

Ordinary Meeting

Meeting Date: Tuesday, 25 June, 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: At the conclusion of the Extra Ordinary Meeting (which commences at 4.45pm)

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 - 28 May 2019
6. **Declarations of Interest**
7. **Call Over of the Business Paper**
8. **Presentation of Petitions**
9. **Mayoral Minute**

Mayoral Minute

MM19.10	Mayoral Minute - Queen's Birthday Honours	1
MM19.11	Mayoral Minute - 2019 Ministers' Award for Women in Local Government	5
MM19.12	Mayoral Minute - Congratulations - Shoalhaven Environmental Expo - ReIMAGINE A Sustainable Future!	6

10. Deputations and Presentations

11. Notices of Motion / Questions on Notice

Notices of Motion / Questions on Notice

CL19.151	Notice of Motion - Keeping Kin Connected Family Fun Day	7
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CL19.152	Notice of Motion - Traineeship, Apprenticeship and Cadetship Programs	10
CL19.153	Notice of Motion - Pathway maintenance and upgrade (Penguins Head Road Reserve)	11
CL19.154	Notice of Motion - My Travel Festival	14
CL19.155	Rescission Motion - SA19.24 - Hyams Beach Off Site Parking	16
CL19.156	Question on Notice - On Road Cycle Ways - Road Audit	19

12. Committee Reports

<u>CL19.157</u>	<u>Report of the Strategy & Assets Committee - 11 June 2019.....</u>	<u>20</u>
SA19.71	Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees - 2019/2020	
SA19.73	Sponsorship Request - Rotary - Shoalhaven Emergency Services Community Awards	
SA19.74	Low Cost Loans Initiative Funding Agreement	
SA19.75	Solar PV Installations on Council Assets and Revolving Energy Fund	
SA19.76	Accelerated Replacement of Public Street Lighting with Energy Efficient LEDs	
SA19.77	Proposed Lease of Part 108 DP131063 - Narang Road Bomaderry - Shoalhaven District Tennis Association	
SA19.78	Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated	
SA19.79	Public Road - Douglas Paddock Road, Coolumburra - Redefinition of Boundaries and acquisition	
SA19.80	Proposed Lease - Bomaderry Community Preschool - 5 Birriley Street, Bomaderry	
SA19.81	Proposed Licence - Part of Lot 374 DP 755952 & Part of Lot 7323 DP 116817, West St Nowra - Nowra Communal Hall Nowra Showground	
SA19.82	Classification of Land Lot 616 DP 1249606 & Lot 617 DP 1249606 Red Gum Drive Ulladulla	
SA19.88	Grant of Easement for Underground Cables to Endeavour Energy - Moss Vale Rd Kangaroo Valley	
SA19.90	Request - Refund DA and CC Fees - Nowra Christian School & Nowra Rifle Club - DA19/1060 & DA18/1887	
<u>CL19.158</u>	<u>Report of the Aboriginal Advisory Committee - 13 May 2019</u>	<u>24</u>
AA19.8	2019-2021 Aboriginal Advisory Committee Strategic Plan	
AA19.10	Shoalhaven Regional Gallery - Response to Cook 2020 Anniversary - Exhibition of Indigenous Culture	
<u>CL19.159</u>	<u>Report of the Nowra CBD Revitalisation Strategy Committee - 15 May 2019.....</u>	<u>25</u>
CBD19.19	Draft Capital Works Program - Proposed Projects - Nowra CBD	

CL19.160	Report of the Shoalhaven Traffic Committee - 11 June 2019	26
TC19.28	Raised Concrete Island With Pedestrian Refuge - Yurunga Dr, North Nowra (PN 3519)	
TC19.29	Disabled Access Parking - Ulladulla Harbour Carpark - Ulladulla Seapool (PN 3546)	
TC19.30	Give Way Signage - Advanced Warning Signage - Line Marking - Idlewild Avenue Sanctuary Point (PN 3547)	
TC19.31	No Parking and No Stopping Zones - Reserve Road Basin View (PN 3548)	
TC19.32	No Parking Signage - Maintenance Access Gate – White Sands Park Bowen Street Huskisson (PN 3549)	
TC19.34	Time Restricted Parking - South Street Ulladulla (PN 3551)	

13. Reports

General Manager

CL19.161	Delivery Program and Operational Plan, Draft Budget 2019/20 and Long Term Financial Plan - Exhibition Outcomes.....	35
CL19.162	Sale of Council Land - Sextant St, South Nowra	53

Finance Corporate & Community Services

CL19.163	Making of rates and charges for 2019/20	55
CL19.164	Investment Report - May 2019	63
CL19.165	2018/19 Council Borrowings - Loan Agreement	69

Assets & Works

CL19.166	Nowra Youth Services Incorporated - Variation of lease agreement - Lot 1 DP315733 - 132 Kinghorne Street, Nowra	71
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Planning Environment & Development

DE19.45	Draft Medium Density Amendment (Chapter G13) - Shoalhaven DCP 2014 - Post Exhibition Consideration and Finalisation.....	75
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Shoalhaven Water

CL19.167	REMS 1B - Update.....	82
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14. Confidential Reports

Committee Reports

CCL19.12 Report of the Strategy & Assets Committee - 11 June 2019

CSA19.6 Proposed Acquisition of Land - Ulladulla

Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

CCL19.13 Confidential - REMS 1B Update

Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Local Government Act - Section 10A(2)(g) - Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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.

MM19.10 Mayoral Minute - Queen's Birthday Honours

HPERM Ref: D19/191755

Recommendation

That the report be received for information.

Details

The Queen's Birthday Honours were bestowed upon nine of our local identities this year. Congratulations to Phillip Brown OAM, Sue Davies OAM, Laurie McGinty OAM, Clem McNamara OAM, Dr Mary Moran OAM, Colonel Robert Calhoun DSC, Petty Officer Lauren Carruthers CSM, Lieutenant Commander Belinda Finlay CSM, and Velma Walker ASFM.

I have taken the liberty of sending a congratulatory letter on behalf of Council.

MEDAL (OAM) OF THE ORDER OF AUSTRALIA IN THE GENERAL DIVISION

- **Phillip Brown OAM** for service to the community of Milton Ulladulla.

Rotary Club of Milton-Ulladulla

- Immediate Past President, current.
- President, 2017-2018 and 2008-2009.
- Chairman, Blessing of the Fleet Festival, since 2007.
- Past Community Director.
- Member, since 2001.
- Paul Harris Fellow Sapphire, 2009.

Milton-Ulladulla Baptist Church

- Member, Building Committee, since 1997.
- Member, Combined Christmas Carols Organising Committee.
- Member, Grounds Committee, current.
- Past Sunday School Teacher.
- Deacon, 2000-2005.
- Member, since 1985.

Other

- Supporter, Jindelara Disability Respite House, many years.
- President, P&C Association, Milton Public School, 1995-2001.
- President, Milton Ulladulla Apex Club, 1992-1993 and Member, 1990-1995.

Professional career

- Surveyor, Phillip Brown Land Surveyors, since 1991.

Awards and recognition includes:

- Community Service Award, Ulladulla Milton Lions Club, 2014.
- Margaret Horan Memorial Award, Ulladulla Milton Lions Club, 2014.
- Citizen of the Year Award, Ulladulla Milton Lions Club, 2010.
- South Coast Regional Tourism Awards for Business Excellence, 2008.
- Rotarian of the Year, Rotary Club of Milton-Ulladulla, 2003-2004 and 2005-2006.

MM19.10

- Joanna Gash MP Community Award, 2009.

- **Suzanne Davies OAM** for service to the community through social welfare organisations.

YWCA New South Wales

- Manager/Program Coordinator, Domestic Violence Intervention Service, Nowra Police Station, 2005-2017.
- Assisted with the foundation of the Domestic Violence Court Assistance Service.

Community

- Counsellor/Placement Officer, Shoalhaven Homeless Hub, Nowra, since 2017.
- Case Worker/House Supervisor, New South Wales Department of Community Services, 1988-2005.

- **Laurie McGinty OAM** for service to the community through a range of roles.

- Vice-President, Shoalhaven Branch, Nowra South Wales Justices Association, current.
- Coordinator, "Christmas Light Show on Second Street", Ashbury, for 25 years.
- Fundraiser, Sydney Children's Hospital, Westmead, for 20 years.
- Fundraiser, Exodus Foundation, for 20 years.
- Leader, Scouts Australia, 1972-1994.
- Justice of the Peace, since 1975.

- **Clem McNamara OAM** for service to the community through social welfare programs.

Community

- Co-Founder, St Mary's House Campsie, 1993-2010.
- Board Member, Youth Off The Streets, 1999-2008.
- Coordinator, Bankstown Community Aid Program, 1993-1999.
- Member, Bankstown Steering Committee, Department of Housing, 1993-1998.
- Volunteer in Policing, Bankstown Police Command, 1993-2004.
- Justice of the Peace in New South Wales, since 1975.

St Vincent De Paul Society

- Co-Founder, St Jude's Homeless Men's Refuge in Bankstown, 1992-2002.
- Past Volunteer, Sydney Night Patrol, for many years.
- Member, for over 40 years.

- **Dr Mary Moran OAM** for service to medical research and to global health initiatives.

Policy Cures

- Executive Director, since 2010.
- Founder, 2004.

Global Health

- Director, Health Policy Division, The George Institute for Global Health, 2006-2010.
- Director, Pharmaceutical R&D Policy Project, London School of Economics, 2004-2005.
- Honorary Senior Lecturer, London School of Hygiene and Tropical Medicine, 2004.
- Diplomat and Policy Analyst, Department of Foreign Affairs and Trade, 1993-1998.

- Director, Medecins sans Frontieres (Doctors Without Borders), 4 years.
- Former Emergency Medicine Doctor, 12 years.

Expert Advisor

- World Health Organisation.
- Global Alliance for Vaccines and Immunisation.
- European Commission.
- European and Developing Countries Clinical Trials Partnership.
- Wellcome Trust.

DISTINGUISHED SERVICE CROSS (DSC)

- **Colonel Robert Calhoun DSC** for distinguished command and leadership in warlike operations while deployed as the Commander of Task Group Taji VI in Iraq from December 2017 to June 2018.

Colonel Calhoun's distinguished command and leadership of Task Group Taji VI improved the operational effectiveness of Iraqi Security Forces and contributed to the denial of operational freedom of manoeuvre of Da'esh forces in the North Baghdad area of operations. The centralised training facility concept and coalition partner force arrangements consolidated by Colonel Calhoun are a significant achievement. His efforts enabled the Baghdad Fighting School to assume broader responsibility for training and his leadership has improved the overall effectiveness of the Iraqi security forces.

MM19.10

CONSPICUOUS SERVICE MEDAL (CSM)

- **Lieutenant Commander Belinda Finlay CSM** for meritorious devotion to duty as the First Lieutenant, HMAS *Albatross*

Lieutenant Commander Finlay's commitment to duties has been outstanding. She has been instrumental in enhancing security arrangements, expertly coordinated high profile visits and ceremonial activities; developed constructive relationships across the base and with the local community, and compassionately supported members under her command. She demonstrates exceptional leadership and her commitment to duties has been inspirational; and ensuring that *Albatross* is held in the highest regard.

- **Petty Officer Lauren Carruthers CSM** for meritorious achievement in the field of aviation technician training.

Petty Officer Carruthers consistently demonstrated superior knowledge and skills in the development and delivery of the MH-60R Seahawk Helicopter technical training. She has been integral to the efforts of creating a training system that increases the competency and operational proficiency of the Fleet Air Arm's Maritime Combat Helicopter force. Her contribution assisted in developing the Training Authority - Aviation to be one of the foremost technical training systems in Australia

AUSTRALIAN FIRE SERVICE MEDAL (AFSM)

- **Velma Walker AFSM**

Ms Walker has been a member of the NSW Rural Fire Service (NSWRFS) for 29 years. She commenced her service with the Huskisson Brigade in 1990 and was made a life member in 2000. She has volunteered her time, skills and experience to the District Office, assisting staff with various tasks, requests and clerical administrative duties and her dedication and commitment are of the highest calibre. She has been deployed on numerous major bushfires in the area and other emergency response incidents where she has fulfilled the role of logistical officer in incident management teams. She displays the highest standard of professionalism at all times and her enthusiasm is renowned amongst staff and volunteers alike. She also works tirelessly promoting the reputation and image of the NSWRFS and is involved in a range of community engagement initiatives through her membership of the Community Engagement and Shoalhaven Catering teams. Ms Walker's work ethic is an inspiration to all members of the service, she is held in the highest regard by colleagues and members of the community for her efforts, and she continues to provide distinguished service to the community of New South Wales.

MM19.11 Mayoral Minute - 2019 Ministers' Award for Women in Local Government

HPERM Ref: D19/192582

Recommendation

That Council receive the report for information.

Details

On Thursday, 6 June 2019 I had the pleasure of being present at the 2019 Ministers' Award for Women in Local Government when the Director of Shoalhaven Water, Carmel Krogh OAM, was awarded a Special Achievement Award by the Hon Shelley Hancock MP.

Carmel has been the Director of Shoalhaven Water for more than 12 years and has delivered some of the Shoalhaven's largest infrastructure projects including Porter's Creek Dam and Reclaimed Water Management Scheme (REMS).

On behalf of Council, I would like to offer our sincere congratulations to Carmel. You are an inspiration to those around you and the recognition is well deserved and long overdue.

MM19.11

MM19.12 Mayoral Minute - Congratulations - Shoalhaven Environmental Expo - ReIMAGINE A Sustainable Future!

HPERM Ref: D19/192795

Recommendation

That Council receive the report for information.

Details

Congratulations to the Waste Services Unit and Council staff volunteers on another successful Shoalhaven Environmental Expo.

The staff that were so easily identifiable on the day were great ambassadors for the Shoalhaven. Engaging, knowledgeable and making a difference, I am sure they would have further inspired the next generation into new fields of discovery and career considerations. The evidence of collaboration across the organisation, to bring about an event that aspires to support community in improving our local environment is something that we can all be proud of.

One of the major successes of the Expo was the reach into the schools and the connection to our young people. The students were so engaged with the day and it was a delight to see their faces shining with wonder and enquiry. On a personal note spending some one on one time with the Year One Students from Nowra Anglican College was a lot of fun, these small people had a long list of questions about sustainability and government.

Thank you also to the many community volunteers who gave up their time to share their passion with a broader audience; the Shoalhaven seems to produce indefatigable volunteers in all manner of service to the community, we owe them a great deal of gratitude for their efforts.

The Sculpture Exhibition was an inspired addition to this year's Expo. Social media was alive with commentary and photos of all the different exhibits. Love it or not, the sculpture park both inside and out of the Shoalhaven Entertainment Centre did exactly what it meant to and that was to get people talking. Congratulations to the winner, Greer Taylor, for 'post tension(ing): a monument to yesterday's comfort' and The People's Choice Award went to Jodhi Doyle for "World of Possibilities" for their inspired creations.

Craig Reucastle and our home grown waste warrior Wombat, Steve Willis from Shoalhaven Recycling and the King and Queen of Green kept the crowds enthralled with their informative discussions and I certainly won't be putting plastic meat trays in the recycling bin from now on!

The Expo is a great model of community engagement at the highest level and has a lasting impression on all of those who attend. Sometimes we get caught up trying to quantify things with cost benefit ratios and economic outcomes which in the right circumstances is the right way to analyze, but the long lasting educational benefits of the expo cannot be underestimated.

MM19.12

CL19.151 Notice of Motion - Keeping Kin Connected Family Fun Day

HPERM Ref: D19/185855

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 Illawarra Shoalhaven District (F.A.C.S.) be granted a fee waiver (\$631), under Section 610e of the Local Government Act ("not for profit organisations"), for the hire of the committee room and pavilion room at the Nowra Showground in the September school holidays, in order to host the Keeping Kin Connected Family Fun Day.

Background

See copy of email below

"Hi Bob,

I am the Cultural Support caseworker at FACS and been nominated to roll out our 11th year anniversary of Keeping Kin Connected fun day.

Keeping Kin Connected is an annual event that is hosted by the staff from the Nowra and Ulladulla CSC's for all Aboriginal children in OOHC in the Shoalhaven.

The day was initially held as part of NAIDOC celebrations to provide Aboriginal children an opportunity to connect with other Aboriginal children living in care, many of whom were kin. It is also an important opportunity for staff to connect with the children and carers as an agency rather than as individuals.

One of the key priorities has been to provide an opportunity for Aboriginal children, and especially those living in non-Aboriginal care arrangements, to connect with their culture and local Aboriginal community. To this end the day is always opened with a Welcome to Country by a local Elder who is sometimes also a carer.

Local Elders are invited and encouraged to attend the day and have spent time talking to the children about the history and meaning of the local area or telling stories about their past experiences.

Each year the staff at Nowra/Ulladulla spends months planning the Keeping Kin Connected fun day through regular meetings attended by a representative from each team. The primary focus has always been on providing culturally appropriate activities but there has also been an emphasis on fun. The first Keeping Kin Connected fun day was held in 2009 and in the beginning when the event was held in July as part of NAIDOC it would often be very cold and numbers were not great.

The venue used to vary depending on what the staff had decided for the year and one year the children were taken on a bushwalk at Currarong with Aboriginal Elder Aunty Grace Crossley where they were told stories explaining the significance of the area to the local Aboriginal people. This was a fantastic day and everyone who attended commented on how valuable it had been to their journey of cultural awareness. Sadly,

CL19.151

the number of children and carers who attended was only a small percentage of the potential number we could have seen.

Following this, we decided that we should review the day with the carers and ask them what they think would work better for them and the children. We invited all carers of Aboriginal children to a morning tea at Nowra CSC and had a very good attendance. We asked the carers to complete a survey and give us feedback about how we could improve. They told us to find a venue in Nowra and move the event out of NAIDOC week as it was too busy.

In response to this feedback we moved the Keeping Kin Connected fun day to the September school holidays and started to hiring the pavilion at the Nowra Showground. The difference in attendance was enormous and we have seen between 100 and 150 children attend each year since that time.

For the past few years since the transition of OOHC to the NGO sector we have partnered with the local Aboriginal OOHC provider, the South Coast Medical Shoalhaven Aboriginal Corporation as well as Create and we also invite Aboriginal children placed with any local non-Aboriginal agency. Since 2013 we have invited young people from a local High school to perform indigenous dances and have also had Aboriginal artists and sport-stars attend and interact with the children.

I've been in contact with Ruth Woodbridge at Shoalhaven City Council regarding the hiring cost for the committee room and the pavilion room. The total cost to hirer both rooms from 8am to 4pm is \$631.

I am writing for your support in having this cost waived for our 11th year anniversary.

Your support would be gratefully appreciated.

Belinda

Belinda Campbell Aboriginal Caseworker

Illawarra Shoalhaven District

Department of Family and Community Services

Note by the General Manager

The applicant organisation is the Illawarra Shoalhaven District Department of Family and Community Services (FACS). As a government body FACS is not eligible for a waiver under Council's adopted Fee Waivers, Subsidies and Support Policy (POL18/39). See excerpt from 5.2 Fee Subsidies – Eligibility:

In order to be eligible for a subsidy, organisations will be required to provide the following information:

- Evidence of registration as a charity or Incorporated Not For Profit organisation, registered within the Shoalhaven City Council boundary;*
- Evidence of what is being done to provide community betterment, if a nonincorporated body or individual;*
- Details in relation to financial sustainability of the organisation, i.e., bank statements and financial reports (Profit and Loss and Balance Sheet, as a minimum);*
- Details on any previous subsidies provided or alternate funding from other sources*

CL19.151

Council has not previously received an application for a Fee Waiver for this event, as it was included as part of NAIDOC Week. NAIDOC Week events are supported by Council under the Events Policy, with provision of infrastructure and in-kind assistance. The proposed event is no longer part of the NAIDOC Week Program. For this reason, the organisation did not pay hire fees when they were operating within the umbrella of the NAIDOC Week celebrations at Nowra Showground.

