

Strategy and Assets Committee

Meeting Date: Tuesday, 11 June, 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 5)
Clr John Wells - Chairperson
Clr Bob Proudfoot
All Councillors
General Manager or nominee

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. **Apologies / Leave of Absence**
2. **Confirmation of Minutes**
 - Strategy and Assets Committee - 14 May 2019 1
3. **Declarations of Interest**
4. **Call Over of the Business Paper**
5. **Mayoral Minute**
 - Mayoral Minute
 - MMS19.2 Mayoral Minute - Request for Nowra Youth Services Inc variation to lease 11
6. **Deputations and Presentations**
7. **Notices of Motion / Questions on Notice**
 - Notices of Motion / Questions on Notice
 - SA19.67 Question on Notice - Water Storage in Shoalhaven LGA 15
8. **Committee Reports**
 - SA19.68 Report of the Shoalhaven Arts Board - 23 May 2019 17
 - AB19.8 Shoalhaven Arts Board - Membership - Term Expires June 2019 - Call for Expression of Interest

- AB19.9 Recommendation from Aboriginal Advisory Committee - Membership
- Representation

9. Reports

Finance Corporate & Community Services

SA19.69	Update on the Review Access Areas for Dogs Policy (POL16/173)	18
SA19.70	Request for Naming of Show Court - Shoalhaven Indoor Sports Centre	26
SA19.71	Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees - 2019/2020	33
SA19.72	19th International Cities, Town Centres and Communities Conference	36
SA19.73	Sponsorship Request - Rotary - Shoalhaven Emergency Services Community Awards	38
SA19.74	Low Cost Loans Initiative Funding Agreement	48

Assets & Works

SA19.75	Solar PV Installations on Council Assets and Revolving Energy Fund	50
SA19.76	Accelerated Replacement of Public Street Lighting with Energy Efficient LEDs	68
SA19.77	Proposed Lease of Part 108 DP131063 - Narang Road Bomaderry - Shoalhaven District Tennis Association.....	75
SA19.78	Proposed Lease - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry - Nowra Players Incorporated	79
SA19.79	Public Road - Douglas Paddock Road, Coolumburra - Redefinition of Boundaries and acquisition	83
SA19.80	Proposed Lease - Bomaderry Community Preschool - 5 Birriley Street, Bomaderry	88
SA19.81	Proposed Licence - Part of Lot 374 DP 755952 & Part of Lot 7323 DP 116817, West St Nowra - Nowra Communal Hall Nowra Showground	91
SA19.82	Classification of Land Lot 616 DP 1249606 & Lot 617 DP 1249606 Red Gum Drive Ulladulla.....	99
SA19.83	Proposed Acquisition of Land - Ulladulla	104
SA19.84	Parking Spaces - Petition - Moss Street / North Street - Nowra.....	105
SA19.85	Australian Government Blackspot Program 2018-19 - Approved Variations.....	109
SA19.86	NSW Government Safer Roads Program 2018-19 Approved Variations.....	112
SA19.87	NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Options	116
SA19.88	Grant of Easement for Underground Cables to Endeavour Energy - Moss Vale Rd Kangaroo Valley	128

Planning Environment & Development

SA19.89	Fee Waiver - St Andrews Way, Coolangatta - Sewer Scheme	131
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SA19.90	Request - Refund DA and CC Fees - Nowra Christian School & Nowra Rifle Club - DA19/1060 & DA18/1887	134
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10. Confidential Reports

Reports

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.

Strategy and Assets Committee

Delegation:

pursuant to s377 (1) of the *Local Government Act 1993* the Committee is delegated the functions conferred on Council by the *Local Government Act 1993* (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

- a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Councils corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Councils community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental, natural resources / assets, floodplain, estuary and coastal management and sustainability matters that are dealt with by the Development and Environment Committee.
- c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Councils next operational plan within the meaning of s405 of the LG Act;
- d. Monitor, review and consider matters relating to the operations and strategic direction of Councils Holiday Haven Tourist Parks Group;
- e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'Crown Land Manager' under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or cannot be delegated by Council;
- f. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Councils adopted Development Servicing Plan and other relevant adopted Council policies;
- h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
- i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;

- j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Councils strategic land holdings and make recommendations to Council.
- k. Review and make recommendations to Council in relation to:
 - l. The sale prices of land in connection with residential and industrial Council subdivisions;
 - m. The sale of Council property or the purchase or resumption of land;
 - n. The compensation to be offered in respect of land resumed by Council; and
 - o. Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
- p. To determine and accept all tenders with a value of \$1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 14 May 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

Clr John Wells - Chairperson
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr Mitchell Pakes
Clr Bob Proudfoot
Stephen Dunshea – Acting General Manager

Apologies / Leave of Absence

Apologies were received from Clr Gash, Clr Kitchener, Clr Levett, Clr Guile, and Clr Watson.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN19.300

That the Minutes of the Strategy and Assets Committee held on Tuesday 09 April 2019 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

RESOLVED (Clr Findley / Clr Proudfoot)

That the items be dealt with in the order in which they are listed on the Agenda.

CARRIED

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA19.54 - Jervis Bay Maritime Museum - Long Term Management Agreement

Mr John Fergusson, President of the Jervis Bay Maritime Museum, addressed the meeting and spoke in favour of the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Digiglio / Clr Alldrick)

MIN19.301

That the matter of item SA19.54 - Jervis Bay Maritime Museum - Long Term Management Agreement be brought forward for consideration.

CARRIED

SA19.54 Jervis Bay Maritime Museum - Long Term Management Agreement

HPERM Ref:
D18/223744

Recommendation

That Council

1. Revoke the Section 355 Management Committee status of the Lady Denman Heritage Museum Management Committee;
2. Enter into a management agreement with the Lady Denman Heritage Complex Huskisson Incorporated ABN 84 292 148 464 for a term of 20 years plus extensions with a commencing annual management fee of \$268,000 with annual 2% or CPI increases, whichever is the greater;
3. Note the inclusion of additional funding in the draft 2019/20 budget;
4. 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.

RECOMMENDATION (Clr Pakes / Clr White)

That Council

1. Revoke the Section 355 Management Committee status of the Lady Denman Heritage Museum Management Committee;
2. Enter into a management agreement with the Lady Denman Heritage Complex Huskisson Incorporated ABN 84 292 148 464 for a term of 20 years plus extensions with a commencing annual management fee of \$268,000 with annual 2% or CPI increases, whichever is the greater;
3. Note the inclusion of additional funding in the draft 2019/20 budget;
4. 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.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA19.50 Notice of Motion - Ulladulla Sea Pool

HPERM Ref:
D19/145844

Recommendation (Item to be determined under delegated authority)

That Council trial an extended opening of the Ulladulla Sea Pool including winter this year (2019).

RESOLVED (Clr White / Clr Gartner)

MIN19.302

That Council trial an extended opening of the Ulladulla Sea Pool including winter this year (2019).

CARRIED

REPORTS

SA19.51 Quarterly Progress Report - Councillors' Notices of Motion

HPERM Ref:
D19/148303

Recommendation (Item to be determined under delegated authority)

That the Progress report on Councillors' Notices of Motion be received for information.

RESOLVED (Clr Digiglio / Clr Findley)

MIN19.303

That the Progress report on Councillors' Notices of Motion be received for information.

CARRIED

SA19.52 Revitalising Town & City Centres Conference

HPERM Ref:
D19/126087

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the Revitalising Town & City Centres Conference scheduled for 25-27 June 2019 in Parramatta.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr Pakes / Clr White)

MIN19.304

That Council

1. Notes the details of the Revitalising Town & City Centres Conference scheduled for 25-27 June 2019 in Parramatta.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.

3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

SA19.53 March 2019 Quarterly Budget Review

**HPERM Ref:
D19/135573**

Recommendation

That Council

1. Receive the March Quarterly Budget Review for information
2. Adopt the adjustments, as outlined in the March Quarterly Budget Review document
3. Adopt the projects that are being reforecast to the 2019/20 Draft Budget and accept them as a submission to the 2019/20 Draft Budget.

RECOMMENDATION (Clr Findley / Clr Gartner)

That Council

1. Receive the March Quarterly Budget Review for information
2. Adopt the adjustments, as outlined in the March Quarterly Budget Review document
3. Adopt the projects that are being reforecast to the 2019/20 Draft Budget and accept them as a submission to the 2019/20 Draft Budget.

CARRIED

SA19.54 Jervis Bay Maritime Museum - Long Term Management Agreement

**HPERM REF:
D18/223744**

Item dealt with earlier/later in the meeting.

SA19.55 One-off Crown land vesting application - Formalisation of main access to Integrated Emergency Management Centre (IEMC) and Nowra Racing Complex

**HPERM Ref:
D19/107320**

Recommendation

That Council submit a one-off vesting application to the NSW Department of Industry – Lands, seeking proposed Lot 5 in subdivision SF 10607 be vested to Council.

RECOMMENDATION (Clr Pakes / Clr White)

That Council submit a one-off vesting application to the NSW Department of Industry – Lands, seeking proposed Lot 5 in subdivision SF 10607 be vested to Council.

CARRIED

SA19.56 Acquisition of Lot 86 DP 29970, Unnamed Road Nowra Hill for the Western Bypass Corridor

**HPERM Ref:
D19/66301**

Recommendation

That Council:

1. Purchase by agreement, Lot 86 Unnamed Road Nowra Hill being Lot 86 DP 29970 from Joseph Charles Holmes, Shirley May Holmes & Darren Charles Holmes, for thirty thousand dollars (\$30,000) excluding GST;
2. Delegate authority to the General Manager to adjust the purchase price, if necessary, in accordance with settlement figures determined by Council's solicitor;
3. Fund all costs associated with the purchase including reasonable conveyancing costs for the Vendor, from the Property Reserve;
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution; and
5. Classify the property purchased as 'Operational' Land in accordance with Section 31(2) of the Local Government Act 1993.

RECOMMENDATION (Clr Findley / Clr Gartner)

That Council:

1. Purchase by agreement, Lot 86 Unnamed Road Nowra Hill being Lot 86 DP 29970 from Joseph Charles Holmes, Shirley May Holmes & Darren Charles Holmes, for thirty thousand dollars (\$30,000) excluding GST;
2. Delegate authority to the General Manager to adjust the purchase price, if necessary, in accordance with settlement figures determined by Council's solicitor;
3. Fund all costs associated with the purchase including reasonable conveyancing costs for the Vendor, from the Property Reserve;
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution; and
5. Classify the property purchased as 'Operational' Land in accordance with Section 31(2) of the Local Government Act 1993.

CARRIED

Note: Clr Pakes left the meeting at 5.45pm

SA19.57 Proposed Acquisition of Land – Moss Vale Road South Urban Release Area

**HPERM Ref:
D19/122687**

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10A(2)© of the Local Government Act 1993 consider a separate confidential report in relation to property acquisition matters associated with Moss Vale Road South Urban Release Area.

RESOLVED (Clr Findley / Clr Digiglio)

MIN19.305

That Council, in accordance with Section 10A(2)© of the Local Government Act 1993 consider a

separate confidential report in relation to property acquisition matters associated with Moss Vale Road South Urban Release Area.

CARRIED

SA19.58 Proposed Disposal of Vacant Land, St Georges Basin

**HPERM Ref:
D19/124286**

Recommendation (Item to be determined under delegated authority)

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed disposals of vacant land in St Georges Basin.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN19.306

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed disposals of vacant land in St Georges Basin.

CARRIED

**SA19.59 Notification to Minister for Lands & Forestry of
appointed Council Native Title Manager**

**HPERM Ref:
D19/130925**

Recommendation

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

RECOMMENDATION (Clr White / Clr Gartner)

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

CARRIED

SA19.60 Former Landfill - Lake Conjola

**HPERM Ref:
D19/114602**

Recommendation (Item to be determined under delegated authority)

That in response to MIN19.143 (Part 6) Council undertake the following at a total cost of \$16,500 and report back to council with the results of this sampling and future options;

1. Write to local residents advising on the investigations being undertaken and seeking any local knowledge or understanding of materials that were placed at the Lake Conjola Landfill site prior to it being decommissioned.
2. Sample the soil in the creek line both upstream and downstream of the former landfill.
3. Drill and install two monitoring boreholes plus collect surface samples.

RESOLVED (Clr White / Clr Gartner)

MIN19.307

That in response to MIN19.143 (Part 6) Council undertake the following at a total cost of \$16,500 and report back to Council with the results of this sampling and future options;

1. Write to local residents advising on the investigations being undertaken and seeking any local knowledge or understanding of materials that were placed at the Lake Conjola Landfill site prior to it being decommissioned.
2. Sample the soil in the creek line both upstream and downstream of the former landfill.
3. Drill and install two monitoring boreholes plus collect surface samples.

CARRIED

**SA19.61 Shoalhaven Affordable Housing Strategy -
Property Acquisition Matters**

**HPERM Ref:
D19/140309**

Recommendation (Item to be determined under delegated authority)

That Council in accordance with Section 10A(2)(C) of The Local Government Act 1993, consider a separate confidential report on the acquisition of an additional property to facilitate the proposed Shoalhaven Affordable Housing Strategy.

RESOLVED (Clr Findley / Clr Gartner)

MIN19.308

That Council in accordance with Section 10A(2)(C) of The Local Government Act 1993, consider a separate confidential report on the acquisition of an additional property to facilitate the proposed Shoalhaven Affordable Housing Strategy.

CARRIED

**SA19.62 Refund Request - Fee Waiver - Shoalhaven
Neighbourhood Services Inc - DA17/1741 and CD18/1535**

**HPERM Ref:
D19/114241**

Recommendation

That Council:

1. Reimburse Shoalhaven Neighbourhood Services Inc \$2,555.95 (GST Incl.) being Development Application (DA) fees and Complying Development (CD) fees in relation to DA17/1741 and CD18/1535.
2. Fund the reimbursement from the Unallocated Donations budget.

RECOMMENDATION (Clr White / Clr Wells)

That Council:

1. Reimburse Shoalhaven Neighbourhood Services Inc \$2,555.95 (GST Incl.) being Development Application (DA) fees and Complying Development (CD) fees in relation to DA17/1741 and CD18/1535.
2. Fund the reimbursement from the Unallocated Donations budget.

CARRIED

Note: Clr Pakes returned to the meeting at 5.47pm

SA19.63 Information Requests - Conjola Community Association

**HPERM Ref:
D19/113757**

Recommendation (Item to be determined under delegated authority)

That the report on documentation requests from the Conjola Community Association be received for information.

RESOLVED (Clr Gartner / Clr White)

MIN19.309

That the report on documentation requests from the Conjola Community Association be received for information.

CARRIED

SA19.64 Lake Conjola - MIN19.143 - Monthly Progress Update Report

**HPERM Ref:
D19/145365**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note the progress report (May 2019) on the implementation of Council resolutions (MIN19.143 and 19.4) relating to issues concerning Lake Conjola.
2. Note that a detailed funding strategy will be developed for consideration by Council to support the on-going management of Lake Conjola following the completion of the strategic review and community consultation referenced in Item 4 in Table 2 of the report.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.310

That Council:

1. Receive and note the progress report (May 2019) on the implementation of Council resolutions (MIN19.143 and 19.4) relating to issues concerning Lake Conjola.
2. Note that a detailed funding strategy will be developed for consideration by Council to support the on-going management of Lake Conjola following the completion of the strategic review and community consultation referenced in Item 4 in Table 2 of the report.
3. In preparing the Coastal Management Plan for Lake Conjola include, among the range of options, a piped permanent solution to the opening.

CARRIED

SA19.65 Acquisition of Easement - Sewer Purposes - South Nowra

**HPERM Ref:
D19/98505**

Recommendation

That Council:

1. Acquire an Easement to Drain Sewage variable width over part of Lot 1 DP 553175 Old Southern Road South Nowra marked (E) on the attached draft survey plan.
2. Pay compensation of thirty-six thousand dollars (\$36,000) and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

RECOMMENDATION (Clr Pakes / Clr White)

That Council:

1. Acquire an Easement to Drain Sewage variable width over part of Lot 1 DP 553175 Old Southern Road South Nowra marked (E) on the attached draft survey plan.
2. Pay compensation of thirty-six thousand dollars (\$36,000) and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

**SA19.66 Australian Government Bureau of Meteorology -
National Performance Report 2017-18 Urban Water
Utilities**

**HPERM Ref:
D19/123515**

Recommendation (item to be dealt with under delegated authority)

That the report be received for information in accordance with the Committee's delegated authority from Council.

RESOLVED (Clr Gartner / Clr White)

MIN19.311

That the report be received for information in accordance with the Committee's delegated authority from Council.

CARRIED

CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public made representations.

RESOLVED (Clr White / Clr Digiglio)

MIN19.312

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA19.3 Proposed Disposal of Vacant Land - St Georges Basin.

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

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.

CSA19.4 Proposed Acquisition of Open Space Land identified in the Moss Vale Road South Urban Release Area

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

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.

CSA19.5 Shoalhaven Affordable Housing Strategy -
Property Acquisition Matters

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

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.

CARRIED

The meeting moved into confidential the time being 6.09pm.

The meeting moved into open session, the time being 6.11pm.

There being no further business, the meeting concluded, the time being 6.12pm.

Clr Wells
CHAIRPERSON

MMS19.2 Mayoral Minute - Request for Nowra Youth Services Inc variation to lease

HPERM Ref: D19/175169

Attachments:

1. Request for Nowra Youth Services Inc variation to lease [↓](#)
2. Response - Nowra Youth Centre - Cost of Recoverables / Lawn Management / Transport in Nowra / Homeless Hub - Janet Atkins / Nowra Youth Centre [↓](#)

Recommendation (Item to be determined under delegated authority)

That the General Manager offer the Nowra Youth Services Inc a variation to their lease which drops their rent to the Statutory Minimum.

Details

It has come to my attention via an email request (attached) that Nowra Youth Services Inc are currently being charged in excess of \$4,000 per annum for their premises on Kinghorne Street. Nowra Youth Services offer a vital service to the young people of Nowra and deserve to have the same equity in rental subsidies that other groups currently enjoy, especially as we only have two current youth services in the Shoalhaven.

MMS19.2

From: [Nicole Moore](#)
To: [Amanda Findley](#)
Cc: [Janet Atkins](#)
Subject: Nowra Youth Centre
Date: Thursday, 23 May 2019 2:19:51 PM

Dear Amanda,

I am writing to request a variation to the lease agreement between Nowra Youth Services (NYS) and Shoalhaven City Council for 132 Kinghorne Street, the site of the Nowra Youth Centre.

As you are aware, we at NYS recently (and unsuccessfully) approached SCC seeking a reduction in the receivables payable to you under the lease, as a means of reducing our operating overheads. This request was based on advice we received from the Community Development section at SCC, that it was not possible to reduce our lease payments.

It has since come to our attention that our current rent level is not set to the statutory minimum, and we are in fact able to request you consider a reduction down to that amount for the balance of the lease term.

In the spirit of parity among like not-for-profits, some of whom we believe hold leases with a similar discount, we ask that you consider this request.

Kind regards

Nicole Moore
Chairperson
Nowra Youth Services Inc
0411 055 206



Bridge Rd, Nowra NSW 2541 02 4429 3111
Deering St, Ulladulla NSW 2539 02 4429 8999

Address all correspondence to
The General Manager, PO Box 42, Nowra NSW 2541 Australia
DX5323 Nowra Fax 02 4422 1816

Council Reference: 30280E (D19/117120)

Janet Atkins
Nowra Youth Centre
132 Kinghorne Street
Nowra NSW 2541

By email only: janet@nowrayouthservices.org.au

Dear Janet

Nowra Youth Centre – 132 Kinghorne Street, Nowra

Thank you for your email enquiring about the cost of recoverables and maintenance at Nowra Youth Centre, 132 Kinghorne Street, Nowra. Council provides the following response.

1. Nowra Youth Centre's Lease Review regarding the cost of recoverables (garbage costs) being charged by Shoalhaven City Council.

Council Waste Services Unit provide waste and recycling services to the region with a focus on reducing domestic waste to landfill, increasing the recycling rate and improving resource recovery. Currently, Council does not offer a subsidised rate to not-for-profit organisations for waste services. Please contact Council's Waste Services Unit on (02) 4429 3129 for more information on effective waste management and cost saving initiatives.

2. Lawn Management.

Council's Parks & Facilities Unit is responsible for parks and sports fields maintenance, including the maintenance of Marriott Park. Currently, Council does not offer subsidised rates, cost neutral or free verge mowing services to any individual, community group, community organisation or business in the Shoalhaven. Council's Parks & Facilities Unit has provided an estimate of \$165/service for verge mowing at the corner of Kinghorne and Plunkett Streets. Please contact Council's Parks & Facilities Unit on (02) 4429 3630 for further enquiries relating to verge maintenance.

3. Mosaic project.

Council's Property Unit manages all matters relating to Council leases and Council owned buildings. Council advises Nowra Youth Centre to send a request in writing to Council's Property Services Unit relating to creating a mosaic project on the side of 132 Kinghorne Street, Nowra. Please contact Council's Property Unit on (02) 4429 3582 for further information or enquiries relating to the Nowra Youth Centre lease agreement.

Yours faithfully

TM Starr

Teagan Starr
Community Development Officer
11/04/2019

SA19.67 Question on Notice - Water Storage in Shoalhaven LGA

HPERM Ref: D19/177233

Submitted by: Cllr Kaye Gartner

Question

1. Could the Director of Shoalhaven Water please inform Council of the state of water storage in the Shoalhaven LGA, given the lack of rainfall to date in May, and modelling of the Bureau of Meteorology which predicts below average rainfall throughout winter and spring?
2. Is the campaign to understand how precious water is working?
3. Is our community responding by reducing water consumption? Is this reduction significant enough given the continuing low rainfall outlook?
4. Does Council need to do more to conserve our water supply given these predicted dry conditions?

Background:

The Bureau of Meteorology has downgraded its ENSO status from Alert to El Niño Watch.

The BOM website states: "This means the chance of El Niño developing in 2019 is approximately 50%, which is still double the normal likelihood." As we know, El Niño brings drier conditions over winter and spring.

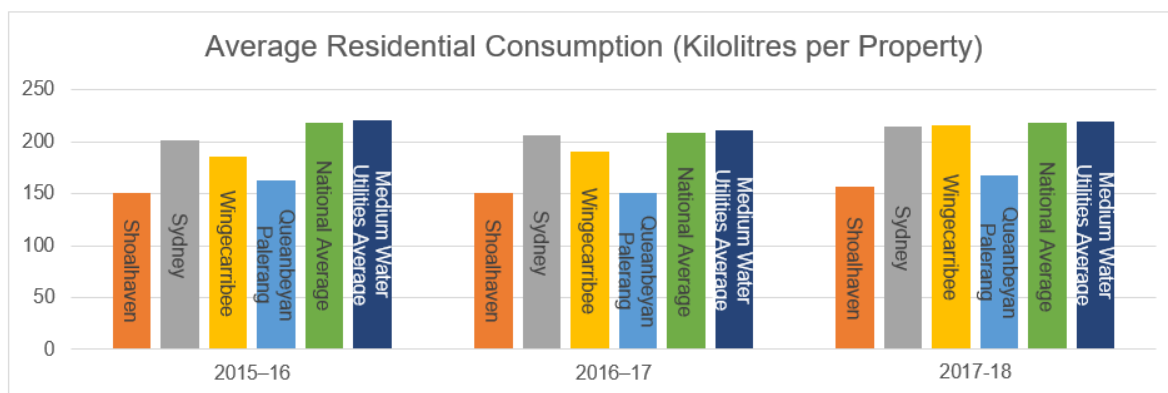
Further, the IOD (Indian Ocean Dipole) is predicted to trend positive over winter and spring; this also indicates less than average rainfall for winter and spring in southern Australia.

Response

1. Danjera Dam – 83.8%
Bamarang Dam – 81.2%
Porters Creek Dam – 73.7%
Flow into Tallowa Dam – at 4 June 2019, 400 ML/day (prior to recent rain was less than 90ML/day, therefore no pumping from Shoalhaven River).
Tallowa Dam water level – 0.4m below top water level.
Overall, Shoalhaven Storages are at 81.1% of capacity.
2. Shoalhaven Water has a range of strategies to encourage water conservation. In addition to raising awareness with school children through the popular Tapstar Waterwise education program, water accounts are issued with a range of topical information flyers each quarter. Together with regular updates to the Shoalhaven Water website and Council social media, Customers can stay informed and understand the issues around water and sewerage services. The campaign of awareness and information is escalated as part of the Drought Management Planning arrangements.

SA19.67

3. The chart below shows Shoalhaven residential consumption per property compares favourably with national water usage, other medium water utilities, and other Council's/Water Utilities in our area.



4. The Shoalhaven Water Drought Management Plan (DMP) establishes how our water supply schemes are managed, particularly during extended dry periods. The plan is activated when it is perceived there is a high probability that, if there is no rainfall, water restrictions may be imposed. The drought management team have been closely monitoring the water situation in recent times, particularly as the flow into Tallowa dam reduced to below 90 ML/day (the trigger to stop pumping from the Shoalhaven River to Bamarang Dam). The recent rainfall in early June will delay further actions to implement water restrictions until the trigger levels contained within the DMP necessitate such action.

SA19.68 Report of the Shoalhaven Arts Board - 23 May 2019

HPERM Ref: D19/180493

AB19.8 Shoalhaven Arts Board - Membership - Term Expires June 2019 - Call for Expression of Interest

HPERM Ref: D19/116155

Recommendation

That Council:

1. Approve the appointment of a second two (2) year term ending June 2021 for the following expiring Community Members who have advised that they wish to continue on the Board in accordance with the Arts Board Terms of Reference:
 - a. Peter Lavelle
 - b. Alison Chiam
 - c. Karen Akehurst
2. Note advice from Barbara Dawson that she does not wish to reapply and thank her for her service to the Shoalhaven Arts Board.
3. Call for Expressions of Interest for Community Members on the Shoalhaven Arts Board for the remaining two (2) positions now vacant on the Board.

AB19.9 Recommendation from Aboriginal Advisory Committee - Membership - Representation

HPERM Ref: D19/8169

Recommendation

That Council:

1. Appoint Paul McLeod to the Aboriginal Local Community Member position of the Shoalhaven Arts Board as recommended by the Aboriginal Advisory Committee for a period of 2 years ending June 2021.
2. Amend the Terms of Reference of the Shoalhaven Arts Board to appoint an additional two (2) Aboriginal Local Community Members (as alternates) in accordance with the request from the Aboriginal Advisory Committee.

General Manager's Note:

The Shoalhaven Arts Board Terms of Reference stipulate one position on the Board is designated as an Aboriginal Local Member. The Aboriginal Advisory Committee is requesting there be two alternates, one of who may have voting rights when the designated Aboriginal Local Member is not present.

It is unusual to have two alternate members; however, this reflects the interest shown by the Aboriginal Advisory Committee and Aboriginal Community in seeking involvement and representation on the Arts Board. The members of the Arts Board welcomed this involvement and are supportive of the request.

It was confirmed (subject to adoption by Council) that alternate members will receive the same distributed materials and induction training as full members.

