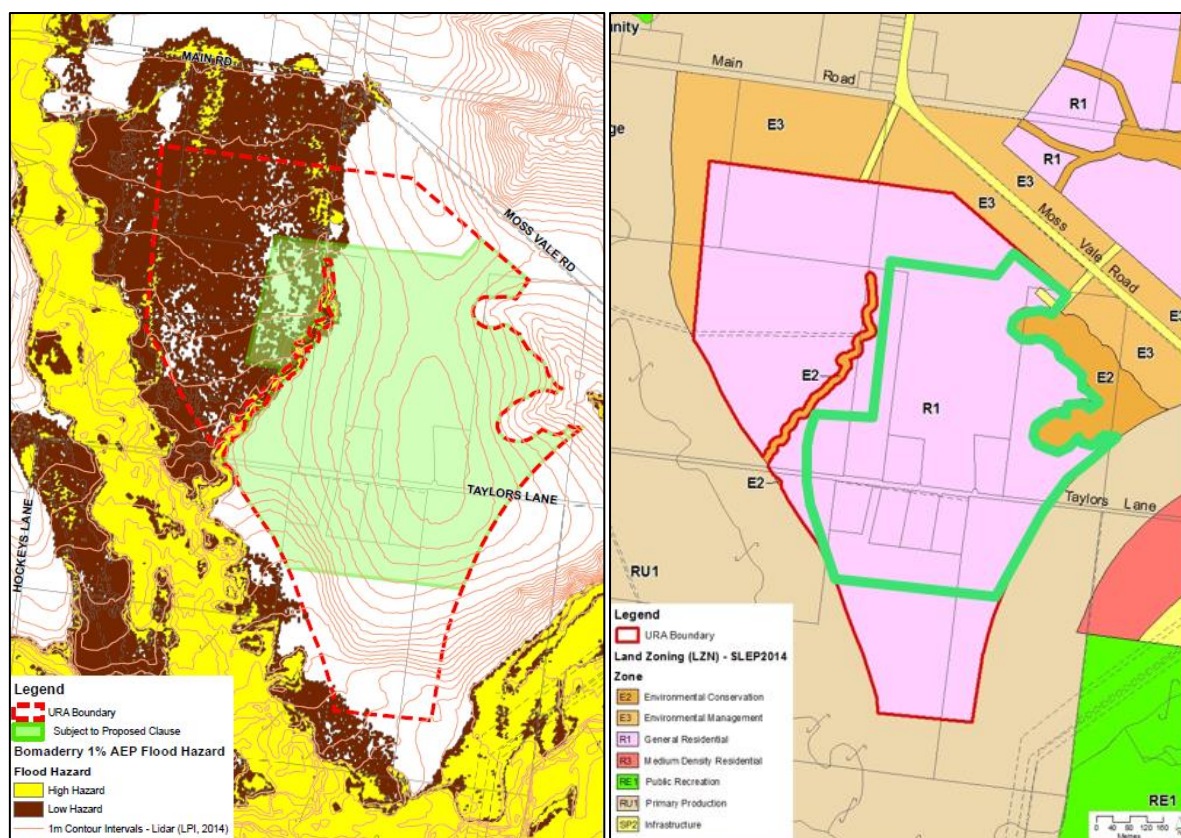


Figure 2
Original PP subject land with flood overlay (left)
Proposed Revised PP subject land (right)

Amending the application area in the PP will also require the ILP to be amended. Changes to the ILP are demonstrated in Figure 3 below and offers two options. Option 1 removes the

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small lots on the western side of the ILP to ensure consistency with the amendment to the PP, and removes laneways directly connecting with the collector road. Option 2 includes the same changes as Option 1 plus identifies additional areas for small lots, consistent with the amendment to the PP. Option 2 is recommended.

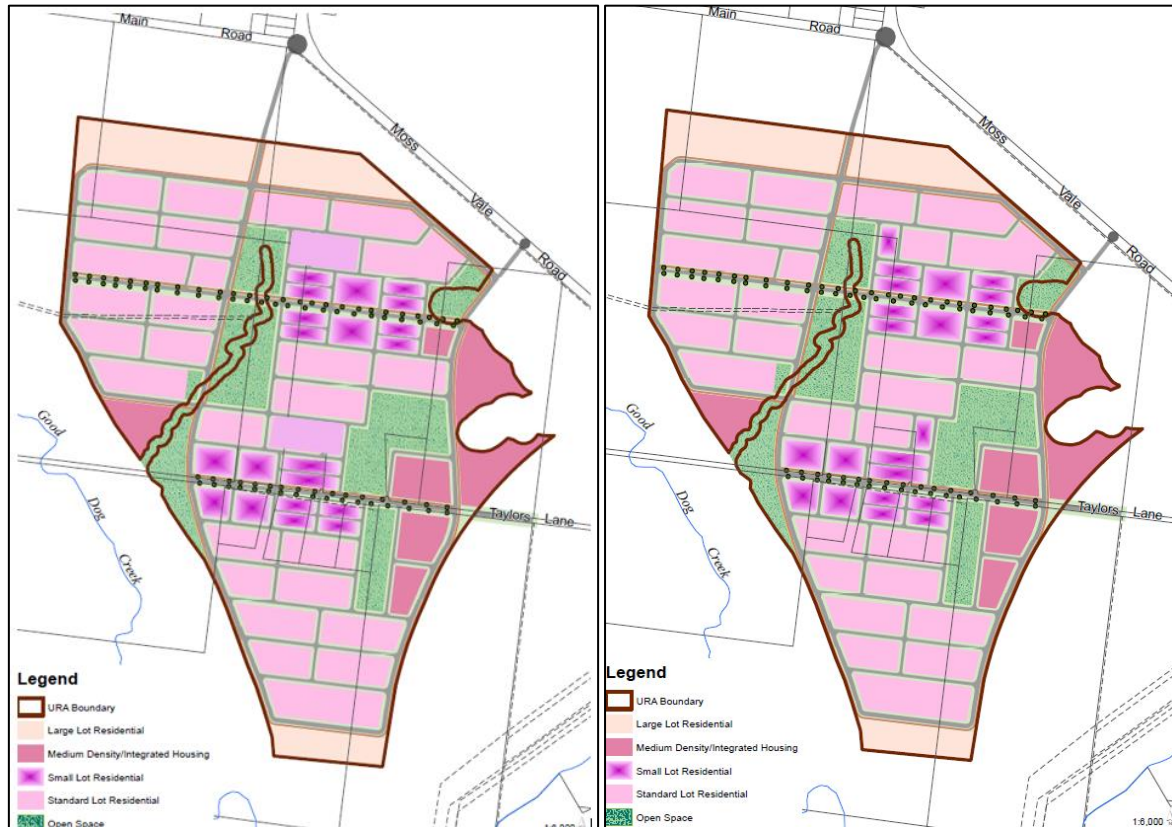


Figure 3 – Amended ILP Option 1 (left); Amended ILP Option 2 (right)

The provision of a Flora and Fauna Assessment will be undertaken as part of the DA process, which might mean a site by site assessment is undertaken given the land fragmentation in the URA. However, an additional acceptable solution is proposed to be added to the DCP seeking to demonstrate impact mitigation and management measures to protect threatened species, including but not limited to, bats.

It is noted that the Bomaderry Creek FRMSP does not identify the URA for future growth. Despite this, Council's DCP Chapter G9 in relation to development on flood prone land requires that post-development flow conditions do not differ to pre-development flow. In respect to determining management of overland flows, an Integrated Water Cycle Assessment (IWCA) was prepared for the URA to determine appropriate Water Sensitive Urban Design (WSUD) measures to be implemented to appropriately drain stormwater / overland flow. The IWCA considered the impact of developing the URA and how that will modify overland flow, and as such has recommended various WSUD measures to store and treat stormwater. Section 7.11 of the Draft DCP Chapter includes controls relating to stormwater management and flood minimisation and is supplemented by the draft CP which specifies the drainage infrastructure to be delivered.