The organisation has yet to make a booking / reservation for hire of a Council facility for this year's event. An inquiry was received on how much it would cost to hire the Pavilion and Committee Room at Nowra Showground, and the availability of dates in September - however no date reservation has been confirmed by the hirer, and no request to make a Fee Waiver application was raised or has been submitted to Council staff. Subject to the draft 2019/20 fees being adopted the hire for this event will be \$473.00.

Council does have the option to consider funding this request from the Financial Year 2019/20 Unallocated Donations Vote. The draft budget in the DPOP provides approximately \$30,000 for Unallocated Donations.

CL19.152 Notice of Motion - Traineeship, Apprenticeship and Cadetship Programs

HPERM Ref: D19/200866

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

It is requested that staff provide a report to Council that:

1. Provides details of the current traineeship, apprenticeship and cadetship programs within Council; and
2. Identifies any opportunities for potential expansion of current programs in place.

Background

Council's Strategic Workforce Plan and the Remuneration Review have both identified the emerging issue of an ageing workforce and the potential increasing attrition rates Council may experience and therefore the need for Council to be competitive to attract new staff but also to look to further develop its succession planning frameworks.

CL19.152

CL19.153 Notice of Motion - Pathway maintenance and upgrade (Penguins Head Road Reserve)

HPERM Ref: D19/198061

Submitted by: Cllr Mitchell Pakes

Attachments: 1. Location Map [↓](#)

Purpose / Summary

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

Recommendation

That Council:

1. Undertake sealing of the Penguins Head Reserve lookout pathway.
2. Construct a ramp to allow accessible inclusion and access to the Lookout.
3. Undertake general maintenance (tree trimming, replacement of rotten timber, moving picnic table)
4. Undertake general maintenance on the other two viewing platforms at this location. (tree trimming, painting, new gravel)

Background

Councillors and Staff attended this location on the council familiarisation tour.

I have had many requests from community groups and community members regarding the poor access to the Penguins Heads Reserve lookout.

I believe at a minimal cost to council the pathway and lookout could be made safer and accessible to all community members.

Note by the General Manager

The Coastal Hazard Program identified this as an unstable site with potential for slope failure, thus increasing overall risk and cost associated with any upgrade. The platform infrastructure is old and track access and fencing quality is poor. The current general maintenance program includes vegetation pruning, minor gravel track upgrade, fence and platform repairs.

Detailed investigation and design would be required to upgrade the lookout pathway and to construct a new ramp. To enable this to be undertaken a budget source would need to be identified. Indicative cost estimates to construct a raised plastic boardwalk would be approximately \$50,000 or alternatively, approximately \$20,000 to provide a concrete pathway.

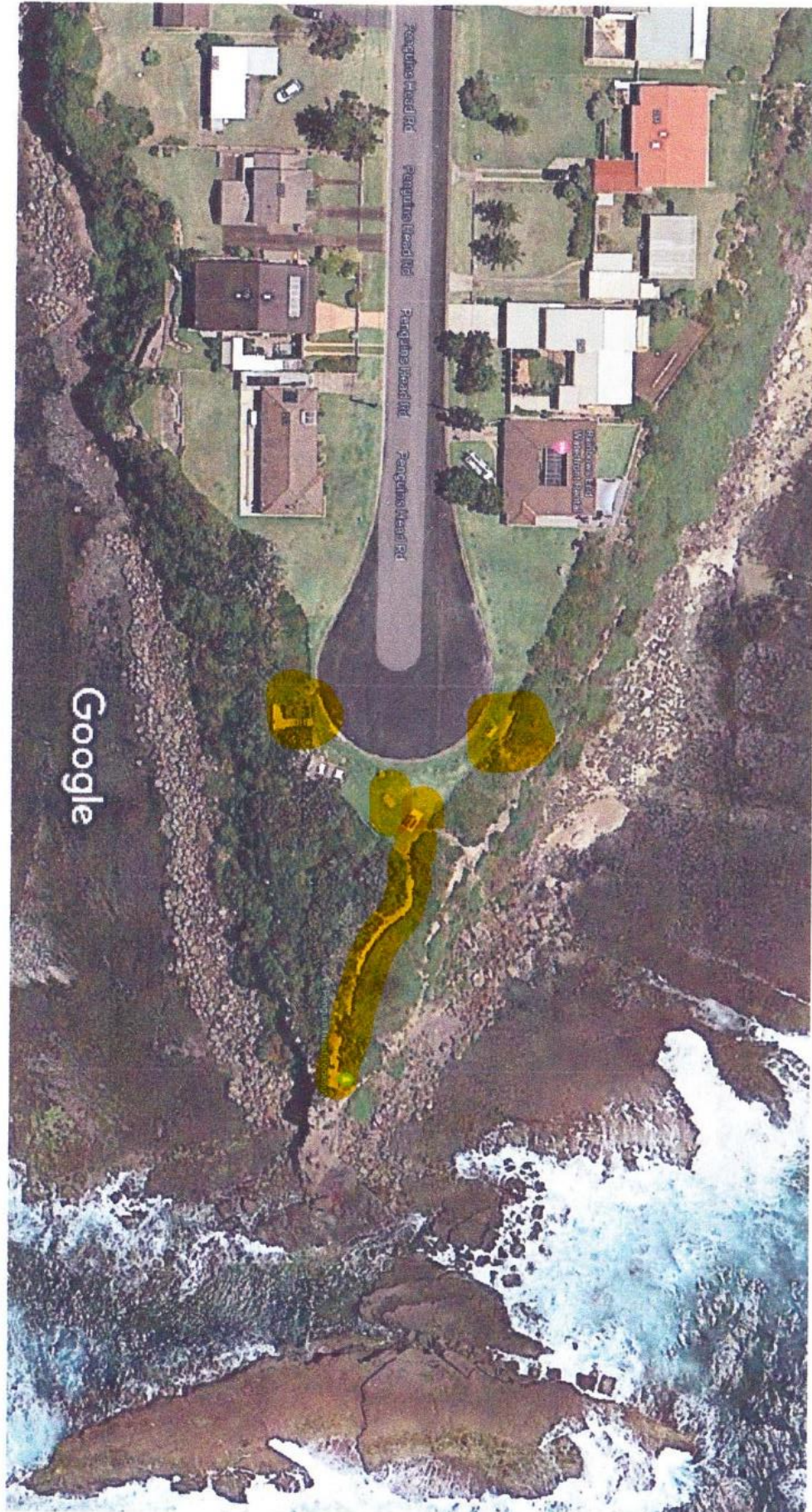
In noting this advice, the following alternate recommendation is suggested for consideration:

"That in respect of the Penguins Head Reserve lookout pathway, Council:

1. *Undertake general maintenance (tree trimming, replacement of rotten timber, moving picnic table)*

CL19.153

2. *Undertake general maintenance on the other two viewing platforms at this location. (tree trimming, painting, new gravel)*
3. Engage with the local community to determine the preferred long-term option for an accessible pathway to the Lookout with the project listed for funding consideration as a high priority at the September Quarterly Budget Review.”



CL19.153 - Attachment 1

CL19.154 Notice of Motion - My Travel Festival

HPERM Ref: D19/199824

Submitted by: Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council provide a donation of \$5,000 to My Travel Festival from Council's unallocated donations (2019/20) to assist with costs for the Festival.

Background

My Travel Festival will be held in the Shoalhaven on the 11th August 2019. This is the first event of its kind to happen in the Shoalhaven and will attract visitors not just from the Shoalhaven but from west, north and south of the LGA area.

It's about showing off the world to the people of the Shoalhaven & Surrounds. From day tours and activities in their own region to local produce (including wines and cheeses) that will mirror the flavours, tastes and experiences they can encounter as they move into the wider world—from visiting wineries in France whilst cruising the Rhine, to tasting street food from Trucks in Hong Kong. As you stroll round the festival you will be delighted as you find a myriad of travel options from Dolphin Watch Cruising in Jervis Bay, to swimming with the Whale sharks off Western Australia, from relaxing in a deluxe tented camp on the Shoalhaven River, to watching Elephants from your Okavango Lodge—this Festival is your window to the world, starting right at home!

For 8 years, local travel operators, My Travel Expert, have been active in promoting travel and tourism within the local community. As part of that effort they have run a Travel Expo annually, growing from a small Expo showcasing 12 Exhibitors, to an event that has recently strained the capacity of its venue with over 28 Exhibitors showcasing their travel products.

Like any Event though, there comes a time where you need to take stock and see what can be done, and for 2019 My Travel Expert is transforming My Travel Expo to My Travel Festival. The Festival will be moving from our indoor venue to the Shoalhaven City Turf Club which will allow for larger and more exhibits by each supplier, the option for more presentations directed to specific audiences, the ability to tie in local products with international destinations, and the option for local tourism operators to showcase their business at its best.

This is the first-time event Shoalhaven Tourism was unable to help with funds to assist with Festival due to data collection. We will be collecting data at the Festival to assist in the future in obtaining funds to run the event. It is intended to make this an annual event which will help tourism operators across the Shoalhaven.

In 2019 My Travel Festival will showcase the best of local produce, the best of local tourism opportunities and the best of World-Wide Travel and Cruises.

Note by the General Manager

It is understood that the My Travel Festival is not a not-for-profit event and therefore would not be eligible for payment under Council's Donations Policy.

Council Tourism Staff have had interim discussions with the event organisers and have formed a view on the information available that the event does not meet Council's Tourism Event criteria. This is on the basis that at this time it is understood that the event is predominantly for Shoalhaven Residents to learn about a range of travel options both inside and outside the Shoalhaven. More information on the event including details of vendors and products offered, marketing plans and calculation of expected visitation numbers would be needed for thorough assessment of the event.

On this basis, should Council wish to provide a donation to My Travel Expert for the event, public notification will be required in accordance with Section 356 of the Local Government Act, which states as follows:

"356 Can a council financially assist others?"

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:*
 - (a) the financial assistance is part of a specific program, and*
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work."*

Should the provision of a donation be the intention of the Council, it is suggested that be recommendation be amended to read:

"That Council

- 1. Advertise its intention to provide a donation of \$5,000 to My Travel Expert from Council's unallocated donations (2019/20) to assist with costs for the My Travel Festival, in accordance with Section 356 of the Local Government Act, 1993*
- 2. Receive a report following the advertising period which provides any submissions received and to allows Council's resolution on the matter."*

CL19.155 Rescission Motion - SA19.24 - Hyams Beach Off Site Parking

HPERM Ref: D19/201033

Submitted by: Clr John Levett
Clr Amanda Findley
Clr Nina Digiglio
Clr Kaye Gartner

Purpose / Summary

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

Recommendation

That in relation to the item Peak Tourist Management Package SA19.24, endorsed by Council at the 26 March 2019 Ordinary Meeting, Council expunges, or does not act upon Part 3(i) of the resolution which indicates a preference for two identified potential sites owned by the Jerrinja Local Aboriginal Lands Council and the National Parks and Wildlife Service.

Background

The following resolution was adopted at the Ordinary meeting held 26 March 2019 (MIN19.162):

That Council:

1. *Receive the report on the results of management strategies implemented over the peak tourism period to manage traffic, safety and local amenity concerns in high visitation areas.*
2. *Continue to manage short term high tourism visitation challenges over the next 12 months throughout the Shoalhaven Region and continue to provide a net budget allocation of \$150,000 in the 2019/20 financial year to ensure the standard of service and improvements made over the last 12 months are maintained.*
3. *Commit to ongoing priority be given to resolving Hyams Beach challenges through continued investigation of long-term solutions as follows:*
 - i. *Actively pursue options for parking outside of Hyams Beach Village with walk in and/or a shuttle bus service, with preference given to two identified potential sites owned by Jerrinja Land Council and National Parks and Wildlife Service respectively.*
 - ii. *Actively work on feasibility, funding and installation of a permanent roundabout to ease traffic congestion and control access into Hyams Beach at peak holiday times.*
 - iii. *Continue to actively investigate the viability of paid parking through the required traffic studies and report back to council in due course.*
4. *Note that in relation to issues with illegal camping and noise complaints within the Seamans Carpark and in response to strong representations from the community to limit use of the carpark to be open only during daylight hours, the following key actions will be trialled:*

CL19.155

- i. *Installation of a gate on the carpark and lock the gate – carpark only open during daylight hours*
 - ii. *Lock toilets – open only during daylight hours*
 - iii. *Investigate the ability to issue higher dollar infringements for illegal camping*
5. *Receive a further report on the outcomes of the grant application for infrastructure upgrades under the “Shoalhaven Sustainable Tourism Infrastructure Package” as part of the Restart NSW Environment and Tourism fund*
6. *Actively seek ongoing funding for tourism related infrastructure improvement projects as opportunities arise.*
7. *Proceed with a limited Expressions of Interest process to identify potential Smart Technology Solutions available to assist in solving the very high visitation challenges identified at Hyams Beach and report findings with estimated budgets back to council and the community via the Hyams Beach CCB.*
8. *That Council continue to work with the businesses of Hyams Beach in reducing any perceived impacts of the peak tourist management period.*

Re: SA19.24 in the Report of the Strategy & Assets Committee 12 March 2019

The above report was a Peak Tourist Period Management Progress Update on high visitation areas with particular reference to Hyams Beach Village. A resolution was passed at the Ordinary Meeting 26 March, part of which stated that Council commit, as an ongoing priority, to resolving Hyams Beach challenges through continued investigation of long term solutions and listed three priorities... the first of which was:

“Actively pursue options for parking outside of Hyams Beach Village with walk in and/or a shuttle bus service, with preference given to two identified potential sites owned by Jerrinja Land Council and National Parks and Wildlife Service respectively.” (Part 3, Point 1)

Part 3, Point 1 of the resolution has caused considerable adverse reaction from major Shoalhaven Conservation group such as the National Parks Association, BirdLife Shoalhaven, the Jervis Bay Regional Alliance, Australian Conservation Foundation and the Heritage Estate Community Network, all of whom have links to state and national organizations. This part has also caused concern with the Jerrinja Local Aboriginal Lands Council and the National Parks and Wildlife Service. That reaction has extended to the Hyams Beach Villagers Association Inc. [CCB] which resolved at their most recent meeting on 8 June:

“That the HBVA objects to any form of out-of-village car parking within the Jervis Bay National Park and the land granted to the Jerrinja ALC, such as the old tip site.”

Note by the General Manager

History:

Following consideration of two separate Notices of Motion from Cllr Guile and Cllr Gartner and a report to Council, Council resolved on 30 January 2018 (MIN18.38), in part 4, that:

...the General Manager is requested to give priority to reporting to Council measures suitable for implementation... These measures might include though should not be limited to:

- (c) Permanent infrastructure and management plans for Hyams Beach including shuttle services and header carparks.

Community Consultation:

Council conducted a survey on Short and Long Term Options for Hyams Beach as part of its community engagement process from 3 October to 13 November 2018. The Micromex Report on survey findings (December 2018) noted that:

One of the dominant topics discussed regarded the number of vehicles (not necessarily people) that currently enter the village during peak periods, and the need for Council to address this. Whilst many comments expressed a desire to have vehicles simply denied entry when all car park spaces are occupied, the use of carparks outside of the village, with either a walking track down to the beach or a shuttle bus to then transport visitors appears to be the option that will cause the least amount of disruption to residents whilst increasing the much needed parking availability for visitors to access the public beach. [Emphasis from Micromex Report unaltered]

The finding that a carpark out of the village with a walking track was the second highest rated long-term option, (between a foreshore master plan/reserve improvements and DCP, two options we would expect to be among the top rated proposals), gives an indication of the extent of community support. The important aspects of any external carpark are that its use is widely promoted/incentivised and that facilities are available for disabled visitors/young families. Ensuring that minimal environmental disruption is caused during the development of any facility, additionally, is vital.

Council further resolved on 26 March 2019 (MIN19.162), in part, to:

Commit to ongoing priority be given to resolving Hyams Beach challenges through continued investigation of long-term solutions as follows:

- (i) Actively pursue options for parking outside of Hyams Beach Village with walk in and/or a shuttle bus service, with preference given to two identified potential sites owned by Jerrinja Land Council and National Parks and Wildlife Service respectively.

Action to date:

Preliminary investigations into an out of village carpark have commenced and include:

1. Council representatives met with representatives of the Jerrinja Local Aboriginal Land Council on 9 April 2019.
2. Council wrote to National Parks & Wildlife Service on 22 May 2019.
3. Council wrote to the Department of Education on 11 June 2019.
4. Council representatives met with representatives from National Parks & Wildlife Service on 17 June 2018.

Since the Council resolution of 26 March 2019, the following community groups have written to Council objecting to an out of village carpark:

1. Heritage Estate Community Network, Birdlife Shoalhaven, Jervis Bay Regional Alliance, National Parks Association – Milton Ulladulla and Australian Conservation Foundation – Shoalhaven Branch – joint submission 1 May 2019.
2. Heritage Estate Community Network – further submission 6 May 2019.
3. Hyams Beach Villagers Association – 17 June 2019.

It was proposed to report back to Council advising the outcome of the actions to date in order for Council to determine the next steps (if any) to be taken to progress an out of village carpark and walking track access solution. Whilst adoption of the Rescission Motion will cease further investigation of the Jerrinja Local Aboriginal Land Council and National Parks and Wildlife Service sites, investigation of existing car park and shuttle solutions will still be undertaken.

CL19.156 Question on Notice - On Road Cycle Ways - Road Audit

HPERM Ref: D19/200320

Submitted by: Cllr Nina Digiglio

Question

Has Council, in collaboration with the RMS, the ability to undertake a desk top audit to locate roads across the Shoalhaven that are suitable for on road cycle way road marking?

Background

Shoalhaven has a significant cycling community partly due to the local focus that Council has supported via triathlons.

On road cycle way markings are a reasonable, cost effective and quick solution to improving safety for cyclists. However, it is my understanding that not all roads are suitable for line marking.

In an effort to increase bike usage that encourages and enhances wellbeing and reduces local Carbon emissions, Council in collaboration with the RMS could identify possibly suitable locations. If a desk top analysis was able to be done, it could also be used for logical and practical route planning

Response

Yes. Council has for a long time taken a strategic approach to on and off road cycle routes, and regularly engages with the RMS in this space.

In 2013 the Shoalhaven Bike Plan mapping was integrated with the Pedestrian Access and Mobility Plan (PAMP), to create one single mapping database. This was done in partnership with local cycling representatives. Numerous reviews in the period 2014 to 2016 were done in consultation with the local cycling representatives and local community consultative body representatives.

Many of the routes identified in this strategy have already been created and the PAMP is currently being reviewed and consideration will be given identifying and prioritising new on road routes, in consultation with the RMS and other representative groups.

A revised PAMP will be presented to Council for consideration in 2019/2020 financial year.

CL19.156

CL19.157 Report of the Strategy & Assets Committee - 11 June 2019

HPERM Ref: D19/195845

SA19.71 Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees - 2019/2020

HPERM Ref:
D19/159027

Recommendation

That Council:

1. Notes the Local Government Remuneration Tribunal's Annual Report and Determination dated 15 April 2019
2. Agrees to adjust the Councillor Fee to \$20,280 and the Additional Mayoral Fee to \$44,250 for the 2019/2020 financial year.
3. Make a submission to the Local Government Remuneration Tribunal as part of the 2020 Review on the basis that the current categorisation of Shoalhaven City Council does not adequately reflect the attributes, challenges and responsibilities of the Council.

SA19.73 Sponsorship Request - Rotary - Shoalhaven Emergency Services Community Awards

HPERM Ref:
D19/161116

Recommendation

That Council:

1. Accept the invitation to be a Partner of the Shoalhaven Emergency Services Community Awards as a Silver Awards Partner (\$2,000).
2. Fund the sponsorship from the Unallocated Donations Budget for 2019/20.

SA19.74 Low Cost Loans Initiative Funding Agreement

HPERM Ref:
D19/173924

Recommendation

That the Seal of Council be affixed to the Low-Cost Loan Initiative Funding Agreement for the Moss Vale Road South project with the Mayor and General Manager signing the agreement.