SA19.68

SA19.69 Update on the Review Access Areas for Dogs Policy (POL16/173)

HPERM Ref: D19/141317

Group: Finance Corporate & Community Services Group
Section: Recreation Community & Culture

Attachments:

1. Community Reference Group - Recommendations [↓](#)
2. Public Quotation Submission - Consultant 1 (councillors information folder) [⇒](#)
3. Public Quotation Submission - Consultant 2 (councillors information folder) [⇒](#)
4. Public Quotation Submission - Consultant 3 (Preferred Consultant) (councillors information folder) [⇒](#)
5. Submitted Expressions of Interest - Community Reference Group (councillors information folder)

Purpose / Summary

To provide Council an update on options to review the Access Areas for Dogs Policy (POL16/173), following the Councillor Briefing held on 9 May 2019 and as per MIN18.810, and seek a recommendation on next steps.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Engage the consultant Balancing Act to commence the review of the Access Areas for Dogs Policy (POL16/173) and allocate \$50,000 from savings at the June 2019 Quarterly Budget Review.
2. Ensure extensive community consultation throughout the region, including the use of:
 - a. One (1) Community Focus Group, with the members identified in Attachment 1;
3. Receive a report on the draft Policy and Guidelines to Council prior to public exhibition.

Options

1. Adopt the recommendation as written above, with a decision from Council on the use of one (1) Community Focus Groups.

Implications: This will enable Council staff to enact the previous resolution of the Council (MIN18.810) which seeks to commence a comprehensive review of the Access Areas for Dogs Policy.

The Community Focus Group (CFG – formerly Community Reference Group) is proposed to be a point of contact to test ideas for the consultant and to share perspectives of the community. Regardless of the Community Focus Group, the review will include extensive and broad community consultation throughout the region.

There is the option to create two (2) additional Focus Groups – one for each Ward area – creating three (3) in total. This will require staff to review the remaining Expressions of Interest (EOI) and identify potential members to join those already identified on the CFG.

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This will also require staff to review the proposed quote from the consultant and may incur additional costs.

Alternatively, Council could decide to have no formal CFG and proceed using the extensive and broad community consultation throughout the region planned as part of the review.

2. That Council:

- a. Not engage a consultant and proceed with the review internally through the engagement of additional staff resources and allocate \$50,000 at the June 2019 Quarterly Budget Review to facilitate the review to commence

The other option is to defer the review and not to allocate additional budget for the engagement of staff resources and proceed with the review in financial year 2020/21 in line with the planned timeframe for the policy review (commencing December 2020).

- b. Ensure extensive community consultation throughout the region, including the use of a one (1) CFG (as per the recommendation),

However, there is the option to create two (2) additional Focus Groups – one for each Ward area – creating three (3) in total. This will require staff to review the remaining Expressions of Interest (EOI) and identify potential members to join those already identified on the CFG.

This will also require staff to review the proposed quote from the consultant and may incur additional costs, or alternatively, Council could decide to have no formal CFG and proceed using the extensive and broad community consultation throughout the region planned as part of the review.

Implications: The review of this Policy is challenging and there are very strong and polarising views from our local community. Internal review of the Policy is within the skillset of staff but will require substantial resource allocation due to the large number of community submissions and enquiries expected and needs to be balanced alongside current workload.

Acceptance of this recommendation is dependent on the allocation of \$50,000 funding which will enable Council staff to enact the previous resolution of the Council (MIN18.810) which seeks to commence a comprehensive review of the Access Areas for Dogs Policy; however, resourcing will impact on the time frame of the review.

Without the funding, Community and Recreation is not currently resourced to accommodate the extensive demands on time required to complete the review, especially in relation to researching and reporting on additional dogs off-leash areas.

The Community Focus Group is proposed to be a point of contact to test ideas for the staff conducting the review and to share perspectives of the community. Regardless of the establishment of a Community Focus Group, the review will include extensive and broad community consultation throughout the region.

Not proceeding with the review will be contrary to Council's resolution (MIN18.810) and to community expectations.

3. That Council:

- a. Not proceed with the review of Council's Dogs Off-Leash Policy;
- b. Council staff to research and consult with community on providing additional off-leash areas on a case by case basis and report back findings to Council with estimated costings in the first half of 2020;

- c. Increase funding for Ranger Services by \$100,000 at the end of June 2019 Quarterly Budget Review to educate and enforce existing dogs off leash areas.

Implications: This will stop the full review of the Policy at this point in time and will require a report back to Council on new towns and villages requesting off-leash areas. The report will provide options for new dogs off leash areas and the associated costings for fencing if required, signage etc. for the consideration of Council. This could be undertaken with or without the input of a Community Focus Group(s).

The review of the Dogs Off-Leash Policy would occur as per original workplan timeline and commence in December 2020.

An increase in compliance staff in region will assist in regulating and education of dog owners regarding off-leash areas.

4. Adopt an alternate recommendation.

Implications: Unknown currently.

Background

Councillors will recall that during 2018, Council received various Notices of Motion in relation to off-leash dog areas and related signage, and specifically in relation to Greenwell Point and Sussex Inlet District.

Following a Councillor Briefing on 30 August 2018 and a subsequent report to Council's Strategy and Assets meeting on 16 October 2018, Council resolved the following (MIN18.810):

1. *Bring forward the timing of the comprehensive review of the Access Areas for Dogs Policy from 2020 to the first half of 2019.*
2. *Have the policy review undertaken in consultation with Ranger Services as the enforcement body, and the broader community, and consider the process for new off-leash dog areas including site criteria and fencing arrangements.*
3. *Seek quotations for the engagement of a suitably qualified and experienced consultant to facilitate the review, and a further report be presented to Council recommending a preferred consultant and an identified funding source.*
4. *Defer a decision in relation to an off-leash dog area in the Sussex Inlet District and at Greenwell Point, and signage, until the comprehensive review of the Access Areas for Dogs Policy has been completed.*

This report arises following a Request for Quotation (RFQ) process seeking quotes from suitably qualified professionals to undertake the review of the Access Areas for Dogs Policy (POL16/173) which was presented to Council's Strategy and Assets meeting in April 2019. It was RESOLVED (MIN19.217) that:

"the matter regarding Review Access Areas for Dogs Policy (POL16/173) - Engagement of Consultant, Allocation of Budget and Establishment of Community Reference Group be deferred pending a Councillor Briefing".

Councillor Briefing 9 May 2019

Councillors attended a briefing to discuss options, challenges and opportunities for the Dog Policy review. Considerable discussion was held around:

- Use of the Community Reference Group (with a request to rename this as a Community Focus Group)
- The process staff had taken to seek expressions of interest
- The need for community consultation broadly throughout the process

- Options for adding additional off-leash areas
- Options of using a consultant or internal staff to undertake the review

As a result, additional options for consideration have been added for Council to formally consider as part of this report.

Also discussed was a suggestion that Gold Coast Council's use of smart technology to fine dog owners be investigated. Council staff have made enquiries and provide the following update.

The City of Gold Coast mobile application (app) has no smart technology or capability to enforce regulation or fine dog owners not in leash free areas. Staff at The City of Gold Coast were not aware of any smart technology with that level of capability and advised that Rangers offer education and enforce compliance of all dogs off leash areas.

The City of Gold Coast mobile application (app) is a way for locals and visitors to access a large range of their popular online services including reporting non-urgent issues and conducting business with them. It replaces their previous app, CitySourced, and has a 'submit a service' request to report neighbourhood issues such as:

- Graffiti and vandalism
- Illegal dumping of rubbish
- Illegal parking
- Barking dogs
- Water leaks
- Potholes
- Damaged park equipment and bins
- Abandoned vehicles.

The potential use of mobile technology should be considered as part of the review process.

Request for Quotation Process

Further information was provided to the Councillors at the Briefing regarding the Request for Quotation Evaluation process to clarify the points raised.

The RFQ process was open from Wednesday 6 February to Thursday 28 February 2018 (inclusive). Quotations were requested to:

- Review the Policy and Guidelines including a review of existing dog on-leash, off-leash and prohibited areas,
- Review records relating to the Policy and Guidelines including suggestions for new off-leash areas, complaints relating to the responsibilities of dog owners and other information of relevance,
- Review current signage content and investigate options for fencing and signage,
- Consultation with relevant internal and external stakeholders,
- Prepare draft Policy and Guidelines.

At the completion of the RFQ process, Council received a total of three (3) proposals. A copy of each of the quotations is provided in the **Councillor Information Folder**. An evaluation panel made up of two (2) representatives from Community and Recreation and one (1) from Ranger Services reviewed the proposals. Following an evaluation of the proposals, the panel identified a preferred consultant.

The engagement of the preferred consultant can be undertaken under staff delegation due to the value of the contract; however, the matter is being reported back to Council in accordance with the Council minute and to seek an appropriate budget allocation to allow this work to be undertaken.

Preferred Consultant

The evaluation panel identified Balancing Act as the preferred consultant. It was that the preferred consultant's quotation represented best value for money, comprehensive methodology that met the requirements of Council's brief, and a thorough consultation, and suitable qualifications and experience.

As per part 3 of the Council resolution (MIN18.810), it is recommended that Balancing Act are engaged to undertake the review of the Policy and a suitable budget be allocated to allow for their engagement.

The Councillor Briefing covered off on the process to engage and evaluate the consultants.

Alternate to Preferred Consultant – Internal Staff

During the Councillor Briefing the option to undertake the review by Council staff was raised. This is not the preferred way forward as Council staff have the skillset, whilst noting they are not experts in this field, there may be perceptions of bias from some community members, and the diversion of staff resource would result in a delay in progressing other priority projects in the absence of additional staff resources being engaged.

An alternate approach would be to defer the review until December 2020, as per the current policy review timeline, and this would allow for it to be accommodated in the 2020/21 work program without the need to engage additional resources, noting that staff would need to make alterations to our long-term work schedules to accommodate it.

Community Focus Group

During the Councillor Briefing the Role of the Community Reference Group was discussed and it was clarified that its role was akin to a Focus Group – hence, should such a group be established, its role is as a Community Focus Group. Discussion was held on the option to retain the one (1) group as initially proposed or consider three (3) CFGs – being one for each Ward. Another option is to proceed without a formal CRG and use the extensive and broad community consultation throughout the region as part of the review.

It is expected that the proposed Community Focus Group/s will represent a good cross-section of the Shoalhaven community in opinions, age groups and localities.

Expressions of Interest

An Expressions of Interest (EOI) process was established to seek community members who were interested in providing vital input into the review of the Policy and Guidelines. The EOI process was open from Friday 1 March to Friday 15 March 2019 (inclusive).

During this time, a total of 75 expressions were received from community members representing 30 towns and villages, one of which is outside of Shoalhaven. Registrations were received from community members ranging in ages 19 to 65 years and over.

The EOIs received during the process have been reviewed, and a total of 16 participants are recommended to represent the CFG. **Attachment 1** identifies the recommended participants for the CFG; these individuals are considered to represent a good cross-section of the Shoalhaven community in opinions, age groups and localities. The full list of expressions received is provided in the **Councillor Information Folder**.

The recommended participants represent the following localities. Localities have been grouped to protect the identity of individuals:

Locality	No.
<i>North Shoalhaven</i> (made up of Beaumont, Berry, Woodhill, Kangaroo Valley, Shoalhaven Heads, Bomaderry, North Nowra, Nowra, West Nowra)	5
<i>Culburra Beach & Surrounds</i> (made up of Culburra Beach, Callala Bay, Callala Beach, Greenwell Point)	2

<i>Bay and Basin</i> (made up of Huskisson, Vincentia, Hyams Beach, Erowal Bay, Sanctuary Point, St Georges Basin, Falls Creek)	2
<i>Sussex Inlet District</i> (made up of Sussex Inlet, Cudmirrah, Berrara)	2
<i>South Shoalhaven</i> (made up of Manyana, Lake Conjola, Ulladulla, Milton, Narrawallee, Bawley Point, Kioloa)	5

The total number of participants on the currently proposed CFG has been limited to sixteen (16) individuals to ensure that workshops are manageable.

However, options were discussed at the Councillor Briefing and are identified in the Options 1 and 2 for additional Community Focus Groups to cover a broader spread of community locations, or no Community Focus Groups.

If Council resolve to have additional Community Focus Groups being one for each Ward (3 Community Focus Groups with a maximum of 16 in each group) this would potentially give a greater representation from our community and address community and Councillors' concerns. The representatives for the CFG would include the sixteen (16) people already identified to be included in the relevant Ward CFG, with the balance being selected from the remaining EOIs.

If Council resolve not to proceed with the Community Focus Group, we have a broad community consultation and engagement plan to ensure the broader community's views are obtained and considered.

The Councillor Briefing covered off on the process to engage and evaluate the members of the proposed CFG.

Role of Rangers - Education & Enforcement in the Absence of a Formal Policy Review

If Council resolve to go with Option 3 this would entail increasing funding for additional Ranger Services to increase Ranger presence and capability, with a greater emphasis on education and compliance activity where required.

Complaints for dogs not under effective control (off leash with owner or roaming) are received at a high rate by Ranger Services. Education programs such as 'Paws and Think' alongside an increased visual presence patrolling beaches, particularly at known problem areas, has assisted in dealing with this issue.

On average each Ranger spends approx.12.5 hours out of their working week responding to dogs not under effective control. This increases in our holiday periods to approx.19.5 hours a week. Additional funds to increase resources may generate more voluntary compliance simply because when Rangers are seen in an area, people are naturally less likely to do the wrong thing. Additional income in penalties issued would help to offset costs.

Shoalhaven dog statistics from the Ranger Services since 1/7/2018 are:

- Roaming/Dog not under effective control – 627 reported complaints received.
- Rangers proactive patrols on Beaches/Reserves – 1219 (if each patrol conducted took 1 hour @ \$60 cost of the Ranger, as per fees and charges, wages spent so far = \$80,454. This does not allow for travel time, vehicle costs etc)
- Penalty Notices issued for dogs off leash – 81 @ \$220 = \$17,820
- Penalty Notices issued for dogs in a prohibited place – 32 @ \$330 = \$10,560 (total fines \$28,380 at 80% paid = \$22,704)
- Formal Written Cautions (Pinforce) issued for dogs off leash – 44

Community Engagement

As part of the Policy review, the consultant will engage extensively with relevant stakeholders, including but not limited to:

- Council internal staff from Community and Recreation, Rangers Services and Tourism Sections;
- External agencies including National Parks and Wildlife Services;
- Councillors;
- Community Focus Group/s; and
- Broader community.

Community consultation will occur throughout the Policy review process and will include:

- Workshops,
- Questionnaires,
- A formal exhibition period of the draft Policy.

It is proposed that Council receive a briefing and report on the draft Policy and Guideline, prior to the public exhibition.

If Council proceed with staff undertaking the review, it is proposed to follow the same methodology.

Policy Implications

Council's Policy, Access Areas for Dogs, was last reviewed in 2017. This report seeks to commence the next review as per Council's resolution MIN18.810.

Financial Implications

Options 1 and 2:

A budget allocation of \$50,000 is required to enable the review to be delivered. It is proposed that this budget be allocated as part of the June 2019 Quarterly Budget Review.

Option 3:

A budget allocation of \$100,000 is required to implement additional Ranger Services for Education and Enforcement activities in the absence of a formal review.

Attachment 1

Expressions of Interest - Community Reference Group Recommendations

The following table summarises the recommended participants to represent the CRG and the area of Shoalhaven which they represent.

Name	Representing
1. Jan Gregory	South Shoalhaven
2. Michael Daveson	Culburra Beach & Surrounds
3. Debra Robertson	Culburra Beach & Surrounds
4. Steve Campbell	South Shoalhaven
5. Kylie Knight	North Shoalhaven
6. Cindy Tong	North Shoalhaven
7. Rob Dunn	Bay and Basin
8. Jenny Marshall	South Shoalhaven
9. Mike Clear	Sussex Inlet District
10. Neal Johnson	North Shoalhaven
11. Irene King	South Shoalhaven
12. Chloe Webster	Bay and Basin
13. Richard Wyllie	North Shoalhaven
14. Steve Lees	Sussex Inlet District
15. Ashley Webb	North Shoalhaven
16. Natasha Backhouse	South Shoalhaven

SA19.70 Request for Naming of Show Court - Shoalhaven Indoor Sports Centre

HPERM Ref: D19/146413

Group: Finance Corporate & Community Services Group
Section: Recreation Community & Culture

Attachments:

1. Request - Number 1 Court Naming to John Martin Court - Shoalhaven Indoor Sports Centre - Shoalhaven Basketball Association Inc - 27 November 2018 [↓](#)
2. Policy - NSW Geographical Names Board - September 2018 (under separate cover) [⇒](#)

Purpose / Summary

To inform Council of a request, by Shoalhaven Basketball Association Inc. to have the No 1 Court, the “Show Court” of the new Shoalhaven Indoor Sports Centre Bomaderry, named as the “John Martin Court”.

Recommendation (Item to be determined under delegated authority)

That Council support the proposal from Shoalhaven Basketball Association Inc, that Court No 1, the “Show Court”, of the new Shoalhaven Indoor Sports Centre be named the “John Martin Court” in honour and recognition of the significant contribution Mr John Martin has made to basketball.

Options

1. Agree to the recommendation as written.

Implications: Accept the proposal from the Shoalhaven Basketball Association, as written, and proceed with formal naming of Shoalhaven Indoor Sports Centre No 1 Court as the “John Martin Court” in honour and recognition of the significant contribution Mr John Martin has made to basketball with no requirement to undertake community consultation.

2. The proposal from Shoalhaven Basketball Association Inc, that Court No 1, the “Show Court”, of Shoalhaven Indoor Sports Centre be named the “John Martin Court”, be placed on exhibition for community comment for a period of 28 days.

Implications: Council proceeds to engage with the community on the naming of the Shoalhaven Indoor Sports Centre No 1 Court in honour and recognition of the significant contribution made to basketball by Mr John Martin, and receive a further report back at the conclusion of the community engagement process.

3. Decline to accept the proposal.

Implications: Council write to Shoalhaven Basketball Association, advising them of Council’s decision.

SA19.70

4. Council provide an alternate proposal.

Implications: Council write to Shoalhaven Basketball Association, advising them of Council's decision.

Background

Council have received a request from the Shoalhaven Basketball Association Inc (SBA) to have the No 1 Court – the “Show Court” – in the newly constructed Shoalhaven Indoor Sports Centre named as the “John Martin Court” in honour of Mr John Martin’s contribution to Basketball throughout NSW and the Shoalhaven – see Attachment 1.

The efforts of Mr John Martin in support of Shoalhaven Basketball Association over many years are admirable. Staff also acknowledge that members of Shoalhaven Basketball Association, including Mr John Martin, have offered valuable insights into the facility design, layouts and fitting out of Council’s new Shoalhaven Indoor Sports Centre.

The SBA draw Council’s attention to:

“The tradition in many countries and especially Australia to have sports facilities named after famous persons involved in a particular sport. SBA is of the opinion it would be appropriate for this tradition to be followed in the new Shoalhaven Indoor Sports Centre with the name of John Martin for the Number 1 Court”

“The name of John Martin has been well known initially in the Shoalhaven but now on a worldwide basis since the early 1960’s”

In support of the request to Council, the SBA point out that Mr Martin has been:

- The driving force behind the construction of the first court at the existing Bomaderry Basketball Stadium and the subsequent addition of court 2
- Secretary of SBA between 1966 and 1988; during this period the Shoalhaven Tigers were one of the NSW teams at the National Club Championships
- A driving force for the recruitment, education and improvement of referees, has written many articles and books on the rules of the game and continues to be a referee, served on committees at both State and National level and refereed at National Level for 6 years
- The first Australian to be an International Referee and Examiner and has travelled extensively internationally and in the Oceania Region to develop referees and score bench personnel
- A Technical Director at the 2000 Olympics
- The founder of the annual Australian Country Junior Basketball Cup which features players from Country Australia and New Zealand competing in a tournament
- The NSW Junior Country Tournament has been renamed the John Martin Country Tournament
- Recognised by both Australian Basketball and NSW Basketball for his continued efforts on behalf of Basketball and being inducted into their respective Halls of Fame
- Recognised Internationally in 2010 being the recipient of the FIBA Radomir Sharper Award for contribution to the rules of basketball
- Employed by NSW Basketball on a full-time basis and continues to serve as a Senior consultant to NSW Basketball
- Instrumental in the advocacy, lobbying, support and technical advice for the construction of the new Shoalhaven Indoor Sports Centre

“It is for these reasons that SBA is of the opinion that the Number One Court at the Shoalhaven Indoor Sports Centre should be named after the most famous of Shoalhaven’s Basketballers.”

Mr Martin has been consulted regarding the proposal of the SAB and this matter being considered by Council. He was humbled by the request to Council for this acknowledgment of his involvement with a sport he dearly loves and has no objection to this request being considered by Council.

The existing Bomaderry Basketball Stadium No 1 Court is named in honour of former Shoalhaven Basketball Association member, Mr Alan Oke. Mr Oke was involved in the construction of the Stadium’s No 2 Court and passed away in the early 1970s. This posthumous honour – the “Alan Oke Court” – was bestowed by Shoalhaven Basketball Association Inc for the efforts of Mr Oke.

There is no evidence of any community consultation taking place between Shoalhaven Basketball Association and Council regarding this naming; however, it is intended to retain this name in any future development of the original Bomaderry Basketball Stadium, in recognition of the historical links of Shoalhaven Basketball Association to Bomaderry Basketball Stadium.

Council is not required to consult with the NSW Geographical Names Board for the naming of a facility enclosed within infrastructure projects. Nevertheless, it is important to note that the Geographical Names Board does offer guidance, clarity and transparency in a Policy on the naming of various publicly owned assets. The Board provides Council with good benchmarking practices and offers an excerpt below on the naming of assets:

“When such a name is applied, it shall be given posthumously, at least one year after the decease of the person. Names of living persons are, by their nature, subject to partisan perception and changes in community judgement and acceptance...”

“...Using the name of a living person is unacceptable (nationally and internationally) as it may lead to favouritism and / or inappropriate naming. There are examples where people commemorated have later proven to be of poor character or otherwise thought to be unworthy.” Paragraphs 3 & 4, Clause 7 - Attachment 2

Facility Research

Council officers conducted research through NSW and found the general industry consensus to be that the individual concerned should be well known and respected on the international stage, and that the allocation of a commemorative name relating to an individual is done so posthumously.

The facilities contacted represented a range of areas from inner city, suburban and regional NSW, of which, only a limited number recognised a local identity, at which the contribution by this person was commemorated in forms ranging from a wall plaque to naming of courts.

Community Engagement

Council does have the option to proceed with naming the Court No 1, the “Show Court”, at Shoalhaven Indoor Sports Centre the “John Martin Court” in accordance with the representation made by the Shoalhaven Basketball Association.

An alternate approach is to seek community feedback on the proposal for the naming of the No 1 Court – Show Court. This can be achieved through a period of community consultation to enable the community, CCB, and other sports organisations who will utilise the facility, to have an opportunity to make a submission / comment about the proposal.

The opportunity for community consultation may provide alternative suggestions that can be reported back to Council for consideration.

Policy Implications

Currently, no Council Policy exists pertaining to use of names for facilities within the Shoalhaven. However, the Park Management Policy POL17/7 does have provisions in clause 3.2 Naming of Parks which is also applicable to sportsgrounds and other reserves which Council manages

“a) Council will consider park name requests from the relevant Community Consultative Body (CCB) and/or Management Committee (MC) responsible for the location of the relevant park. If no CCB or MC exists for the park location, a petition from surrounding residents will be considered.

b) Park naming requests will be reported for Council endorsement and dependent on the circumstances it may involve wider community consultation before final endorsement is accepted by Council.

c) Where appropriate, significant park names will be forwarded to the NSW Geographical Names Board (GNB) for consideration and determination. Where the name process is considered to be less and more of a local significance the name will not be forwarded to the GNB to minimise resourcing requirements for Council.

d) Where a park is named in honour of a local identity, a suitable interpretative sign should be erected outlining a brief history of the contribution made by that identity and the reason for naming the park.”

Financial Implications

Naming of Court No 1 within the Shoalhaven Indoor Sports Centre, as requested by Shoalhaven Basketball Association, would have the following financial implications, although these have not been fully costed:

a) Naming the internal space and, specifically:

- i. Commemorative plaque recognising Mr Martin’s contribution and formal naming signage
- ii. Changes to internal venue signage
- iii. Redesign and reprinting of some venue marketing collateral and information
- iv. Minor website and Facebook changes
- v. Changes to some documents

b) Expenses incurred for community consultation – should this be undertaken

Shoalhaven



**Shoalhaven
Basketball
Association Inc**
ABN 33 881 544 061

PO Box 21
Bomaderry NSW 2541

Stadium
Cambewarra Road
Bomaderry

Tel 02 4421 3800
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Email
shoalbasket@shoalhaven.net.au

Incorporated in NSW
A member of
New South Wales
Basketball Association

Mr. Russ Pigg
General Manager
Shoalhaven City Council
P. O. Box 42
Nowra NSW 2541

Dear Sir

Re: Naming of Court 1 Shoalhaven Indoor Sports Centre

Shoalhaven Basketball Association (SBA) proposes that the Number 1 Court at the new Shoalhaven Indoor Sports Centre be named the "John Martin Court". Council would be familiar with the tradition in many countries and especially in Australia to have sports facilities named after famous persons involved in a particular sport. SBA is of the opinion it would be appropriate for this tradition to be followed in the new Shoalhaven Indoor Sports Centre with the name of John Martin for the Number 1 Court.

The name of John Martin has been well known initially in Shoalhaven but now on a worldwide basis since the early 1960s.

On a local level those with a long memory at Council will recall that Mr. Martin was a driving force behind the construction of the first Court at the Bomaderry Basketball Stadium and even more so in the addition of the second Court some years later.

Mr. Martin was the Secretary of the SBA from 1966-1988 when basketball flourished in the Shoalhaven to the point the Shoalhaven Tigers were a powerful force in the New South Wales competition before there was a National Basketball League to the point where the Shoalhaven Tigers were one of the NSW teams at the National Club Championships. The Bomaderry Stadium was packed to the rafters year after year for the games played there. Additionally the Easter Basketball Carnival at the Stadium drew teams, and obviously their supporters and others, from not only New South Wales but other States as well. Many local businesses did a roaring trade during these times. John Martin was one of the main reasons for the successes of the Shoalhaven Tigers during these times-successful sporting teams don't just happen-they have to be put together by diligent administrators.

At the same time Mr. Martin was ensuring the local community basketball was flourishing as well in his position as Secretary. Additionally he became a referee and to this day has spent countless hours towards referee education and recruitment.

Initially Mr. Martin was a school teacher but eventually his basketball activities led towards New South Wales Basketball recruiting him away from basketball to a full time position in New South Wales basketball but even though working from a Sydney Office he has retained to this day his residence near Berry never leaving the Shoalhaven Community.

On a State Level Mr. Martin is in the New South Wales Basketball Hall of Fame for his continued efforts on behalf of basketball in the State of NSW. He has been a driving force for the improvement of referees, has written numerous articles and books on the rules of the games and served on many committees on a State and National Level. As a result of his efforts in promoting the annual New South Wales Country Tournament where Junior Basketballers from all over New South Wales come together in various Country locations during the long weekend in June NSW Basketball has named the tournament the John Martin Country Tournament.

As well as the John Martin Country Tournament Mr. Martin was one of the founders of the Australian Country Junior Basketball Cup which is a Tournament each January where Country Junior Basketballers from all over Australia and New Zealand play a Tournament in Albury-Wodonga. Mr. Martin is one of a very small band of volunteers who spend countless hours each year (which he still continues to do) organizing this Tournament. He continues to serve as a Senior Consultant to NSW Basketball to this day.

On a National Level Mr. Martin is in the Australian Basketball Hall of Fame.