It is noted that the DA referenced in the OEH submission was prepared prior to the draft planning package being publicly exhibited. This has caused some reservation about the development outcome, particularly the order of the development, as per the staging plan. The staging is proposed to be amended to consolidate stage 2 and 4, and stage 3 and 5. The DA will need to justify how infrastructure delivery is not impeded because of the inconsistent staging.

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The support for the draft DCP controls in relation to Aboriginal cultural heritage is noted. Additional notes are proposed to be added to the DCP to direct developers in relation to the consultation and assessment requirements for Aboriginal Cultural Heritage Assessments, the OEH guidelines, and reference to OEH as the relevant approval body under the legislation.

The CP does not levy for management of land as it is not allowed under the legislation. There are no legal requirements to have land mapped as a URA for it to be incorporated into a CP, rather a nexus must be demonstrated.

Endeavour Energy

The following matters were raised:

- Is in the process of planning network supply strategies for the Nowra-Bomaderry area as identified in Council's NBSP.
- The strategic area plan is due for completion in mid-2018 to set out the immediate, short, medium and ultimate long-term network requirements.
- Is currently working with proponents in the initial stages of the MVRS URA to have capacity available when required.
- Is committed to making provisions for proponents to connect to its network in a fair and equitable manner. Developers will be able to receive reimbursements for new 11kV infrastructure installed for new subdivisions in accordance with Endeavour Energy policies.

Staff Comment

Endeavour Energy have advised that they are able to provide public utility (electricity) infrastructure to service the development of the URA.

Shoalhaven Water

The matters raised in the submission from Shoalhaven Water were largely in relation to the PP and are follows:

- PP could increase lot yield from 840 to 1250 dwellings which would result in an upper limit increase of 49%;
- It is necessary to know the lot yield permitted to ensure the sizing of the planned water and sewerage infrastructure for the URA is carried out correctly.
- Other issues relating to small lot include the minimum width of easements to drain sewage being a minimum 2.4m which significantly increases to 4m on corner lots. Deep sewers may also impact properties and therefore increase construction costs.

Staff Comment

It is noted that the dwelling yield of the URA will most likely be higher than the minimum 840 dwellings. Given the amenity / location controls in the draft planning package, the area of open space, and now the reduction of the PP area, it is more likely that dwelling yield will be between 950 and 1000 dwellings as a result of the proposed PP provisions. Council staff will continue to work with Shoalhaven Water to finesse the dwelling yield.

The Draft DCP includes setbacks for dwellings on standard blocks and corner blocks to meet the minimum requirements for any potential easements required to drain sewerage.

Other public authorities

Council also notified ISLHD and RMS of the public exhibition period. A submission was received from both public authorities. ISLHD largely supported Council's efforts in planning for a new release area that is built on healthy planning principles, a copy of the submission is provided as **Attachment 3**. Two submissions were received from RMS, and one other from

Council's Assets & Works Group. The RMS and Assets & Works submissions are summarised and commented on below.

RMS – Initial Submission

The first submission received from RMS on 27 March 2018 is provided as **Attachment 4** and is summarised below:

- Understands that the PP has the potential to increase dwelling densities within the MVRs URA. RMS requests a copy of the updated modelling when completed.
- Is undertaking some preliminary design investigations for Moss Vale Road between the Princes Highway and Main Road.
- Is not in a position to issue a Section 198 Consent for works within the corridor until it is satisfied with the location and treatment of any new intersections with Moss Vale Road and are consistent with the long-term alignment.
- Draft DCP identifies connections to the State road network on the ILP and Pedestrian and Cycle Routes. As noted previously, RMS' preliminary design investigations for Moss Vale Road have indicated some potential issues with the proposed upgrade of the intersection of Moss Vale Road with Main Road as well as the location of the proposed intersection to the southeast which provides connectivity between Moss Vale Road North and South land releases. RMS has concerns that compliant treatments may not be constructible without significant alternations to Moss Vale Road and, in the case of the Main Road junction, property acquisitions.
- Draft CP is for local infrastructure only. Part 6 of Shoalhaven LEP 2014 requires satisfactory arrangements for State public infrastructure. At this time a Special Infrastructure Contribution (SIC) is not in place, however RMS wishes to be actively involved in the preparation of a proposed SIC.
- No concerns in relation to the IWCA or Tree Species List.

Staff Comment

After receiving the initial submission from RMS, Council staff participated in several meetings and on-site inspections with RMS staff to determine the most appropriate location for a new intersection on Moss Vale Road. As part of these discussions, RMS indicated they had identified a possible superior location for the eastern intersection on Moss Vale Road, located approximately 150m to the east of the existing planned location and shown on Figure 3 below.

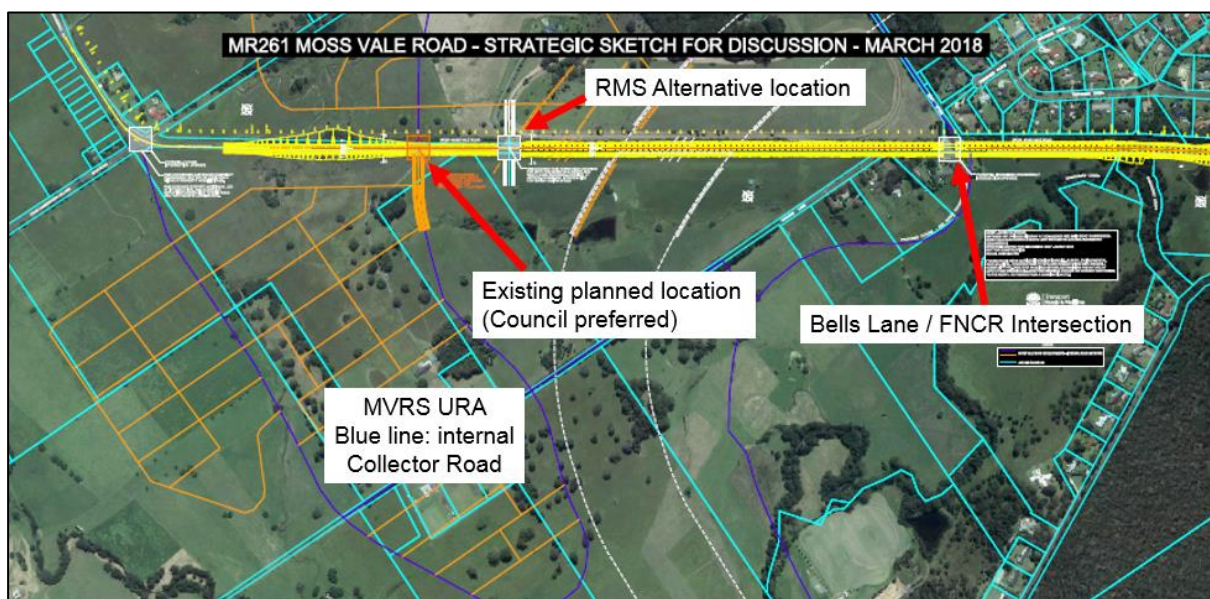


Figure 4 – Alternative Intersection Location (RMS)

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As part of ongoing discussions with RMS between March and July 2018, one site inspection involved measuring the stopping sight distances and queuing data for both potential intersections locations.