SA19.75 Solar PV Installations on Council Assets and Revolving Energy Fund

HPERM Ref:
D19/10239

Recommendation

That Council:

1. Receive the report for information to address multiple resolutions under MIN18.836
2. Endorse the establishment of a \$230,000 Revolving Energy Fund (REFund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund.
3. Funding of \$230,000 for the establishment of the REFund Reserve be confirmed in

CL19.157

conjunction with the adoption of the 2019/20 Budget.

4. Receive a further report early in the new financial year identifying a prioritised list of energy efficiency projects to be progressed under this initiative.

SA19.76 Accelerated Replacement of Public Street Lighting with Energy Efficient LEDs

**HPERM Ref:
D19/168767**

Recommendation

That Council:

1. Enter into an agreement with Endeavour Energy to implement the accelerated street lighting program to change 4,231 Mercury Vapour (MV) residential class street lights (50 and 80 Watts) to 17 Watt energy efficient LED technology at a cost of \$1.2M.
2. Delegate to the General Manager the authority to:
 - a. Finalise and execute the contract and any other documentation required to give effect to this resolution
 - b. Apply to NSW Office of Environment and Heritage to participate in the Accelerated Public Lighting Program to replace lights with a payback period of 5 years or less
3. Request to borrow \$1.2M from TCorp as a loan to fund the implementation of this program, with all savings from it to be directed back to loan repayments as they are realised.

SA19.77 Proposed Lease of Part 108 DP131063 - Narang Road Bomaderry - Shoalhaven District Tennis Association

**HPERM Ref:
D19/145603**

Recommendation

That Council:

1. Enter into a three (3) year lease agreement over Part Lot 108 DP131063, Narang Road, Bomaderry with two (2) x three (3) year option periods with Shoalhaven District Tennis Association at a commencement rent of \$21,996.00 per annum plus GST with annual CPI increases.
2. Approve the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

SA19.78 Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated

**HPERM Ref:
D19/149228**

Recommendation

That Council resolve to:

1. Enter into a twenty (20) year lease agreement over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry with Nowra Players Incorporated at a commencement rent of \$3,636.36 per annum plus GST with annual CPI increases.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CL19.157

**SA19.79 Public Road - Douglas Paddock Road, Coolumburra
- Redefinition of Boundaries and acquisition****HPERM Ref:
D19/172301****Recommendation**

That Council

1. Approve draft survey plan DP 1253398 redefining Douglas Park Road boundaries (shown as proposed Lot 1), for registration per S.21 of the Roads Act 1993.
2. Resolve to acquire from Gary & Maureen Hansell proposed Lot 2 DP 1253398 for \$1.00 (plus GST if applicable) and upon conclusion of the acquisition dedicate same as a public road per S.10 of the Roads Act 1993;
3. Affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

**SA19.80 Proposed Lease - Bomaderry Community Preschool
- 5 Birriley Street, Bomaderry****HPERM Ref:
D19/168439****Recommendation**

That Council:

1. Enter into a five (5) year lease agreement with a five (5) year option period with Nowra Anglican College Ltd for the continued use and occupation of part 5 Birriley Street, Bomaderry as the Bomaderry Community Preschool, with an initial rent of \$7,357.09 plus GST, with annual CPI increases,
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

**SA19.81 Proposed Licence - Part of Lot 374 DP 755952 & Part
of Lot 7323 DP 116817, West St Nowra - Nowra
Communal Hall Nowra Showground****HPERM Ref:
D19/169265****Recommendation**

That Council:

1. Enter into a one-year short term Crown Land licence agreement over part of Lot 374 DP 755952 and part of Lot 7323 DP 116817, West St Nowra, known as Nowra Communal Hall Nowra Showground, to Shoalhaven Citizens Youth Club trading as Nowra Gymnastics for an annual rent of \$25,000 (twenty-five thousand dollars) plus GST.
2. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any document necessary to give effect to this resolution.

CL19.157

SA19.82 Classification of Land
Lot 616 DP 1249606 & Lot 617 DP 1249606
Red Gum Drive Ulladulla

HPERM Ref:
D19/140155

Recommendation

That Council resolve to classify the land, Lot 616 & Lot 617 DP 1249606 Red Gum Drive Ulladulla in SF9275 as Community Land.

SA19.88 Grant of Easement for Underground Cables to
Endeavour Energy - Moss Vale Rd Kangaroo Valley

HPERM Ref:
D19/88432

Recommendation

That Council

1. Grant an Easement in favour of Endeavour Energy for underground cables 1 metre wide over Lot 16 DP 773481 Moss Vale Road, Kangaroo Valley and accept compensation of \$2,500 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and all legal costs are met by the registered proprietor of Lot 14 DP 773481.
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

SA19.90 Request - Refund DA and CC Fees - Nowra Christian
School & Nowra Rifle Club - DA19/1060 & DA18/1887

HPERM Ref:
D19/114286

Recommendation

That:

1. Council, in accordance with Council's Policy POL18/19, refund application fees identified in the report for:
 - a. Nowra Baptist Christian School Ltd. amounting to \$3,523.00; and
 - b. Nowra Rifle Club Inc. amounting to \$132.00.
2. The refund for the Application Fees be sourced from the proposed 2019/2020 Unallocated Donations Budget Allocation.

CL19.157

CL19.158 Report of the Aboriginal Advisory Committee - 13 May 2019

HPERM Ref: D19/168636

AA19.8 2019-2021 Aboriginal Advisory Committee Strategic Plan

HPERM Ref:
D19/16890

Recommendation

That the Aboriginal Advisory Committee:

1. Endorse the Draft 2019-2021 Aboriginal Advisory Committee Strategic Plan;
2. Recommend to Council that the draft 2019-2021 Aboriginal Advisory Committee Strategic Plan be endorsed to provide direction and action for the Aboriginal Advisory Committee from 2019 to 2021.

AA19.10 Shoalhaven Regional Gallery - Response to Cook 2020 Anniversary - Exhibition of Indigenous Culture

HPERM Ref:
D19/120957

Recommendation

That:

1. The Aboriginal Advisory Committee receive the report for information;
2. The Aboriginal Advisory Committee agree to the creation of a Working Group, comprising Committee members and interested members of the Aboriginal community, to consult with the Gallery on development of an Exhibition that celebrates the survival of Indigenous cultures and peoples post colonisation;
3. Information and an Expression of Interest be sent to the members of the AAC seeking nominations to be on the Working Group and to provide input into the exhibition;
4. The Aboriginal Advisory Committee emphasise to Council the importance of the Curator being of Aboriginal or Torres Strait Islander descent
5. Council consider funding the engagement of an Aboriginal Community Liaison Officer for the Cook 2020 Art Exhibition

CL19.158

CL19.159 Report of the Nowra CBD Revitalisation Strategy Committee - 15 May 2019

HPERM Ref: D19/174510

**CBD19.19 Draft Capital Works Program - Proposed Projects -
Nowra CBD**

**HPERM Ref:
D19/8904**

Recommendation

That:

1. The Committee review the Draft Capital Works Program (Attachment 1 - D19/151875) for the period 2019-2024 with the view of adopting a Capital Works Program at the next Committee meeting, for Council to consider.
2. Council reallocates any unspent budget to the 19/20 Nowra CBD Revitalisation Strategy Committee budget to allow sufficient funds for the Berry Street Nowra, Streetscape works.

Note by the General Manager:

This recommendation is referred to Council for resolution as Part 2 of this recommendation is outside the delegation of the Committee.

CL19.159

CL19.160 Report of the Shoalhaven Traffic Committee - 11 June 2019

HPERM Ref: D19/194148

- Attachments:**
1. TC19.28 - PN 3519 Plan [↓](#)
 2. TC19.29 - PN 3546 Plan [↓](#)
 3. TC19.30 - PN 3547 Plan [↓](#)
 4. TC19.31 - PN 3548 Plan [↓](#)
 5. TC19.32 - PN 3549 Plan [↓](#)
 6. TC19.34 - PN 3551 Plan [↓](#)

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](#)

TC19.28 Raised Concrete Island With Pedestrian Refuge - Yurunga Dr, North Nowra (PN 3519)

HPERM Ref: D19/187043

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of two Stop signs and associated hold linemarking at the intersection of Yurunga Drive and Illaroo Road, as detailed in the attached plan.

TC19.29 Disabled Access Parking - Ulladulla Harbour Carpark - Ulladulla Seapool (PN 3546)

HPERM Ref: D19/187094

Recommendation

That the General Manager (Director Assets and Works) be requested to arrange for the installation of two disabled parking spaces and associated shared access at Ulladulla Harbour Carpark, with improvements made to the surrounding verge, as detailed in the attached plan.

CL19.160

**TC19.30 Give Way Signage - Advanced Warning Signage -
Line Marking - Idlewild Avenue Sanctuary Point (PN
3547)**

**HPERM Ref:
D19/187132**

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of Give Way and advanced warning signage at the intersection of Idlewild Avenue and Clifton Street and associated linemarking, as detailed in the attached plan. Furthermore, it is recommended that Council continue to monitor the safety of the intersection and consider alternative treatments if warranted.

**TC19.31 No Parking and No Stopping Zones - Reserve Road
Basin View (PN 3548)**

**HPERM Ref:
D19/187148**

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of No Parking and No Stopping Zones on Reserve Road, Basin View, as detailed in the attached plan.

**TC19.32 No Parking Signage - Maintenance Access Gate –
White Sands Park Bowen Street Huskisson (PN
3549)**

**HPERM Ref:
D19/187162**

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of two No Parking signs located on either side of the Maintenance Access Gate at White Sands Park Huskisson, as detailed in the attached plan.

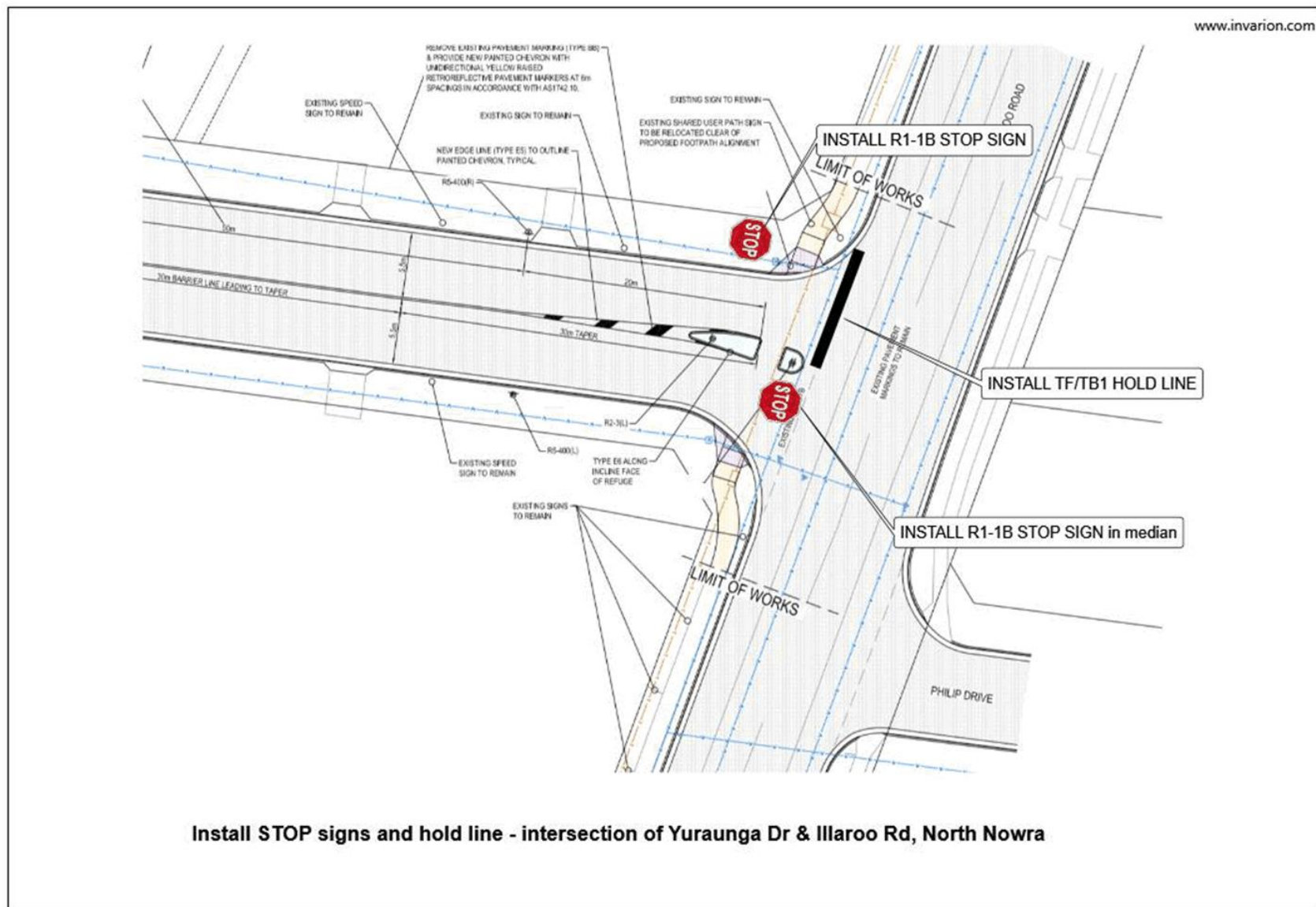
**TC19.34 Time Restricted Parking - South Street Ulladulla (PN
3551)**

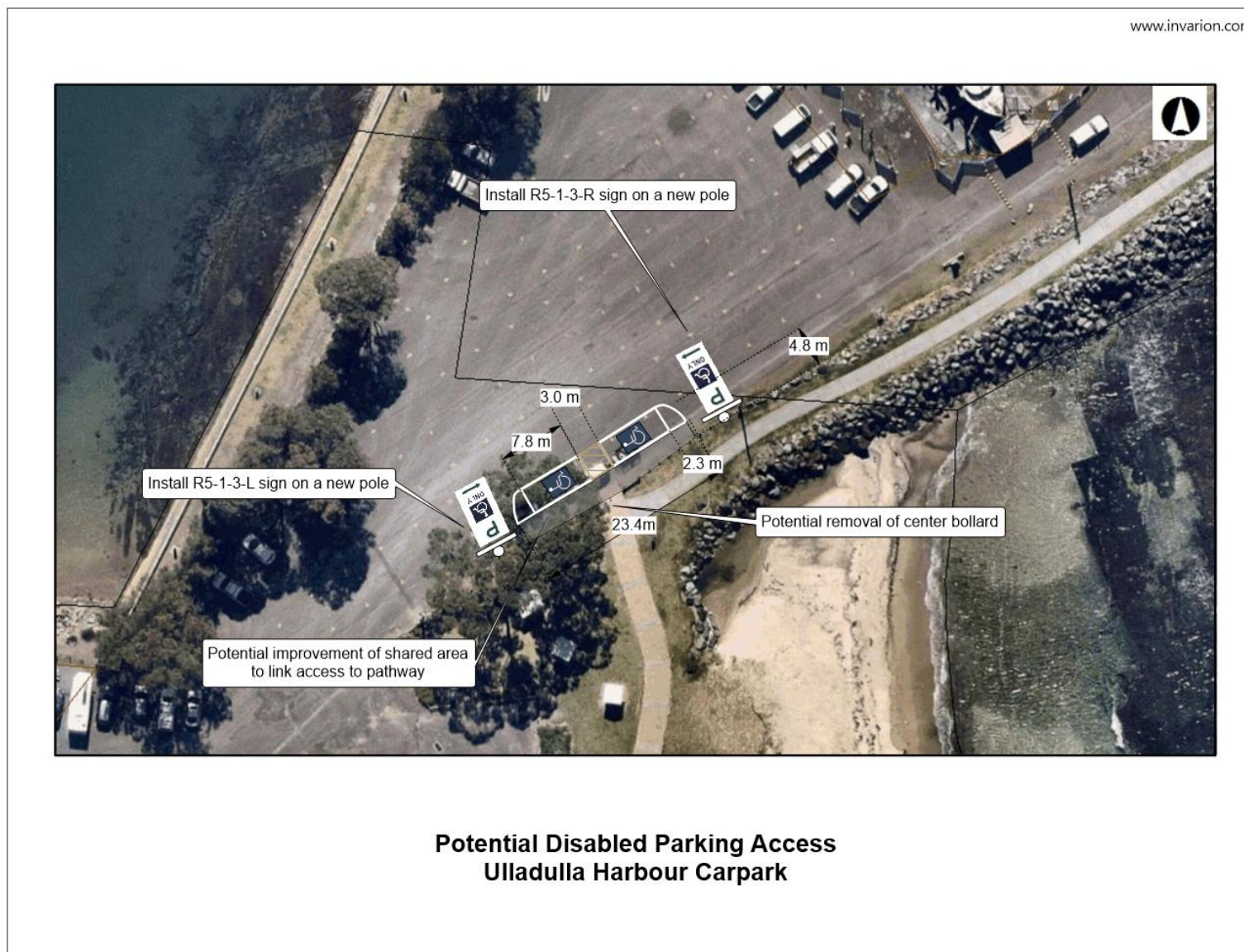
**HPERM Ref:
D19/187193**

Recommendation

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of 10 minute time restricted parking signs for approximately 17.5 meters on South Street Ulladulla to accommodate the proposed HealthOne development application, as detailed in the attached plan.