He refereed in the National Basketball League for six years and has been a referee supervisor in the League for many years. He has been on the Organizing Committee of many National championships, some of

which have been held at the Bomaderry Basketball Stadium, including the 2000 Olympics and Paralympics and was a Technical Director at the 2000 Olympics.

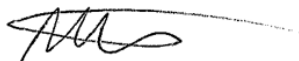
Internationally he has been recognized for his contribution to Basketball including the 2010 FIBA Radomir Sharper Award for Contribution to the Rules of Basketball. He was the first Australian to be an International Referee and Examiner and has travelled extensively internationally including Oceania Region to develop referees and score bench personnel.

He is a Life Member of Shoalhaven Basketball Association, Barrengarrry Conference Basketball Association, NSW Basketball and Basketball Australia.

Finally anyone anywhere who has had anything at all to do with the Shoalhaven Indoor Sports Centre presently under construction will have had many discussions with Mr. Martin about the facility. He was instrumental in bring the idea to the Council, thereafter heavily involved in lobbying for the project and the Grants from various departments for the necessary finance and providing advice for those involved in the Centre, such advice based on his vast knowledge of Basketball stadiums especially in NSW (and other States) as he has seen many Stadiums constructed and is aware of what should and should not be done. It is hard to think of anyone who has had more influence in the construction of the Centre.

It is for these reasons the SBA is of the opinion the Number One Court at the Shoalhaven Indoor Sports Centre should be named after the most famous of Shoalhaven's Basketballers.

Yours Sincerely



Maddison Hanlon

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

HPERM Ref: D19/159027

Group: Finance Corporate & Community Services Group
Section: Human Resources, Governance & Customer Service

Attachments: 1. 2019 Annual Report and Determination - Local Government Remuneration Tribunal (under separate cover) [↗](#)

Purpose / Summary

The purpose of this report is to note and consider the attached determination from the Local Government Remuneration Tribunal, to adopt the fees payable to the Mayor and Councillors for the 2019/20 financial year, and to seek Council support to make a submission to the Local Government Remuneration Tribunal on the current categorisation model as part of the proposed 2020 review.

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.

Options

1. As recommended
2. Adjust the Councillor and Mayoral fees to a lesser amount within the minimum and maximum amounts

Background

The Local Government Remuneration Tribunal (the Tribunal) has awarded an annual fee increase of 2.5 per cent, with effect from 1 July 2019. This determination is consistent with the Government's policy on wages.

Section 241 of the Local Government Act 1993 (the Act) requires the Tribunal to determine each year the maximum and minimum amounts of annual fees payable during the following year to Mayors and Councillors. Section 248 and 249 of the Act require councils to fix and pay an annual fee based on the Tribunal's determination.

The Tribunal considered a number of submissions as to the increase of the rates given the expectations of the roles of Councillors. These were not granted.

The report also outlines that ten (10) re-categorisation submissions were made by individual Councils; however, this has not resulted in any changes as the Tribunal determined that the current categorisation is appropriate. The Categories remain as follows:

Metropolitan	Non-metropolitan
Principal CBD	Regional City
Major CBD	Regional Strategic Area
Metropolitan Large	Regional Rural
Metropolitan Medium	Rural
Metropolitan Small	

Shoalhaven City Council remains in the Regional Rural Category.

Councils categorised as Regional Rural will typically have a minimum population of 20,000

“Other features that distinguish Regional Rural Councils from other non-metropolitan councils include:

- A major town or towns with the largest commercial component of any location in the surrounding area
- A significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities
- Provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- Regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports
- These councils may also attract large visitor numbers to established tourism ventures.”

It is considered that the current categorisation model which identifies Shoalhaven City Council as Regional Rural does not adequately reflect the size, scope and responsibility of the Council and its elected members. It is noted that the recent figures of residents in the Shoalhaven in 2018 was 104,000, being significantly above the 20,000 resident criteria for our current category. Additionally, the attributes of the Shoalhaven as a major tourism provider for the state and the particular challenges that brings, are not recognised in the current categorisation model which have greater focus on arts, culture and recreation.

It is noted that in the attached report from the LG Remuneration Tribunal advises that the *“Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.”* It is therefore recommended that the Council makes submission to the 2020 review.

Councils are to fix Councillor and Mayoral fees for the 2019/20 financial year based on the Tribunal’s Determination. The level of fees paid will depend on what category the Council is in. A Council cannot fix a fee higher than the maximum amount determined by the Tribunal. If a Council does not fix a fee, the Council must pay the minimum fee determined by the Tribunal.

The recommendation outlined in the report reflects the maximum fee payable, as has been the practice of Shoalhaven City Council for a number of years.

The Councillor and Mayoral fee adoption is distinct and separate to the payment of expenses and provision of facilities to Councillors. The Mayoral Fee is an amount paid to the Mayor in addition to the Councillor Fee.

Community Engagement

Council is not required to undertake community consultation in relation to the adoption of the fee amendment determination process.

Financial Implications

Current 2018/19 fees paid to Shoalhaven City Councillors and Mayor

CATEGORY	Councillor Annual Fee	Mayor Additional Fee*
Regional Rural	\$19,790	\$ 43,170

Proposed fees to Shoalhaven City Councillors and Mayor 2019/20 financial year:

2019/20 Determination - Pursuant to Section 241 of Fees for Councillors and Mayors

CATEGORY	Councillor Annual Fee		Mayor Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Regional Rural	\$9,190	\$20,280	\$19,580	\$44,250

*this fee must be paid in addition to the fee paid to the Mayor as a Councillor/Member (s429 (2)).

There are sufficient funds available in the Draft 2019/20 Budget for the proposed Councillors/Mayoral fees.

SA19.71

SA19.72 19th International Cities, Town Centres and Communities Conference

HPERM Ref: D19/158092

Group: Finance Corporate & Community Services Group
Section: Human Resources, Governance & Customer Service

Purpose / Summary

To consider Councillor attendance at the 18th International Cities, Town Centres and Communities Conference scheduled for 23 to 25 October 2019 in Townsville, QLD.

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the 18th International Cities, Town Centres and Communities Conference scheduled for 23 to 25 October 2019 in Townsville, QLD.
1. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
2. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
3. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

Options

1. As per the recommendation.
2. That Council limit the number of Councillors attending the Conference and such attendance be deemed Council Business.
3. That Council not approve Councillor attendance at the Conference as Council Business.

Background

The International Cities, Town Centres and Communities (ICTC) Conference is considered relevant to local government. The ICTC conference brings together city leaders and urban place professionals. Information in relation to the conference can be found at <https://pulseevents.eventsair.com/ictc-2019>.

Costs associated with the conference are estimated as follows:

- Registration:
 - Super Early Bird (by 15 July): \$1100
 - Early Bird (by 2 September): \$1200
 - Standard (after 2 September): \$1300
- Official functions, optional: to be confirmed
- Travel, accommodation and out of pocket expenses: not yet determined.

SA19.72

An option available to Council is to define the number of Councillors attending the conference and for Council to determine the appropriate Councillors authorised to attend. This option is presented having regard to the increase in Councillor expenses in recent years, so that Council may pro-actively control this area of expenses when appropriate.

The Conference commences on Wednesday 23 October and concludes on Friday 25 October 2019, and the following Council Business is scheduled within the period of the conference:

- Councillor Briefing: Thursday 24 October 2019.

Policy Implications

The Council Members – Payment of Expenses and Provision of Facilities Policy limits attendance at conferences to three per annum per councillor exclusive of any conference arranged by either the State or National Local Government Associations.

Financial Implications:

Funds are available for Councillors to attend this conference.

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

HPERM Ref: D19/161116

Group: Finance Corporate & Community Services Group
Section: Human Resources, Governance & Customer Service

Attachments: 1. Shoalhaven ESCA 2019 - Partnership Invitation [↓](#)

Purpose / Summary

To advise of a request received from the Rotary Clubs in the Shoalhaven for Council to be a sponsoring Partner of the Shoalhaven Emergency Services Community Awards.

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.

Options

1. Agree to be a Partner of the Shoalhaven Emergency Services Community Awards at the sponsorship level recommended.

Implications: Sponsorship funds will be drawn from the Unallocated Donations budget 2019/20.

2. Agree to be a Partner of the Shoalhaven Emergency Services Community Awards at a different sponsorship level.

Implications: Sponsorship funds will be drawn from the Unallocated Donations budget 2019/20.

3. Not choose to be a Partner of the Shoalhaven Emergency Services Community Awards.

Background

Rotary Clubs in the Shoalhaven have invited Council to become a partner of the “Shoalhaven Emergency Services Community Awards” (SESCA). These are being held on 26 October 2019 at the Bomaderry Bowling Club.

The Awards are open to all Shoalhaven-based personnel, both paid and volunteer, from the NSW Police and Emergency Service Agencies in the Shoalhaven:

- Fire and Rescue NSW
- NSW Rural Fire Service
- Marine Rescue NSW
- NSW State Emergency Service
- NSW Ambulance
- NSW Police Force

This is the first year that the Awards have been organised in the Shoalhaven Local Government Area, the category winners will automatically go forward as nominees for the respective State Awards.

Police and Emergency Service personnel can be nominated until 5 July, by email to SESCA@rotarynowra.org.au or c/- Rotary Nowra, PO Box 226, Nowra NSW 2541.

The level of sponsorship ranges from \$500 (Supporter) to \$5,000 (Principal Partner):

PARTNERSHIP PACKAGES

	Principal Partner	Gold	Silver	Bronze	Supporter
INVESTMENT:	\$5,000 +GST	\$3,000 +GST	\$2,000 +GST	\$1,000 +GST	\$500 +GST
Partner Benefits:	Identification as a Principal Partner	Identification as a Gold Awards Partner	Identification as a Silver Awards Partner	Identification as a Bronze Awards Partner	Identification as an Awards Supporter
Exclusivity within Business Sector	Yes	Yes	No	No	No
Speaking Opportunity at Awards Event	Yes	No	No	No	No
Authorisation to use SESCO Partner logo	Yes	Yes	Yes	Yes	Yes
Identification in Awards Program*	Logo	Logo	Logo	Logo	Logo
Advertising in Awards Program	2 Pages	1 Page	½ Page	¼ Page	Nil
Inclusion in digital & printed marketing*	Large Logo & Name	Med. Logo & Name	Small Logo & Name	V/small Logo & Name	Name
Number of Banners displayed at Awards event	2 Banners = valued at \$200	1Banners = valued at \$100	nil	Nil	Nil
Name, Logo and link included on website*	Large	Medium	Small	Name	Name
Tickets to Awards Presentation event	2 tables of 10 = valued at \$800	1 table of 10 = valued at \$400	6 seats = valued at \$240	4 seats = valued at \$160	2 seats = valued at \$80

* = Size proportional to partnership level

Further detail on the awards is provided as Attachment 1 to the report.

This is the first time Council have been approached to sponsor the event. It is suggested that an amount of \$2,000 (Silver Awards Supporter) is recommended as acknowledgement of the services provided by those core agencies who provide emergency services to our community. This is in line with previous donations made by Council for similar awards ceremonies, for example business awards.

Financial Implications

The Unallocated Donations budget for the 2019/20 financial year will be determined at the June 2019 Ordinary meeting of Council as part of the consideration of Council's Delivery Program and Operational Plan and Budget. It is anticipated the funds available as

SA19.73

Unallocated Donations will be in the region of \$39,000 as at 1 July 2019. Council can determine to utilise funds from the Unallocated Donations to support this event.

Presented by Rotary Clubs in the Shoalhaven



PARTNERSHIP INVITATION 2019



SA19.73 - Attachment 1

Shoalhaven Emergency Services Community Awards
A Rotary project recognising community service

INTRODUCTION

Rotary Clubs in the Shoalhaven are pleased to invite you to become a partner of the **"Shoalhaven Emergency Services Community Awards"**.

OBJECTIVES

In keeping with Rotary's motto of "Service Above Self", the Awards acknowledge community service of NSW Police and Emergency Services personnel in the Shoalhaven; with profits, if any, applied to:

1. Australian Rotary Health - PhD Research Scholarship investigating Post Traumatic Stress Disorder (PTSD) in Emergency Services Personnel; and
2. Local community projects to be determined by the participating Rotary Clubs.

ABOUT THE AWARDS

While individual services have specific internal awards, the Shoalhaven Emergency Services Community Awards (SESCA) is the only time that New South Wales Emergency Services personnel, both paid and volunteer, are recognised in a combined awards program in this local government area. This program contributes directly to the State awards program.

These awards are supported by the Minister for Emergency Services, the Police Commissioner and all six New South Wales Emergency Service Commissioners. The Commissioners have delegated their support to their respective local government area representatives.

These Awards are open to all Shoalhaven-based personnel, both paid and volunteer, from the NSW Police and Emergency Service Agencies in the Shoalhaven:

- Fire and Rescue New South Wales
- Marine Rescue New South Wales
- New South Wales Rural Fire Service
- New South Wales State Emergency Service
- New South Wales Ambulance
- New South Wales Police Force

While the NSW Police have a separate Rotary award, they will become a part of this scheme in the Shoalhaven, with the winner going into the State Police Rotary Award.

This is the first year that the Awards have been organised in the Shoalhaven local government area, the category winners of which will automatically go forward as nominees for the respective State Awards.

We are very honoured to have the Mayor of the Shoalhaven as Patron of the Awards and Dr Peter Taylor as the project's official Ambassador. Peter is a past winner at State level for Marine Rescue NSW.

Shoalhaven Emergency Services Community Awards
A Rotary project recognising community service



MAYOR AMANDA FINDLEY

Amanda Findley was born in Northern Ireland and her early years were indelibly marked by 'The Troubles'. Amanda's family moved to Australia in the early 80's, a move that Amanda was none too keen to do.

A career in banking was embarked on as a leave pass from school but Amanda was quick to move through the ranks within the bank and was appointed branch manager of Guildford by the age of 21 - the youngest appointee at the time.

Having dealt with home finance, real estate sales seemed a challenge too good to be missed. A further challenge was to be had managing 2 stores for a large retail chain.

Amanda moved to the South Coast during the late 90s and started her family. Never one to sit still for long while nursing her infants, Amanda undertook distance education in Natural Resource Management and horticulture, which was more in keeping with her country life as she helped establish the family farm while contract working for National Parks.

Today Amanda enjoys being a high school teacher when time permits.

Amanda was voted Mayor of Shoalhaven City Council in September 2016 and has been a Councillor over the last 5 years.

DR PETER TAYLOR



Peter Taylor has been a long standing First Aid instructor with Marine Rescue Shoalhaven as well as participating in a number of other organisations. Peter's involvement with the Emergency Services started when he was a GP in Rockhampton and volunteered for the Queensland State Emergency Service where he specialised in cliff rescue. He joined Shoalhaven Marine Rescue Association in 1998 and has been with Marine Rescue NSW (MRNSW) since its inception in 2009. Peter gained a commercial coxswain's qualification and then the rescue equivalent. He produced the first "hands-on" First Aid course for MRNSW – introducing realistic injury moulage into the course and he continues to mentor new and aspiring First Aid Instructors.

Peter has also been associated with Dream Cricket since it commenced and he was part of a team that travelled to India to assist with the development of Dream Cricket in Chennai. Dream Cricket uses the skills and activities of cricket to assist children with disabilities and is heavily supported by Rotary. He is also a founding committee member of Greenwell Point Men's Shed.

Shoalhaven Emergency Services Community Awards
A Rotary project recognising community service

For his contribution in "Service above Self", Peter was awarded Officer of the Year for Marine Rescue NSW at the Rotary NSW Emergency Services Community Awards in 2016. He has now been appointed Official Ambassador for the Rotary Emergency Services Community Awards in the Shoalhaven.

WHY BECOME A SESCA PARTNER?

By becoming a Partner of the Awards, your business will contribute towards two positive outcomes:

1. Be recognised as a supporter of NSW Police and Emergency Services and Rotary's ongoing commitment to Community Service. The Awards provide an opportunity to thank Police and Emergency Services personnel and give back to those who support our community in times of greatest need.
2. Support important Rotary's Emergency Services initiatives:
 - a. PhD Research Scholarship investigating PTSD in Emergency Services Workers, and
 - b. Local community projects as agreed by the participating Rotary Clubs.

SESCA Partners will receive significant brand recognition through inclusion in marketing materials, media releases, digital media and event signage (based on sponsorship level).

Partners will be invited to participate in special events such as the announcement of finalists to be held at Shoalhaven Emergency Services Operations Centre on 28 August 2019 and the 'Awards Presentation Dinner' on 26 October 2019.



Shoalhaven Emergency Services Community Awards
A Rotary project recognising community service

THE AWARDS PROCESS

The Awards are promoted throughout the Shoalhaven via a comprehensive marketing campaign using both traditional and digital media strategies.

Police and Emergency Service personnel can be nominated by colleagues, Rotarians and members of the community during the 'nomination period' – 4 April to 5 July.

Nominations can be submitted either by:

- by email to SESCA@rotarynowra.org.au (preferred method); or
- regular mail - SESCO Awards, c/- Rotary Nowra, PO Box 226, NOWRA NSW 2541

Contact for questions about nominations is Peter Taylor, Ambassador, Shoalhaven Emergency Services Community Awards - SESCA@rotarynowra.org.au - mobile 0429 485 045

A panel of independent judges will then assess nominees on the following key criterion with a final four (4) being announced as finalists for the Police and each Emergency Service category.

- Community service over and above the call of normal duties which best exemplifies Rotary's motto of 'Service Above Self' (i.e. community involvement when they are not working in their normal ESA roles).

Other criteria for judging cover performance in their normal daily duties, Community Service that would demonstrate Service Above Self, and membership of other Emergency Service Agencies.

The Shoalhaven Emergency Services Community Awards consist of two levels:

- **Six Category Winners** – i.e. one winner for each of the Police and the five (5) Emergency Service Agencies in the Shoalhaven
- **Major Winners:**
 - NSW Police Officer of the Year
 - NSW Police Civilian Employee of the Year
 - Shoalhaven Emergency Service Officer of the Year - Volunteer
 - Shoalhaven Emergency Service Officer of the Year - Paid capacity

2019 SCHEDULE

- Launch conducted – 4 April 2019
- Nominations Close – 9 July 2019
- Judging process – July/August 2019
- Finalists contacted – August 2019
- Finalists announced – 28 August 2019
- Awards Ceremony – Bomaderry Bowling Club – 26 October 2019

PARTNERSHIP OPPORTUNITIES

We offer a range of partnership opportunities, as set out in the following table. These options should be viewed as a guideline only – we are open to whatever assistance your organisation is able to provide and can tailor a partnership package that helps meet your business objectives.

Shoalhaven Emergency Services Community Awards A Rotary project recognising community service

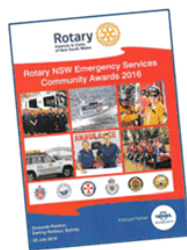
SESCA will also consider in-kind support with items such as printing, audio-visual production, décor, website design and hosting, venue hire, catering, trophies, media support and such. Let us know how we can create a package to meet your needs.

PARTNERSHIP PACKAGES

	Principal Partner	Gold	Silver	Bronze	Supporter
INVESTMENT:	\$5,000 +GST	\$3,000 +GST	\$2,000 +GST	\$1,000 +GST	\$500 +GST
Partner Benefits:	Identification as a Principal Partner	Identification as a Gold Awards Partner	Identification as a Silver Awards Partner	Identification as a Bronze Awards Partner	Identification as an Awards Supporter
Exclusivity within Business Sector	Yes	Yes	No	No	No
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Authorisation to use SESCO Partner logo	Yes	Yes	Yes	Yes	Yes
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Tickets to Awards Presentation event	2 tables of 10 = valued at \$800	1 table of 10 = valued at \$400	6 seats = valued at \$240	4 seats = valued at \$160	2 seats = valued at \$80

* = Size proportional to partnership level

SPONSORSHIP LOGO EXAMPLES (note State level – indicative only)



Souvenir Dinner Program



Awards Dinner Presentation



Pull Up Banners

Shoalhaven Emergency Services Community Awards
A Rotary project recognising community service

FOR MORE INFORMATION, PLEASE CONTACT:

Phil Presgrave – Chair, Shoalhaven Emergency Services Community Awards

robynandphil@bigpond.com



0407 625 855

www.rotarynowra.org.au/SESCA/

SA19.74 Low Cost Loans Initiative Funding Agreement

HPERM Ref: D19/173924

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Low Cost Loans Initiative Funding Agreement (under separate cover) [↗](#)

Purpose / Summary

To seek a resolution from Council to affix the Seal of Council to The Low-Cost Loan Initiative funding agreement.

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.

Options

1. Adopt the recommendation in the report.
Implications: Interest subsidy is available
2. Not adopt the recommendation.
Implications: Interest subsidy is not available.
3. Not adopt the recommendation and make an alternative resolution.
Implications: Interest subsidy is not available.

Background

On 28 June 2018, Council agreed to apply to the NSW Department of Planning Environment Low Cost Loans Initiative for the provision of Public Open Space areas in the Moss Vale Road South Urban Release area.

In October 2018 Council was notified that the funding was approved. A loan was arranged through NSW Treasury Corporation (TCorp) for \$6,370,000 and the funds were received on 22 May 2019. The interest rate secured for the loan was 2.46%.

Council subsequently approached the Office of Local Government (OLG) to enter an agreement by which Council could receive a 50% reimbursement of loan interest paid. Council pays the interest on the loan, and then applies to the OLG for reimbursement at six (6) month intervals being February and July and receive the reimbursed fees in March and August each year for the 10 year loan period.

A copy of the Low-Cost Loan Initiative Funding Agreement is attached. Council will be reimbursed 50% of the interest payments on the loan – totalling \$427,250 over 10 years.

Whilst Council has previously resolved to accept the loan subsidy, a resolution of Council is required to enable the Seal of Council to be affixed to the Funding Agreement to be signed by the Mayor and General Manager.

Financial Implications

The interest reimbursement has been included in the budget for future years. If this is not accepted, there will be a cash shortfall and a negative impact on the income statement.

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

HPERM Ref: D19/10239

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Report - Solar Saver Program - S&A 11 December 2018 [↓](#)
2. Report Attachment - Solar Saver Special Charge Scheme Guide [↓](#)

Purpose / Summary

To address various Council resolutions seeking information and costings for solar photovoltaic (PV) installations on Council assets/community buildings and identify potential funding models (including the Revolving Energy Fund).

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 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.

Options

1. Adopt the recommendation as above

Implications: Council has a clear direction and funding for future solar power installations on Council assets.

2. Reject the above recommendation

Implications: Councillors and staff suggest other ways to roll out solar power installations on Council assets to support the implementation of the Sustainable Energy Policy (POL18/44 – D19/147973).

Background

At the Ordinary Meeting of 30 October 2018, Council resolved (MIN18.836) that staff report on the following matters:

1. Possible costs to install solar panels to Council-owned community buildings.
2. Possible ways Council could work in partnership with community groups to install solar panels to reduce community groups' power costs.
3. The economic feasibility of solarization of the Shoalhaven Regional Arts Centre, Shoalhaven Entertainment Centre and the Nowra Library

4. How a funding model could provision for these projects with a minimum disruption to the long-term financial plan.
5. Investigations into the Darebin City Council Solar Savers scheme and how such a model could be offered in the Shoalhaven.

1. Possible costs to install solar panels to council owned community buildings

At its 1 May 2018 meeting, the Sustainable Futures Committee received a report (SF18.16) that noted:

A screening tool was used to prioritise all Council assets for solar PV suitability. The screening criteria included daytime electricity load profiling, roof space, roof orientation, pricing tariffs, etc. Discussions were also held with Asset Managers to gauge any future expected changes to asset roofs and site conditions. This exercise identified **around 30 assets** that were very suitable for potentially a total of 500 kW of solar PV installations.

The cost of good quality commercial solar power is estimated at \$1,000–\$1,300 per kW¹ installed. This implies a total potential outlay for Council of \$500,000–\$650,000 for the 30 priority assets. The indicative payback period for an investment in solar systems up to 100kW in NSW is 4.8 years². However, Shoalhaven Council is currently experiencing relatively low electricity pricing and therefore payback periods for solar PV installations are typically beyond 5 years. This is likely to change with new electricity supply contracts post-2020 and therefore payback periods are likely to reduce with expected higher power prices.

2. Possible ways Council could work in partnership with community groups to install solar panels to reduce community group's power costs.

Council has a total of approximately 308kW of solar photovoltaic (PV) systems installed/approved on Council assets (see Table below). Details of these installations are available on Council's webpage and are published in the annual State of Environment report. Of the 308kW of solar PVs, 170kW are on community buildings and 138kW are on operational buildings.

Suburb	Facility	Size of system (kW)	Who installed	Who pays energy costs
Bomaderry	Kiama Community College	10	Occupier	Occupier
Huskisson	Jervis Bay Maritime Museum	50	Occupier	Occupier
Kioloa	Marine rescue	2	Council & Grant funding	Occupier
Milton	Rural Fire Services	2	Council & Grant funding	Occupier
Mollymook	Surf Club	2	Council & Grant funding	Tenant
South Nowra	Shoalhaven Water Depot	10	Council	Council
St Georges Basin	Rural Fire Services	2	Council	Occupier
Sussex Inlet	Aquatic centre	28	Council & Grant funding	Council

¹ Peacock, F. (2008). Solar for Your Business '101': A Beginner's Guide. Retrieved from <https://www.solarquotes.com.au/commercial-solar-guide.html>

² Payback periods for commercial-scale solar PV systems: State by state. (2018) Retrieved from <https://www.solarchoice.net.au/blog/commercial-solar-power-payback-periods>

Suburb	Facility	Size of system (kW)	Who installed	Who pays energy costs
Ulladulla	Civic centre	6	Council	Occupier
Ulladulla	Leisure centre	34	Council & Grant funding	Council
Ulladulla	Youth Centre	2	Council & Grant funding	Occupier
Vincentia	Bay & Basin Leisure Centre	32	Council & Grant funding	Council
Berry	Berry Wastewater Treatment Plant	23	Council	Council
Bamarang	Bamarang Water Treatment Plant	25	Council	Council
Nowra	Shoalhaven Entertainment Centre	~80 in process	Council	Council

As per Council's recently adopted 'Sustainable Energy Policy' (POL18/44), Council will encourage the Shoalhaven community's transition to more renewable energy generation and battery storage for households, business and industry. Council will also refer to the current 'Renewable Energy Installations on Council Assets' Policy (POL15/28) for guidance on prioritising Council-owned and community leased sites for solar installations.

Community Take-up of Solar PV

For the Shoalhaven LGA, there are an estimated 53,728 dwellings with 8,703 solar PV installations; that is, 16.2% of dwellings. 8,500 dwellings have systems less than 10kW, with a total of 25,218kW. 200 dwellings have systems of 10 to 100kW, with a total of 4,267kW. The installed solar PV in the LGA totals 29,485kW.

Throughout 2018, Shoalhaven Council worked closely with the local community renewable energy group 'Repower Shoalhaven' on a national pilot project titled 'Social Access Solar Garden'. The Solar Garden was a theoretical 4MW solar farm located on the disused North Nowra tip site, with electricity generated by the site utilised by low income or disadvantaged customers. Repower Shoalhaven determined that the project would be financially viable and have since been working on a detailed project design and plan to build the solar farm in the Shoalhaven. An alternative Shoalhaven Council site at the old Sanitary Depot off BTU Road has since been identified as a potentially suitable site that the group is currently investigating.