RMS – Second Submission

The second submission from RMS was received on 10 July 2018 is provided at **Attachment 5** and is summarised below:

- Refers to recent investigations, discussions and site meetings regarding the location of a proposed intersection on Moss Vale Road.
- Has considered two locations for the intersection. RMS' assessment was based on the understanding that Council's strategic planning has identified a roundabout to be the intersection treatment and considered the matters including but not limited to safe intersection and stopping sight distances, reaction times, queue lengths, topography, visibility.
- Advises it supports the Council preferred option subject to:
 - The intersection being the combined/central access point that services both MVRN URA and the future Moss Vale Road North (MVRN) URA;
 - The ultimate layout being determined by the updated strategic modelling currently being prepared by Council; and
 - Any interim treatment, if not the ultimate treatment, is designed and constructed to provide a safe treatment for road users and is consistent with the long-term treatment of Moss Vale Road.

Staff Comment

Given the ultimate advice received from the RMS, Council can proceed to finalising the draft planning package with the eastern Moss Vale Road intersection as per the existing zoning. Future development of MVR North URA will need to initially be planned around the use of the intersection. Given Council are currently working collaboratively with the landowner group for the MVRN URA, Council staff will ensure that this occurs. In addition, Council staff will provide RMS with the updated modelling once completed.

Assets & Works Group

Council's Assets & Works Group provided a submission on 10 July 2018. The submission largely refers to the provisions within the DCP and infrastructure delivery more generally and is summarised below.

Despite the exhibition period ending on 2 March 2018, the submission has been considered to ensure that matters that required attention were suitably addressed. In support of the submission, the Assets & Works Group provided a suggested revised ILP to illustrate the various suggestions / amendments as shown at Figure 5. A copy of the submission is provided at **Attachment 6**.

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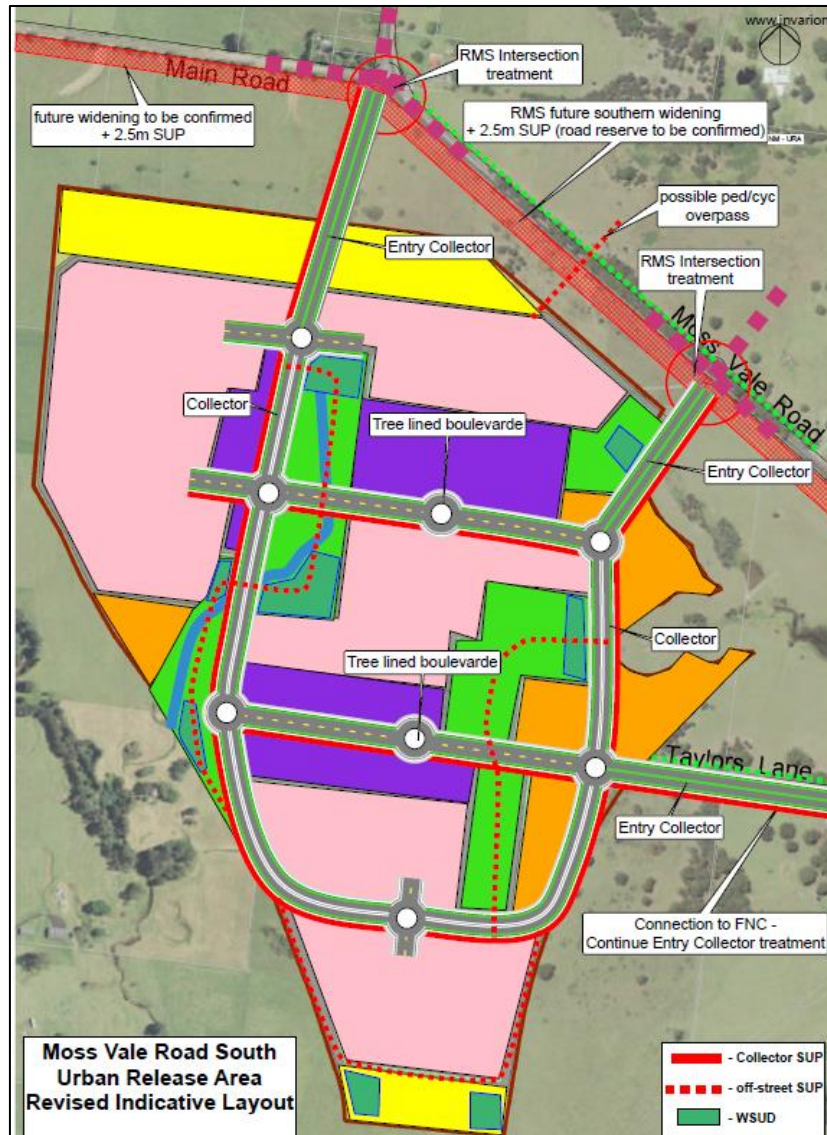


Figure 5 – Assets & Works Group Suggested Revised Indicative Layout Plan

The submission is summarised and commented on below:

- Moss Vale Road is shown as a two lane 20m road reserve on the ILP and this needs to reflect the ultimate road reserve required for four (4) lanes and shared pedestrian facilities. A wider road reserve should be shown, in the order of 50m.
- The ILP does not show (or refer to) the major connection to the FNCR Network and does not identify Taylors Lane as an Entry Collector.
- The Indicative Lot Layout Plan consists of a grid structure which does not represent road hierarchy best practice. This urban grid arrangement encourages “rat running”, high order and low order road intersections, excessive cross intersections, and the use of traffic calming devices rather than road environment to obtain a low speed traffic environment (traffic calming devices are supposed to be a retrofit solution not a green fields solution to lack of low speed conformance). A much better outcome will be achieved by reducing the number of roads shown on the Indicative Lot Layout Plan and only showing the higher order network as per the attached Revised ILP.
- Shared path connections heading towards Cambewarra Village and the wider shared pathway network are not shown.
- The location of bio-retention sites and wetland sites is important to the layout of the site, these should be shown as per the attached Revised ILP.

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- The services corridors are restricted to one side of the road and all the services are in this narrow corridor including under concrete paths.
- The high order roads will service buses and the intersection nodes will need to cater for these buses and the pedestrian linkages.
- All road widths (including laneways) need to consider reconstruction issues such as vibration to houses and structures and operation of the road during reconstruction.
- The staging of the construction must be structured such that no access is provided to Taylors Lane until such time as it is upgraded as part of the FNCR Network project.
- Additional roundabouts are needed to treat four-way intersections.

Staff comment

Moss Vale Road is a State Road and falls outside the area covered by the DCP. RMS have the ability as a State Public Authority to formally advise Council to zone the land required for the widening of Moss Vale Road to SP2 Infrastructure and map as Land Reservation Acquisition. At this stage, this advice has not yet been received, however the draft DCP does not prevent this from being achieved and the existing LEP zones set development back from the road.

The ILP as initially prepared did not identify the FNCR Network. It is recommended that the ILP and Figure 9 Street Hierarchy and Network Plan be amended to identify the future connection to the FNCR Network and identify it as a Collector Road (Entry) treatment, to ensure that the construction of this future entry point is consistent with other entries into the URA.

It is not recommended that the ILP be amended as suggested to shorten the Collector Road and remove lower order streets including local streets and laneways. The ILP was prepared with this level of detail acknowledging the land ownership fragmentation and provide clarity on the likely development outcome of the URA. However, it is noted that it is indicative, as it may require modification in order to respond to site issues and matters such as biodiversity or Aboriginal cultural heritage considerations. The Collector Road has not been shortened as it would reduce the walkability of the neighbourhood and connectivity which the Collector Road offers. The Collector Road placement on the edge of the URA also ensures that a better and clear visual interface can be achieved between the urban development and the surrounding pastoral landscapes.

Encouraging broader connectivity outside of the URA is strongly supported. It is envisaged that the shared path network will provide opportunities for the new community of the URA to walk or cycle to surrounding areas including Moss Vale Road North URA and Cambewarra Village. It is recommended that Figure 18 Pedestrian and Cycle Routes be amended to include an additional shared path along Moss Vale Road, and reinforce connections through to MVRN URA, Cambewarra Village and Taylors Lane. This will support the achievement of the key development outcome for a connected movement network that encourages and improves connectivity and walkability of the URA with the broader area.