CL19.160





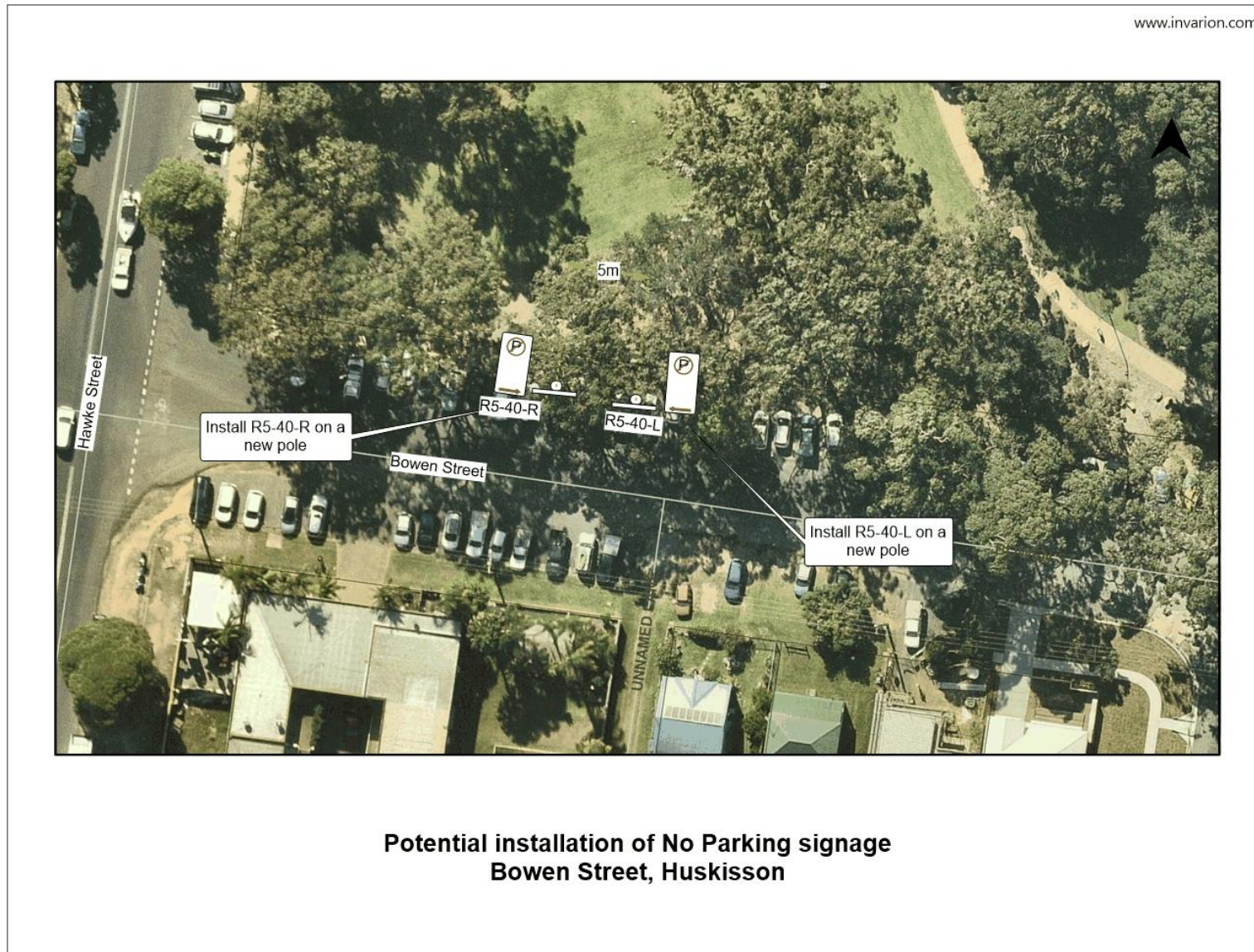


**Potential Installation of Give Way Controls
Idlewild Avenue, Sanctuary Point**

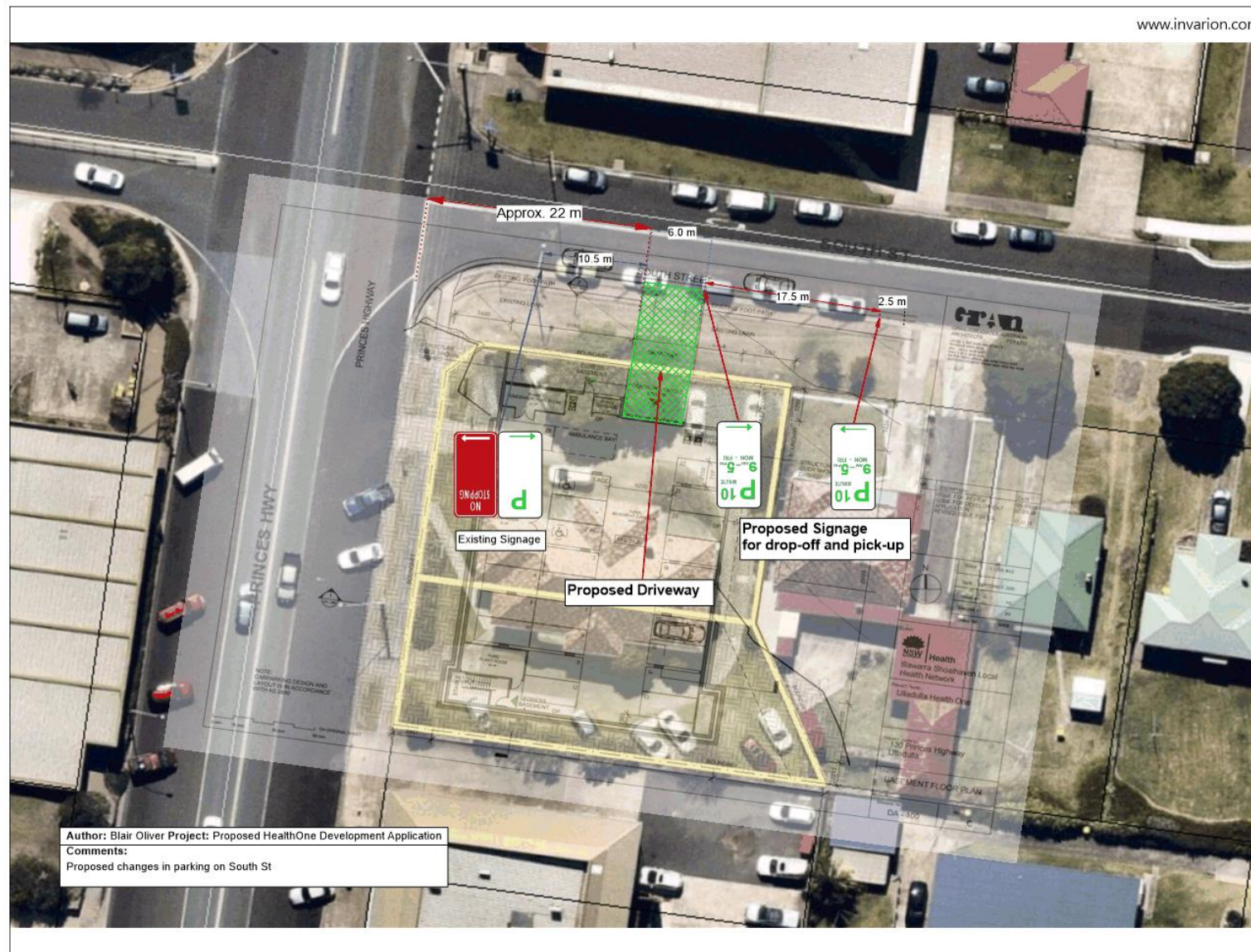
www.invarion.com



**Potential Installation of No Parking
and No Stopping Zones - Reserve
Road, Basin View**







CL19.161 Delivery Program and Operational Plan, Draft Budget 2019/20 and Long Term Financial Plan - Exhibition Outcomes

HPERM Ref: D19/196656

Group: General Manager's Group
Section: Executive Strategy

Attachments: 1. Combined Documents - DPOP Report - Attachments - PDF (councillors information folder) [↗](#)

Purpose / Summary

The purpose of this report is to seek Council's adoption of the Delivery Program and Operational Plan including the Draft Budget 2019/20 and the Draft Long Term Financial Plan.

The report also provides a summary and comments related to the outcomes of the public exhibition process undertaken from 9 May 2019 to 6 June 2019.

Recommendation

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2019/20 including Budget, Capital Works Program, Long Term Financial Plan and Fees and Charges, Council:

1. Adopt the 2019/20 Delivery Program and Operational Plan and Budget with the following changes:
 - a. Include the re-forecast of the following expenditure from 2018/19 financial into the 2019/20 Budget as follows:
 - i. Building Better Regions Grant – Myola - \$462,500
 - ii. Currarong Coastal Erosion Remediation - \$300,000
 - iii. Broughton Vale Berry RFS contribution- \$300,000
 - iv. Nowra CBD all Day Car Parking - \$205,673
 - v. Nowra Administration Building Compliance - \$870,000
 - vi. Office Accommodation Project - \$200,000
 - vii. The Lake Circuit- \$118,804
 - viii. McGrath Avenue Car Parking - \$100,000
 - b. Council's current contribution to the Illawarra Academy of Sport is increased from \$15,000 to \$17,000 per year via a reduction to unallocated donations budget for 2019/20 and onwards.
 - c. Amendment to the Economic Development Budget including:
 - i. Removal of expected income of \$225,000 from the Economic Development Budget
 - ii. Removal of \$115,000 from the Economic Expenditure Budget
 - iii. Removal of inflow to Economic Development Reserve of \$100,000
 - d. Allocation of the \$600,000 interest revenue received via contribution funds to the following priority projects:

- i. \$140,000 - Lake Conjola Coastal Zone Management Plan
 - ii. \$230,000 - Revolving Energy Fund
 - iii. \$ 50,000 - Crookhaven Heads Regional Boat Ramp
 - iv. \$7,000 - Collingwood Beach Dune Care
 - v. \$30,000 - Bomaderry Basketball Stadium Community Engagement
 - vi. Retention of \$143,000 for funding of Lake Conjola Entrance Works
2. Adopt the 2019/20 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Deletion of fee number 15547 Weed Certificates for the Fees and Charges Part 2
 - b. Include the following change to fees to Fees and Charges Part 2 for animal registration as required by the Companion Animals Regulation 2018 and outlined in Circular to Councils 13-54 as follows:
 - Desexed animal: \$58 (from \$57)
 - Breeder (Recognised) concession: \$58 (from \$57)
 - Pensioner concession (desexed animal only): \$25 (from \$24)
 - Pound/Shelter animal 50% discount (desexed): \$29 (from \$28.50)
 - If the registration fee has not been paid 28 days after the date on which the animal is required to be registered, a late fee of \$16 (\$15)
 - If the companion animal has not been desexed by the relevant desexing age and is not kept by a recognised breeder for breeding purposes, an additional fee of \$152 (from \$150) is payable in addition to the applicable registration fee listed above.
3. Adopt the Long Term Financial Plan and Capital Works Program with the editorial changes that have been made following the exhibition process.
4. Thank the community for providing their submissions as part of the exhibition process and provide a response to each submission, outlining the outcome and actions undertaken relating to the issues raised.

Options

1. Adopt recommendation as printed

Implications: This will enable Council to meet the legislative requirements of the Integrated Planning and Reporting Framework as detailed in the Local Government Act 1993.

2. Make an alternative recommendation or changes to the recommendation

Implications: The changes outlined in the recommendation will be made to the document following this meeting, additional changes can also be made if specifically referenced in any different recommendation made by Council. It is important to note however that there are legislative requirements that Council must meet in the finalisation of these documents and the budget. Any extensive changes or significant change to the budget may impact on Council being able to meet these requirements.

Background

Each year Council is required to outline the activities, programs, services, budget and long term financial plan that are proposed for the following financial year. This process is undertaken to ensure that Council is clearly identifying how it will continue to meet the needs and aspirations of the community as specified within the Community Strategic Plan. This forms part of the Integrated Planning and Reporting (IP&R) Framework which is a legislative requirement of the Local Government Act 1993.

A report was provided to Council on 30 April 2019 to seek to place the Draft Delivery Program, Budget, Fees and Charges for 2019/20 on exhibition. A copy of the resolution (MIN19.258) resulting from this meeting is provided in Table One (1) below. Commentary about the status of each of the items that form the resolution is also provided in the table below.

Table 1 – Minute 19.258- Actions and Status

	Council Resolution – Item	Status
1	<i>Receive and note the revised format for the Draft Delivery Program and Operational Plan (DPOP), Draft Fees and Charges and Draft Resourcing Strategy for 2019/20.</i>	No action required. Noted
2	<i>Note the inclusion of the detailed Capital Works Listing in the draft DPOP and presented separately as Attachment 1.</i>	Noted – this capital listing was further enhanced with formatting and explanation for the exhibition process. Continuous improvement to this list will occur over time. This more detailed listing was very well received by the community and was a welcome addition to the DPOP this year.
3	<i>Include the following additional actions in the draft DPOP prior to public exhibition:</i> <i>a. Report to Council early in 2019/20 on options to progress planning, design and funding for the repair and/or replacement of the Ulladulla Boardwalk.</i> <i>b. Complete the Bendalong Boat Harbour Masterplan, report to Council for adoption and investigate funding options for future staged implementation.</i> <i>c. Investigate design and funding options for the upgrade of Callala Bay Boat Ramp and report back to Council.</i> <i>d. Report back to Council on design, costings and funding options for road improvements at Duffy Corner and Mt Scanzi Rd Budgong.</i> <i>e. Investigate costings and funding options for a Shared User Path alongside the entry road and footpath into Holiday Haven at Lake Tabourie.</i> <i>f. Identify improvements to footpaths and cycleways in Sussex Inlet for inclusion the revised PAMP (Pedestrian Access and Mobility Plan) to be considered by Council.</i>	 These actions have been included in the DPOP and allocated to staff within the organisation for action. These actions will continue to be monitored and reported through the IP&R reporting framework Callala Bay Boat Ramp remains as a high priority for funding from the NSW Better Boating Program. The site at Mt Scanzi is being investigated to provide a seal on the corner in the 2019/20 financial year. Preliminary planning has been commenced. Council staff are investigating the options that could be undertaken subsequent to the current widening and upgrade of the existing pavement. Pedestrian Crossing improvements have recently been delivered in the Sussex Inlet town centre and the new Chris Creek shared path bridge is about to be constructed in the first half of 19/20. There are additional path projects proposed in the ten-year capital works program for Sussex Inlet. A footpath is also being investigated in Sussex Road as a community pathway project.

CL19.161

	Council Resolution – Item	Status
4	<i>Commit to proceeding with the Shoalhaven River Road Foreshore Precinct Rehabilitation Project and the General Manager (Acting) provide an urgent report to Council on options for full funding of the project.</i>	A report is currently being prepared for consideration by Council at the July Development and Environment Committee meeting. The report will outline the additional estimated costs, funding options and potential staged implementation. Subject to Council's decision, necessary budget adjustments will be noted for inclusion at a quarterly budget review.
5	<i>Noting the deletion of the Shoalhaven Heads Additional Carparking project from the now repealed Shoalhaven Contributions Plan 2010, include the following alternate projects for Shoalhaven Heads in the 2019/20 Capital Works Listing to be funded from the 'recoupment fund' established by Council in adopting the new Shoalhaven Contributions Plan 2019:</i> a) <i>Vic Zealand Oval - Explorer Boulevard Carparking (\$100,000)</i> b) <i>Shoalhaven Heads Boat Ramp - Hay Avenue Carparking Preliminaries (\$30,000)</i>	This has been noted and actioned. Changes have been made to the Capital works listing and noted as funded from the recoupment fund.
6	<i>List the construction of the Shoalhaven Head Boat Ramp - Hay Avenue Carparking (Sealing) \$120,000 as a high priority for funding in the Capital Listing for 2020/21.</i>	Completed and actioned
7	<i>Note that Jetty Maintenance at Shoalhaven Heads boat ramp will be funded from the March 2019 Quarterly Budget Review and staff will start making arrangements for this work in the current financial year.</i>	Noted and staff actioning – has been identified in the quarterly review and budget has been reallocated.
8	<i>Provide a specific budget allocation of \$20,000 in 2019/20 in order to respond to urgent maintenance concerns raised by Community Consultative Bodies, arising from Councillor consultation tours.</i>	Completed and actioned
9	<i>Prior to exhibition require the General Manager (Acting) to review and adjust the Fees and Charges document to ensure that any new proposed fees and charges, do not unduly impact on community groups or community organisations including fee 15569 (Temporary Food Stalls – Administration, Assessment and Inspection) and fee 15619 (Shoalhaven Entertainment centre – Whole Centre Hire – Fees and Office Support).</i>	These changes were made to the fees and charges document prior to exhibition. Specific identification of where the fees applied was included in the document and considerations relating to community groups and organisations were made
10	<i>Prior to exhibition require the General Manager (Acting) to provide details and reasons for any changes to the Draft Fees and Charges to Councillors.</i>	A table of proposed changed to the fees and charges and reasons for these changes was included and clearly identified in the Fees and Charges document. This was provided to Councillors and the community as part of the documentation placed on public exhibition
11	<i>As part of the exhibition process require that the General Manager (Acting) develop and provide clear and detailed communications to explain any proposed changes to Council's Draft Fees and Charges to the community.</i>	A detailed table of changes was provided as part of the exhibition process and communication included on the get involved page and as part of information available to community during the information night.
12	<i>Amend the Draft Fees and Charges to reflect the maximum interest rate for overdue rates and charges remain set at 7.5% and the Section 603 Certificate cost being set at \$85 (currently \$80) both as advised in Office of Local Government Circular 19-05.</i>	Actioned and completed

	Council Resolution – Item	Status
13	<i>Prior to exhibition seek the General Manager (Acting) to undertake additional formatting, editing and design enhancements to the suite of Integrated Planning & Reporting documents to enhance readability and understanding for the community.</i>	Actioned and completed
14	<i>As part of the exhibition use a range of engagement techniques, including Council's Information Nights and other communication methods, to provide information to the community about Council's Draft Delivery Program and Operational Plan (DPOP), Draft Fees and Charges, Draft Resourcing Strategy for 2019/20, Draft Budget for 2019/20, including details of the Capital works listing.</i>	Actioned and completed. Details of the outcome of the exhibition period are included within this report.
15	<i>Require that the General Manager (Acting) include Councillor and staff feedback and the feedback received from the community for any other projects or changes requested as part of the report to Council, following the exhibition period.</i>	Actioned and completed. Details of the outcome of the exhibition period are included within this report.
16	<i>In reporting back on the exhibition period also identify funding options for the allocation of \$50,000 for detailed design planning and costing for the upgrade or replacement of the Crookhaven Heads Regional Boat Ramp and associated facilities.</i>	Funding is proposed to be provided via a reallocation and expenditure of a portion of the \$600,000 interest available through the contribution funds.
17	<i>Note the advice from the General Manager (Acting) that there is no legal requirement for the estimated \$600,000 interest revenue included in the draft budget, arising from funds set aside for projects deleted from the repealed Shoalhaven Contributions Plan 2010, to remain as restricted funds and is therefore available for Council to consider allocating to additional priority projects identified during the DPOP public exhibition period.</i>	Noted – items are identified in this report for the proposed allocation of these funds.
18	<i>After making the required changes to the suite of Integrated Planning and Reporting Documents, as detailed in this recommendation, place the Draft Delivery Program and Operational Plan, Draft Fees and Charges and Draft Resourcing Strategy on public exhibition, as soon as possible, for a period of 28 days in accordance with legislative requirements.</i>	Completed and actioned

CL19.161

Public Exhibition

In accordance with the resolution of Council, the Delivery Program and Operational Plan, Budget, Fees and Charges and Long Term Financial Plan were placed on public exhibition for a period of 29 days from 9 May until 6 June 2019.

The key methods of engagement for the exhibition period included:

- Advertisement in local papers
- Emails and presentations to CCBs (including CCB Executive Committee meeting)
- Social Media posts and advertising
- Radio Advertising
- Four Community Information Nights (Nowra, Culburra, Ulladulla, Berry)
- Dedicated "Get Involved" website including online submission options
- Emails to Committees of Council
- Media releases and interviews
- Display of documents at Council's Administration Buildings
- Details in Council's weekly e-news
- News items on Council's website

The engagement was set at the level of inform and consult within the IAP2 framework. Focus on the engagement process was to inform the community about the documents, the key priorities, actions and projects that would be the focus for the next financial year. The engagement process encouraged feedback from the community in relation to the document format and contents and sought feedback on projects or priorities that could be improved or changed.

Submissions could be made to Council either via the online Get Involved page, in person at Council Administration Centres or at the Council information nights or via email or letter to Council.

A total of 159 community members attended the information nights held at four locations throughout the City. Positive online engagement was also observed with a total of 614 visits to the Get Involved Page.

Summary of Submissions

A total of eighteen (18) submissions were received during the exhibition period. Within these submissions there were thirty-nine (39) individual items and requests. Three internal notifications were also provided by staff to reflect recent legislative changes and resolutions of Council.

It was pleasing to see that there were a number of positive comments made in the submissions this year including:

- *"I commend the work Council has achieved over the last two years, with some real progress being made at last"*
- *"Big Thank you to Council for recently sealing Falls Road Falls Creek"*
- *"It is not light work reading through the significant planning proposals Council has set out for their OP and Budget 2019/20 and it is most impressive and no doubt a huge challenge for Council to cover such as vast geographical area"*
- *"Very exciting to see the growth of Woollamia Industrial Estate this is great for the area and Council are to be commended"*
- *"I congratulate the Mayor and Council Staff on the professionalism of the DPOP and Budget document and I welcome the invitation for citizens to make a contribution"*

Many of the individual submissions also included requests for new projects, items for funding or inclusion of actions in Council's DPOP. Some submissions also made specific comment about budget items or fees and charges. Most submissions contained multiple issues, items or requests.

To assist in the identification and management of each of the items/issues raised, the submissions have been separated into a number of individual specific issues or items and then summarised into three tables which are as follows:

- Table 2 - Submissions Items - DPOP Priorities, Actions and Programs
- Table 3 - Submission Items - Budget
- Table 4 - Submission Items- Fees and Charges

Each item / issue is accompanied with a staff comment, recommendation or proposed action in response. Given the short time between exhibition and reporting some items will need further investigation and may be the subject of further reports to Council in the future.

Copies of each submission have also been provided in the Councillor Information Folder.