3. The economic feasibility of solarization of the Shoalhaven Regional Arts Centre, Shoalhaven Entertainment Centre and the Nowra Library

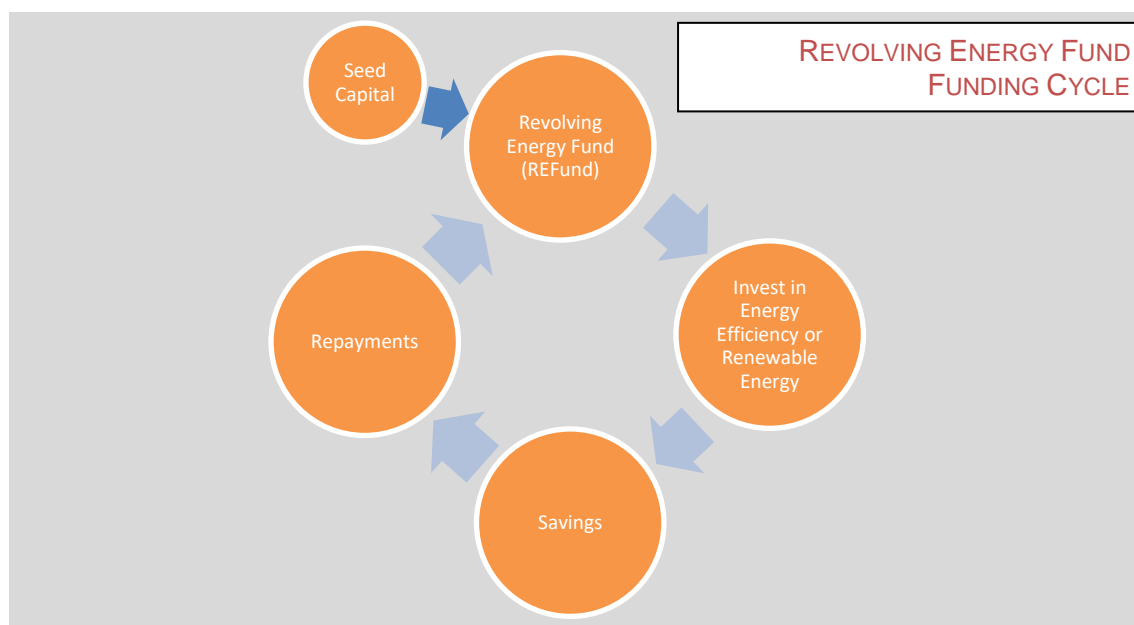
Council has over 1,200 buildings. The critical parameter when considering their suitability for solar PV installation is the "daytime electricity load profile" of the site/building. Analysing site suitability for solar PV involves the detailed analysis of historical electricity profiles and interval consumption data (available for Large Sites and some Small Sites) and consideration of the life expectancy of the existing roof. The roof characteristics and shading of the *Shoalhaven Regional Gallery* and the *Nowra Library* make them less suitable candidates for the installation of solar PV. The Shoalhaven Regional Gallery is earmarked for a new rooftop-mounted ventilation system which will reduce the available space for rooftop solar panels. The *Shoalhaven Entertainment Centre* (SEC) is highly suited for solar PV given it has sufficient roof space, is occupied 7 days per week and with significant daytime electricity loads. Approval has been granted for an 80kW solar PV system on the roof of the SEC and the RFQ (60519E) closed on 29 May 2019.

4. How a funding model could provision for these projects with a minimum disruption to the long-term financial plan

Shoalhaven Council has a recently adopted Sustainable Energy Policy (POL 18/44), which includes renewable energy and emissions reduction targets. As stated in the Policy, Council will support its implementation by establishing an **internal** Revolving Energy Fund (REFund) as a mechanism to generate funds from energy efficiency project savings to support future energy and renewable energy initiatives on Council owned and run assets.

Revolving Energy Fund (REFund) - Explained

When an energy savings initiative is proposed, an application to fund the project from the REFund is made to a manager nominated to administer the Fund. If approved, the Fund pays for the project and the annual financial savings achieved through energy reductions are calculated and journalled back into the Fund from the energy budget for the particular asset. Repayments to the REFund could begin the financial year after the funds are disbursed and drawn quarterly or at the end of the financial year. The transfers continue into the Fund until the project costs are paid back, after which the budget of the asset manager realises the savings. The figure below shows the conceptual model:



Where has it worked before?

Case Study 1

Wingecarribee Shire Council have had a “Revolving Energy Fund” since 2012 and it is working well, according to Therese Smart, Environment & Health Systems Coordinator. In 2012, Wingecarribee Council used WaSIP funding as seed funding to get it started and then sought additional funds from their Finance Committee. To date, the fund has enabled 185 kW of installed solar panels on five Council assets, as well as LED lighting upgrades to libraries and the Civic Centre. They have a formal procedure and project agreement process which is essential to get buy-in through the finance branch. They also provide a report to their finance committee at the end of each financial year to notify them of funds to be transferred back into the REFund.

Case Study 2

Penrith City Council established a Sustainability Revolving Fund in 2003 as a complementary source of funding to support initiatives that foster the sustainable use of resources and adoption of best practices. Penrith Council prepared formal Guidelines to provide a framework for the administration of the Fund, its purpose and how it is to be managed. Project applications are required to address eligibility criteria such as consistency with Council strategic plans, as well as supply details of potential savings and payback periods, project plans and relevant management approvals.

Case Study 3

The University of Western Sydney also launched the Sustainable University Rolling Fund (SURF) in 2010 and this has enabled \$345,000 of funding for 42 projects with an 8.25% estimated return on investment.

REFund Financials

Advice from Michael Pennisi, SCC CFO, for the 30 identified priority Council assets for solar PV (TRIM D19/178899), is as follows:

Introduction of a self-funded Revolving Energy Fund, with a constraint that at least one asset is fitted out with solar PV in any given year, requires \$230,000 seed capital to be held in a reserve and an extension of the rollout period from nine to eleven years. The reserve is not expected to reduce below \$34,000 over this period and is expected to return to more than \$200,000 by the end of Year 15, assuming savings are banked for five years following each rollout. On a discounted basis (using the investment rate), the net cost of this option over 15 years is approximately \$132,000.

A phased rollout using loan funds is comparable to a phased rollout using a Revolving Energy Fund, but both options are superior to rapid rollout using loan funds. A Revolving Energy Fund, however, gives Council more flexibility with regard to the use of the funds and how it banks savings from areas enjoying the benefit from the use of solar PV.

5. *Investigations into the Darebin City Council Solar Savers scheme and how such a model could be offered in the Shoalhaven*

The applicability of the Darebin City Council Solar Savers scheme to the Shoalhaven, as a means to support community groups, was the subject of a report to Strategy and Assets Committee on 11 December 2018 (SA18.284) and is unavailable in NSW under the current LGA legislation (see Attachment 1 and 2).

Community Engagement

Nil.

Policy Implications

The recently adopted 'Shoalhaven City Council – Sustainable Energy Policy' (POL 18/44) aligns with this report into the solarization of Council assets and seed funding of the REFund.

Financial Implications

It is proposed that identification of funding of \$230,000 for the establishment of the REFund Reserve will be confirmed in conjunction with the adoption of the 2019/20 Budget in June.

Risk Implications

There is minimal risk in establishing the REFund as it is an internal financial mechanism for funding future energy savings projects and managed by Council's Finance section. Solar PV installs managed by Council will include quality solar panels and inverters installed by accredited solar installers selected via Council's procurement and tendering policies.

SA18.284 Solar Saver Program

HPERM Ref: D18/406932

Group: Shoalhaven Water Group

Attachments: 1. Report Attachment - Solar Saver Special Charge Scheme Guide

Purpose / Summary

At the Ordinary Council meeting of 13 November 2018, it was resolved (MIN18.836) to undertake investigations into the Darebin City Council Solar Savers scheme and report back to Council how such a model could be offered in the Shoalhaven.

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the Solar Saver Program for information only.

Options

1. The report be received for information.
Implications: No further investigation of a similar scheme for Shoalhaven City Council will be undertaken.
2. Council request that further investigation be undertaken into alternative schemes.
Implications: Investigation of alternative schemes will be undertaken.

Background

In 2014, Darebin City Council in Victoria established that a Special Charge Scheme (SCS) could be used to install solar photovoltaic (PV) systems on ratepayers' homes. Council offered the service to low-income households who repay the cost of the system over 10 years – interest free. This was the first time in Australia a local government has used a SCS for an environmental program – specifically to install solar PV installation.

Darebin Solar Saver program was trialled in 2013-2015 and delivered again in 2015-17. The scheme has been expanded for 2017-2019 with an estimated 2000 participants benefiting from the \$10M program. Under the program, Council pays the upfront cost for a solar system and the ratepayer pays it off over ten years, interest free. Furthermore, Council facilitates access to suppliers and installers, quality panels and inverters and extended warranties through the establishment of a tender panel.

In 2017, 292 pensioners installed 545 kilowatts (kW) of PV. The average solar system size was 1.87 kW and the average repayment is \$290 per year, whilst it is estimated that the average household will save \$90 - \$120 per year on electricity costs above the rates charge. The Solar Saver program is equivalent to reducing greenhouse gas emissions by 3.2 tonnes per year per household. The Solar Saver program is a win-win scenario for pensioners and the environment. For further details on the scheme, please see Attachment 1 titled "Solar Saver – Special Charge Scheme in Victoria, A how to guide for local government".

According to Section 163 of the Victorian *Local Government Act 1989*, Councils can establish a SCS to recover the costs associated with works or programs. Typically, Councils would introduce a SCS for an infrastructure project, such as drainage or footpaths.

In NSW, the establishment of a Special Charge Scheme **is not available** under the provisions of the NSW *Local Government Act 1993*. There are no similar mechanisms under the NSW LGA 1993 to enable a similar program of repayments via rates notices.

In the Integrated Strategic Plan, 'Theme 2 Sustainable, liveable environments' indicates that "sustainable / renewable energy" is one of the issues identified as important to the community. Potentially, renewable energy measures could fit under the third priority for this theme ('Protect and showcase the natural environment') but they are not part of the Delivery Program goals or Operational Plan actions, except for Shoalhaven Water specifically.

Because a specific program isn't identified, the interest-free loan could, as an alternative, be considered a financial assistance measure (s356), provided it is for the purpose of exercising Council's functions. s356 doesn't exclude private gain for recipients [356(2)] but the measure needs to be placed on public notice. In this case, rather than repayments being part of a special charge on the rates notice, successful applicants could enter a repayment arrangement with Council and they would become debtors. If Council is willing to go down this path, then there is the issue of the handling of debtor default to be resolved.

Policy Implications

At Shoalhaven Council's Ordinary Meeting of 13 November 2018, Council resolved to prepare a Sustainable Energy Policy. Apart from tackling Council's corporate energy challenges, there may be scope in the policy to address community renewable energy demands.

Financial Implications

The cost to establish a Solar Saver Program in Shoalhaven City Council is the opportunity cost associated with the upfront funding of the scheme, when there are competing capital works priorities, together with deferred repayments and the costs of establishing tender panels and administering the scheme. Assuming a program comparable to Darebin City Council's trial involving 300 pensioner residential ratepayers, an upfront cost for supply and installation of solar panels is estimated at \$1.5M. The opportunity cost associated with interest-free repayment of this amount over 10 years is roughly \$470K. The Solar Rates Business Case prepared for the Eastern Alliance for Greenhouse Action indicates that the Council administrative requirement is 0.65 full-time equivalent (FTE) and the program requirement is 3 FTE.

Solar \$aver – Special Charge Scheme in Victoria

A how to guide for local government

Disclaimer: The following information is provided in good faith by Darebin Council. The Special Charge Scheme has worked for Council. The Special Charge Scheme may not work so please consider seeking legal advice.

In 2014 Darebin City Council¹ established that a Special Charge Scheme (SCS) could be used to install solar photovoltaic (PV) systems on ratepayers' homes. Council offered the service to pensioners who repay the cost of the system over 10 years - interest free.

This is the first time in Australia a local government has used a SCS for an environmental program – specifically to install solar PV installation. During the course of the project Council confirmed legal and operational parameters with external lawyers.

In Darebin Council's situation 292 pensioners who receive a rate rebate² installed 545 kilowatts (kw) of PV. The average solar system size was 1.87 kw and the average repayment is \$290 per year, whilst it is estimated that the average household will save on electricity costs another \$90 - \$120 per year above the rates charge. The Solar \$aver program is equivalent to reducing greenhouse gas emissions by 3.2 tonnes per year per household. The Solar \$aver program is a win-win scenario for pensioners and the environment.

STEP by STEP – the key components of how to establish a SCS

According to Section 163 of the Victorian Local Government Act 1989³ Councils can establish a SCS to recover the costs associated with the works or program. Typically Councils would introduce a SCS for an infrastructure project such as drainage or footpath. Given the compulsory nature of the works and related charges, Councils are required to consult with the community and provide an opportunity for the community to respond to the proposed charges.

Darebin Council understands that the following steps are mandatory for a Council to establish a SCS in Victoria.

1. **Council to formally propose to declare a Special Charge Scheme** for the works (solar program) at a properly constituted Council meeting.
2. **Council to notify all ratepayers** who are participating in the scheme and make information public. Council is required to send a letter to all participating ratepayers of the proposed charges – including address and the amount of the charge (names of ratepayers are not required) of all participating properties. A public notice in the local newspaper indicating the proposed rates charge scheme is required. The general public must have access to this public information⁴. The Darebin Solar \$aver Public Notice SCS Declaration is attached in Appendix 1 for your information.

¹ Darebin City Council is an inner urban council in Melbourne. The city has a population of 146,000, made up of 54,000 households. A significant proportion of households 11,370 (21%) receive a Council Rate Rebate.

² In Victoria, many local governments provide a 10% Rates Charge discount for approved pensioners, who are typically on low incomes. For a Darebin ratepayer to qualify for the Rate Rebate they must be in receipt of a current pensioner concession card or DVA Gold Card with war widow or TPI classification and live at the property shown on the Rate Notice.

³ The SRCS legislation will be different in each State or Territory, however many jurisdictions are likely to have a similar capacity to recover charges through rates for works. It appears that NSW does not have SRCS or similar legislation.

⁴ Darebin Council made the list of the participating properties and amount of the charge available at Council's Customer Service counter and posted the list on the Council website.

3. **Provide a minimum of 28 days for participants/the public to make a submission or object** to the SCS, including receiving written objections to scheme.
4. **Council to hear the complainant/objector in person** if required.
5. **Council to formally declare a Special Rate Charges** for the works (solar program) at properly constituted Council meeting.

Darebin Solar Saver SCS is a voluntary program and so participation is optional. However the public notices and consultative elements are fundamental legal requirements under the Act, and consequently must be adhered to so as to comply with the legislation.

During the extensive consultation/public notices regarding the SCS, Council officers found that a number of participating pensioner households were confused by the consultation. In light of this experience, it recommended that the public notices aspect be thoroughly explained well in advance of the distribution of the notices.

Accuracy is the order of the day

Once the Special Rates Charge (SRC) has been set, the Act does not allow for the SRC to be increased⁵. Consequently it is critical that the quotation and the Householder agreement are accurate and cover all potential costs. The SRC amount can however be reduced and in a number of cases this was done where the specified number of panels could not be installed on the roof.

Darebin Council specified that the contractor must provide a site visit and not just use industry typical aerial photo analysis of roof area, orientation and inclination. The specification of a site visit was done for several reasons. Aerial photographs may not give the assessor enough detail to assess all the relevant details regarding roof condition.

A site visit is required to assess the condition of the switchboard, basic wiring and other on critical on-site details. In Darebin's situation many pensioners are living in post-war homes and there was some uncertainty about the condition of switchboards, wiring and even the provision of electrical safety switches. Although all Victorian homes were required to have old meters upgraded to new smart meters, it was likely that a few pensioner households had made the switch. Specifying an on-site inspection significantly reduced the risks of these additional costs not being picked up.

Switchboard upgrades and related wiring costs

From the site inspections it became clear that a number of homes, required switchboard upgrades and some wiring to meet Australian Standards. Council permitted up to \$900 of switchboard and wiring work to be added to the total installation cost and included in the SCS. This decision by Council to incorporate this additional work has two benefits: one it has resulted in improved safety of pensioners homes and secondly it has reduced the barriers⁶ for pensioners to participate in the program.

⁵ For this reason Darebin Council specified in the Works Contract that the supplier/installer had to honour the quotation and signed Householder SRCs contract (subject to a timely Quality Assurance check), even if additional costs were discovered.

⁶ In the formation of the program, Council has been influenced by the 'community based social marketing' approach by Doug McKenzie Mohr. Identifying and removing barriers to participation in a program is a key platform of this approach.

Signed Householder Agreement

Following the site inspection a quotation is prepared for the supply and installation of solar system including any additional associated electrical works. The household is required to sign an Agreement form which payments commits the ratepayer to repay the systems cost as a quarter payment over 10 year.

In Darebin's situation the installer was advised to do a 'Quality Assurance' check that the quotation was adequate and covered all there relevant costs, because Council could not accommodate any additional costs in the charges, once the charge was set at a Council meeting.

If a householder chose to withdraw following proposed special charge Council asked householders to sign another statement confirming their withdrawal from the SCS.

5 step process – simple but time consuming

The fundamentals of the SRC are these simple 5 step process. The key regulatory aspects of the SCS are time consuming to administer⁷ (depends on the size and complexity of the project) but it does add a minimum of 2 months in time to complete (the initial Council report, distribution of public information and a final Council report and resolution).

Once a SCS Solar PV template is formed it should be relatively easy to manage and implement, but it does require adequate resourcing. Particular attention is required is getting all the relevant details accurate as required by the Act.

Additional benefits of the SCS

During the exploration of legal and practical issues associated with the establishment of the SCS the following information was confirmed:

- the purchase and installation of the solar systems are **not subject to GST**, because the SCS is a local government (rates) charge it is GST exempt. The great news for the program was that this resulted in a 10% discount to households on total costs – a significant benefit to participants.
- the **SCS charge is applied to the property** and not the property owner. Consequently if a property owner decides to sell the property, any remaining SCS liability is **registered as an encumbrance against the property by Council**, attached as a Section 32 document against the title. The property owner pays out the remaining liability⁸ at time of purchase from the proceeds of the sale of the property.
- **Council's money is comparatively secure**. The question has been raised - What if a property owner failed to repay the charges? As a rates charge is a legislated charge through an Act of the Victorian Parliament, it has a higher priority than a mortgage against a property. The value of the SCS is also relatively small in terms of the typical value of the property (land and dwelling).

This is not to suggest that if a ratepayer repeatedly defaulted on payments it would be time consuming for Council to attempt to recover the charges. It is should be noted that given the savings are greater than charges the program does not increase the risk of a ratepayer defaulting on payments. Consequently Council's SCS money is considered more secure than a bank's mortgage or perhaps 'safer than houses'!

⁷ Darebin Council estimated that approximately 0.5 EFT was required to administer the program for 300 households.

⁸ Adjustments would be made at time of settlement by the acting solicitor as per outstanding rates.

Key options to consider in a Solar Special Rates Charge Scheme

The mandatory aspects of the SCS have been set out in the preceding sections. The following elements the Darebin Solar Saver program are optional:

1. what do pensioners want? - background research
2. who is eligible ? - a service to pensioners who receive a Council rebate
3. affordable repayments with savings greater repayments - the rate and length of repayments
4. great value for money - the balance of quality and price
5. how big can I go? - the size of solar PV systems offered
6. solar PV and more? - the scope of services offered
7. Council funded - possible sources of funding for a project
8. the final hurdle - helping pensioners navigate the transition to solar

The following discussion outlines a number of possible aspects to consider and the Darebin Council rationale for adopting particular options in the 2014 program.

1. what do pensioners want? - background research

Darebin Council carried out extensive research and consultation to determine if there was interest in a solar program for pensioners. It was important for Council to identify potential barriers and benefits to participation in a solar program and what might be the guiding principles for the establishment of the program.

Darebin's work built on a substantive research project by CSIRO for the Australian Photovoltaic Association published as **Australian householders' interest in the distributed energy market**⁹. The three take home messages for Council in relation to a potential program were:

- Australians are primarily motivated by saving money 71%
- Australian prefer to pay for solar up front, but those households with a low income are very interested in alternative arrangements;
- Australians don't particularly trust electricity companies or solar retailers – but they do trust independent bodies like CSIRO

In light of increasing concerns about electricity costs¹⁰ and a high proportion of low income pensioners in Darebin, Council chose to focus on providing a service to pensioners.

2. who is eligible ? - a service to pensioners who receive a Council rebate

A strategic goal of Darebin Council's Climate Change Action Plan 2009 -2015 is

"To future-proof the community and council against increasing energy prices, particularly low income households in our community most vulnerable to increasing energy costs."

⁹ Romanach, L., Contreras, Z., & Ashworth, P - National survey results CSIRO for the Australian Photovoltaic Association published as **Australian householders' interest in the distributed energy market**, Report number EP133598 22 May 2013

¹⁰ Average Victorian electricity prices rose by 103% in the last 6 years (2007-08 to 2013-14) according to work by Dr Lynne Chester, an energy researcher at the University of Sydney. <http://www.abc.net.au/news/2015-03-25/fact-check-does-privatisation-increase-electricity-prices3f/6329316>

Consequently Council chose to target the disadvantaged pensioners by limiting participation to pensioners who receive a Council Rate rebate. In 2014 Darebin Council had 11,370 rateable properties with a pensioner receiving the Council rate rebate.

A Council door to door survey of 200 households (representative of Darebin population not just pensioners) sought feedback on electricity prices and solar PV. This small survey provided useful insights and assisted in the preparation of a more comprehensive survey in October 2013 to 3,000 pensioners who receive the Council rate rebate. The Survey Questionnaire is attached in Appendix 2.

Four hundred and forty pensioners (14.4%) completed the survey which indicated a high level of interest in the survey content. The key messages from the survey were:

- 88% of pensioners are concerned or very concerned about their electricity bill costs
- 73% can't afford up-front costs of solar PV
- nearly 50% would be interested in paying for a solar PV system through their rates

As a result of the survey 220 pensioners registered interest in the program, whilst a further 110 pensioners registered as a result of a local newspaper article about the survey. The survey highlighted the significant interest in a potential solar program and that up-front costs and affordable repayments were key issues to be addressed by any program to be developed by Council.

3. affordable repayments with savings greater repayments - the rate and length of repayments

The Local Government Act does not specify the time period or increments for a ratepayer to pay the Special rates charge with the repayment schedule to be determined by the local Council.

Bearing in mind the *"To future-proof the community ... against increasing energy prices"* goal of Council a guiding principle for the program was that **savings in electricity costs were greater than the SCS repayments** for the solar PV system. Consequently Solar Saver was structured so that repayments could be made over 10 years. Average Solar Saver repayments are around \$290 per year, but the average savings (based on 50% usage and a Feed in Tariff of 6.2c/kwh¹¹) are around \$380 per year. As a result most households will be \$90 - \$120 per year ahead and more, if they are able to use more of their electricity during solar production time.

One of the three electricity distributors in Darebin, Citipower charge residents \$291 for the 'reprogramming' of the smart meters¹² to accommodate solar PV system. Jemena another distributor in the municipality, charges \$34 for the reprogramming completes these tasks remotely. These reprogramming charges are added directly to the household's first electricity bill post installation.

The large Citipower fee was going to be problematic for 23% of pensioners who live in the Citipower distribution area. Consequently Council chose to delay the charging of the Rates charge until the new financial year – from 1 July 2015, so that pensioners will have had their PV systems installed for 6 - 9 months and will have made some savings to cover the reprogramming the smart meter fee. The SCS repayments are still over 10 years from commencement, but with a delayed start to the repayment schedule.

¹¹ From January 2015, the minimum Victorian Feed-in-Tariff paid to solar PV exporters was reduced from 8.0 c/kWh to 6.2 c/kWh and further reduced to 5.0 c/kWh in 2016.

¹² In 2014 all Victorian households had a new 'smart meter' installed. However the meter has to be reprogrammed so that it can accommodate 'export' of electricity from the house to the grid. Without the reprogramming a household may inadvertently be charged for exporting rather than receive the feed in tariff.

It is Darebin Council's understanding that Councils are entitled to charge interest on the funds used for the installation of solar PV. This would of course increase the amount of repayments to cover all the costs. **Darebin Council decided that given the cost of electricity and the low incomes of pensioners it would not charge interest.**

Darebin Council is foregoing interest on the allocated funds over 10 years and this is another aspect of the Council's financial contribution to this project and the community.

4. great value for money - the balance of quality and price

Getting the balance right on quality and price can be a challenging decision for any purchase. Research has indicated that Australian's don't trust electricity companies and solar companies. But the feedback Council received is that many pensioners look to Council to provide 'independent and trustworthy' advice.

Darebin Council engaged the Alternative Technology Association (ATA) to assess and rank the various technologies (solar panels and inverters). The ATA is a not for profit organisation which has both the technical skills and regularly provides this service to Councils. Darebin Council did not have sufficient technical skills or the time to undertake this task consequently it was simpler to engage ATA to provide this independent service.

Council did not select the premium or 'Rolls Royce' of panels or inverters. However the selection of panels and inverters are clearly distinguished from cheaper and poorer quality products that may not be reliable or perform over the long period. The ATA's advice was critical in helping Council balance quality and price.

A significant outcome of the tender was Council negotiating a 10 year warranty on PV panels (standard), on the inverter (not standard) and also installation (exceptional outcome). In effect pensioners participating in the SCS are 100% covered by the warranty which will ensure that have a working solar PV system during the period that are repaying for the system. The inverter may need to be replaced beyond 10 years but the panels are likely to last for 25 years.

Council went to a public tender for the supply and installation of \$900,000 of solar PV systems for pensioner households in Darebin. The significant buying power enabled Council to get a valuable discount for the pensioners. The Solar Savers pensioner already had discount of 10% with the GST exemption.

'Council has done all the hard work' by sorting out reliable supplier and installers (Council is seen as independent and trustworthy) but in addition pensioners were buying a significantly price discounted system.

5. how big can I go? - the size of solar PV systems offered

Pensioners have low incomes and consequently live relatively thrifty lifestyles. As a result of the comparatively high costs of electricity in Victoria, most pensioners try to manage their energy consumption well. Darebin households typically use 4.8 kwh/day/person of electricity, the lowest in the Northern Alliance for Greenhouse Action region. This low average consumption is likely to be influenced by the relatively high percentage (21%) of pensioners who live in Darebin.

Council chose to limit the offer of solar PV to 1.5kw and 2.0kw sized systems, which was estimated to best match the low electricity demand. An additional benefit of restricting sizes was that this enabled a

greater number of households that could participate in the program. With a low feed-in-tariff (6.2c/kwh) in order to maximise financial benefits this requires smaller PV systems appropriately 'matched' to day time consumption by pensioners. These assumptions were confirmed through the 600 site visits and examination of pensioner electricity bills. Generally the smaller 1.5kw and 2.0kw sized systems were most appropriate for the household.

A few households had considerably higher electricity consumption, typically associated with larger and double storey houses. Conversations indicated that sometimes three generations were living in these larger homes. In this situation Council recommended the household purchase a larger PV system 3kw – 5kw through the Council bulk-buy purchase scheme¹³, which was being run in parallel with the Solar Saver.

It was noted that there is the occasional bit of competition between neighbours and friends regarding the size of the solar PV system – 'My neighbour has 8 panels, can I get 10 panels?'.