It needs to be acknowledged that the DCP is supported by other documents including the CP and does not stand alone, which identify roundabouts, bio-retention basins and the like. An additional section with a new map would be a duplication of information. The CP indicates the location of traffic calming devices and other matters such as a shared path. Other figures within the DCP also have this level of detail and they are located within the relevant section of the DCP. It is recommended that Figure 9 Street Hierarchy and Network Plan identify the location of roundabouts, as per the CP.

Service allocations are required on both sides of the street. The figure in the DCP has been interpreted incorrectly. An additional advisory note has been added to clarify this.

It is acknowledged that Taylors Lane is not appropriate for use during construction or by vehicles associated with the future development of the area. It is recommended that Figure 3 Staging Plan be amended, and a supporting advisory note added to clarify that the

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construction of Taylors Lane is separate to the development of the URA and subject to the delivery of the FNCR Network project. Figure 9 Street Hierarchy and Network Plan will also be amended to restrict use of Taylors Lane to residents' access only, until the FNCR Network project has been completed.

The Assets & Works Group revised ILP and submission suggests a reduction in four-way intersections, or where unavoidable, additional roundabouts should be provided. To address this concern, the road project in the CP is recommended to be amended to include an additional mountable roundabout on the southern tree-lined boulevard. Two (2) roundabouts are proposed to be relocated in accordance with the submission, being the roundabout on the northern tree-lined boulevard and the western collector road entry roundabout.

Other changes are recommended in respect to the DCP in response to this submission which to address minor anomalies.

Representations by Member for Kiama, Gareth Ward MP

A landowner within MVRs URA made representations to the State Member of Parliament Gareth Ward requesting that his property be acquired via compulsory acquisition under *Land Acquisition (Just Terms) Act 1991*. The submission did not raise any specific issues with the draft planning package or its content, other than its impact on the ability to sell the subject property.

The property in question is one of the smaller allotments within the URA and part of it is identified as part proposed future open space area. The remaining part is potentially able to be subdivided into smaller lots.

Staff comment

Council staff met with Gareth Ward MP and the landowner to discuss the issues raised in the submission. During the meeting, it was acknowledged that the planning package at that point in time was draft only and may be subject to change and considering compulsory acquisition would not occur at that point. It was noted that Council still needed to finalise its position on the matter.

Despite the draft nature of the planning package, Council supported the submission of an application to the NSW Government's Low Cost Loan Initiative in June 2018. The application was specifically to seek \$6.85M for the provision of open space infrastructure in MVRs URA, in order to have available funding for the early acquisition of open space. As such if the planning package is adopted and the Low Cost Loan is successful Council may then be in a position to acquire the property or part of it.

Submissions relating to PP

Submissions relating to the PP indicated both support and opposition to encouraging smaller lots. At least 13 of the submissions received related to the PP and the enabling of small lots, and raised the following points:

- Small lots are an afterthought;
- Proposal is inappropriate in a rural area / outside of the inner city;
- Provision of small lots will provide cramped living conditions which leads to poor social impacts;
- Will increase the number of rateable properties;
- Is not a solution for ageing in place or affordable housing;
- Will provide for affordable housing for young families or retirees; and
- Supported on the basis that amenity and location controls are met.

Staff comment

Incorporation of small lots was first identified in the NBSP which was endorsed by Council in 2006 and by the State Government in 2008. The NBSP sought to “offer a variety of housing options, characterised primarily by a mix of detached houses and some terrace / town house type dwellings (medium density housing)”. The PP seeks to help realise the objective of the NBSP.

The location of small lots will be within a new urban environment. It is acknowledged that this area currently has a rural character, however once the development of the URA progresses, this location will change and become urbanised. This urban environment is considered appropriate for small lots as it has the benefit of enabling the provision of diverse housing options. Small lots offer a lower-priced housing product and a product for those wishing to down-size, therefore addressing housing affordability and ageing in place.

The provision of small lots must first meet a criterion which includes ensuring they are in high amenity areas, such as the tree-lined boulevard or open space areas. By ensuring small lots are within the vicinity of these high-amenity areas, the amenity provided within the public domain compensates for the reduced lot sizes.

The URA will create new residential allotments which will be subject to Council rates. These rates in turn are used to provide and maintain local infrastructure which supports these new residential communities.

Submissions relating to DCP

Submissions relating to the DCP indicated both support and opposition to various draft controls. At least 16 of the submissions received related to the DCP, and raised the following:

- Staging Plan needs to be amended – suggestions were made for alternative staging which include avoiding Taylors Lane until the FNCR project is completed, the other followed the current DAs. Concerns were raised about the ability to enforce the staging, given the inconsistency between the DAs and the Staging Plan.
- Provision of larger lots on the edge of the URA are tokenistic. The URA is already buffered by E3 and RU1 zones which will provide a visual break to the development. Gradation of densities would be warranted if this was the extent of development, however the site is effectively infill in the strategic context and there is no need for it.
- The collector road should not be located on the perimeter of the URA, and several local roads can be removed as they are unnecessary. Amending the ILP to include these suggestions would enable increased dwelling yield.
- Controls relating to small lots are too prescriptive / need to be more prescriptive;
- Roads within the URA are too wide / too narrow; and
- Need to consider the inclusion of the Scenic Protection Area / E3 Environmental Management zone in the DCP provisions.

Staff comment

It is recommended that Figure 3 Staging Plan is amended to consolidate proposed stages 2 and 4 to stage 2 and consolidate stage 3 and 5 to stage 3. Because of the consolidation of previous stages, stage 6 has been revised to stage 4. The exhibited Staging Plan and proposed amended Staging Plan as recommended is shown at **Figure 6** below. This results in generally a north to south development pattern and acknowledges that Taylors Lane is not appropriate for use during construction or after, in its current condition. Taylors Lane will be upgraded as part of the FNCR project. After the upgrade has been undertaken, Taylors Lane will be suitable for use as an access point in to the URA. This approach is consistent

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with advice from Council's Assets & Works Group and Shoalhaven Water who have suggested that a north to south staging plan will result in a more coordinated and efficient method for infrastructure delivery. An alternative option would be to swap Stages 2 and 3 to reflect the current situation of DAs. This is not the preferred option as it is inconsistent with the direction and advice of Council's Assets & Works Group and Shoalhaven Water in respect to coordinated and efficient infrastructure delivery. The planning of this new URA should also not be led by the DAs that have been lodged.



Figure 6 – Exhibited Staging Plan (left); Proposed Amended Staging Plan (right)

The “large lots” offer an alternative housing product whilst having due regard to the interface with the surrounding pastoral landscapes. It is unclear how this area is considered to be effectively infill development given its significant transformation from rural lifestyle and small farming lots through to residential allotments where the yield will increase by a significant amount. The large lots provide an appropriate transition from pastoral to urban landscape, where the road is not provided at the interface of the transitional area.

The design of the ILP is responsive to the site and is built on a grid pattern to encourage a legible and connected neighbourhood consistent with the Healthy Active by Design principles. The suggested relocation of the collector road to enable yield may be to the detriment of the amenity of the neighbourhood and the interface of the URA with the surrounding pastoral landscapes. The placement of the collector road on the perimeter of the URA will provide a superior urban design outcome in respect to the interface of the URA with the surrounding pastoral landscape. Ensuring that residential blocks do not back on to the Western Bypass corridor has the potential benefit to mitigate against future potential acoustic impacts resulting from the Bypass, and visual impacts resulting from any barriers from the Bypass.

The controls relating to the small lots are consistent with the objectives of the PP to enable the provision of lots as small as 300m². The intent is to ensure that all small lots are in high amenity areas, so that the reduced lot size and ultimately the reduced private open space areas, is compensated by provision of access to quality public domain areas.