Table 2 - Submissions Items - DPOP Priorities, Actions and Programs

	Subject / Comment/ Issue	No.	Submitter	Recommended Action Required
1	Request for a project Officer (\$75,000) for the Lighthouse Group to oversee the improvements to Warden Head Lighthouse Area	1	Community/ Resident	Request be noted and should be considered if or when grant funding is approved. Any consideration would also be mindful of resource needs for other priority projects and funding allocations.
2	Management of and Funding allocation for Lake Conjola. Concern that no funding has been clearly identified within the budget	2	Community/ Resident	This is a priority matter for Council. Works have recently been undertaken to open a channel in accordance with the licence received from the State Government. There is \$140,000 in grant funds that have been allocated by the State Government to assist in undertaking the
3	Provide more support for Bushcare groups and employ additional rangers to assist	1	Community/ Resident	Noted – additional ranger positions have been provided via a previous Council resolution.
4	Request for access for Bikes be provided along falls creek road following recent resealing	1	Community/ Resident	Provision for bikes along this route is consistent with Council's PAMP and Bike Plans, and staff are currently investigating practical access in consultation with land owners.
5	Request for screening and landscaping for the entrance to Woollamia Industrial Estate to make the entrance more attractive and screen development. Propose funding from profits of land sales	1	Community/ Resident	Submission noted – this will be followed up directly by staff to determine if further enhancements could occur in this location in accordance with drainage and bushfire requirements.
6	Plan and build a tourist lookout platform in White Sands park directly east through Owen Street	1	Community/ Resident	Noted – there is already a lookout provided within close proximity to this location which is access via the share pathway.
7	Upgrade Moona Moona Creek Reserve	1	Community/ Resident	Further investigations are being undertaken and clarification of the request are being discussed with the community member.
8	On southern entrance to Moona Moona Creek install fencing to stabilise sand erosion	1	Community/ Resident	There is not currently a budget allocation or existing plan currently available the action this request. The project would require further investigation and consideration to understand requirements and options in this location.
9	Plan for a lower level tourist walkway from the Huskisson Sea Pool to the southern end of White Sands Tourist Park	1	Community/ Resident	The rock platform and sand within this location makes the construction a pathway particularly problematic. A shared pathway exists which provides access from white sands park to voyager park. It is not proposed to include this as an action at this time.
10	Offer to assist in the enhancement of the DPOP document particularly performance measures	1	Consultant	The offer of assistance is noted and will be followed up directly by staff. It may be useful to seek support of a consultant to assist in this process if existing budget is available – noting that engagement of any consultant would be in accordance with Council's procurement policy and procedures.

CL19.161

	Subject / Comment/ Issue	No.	Submitter	Recommended Action Required
11	Request for action to be taken on the development of a bridge over Brogers Creek. Acknowledge that it is in the asset management plan as a project but would like the priority allocation reconsidered and the project given higher priority.	1	Community/ Resident	Grant funding will be sought for this project to seek progression and elevation in the capital works priority listing.
12	Concern around validity of process the VRRRA has undertaken to seek input by the rest of the Vincentia Community for their submission to Council as part of the exhibition process	1	Community/ Resident	Noted – every submission is considered on the information provided. All projects and suggestions are undertaken by Council in broad consultation with the wider community.
13	Plantation Point – Upgrade of amenities, playground equipment and upgrade to Iconic Park Status	1	VRRRA	Council has obtained grant funding to upgrade the playground, amenities and access to Barflour Beach. The grant funding that has been provided for this project will be carried into the next financial year and will occur as part of the June Quarterly review. After community engagement for the precinct it is proposed the works for the amenities block are to be conducted during the winter of 2020 with acquittal required by November 2020.
14	Safety on the “Round the Bay” shared cycleway/ pathway at Huskisson and Vincentia	1	VRRRA	<p>Council is continuing to work directly with the VRRRA on a range of safety initiatives and will continue to do so in the next financial year. Incidents are reported, recorded and investigated. Some safety improvements have been made.</p> <p>The “Share the Track” road safety campaign will commence in 19/20.</p> <p>Staff are currently considering an annual allocation of funding for new footpaths in the order of approx. \$170,000 for at least the next ten years, and there are outstanding requests for new footpaths from across the City. Council's PAMP ranks footpaths across the 49 towns & villages based on risk, with an estimated backlog in the order of 200kms, proposals such as this rank very low in PAMP due to the relatively low traffic volumes and long distance from key generators. Bringing forward the timing would require an additional allocation of funds from Council.</p>
15	<p>Safety – Provision for electronic bill boards for Slow Down & Hold my hand signs in each CCB.</p> <p>Slow down / Kids around (steel) safety signs at the intersections of road heads and cycle way along Collingwood</p>	1	VRRRA	<p>Council will provide static signage indicating rules and responsibilities for path users in 19/20.</p> <p>Little Blue Dinosaur signs are erected during peak holiday periods.</p>
16	Stormwater and Gutters issues in Vincentia	1	VRRRA	This is being followed up by the District Engineer. Ongoing liaison is occurring including attendance at CCB meetings

CL19.161

	Subject / Comment/ Issue	No.	Submitter	Recommended Action Required
17	Recovery of costs from Holiday Haven visitors for contribution to roads rubbish and rates	1	VRRA	Revenue for Holiday Haven tourist parks is utilised for environmental and infrastructure works in the vicinity of each of the various properties and also contributes to the maintenance of Council's Crown Lands portfolio. A levy on the Holiday Haven would affect the competitive neutrality of the business on the South Coast.
18	Install refuge at the intersection of Elizabeth drive and Berry St Vincentia.	1	VRRA	Pedestrian refuges will be incorporated into Council's 2020/21 grant funding application for a roundabout at Elizabeth Drive/Berry Street, with will provide other broader traffic benefits in accordance with the Bay & Basin traffic study.
19	Resealing of first 245m of pavement on Elizabeth Dr south of Moona Ck bridge.	1	VRRA	Recent kerb & gutter and associated shouldering have resolved the issues raised. Actual resealing of the section is not considered a priority in 19/20 and will be assessed for future programs.
20	Stormwater drainage problem near 72 & 74 Elizabeth Drive Vincentia. Ongoing problems in rain events despite solutions applied in 18/19.	1	VRRA	Design is underway to supplement previous works. Agreed works and costs estimates will be listed for consideration in the future works program.
20	Community engagement ideas to assist further communications with Vincentia Community	1	VRRA	These suggestions will be further investigated by community engagement staff. The request for all correspondence to be provided by email is noted and will be advised to Council staff and records management.
21	A list of requests for updates about a range of projects was also provided within the VRRA submission.	1	VRRA	Many of these items were discussed and answers provided as part of the Information evenings which were attended by VRRA committee members. The submission may have been provided to Council prior to these discussions occurring and updates being provided. These requests have been noted and will be further followed up by staff to clarify if there is any outstanding information required by the CCB.
22	Stormwater discharge through the dunes of Collingwood Beach	1	Collingwood Beach Preservation Group	This is continuing to be investigated by staff.
23	Provision of a lifesaving facility at Collingwood Beach during the School Holiday Period	1	Collingwood Beach Preservation Group	This request will be provided to Surf Lifesaving for consideration
24	Need for a Dune Care Group	1	Collingwood Beach Preservation Group	This has been the subject of a recent Council resolution and will be implemented in accordance with this resolution.
24	Quality of Roads needs to be improved	1	Huskisson Woollamia Voice	Council is working to a prioritised program within budget constraints across the city. Additional funding obtained via the SRV has been utilised for improvements to Roads throughout the City.
26	Inclusion of a roundabout or other road safety measures at intersection of Owen and Sydney Streets	1	Huskisson Woollamia Voice	Council's Building Better Regions grant program (Round 3) funding application for the roundabout and associated works (part of a gateway entrance to Jervis Bay treatment plan) was unsuccessful. Council has allocated its own funds to progress survey and design of the roundabout. This was the subject of a Council resolution (MIN 18.290). There remains a funding shortfall of \$775,000.

CL19.161

	Subject / Comment/ Issue	No.	Submitter	Recommended Action Required
				Options for future funding are being considered and will be provided to Council for consideration in the future including further grant applications.
27	Inclusion of footpath on streets leading to town centres to facilitate pedestrian access in Huskisson and Vincentia	1	Huskisson Woollamia Voice	Path and crossing improvements were recently completed on Sydney and Tomerong Streets, Huskisson, and Council has recently been awarded funding under the Building Better Regions program (Round 3) for path and ferry access improvement works at Myola which will improve the active transport link between Myola and Huskisson. Additional streetscape improvements are currently being designed for the Huskisson town centre, and more shared path and footpath works are also proposed in the ten-year capital works program for Vincentia.
28	Call for increased consultation with small communities about the impacts of major events	1	Huskisson Woollamia Voice	Ongoing consultation does occur with our community about events and the impact of these events on small communities. Event organisers are actively encouraged by Council to liaise and consult with local community and business chambers as part of their approval process. Council also regularly communicates with event organisers throughout the approval process and support in the consultation process.
29	4.2.03 Seems to be treated as a PR exercise want a plan for strategies that would make Council practices and culture more transparent and trustworthy	1	Huskisson Woollamia Voice	Staff will be undertaking a review of Council's Community Engagement and Communication Strategy as part of the new State Government Planning Legislation requirements and continue to make improvements to the communication and engagement approaches already used by staff.
30	Inclusion of an enclosed shower and change room at the sea pool in Huskisson	1	Huskisson Woollamia Voice	Public amenity (toilet) is provided with internal changerooms and an external shower for the patrons of the Huskisson Sea pool and Voyager Park.
31	Clarification of whether any auditing relating to road works carried out on Dyball Reserve Sussex Inlet	1	Community/ Resident	This item will be followed up directly with the community member to clarify Council's approach and actions.

CL19.161

Table 3 - Submission Items - Budget

	Subject / Comment/ Issue	Submitter	Recommended Action Required
1	Advice of forecast loss for Southern Phone as per dividend policy a dividend is not expected for the 2019 financial year	Southern phone	<p>Recommendation:</p> <p><i>The draft budget be amended to reflect the following changes:</i></p> <ul style="list-style-type: none"> a) <i>Removal of expected income of \$225,000 from the Economic Development Budget</i> b) <i>Removal of \$115,000 from the Economic Expenditure Budget</i> c) <i>Removal of inflow to Economic Development Reserve of \$100,000</i> <p>These impacts can be absorbed by the Economic Development Department and will not impact on significant Council priorities or projects.</p>
2	Request for review of funding support to the Illawarra Academy of Sport from \$15,000 to \$17,000 and future contributions be subject to a CPI or rate peg increase	Illawarra Academy of Sport	<p>The additional contribution could be considered by Council and allocate out of the unallocated donations funds for next financial year.</p> <p>Changes will need to be made to the donations table in the DPOP and to the budget allocations in the document</p> <p>Recommendation:</p> <p><i>Council's current contribution to the Illawarra Academy of Sport is increased from \$15,000 to \$17,000 per year via a reduction to unallocated donations budget for 2019/20 and onwards.</i></p>
3	<p>Council Contribution to the RFS, SES and Fire and Rescue NSW. Notice of assessment received.</p> <p>Council's annual contribution to the State Government is \$1,858,578.28.</p>	State Govt.	<p>This assessment received by Council on the 7 May 2019 now requires Council to find an additional \$280,199.30 which is a further increase to the increase assumed within the existing draft budget.</p> <p>Further commentary is provided on this item in the body of the report.</p> <p>A recommendation has also been provided as part of this report, including strong representations to the State Members, outlining both concerns with the timing the given the timing of the assessment and significant additional funds now required.</p>
4	Enquiry about the budget allocation for the building located at 3-Watt Street Huskisson.	Meals on Wheels	The request seeks further clarification about the expenditure of the funds already allocated. Further information will be provided directly to Meal on Wheels.

CL19-161

Table 4- Submissions - Fees and Charges

	Subject / Comment/ Issue	Submitter	Recommended Action Required
1	Fees and Charges for the hire of space at Milton Library. Fee should be at 50% of commercial rate rather than 75% of commercial rate	Community/ Resident	This fee is a community casual rate which is 75% of the commercial rate. The community regular rate is 50% of the commercial rate, but currently this fee is not applied to Milton Library <i>Recommended to remain as per detailed in Draft Fees and Charges</i>
2	Charge of \$2.50 for the reservation of books should only be \$1	Community/ Resident	This is a partial cost recovery (staff time, postage [between branches], system management). This fee has not been increased for 4 years. <i>Recommended charges remain as per detailed in Draft Fees and Charges</i>
3	Concern regarding the Annual fee for Holiday Haven Caravan Parks and that it is calculated as a market rate. Do not believe that this fee is reasonable	Community/ Resident	The fees charged are commensurate with other commercial ventures. Profits from Holiday Haven Parks are expended in NSW Crown Reserves under Council's care, control and management within the Shoalhaven Region. <i>Fee to remain unchanged</i>
4	Fee No. 15547- no longer required due to changes to Schedule 7, Cl 28 of the Biosecurity Act	Planning Development	This fee has been deleted from the draft fees and charges documents <i>Fee to be deleted from Part 2 Fees and Charges</i>
5	Changes to Fees and Charges related to Pet Registration	Planning Development	This change has been made to the draft fees and charges document <i>Fees to be updated in accordance with Circular to Council's 13-54 in Part 2 Fees and Charges</i>

CL19.161

Considerations and Proposed Changes to 2019/20 Budget

Emergency Services Levy

On 7 May 2019 Council received the Council Contribution Assessment Notice from State Revenue.

The timing of this notification from the State Government was concerning given that the Draft Budget had already been finalised and adopted by Council for exhibition. Furthermore, the contribution request was an increase of \$315,607.28, or 20.45% from previous years. Requiring councils this late in the budget process to find additional funds of this magnitude is most concerning and significantly impacts on the delivery of projects and services to the community for the 19/20 financial year.

A comparison of the contribution figures are as follows:

Table 5- Comparison Emergency Services Levy

	Contribution 2018/19 Financial Year	Contribution 2019/20 Financial Year
Contribution from Council to NSW Rural Fire Service	\$977,756	\$1,229,724.00
Contribution from Council to NSW State Emergency Service	\$138,086	\$160,254.28
Contribution from Council to Fire and Rescue NSW	\$427,129	\$468,600.00
Total Contribution	\$1,542,971	\$1,858,578.28

Whilst staff had already forecast a modest increase for 2019/20 into the Draft DPOP, the direct impact on the budget of this late announcement is that \$280,119.30 in additional funding needed, or a corresponding reduction in works or services is now included in the 2019/20 DPOP.

It is certainly acknowledged that the proposed increase to costs are to help fund the NSW Government's new measures to provide better workers' compensation coverage for volunteer and career firefighters is a worthy cause. However, it is a further example of cost-shifting from State Government to Local Government timed when planning for the financial year has already occurred and projections and forecasts in place.

This is an issue not only faced by our Council but by all other NSW councils with LGNSW continuing to advocate on this matter. LGNSW have recently advised that a motion supporting the call for the NSW Government to cover the first 12 months of the extra cost of the emergency services levy was passed by the Legislative Council in Parliament last Thursday (6 June) following the introduction of a private members' bill by Shadow Local Government Minister Peter Primrose. This is continuing through the Parliament.

This funding has not been included in the current draft budget and will require a specific resolution of Council to allocate funds accordingly. Council may prefer to wait until further information and discussions have occurred between LGNSW and the Minister for Local Government.

Should Council choose to make payment of this Levy at this time, the recommended option is to draw funds from the Plant and Fleet Reserve.

This option is not ideal; however, it is considered the least disruptive to Council's overall delivery of services and projects for the community. It is also the only option available to Council other than removing specific projects from the Capital Works Program List or delaying key priority projects of Council, which would have a significant impact on the community.

CL19.161

The re-allocation of funds from the Plant and Fleet Reserve may impact on the ability for Council to continue to regularly maintain and replace some items of plant and fleet but risks will of course be managed appropriately. The delayed replacement of some plant items will also be considered in order to manage the proposed funding reduction.

Impacts of Southern Phone Dividend

During the exhibition period Council was also advised that it is unlikely that a dividend will be received from Southern Phone this financial year. This is due to company changes relating to the transition away from community use of home phones.

As a result, changes will need to be made to the Economic Development Budget. These primarily relate to forecast income, forecast expenditure and inflow into the reserve fund.

This can be undertaken without significant impact on the operations of the Economic Development Section.

The following changes are proposed and included in the recommendation:

- Removal of expected income of \$225,000 from the Economic Development Budget
- Removal of \$115,000 from the Economic Expenditure Budget
- Removal of inflow to Economic Development Reserve of \$100,000

Rating Structure

A change has been made to the draft Section 508A 2019/20 Rating Structure and the draft Section 495 2019/20 Special Rates that appeared within the draft DPOP document. This change is due to the recalculation undertaken based on the Supplementary Notices

Specific details of this have been provided in the separate report on Rating Structure which is included within this meeting for Council consideration and resolution.

These changes have already been included in the DPOP documentation that has been provided with this report.

Re-forecasts from March Quarterly Review

A number of items will be re-forecast from the 2018/19 financial expenditure into the 2019/20 financial year. These items were identified in the March Quarterly review. The resolution (MIN 19.324) of Council identified that these items would be provided as a submission to the Draft 2019/20 budget process, given the timing of the exhibition process.

The following items will now be reforecast for expenditure into the 2019/20 financial year:

- i. Building Better Regions Grant - Myola - \$462,500
- ii. Currarong Coastal Erosion Remediation - \$300,000
- iii. Broughton Vale Berry RFS contribution - \$300,000
- iv. Nowra CBD all Day Car Parking - \$205,673
- v. Nowra Administration Building Compliance - \$870,000
- vi. Office Accommodation Project - \$200,000
- vii. The Lake Circuit - \$118,804
- viii. McGrath Avenue Car Parking - \$100,000

Fees and Charges

The following changes are proposed to the Fees and Charges Part 1 and Part 2:

- Deletion of fee 15547 Weed Certificates due to legislative changes

- Changes to fees for animal's registration as required by the Companion Animals Regulation 2018 and outlined in Circular to Councils 13-54.
 - Desexed animal: \$58 (from \$57)
 - Breeder (Recognised) concession: \$58 (from \$57)
 - Pensioner concession (desexed animal only): \$25 (from \$24)
 - Pound/Shelter animal 50% discount (desexed): \$29 (from \$28.50)
 - If the registration fee has not been paid 28 days after the date on which the animal is required to be registered, a late fee of \$16 (\$15)
- If the companion animal has not been desexed by the relevant desexing age and is not kept by a recognised breeder for breeding purposes, an additional fee of \$152 (from \$150) is payable in addition to the applicable registration fee listed above.
- Council may also want to consider whether library fee changes are applied due to the submission received regarding the Milton Library hire fee and reservation fee. This is not recommended by staff.

Allocation of Interest

As previously reported, the draft 2019/20 currently includes \$600,000 in estimated interest revenue retained in the previous contributions plan 'Recoupment Fund'. It has been confirmed through legal advice that these funds could be reallocated and used for priority projects of Council (not necessarily projects contained within the previous or new Contribution Plan).

In considering the allocation of these funds, outstanding Council resolutions have been reviewed and high priority items included for consideration.

There may also be opportunity to identify funding sources resolving from the June quarterly review which may be reallocated and carried forward into the next financial year for any other outstanding items many of which have already been included within the DPOP as specific actions. These items will be the subject of a further Council report to outline options for funding and outcomes of staff investigations.

Lake Conjola has also been identified as a priority project that requires immediate funding. This was also identified through the exhibition process with the inclusion of submissions from the community regarding funding shortfalls.

The application for a grant to undertake the specific Coastal Zone Management Plan (CZMP) for Lake Conjola has been approved by the State Government with advice formally received on 19 June 2019. Matching funding is required, and this has been added to the recommended inclusion table below.

The situation at Lake Conjola is of significant concern to the community and works have been occurring on the planned opening of the lake. There are currently no specific funding allocations for the works or future works and it is important that funds are set aside for this purpose.