6. solar PV and more? - the scope of services offered

Darebin Council chose to use the SCS for the installation of solar PV systems. It is Council's understanding that there is no reason why a SCS could not be used for other renewable energy technologies such as heat pump for hot water or heat pump space heating (typically a reverse cycle air-conditioner) or solar hot water service. A SCS could be used to add-insulation, double-glazing or improve the 'air-tightness' of a home or building.

It is Council's understanding that the legal requirement is that the SCS works must be considered a fixture. If the SCS related to the supply of an appliance (e.g. an energy efficient refrigerator) a householder may be able to remove the appliance, however the SCS would still be applied to the property regardless of whether the refrigerator remains.

A complementary range of technologies and services could be wrapped up all together to create 'carbon-down home energy retrofit' – all packaged under the one SCS and paid off over 10 – 20 years to Council.

Heritage Planning Permit

Fourteen of the Solar Saver households were situated in heritage precincts. Victorian Planning regulations require a Planning Permit to install solar PV within a heritage precinct. Council organised the planning permit application process, drawing up of plans of installation and also included the purchasing of a copy of land titles and payment of the notification costs. This is an optional additional service that Council has offered to the pensioner households.

All this additional service was provided in the context of Council removing any final barriers to a household installing solar PV.

7. Council funded - possible sources of funding for a project

Darebin Council funded the entire Solar Saver project from its own Capital budget. Council will be repaid the funds at 1/10th of the total installation cost per year for the next 10 years from the pensioners. In Darebin Council's situation Council will forego interest that could have been earned on these funds.

¹³ The Darebin Bulk Buy involved same supplier and installer, the same comparative discounts and 10 year warranties on panels, inverter and the installation but purchasers were required to pay the full installation cost up front.

Some Councils or Greenhouse Alliances may not have sufficient funds to allocate to such a program. If Councils need to borrow funds for such a program, there are number of institutions that are able to provide a loan such as the Clean Energy Finance Corp (CEFC), the CEFC/CBA partnership fund or the Sustainable Melbourne Fund to name a few.

Solar PV performance is predictable as insolation (solar radiation) varies very little over time. Lending institutions know that solar is reliable and consequently financial risks are minimal. A Council Special Charge Scheme has priority over a mortgage payment, so Councils can reasonably consider there is a high probability of recovering all costs. Consequently Council's or coordinating institutions may be able to borrow funds at very competitive interest rates for a SCS solar project.

Please note: some legal advice indicates that funds borrowed from a third party for a rates charge scheme would accrue as a financial liability on Council's accounts. This could have implications for a Council and consideration would need to be given with regard to borrowing limits and guidelines under the Local Government Act. Further legal advice indicates that borrowing funds for the Melbourne City Council Environmental Upgrade Agreement - a different rates mechanism - does not accrue as a Council financial liability.

8. the final hurdle - helping pensioners navigate the transition to solar

In Victoria, all solar PV generation is directed to household use first and any excess electricity is then exported to the grid. The Victorian Government has mandated a minimum feed-in-tariff for solar PV export which was 8 c/kwh at time of Solar Saver program but changed to 6.2 c/kwh from 1 January 2015.

In Victoria, if a smart meter has not re-programmed for solar, electricity exported to the grid may be 'read' by the meter as additional consumption. So most PV installers recommend the PV system is not turned on until the distributor/retailer notifies the household of the reconfiguration of the smart meter. So it is essential to have the smart meter reprogrammed as soon as possible post installation. Unfortunately this can take 4 – 6 weeks, even if the process proceeds smoothly.

One of the challenges of having solar PV installed is negotiating the changes with the electricity retailer. The process in Victoria typically involves the solar installer contacting the electricity retailer to notify the retailer that solar has been installed (includes supplying a copy of the certificate of electrical safety). The retailer contacts the electricity distributor who owns and manages the new smart meters. The distributor¹⁴ reprograms the smart meter so that it is capable of recognising solar pv and exporting electricity to the grid.

Experience shows that sometimes the required information is often sent to the wrong retailer, wrong distributor or there are internal delays in processing this information promptly. Sometimes the householder's provides the wrong information. As a result these issues can cause significant delays and angst for householders particularly when the sun is shining and 'my solar system is not on!'

Darebin chose to be pro-active about making pensioners aware of some of these potential issues and how to problem solve them should they arise. Council held two public information sessions for pensioners as the systems were being installed. 150 pensioners attended one of two sessions on an extremely hot Melbourne day. Council was very surprised to see how engaged the pensioners had become with their new solar systems, how keen the pensioners were to reduce their energy consumption and to maximise their savings by using appliances during solar generation times.

¹⁴ There are 3 distributors in Darebin – Citipower, Jemena and Ausnet which adds to the degree of complexity and possible sources of error.

At the information sessions, pensioners were shown how to check their inverter to make sure the system was working and how to read their new smart meters so they can make sure that they are exporting as well as importing electricity. Finally we showed householders how to read their electricity bills to make sure they were being credited for the solar export electricity at the appropriate feed-in-tariff rate.

With the advent of smart meters in Victoria, retailers now offer flexible pricing options- typically one based on a flat or standard rate service and another called flexible which has a peak, shoulder and off-peak rate pricing rates.

If you are an elderly pensioner the prospect of moving to a multi-pricing rate can be daunting or confusing. Some retailers required their solar customers to move from a flat rate to a flexible pricing structure. Council considered the various options and as a matter of simplicity opted to recommend that pensioners stay on the flat or standard rate service, if possible.

Council provided advice on the Victorian Government services such as <http://switchon.vic.gov.au/> which provides useful information for householders to compare electricity prices and pricing structures. Pensioners can use **My Power Planner** to compare different flexible pricing structures.

The main message for the Solar Saver customers was to maximise your savings try to **use as much of the electricity generated by your PV during the day**. For pensioners who are largely at home during the day, this was not a difficult message.

In summary – the key engagement points for the community

- Council has done the hard work for the pensioner by sorting out reliable systems and installers - Council is seen as independent and trustworthy
- Council has selected a quality product – but at a discounted price
- Nothing up front, nothing at the end and more than affordable – in fact savings from day one – from \$90 - \$120 per year for the first 10 years and then \$380 - \$430 per year for the next 10 years.
- A solar PV systems reduces the risk of increasing electricity costs in future years
- Most people, including pensioners love solar and renewable energy – they want to do something for the environment – if they can afford it.
- Age is no barrier – a 101 year pensioner installed solar on his home through the program!

Strong demand for continuation of the program

Darebin's Solar Saver households are proud of their choice to participate in the program as can be seen on Council's Youtube link.

Video 1: www.youtube.com/watch?v=GUGfF7ad3jM

Video 2: www.youtube.com/watch?v=lsgTPZLn5GE

The Solar Saver program has received excellent media coverage¹⁵. Neighbours talk to each other and observe the solar panels being installed and consequently refer their friends to Council. Since completing the program 100 pensioners who receive the Rate Rebate have registered an interest to participate in a future Council program.

Council has proposed allocating \$1 million for a second Solar Saver project in the draft budget 2015 – 2016.

Adoption of Special Charge Scheme or similar

A number of other Councils and greenhouse alliances, including interstate councils, are presently exploring a Special Charge scheme for solar pv installation.

In 2017 Adelaide City Council and ACT Government are presently implementing a rates based Council/Govt hosted solar purchase scheme.

¹⁵ There has been numerous press coverage of the program including: The Weekly Times -3 June 2014, Northcote Leader – 12 Sept 2014, Government News – 18 Sept 2014, Council Manager – Spring 2014, Preston Leader – 9 Dec 2014, Civic Magazine – December 2015, WME Waste Management & Environment – 1 Jan 2015, Australian Local Government Yearbook – 2015.

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

HPERM Ref: D19/168767

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Accelerated Street Lighting Replacement with LEDs Business Case (OEH Funding Scheme) [↓](#)

Purpose / Summary

Council recently received advice regarding a funding opportunity available from the NSW Office of Environment & Heritage (OEH) to assist Councils with the cost to replace existing residential street lights with energy efficient Light Emitting Diode (LED) lighting, which will result in savings to Council for costs related to street light maintenance and electricity charges.

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.

Options

1. Do Nothing: Continue with the current approach of spot replacement of MV street lighting until their end of life (light fitting fails) and accept the higher charges. Endeavour Energy funds the upfront capital cost of replacement with LEDs.

Implications: This results in a slower rollout of energy efficient lighting and will increase the street lighting costs over the proposed preferred option.

2. Pursue Energy Savings Scheme (ESS) credits for LED street light replacement. This scheme involves collection of ESS credits for each light fitting changed out to LED technology. The credits can be sold on the open market at the end of the light replacement project with the value of each credit set by market forces. This program requires the engagement of an accredited consultant (commission paid) and is reliant on a fluctuating market risk for credits payable at the time.

Implications: This is a more complicated approach to the bulk replacement approach that involves multiple parties to assess, evaluate, negotiate and project manage the light

replacement program. Council must also accept the risk selling the ESS credits on the open market, where the price per credit will vary based on the market at the time of sale. The ESS option is legislated to run through to 2025 and will be available in the future for lights not included within the OEH program.

3. Pursue the OEH funding: Apply for OEH funding limited to lights with a payback period of 5 years or less. This will increase the LED street light count from 17% (current) to 55% in the Shoalhaven Council LGA.

Implications: The OEH funding option provides certainty regarding a fixed subsidy and results in financial and maintenance savings to Council.

This will result in:

- A reduction in energy consumption costs – LEDs require significantly less power,
- A reduction in operational costs – due to fewer maintenance visits being required for LEDs,
- Improved sustainability outcomes – reduction in carbon emissions;
- Improved community security – brighter and higher quality lighting output to improve safety standards.

It is recommended that Council proceed with this option.

Background

Street lighting- Ownership, costs and current replacement strategy outcome

Across the Shoalhaven, Council currently has approximately 11,000 street lights. Although Council is responsible for the provision and operating costs, the street lighting is actually owned and maintained by Endeavour Energy. These lights vary in type, age, intensity and energy efficiency, depending on the historical time of installation and the site location.

These lights are classified as either Category P (residential) or Category V (main roads) and are costed to Council under various tariff classes.

Council are charged for these lights under two streams:

- Street Lighting Use of System (SLUoS) which is the infrastructure/maintenance cost set by Australian Energy Regulator (AER);
- Network Use of System Charge (NUoS) which represents the electricity cost, which is currently procured under a Local Government Procurement Contract with AGL.

Over the last few years, Endeavour Energy has been slowly changing our Class P residential lighting (mainly 50 and 80 watt MV lights) over to 17 watt LEDs as the lights reach their end of life. LED type lighting has also been specified for all new lighting in new housing estates. This approach has enabled approximately 1,823 LED lights (about 17%) to either be installed in new subdivisions or changed at end of life.

The replacement of MV lighting also eliminates significant adverse environmental impacts from mercury contaminants and is in accordance with the Minamata Convention (international treaty signed by Australia in 2013 and taking effect from 2021), aimed at reducing the release of toxic mercury into the environment.

Energy Savings Scheme (ESS)

Council has reviewed financial modelling of the costs to change over the Class P residential lighting to LED since the more efficient 17 Watt LED street lights became available. The modelling was based on accessing funding under the ESS which varies as a market rate and is collected at the end of the program through a contracted Accredited Certificate Provider.

The calculated simple payback period utilising the rebates under the ESS was around 7-8 years at a capital cost of around \$2M (after ESS rebates).

OEH Scheme

Council has also received formal notification of an offer under the OEH's Accelerated Public Lighting Program which consists of the following key outcomes:

1. The proposal is targeted at replacement of standard 50 and 80 Watt MV lights (i.e. Class P residential street lighting).
2. OEH has allocated \$12.5 Million across New South Wales on a first come basis.
3. The funding covers the residual asset value of the MV light (Tariff Class 5 Charges) which is normally payable if the light is changed before end of life.
4. Secondly, the proposal includes an additional fixed capital contribution of \$67 towards the cost of each new LED light.
5. The program does not allow Councils to access ESS funding if using the OEH funding program (i.e. no 'double-dipping').

Proposal

To enter a formal agreement with Endeavour Energy to replace 4,231 Class P 50 and 80 Watt MV lights with energy efficient 17 Watt LED lighting. The total project cost borne by Council of this changeover is \$1.2M, with all other rebate monies paid by OEH directly to Endeavour Energy. This amounts to an individual cost of each light of \$283 which is a substantial discount on the individual cost of replacement quoted by Endeavour Energy under normal replacement programs.

The modelling undertaken by Endeavour Energy and Council indicates this will generate an annual reduction in SLUoS charges of \$15,600 and a reduction in energy costs (NUoS) of \$229,000, resulting in a total annual savings of approx. \$245,000 in Council's street lighting charges. This results in a non-discounted simple payback calculation of 4.9 years using current electricity costs. If electricity costs rise from 2020 as expected on new energy contracts, the payback period reduces.

Community Engagement

Council officers have been in contact with Endeavour Energy and NSW Office of Environment and Heritage during the formulation of this program. The program is a one for one replacement of Council's existing Class P lighting stock. Because of this and the widespread nature of the replacement program, it is intended to undertake notification of this program via media announcements and social media only.

Policy Implications

This initiative would contribute to the delivery of Shoalhaven's Integrated Strategic Plan theme 'Build inclusive, safe and connected communities' which includes street lighting, as well as the 'Sustainable, liveable environments' theme by reducing carbon emissions. The initiative would save 1,369 tonnes of CO₂-e per year based on the savings of 1,487,839 kWh of electricity per year. Council's Sustainable Energy Policy includes a target to 'Replace all street lights with energy efficient LEDs' by 2025. At present only 17% of Council's streetlighting is LED and this proposed initiative would increase this to 55%.

Financial Implications

Under this proposal, Council will be required to pay Endeavour Energy a total payment of \$1.2M, with payments to be invoiced as the program is rolled out. It is proposed to fund Council's contribution to this project from money borrowed from TCorp with all savings to be directed back into the loan repayments as savings are realised within 5 years. It is far better financially for Council to borrow money at a low interest rate and pay for the up-front capital of the LED changeover than to have Endeavour Energy conduct the changeover slowly and charge Council the higher Tariff as the capital is paid back over decades at their higher interest rate.

Acceleration of migration to LED technology offers a one off cost saving as the offer effectively subsidises the cost of installing the new lights, as well as an ongoing reduction in electricity consumption costs. Council is currently in the process of renegotiating electricity contracts through Local Government Procurement for 2020 and beyond and it is expected that Council will be impacted by current market conditions which are substantially higher than Council's current electricity charges. Migration to LED technology will mitigate these price increases to some extent.

Council can borrow funds under s621 of the Local Government Act 1993. Ideally, the intention to borrow should be outlined in Council's draft Operational Plan. Given that the draft Operational Plan is already on public exhibition, and subject to Council's decision in respect of the recommendations in this report, an appropriate adjustment can be made to the draft Operational Plan regarding these proposed borrowings when the DPOP is reported back to Council for adoption prior to 30 June 2019.

Indicative loan repayments over 5 years are \$267,184 pa and over 10 years, \$146,776 pa. Given expected savings of \$260,600, Council would be able to service the \$1.2M loan comfortably over the 10-year term that normally applies to General Fund borrowings.

Council will also need to notify the Office of Local Government of the loan by re-submitting its electronic loan borrowing request form, including the updated amounts. To apply for a TCorp loan, Council will need to submit its loan application to TCorp during the first half of the financial year, that is, between 1 July and 31 December.

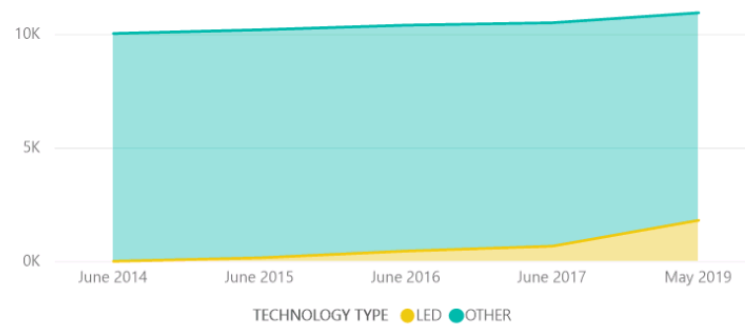
Risk Implications

The replacement of lights is undertaken by Endeavour Energy who is experienced in this type of work. The program is assessed as low risk to Council.

ACCELERATED LIGHTING UPGRADE

COUNCIL NOMINATED REPLACEMENTS - DASHBOARD

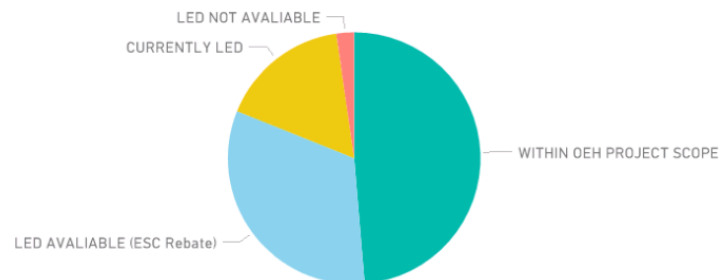
TOTAL NUMBER OF ASSETS (YEAR ON YEAR)



ASSET DETAILS

10,958 TOTAL ASSET COUNT	1,823 LED ASSET COUNT	17% CURRENT % OF LED'S
	4,231 ASSETS WITHIN SCOPE	55% TARGET % OF LED'S

POTENTIAL INCREASE IN LED'S



FINANCIAL DETAILS - COUNCIL SELECTED SCOPE

-\$15.6K 2019/20 SLUOS			+	-\$229K Energy Costs (\$)			=	-\$245K Annual Savings		
\$1.48M Project Costs			+	-\$362K Total Rebates			+	\$79K TC5 2019/20 (...)		
								\$1.20M Total Cost		
								4.9 Return Period Final (years)		
								100% OEH (%)		
								0% ESC (%)		

ACCELERATED LIGHTING UPGRADE OPTIONS

COUNCIL NOMINATED REPLACEMENTS - TARIFF LEVEL DATA

Tariff Class	Tariff Code	Description	Asset Count	Replacement LED	2019/20 SLUOS	Energy Costs (\$)	Energy Saving (kWh/pa)	TC5 2019/20 (ALL Lights)	Project Costs	OEH OR ESS	Total Rebates	Total Cost	Return Period Final (years)
3	555	80W Mercury - STANDARD	202	17W LED	-\$5,421	-\$11,031	71,629	\$53,303	\$70,700	OEH	-\$66,837	\$57,166	3.5
3	554	50W Mercury - STANDARD	90	17W LED	-\$2,418	-\$2,994	19,440	\$21,397	\$31,500	OEH	-\$27,427	\$25,470	4.7
4	855	80W Mercury - STANDARD	13	17W LED	-\$69	-\$710	4,610	\$374	\$4,550	OEH	-\$1,245	\$3,679	4.7
1	104	80W Mercury	2,699	17W LED	-\$5,437	-\$147,388	957,065	\$3,904	\$944,650	OEH	-\$184,737	\$763,817	5.0
2	309	80W Mercury	1,227	17W LED	-\$2,288	-\$67,005	435,094		\$429,450	OEH	-\$82,209	\$347,241	5.0
Total			4,231		-\$15,633	-\$229,127	1,487,839	\$78,979	\$1,480,850		-\$362,456	\$1,197,373	4.9

Assumptions

TC1 / TC2 / TC3 / TC4 assets considered for OEH and ESC funding (best option selected)

Estimated 2019/20 SLUOS and TC5 rates used

Maximum rebate selected between OEH and ESC

ESC price - \$17 per certificate (ASP charge already removed from the \$17 value)

OEH rebate \$67 + Residual for each lantern changed

Electricity Rate - \$0.154/kWh

Billable Hours - 4500 hrs (used for both ESC and energy savings calculations)

Project costs (ex GST) :

(no additional charge for assets outside the BLR area)

17W LED \$350.00

33W LED \$440.04

82W LED \$840.06

100W LED \$840.06

198W LED \$986.77

Updates Since Release

- Prestige and Post Top Lights removed from report (version 4.1)
- Summary Page - TC5 charge for OEH selected lights removed and included in OEH rebate value (version 5.0)
- Energy Savings (kWh) added to the detailed page for each tariff (version 5.1)
- Prestige and Post Top Lights added back into reports and flagged as "no LED replacement available" (version 5.2)
- Return Period Calculation fixed to account for changes introduced in version 5.0 (version 5.3)
- Summary Page changed to "Rebate (including TC5)" and "TC5 for all Lights" (version 5.5)
- Additional fields added (e.g. lights selected by councils for replacement) to all further filtering / reporting (version 5.6)
- Data updated from Endeavour Energy's Asset Management System - e.g. latest asset counts / status (version 5.7)
- Additional fields added to Project Scope Tab (TC5, grant type etc) (version 5.8)
- Approved AER SLUOS & TC5 charges added in (version 5.9)

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

HPERM Ref: D19/145603

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Lease Plan - Lot 108 DP131063 - Narang Road Bomaderry [↓](#)

Purpose / Summary

To provide Council with an opportunity to consider approval of a new three (3) year lease plus two (2) x three (3) year option periods to Shoalhaven District Tennis Association over Part Lot 108 DP131063 at Narang Road Bomaderry.

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.

Options

1. Resolve as Recommended.

Implications: Council will receive annual rental income for the premises in the amount of \$21,996.00 in the first year, indexed annually to be invested in future capital works for the facility.

2. Not adopt the Recommendation.

Implications: Shoalhaven District Tennis Association will continue to operate the facility on a month to month basis without a secure or long-term occupancy agreement.

Background

The subject land is Council owned land and has a dual classification of Community and Operational land.

Shoalhaven District Tennis Association is run by a volunteer committee and have occupied the Narang Road Tennis Facility since 2006. Rental income is held by Council in a Restricted Asset Account and is then available for reimbursement for Shoalhaven District Tennis Association to carry out capital works, major maintenance and improvements to the courts and facilities.

Since 2012 Shoalhaven District Tennis Association has made capital improvements to the tennis facility, namely, resurfacing of courts, upgrade to lighting, construction of a tennis

practice wall and renovations to the bathroom's facilities. These capital works have been achieved in part through access to the Restricted Asset Account and in part have been self-funded by Shoalhaven District Tennis Association.

The rental figure is based on an estimate of the costs of future works and maintenance of the current 12 court facility. In 2018 the rental figure was \$20,337.27 and in 2019 it has increased to \$21,996.00.

Shoalhaven District Tennis Association Incorporated have agreed to the following terms:

Terms Schedule

Lessor:	The Council of the City of Shoalhaven
Address:	Bridge Road Nowra
Lessee:	Shoalhaven District Tennis Association
Address:	PO Box 93, Nowra NSW 2541
Premises:	Part Lot 108 DP131063 Narang Road Bomaderry
Term:	Three (3) years
Commencing date:	1 July 2019
Terminating date:	30 June 2022
Option period:	Two (2) x three (3) years
Rent:	\$21,996.00 per annum plus GST
Fee review method	Annually according to CPI
Portion of outgoings:	100%
Maintenance	As per Maintenance Schedule for this facility.
Permitted use:	Tennis Court hire, community meeting room and ancillary facilities.
Limit of liability under insurance:	\$20 Million (\$20,000,000.00)

Consultation

The land has a dual classification; part Operational Land, part Community. The Shoalhaven District Tennis Association's leased area sits within the Operational part of the land. There is no requirement under the Local Government Act to provide public notice of the proposed lease..

SA19.77

Finance

Council will receive annual rent for the premises leased to Shoalhaven District Tennis Association.

Policy

The proposed lease terms are in accordance with Council's Occupation of Council Owned or Managed Land Policy.



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

HPERM Ref: D19/149228

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Lease Plan - Lots 6 & 7 Sec 10 DP2886 - 25 & 27 Meroo Street, Bomaderry [↓](#)

Purpose / Summary

To provide Council with an opportunity to consider approval of a new twenty (20) year lease to Nowra Players Incorporated over Lots 6 & 7 Sec 10 DP2886, 25 & 27 Meroo Street, Bomaderry.

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.

Options

1. Resolve as Recommended.

Implications: Council will receive an annual rental income for the premises in the amount of \$3,636.36 in the first year, indexed annually as determined under the Occupation of Council Owned and Managed Land Policy.

2. Not adopt the Recommendation.

Implications: Nowra Players Incorporated will remain as a month to month tenant paying peppercorn rent without a secure long-term occupancy agreement.

Background

The subject land is Council owned Operational land.

Nowra Players Incorporated was formed in 1951 and have been in occupation of the premises at 25-27 Meroo Street Bomaderry since 1968. Since the organisation's inception the volunteer group has produced 238 productions. Nowra Players commenced drama classes in 1983 and built the organisation to such a standard that it currently has 140 school aged students involved in workshops.

The theatre is in use for 50 weeks of the year and is used to host four (4) or five (5) stage productions. Each production is consistently run over a three (3) week period which enables approximately 5500 – 7000 people to attend shows at the theatre each year.

In addition to the theatre, the premises are used for the following purposes: HSC theatre workshops, Community charities for fundraising activities and Gala nights, and Southern Cross University and University of Southern Queensland use the premises for their distance education exams

In accordance with Council's 'Occupation of Council Owned or Managed Land' policy, a rental valuation for the premises was obtained from independent valuers Walsh & Monaghan who assessed the market rental for the premises at \$50,000 per annum plus GST. Based on the information received from Nowra Players Incorporated in its proposal document and using Council's rental subsidy matrix, Nowra Players qualifies for a rental subsidy of 92.73%, which means that the annual rental can be reduced to \$3,636.36 per annum plus GST with Council's consent.

Nowra Players have agreed to the following terms:

Terms Schedule

Lessor:	The Council of the City of Shoalhaven
Lessee:	Nowra Players Incorporated
Premises:	Lot 6 & 7 DP2886 Sec 10 25-27 Merroo Street Bomaderry NSW 2541
Term:	Twenty (20) years
Commencing date:	1 July 2019
Terminating date:	30 June 2039
Option period:	Not Applicable
Rent:	\$3,636.36 per annum plus GST
Fee review method	Annually according to CPI
Portion of outgoings:	100%
Maintenance	As per Maintenance Schedule for this facility.
Permitted use:	Theatre and associated purposes
Limit of liability under insurance:	\$20 Million (\$20,000,000.00)

Consultation

The land is classified as Operational Land. The Local Government Act does not require public notice due to this classification.

Finance

Council will receive annual rent for the premises known as The Nowra Players.

Policy

The proposed lease terms are in accordance with Council's Occupation of Council Owned or Managed Land Policy (POL16/150).



SA19.79 Public Road - Douglas Paddock Road, Coolumburra - Redefinition of Boundaries and acquisition

HPERM Ref: D19/172301

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Plan - Proposed Lot 1 & 2 - Douglas Paddock Road [↓](#)
2. Approved subdivision plan - Lot 10 DP 1087398 [↓](#)

Purpose / Summary

This report provides Council with an opportunity to:

- a) approve the draft survey plan DP 1253398 redefining the road alignment of Douglas Paddock Road (proposed Lot 1 shown blue outline on the plan at attachment 1) per S. 21 of the Road Act 1993; and
- b) acquire proposed Lot 2 DP 1253398 (orange outline on the plan at attachment 1) and dedicate it for road purposes per S.10 of the Roads Act 1993.

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.