The width of roads in the URA are generally wider than a number of new release areas in the Illawarra-Shoalhaven. No concerns were received from Council's Waste Unit in respect to ability, or lack of, to perform waste collection.

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It is acknowledged that the surrounding E3 Environmental Management / Scenic Protection Corridor offers significant opportunity for future visual buffering of the URA. It is recommended that Figure 1 Subject Lands Map be amended to include this area.

Other changes to the DCP are recommended in response to the various submissions, to address minor anomalies. These include:

- Indicating the width of kerbs in the street cross-sections;
- Reinforcing Taylors Lane as not appropriate for access until the FNCR project is completed;
- Additional notes to provide further advice / guidance to controls; and
- Rewording on controls to clarify intent.

Submissions relating to CP

Submissions relating to the CP indicated both support and opposition. At least 6 of the submissions received related to the CP, and raised the following:

- Open space area is excessive and as a result has a \$10,000 contribution value. This results in a local contribution value that is too high, the amount of open space should be reduced.
- Given the land ownership fronting the southern Tree-lined boulevard, consider adding it to the Road project.
- The rate per square metre of \$65/m² is considered to be half of the actual land value. The basis for the calculation of the acquisition rate is questioned.

Staff comment

All up the open space network is made up of 9.8 hectares (ha) of land which was considered necessary in order to provide high quality, multi-purpose open space for the URA. The area for open space includes locations for passive recreation, retention of significant and native vegetation, WSUD, and active transport routes. Placing these areas in public ownership rather than private enables Council to appropriately manage these spaces in perpetuity. As described above, the rate per square metre is based on market value and is on the basis of unimproved land.

The land acquisition rate used in the CP was determined based on similar acquisitions undertaken in the areas at a square metre rate. The acquisition of land is predominantly on the R1 General Residential zone, with some areas zoned E2 and E3. The square metre rate is based on an unimproved land value as the areas required for acquisition do not contain any improvements, i.e. dwelling houses. Council has had an independent land valuation undertaken which concluded that the market rate per square metre is \$31.50/m² which is significantly less than what is in the CP, therefore the rate per square metre is considered appropriate. Future land acquisition will be undertaken in accordance with *Land Acquisition (Just Terms) Compensation Act 1991*.

Submissions relating to Supporting Documents – IWCA & Tree Species List

Submissions relating to the IWCA and Tree Species List indicated both support and opposition. At least 2 of the submissions received related to the IWCA and 3 submissions were in relation to the Tree Species List. The submissions specifically raised the following:

- The IWCA uses Australian Rainfall & Runoff 2016 (ARR2016) data, however it has not been adopted by Council.
- Some basin volumes could be optimised, and some basins could be combined to reduce ongoing maintenance costs.

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- Location of basins in the IWCA should be flexible, as some do not appear to be end of line.
- There are no Gross Pollutants Traps proposed in the treatment train in the IWCA, without them there is a risk of rapid blockage of basins.
- Add specific list for open space and riparian corridors.
- Add additional species to the collector road, tree-lined boulevard, and local streets.
- Remove trees in laneways as they obstruct sight lines.

Staff Comment

It is acknowledged that ARR2016 has not been adopted by Council, however it has been used as it reflects more recent data and is current best-practice. Council's most recent floodplain risk management studies are being prepared utilising this latest rainfall data.

Basin volumes could be optimised slightly, but the ultimate size will be dependent on the detailed design and outlet configuration. Volumes could change during detailed design, however given the IWCA is conceptual only, the volumes are adequate. The detail design will also determine whether basins could be merged, however they appear in the IWCA in multiple catchments to allow for staging.

In addition, flexibility with the location of stormwater management is enabled by Acceptable Solution 17.2 in the draft DCP which requires that where it differs from the IWCA, suitable topography; good access to WSUD / drainage infrastructure; Ability to be combined with an adjacent WSUD element; ensure that flow rates and water quality do not adversely impact the waterway reach from the site to the offsite WSUD element; and WSUD element is increased in size to cater for the additional catchment, is able to be demonstrated.

The treatment train as recommended in the IWCA is acceptable to Council's Drainage Engineer and is in line with council's existing maintenance regime.

A specific list within the Tree Species List has been developed for open space and riparian corridors, which includes both native and exotic species considered appropriate within the subject environment. The additional species suggested within the streets are included in the revised Tree Species List.

Trees in laneways have been maintained as they will provide visual softening of laneways. The species selected grow thin and tall and will avoid obstructing sight lines in laneways. An example of where this has been successfully implemented is in Renwick, a similar new development in the Wingecarribee Local Government Area.

General Submissions

At least 14 of the submissions received commented generally in relation to the development that will result from the draft planning package rather than the actual content of the draft planning package itself. Of the 14 submissions, 8 were similar in nature and could be considered as form letters. The submissions raise the following:

- Development of the URA will disturb the peace of the area.
- Infrastructure must be provided early, including roads, open space, electricity, schools, and the like.
- There was a lack of community consultation with Cambewarra CCB, particularly given the development will have the most amount of impact on Cambewarra Village.
- Tree-lined boulevards are not practical amenities.
- Infrastructure on Moss Vale Road and Princes Highway, particularly intersection treatments, must be upgraded to accommodate the growth of the area.

Staff comment

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MVRS URA was initially identified as a new living area as part of the NBSP process in the early 2000s. It is acknowledged that this area will substantially change from its current rural character to an urbanised setting. To minimise impact of the development, the URA will be staged in at least four (4) stages. The ILP prepared for the URA proposes to integrate large areas of open spaces, and tree lined streets which take advantage of the view lines to the surrounding escarpment and pastoral landscapes, to ensure that the future development can capitalise on the existing peaceful nature of the area.

Local infrastructure including playgrounds, passive open space and footpaths are planned for within the draft DCP and the draft CP. The provision of this infrastructure by the developer will be either through monetary contributions or works-in-kind.

Consultation with the broader community started in the early 2000s. Consultation with the CCB occurred in 2006 as part of the NBSP, again in 2011 and 2013 when the zoning was proposed to change as part of the draft Shoalhaven LEP, and most recently, when the draft planning package was on public exhibition for 11 weeks between 20 December 2017 and 2 March 2018. It should be noted that the zoning of the area was modified in response to the Cambewarra Village CCB and community feedback. Concerns were raised about the two urban areas merging in the fullness of time, as such the edge of the URA was pulled back and an E3 Environmental Management zone established around the URA to act as a buffer for future development.

Tree-lined boulevards are not referred to as amenities, like public toilets. They are referred to establishing an amenity, i.e. the pleasantness or attractiveness of a place.

It is acknowledged that as the area grows, it will have an impact on the State Road network. Council has consulted with DP&E in relation to State public infrastructure and necessary upgrades to accommodate the future growth of the area. DP&E are currently preparing a SIC which will levy development in URAs for the upgrade / provision of State public infrastructure, which may include upgrades to Princes Highway and Moss Vale Road.

Community Engagement

The community have been consulted since the early 2000s with respect to the MVRS URA. The consultation started with the NBSP in its early development through to the formal exhibition period for a minimum of 8 weeks between 1 March and 19 May 2006. Subsequently, the changes to the zoning of the land were exhibited as part of the Citywide LEP process as part of the Draft Shoalhaven LEP 2009 for a minimum of 13 weeks between 18 July to 14 October 2011; and later, the Draft Shoalhaven LEP 2013 for minimum 5 weeks between 3 April to 10 May 2013.

During the preparation of the draft planning package, Council staff held meetings with the landowners of MVRS URA since late-2016 to discuss the planning work being undertaken. Over the last two years, Council staff have also met with consultants who act on behalf of some of the landowners and development interest groups wishing to develop and lodge / have lodged DAs in the MVRS URA.