CL19.161

Table 8- Allocation of Interest Funds

Project	\$	Reason for Recommended Allocation
Revolving Energy Fund Reserve	\$230,000	On 11 June 2019 Council resolved to: <ul style="list-style-type: none"> a) Endorse the establishment of a \$230,000 Revolving Energy Fund (Refund) Reserve from July 2019 to provide financing to energy efficiency projects that generate cost savings and replenish the fund. 3. b) Funding of \$230,000 for the establishment of the Refund Reserve be confirmed in conjunction with the adoption of the 2019/20 Budget.
Lake Conjola- expedition of the individual CZMP process for Lake Conjola including the engagement of consultant to project manage the process, undertake engagement and complete the CZMP. Matching funding is required for State Government Grant	\$140,000	This is a significant and priority project for Council. Formal approval of the grant application was received from the State Government on 19 th June 2019. Matching funding is now required in accordance with the specification of the grant.
Detailed design planning and costing for the upgrade or replacement of the Crookhaven Heads Regional Boat Ramp and associated facilities.	\$50,000	This has been identified as a priority project of Council and formed part of the resolution on the 30 th April 2019, which required that: <p><i>"In reporting back on the exhibition period also identify funding options for the allocation of \$50,000 for detailed design planning and costing for the upgrade or replacement of the Crookhaven Heads Regional Boat Ramp and associated facilities."</i></p>
Dune Care Group- Collingwood Beach	\$7,000	A recent resolution required the formation of a Dune Care Group at Collingwood Beach and the allocation of \$7000 for this project. This had not been included in the 19/20 budget given the timing of the decision of Council. By utilising available interest funds this will enable the project to commence in 19/20 without the need for adjustments through quarterly review. <p>This was also the subject of a submission received as part of the DPOP exhibition process and is identified as a priority for the VRRRA</p>
Bomaderry Basketball Stadium Community Engagement on Future use of the facility	\$30,000	This is the subject of a previous resolution of Council and will allow consultation to commence on this project.
Total Proposed Allocation	\$457,000	
Available Interest	\$600,000	
Balance Unallocated	\$143,000	

Recommended Financial Strategy

The position for the budget following the exhibition period continues to focus on ensuring that a zero-cash deficit position remains in place.

The changes that have been recommended to the budget have primarily resulted from:

- Legislative changes,
- Advice received from the State Government
- Recent Grant allocations
- Recent resolutions of Council

CL19.161

It is also recommended that the remainder of the interest funds of \$143,000 be held for funding of the current Lake Conjola entrance works and potential future allocations for Lake Conjola subject to a further report to Council on long term management solutions for the Lake.

The following table provides a summary the recommended financial strategy for 2019/20 financial year following changes received as part of the exhibition process or via recent Council resolutions.

Table 9- Financial Strategy

Item	Total Amount (\$)	Strategy Proposed Funding Source	Impact on General Fund - Cash Position
Increases resulting from Emergency Services Levy	\$280,119	Reduction in the plant and fleet reserve. Reallocated to Emergency Services Levy	Nil
Revolving Energy Fund	\$230,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Lake Conjola CMZP Grant Funding Council Matching Contribution	\$150,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Reserve allocation Lake Conjola Entrance Works	\$143,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Dune Care Group- Collingwood Beach	\$7,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Detailed design planning and costing for the upgrade or replacement of the Crookhaven Heads Regional Boat Ramp and associated facilities.	\$50,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Additional Contribution to the Illawarra Academy of Sport	\$2,000	Reduction in unallocated Donations Budget for 19/20	Nil
Bomaderry Basketball Consultation on use of the facility	\$30,000	Reallocation for Expenditure of Interest obtained via Contribution Fund	Nil
Southern Phone Dividend reduction	\$225,000	a) Removal of expected income of \$225,000 from the Economic Development Budget b) Removal of \$115,000 from the Economic Expenditure Budget c) Removal of inflow to Economic Development Reserve of \$100,000	Nil

This recommended financial strategy results in the proposed DPOP amendments presented in the report having a **Nil** impact on Council's general fund cash position projected in the draft 2019/20 DPOP.

Editorial and Formatting Changes

Formatting and editorial changes were made to the DPOP prior to exhibition in accordance with the resolution of Council.

As part of the exhibition process some further minor editorial and formatting changes were identified, primarily changes to specific wording or minor formatting errors. These changes have already been made to the DPOP and included in the documents provided with this

CL19.161

report. Some editorial changes have also been made to the draft Capital Works Program listing to refine kerb and guttering projects and delete projects that have an earlier than expected completion (will be completed in 18/19 financial year).

These changes have not been specifically identified within the body of the report as they do not change the intent of the document or any budget position and are considered very minor in nature.

Conclusion

Significant changes and improvements have been made to Council's Integrated Planning and Reporting (DPOP, Budget, Fees and Charges and Resourcing Strategy) documents this year. These changes have been completed to considerably improve transparency, community understanding and engagement with Council. These changes have been noted by the community, with positive feedback received, as part of the exhibition period.

The new suite of documents outlines an ambitious program for the future, a clear direction and detailed actions to be undertaken this financial year, and focuses on delivering for the community now and into the future.

Also included in the documents is the new 2020/30 Capital Works Program, which has also been positively received by the community. Ongoing refinement and improvements to this program will continue to be made over time. The aim is to provide further transparency and detail of the key projects and works to be undertaken by Council, in future years.

Following the consideration of the submissions received and the identification of required changes it is recommended that the Draft Delivery and Operational Plan 2019/20, Draft Budget, Capital Works Program and Long Term Financial Plan (Resourcing Strategy) be adopted by Council, with proposed changes, as outlined in the recommendation at the beginning of this report.

CL19.162 Sale of Council Land - Sextant St, South Nowra

HPERM Ref: D19/183688

Group: General Manager's Group
Section: Economic Development

Purpose / Summary

To confirm and approve the sale of Council land within the Flinders Industrial Estate at South Nowra.

Recommendation

That

1. Council's employment land (Lot 82 DP1077878, 6 Sextant St, South Nowra) be sold for \$630,000 (plus GST) to SupaGas Pty Ltd;
2. The General Manager be authorised to sign the contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

Options

1. To sell 6 Sextant St, South Nowra
2. Not to sell 6 Sextant St, South Nowra

Background

Lot 82 in Sextant St Sth Nowra was created by way of subdivision of Council's industrial land in 2004. Council at that time was seeking to move the existing gas retail operation from Bridge Rd Nowra.

A lease was entered into with the gas retailer at the time and this lease has continued until this time under various corporate identities.

As part of the arrangement Council was to provide certain improvements to the vacant lot – fencing, internal roads, K&G, etc. with the tenant providing the above ground improvements for the operation.

The current lessee has recently sought to purchase the facility. Council obtained a valuation of these assets – land and improvements – and the tenant has agreed to this sum of \$630,000 plus GST.

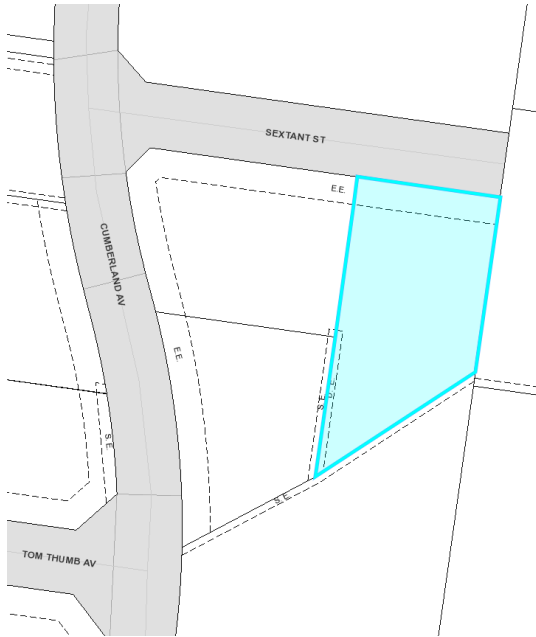
The lease payments have been paid on a quarterly basis and are up to date.

Financial Implications

The proceeds of the sale will be deposited into the Council's Industrial Land Development Reserve for reinvestment into future industrial land development.

This sale will eliminate the lease payments to Council which have been paid into the Industrial Land Development Reserve

CL19.162



CL19.162

CL19.163 Making of rates and charges for 2019/20

HPERM Ref: D19/182600

Group: Finance Corporate & Community Services Group
Section: Finance

Purpose / Summary

To allow Council to make rates and charges in accordance with the legislative requirements of the Local Government Act 1993 following the public exhibition of the draft Revenue Policy included in the Draft Delivery Program, Operational Plan & Budget 2019/20.

Recommendation

That Council:

1. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993:

- a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Residential”, in accordance with Section 516, for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “RESIDENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty dollars (\$640.00) per rateable assessment for the “RESIDENTIAL” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL” rate in accordance with Section 537(b) [base amount percentage is 49.94%].

- b. Make an Ordinary Rate, consisting of an ad valorem rate of 0.34946c for each dollar of rateable land value be made on all rateable land in the City of Shoalhaven, in accordance with Section 518 of the Local Government Act 1993: “Land is to be categorised as ‘business’ if it cannot be categorised as farmland, residential or mining”. Excepting all rateable land in the sub categories of Commercial/Industrial and Nowra, an ordinary rate be now made for the period of 1 July 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “BUSINESS”.

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.20837c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland”, in accordance with Section 515, for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “FARMLAND”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty dollars (\$640.00) per rateable assessment for the “FARMLAND” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND” rate in accordance with Section 537 (b) [base amount percentage is 24.88%].

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.24042c for each dollar of rateable land value in addition to a base amount of fifty dollars (\$50.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven which is zoned so as not to

CL19.163

permit any building (i.e.; Small Lot Rural Subdivisions) and categorised as “Residential”, in accordance with Section 516, sub category “NON-URBAN”, in accordance with Section 529(2)(b), for the period 1 July 2019 to 30 June 2020.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of fifty dollars (\$50.00) per rateable assessment for the “RESIDENTIAL NON-URBAN” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL NON-URBAN” rate in accordance with Section 537(b) [base amount percentage is 43.86%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.73482c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub-category “NOWRA”, in accordance with Section 529(1), for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “BUSINESS NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty dollars (\$640.00) per rateable assessment for the “BUSINESS NOWRA” sub category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS NOWRA” rate in accordance with Section 537(b) [base amount percentage is 15.82%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.33654c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land in the City of Shoalhaven used or zoned for professional/commercial trade or industrial purposes, determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub category “COMMERCIAL/INDUSTRIAL”, in accordance with Section 529(1), for the period of 1 July 2019 to 30 June 2020.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty dollars (\$640.00) per rateable assessment for the “BUSINESS –COMMERCIAL/INDUSTRIAL” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – COMMERCIAL/INDUSTRIAL” rate in accordance with Section 537(b) [base amount percentage is 29.75%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.10685c for each dollar of rateable land value in addition to a base amount of six hundred and forty dollars (\$640.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland” sub category “DAIRY FARMERS”, in accordance with Section 515 AND 529(2)(a), for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(1), this rate be named “FARMLAND” sub category “DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and forty dollars (\$640.00) per rateable assessment for the “FARMLAND –DAIRY FARMERS” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537(b) [base amount percentage is 31.94%].

- h. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.08993c for each dollar of rateable land value in addition to a base amount of two thousand six hundred and seventy four dollars (\$2,674.00), for the cost of road upgrades required to enable property owners to develop their allotments in the

CL19.163

Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties with building entitlement within the Veron's estate which, in the opinion of Council, derive special benefit and are subject to this rate, in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named "VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL".

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two thousand six hundred and seventy four dollars (\$2,674.00) per rateable assessment for the "VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL" will not produce more than 50% of the total amount payable by the levying of the "VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL" in accordance with Section 537(b) [base amount percentage is 49.98%].

- i. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.33110c for each dollar of rateable land value in addition to a base amount of two hundred and ninety eight dollars (\$298.00), for the cost of the road upgrades in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Verons Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named "VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL".

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and ninety eight dollars (\$298.00) per rateable assessment for the "VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL" will not produce more than 50% of the total amount payable by the levying of the "VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL" in accordance with Section 537(b) [base amount percentage is 50.00%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.17395c for each dollar of rateable land value in addition to a base amount of one hundred and twenty one dollars (\$121.00) for the cost associated with the Nebraska road construction project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Nebraska estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE".

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and twenty one dollars (\$121.00) per rateable assessment for the "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE" will not produce more than 50% of the total amount payable by the levying of the "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE" in accordance with Section 537(b) [base amount percentage is 49.80%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 3.08207c for each dollar of rateable land value in addition to a base amount of two thousand seven hundred and ninety three dollars (\$2,793.00) for the cost associated with the Jerberra road infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special

CL19.163

rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two thousand seven hundred and ninety three dollars (\$2,793.00) per rateable assessment for the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” in accordance with Section 53 (b) [base amount percentage is 49.99%].

- I. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 1.04005c for each dollar of rateable land value in addition to a base amount of nine hundred and forty one dollars (\$941.00) per rateable assessment for the cost associated with the Jerberra electricity infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of nine hundred and forty one dollars (\$941.00) per rateable assessment for the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.95%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 7.67512c for each dollar of rateable land value in addition to a base amount of six hundred and sixty three dollars (\$663.00) per rateable assessment for the cost associated with the Jerberra Road E2 infrastructure project. In accordance with Section 495(1) the special rate is to be levied only on those rateable properties within the Jerberra estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD E2 SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty three dollars (\$663.00) per rateable assessment for the “JERBERRA ROAD E2 SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD E2 SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.97%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.03582c for each dollar of rateable land value to meet the costs of business promotions for the Sussex Inlet area and surrounds, in accordance with Section 495(1), which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2019 to 30 June 2020 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- o. Make an Annual Charge for Water Usage and Water Availability, in accordance with Section 502 and 552(1) (a) and (b), for the period 1 July 2019 to 30 June 2020, comprising a Water Usage Charge of \$1.70 per kilolitre for all residential,

commercial and Community Service Obligation categorised properties and a Water Availability Charge based on water meter size:

Size of Water Meter Service Connection	Charge 2019/20
20 mm (all residential customers)	\$82.00
25 mm	\$129.00
32mm	\$211.00
40mm	\$330.00
50mm	\$515.00
80mm	\$1,318.00
100mm	\$2,060.00
150mm	\$4,635.00
200mm	\$8,240.00

Properties with multiple water meter service connections will be levied an availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.

The charges be named “WATER USAGE CHARGE” and “WATER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- p. Make an Annual Charge for Wastewater Usage and Wastewater Availability, in accordance with Section 502 and 552(3), for the period 1 July 2019 to 30 June 2020, comprising a Sewer Usage Charge of \$1.70 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge based on water meter size:

Size of Water Meter Service Connection	Charge 2019/20
20 mm	\$864.00
25 mm	\$1,204.00
32mm	\$1,844.00
40mm	\$2,444.00
50mm	\$3,452.00
80mm	\$7,128.00
100mm	\$10,212.00
150mm	\$17,600.00
200mm	\$27,300.00

Properties with multiple water meter service connections will be levied a wastewater availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.

The charges be named “WASTEWATER USAGE CHARGE” and “WASTEWATER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- q. Make an Annual Charge for the availability of a Domestic Waste Management Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, on all rateable properties categorised as residential for rating purposes and comprising of a building which is deemed to be a dwelling and located within the defined (urban) waste collection area.

CL19.163

The amount for the standard residential domestic waste management service be \$359 for one 120 litre mobile garbage bin (MGB) for landfill waste (weekly service) and one 240 litre MGB for recycling (fortnightly service). For a higher annual charge of \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, the 120 litre landfill bin may be substituted for an 80 litre landfill bin.

In accordance with Section 543(3), the charge be named “DOMESTIC WASTE MANAGEMENT CHARGE”.

- r. Make an Annual Charge for a Rural Domestic Waste Collection Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, on rateable properties comprising of a building which is deemed to be a dwelling and located outside of the defined (urban) waste collection area, and opt for the rural domestic waste collection service.

The amount for the rural domestic waste collection service be \$359 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 120 litre MGB for recycling (weekly service). For a higher annual charge of \$631, the 120 litre landfill bin may be substituted for a 240 litre landfill bin. For a lower annual charge of \$272, the 120 litre landfill bin may be substituted for an 80 litre landfill bin.

In accordance with Section 543(3), the charge be named “RURAL DOMESTIC WASTE COLLECTION CHARGE”.

- s. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, of \$72.00 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any domestic assessments which have any boundary adjacent to a road receiving an urban domestic waste management service and

- i. Does not have a dwelling situated thereon, or
 - ii. The closest point of the dwelling is 100 metres or more from the boundary of the road and the ratepayer chooses not to receive a domestic waste management service.

In accordance with Section 543(3), the charge be named “VACANT LAND SERVICE AVAILABILITY CHARGE”.

- t. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, of \$25.00 per eligible residential or business rate assessment and \$12.50 per strata assessment. In accordance with Section 543(3), the charge be named “STORMWATER MANAGEMENT SERVICE CHARGE”.

- u. Make an Interest Rate of 7.5%, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2019 to 30 June 2020, being the maximum interest rate chargeable on overdue rates and charges, accruing daily on a simple interest basis.

Options

1. To endorse the recommendations for the making of ordinary and special rates and annual charges.

Implications: Rates and charges will be adopted as required by legislation.

CL19.163

2. Not endorse the recommendations and resolve to make rates and annual charges using different values.

Implications: Finance to update the Long Term Financial Plan and 2019/20 Budget and Capital Works) in line with Council's resolution.

Background

The rate peg set by IPART for the 2019/20 financial year is 2.7% based on the increase in the Local Government Cost Index for the year to June 2018.

In February 2018, Council submitted a Special Rate Variation (SRV) application to IPART. On 15 May 2018, IPART approved Council's application in full; that is:

- Maintaining the 13.2% from the 2017/18 SRV as a permanent increase and an additional 5% in 2018/19 (including the announced rate peg of 2.3%)
- 5.0% in 2019/20 (including the announced rate peg of 2.7%)
- 5.0% in 2020/21 (including the estimated rate peg of 2.5%)

The additional revenue will be used to improve Council's financial sustainability by reducing its infrastructure backlog, reducing its operating deficit and funding asset renewal and maintenance. Part of the SRV will be applied to the owners of properties in the Verons Small Lot Estate to repay the loan for infrastructure construction.

Following publication of Council's draft Revenue Policy, in accordance with Section 532 of the Local Government Act 1993, the rating structure was updated by re-doing the calculations on the basis of Supplementary Notices from the Valuer-General dated 18 May 2019. The revision resulted in small changes and the revised rating structure for 2019/20 for ordinary and special rates is presented below:

Description	No. of assessments	Rateable Value	Ad Valorem c/\$	Base Rate	Base Rate %	Notional Yield
Ordinary Residential Rates	54,055	\$14,426,084,097	0.24042	\$640	49.94%	\$69,278,547
Ordinary Business Rates	161	\$1,982,970	0.34946			\$6,930
Ordinary Farmland Rates	710	\$658,495,730	0.20837	\$640	24.88%	\$1,826,508
Residential Non-Urban Rates	957	\$25,479,270	0.24042	\$50	43.86%	\$109,107
Business Nowra Rates	364	\$168,691,000	0.73482	\$640	15.82%	\$1,472,535
Business Commercial / Industrial Rates	1,730	\$777,006,038	0.33654	\$640	29.75%	\$3,722,136
Farmland – Dairy Farmers Rates	131	\$167,216,000	0.10685	\$640	31.94%	\$262,510
	58,108	\$16,224,955,105				\$76,678,273

CL19.163

Rating Category (s514-518)	Name of special rate	No. of assessments	Rateable Value	Ad Valorem c/\$	Base Rate	Base Rate %	Notional Yield
Residential	Verons Road Upgrade Special Rate – Dwelling Potential	22	\$5,401,000	1.08993	\$2,674	49.98%	\$117,695
Residential	Verons Road Upgrade Special Rate – No Dwelling Potential	10	\$900,000	0.33110	\$298	50.00%	\$5,960
Residential	Nebraska Road Construction Special Rate	23	\$1,612,700	0.17395	\$121	49.80%	\$5,588
Residential	Jerberra Road Infrastructure Special Rate	108	\$9,790,080	3.08207	\$2,793	49.99%	\$603,381
Residential	Jerberra Electricity Infrastructure Special Rate	108	\$9,790,080	1.04005	\$941	49.95%	\$203,450
Residential	Jerberra Road E2 Infrastructure Special Rate	16	\$138,390	7.67512	\$663	49.97%	\$21,230
Business	Sussex Area Special Rate	100	\$43,802,448	0.03582			\$15,690
							\$972,994

CL19.163

The impact of this revised rating structure on total rate revenue is approximately \$130k or ~0.17%.