Options

1. Resolve as recommended.

Implications: Resolving as recommended will allow Council to redefine the boundaries of Douglas Paddock Road to the existing constructed road in use and provide unfettered access to those residents to the north of the Hansell property (Lot 10 DP 1087398).

2. Not resolve as recommended.

Implications: Council will be unable to redefine Douglas Paddock Road to be in line with the existing constructed road nor provide unfettered access to northern properties.

Background

In December 2017 Council approved a two-lot rural subdivision (SF10573) over Lot 10 DP 1087398 (refer to attachment 2). Douglas Paddock Road as a constructed road in use and as an unconstructed road reserve, albeit in different locations, bisects Lot 10.

SA19.79

To alleviate uncertainty regarding public access along Douglas Paddock Road to the north, Council has agreed to firstly prepare a survey plan for registration to redefine the boundaries of Douglas Paddock Road (as the Roads Authority) to match the existing constructed road. After the plan is registered, Council must serve notice on the owner of the land, and lodge a copy of the survey plan with the Valuer-General. No compensation is payable.

Secondly, Council has agreed to acquire proposed Lot 2 for \$1.00 for dedication as a public road to enable unfettered access to properties to the north of Lot 10, as presently the unconstructed road reserve to this area is not trafficable.

Following completion of the registration of the plan and transfer of title for proposed Lot 2, Council will be required to publish a notice in the government gazette stating that the land, identified as Lot 2 DP 1253398 is dedicated as public road.

Community Engagement

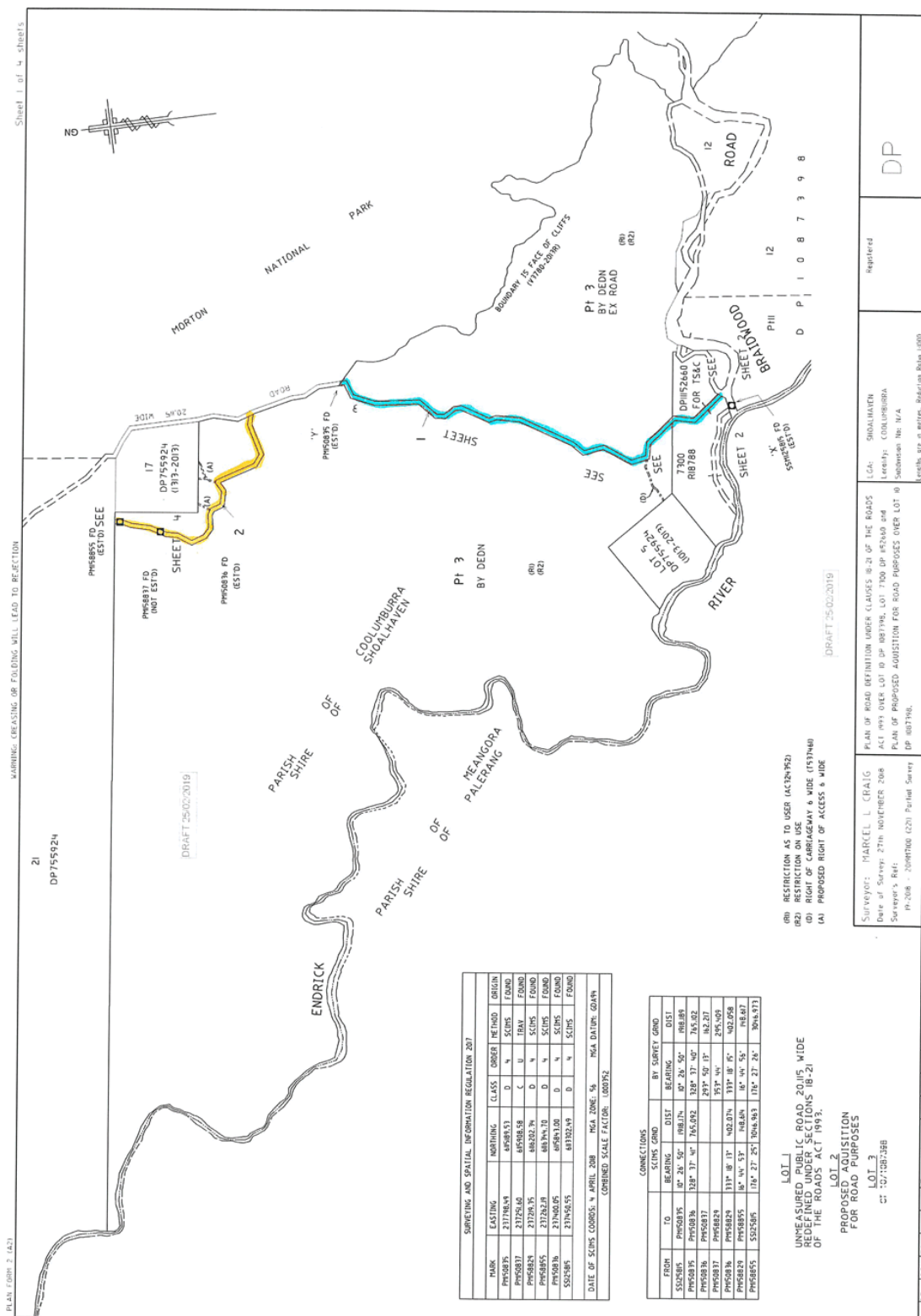
An advertisement was placed in the South Coast Register on Wednesday 6 March 2019 requesting submissions on the proposed Douglas Paddock Road boundaries.

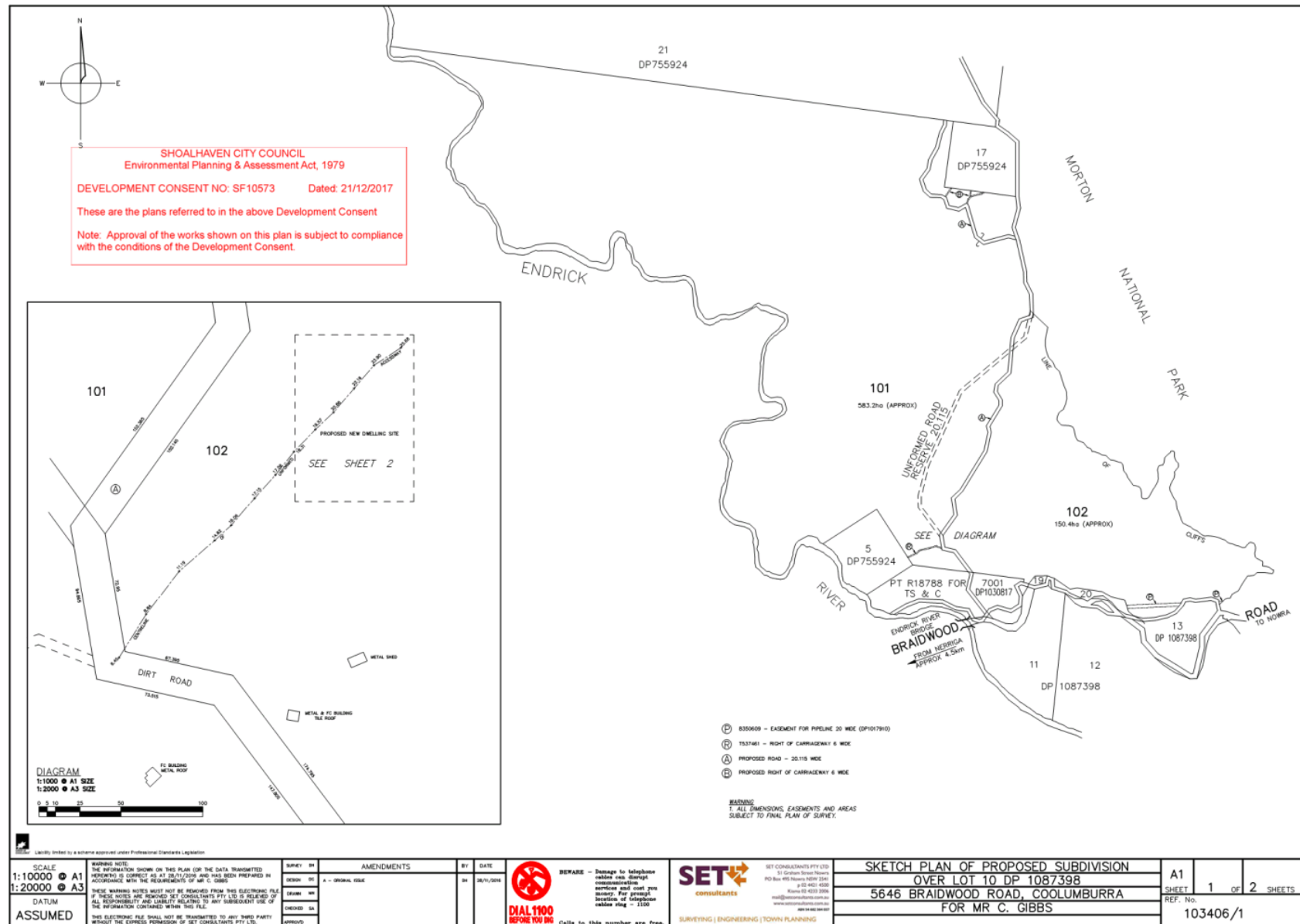
No submissions were received.

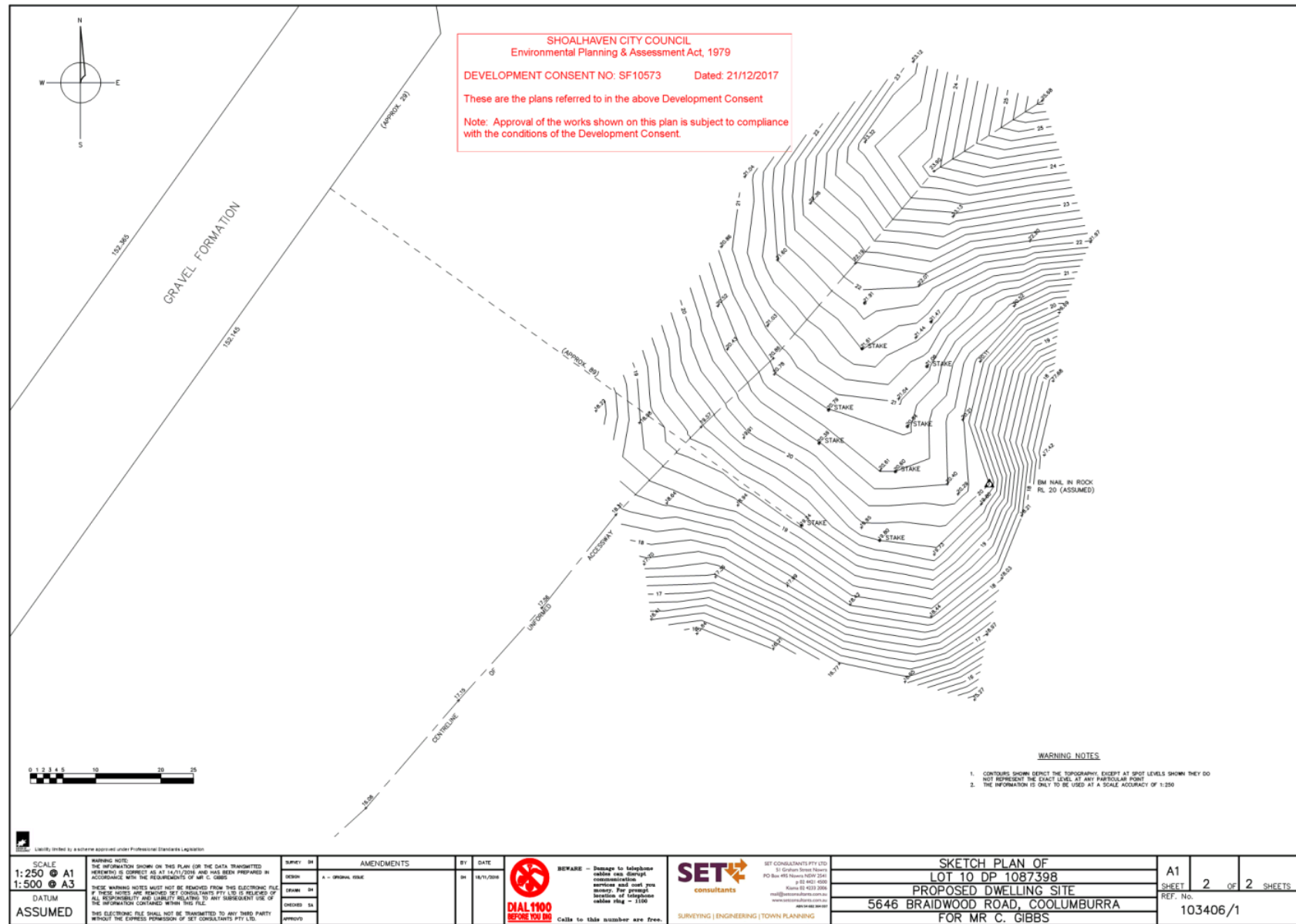
Financial Implications

As compensation has been agreed between the parties at \$1.00, there is no financial burden to Council.

SA19.79







SA19.80 Proposed Lease - Bomaderry Community Preschool - 5 Birriley Street, Bomaderry

HPERM Ref: D19/168439

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary

To provide Council with an opportunity to consider entering into a lease agreement with Nowra Anglican College Ltd for the continued use and occupation of part 5 Birriley Street, Bomaderry as the Bomaderry Community Preschool.

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.

Options

1. Resolve as recommended.

Implications: Bomaderry Community Preschool can continue to operate at 5 Birriley Street, Bomaderry.

2. Not resolve as recommended and place the property on the open market for lease.

Implications: Bomaderry Community Preschool operates a working preschool which has already accepted enrolments for coming years. To terminate the occupancy would cause stress to parents of children attending the preschool. Further, there is no guarantee that a replacement tenant could be found in the short term.

Background

Council has been in lease negotiations with Nowra Anglican College on behalf of the Bomaderry Community Preschool for the past five (5) years. The lease negotiations commenced with a “preschool co-operative” group as initial concerns were shared with each community preschool. Negotiations with the co-operative group were finalised in June 2017 and now each community preschool is negotiating with Council directly on the remaining issues.

The co-operative group included:

- Berry Community Preschool;
- Milton Ulladulla Community Preschool;
- Ulladulla Children’s Centre;

SA19.80

- Shoalhaven Community Preschool;
- Lyrebird Community Preschool;
- Culburra & District Preschool; and
- Bomaderry Community Preschool;

Negotiations with Nowra Anglican College on behalf of Bomaderry Community Preschool have now concluded and an agreement has been reached as outlined below:

Lessee	The Anglican Schools Corporation
Lessor	Shoalhaven City Council
Premises	Part Lot 2 DP568955 at 5 Birriley Street Bomaderry
Term	Five (5) years
Option	Five (5) years
Assessed Market Rent	\$89.920 plus GST per annum
Rent Payable	\$7,357.09 plus GST per annum, payable monthly in advance
Application of Rent Assessment Policy	Rental subsidy = 91.82%
Rent Review	Annually by CPI
Percentage of Outgoings	100% outgoings refers to all charges for gas, electricity, telephone, water & sewerage usage charges and garbage service for this property.
Permitted Use	The operation of a community preschool
Public Risk Insurance	Twenty million dollars (\$20,000,000)

SA19.80

Council obtained a market valuation from Opteon Property Group for the property which assessed the current market rent at \$89,920 plus GST per annum. This figure represents the rent Council could receive if the property was leased to a commercial child care operator.

Market valuations for child care centres are based on a Government set ratio of indoor and outdoor space with the fees charged by the centre and the success (or otherwise) of the business having no impact on the market rental.

Nowra Anglican College, on behalf of the Bomaderry Community Preschool, completed and returned its proposal documentation to enable Council to apply the rental assessment framework to the Market Valuation. Given the high level of service the Preschool provides, it was determined that a rental subsidy of 92.82% would apply, thus requiring the Preschool to pay \$7,357.09 per annum.

Community Engagement

The subject land is classified as Community Land under the Local Government Act 1993 and accordingly, there is a requirement for public notification that Council proposes to lease the

property. If any submissions are received, they will be reported to Council at the July meeting.

Policy Implications

The proposed lease terms are in accordance with Council's Occupation of Council Owned or Managed Land Policy.

Financial Implications

Entering into the lease agreement as recommended will increase Council's revenue by \$7,357.09 per annum which will assist Council in maintaining its assets into the future.



SA19.80

Preschool location denoted by blue outline in the aerial photo above

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

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Licence Plan - Nowra Communal Hall [↓](#)
2. Signed Terms Schedule [↓](#)

Purpose / Summary

To provide Council with an opportunity to consider the approval of a new one-year short term Crown Land licence for the Nowra Communal Hall located at the Nowra Showground (refer to attachment 1), to Shoalhaven Citizens Youth Club trading as Nowra Gymnastics.

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.

Options

1. Adopt the recommendation

Implications: The issue of a licence allows Nowra Gymnastics to formalise their occupation of the building and continue to offer gymnastic classes.

2. Not adopt the recommendation

Implications: Nowra Gymnastics will continue on a casual hire basis with no security for continued occupation of the premises.

Background

The subject land is Crown land and forms part of the Nowra Showground Reserve D580011. Council is the appointed Crown Land Manager.

The Crown Land Management Act 2016 (CLM Act) came into effect on 1 July 2018. The CLM Act authorises councils to manage land as if it were community land under the Local Government Act and a plan of management (PoM) must be adopted for that community land. A transition period of 3 years applies, and a plan of management must be in place within that time.

With no prior agreement in place nor a plan of management, under the CLM Act Council can only issue a short-term licence for a maximum period of one year and so on until a PoM is approved.

Shoalhaven Citizens Youth Club (SCYC), trading as Nowra Gymnastics, originally occupied the Communal Hall as a Section 355 Committee. As SCYC did not technically meet the requirements for a S.355 committee as it was running as a “for profit” business, Council resolved in part at its Ordinary meeting on 4 October 2016 (MIN16.706) that:

3. *The following Section 355 Management Committees be renewed; however, discussions commence to transition these Committees to an occupancy agreement within 2 years:*

- a. *Nowra Communal Hall.*

Council commenced discussions with SCYC in 2016; however, given unresolved maintenance issues and delays in relation to the provision of documentation such as financial data, insurances & entity status, the negotiations became protracted and eventually terminated.

- Given the above, Council at its Ordinary meeting on 25 September 2018 resolved in part (MIN 18.797) that:
5. *The following Section 355 management Committee be acknowledged to be disbanded, management of the facility revert to Council until such time as an occupancy agreement with current occupant be formalised:*

- a. *Nowra Communal Youth Hall management Committee disband the Committee for the Communal Hall.*

Following the above resolution and to date SCYC have been occupying the premises under casual hire arrangements.

Council has now completed identified additional maintenance items and essential building works to ensure the premises is suitable for occupancy.

In accordance with Council’s ‘Occupation of Council Owned or Managed Land’ policy, a rental valuation for the Communal Hall was obtained from independent Valuers Walsh & Monaghan, who assessed the market rental for the Hall at \$25,000 per annum plus GST.

The SCYC is not entitled to a rental subsidy given they are a “for profit” business enterprise.

A Terms Schedule was issued to SCYC and agreed as follows (refer to attachment 2):

Terms Schedule

Lessor: Address:	The Council of the City of Shoalhaven as Crown Land Manager Bridge Road Nowra NSW 2541 council@shoalhaven.nsw.gov.au
Lessee: Address:	Shoalhaven Citizens Youth Club trading as Nowra Gymnastics PO Box 10 Nowra NSW 2541 nowragymnastics@gmail.com
Premises:	Part Lot 7323 DP 1164817 & Part Lot 347 DP 755952 West Street Nowra

SA19.81

Term:	1 year
Commencing date:	Approximately 1 July 2019
Terminating date:	To be confirmed upon commencement
Option period:	NA
Rent:	\$25,000 per annum plus GST
Fee review method	NA
Portion of outgoings:	100%
Maintenance	As per Maintenance Schedule for this facility.
Permitted use:	Sporting and organised recreational activities
Limit of liability under insurance:	\$20 Million (\$20,000,000)
Special Condition	Nowra Gymnastics must provide unhindered access to the hall and toilets for the Nowra Show Society programmed events, including availability for bump in and out times. Hall to be made available from 12 noon Wednesday prior to Nowra Show and to be vacated no later than 5pm Sunday by the Show Society, unless otherwise agreed between Nowra Show Society and SCYC – Nowra Gymnastics.

SA19.81

Community Engagement

In accordance with Section 47 of the Local Government Act, a public notice in relation to the proposed licenced area was attached to the door of the Communal Hall and an advertisement placed in the South Coast Register. Adjoining property owners were also notified.

One submission was received.

Issue	The hall has been used by the Nowra Show Society for over 40 years during the Nowra Show. The Hall provides a place for trade display, community engagement and entertainment activities at show time. The Nowra Show Society look forward to working with Nowra Gymnastics to continue the current arrangement.
<i>Council response</i>	Both Council and SCYC - Nowra Gymnastics acknowledge the ongoing use by Nowra Show Society and will include a special condition to facilitate the Hall's use at Show time.

Policy Implications

The proposed licence terms are in accordance with Council's Occupation of Council Owned or Managed Land Policy.

Financial Implications

Council will receive annual rent for the premises known as Nowra Communal Hall.



Licence Plan

Part of Lot 7323 DP 1164817 &

Part of Lot 347 DP 755952

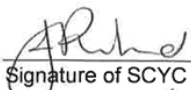
West St, Nowra



SA19.81 - Attachment 1

Terms Schedule

Lessee	Shoalhaven Citizens Youth Club ABN 54 318 238 429 PO Box 10 NOWRA NSW 2540 Telephone 4423 2229 Mobile 0413 416 924 Email:nowragymnastics@gmail.com
Lessor	Shoalhaven City Council Administration Building 42 Bridge Road, Nowra, NSW, 2541 Tel: 02 4429 3111 Fax: 02 4422 1816 Email Council@shoalhaven.nsw.gov.au
Premises	The building, improvements and curtilage on Part Lot 7323 DP 1164817 and Part Lot 347 DP 755952 as depicted in plan and outlined in red at Annexure A.
Term	1 Years
Commencement Date	TBA
Termination Date	TBA
Option	TBA
Rent	\$25,000 plus GST per annum, payable monthly in advance.
Licence Administration Fee	\$385.00
Rent Review	Annually to CPI
Percentage of Outgoings	100%
Maintenance	Refer to the Maintenance Schedule Annexure B
Permitted Use	<i>Sporting and organised recreation activities</i>
Public Risk Insurance	Twenty million dollars (\$20,000,000.00)

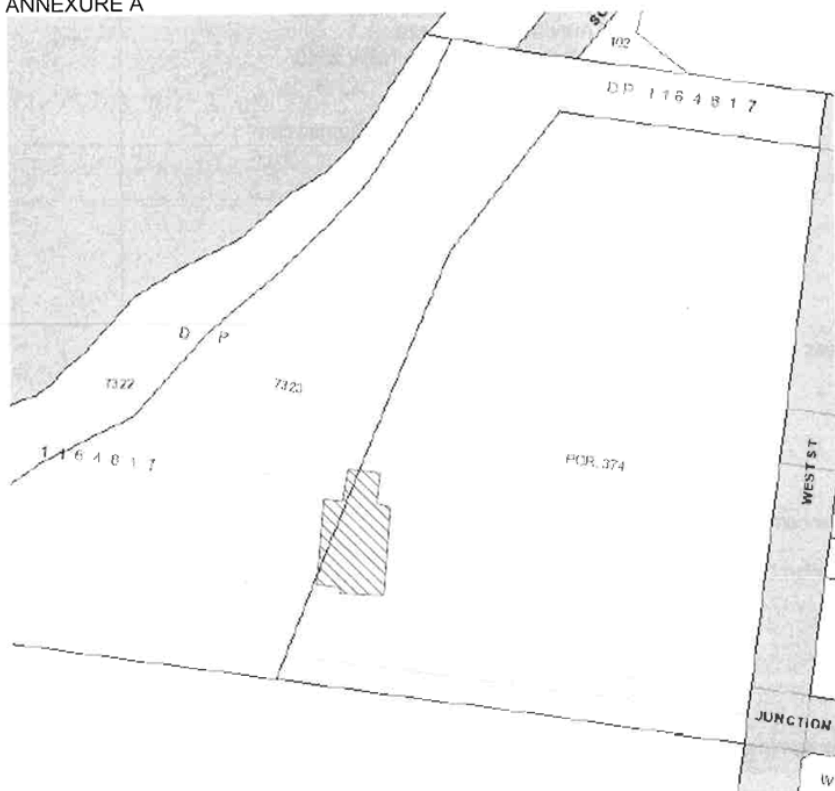

Signature of SCYC President

18/10/18
Date


Signature of SCYC Secretary

18/10/18
Date

ANNEXURE A



ANNEXURE B

Maintenance Responsibilities

The **Licensors** will be responsible for the following ongoing items:

- Maintenance repair and replacement of roof (excluding cleaning)
- Maintenance repair and replacement of floor (but not floor coverings)
- Maintenance repair and replacement of external walls
- Maintenance repair and replacement of Brickwork
- Maintenance repair and replacement of Structural steel
- Maintenance repair and replacement of Metalwork facades
- Maintenance repair and replacement of exterior doors and door frames (excluding locks)
- Maintenance repair and replacement of Fire service equipment
- Investigating and carrying out work to remedy any structural defect or carrying out any structural repair where such defect or repair is not caused by the way the Lessee uses the Premises
- Replacement only of Fencing
- Replacement only of Guttering
- Replacement only of Exterior Painting
- Replacement only of Hot water system
- Maintenance of stormwater and sewer pipes including clearing blockages and tree root invasion
- Replacement only of exterior lighting
- The Lessor will carry out repairs to essential services on the Premises at its own cost in the event that repairs require major and substantial replacement of such services provided that the determination of what constitutes major and substantial replacement shall be solely at the Lessor's discretion and shall exclude repairs caused by the way the Lessee uses the Premises. For the purposes of this clause essential services shall comprise major stormwater, and sewer pipework and infrastructure, major water supply pipework and infrastructure and major gas and electricity supply lines.