Finally, the draft planning package was exhibited for a minimum of 11 weeks between 20 December 2017 to 2 March 2018. A total of 32 submissions were received from the public, landowners and public authorities. During this time, a project page on Councils 'Get Involved' community engagement portal was established to enable the current and future community of the Nowra-Bomaderry area to keep up to date as Council plans for actual growth and development in these areas. The page will remain live after the MVRS URA planning work is completed as it will be used as the platform to provide updates for planned growth areas in the Nowra-Bomaderry area such as MVRN URA, and subsequent Phases of the NBSP including Cabbage Tree Lane.

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Policy Implications

The adoption of the draft planning package will result in amendments to Shoalhaven LEP 2014, Shoalhaven DCP 2014 and Shoalhaven CP 2010.

Financial Implications

The preparation, exhibition, and post-exhibition consideration of the draft planning package has been prepared within the existing Strategic Planning budget.

The delivery of infrastructure within the URA will be delivered via works in kind, payment of Section 7.11 Contributions and the Special Infrastructure Contribution.

As a result of the post-exhibition changes, the exhibited CP will be modified to include an additional mountable roundabout on the southern tree-lined boulevard. The addition of the roundabout to the road project will increase the contribution amount by \$119.04 per Equivalent Tenement (ET). The additional contribution amount would result in a total increase in the area specific contributions to \$18,811.53 per ET, with a total estimated contribution (including existing planning area and citywide projects) of \$23,037.22 per ET.

Low Cost Loan Initiative Application

Council has submitted an application to the NSW Government's Low-Cost Loan Initiative for the provision of open space in the MVRs URA. The application was made on 29 July 2018 in accordance with Council's resolution MIN18.519.

Should Council be successful in the initiative, the loan will enable Council to undertake early land acquisition for the provision of open space, rather than it being delayed until later in the development stages.

Housing Acceleration Fund

Council have been nominated for DP&E Housing Acceleration Fund (HAF) which seeks to provide 100% financial assistance for the delivery of critical infrastructure to enable accelerated housing supply. Council's nomination under the HAF is for the new intersection on Moss Vale Road, Water Supply Infrastructure and Sewer Infrastructure equating to approximately \$19M.

DP&E are yet to advise of the outcome of the HAF, however, should Council be successful in receiving 100% financial assistance of these infrastructure projects, this would have a positive effect as monetary savings to developers and potentially to future prospective buyers within the URA.

Ongoing maintenance – potential Special Rate Variation

Given the significant amount of open space and the level of drainage infrastructure in the form of WSUD, Council must consider how it will manage these lands in perpetuity, given the level of infrastructure provided in MVRs URA is approximately 150% more than other greenfield subdivisions in the area (i.e. Green Orchid). This will have the effect of increasing the rate base for Shoalhaven.

Recent subdivisions where WSUD was proposed, resulted in significant upfront costs for Council in the maintenance of the open space and WSUD. This was the case with Bayswood development at Vincentia.

To equitably distribute the rate base as a result of the development of the MVRs URA, Council should investigate a Special Rate which would only apply to the resulting residential lots within the URA. The application of the Special Rate could also apply to the resulting residential lots in MVRN URA given the vision for this URA also intends to include extensive open space and WSUD.

Investigating a Special Rate for the MVRs URA could be undertaken in two ways:

1. The first option could look at applying for a Special Rate Variation with IPART once the development of MVRS URA is completed in approximately 2022/23. Council could then seek to expand the application of the Special Rate to MVRN URA once the development is completed in approximately 2028/29. It should be noted that these development timeframes are estimates only, and Council may be required to apply for a variation to IPART sooner.
2. The second option could look at applying for a Special Rate Variation with IPART once the development of both MVRS and MVRN URA is completed in approximately 2028/29.

This will be separately reported to Council as needed.

CL18.205 NSW Heritage Grants 2018-2019 - Shoalhaven Local Heritage Assistance Fund

HPERM Ref: D18/251335

Group: Planning Environment & Development Group
Section: Strategic Planning

Purpose / Summary

- Present the applications received for the Shoalhaven Local Heritage Assistance Fund for the 2018-2019 financial year and seek endorsement to allocate funding to eligible applicants; and
- Provide an update on the NSW Heritage Grants 2018-2019 program.

Recommendation

That Council endorse the allocation of Shoalhaven Local Heritage Assistance Funds for the 2018-2019 program as listed in **Table 1** within this report.

Options

1. Endorse the proposed allocation of Shoalhaven Local Heritage Assistance Funds for the 2018-2019 program as listed in **Table 1** in this report.

Implications: This will see the allocated budget amount being delivered to appropriate local heritage projects in accordance with the established process.

2. Adopt an alternate recommendation.

Implications: This option is not preferred as it would not be in keeping with the established process for these grants, which involves seeking applications from interested owners.

Background

Council has a long-term commitment to local heritage, demonstrated through the ongoing support of the NSW Heritage Grants. The grant funding provided by the NSW Office of Environment and Heritage (OEH) assists Council to employ a Heritage Advisor and to run an annual Local Heritage Assistance Fund to provide grants of up to \$5,000 for a wide range of small heritage projects including general maintenance, adaptive reuse, or sympathetic alterations/additions for heritage items.

The conservation of Shoalhaven's cultural heritage by its owners is clearly beneficial to the broader community and visitors to the area. These grants, although small, show that Council and the NSW State Government are committed to helping owners to conserve and enhance their properties for future generations. These heritage projects demonstrate Council's commitment to heritage conservation management and promoting cultural sustainability, heritage tourism and the Community Strategic Plan.

NSW Heritage Grants Program 2018-19

NSW Heritage Grant funding was accepted under the following streams:

- Local Heritage Places (Shoalhaven Local Heritage Assistance Fund) – Council accepted a grant of up to \$7,500 per annum (ex GST) for both the 2017-18 and 2018-19 financial years, with a funding formula for both years of \$1: \$1 (OEH: Council).
- Local Government Heritage Advisors – Council accepted a grant of up to \$8,000 per annum (ex GST) for both the 2017-18 and 2018-19 financial years towards providing a Heritage Advisor Service for Shoalhaven.

A grant application under NSW Heritage Grants Program – Local Government Heritage Planning Studies Stream 2018-19 for 'Berry historic township – community driven heritage study' was submitted on 18 August 2017. Whilst the project had merit and was considered eligible, Council was notified by OEH on 18 July 2018 that it was not successful due to a large volume of applications and a lack of State Funding. This project and the options to move it forward will be reported separately to Council in due course.

Shoalhaven Local Heritage Assistance Fund - Process

An advertisement was placed in local newspapers and on social media on 20 June 2018, calling for applications from owners of heritage items to participate in the 2018-2019 Shoalhaven Local Heritage Assistance Fund Grant Program.

Council also wrote to potential applicants who had previously expressed an interest in the program to inform them of the call for applications. It is noted that successful applicants are required to match the grant amount offered by Council on a 'dollar-for-dollar' basis and to complete the required works by 29 March 2019.

At the close of the application period on 20 July 2018, eleven (11) applications were received. The applications were assessed by Council's Heritage Advisor in accordance with OEH guidelines. The Heritage Advisor inspected the heritage items being considered for funding, to ensure that the works proposed are appropriate heritage works and a priority for that site. Funding is used to assist heritage listed items in Shoalhaven Local Environmental Plan 2014 as a priority, over non-listed heritage items.

Council's Heritage Advisor has deemed that ten (10) of the eleven (11) applications qualified for grant funding, with the successful applications having a total estimated value of \$129,462.00 ex GST. Details of the recommended successful applications together with the recommended grant amounts (total of \$22,500 ex GST) are shown in **Table 1**. The one (1) unsuccessful application was considered ineligible as it was a new addition to a building which required development consent and would therefore not meet the project timeframe of requiring completion by end of March 2019.