No submissions were received during the public exhibition period regarding the proposed 2019/20 Rating Structure.

In accordance with Sections 534 and 535 of the Local Government Act 1993, Council can resolve to make rates and charges for the 2019/20 financial year

CL19.164 Investment Report - May 2019

HPERM Ref: D19/199189

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. May 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 the 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 May 2019 be received for information.

Options

1. The report on the Record of Investments for the period to 31 May 2019 be received for information.

Implications: Nil

2. Further information regarding the Record of Investments for the period to 31 May 2019 be requested.

Implications: Nil

3. The report of the Record of Investments for the period to 31 May 2019 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 30 June 2019.

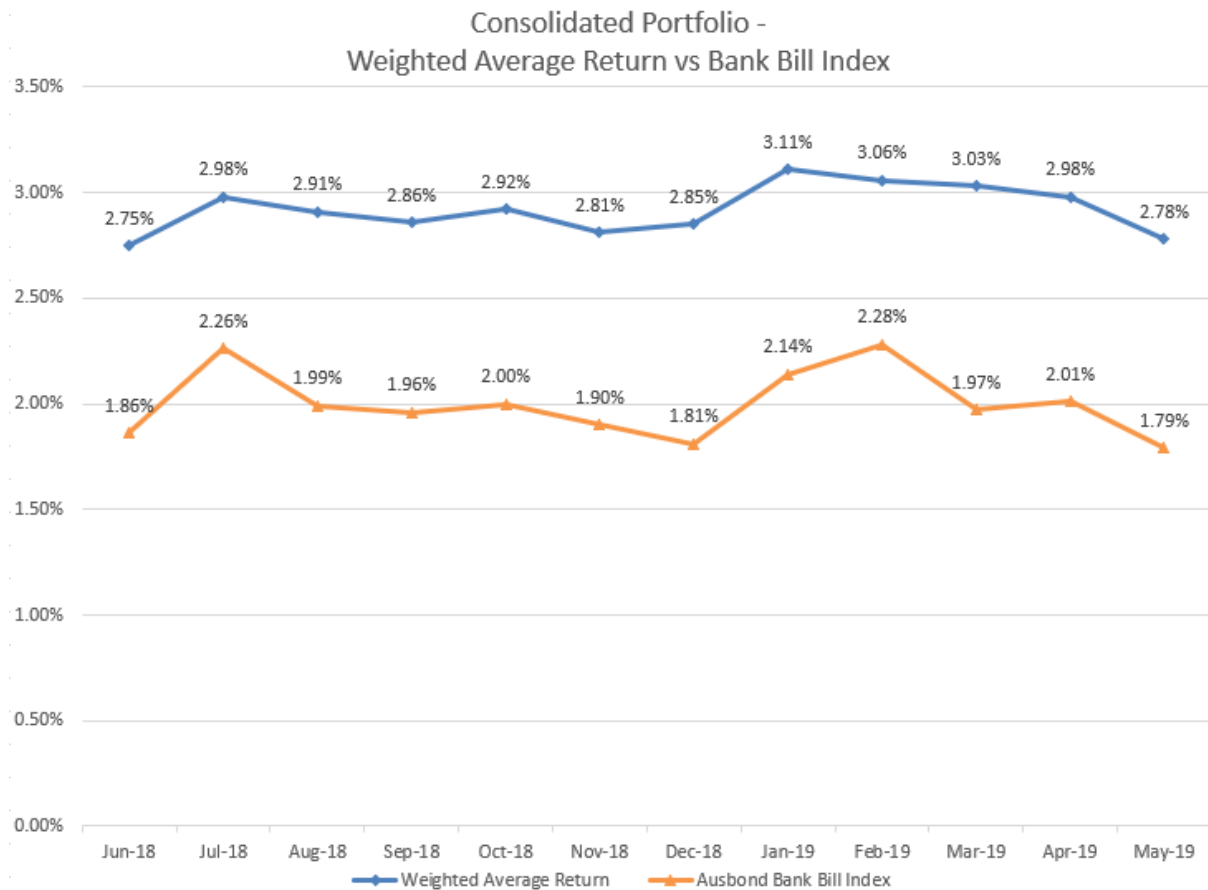
Implications: Nil

Background

Please refer to the attached monthly report provided by Council's Investment Advisor, CPG Research and Advisory Pty Ltd. A Councillor Briefing with Andrew Vallner from CPG is scheduled for 20 June to explore issues relating to Council's investments with non-fossil fuel institutions.

Council's investment portfolio returned a strong 2.78% for the month of May 2019, exceeding the benchmark AusBond Bank Bill Index (1.79% pa) by 99 basis points (0.99%).

The following graph shows the performance of Council's investment portfolio against the benchmark on a rolling twelve (12) month basis. As can be seen, performance has consistently exceeded the benchmark due to the mix of Council's investment portfolio.



The interest earned to the month of May was \$5,675,752, 98.67% of the current full year budget.

Fund	Original Budget	Actual	%	Revised Budget	Revised %
General	\$2,328,000	\$3,043,689	130.74%	\$3,168,000	96.08%
Water	\$794,000	\$1,338,648	168.60%	\$1,384,000	96.72%
Sewer	\$900,000	\$1,293,415	143.71%	\$1,200,000	107.78%
Total	\$4,022,000	\$5,675,752	141.12%	\$5,752,000	98.67%

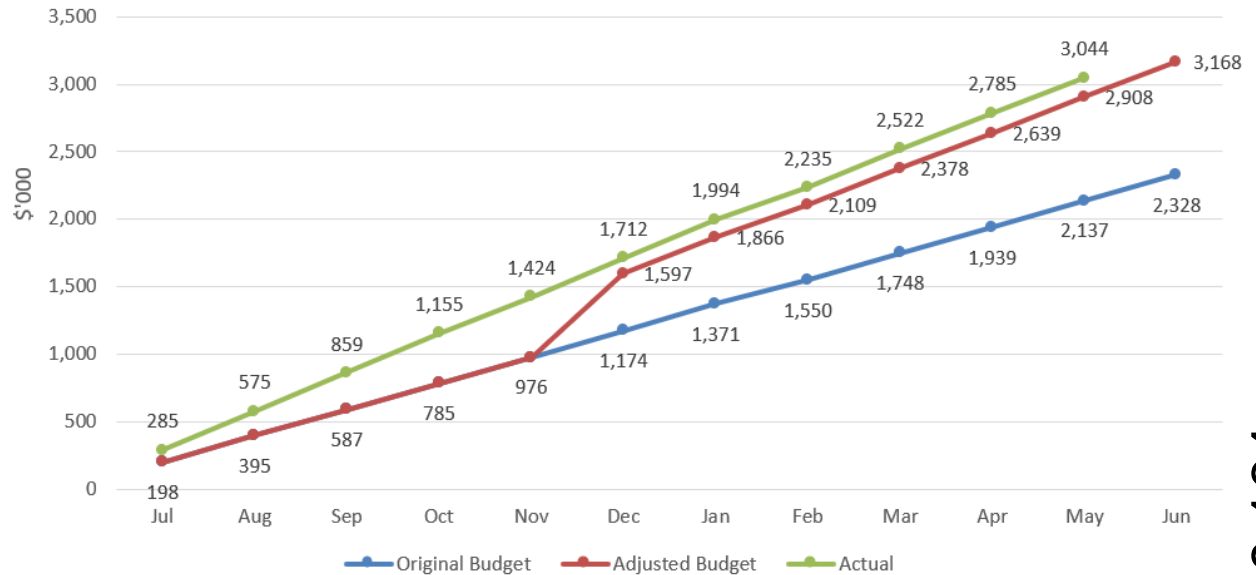
The interest earned for the month of May was \$498,095; which was \$9,569 above the current budget.

Fund	Original Monthly Budget	Actual	Difference	Revised Budget	Revised Difference
General	\$197,721	\$258,844	\$61,124	269,063.01	-\$10,219
Water	\$67,436	\$131,945	\$64,509	117,545.21	\$14,400
Sewer	\$76,438	\$107,306	\$30,868	101,917.81	\$5,388
Total	\$341,595	\$498,095	\$156,500	\$488,526	\$9,569

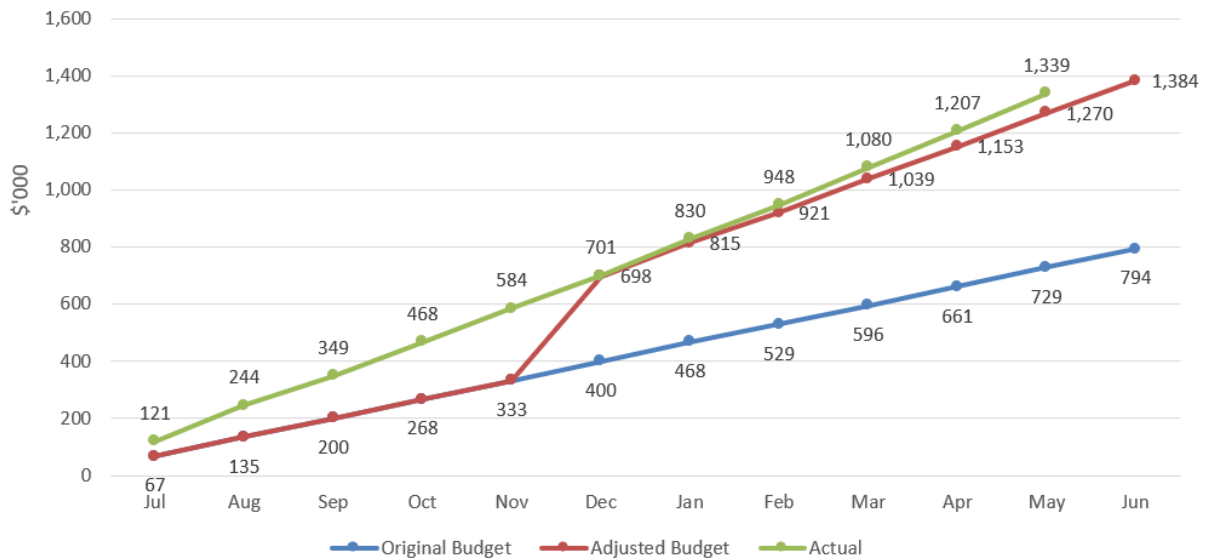
CL19.164

The graphs below illustrate the cumulative interest earned for the year for each Fund against original and adjusted budgets.

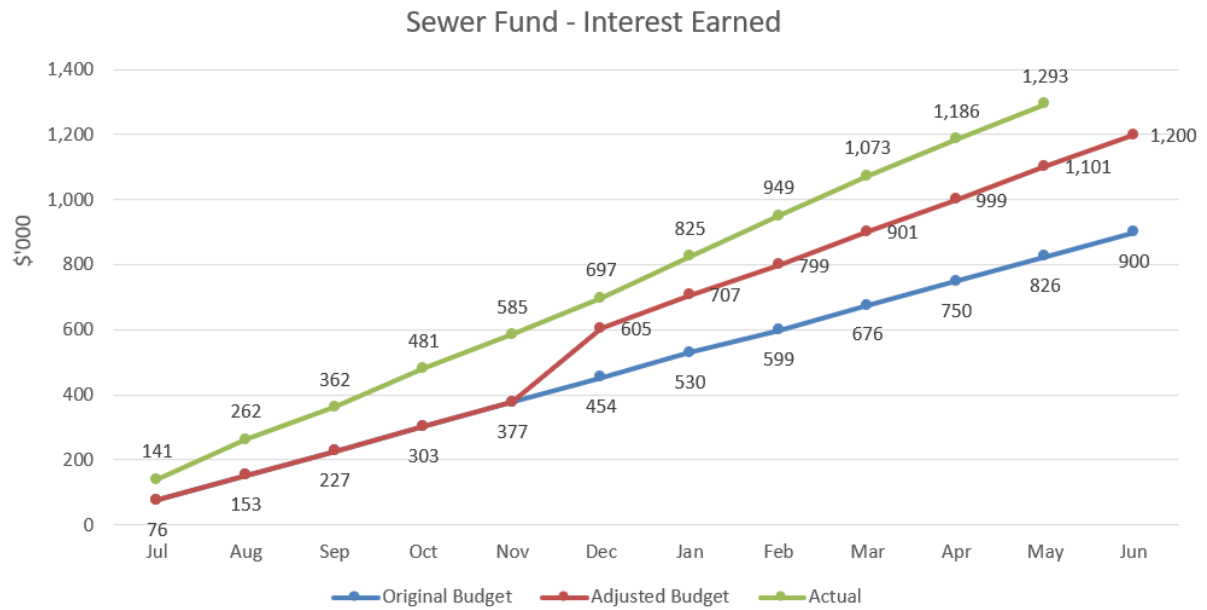
General Fund - Interest Earned



Water Fund - Interest Earned



CL19.164



CL19.164

Cash and Investment Balances

	May 2019	April 2019
Cash And Investments Held		
Cash at Bank - Transactional Account	\$5,954,330	\$7,620,749
Cash at Bank - Trust Fund	\$0	\$0
Cash on Hand	\$56,325	\$32,590
Other Cash and Investments	\$202,979,414	\$195,190,753
	\$208,990,069	\$202,844,092
Fair Value Adjustment	\$326,043	\$262,062
Bank Reconciliation	-\$32,149	-\$488,787
	\$293,894	-\$226,725
Book Value of Cash and Investments	\$209,283,963	\$202,617,367
Less Cash & Investments Held In Relation To Restricted Assets		
Employee Leave Entitlements	\$8,136,913	\$8,136,913
Land Decontamination	\$1,001,639	\$1,088,774
Critical Asset Compliance	\$2,006,723	\$2,025,422
North Nowra Link Road	\$456,688	\$457,199
Other Internal Reserves	\$8,724,134	\$8,228,003
Section 7.11 Matching Funds	\$311,169	\$311,169
Strategic Projects General	\$1,950,961	\$0
Industrial Land Development Reserve	\$6,049,648	\$6,388,100
Plant Replacement	\$2,413,129	\$2,574,444
Financial Assistance Grant	\$0	\$1,554,366
S7.11 Recoupment	\$1,874,679	\$1,876,048
Commitment To Capital Works	\$2,572,839	\$2,749,211
Property Reserve	\$307,206	\$621,980
Total Internally Restricted	\$35,805,728	\$36,011,628
Loans - General Fund	\$12,329,521	\$4,295,300
Self Insurance Liability	\$1,379,523	\$1,256,688
Grant reserve	\$9,466,477	\$9,644,093
Section 7.11	\$32,727,652	\$32,696,128
Storm Water Levy	\$1,260,919	\$1,194,011
Trust - Mayors Relief Fund	\$86,712	\$86,702
Trust - General Trust	\$3,696,871	\$3,801,038
Waste Disposal	\$7,615,549	\$6,722,101
Sewer Fund	\$40,843,942	\$48,453,361
Sewer Plant Fund	\$2,818,607	\$2,721,531
Section 64 Water	\$19,046,990	\$18,964,888
Water Fund	\$24,871,033	\$27,423,568
Water Communication Towers	\$1,947,379	\$1,883,975
Water Plant Fund	\$2,989,259	\$2,842,472
Total Externally Restricted	\$161,080,433	\$161,985,858
Total Restricted	\$196,886,161	\$197,963,058
Unrestricted Cash And Investments		
General Fund	\$12,397,802	\$4,654,309

CL19.164

The below table lists the major movements:

Total Cash	+\$6,666,596	
Strategic Projects	+\$1,950,961	Transfer of expenditure to Water Billing Project.
Loans	+\$8,034,221	\$6.3M new loan for land acquisition – open space; \$1.7M new loan for various Construction Projects
Financial Assistance Grant	-\$1,554,366	One quarter transferred to General Fund in line with the Financial Assistance Grant instalment month.
Sewer Fund	-\$7,609,519	Expenditure on REMS1B
Water Fund	-\$2,552,535	Transfer of expenditure from Strategic Projects.
Unrestricted Cash	+\$7,743,493	May was the final rates instalment month of the financial year.

Financial Implications

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

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 POL18/57.



Michael Pennisi
Chief Financial Officer

CL19.164

CL19.165 2018/19 Council Borrowings - Loan Agreement

HPERM Ref: D19/199214

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. ANZ Bank loan agreement \$1,647,500 (including letter of offer, authorised representative certificate and compliance certificate). (under separate cover) [↗](#)

Purpose / Summary

To seek Council approval to enter into a loan agreement with Australia and New Zealand Banking Group Limited for Holiday Haven's borrowing requirements.

Recommendation

That Council:

1. Enter into a loan agreement with Australia and New Zealand Banking Group Limited for the amount of \$1,647,500 with a term of 10 years @ 2.84% to cover Holiday Haven's borrowing requirements
2. Execute the following documents under the Seal of Council
 - a. Letter of offer
 - b. Authorised representative certificate.
 - c. Compliance certificate.

Options

1. Adopt the recommendations in the report.

Implications: NIL.

2. Not adopt the recommendations and make an alternative resolution.

Implications: Australia and New Zealand Banking Group Limited will require reimbursement of costs to unwind fixed rate market transactions. On acceptance of the quote, Council acknowledged it may incur costs to receive a fixed rate until drawdown. Council will need to seek borrowings from other financial institutions.

Background

Total borrowings for General Fund of \$9,800,500 were included in Council's Operational Plan. Council was successful in obtaining loans from NSW Treasury Corporation for \$8,153,000. The remainder of the 2018/19 proposed borrowings for Holiday Haven, \$1,647,500, needed to be sourced from other financial institutions because TCorp's loan facilities are not available for a Council-run business in competition with existing privately-run businesses. Council requested quotes from four financial institutions. The lowest quote received was from ANZ with 2.84% fixed rate for 10 years.

CL19.165

Financial Implications

It is important for Council to gain the best interest rates on loan funding and locking this agreement in place will confirm a much lower rate for the full 10 years of the loan agreement. This offer of loan funds from ANZ requires formal acceptance by Council no later than 30 June 2019.

CL19.165

CL19.166 Nowra Youth Services Incorporated - Variation of lease agreement - Lot 1 DP315733 - 132 Kinghorne Street, Nowra

HPERM Ref: D19/195697

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary

This report is provided in accordance with the following resolution from a Mayoral Minute submitted to the Strategy & Assets Committee held on 11 June 2019:

That:

- 1. The General Manager offer the Nowra Youth Services Inc. a variation to their lease which drops their rent to \$500 per annum after submitting a comparative report to Council on the number of other lease agreements across the City that are on the statutory minimum or less.*
- 2. This report be presented to the Ordinary meeting of Council in June.*
- 3. A deputation be sought from the Nowra Youth Centre.*

Recommendation

That Council:

1. Reduce the existing rent from 1 July 2019 to the statutory minimum (\$498.00) per annum plus GST (with annual CPI increases) by varying the current five (5) year lease agreement which commenced on 1 March 2016 for the property known as 132 Kinghorne Street Nowra, being Lot 1 DP15733 between Shoalhaven City Council (ABN 59 855 182 344) and Nowra Youth Services Incorporated (ABN 54 163 567 644).
2. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

Options

1. Resolve as recommended.

Implications: The resolution will assist the Nowra Youth Centre in its capacity to maintain its obligations under the current lease agreement.

2. Not resolve as recommended and resolve along the following lines:

“That Council:

- 1. Affirm the current lease agreement of five (5) years commencing on 1 March 2016 between Shoalhaven City Council (ABN 59 855 182 344) and Nowra Youth Services Incorporated (ABN 54 163 567 644) at the current rent of \$4,527.59 per annum plus GST with annual CPI increases.*
- 2. Thank the Nowra Youth Centre for its submission for a rental reduction.”*

CL19.166

Implications: The Nowra Youth Centre will continue its lease agreement under existing terms and conditions.