The **Licensee** will be responsible for the following ongoing items:

- Defects or damage in the building structure occurring due to the fault or negligence on the part of the Lessee and due solely to the way the Lessee uses the Premises
- Maintenance repair and replacement of Internal paint and plasterwork
- Maintenance repair and replacement of internal fixtures and fittings
- Maintenance and repair of plumbing such as blocked toilets, leaking taps and cisterns
- Maintenance repair and replacement of electrical equipment and fixtures such as replacement of broken light fittings, globes, GPOs and light switches
- Maintenance repair and replacement of internal doors including associated door hardware, locks and fittings
- Maintenance repair and replacement of windows due to broken panes, leaks and faulty fittings
- Maintenance repair and replacement of all air conditioning equipment installed by the licensee
- Maintenance repair and replacement of floor coverings
- Maintenance repair and replacement of lockers, cupboards and storage structures

- Maintenance repair and replacement of water coolers and fountains
- Maintenance repair and replacement of internal blinds
- Maintenance repair and replacement of tiling and mirrors
- Maintenance and repair of external painting
- Maintenance and repair of hot water system
- Maintenance and repair of security screens and fly screens
- Maintenance and repair of exterior lighting and security equipment
- Maintenance and repair of counters, cupboards and fit outs of same
- Maintenance and repair of carpark surfaces
- Maintenance and repair of fencing and gates
- Any part of the premises due to acts of vandalism or malicious damage including graffiti and break ins but excluding structural work
- Maintaining and decorating the shop front if the property has one
- Decorating the interior of the property in the last three months of the lease period
- Replacing ceiling, wall and floor tiles other than replacement due to structural matters
- Provision of additional equipment including IT equipment
- Any and all alterations including internal paintwork and décor
- Cleaning, maintenance and replacement of floor and carpet
- Maintenance and monitoring of all security equipment including attendance to call outs
- Cleaning of all areas within the premises
- Cleaning of roofs, gutters and downpipes at least twice annually
- Removal of rubbish and debris from the car park and surrounds of buildings on the premises
- Garbage removal
- Sanitary bin service
- Electrical tagging of leads
- Provision and maintenance of signage
- Maintenance of landscaping, driveways, paths, carpark, gardens, lawns and shrubbery
- Routine pest inspections and treatment
- Pruning, trimming and removal of trees where required for safety reasons subject to Shoalhaven City Council approval
- Cleaning, maintenance and regular servicing of all heaters, fans, exhaust systems, air conditioning, hot water systems, septic tanks, grease traps and grease arrestors
- Six monthly checking and maintenance of smoke detectors (where fitted)
- Investigating and carrying out work required for the upgrading of the Premises to meet statutory requirements where such requirements are applicable solely due to the way the Lessee uses the Premises

Further **Licensee** responsibilities:

- Where emergency exit lighting and fire safety equipment on the Premises have been provided by the Lessor the Lessor will regularly inspect and maintain such equipment at the Lessee's cost
- Where backflow prevention devices are fitted the Lessor will inspect and maintain such services at the Lessee's cost.

SA19.82 Classification of Land

Lot 616 DP 1249606 & Lot 617 DP 1249606

Red Gum Drive Ulladulla

HPERM Ref: D19/140155

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Plan of Survey - DP 1249606 [↓](#)

Purpose / Summary

To provide Council with an opportunity to consider the classification of land described as Lot 616 & Lot 617 DP 1249606 Red Gum Drive Ulladulla as Community Land.

Recommendation

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

Options

1. Resolve as recommended.

Implications: The land will be able to be used as a Public Reserve. Should any objections be received prior to the close of submissions on 15 June 2019, Council will be notified at its next meeting.

2. Not resolve as recommended.

Implications: The will automatically default to Community Land and be subject to the Community Land provisions as outlined in the Local Government Act 1993 (LGA 1993).

Background

Council issued Subdivision Certificate SC18/1080 for Subdivision File SF9275, at Ulladulla. The land was registered at the Land Registry Services on 2 April 2019, and Lot 616 & Lot 617 DP 1249606, Red Gum Drive has been dedicated to Council as a public reserve.

The land is currently zoned R1 General Residential as a flow on from the parent lot. The zoning will be amended to reflect the public reserve status by way of an upcoming LEP housekeeping amendment.

Section 31(2) of the Local Government Act, 1993 (LGA 1993) provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two classifications available:

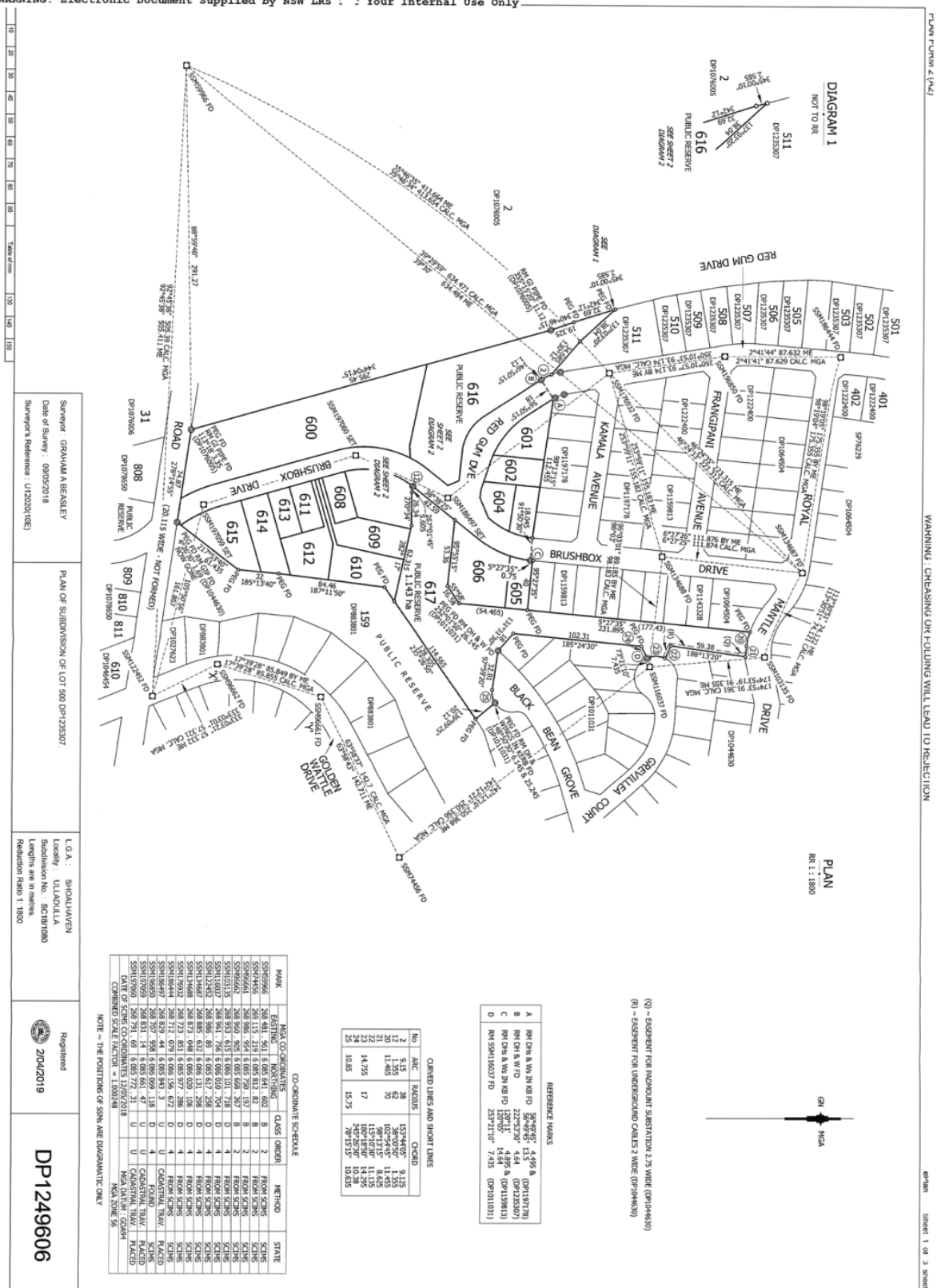
1. Operational Land – land which Council owns as a business entity and upon which it conducts Council business, and
2. Community Land – land in Council's ownership which is held for and on behalf of the Community subject to the Community Land provisions of the LGA 1993.

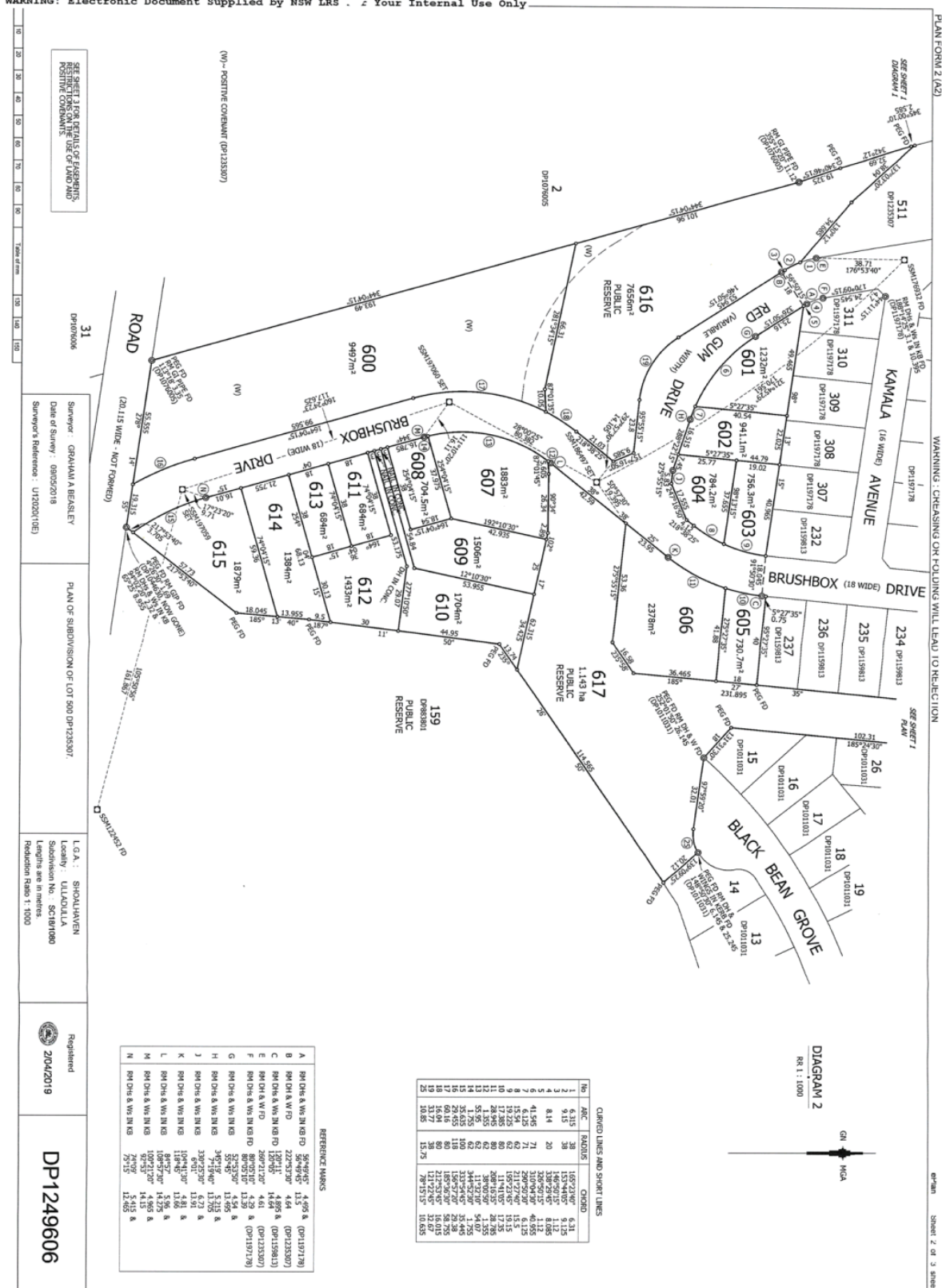
A resolution of Council, within the time frame prescribed in the LGA 1993, is required to finalise the classification of land as Community.

Land incorrectly classified (via resolution or by default) that subsequently requires an ability to be dealt with will require a reclassification to operational land that involves the making of an LEP amendment under the EPA Act 1979. This is a time-intensive and costly exercise with no budget having been provided.

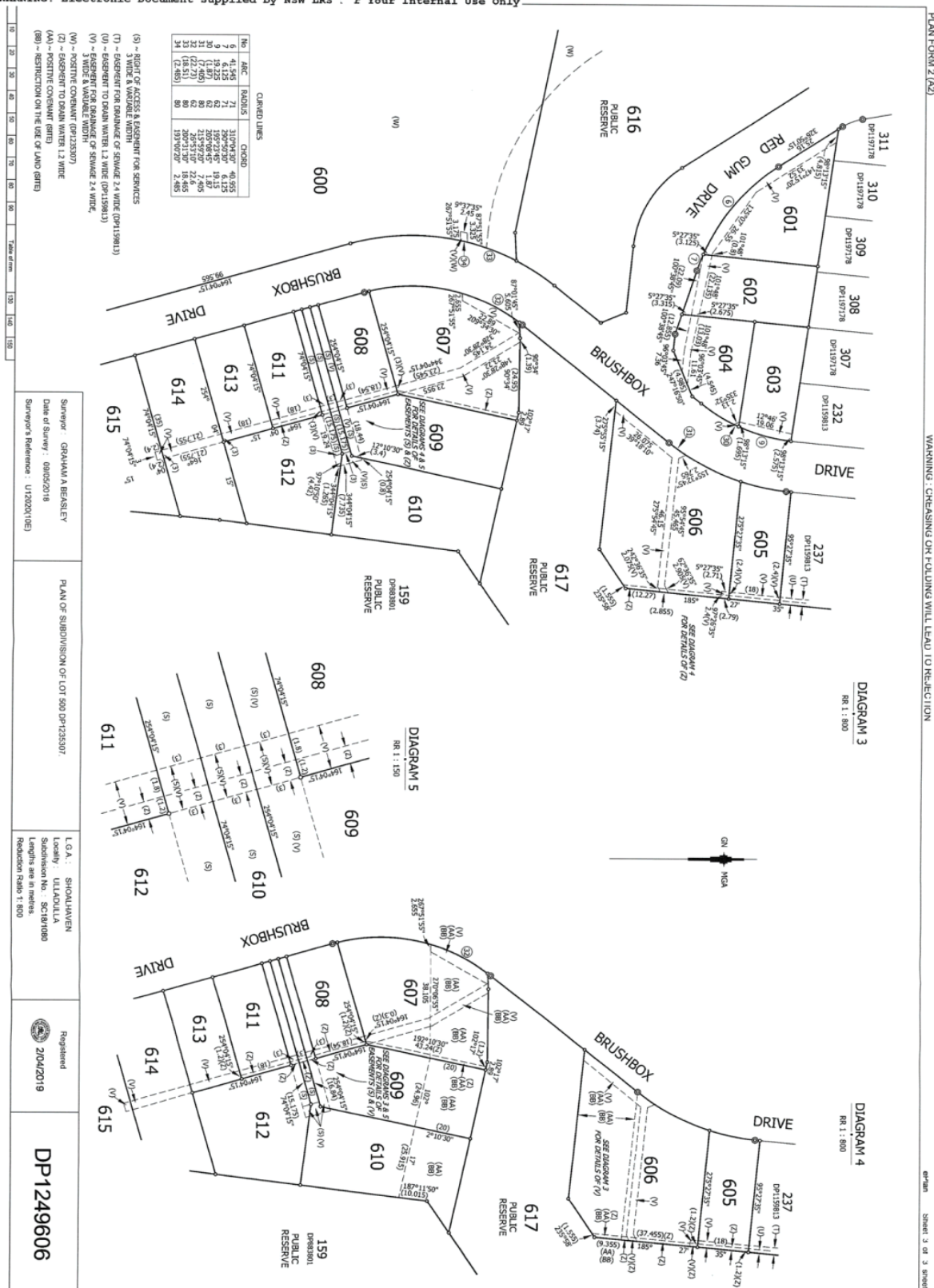
Community Engagement

In accordance with Section 34 of the LGA 1993, a public notice of Council's intention to classify the land as Community was placed in the South Coast Register and the Milton Ulladulla times allowing 28 days for written submissions, closing 15 June 2019.





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SA19.83 Proposed Acquisition of Land - Ulladulla

HPERM Ref: D19/166655

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary

This report is to provide Council with the opportunity to consider a confidential report for the acquisition of land in Ulladulla.

Further information is provided in a separate confidential report in accordance with Section 10A(2)(c) of the LGA 1993.

Recommendation

That Council, in accordance with Section 10A(2)(a) of the LGA 1993 consider a separate confidential report in relation to property acquisition matters in the locality of Ulladulla.

Options

1. Proceed in accordance with the recommendation.

Implications: Consider a separate confidential report of the proposed acquisition of land.

2. Not adopt the recommendation.

Background

Council has been requested to acquire land in the Ulladulla locality for the purposes of Public Road.

SA19.84 Parking Spaces - Petition - Moss Street / North Street - Nowra

HPERM Ref: D19/104900

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary

To report on the two petitions that were presented to the Council Ordinary meeting on 26 March 2019 requesting consideration be given to time restricted all day parking spaces in Moss St, Nowra (due to the proposed parking impacts associated with the North St/ Kinghorne St traffic signals project).

Recommendation (Item to be determined under delegated authority)

That in response to two petitions presented to the Ordinary Meeting on the 26 March 2019, the General Manager (Director, Assets & Works) carry out community consultation on a proposal to time restrict three (3) all day parking spaces to 2P (2 hour) on the southern side of Moss St, Nowra (immediately east of Kinghorne St), prior to consideration of the proposal by the Shoalhaven Traffic Committee and subsequent consideration by Council.

Options

1. As recommended.

Implications: The proposal to time restrict 3 parking spaces to 2P parking will result in the loss of 3 all day parking spaces but is supported by the technical parking analysis.

2. That in response to two petitions presented to the Ordinary Meeting on the 26 March 2019, Council carry out community consultation on the possibility of installing 5 x 1/4P (15 minute), 5 x 1/2P (30 minute), 10 x 1P (1 hour), and 5 x 2P (2 hour) parking spaces in Moss St as requested in the petition containing 17 signatures.

Implications: The option to time restrict 25 parking spaces to timed parking will result in the loss of 25 all day parking spaces which will have a significant impact on all day parking and is not supported by technical analysis. In addition, multiple parking restrictions along the same section of road can create confusion for motorists leading to non-compliance with parking times.

3. That in response to two petitions presented to the Ordinary Meeting on the 26 March 2019, Council does not introduce time restricted parking on the southern side of Moss St.

Implications: Not introducing some time restricted parking on Moss Street will have a greater impact on surrounding businesses and customers due to the proposed loss of 2P parking associated with the traffic signal project.

Background

Council has received funding under the 2018/19 Federal Government Blackspot Program to install traffic signals at the intersection of North St, Kinghorne St, Moss St, Nowra, to address reported crash history at the intersection.

A separate report to June Strategy & Assets Committee (approved blackspot variations) details the amended delivery timeframe (it is currently proposed to commence the signals project in September and be completed by December 2019)

The approved traffic signals will provide an important safety treatment at the intersection for both vehicles and pedestrians and is consistent with the Nowra CBD transport strategy. In the 5-year period between July 2011 and June 2016 there were 4 crashes at this intersection which resulted in injuries, 1 of which involved a pedestrian.

An adverse impact of this proposal is there will be some loss of available on-street parking on Kinghorne St and North St. Every effort has been made to minimise the loss of parking for the project, and the extent of parking impacts represents the minimum to achieve safe standards on the approach and departure to the traffic signals and allow for heavy vehicle swept paths.

Parking Impacts

The proposed traffic signals will result in the removal of 20 on-street timed parking spaces (15 in North St and 5 in Kinghorne St).

In the future, North Street will be converted to a 4-lane road, with additional signalised intersections at Graham Street, O'Keeffe Ave and the Princes Highway, in accordance with the Nowra CBD strategy. These works will be required progressively over time but also may be brought forward by the East Nowra Sub Arterial (ENSA) project which will connect into North Street.

The future road upgrades will ultimately require the removal of all on street parking along North St from the Highway to Bridge Rd. At each successive upgrade (like the current proposed traffic signals project at North Street/Kinghorne Street intersection), losses of parking will be minimised where practical.

Consultation

On 14 December 2018, as part of the consultation plan for the project, Council staff provided preliminary design plans of the traffic signals at the intersection of North St and Kinghorne St to adjacent property owners, inviting feedback. The plan also indicated the proposed loss of on-street parking required for the traffic signals.

Concern was raised by the owner of the Hyper Hyper Coffee Shop relating to the loss of available timed on street parking.

Council staff met onsite with the owner of Hyper Hyper on 6 February 2019 to discuss the need for the on-street parking removal as part of the signals project. At the meeting Council staff indicated that due to the concern raised that they will investigate the possibility of time restricting some of the all-day angle parking spaces on the southern side of Moss St to 2 hour (to be consistent with the time restriction on the northern side) to assist in mitigating the short-term parking loss associated with the project.

It was advised that this process will be initiated separate to the traffic signal project but run generally in parallel. Consistent with Council processes for changes of this nature, consultation with adjoining businesses, the Business Chamber, and the Nowra CBD Revitalisation Strategy Committee needs to be carried out prior to referral of the proposal to the Shoalhaven Traffic Committee and Council for resolution.

Petitions Received

At Council's Ordinary Meeting on 26 March 2019, Cllr Findley presented a petition containing 594 signatures which states:

"Businesses like Hyper have been informed of a proposal to reduce up to 15 car park spaces along North Street. We urge Council to save the commercial aspect of Moss and North Streets businesses servicing the life and soul of Nowra's CBD.

We ask for the reallocation of "all day" parking times on the South side of Moss Street, 45-degree parking, to be made shorter times.

I the undersigned, being a patron of Hyper Hyper Coffee, North Street, Nowra, state that:

I personally use the present parking in North Street to visit Hyper Hyper Coffee and that it is the only reason I visit this part of the CBD. Should the existing available parking be reduced from what it is presently I would reconsider my visit to Nowra."

In addition, a further petition containing 17 signatures was presented at the meeting which states:

"I/we the undersigned, being a business operator in/in the immediate vicinity of Moss/North Streets rely to some extent on car parking for our business operation. I/we will be directly and negatively affected (sic) by the proposed loss of spaces in North Street.

Should these proposed spaces be lost, I support re-locating the 25 all day 45-degree car parking spaces on the south side of Moss Street to existing and presently contemplated all day car parks on the outer fringe of the CBD and to replace these spaces timed to benefit commercial use of Moss Street, retain viability and increase tourism within the CBD of Nowra.

I/we support; From the West, 5x 15-minutes, 5x 30-minutes, 10x 1-hour, 5 x 2-hour parking. This would in my opinion benefit community commerce and tourism."

Technical Parking Analysis

A technical analysis has been undertaken to inform the proposed consultation process. The analysis has been undertaken in accordance with AUSTROADS guidelines that suggest parking supply objective should be to satisfy the 85th percentile parking demand. This means it is not sustainable or economic to expect that councils should supply parking to satisfy the busiest days of the year, as an objective; the guidelines suggest parking should be provided at the level that is only exceeded 15% of the time.

Because of the seasonal nature of parking demands in the Shoalhaven, and in order to ascertain whether parking supply meets AUSTROADS guidelines, traffic and parking studies are first required to be undertaken over a period of time, then assessed for annual demand. This was done for Nowra CBD prior to Council adopting the Nowra CBD parking strategy in December 2015. A total of 15 surveys were undertaken (from September to March), and then adjusted to annual demand by analysing 365 days of traffic count data that was also collected on key roads leading into/out of the CBD.

When adjusted to current conditions the analysis suggests the net loss of parking associated with the proposed traffic signals project is only 3 spaces. I.e., whilst one of the petitions calls for a total replacement of a greater number of parking spaces, the technical analysis identifies that the subject 15 spaces in North St are not all fully utilised, when assessed against AUSTROADS guidelines, and supports consideration be given to providing 3 x 2P spaces in Moss Street to offset the proposed loss.

The technical analysis also considered the surveyed parking utilisation in Moss Street (all day) and indicated that the proposed 3 x 2P spaces could be accommodated based on 85th percentile surveyed demands. Anything greater than this amount of 2P parking cannot be justified (based on survey/demand), and when considering the lack of all-day parking, CBD-wide.

Accordingly, technical analysis supports going to community consultation on a proposal to provide 3 x 2P spaces on the southern side of Moss Street, Nowra, adjacent to Hyper Hyper, which could be utilised by all of the surrounding businesses.

Additional All-Day Parking Proposed

To address the lack of all-day parking, CBD-wide, Council staff will also soon be commencing consultation on the proposed broader provision of additional all-day car parking spaces proposed throughout Nowra CBD (this includes McGrath Avenue and Graham Street in close proximity to the subject location). Designs are currently being finalised for that separate consultation.

Financial Implications

Option 1 – A cost to install signposting for the time restricted parking (3 spaces) is approximately \$400 and can be funded from the RMS Block grant (traffic facilities). This option is supported by the technical parking analysis (meaning this number of spaces can be absorbed without having a significant impact to all day parking).

Option 2 – A cost to install signposting for the multiple time restricted parking (2 spaces) is approximately \$900 and can be funded from the RMS Block grant (traffic facilities). However, this option directly impacts 22 additional all-day parking spaces that is not supported by the technical analysis. Accordingly, if this option were adopted there would be a ripple effect in that 22 additional car parking spaces would need to be constructed elsewhere that are not currently envisaged in the broader Nowra CBD parking strategy (and this could cost several hundreds of thousands of dollars, depending on location).

Option 3 – No cost is associated with this option.

Risk Implications

The consultation process for the introduction of timed parking in Moss St needs to be considered separately to the traffic signal project as there will be a risk to the funding under the Federal Government Blackspot project if the construction of the traffic signals is deferred to resolve the parking matter.

It is noted that consultation processes undertaken to date indicates that there is broad support for the traffic signals project; it is just the parking impacts that are contended. Accordingly it is proposed to resolve the parking matter separately by investigating timed parking options in Moss Street (so as to not impact grant funding deadlines for the delivery of the signals using approved grant funds).

SA19.85 Australian Government Blackspot Program 2018-19 - Approved Variations

HPERM Ref: D19/167524

Group: Assets & Works Group
Section: Technical Services

Purpose / Summary

To approve budget amendments under the 2018/19 Assets & Works (Australian Government Blackspot) program.

Recommendation (Item to be determined under delegated authority)

That:

1. Council accepts the grant funding variations approved under the Australian Government Blackspot Program as follows:
 - a. an additional \$70,000 for the Jervis Bay Road (south of Woollamia Road), Falls Creek project, originally \$480,000 in 2017-18, making total revised budget \$550,000 (\$480,000 in 2017-18 and \$70,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86666 (funding already received)
 - b. an additional \$275,000 for the Wheelbarrow Road, Woodburn project (Chainage 2.0-3.2km east of Woodburn Road), originally \$210,000 in 2017-18, making total revised budget \$485,000 (\$100,000 in 2017-18 and \$385,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86671 (2018-19 funding component to be claimed in June 2019)
 - c. an additional \$160,000 for the Paradise Beach Road & Kingsford Smith Crescent, Sanctuary Point, roundabout project, originally \$190,000 in 2017-18, making total revised budget \$350,000 (\$40,000 in 2017-18 and \$310,000 approved to allow completion of the project in 2018-19) and authorises the expenditure on job number 86669 (funding already received)
 - d. an additional \$70,000 for the North Street & Kinghorne Street, Nowra (traffic signals) project, originally \$260,000 in 2018-19, making total revised budget \$330,000 (\$45,000 in 2018-19 and \$285,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 85163 (2018-19 funding component to be claimed in June 2019)
2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, thanking them for their ongoing support of the Shoalhaven Community in reviewing and supporting Council's variations for these important local road safety improvements.

Options

1. Adopt the recommendation

2. Not accept the recommendation

Implications: Not accepting the recommendation will mean Council will have to fund the additional costs associated with these important safety improvements.

Background

Throughout 2018-19 an additional \$615,000 (over five projects) has been approved to allow completion of important local road safety improvement projects under the Australian Government Blackspot Program (four projects totalling \$575,000) and NSW Government Safer Roads Program (one project totalling \$40,000).

One of the Blackspot projects (North Street & Kinghorne Street Nowra traffic signals project), along with three other Safer Roads projects, have also received time extensions to allow the projects to be completed in the 2019-20 financial year period.