The priorities for allocation of funding are based on the assessment criteria noted on the grant application. A grant assessment matrix is also used by Council's Heritage Advisor to score applications, based on their merit. For the current round, grant applications are welcomed from across Shoalhaven. Given that OEH recommends Councils consider short term and longer-term funding priorities for the local heritage fund, in future, Council could consider a more targeted approach for particular area/s of strategic importance for heritage grant applications. This approach could support wider strategic planning projects.

Table 1: Shoalhaven Local Heritage Assistance Fund Program – Proposed Grant Allocation – 2018-2019

Project Location	Heritage Item	Description of Project	Project Cost	Suggested Grant Amount
1180 Bolong Road, Coolangatta	Former Berry Estate brick schoolmaster's residence including garden and former weatherboard Berry Estate school	Restoration of Old Coolangatta School	\$18,160	\$5,000
"Coolooli", 137 Princes Highway, Milton	Federation weatherboard residence and garden	Garden restoration	\$9,091	\$2,000
91 Osborne Street, Nowra	Victorian Georgian rendered masonry residence	Re-roof and new guttering	\$16,590	\$4,000
110 Berry Street, Nowra	"Hampden Villa"—Victorian weatherboard residence including stables and garden	Paint exterior of house	\$17,272	\$3,000
22-24 Jervis Street, Nowra	Victorian Italianate residence and garden	Conservation of the garden based upon Conservation Management Plan	\$7,617	\$1,500
"Thistlebank", 85 Ryans Lane, Pyree	"Thistlebank"—Dairy Farm Complex	Reinstate original front verandah	\$23,860	\$3,000
3 Pulman Street, Berry	Colonial weatherboard cottage (former curate's cottage)	Painting front of house	\$12,227	\$1,000
"Woodside Park", 94B Tannery Road, Berry	"Woodside Park"—dairy farm complex and gatehouse	Repair glazing and repaint windows	\$8,436	\$1,000
31 Worrigea Street, Nowra	Inter-war Californian Bungalow	Exterior painting	\$9,860	\$1,000
"Somerset" 117 Pyree Lane, Pyree	"Somerset House"—Federation weatherboard farmhouse and trees	Repairs to front verandah	\$6,349	\$1,000
TOTAL			\$129,462 ex GST	\$22,500 ex GST

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Community Engagement

The Shoalhaven Local Heritage Fund Program 2018-2019 was advertised in local newspapers and on social media on 20 June 2018. A link was provided to Council's website for relevant information on eligibility and assessment criteria. Direct advice was also provided to people who had previously expressed an interest in the program.

Policy Implications

As part of the funding agreement for Local Government Heritage Advisors Grant, and to claim re-imbursement, a Heritage Strategy covering 2017-19 is required. The Shoalhaven Heritage Strategy 2018-2021 was adopted by Council on 8 May 2018 (MIN18.339).

Financial Implications

Shoalhaven Local Heritage Assistance Fund (Local Heritage Places Grant)

The funding offer from OEH for 2018-19 is up to \$7,500 (ex GST) per annum, with a funding formula of \$1:\$1 (OEH: Council). This means that Council needs to spend \$15,000 to claim the maximum grant amount. OEH requires Council to spend the money first, and then claim reimbursement of the grant.

For the 2018-19 financial year, the recommended amount of funding for the Shoalhaven Local Heritage Assistance Fund is \$22,500 and Council's budget allocation is \$21,000. This means initially there will be a shortfall of \$1500 which will need to be allocated to this budget. This will be managed within the Strategic Planning budget and will be recouped when OEH reimburse the grant funding to Council.

Council should also ensure that a similar level of funding is provided in the 2019-20 and 2020-21 financial years to cover Council's required financial commitment for that period.

Shoalhaven Heritage Advisory Services (Local Government Heritage Advisors Grant)

The funding offer from OEH for 2018-19 is up to \$8,000 ex GST, with a funding formula of \$1:\$1 (OEH: Council). Therefore, Council needs to spend at least \$16,000 during the 2018-19 financial year, to claim back the maximum grant amount for reimbursement. Strategic Planning manage the OEH grant application and reimbursement process, however this budget is managed by Development Services.

There is \$12,000 allocated for 2018-19. Council should also ensure that the required level of funding is provided in the 2019-20 and 2020-21 financial years to cover Council's required financial commitment for that period.

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CL18.206 Shoalhaven Heads Surf Living Saving Club - Dune Management Plan

HPERM Ref: D18/275376

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Report to Council December 2017 [↓](#)
2. Draft Maintenance Plan (under separate cover) [⇒](#)

Purpose / Summary

To provide Council with the draft Shoalhaven Heads Surf Club Dune Maintenance Plan 2018 for adoption, as per part 2 of the Council resolution (MIN17.1051):

'Prepare a dune management plan for the immediate area surrounding the surf club including the car park to enhance public safety and environmental appreciation of this location.'

Recommendation (Item to be determined under delegated authority)

That Council adopt the Shoalhaven Heads Surf Life Saving Club Dune Maintenance Plan 2018.

Options

1. As per the resolution.

Implications: The draft Plan includes annual monitoring of the dune height. It also includes triggers for lowering the dune height to provide visibility from the observation tower located in the SLSC building to the beach as required by Council's resolutions. Actions may increase the risk of sand drift onto the adjoining building and car park as has occurred previously. The draft Plan includes a three (3) yearly review schedule or review following a coastal erosion/inundation event.

2. Alternative resolution

Implications: Unknown.

Background

Shoalhaven Heads Surf Life Saving Club (SLSC) was constructed in the early 1970's in what was at the time, deemed to be a suitable location for a surf club building servicing a growing village. Unfortunately, it was exposed to the 1970's catastrophic coastal storm sequence and major flood of 1974 that combined to see a 30m beach recession in one event. Significant storms in 1975 required the emergency rock protection placed in 1977 which was completed just in time for the 1978 storm impact.

Dune recovery, following extensive revegetation works by local volunteers, and a natural coastal accretion phase has resulted in a situation presenting the opposite challenge. Parts of the patrolled area of the beach could no longer be seen from the radio tower on the second story of the building.

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Council resolved In December 2017 to lower the dune height following representations from the SLSC (MIN17.1051) and requested a report in relation to the maintenance of the dune height. A report was provided to the December 2017 Ordinary meeting of Council (attachment 1). Council confirmed its previous resolution to lower the dune height in front of the SLSC building (MIN17.1070). This work was completed in December 2017 immediately following Council's resolution. The resolution included a requirement to prepare a plan for on-going maintenance of the dune height.

Attachment 3 contains the draft Dune Maintenance Plan for Council's consideration. The draft Plan includes annual monitoring of the dune height. It also includes triggers for lowering the dune height to provide visibility from the radio tower located in the SLSC building to the beach as required by Council's resolutions. The draft Plan includes a three (3) yearly review schedule or review following a coastal erosion/inundation event.

The 2016 Coastal Hazard Review identified the surf club and other public assets as being vulnerable to coastal hazards for the planning periods of 2030, 2050 and 2100. Further information about coastal hazards and alternative management approaches such as mobile observation towers is contained in the December 2017 report to Council (attachment 1).

Community Engagement

Representatives from both the Shoalhaven Heads Surf Club and the Shoalhaven Community Forum were involved in on-site meetings. Information gathered from these meetings assisted in the development of the maintenance plan.

Policy Implications

The 2016 Coastal Hazard Review (Advisian) identified this section of the coast as being vulnerable to coastal erosion and Council's 2018 Coastal Zone Management Plan for the Open Coast (CZMP) ranked the coastal hazard risk of the Shoalhaven Heads SLSC building as being high risk at 2050 and at extreme risk at 2100.