Background

The Nowra Youth Centre recognises the importance for social opportunities as well as support for young people in our local area. The Youth Centre is open to all young people aged 12 to 24 years and offers a safe and non-judgemental place to relax and call their own. Information provided by the Nowra Youth Centre reveals:

a. Use of the Facility

Over the last 12 months 709 young people have accessed the Nowra Youth Centre's Drop in Program of which 423 were Indigenous young people and 286 were non-Indigenous young people.

On top of this, in the last year 2,353 young people have been referred to the Centre by other Service Providers with 2,030 being non-Indigenous people and 323 Indigenous People.

b. Funding

The Youth Centre receives its funding from Family and Community Services with a total annual funding of \$80,613.85 committed to the Centre for the 2019/2020 year. The breakdown of that funding is:

- Community Hub: \$56,429.71
- Community Skills Development: \$24,184.14

c. Programs

The Youth Centre provides programs such as a Drop-In Program, Cooking Program, Arts and Craft Program, LGBTI and Youth Support Group. The Centre also provides other support services such as:

- Youth Support;
- Incidental Counselling
- Mental Health support
- Advocacy
- Referrals to the Homeless Hub, South Coast AMS, Waminda, Care South, Drug & Alcohol, and Crossroads Youth Health
- Promote Peer Engagement
- Information Sessions on:
 - Teen Pregnancy, Safe Sex, Sexual Transmitted diseases
 - Anti-Bullying
 - Healthy Relationships including friendships, family, siblings, partners
- Rhythm 2 Recovery program – Djembe Drumming
- Youth Engagement through Recreational Activities including Board Games, Pool Competitions, Pictionary, Basket Ball-1 bounce, Hand ball, and Table Tennis

d. Opening Hours

The Nowra Youth Centre is open 6 days a week, operating Monday to Friday and Saturday afternoon/evening. Opening hours are:

Monday – 9:30am to 5pm

Tuesdays – 10am to 4pm

Wednesday – 10am to 4pm

Thursdays 10am to 4pm

Fridays 10am to 4pm – Drop in Program 5pm to 8:30pm

Saturdays – Drop in Program 5pm to 8:30pm.

Current Lease

The Nowra Youth Centre negotiated a new lease in 2014. A market rental valuation was obtained from Walsh & Monaghan in December 2014 which calculated the market rent at \$45,495.00.

Based upon the information provided by The Nowra Youth Centre within the Proposal to Occupy Council Managed Land – Community, the Youth Centre received a rental subsidy of 90.91%, which reduced the rent to its current amount of \$4,527.59 payable by monthly instalments of \$377.29. CPI is applied annually with a rent review scheduled for 1 March 2020.

The Youth Centre pays for the usage of the premises, namely, water usage (not water availability), sewer, garbage bins, electricity, and telephone.

Under Council's "Occupation of Council owned or managed land" Policy Council can consider a further reduction in rent to the Statutory Minimum where it is considered appropriate.

As at 24 April 2019 the Statutory Minimum rent as determined by Department of Industry – Crown Lands is \$498pa. Crown Lands reviews the minimum rent each quarter by applying CPI to the previous figure.

Table of current statutory minimum occupation agreements

The below is a list of 47 organisations that currently benefit from a statutory minimum rent:

- | | |
|---|--|
| • Berry & District Historical Society | • Saltcare Limited – Homeless Shelter |
| • Currarong Arts & Crafts | • Culburra Beach Progress Association |
| • Milton Ulladulla Historical Society | • Nowra Men's Shed |
| • Sussex Inlet & Districts Lions Club | • Murramarang Men's Shed (land for construction of shed) |
| • Sussex Inlet Pottery Group Incorporated | • Shoalhaven Heads Men's Shed |
| • Bay & Basin Community Resources | • Culburra Beach Orient Point Men's Shed (South Hall) |
| • Clifton Community Gardens | • Milton-Ulladulla Men's Shed - Ground Licence |
| • Interchange Shoalhaven | • Greenwell Point Men's Shed - Ground Licence |
| • Nowra Spinner & Weavers Inc. | • Sanctuary Point Men's Shed |
| • Shoalhaven Woodcraft Society Inc. | • Sussex Inlet Men's Shed |
| • Girl Guides Association | • Nowra Golf Course and carpark |
| • Jervis Bay Game Fishing Club | • Culburra & District Preschool |
| • Shoalhaven Youth Orchestra | • Jumbunna Children's Centre |
| • Callala Junior Sailing Club | |
| • Ulladulla Sport & Game | |
| • Callala Community Garden Inc | |

- Noah's Ark Centre Ulladulla
- Bomaderry Preschool
- West Street Nowra Croquet
- North Shoalhaven Meals on Wheels
- Nowra Bomaderry Meals on Wheels
- Shoalhaven Heads Meals on Wheels
- Shoalhaven Heads Surf Life Saving Club
- AFL Ulladulla
- Shoalhaven Rowing Club
- South Coast Branch Surf Life Saving
- Nowra Sailing Club
- Nowra Harness Racing
- Culburra Surf Club
- Mollymook Surf Club
- AHIMSA Sailing Club
- Shoalhaven District Football Association
- Sussex Inlet Surf Life Saving Club
- Vincentia Sailing School

Community Engagement

Community engagement to enter into a lease or a licence is undertaken pursuant to the Local Government Act 1993 in particular section 47 and 47A, which provides that public notice be provided for land that is classified as Community land.

In this instance, the land is classified as Operational and there is no requirement to publicly advertise the proposed occupation agreement.

Policy Implications

The reduction of rent is possible with Council consent under Council's policy, Occupation of Council Owned or Managed Land.

Financial Implications

Council's current subsidy on this property is \$40,968.00 annually. Council's current subsidy to Community Groups occupying Council property that are managed by an occupation agreement exceeds \$1.3 million annually.

Risk Implications

The risk to Council is that other not-for-profit or community groups, or organisation that occupy a Council facility will implore Council to reduce rental amounts.

DE19.45 Draft Medium Density Amendment (Chapter G13) - Shoalhaven DCP 2014 - Post Exhibition Consideration and Finalisation

HPERM Ref: D19/132724

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. External Consultation Submission Summary [↓](#)
2. Proposed Post Exhibition Changes to Chapter G13 (under separate cover) [⇒](#)

This item was deferred from the Development & Environment Committee meeting of 4 June 2019.

Purpose / Summary

Consider the submissions received as a result of the public exhibition of the draft Amendment to Chapter G13: Medium Density and Other Residential Development of Shoalhaven Development Control Plan 2014 (the Amendment); and consider the finalisation of the Amendment.

Recommendation

That Council:

1. Adopt the amendment to Chapter G13: Medium Density and Other Residential Development of Shoalhaven Development Control Plan 2014 (the Amendment) as exhibited, with the changes outlined in Attachment 2.
2. Notify the adoption of the Amendment in local newspapers in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
3. Advise key stakeholders, including all Community Consultative Bodies, relevant industry representatives and those who made a submission, of this decision, and when the Amendment will be made effective.

Options

1. As recommended.

Implications: This is the preferred option as it will enable Council to respond, where appropriate, to issues raised in submissions and finalise the Amendment which largely reflects Council's resolution of 18 December 2018 (MIN18.993).

2. Adopt an alternative recommendation.

Implications: This will depend on the extent of any changes and could postpone the finalisation of the Amendment.

3. Not adopt the recommendation.

Implications: This could stop or postpone the Amendment which largely reflects Council's resolution of 18 December 2018 (MIN18.993).

Background

The draft Amendment seeks to action changes resolved by Council following a Councillor Notice of Motion dated 18 December 2018 ([MIN18.993 – see CL18.351, page 12](#)). The key components of the Amendment include:

- Amending performance criteria P1.1 to address isolation of lots through land amalgamation to ensure medium density development may still occur on those lots.
- Changes to Table 2 and Figure 3, which apply setback provisions for dual occupancy development.
- Clarification that only water tanks and storage/clothes drying areas are to be excluded from landscaping calculations.
- Clarification that the provision of storage is encouraged.
- Deletion of the provision requiring 50% of the storage space to be located in the dwelling.
- Deletion of two performance criteria relating to Universal Design which are duplications of two objectives in that Section.

Chapter G13 applies where dual occupancy, multi dwelling housing, multi dwelling housing (terraces), attached dwellings, semi-detached dwellings, manor houses, integrated housing development, residential flat buildings, shop top housing, seniors housing, boarding houses, group homes and hostels are permissible with development consent.

Public Exhibition

In accordance with the resolution (MIN18.993), the Amendment package was publicly exhibited for a period of 30 days from 13 March to 12 April 2019 (inclusive).

Notices appeared in local newspapers on 13 March 2019. All Community Consultative Bodies (CCBs) and 89 development industry representatives were notified directly in writing.

The Amendment was exhibited at Council's Administrative Office, Bridge Road, Nowra during business hours, and could also be viewed at the Ulladulla Administrative Office and on Council's website. The exhibition material included: Explanatory Statement, Newspaper Advertisement and Draft Chapter G13: Medium Density Development and Other Residential Development detailing the proposed amendments.

As a result of the exhibition, nine (9) formal submissions were received including:

- Three (3) submissions from development industry representatives.
- Five (5) submissions from the community.
- One (1) submission from Council's Inclusion and Access Advisory Group (Note: not endorsed Group submission).

A detailed summary of the submissions with a Council staff response to all comments raised is provided in **Attachment 1**.

Copies of the actual submissions will also be available for review in the **Councillor's Room** prior to the meeting.

Resulting from the submissions received, two minor amendments are proposed to draft Chapter G13 as shown at **Attachment 2** - for convenience, the proposed post-exhibition changes are highlighted in yellow, with strikethroughs to note deletions.

In summary, the recommended post exhibition changes to the draft Chapter G13 are:

- Delete the following note in Table 2 of Chapter G13 to enable separation between the front and rear dual occupancy dwellings (in a detached arrangement) to provide and protect amenity:

Note: *No rear setback applies for the front dwelling (i.e. dwelling closest to the street) in a 'one behind the other' arrangement.*

- Insert new Acceptable Solution A5.2 as follows, and renumber following acceptable solutions accordingly:

A5.2 *Despite A5.1, where the predominant setback of the same street is greater than the setback contained in Table 2, the required setback must be compatible with the existing setbacks on the same street.*

Community Engagement

The draft Amendment was publicly exhibited for 30 days at the Nowra Administrative Building in accordance with legislative requirements. Nine (9) submissions were received which are summarised at **Attachment 1**.

Financial Implications

The finalisation of the Amendment will continue to be resourced within the existing Strategic Planning budget.



Summary of Submissions

Amendment 33: Chapter G13 Housekeeping Amendment

Public Exhibition: 13 March – 12 April 2019

Number	Summary of Submission	Comments
1 Hotondo South Coast Pty Ltd 3 PDC Lawyers and Planners 4 G.J. Gardner Homes Shoalhaven	Sections 5.1.3, 5.1.4, 5.3.4 Supports: <ul style="list-style-type: none"> Amended setback requirements for dual occupancies. Encouraging internal storage instead of mandating. Changes to landscaping exclusions. 	Support noted.
2 Individual	Section 5.1.3 The proposal deletes reference to lot length and infill development in determining front setbacks. The proposed changes permit higher density development that does not consider the existing character of the street, i.e.: <ul style="list-style-type: none"> Lot area does not necessary reflect the capacity or suitability of a lot to provide a specified setback. A 900m² corner or irregularly shaped lot may be unsuited to provide 7.5m setback. Alternatively, a 700m² regular shaped lot in an established neighbourhood can provide such a setback; By deleting "Infill development" the established character of a street, that is, the prevailing setbacks can be ignored; Existing residents will be disenfranchised from the development application process because the reduced setback to the established street frontage will no longer be a variation and will not be notified; This proposal is inconsistent with other Council policy, e.g.G12. 	Supported in part. It is acknowledged that the exhibited changes to Chapter G13 are a large departure from the established characterisation of localities based on subdivision nature and size, which is also reflected in Chapter G12 (dwelling houses) of the DCP. Where a lot does not have the capacity or suitability to provide the specified setbacks, the variation mechanism in the DCP may be appropriate. There may be unforeseen implications relating to prevailing streetscape setback characteristics, however Performance Criteria P5.1 and P5.2 seek to protect prevailing building lines as follows: P5.1 The front setback is generally consistent with adjoining development and does not undermine the integrity of the prevailing building lines.

		<p>P5.2 The location and siting of the building complements the existing setbacks in proximity to the site, foreshore (if applicable) and the streetscape.</p> <p>To respond to this valid submission, it is appropriate to consider introducing a new acceptable solution similar to that in Chapter G12 for all medium density development, as follows:</p> <p>Despite A5.1, where the predominant setback of the same street is greater than the setback contained in Table 2, the required setback must be compatible with the existing setbacks on the same street.</p> <p>The note in Table 2 alludes to the fact that Council may consider a variation to the front setback where the “prevailing street character permits and the future desired character of the area is not prejudiced”.</p>
	<p>Section 5.1.3</p> <p>The removal of a 3m rear boundary setback to the front dwelling of a dual occupancy:</p> <ul style="list-style-type: none"> Compromises the provision of the private recreation to the (PRA) front dwelling; Presumes that the front dwelling can benefit from open space forward of the building line; Implies that the amenity of the front dwelling is less important than the more constrained rear dwelling. 	<p>Supported. The removal of the 3m rear setback to the front dwelling of a dual occupancy development is likely to result in negative amenity impacts in relation to both the front and rear dwelling as well as flow on implications outlined in the submission.</p> <p>Importantly, private open space forward of the building line is not favoured due to the impact of that space on the streetscape, security and privacy concerns, and the expectation for 1.8m perimeter fencing.</p> <p>It is recommended that the following note in Table 2 be deleted:</p> <p>Note: No rear setback applies for the front dwelling (i.e. dwelling closest to the street) in a ‘one behind the other’ arrangement.</p>
5 Individual	<p>General</p> <p>Does not support Multi dwelling housing at Lake Tabourie and requests that the village “be exempt from these Development Plans”.</p>	<p>Not supported. Permissibility of development at Lake Tabourie is addressed via Shoalhaven LEP 2014. Shoalhaven DCP 2014 is not the appropriate mechanism to do this. The DCP cannot attempt to prohibit development that the LEP allows. Relevant matters will be considered as appropriate through the DA process.</p>
6 Individual	<p>Section 5.1.3</p> <p>Suggests that 30% of the boundary should be made available for zero setbacks.</p>	<p>Not supported. It is assumed that the submission relates to zero lot line development along a side boundary. Usually, as is the case with Moss Vale Road South URA, zero lot line development has one wall built on or close to one side boundary. Standard setbacks would apply to the other side boundary. Zero lot lines work best in relation to small lots and there are significant implications that would need to be considered more broadly, including:</p> <ul style="list-style-type: none"> Amenity impacts on adjoining properties. Whether easements for support and maintenance would be required. Compliance with Building Code of Australia requirements.

		The application of zero lot lines in a blanket fashion across Shoalhaven is not considered appropriate, without more detailed and specific design requirements.
7 Individual	Section 5.3.3 The issue of private open space must be strictly adhered to. The area of private open space provided should not be “the lesser” unless Council is willing to provide parks so that “active and passive outdoor recreational activities and landscaping” is available in residential areas.	Not supported. The provision provides for a flexible approach to private open space which responds to the size of the dwelling. This acceptable solution means that a dwelling with a gross floor area (GFA) of 100m ² or above would be required to provide 50m ² of private open space. Dwellings with a GFA of 99m ² or less would need to provide private open space at a rate of 50% of the GFA.
	Section 8 Suggests that a private open space requirement for boarding houses should be applied at a size similar to dual occupancy development.	Not supported. State Environmental Planning Policy (Affordable Rental Housing) 2009 sets out a number of standards that cannot be used to refuse consent for a boarding house. One such standard is private open space. As such, as long as the following private open space is provided, consent cannot be refused: <ul style="list-style-type: none"> (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers, (ii) if accommodation is provided on site for a boarding house manager— one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation, It is noted that where a DCP and SEPP provision conflict, the provisions in the SEPP will always prevail. As such, prescribing a large private open space area in the DCP would have no effect.
	Section 8 Suggests inclusion of a fourth objective as follows: “Encourage development that responds to the site and surrounding streetscape characteristics”.	Not supported. Due to the influence of the State Environmental Planning Policy (Affordable Rental Housing) 2009 in the assessment of boarding houses, it would be more appropriate to rely on the following overarching objectives of the chapter which apply to all development types within: <ul style="list-style-type: none"> i. Ensure a comprehensive design-oriented approach to housing resulting in high quality urban design, development and residential amenity. iv. Maintain and enhance the amenity of existing and future residential areas.
8 Individual	Section 5.4.3 Suggests a hybrid for universal design, being the combination of the silver and gold (basic silver elements and essential gold) Liveable Housing standards, rather than just the silver, as this will make a place usable, adequate, and will deliver affordable, accessible and retrofittable dwellings that will suit the vast majority of people.	Not supported as part of this amendment. There is merit in reviewing the universal design standards in line with Council's previous resolution of 18 December 2018, being (MIN18.1009): <i>That when Council considers the 2019/20 Strategic Planning Works Program, Council consider the preparation of a DCP Chapter related to</i>

<p>9 Certain members of the Inclusion & Access Advisory Group</p>	<p>Section 5.4.3 Requests a gold Liveable Housing standard, rather than the silver. Alternatively, a hybrid, being the combination of the silver and gold, would be more appropriate than silver.</p>	<p><i>accessibility or the integration of accessibility requirements into relevant DCP Chapters.</i> This project has been identified on the Strategic Planning Works Program.</p>
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CL19.167 REMS 1B - Update

HPERM Ref: D19/194901

Group: Shoalhaven Water Group
Section: Water Asset Planning & Development

Purpose / Summary

This report provides Council with an update on the REMS 1B project and seeks Council's consideration to deal with the matters set out in a separate Confidential Report.

In accordance with Section 10(A)(2) 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.

Recommendation

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

Options

1. As recommended

Implications: The Confidential Report will be considered.

2. Propose an alternative process for consideration of the issue

Implications: This is not recommended as it is considered the item should remain confidential under Section 10A(2)(g) of the Local Government Act.

Background

Current Status of Scheme

Council resolved on 26 July 2016 to:

- a) Accept the Tender from UGL Engineering Pty Ltd as detailed within the report the amount of \$109,591,911 incl. GST
- b) Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with UGL Engineering Pty Ltd on behalf of Council
- c) Authorise the General Manager (Shoalhaven Water) to, once the Contract is executed, administer the Contract including by, where appropriate to do so:
 - i. Directing or agreeing to Contract variations, as permitted under the Contract;
 - ii. Directing the contractor under the Contract to proceed with the construction of the WP2.1: Transfer Main from Bomaderry to Nowra in accordance with the Contract up to the GMP specified in this Report; and

- iii. Negotiating and agreeing to Innovation items in accordance with the Contract.

Council let a contract on 19 August 2016 to UGL for the amount of \$109,591,911.00 incl. GST for the REMS 1B Project Milestones 1 to 5. The Works under each Milestone are as follows:

Milestone 1 – Construction and commissioning of a new sewage treatment plant (STP) at Bomaderry.

Milestone 2 – Demolition of the old Bomaderry STP.

Milestone 3 – Construction and commissioning of a new STP at Nowra.

Milestone 4 – Demolition of the old Nowra STP.

Milestone 5 – Design of a transfer main under the Shoalhaven River between Bomaderry and Nowra STPs.

Note: Milestone 5 is complete, and Milestone 6 (construction of pipeline under Shoalhaven River) was awarded separately and is proceeding. The Confidential Report is focussed on matters relating to Milestones 1 to 4.

The works have proceeded to a point where the construction of both STPs is almost complete and commissioning is well advanced (i.e., Milestones 1 and 3 are close to completion). Cut-over of the raw sewage incoming mains to each of the new STPs is expected in the next few weeks.

The Confidential Report to be considered relates to a number of Contractor Claims that are still outstanding.

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.