Financial Implications

The cost of the maintenance works if required, would be between \$3,500 to \$8,000 depending on the dune condition and extent of works required. Funds would generally be found from existing budgets when needed, otherwise reported to council at the next available Quarterly Budget report.

Risk Implications

The 2016 Coastal Hazard Review (Advisian) and 2018 CZMP identify this beach and the Shoalhaven Heads SLSC as being vulnerable to coastal hazards, including coastal erosion and inundation. The coastal hazard risk assessment in the CZMP places the public infrastructure, such as the surf club, at high risk at 2050 and extreme risk at 2100. These risk rankings are based on Council's updated coastal hazard mapping completed in 2016, which took into account the crest level of the dune at that time, before the work was undertaken to lower the height of the dune in front of the surf club, as resolved by Council, in December 2017. Reducing the resilience and height of any dune system may have coastal risk implications, which has not been re-assessed as part of this plan, but will be monitored over time.

CL17.346 Shoalhaven Heads Surf Club - response to notice of motion

HPERM Ref: D17/421497

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Shoalhaven Heads Surf Club - view from observation tower
2. General Manager's note - notice of motion
3. Warilla mobile observation tower

Purpose / Summary

Provide a report to Council as required in response to part 1 of Council's resolution of 12 December 2017 (MIN17.1051).

Recommendation

Submitted for Council's consideration.

Options

1. Council provide assistance to the Club in sourcing mobile observation facilities.

Implications: Such a facility would provide flexibility in regard to the location of an elevated viewing facility, guaranteeing optimum location for its function. The sourcing of such a facility however, may not be able to be achieved for this holiday period

2. Some reshaping immediately in front of the building as estimated in the survey or a lesser amount to reduce disturbance of vegetation as negotiated between Council officers and Club members.

Implications: This would not require detailed community engagement, however licences from government agencies may be required. Reducing the amount of disturbance to the dune will reduce the exposure of the dune and building to coastal erosion (wind, wave and inundation).

3. Dune management plan

Implications: This would need to be in accordance with current policy and would require public consultation.

Background

On 12 December 2017, in response to a notice of motion about dune re-shaping at the Shoalhaven Heads Surf Lifesaving Club, the Strategy and Assets Committee resolved that:

1. Council undertake urgent work to investigate re-shaping and lowering of the height of the sand dune that has developed between the Shoalhaven Heads Surf Lifesaving Club (S.H.S.L.C) and the patrolled section of the beach
2. The General Manager identify and recommend a funding source for the required works;
3. Council develop a Dune Management Plan for the immediate area surrounding the Surf Club and the car park, such area to preserve clear view lines to enhance public safety, and environmental appreciation by the public from the viewing platforms and picnic facilities at this location.
4. The General Manager submit a report to the next Council meeting (December Ordinary) in relation to part 1 above.

Investigations

Council Officers inspected the site again on Thursday 14th December, in response to the resolution of Council.

Photographs of the view from the observation tower are contained in attachment 1. The photographs show the section of dune immediately in front of the observation tower that was lowered by Council in 2012. The access track was recently re-graded this month, by Council so that the Surf Club can get vehicles onto the beach.

Council surveyed the area immediately in front of the building and calculated the amount of sand that would need to be reshaped to lower the height of the dune to meet the request of the Club. This area was identified through discussions with Club members and the Shoalhaven Heads Community forum, on-site on the 24th November 2017. This would result in the dune height being reduced by 1.5m to 2m in height resulting in a quantity of approximately 700m³ of sand being reshaped. Council contractors would be engaged to undertake these re-shaping works. The sand on the top of the dune would be pushed seaward onto the front of the dune to flatten it out and reduce the height. This sand would likely be lost from the dune in the next large tide or swell, that is, be washed out into the surf zone.

As detailed in attachment 2 and the Councillor briefing held on 12 December 2017, Council did not proceed with the works as requested because of the concern of exposing the building to increased risk of coastal erosion from both wind, waves and inundation. Alternative options were discussed with the Club, such as the use of mobile observation facilities.

The NSW Life Saving Operational Procedure - Version 5 under section LS7.1 Beach Management Methods & Roles - Beach Operations states that:

"13. A lifesaver shall be stationed in an elevated position (mobile tower/facility tower/high point on sand dunes etc.) at all times during operation when swimmers are in the water and have the beach area under observation at all times."

The above elevated position is often in addition to the "beach patrol" which operates in close proximity to the flagged swimming area. A mobile observation tower could be placed on top of the dune directly in front of the clubhouse building to provide an elevated position to obtain the desired line of sight to the beach and areas seaward of the surf zone. Council understands that any observation tower would require a radio communication.

Community Engagement

In relation to item 3 above, community engagement would need to be included as part of developing a Dune Management Plan for the immediate area surrounding the Surf Club and the car park, such area to preserve clear view lines to enhance public safety, and

environmental appreciation by the public from the viewing platforms and picnic facilities at this location. This would need to include engaging the broader community to seek input on how best to manage the dune into the future.

Policy Implications

A dune management plan does not currently exist for the site, however Council refers to relevant State coastal legislation, guidelines and manuals, including the Coastal Dune Management manual when making decisions. This manual offers the following comments in regard to dunes and beach safety;

“Observation towers to augment on-beach patrols are now routinely constructed in a variety of styles that are transportable and/or demountable. With sensitive siting they can fulfil beach patrol needs without impacting significantly on the dune environment “

Certain licences may be required when undertaking dune management works at the subject site including crown land licence and/or a licence from department of Primary Industries (DPI) – Fisheries. At the time of writing this report, Council is still waiting for advice from Crown Lands as to whether a licence would be required.

Financial Implications

Council would need to allocate budget and resources for the development of a Dune Management Plan. The cost and resources associated with this would need to be determined as there was not sufficient time to adequately estimate this at the time of writing this report.

The cost of works, including contour mulch bunds, to re-shape and lower the height of the dune immediately in front of the Surf Club building is estimated at \$18,000. This cost could be allocated from Council's Coastal maintenance budget (15931). However, although not fully spent this operational budget is completely allocated to works and grants for the remainder of this financial year. If this budget is used, some services will need to be reduced in other locations across the City, or council provide additional budget. Additional funds would also need to be allocated over the next 5 years to monitor the dune using survey, to maintain the mulch bunds and move any wind-blown sand. This would be an estimated additional \$2,500 each year.

As detailed in the report above, other Council's in the region have designed and built mobile surf lifesaving observation towers, see photograph in attachment 3. Shellharbour Council has advised that the portable tower at Warilla Beach cost approximately \$56,000 to build. The use of Council welders is likely to significantly reduce this cost.

Risk Implications

There may not be sufficient time to source an elevated observation tower or platform prior to the summer holidays.

Council contractors may not be able to mobilise equipment and undertake the requested work prior to Christmas.

In the short-term there is a risk that removing or reshaping the dune by 1.5m to 2m in height is likely to result in sand being blown from the dune onto pathways and up against the building. As the photographs in attachment 1 show, there is currently not a lot of vegetation covering the dune directly in front of the building. However, there is some cover from primary colonising native dune grasses, which is minimising wind-blown sand moving onto pathways and to the front of the building. Removal of native grasses covering the dune is likely to result in sand being blown up against the building and pathways over summer from prevailing north-east winds.

As detailed in the General Manager's note to the notice of motion in the Strategy & Assets Committee business paper dated 12 December 2017, the Surf Club building is at significant risk of coastal erosion now and into the future (see attachment 3). The removal of dune vegetation and lowering the height of the dune may reduce the resilience of the dune to withstand coastal erosion and therefore place the building at risk.

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
 - (i) performance management and reporting,
 - (ii) asset maintenance and enhancement,
 - (iii) funding decisions,
 - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services

Chapter 3, 8C Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.