This report details the four variations approved under the Australian Government Blackspot Program (including the \$575,000 of additional funds received), as follows:

Jervis Bay Road, 200m south of Woollamia Road, Falls Creek

- \$480,000 originally approved for 2017-18
- \$70,000 additional funds were approved (included an extension of time to allow completion of the project in the 2018-19 financial year)
- The additional funds related to the guardrail component of the works undertaken in 2018-19
- \$550,000 revised budget approved
- Scope: Install audio tactile edge and centre lines, roadside barrier (guardrail) and curve advisory speed signs, widen and sealing of shoulders and upgrade to high friction sealed surface
- Works were completed 31 July 2018, grant funds claimed and paid in full September 2018

Wheelbarrow Road (1.2km, Chainage 2.0-3.2km east of Woodburn Road, Woodburn)

- \$210,000 originally approved for 2017-18
- \$275,000 additional funds were approved (included an extension of time to allow completion of the project in the 2018-19 financial year)
- The additional funds related to higher cost of pavement works not envisaged when the project was nominated
- \$485,000 revised budget approved
- Scope: Install seal on unsealed surface, linemark edge lines and centreline (audio tactile linemarking), remove hazards and install new curve and speed advisory signs
- Roadworks recently completed, awaiting line marking scheduled for May/June, before a final claim will be made in June 2019

Project Name: Paradise Beach Road & Kingsford Smith Crescent, Sanctuary Point

- \$190,000 originally approved for 2017-18
- \$160,000 additional funds were approved (included an extension of time to allow completion of the project in the 2018-19 financial year)

- The additional funds related to higher cost of pavement works not envisaged when the project was nominated
- \$350,000 revised budget approved
- Scope: Install a single lane mountable roundabout
- Works were completed 9 November 2018, grant funds claimed and paid in full March 2019

Project Name: North Street & Kinghorne Street Nowra (traffic signals)

- \$260,000 originally approved for 2018-19
- \$70,000 additional funds have been approved (including an extension of time to allow completion of the project in the 2019-20 financial year)
- The additional funds related to higher cost of civil and pavement works not envisaged when the project was nominated
- \$330,000 revised budget approved
- Scope: Install traffic signals
- Final approvals are currently being sought; the works are now currently proposed to commence September and be completed in December, 2019 (the 2018-19 component of the grant funds will be claimed in June 2019, the balance of grant funds will be claimed upon completion of the works in 2019-20).

SA19.85

Community Engagement

Community engagement was undertaken for all the projects; directly affected properties and community consultative bodies were notified after the projects were identified, and further consultations were undertaken as a part of the delivery of the projects.

Financial Implications

Both Australian Government Blackspot Projects, and NSW Safer Roads Projects, are 100% funded by the Federal Government. Council funding is only required where total project costs exceed approved grant funds. This typically only occurs when underlying road pavements need to be rehabilitated as part of the project delivery, and accordingly operational road maintenance funds are sourced if this occurs.

In addition to the blackspot component, the North Street & Kinghorne Street Nowra (traffic signals) project will require additional Council funds associated with streetscape works required to comply with Council's Development Control Plan for the town centre. The actual cost won't be known with certainty until the project is tendered over the next few months, so will be subject to a future report, if required.

As the dust has started to settle on the total cost of the Princes Highway-Junction Street traffic signals project (contract nearing completion) there are identified savings following contributions paid by RMS and Stockland to those works. Savings on that project are estimated to be in the order of \$80,000 (savings in Council's component of the funds); accordingly those savings have been listed to be transferred across to the North Street & Kinghorne Street signals project in the current quarterly review budget process, and this will minimise the extent of additional Council funds required to complete the work.

SA19.86 NSW Government Safer Roads Program 2018-19 Approved Variations

HPERM Ref: D19/167530

Group: Assets & Works Group

Section: Technical Services

Purpose / Summary

To approve budget amendments under the 2018/19 Assets & Works (NSW Government Safer Roads) program.

Recommendation (Item to be determined under delegated authority)

That:

1. Council accepts the grant funding variations approved under the NSW Government Safer Roads Program as follows:
 - a. An additional \$40,000 for the Bolong Road (east of Broughton Creek) project (chainage 8-9km east of the Princes Highway), originally \$430,000 approved under the Safer Roads Program (\$5,000 for design in 2016-17, \$300,000 to commence construction in 2017-18, and \$125,000 to complete construction in 2018-19), the additional funds now adjusting the 2018-19 budget from \$125,000 to \$165,000 to allow completion of the project in 2018-19) and authorises the expenditure on job number 86637 (funding already received)
 - b. No additional funds have been approved for the Illaroo Road and Page Avenue intersection, North Nowra, (roundabout) project, originally \$130,000 in 2018-19, however the budget has been revised to allow an extension of time (\$90,000 in 2018-19 and \$40,000 approved to allow completion of the project in 2019-20), and authorises the expenditure on job number 86665 (2018-19 funding component to be claimed in June, 2019)
 - c. No additional funds have been approved for the Mitchell Parade and Donlan Road (south), Mollymook, intersection (roundabout) project, originally \$140,000 in 2018-19, however the budget has been revised to allow an extension of time (\$90,000 in 2018-19 and \$50,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 86668 (2018-19 funding component to be claimed in June, 2019)
 - d. No additional funds have been approved for the Green Street and Warden Street, Ulladulla, intersection (roundabout) project, originally \$240,000 in 2018-19, however the budget has been revised to allow an extension of time (\$90,000 in 2018-19 and \$150,000 approved to allow completion of the project in 2019-20) and authorises the expenditure on job number 86675 (2018-19 funding component to be claimed in June, 2019)
2. The General Manager (Director Assets & Works) write to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the NSW Government Safer Roads Program and for the support of RMS staff in reviewing Council's variations for these important local road safety improvements.

Options

1. Adopt the recommendation
2. Not accept the recommendation

Implications: Not accepting the recommendation will mean Council will have to fund the additional costs associated with these important safety improvements.

Background

Throughout 2018-19 an additional \$615,000 (over five projects) has been approved to allow completion of important local road safety improvement projects under the Australian Government Blackspot Program (four projects totalling \$575,000) and NSW Government Safer Roads Program (one project totalling \$40,000).

One of the Blackspot projects (North Street & Kinghorne Street Nowra traffic signals project), along with three other Safer Roads projects, have also received time extensions to allow the projects to be completed in the 2019-20 financial year period.

This report details the four variations approved under the NSW Government Safer Roads Program (including the \$40,000 of additional funds received), as follows:

Bolong Road, east of Broughton Creek (from 8km to 9km east of Princes Highway, Backforest /Coolangatta)

- \$430,000 originally approved (\$5,000 for design in 2016-17, \$300,000 to commence construction in 2017-18, and \$125,000 to complete construction in 2018-19)
- \$40,000 additional funds were approved (in the 2018-19 financial year, to allow completion of the project)
- The additional funds related to the guardrail component of the works
- \$480,000 revised budget approved (Safer Roads component)
- Note that \$700,000 was also approved to top up the project, as a Gilmore project, part of the “Bolong Road Preservation Fund” (which also provided \$300,000 to the Bolong Road, Coolangatta-Gerroa Road project).
- Scope of the Bolong Road (east of Broughton Creek) project: widen and seal shoulders to create continuous sealed shoulder network, vegetation clearing, guardrail, and associated work
- Works were completed 20 November 2018, grant funds claimed and paid in full May, 2019

Intersection of Illaroo Road and Page Avenue, North Nowra (roundabout)

- \$130,000 originally approved for 2018-19
- No additional funds have been approved however an extension of time has been approved to allow completion of the project in the 2019-20 financial year
- Additional funds were sought relating to higher than expected cost of pavement works not envisaged when the project was nominated
- The approved grant remains at \$130,000
- Scope: Installation of a single-lane, mountable roundabout

- Works recently commenced, and forecast completion is now ahead of schedule (will now be completed by the end of June 2019)
- Despite the works delivery time being brought forward, this was not envisaged to be possible when the variations were originally submitted in February 2019. Accordingly, a claim for the 2018-19 component of the grant funding, as approved, will be submitted in June 2019, and a final claim will have to be deferred until July 2019 due to the nature of the variation which move \$40,000 of the funds to 2019-20 to allow completion of the works in accordance with the approved variation.

Intersection of Mitchell Parade and Donlan Road (south), Mollymook (roundabout)

- \$140,000 originally approved for 2018-19
- No additional funds have been approved however an extension of time has been approved to allow completion of the project in the 2019-20 financial year
- Additional funds were sought relating to higher than expected cost of pavement works not envisaged when the project was nominated
- The approved grant remains at \$140,000
- Scope: Installation of a single-lane, mountable roundabout
- Works proposed to commence in June 2019, and forecast completion is August-September 2019)
- A claim for the 2018-19 component of the grant funding will be submitted in June 2019, and a final claim will be made upon completion of the works in 2019-20

Intersection of Green Street and Warden Street, Ulladulla (roundabout)

- \$240,000 originally approved for 2018-19
- No additional funds have been approved however an extension of time has been approved to allow completion of the project in the 2019-20 financial year
- Additional funds were sought relating to higher than expected cost of pavement works not envisaged when the project was nominated
- The approved grant remains at \$240,000
- Scope: Installation of a single-lane, mountable roundabout
- Works proposed to commence in June 2019, and forecast completion is August-September 2019)
- A claim for the 2018-19 component of the grant funding will be submitted in June 2019, and a final claim will be made upon completion of the works in 2019-20

Community Engagement

Community engagement was undertaken for all the projects; directly affected properties and community consultative bodies were notified after the projects were identified, and further consultations were (and are) being undertaken as a part of the delivery of the projects.

Financial Implications

Both Australian Government Blackspot Projects, and NSW Safer Roads Projects, are 100% funded by the Federal Government. Council funding is only required where total project costs exceed approved grant funds. This typically only occurs when underlying road pavements

need to be rehabilitated as part of the project delivery, and accordingly operational road maintenance funds are sourced if this occurs.

This has been the case for all the above-mentioned roundabout projects after a technical decision was made to rehabilitate the road pavements at the same time the road is opened to allow construction of the roundabouts. This adds additional upfront cost but is done to extend the life of the asset.

Regarding the Bolong Road, east of Broughton Creek project, in particular the \$700,000 that was paid to Council (as a Gilmore project, part of the “Bolong Road Preservation Fund”), a variation has also been submitted to the Federal Government seeking to recoup \$360,000 of additional costs on the project. This was associated with Council having to approve a contract variation in that amount to completely replace the sub-grade pavement of the road when saturated pavement conditions couldn’t be addressed by sub-soil drainage measures.

The Gilmore “Bolong Road Preservation Fund” was funded by the Federal Government as part of the approved “Eurobodalla Roads Package” when savings were identified in that program. The submission of the variation was supported at the time by MP Ann Sudmalis and the Department of Industry Regional Development and Cities (DOIRDC) who are administering the Bolong Road Preservation Fund grant had agreed to consider the application, which was lodged in September 2018.

Council has only just been advised in May 2019 that there are currently no additional funds available from the Federal Government for the Bolong Road Preservation project; however, this will be reviewed at the end of 2019 when all remaining components of the Eurobodalla Roads Package are completed (to identify whether there are any additional savings that can be reallocated under the approved program).

A further report to Council will be provided when the outcome of the variation is known for the Bolong Road Preservation project. In the short-term operational road maintenance funds had to be sourced to fund the contract works which were completed at the end of 2018.

SA19.87 NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Options

HPERM Ref: D19/167539

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Report Attachment - Copy of Community Consultation Letter - Proposed Bus Shelter - Kangaroo Valley [↓](#)

Purpose / Summary

To report on options for the installation of a bus shelter in Kangaroo Valley, following mixed community feedback.

Recommendation (Item to be determined under delegated authority)

That:

1. Council proceed to install a bus shelter in the road reserve fronting 167 Moss Vale Road (Option 1 of the recent community consultation); and
2. The General Manager (Director Assets & Works) advise the community of the outcome of the community consultation process, and of Council's decision

Options

1. Adopt the recommendation (supporting Option 1, fronting 167 Moss Vale Road)

Implications:

This Option received the second highest number of 'supports' but also the highest number of 'objections'.

However, parking loss is a perceived impact, as Option 1 relocates the existing bus zone from one side of the Council car park driveway to the other, so there is no actual net loss of car parking.

The location is also directly adjacent to Council's car park which has spare capacity during the week when the bus operates. The current (and proposed) bus zone is time restricted to minimise parking impacts (doesn't apply to the weekend when parking demand is highest).

Option 1:

- Would secure the currently available CPTIGS grant funding (\$10,000 grant towards the cost of the shelter)
- Is the least cost to Council, of all options;
- Is the most accessible location to the town centre;
- Will adequately service current and future public transport needs;
- Is compliant with disability access standards (flat grade);
- Is closest to the town centre and accordingly is the most consistent with Council's own (and the NSW Government's) Disability Inclusion Action Plans

2. Install a bus shelter at Option 2 (within the Moss Vale Rd road reserve fronting 5 Broughton Street, Kangaroo Valley)

Implications:

This Option received the highest number of 'supports' and the second least number of 'objections'.

This location would also be compliant with disability access standards (flat grades), but would be more costly (currently no kerb and gutter or hard stand area exists so would cost \$30,000 more) and is not supported by the transport provider Kennedy's Bus & Coach due to the remoteness to the town centre.

This location received a high level of support in the community feedback because business owners want the bus zone out of town to maximise parking.

3. Install a bus shelter at Option 3 (fronting 175 Moss Vale Rd, Kangaroo Valley, consistent with Council's original CPTIGS application)

Implications:

This is the original location approved by Council (minute SA18.62); however, further detailed investigations have revealed this location would not be compliant with disability access standards and therefore would not receive grant funding under the CPTIGS program (the grades are marginally outside of the allowable tolerances).

If this Option were supported Council would need to fund the bus shelter at this location with 100% Council's own funds.

4. Council not proceed with any of the proposed options

Implications: This will mean that public transport improvements (a bus shelter) would not be delivered to the Kangaroo Valley village at this point in time using available grant funds. (Council would still need to fund the cost of a bus shelter which has already been procured for Kangaroo Valley to meet CPTIGS deadlines.)

The small amount of support received for this Option during the recent community feedback was because business owners want the bus zone out of town to maximise parking.

Background

Council accepted an offer of grant funding under the NSW Government Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) 2015-17 and 2017-19 Programs to install a total of ten bus shelters throughout the city, as follows:

From the 2015-17 CPTIGS program; three bus shelters at Stewart Place, Nowra; one bus shelter at 84 Greenwell Point Road Greenwell Point; and one bus shelter at 173-177 Moss Vale Road Kangaroo Valley.

And from the 2017-19 CPTIGS program: one bus shelter at Orama Crescent, Orient Point; two bus shelters in Leo Drive Mollymook; and two shelters on the Princes Highway at Milton.

Community Consultation, and Extension of Time Approved to Resolve Kangaroo Valley

Following the 20 March 2018 Council decision to adopt the 2015-17 and 2017-19 CPTIGS programs, staff engaged in broader community consultation on the bus shelter locations. Subsequently:

- The three bus shelters at Stewart Place, Nowra, have recently been installed (May, 2019)
- The bus shelter for Greenwell Point Road, Greenwell Point has been procured and is programmed for installation by the end of June, 2019
- Mixed community feedback was received regarding the Kangaroo Valley bus shelter location, prompting this report; and
- The five bus shelters required for delivery of the 2017-19 CPTIGS program have also been procured and are programmed for installation in the 2019-20 financial year

The NSW Government (CPTIGS Coordinator) has provided Council with an extension of time to allow Council to make a decision regarding the Kangaroo Valley bus shelter.

Community Engagement (Kangaroo Valley)

The most recent community consultation included Kennedy's Bus & Coach and the following community groups within Kangaroo Valley;

- Kangaroo Valley Voice (community newsletter)
- Kangaroo Valley Community Association (KVCA)
- Kangaroo Valley Chamber of Tourism and Commerce (KVCTC)
- Kangaroo Valley Farmers Market
- Kangaroo Valley Anglican Church
- Kangaroo Valley Garden Group
- Kangaroo Valley Show
- Kangaroo Valley Lions Club

Further, the consultation included 103 residents and business owners along Moss Vale Road, providing the community with 4 different options as shown below:

- Option 1 – Within the road reserve fronting 167 Moss Vale Road
- Option 2 – Within the Moss Vale Road frontage of 5 Broughton Street
- Option 3 – Within the road reserve fronting 175 Moss Vale Road
- Option 4 – No Shelters are installed along Moss Vale Road

All of the proposed options will time restrict the proposed bus zone to Monday–Friday, 7:30am–9:45am and 2:30pm–4:45pm to minimise any parking impacts in weekday peak periods, and on weekends, consistent with the current bus zone time restrictions.

The consultation letter and associated options diagrams is attached.

Council staff received 42 submissions (some with multiple responses); the following is a breakdown of the results of the consultation:

	Support	Object
Option 1:	12	9
Option 2:	13	3
Option 3:	10	4
Option 4:	5	2
Other:	5	

The following is a breakdown of the ‘other’ suggestions:

Utilising the existing tourism shelter within the Moss Vale Road carpark:	1
Bus Zone and shelter be relocated to Broughton Street:	4

The following groups have submitted a response to the consultation:

Group	Response
Kennedy’s Bus & Coach	Support Option 1
Kangaroo Valley Chamber of Tourism & Commerce	Support Option 5*
Kangaroo Valley Voice	Support Option 1

**Option 5 is in reference to the suggestion that the shelter be placed within Broughton Street due to the remote nature of the location (therefore won’t impact on parking in the town centre).*

The service provider Kennedy’s Bus & Coach require a location as close as possible to the current bus zone location (in the town centre) to meet current and future service demands.

Kennedy’s advise that Option 2 (and Option 5) are too far removed from the centre of Kangaroo Valley Village and as such wouldn’t be supported, or used by their service, and further cited other parking conflicts associated with Option 5 that would prevent practical bus access.

To the contrary many business owners, and the Kangaroo Valley Chamber of Tourism & Commerce, believe that any option in the town centre would result in unsatisfactory parking impacts, and accordingly they want the bus zone and shelter out of the town centre.

Policy Implications

N/A

Financial Implications

The Strategy and Assets Committee Meeting of 20 March 2019 resolved that Council accept the CPTIGS 2015-17 and 2017-19 funds (\$100,000 for ten bus shelters across the two programs) with Council to provide the balance of funding of \$70,000 (for the 2015-17 program) and \$150,000 (for the 2017-19 program).

For the Kangaroo Valley bus shelter, Council’s adopted funding contribution was based on Option 1.

Option 1

To meet CPTIGS 2015-17 deadlines staff have already procured a bus shelter for Kangaroo Valley (cost of the procurement \$10,700 for the Kangaroo Valley shelter, of which \$10,000 is claimable from the CPTIGS program only if Council resolves to proceed with a shelter in Kangaroo Valley).

Option 1 results in the least cost to Council (estimated to cost Council \$9,700 for the balance of procurement plus install costs).

If Council does not proceed with a bus shelter in Kangaroo Valley, Council would have to fund the full \$10,700 cost of the existing procurement, plus installation costs (either in Kangaroo Valley or at another location). The grant funding is not transferrable.

Option 2

Option 2 is estimated to cost Council \$39,700 for the balance of procurement plus install costs (a higher cost due to there being no current kerb and gutter or hard stand area, unlike Options 1 & 3).

Option 3

This location would not be compliant with disability access standards and so Council would have to fund 100% of the costs of the shelter plus install (not claimable under CPTIGS).

Option 3 is estimated to cost Council \$19,700 for the procurement plus install costs.

Option 4

No bus shelter for Kangaroo Valley, however Council is still obligated to purchase the shelter (already procured at cost of \$10,700) plus fund an installation elsewhere in the city (cost variable, subject to location).

Risk Implications

N/A

Council Reference: 9636E (D19/91776)

Your Reference:

MAIL MERGE

Community Consultation Kangaroo Valley Bus Shelter

I write with regards to the potential installation of a bus shelter along Moss Vale Road within the Kangaroo Valley township.

Council has received conditional approval for funding under the Country Passenger Transport Infrastructure Grant Scheme (CPTIGS) for the installation of a bus shelter subject to compliance with the Disability Standards for Accessible Public Transport (2002) (DSAPT). This followed the request from bus companies for installation of a shelter for their patrons.

Accordingly, potential options have been investigated by Council Staff to provide a bus shelter facility for public transport users in Kangaroo Valley with minimal impact to the iconic streetscape within the township, on-street parking and traffic flow on Moss Vale Road. These options are as follows:

1. Within the road reserve fronting 167 Moss Vale Road
2. Within the Moss Vale Road frontage of 5 Broughton Street
3. Within the road reserve fronting 175 Moss Vale Road (existing bus zone)
4. No shelters are installed along Moss Vale Road within the Kangaroo Valley township at this time

Option 1 – Within the road reserve fronting 167 Moss Vale Road

This location would be suitable for the installation of a bus shelter that is compliant with the DSAPT due to:

- The existing grades footpath grades at the location in questions are relatively flat;
- there are minimal obstructions for persons with disabilities to access the shelter facility;
- Moss Vale does not curve for approximately 200m in either direction allowing for a clear line of sight for vehicles approaching the potential bus zone or a bus entering or exiting the potential bus zone
- the footpath grades near to the location are compliant with accessibility standards and;
- there is currently enough clearance for pedestrians to walk around a potential shelter.

With this option there will be some minor impacts to the existing streetscape, such as the existing bus zone being relocated marginally to the west however, if a shelter is installed in this location there will be minimal impacts to the flow of traffic, as there is existing edge line marking on Moss Vale Road. This option would have no impact on the on-street parking in Kangaroo Valley as the bus zone is being relocated west of the carpark access (with the same time restrictions of 7:30am – 9:45am and 2:30pm – 4:45pm).

This was the original approved location and would have the least amount of impact to the Kangaroo Valley streetscape, in relation to options 2 and 3.

Please see the conceptual plan showing option 1.

Option 2 – Within the Moss Vale Road frontage of 5 Broughton Street

This location would be suitable for the installation of a bus shelter that is compliant with the DSAPT once a moderate amount of works has been completed. This is due to:

- The existing road grades and footpath grades at the location in questions are relatively flat;
- there are minimal obstructions for persons with disabilities to access the shelter facility;
- Moss Vale road has a clear line of sight at this location for vehicles approaching the potential bus zone or a bus entering or exiting the potential bus zone
- a secondary footpath for pedestrians to walk around a potential shelter.

If a shelter is installed in this location there will be minimal impacts to the flow of traffic, as there is edge line marking on Moss Vale Road however this option proposes to slightly widen Moss Vale road in this location to potentially accommodate the width of a bus. There will be no impact to existing on-street parking numbers as the existing bus zone would be relocated (with the same time restrictions of 7:30am – 9:45am and 2:30pm – 4:45pm).

This option would mean a larger scope of works would need to be undertaken with potential road widening, a footpath being constructed to the proposed shelter, installation of a boarding point and the installation of kerb and gutter in this location.

Please see the conceptual plan showing option 2.

Option 3 – Within the road reserve fronting 175 Moss Vale Road (existing bus zone)

The proposed site for option 3 is in front of the Kangaroo Valley Police Station.

This option is being considered due to previous correspondence with some members of the community preferring this location.

However, whilst it is possible to install a bus shelter in this location it would not be compliant with DSAPT requirements due to the grade of Moss Vale road in this location and sight distance constraints with a curve on Moss Vale Road approximately 100m

away. Furthermore, there is a greater potential for negative impact to the surrounding streetscape relative to option 1 as a boarding point and pedestrian diversion area would need to also be installed and the site is more constrained.

If a shelter is installed in this location the existing bus zone will be relocated marginally to the east, there will be minimal impacts to the flow of traffic, as there is existing edge line marking on Moss Vale Road and no impact on the on the number of on-street parking spaces as the existing bus zone would be shifted simply be relocated by approximately 30m (with the same time restrictions of 7:30am – 9:45am and 2:30pm – 4:45pm).

However, if a shelter were to be installed in this location, due to non-compliance with the DSAPT, Council would receive no grant funding have to consider funding this location at 100% ratepayer expense.

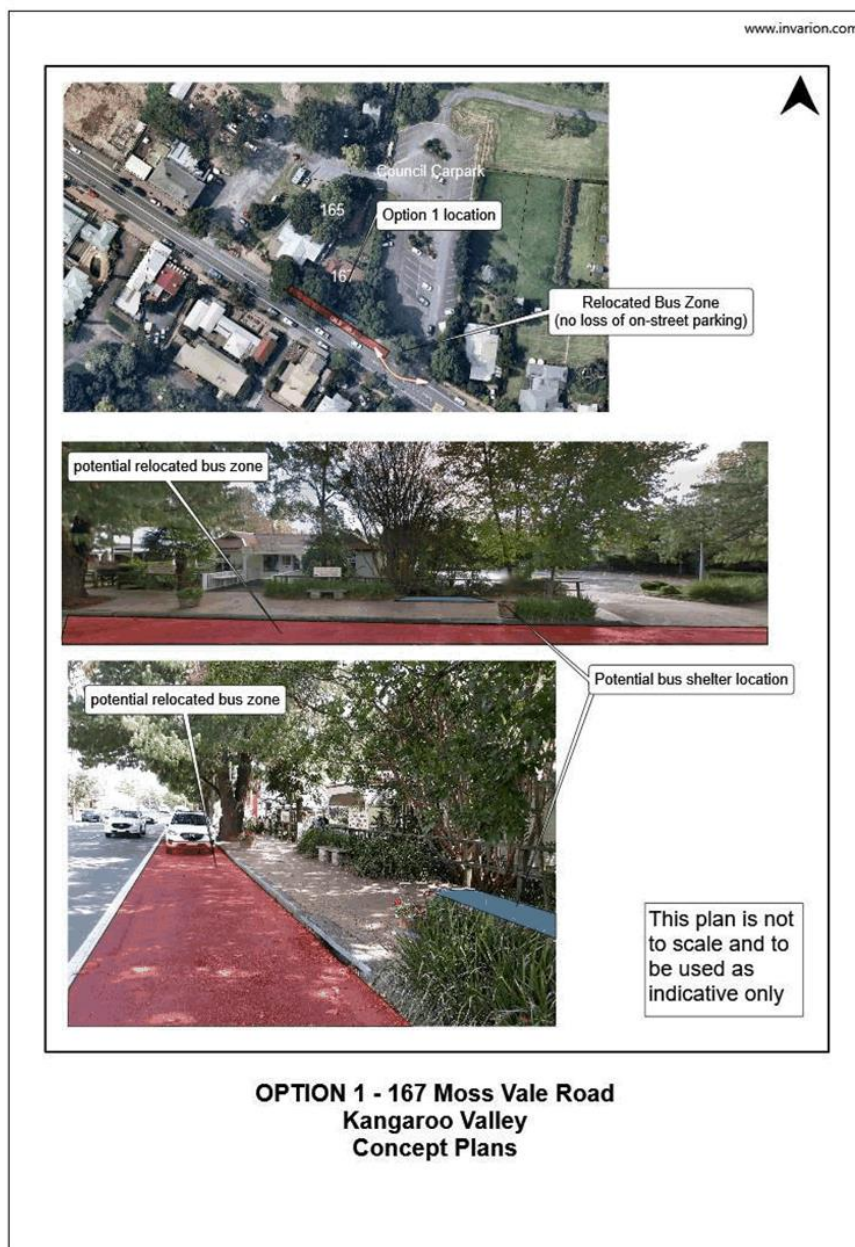
Please see the conceptual plan showing option 3.

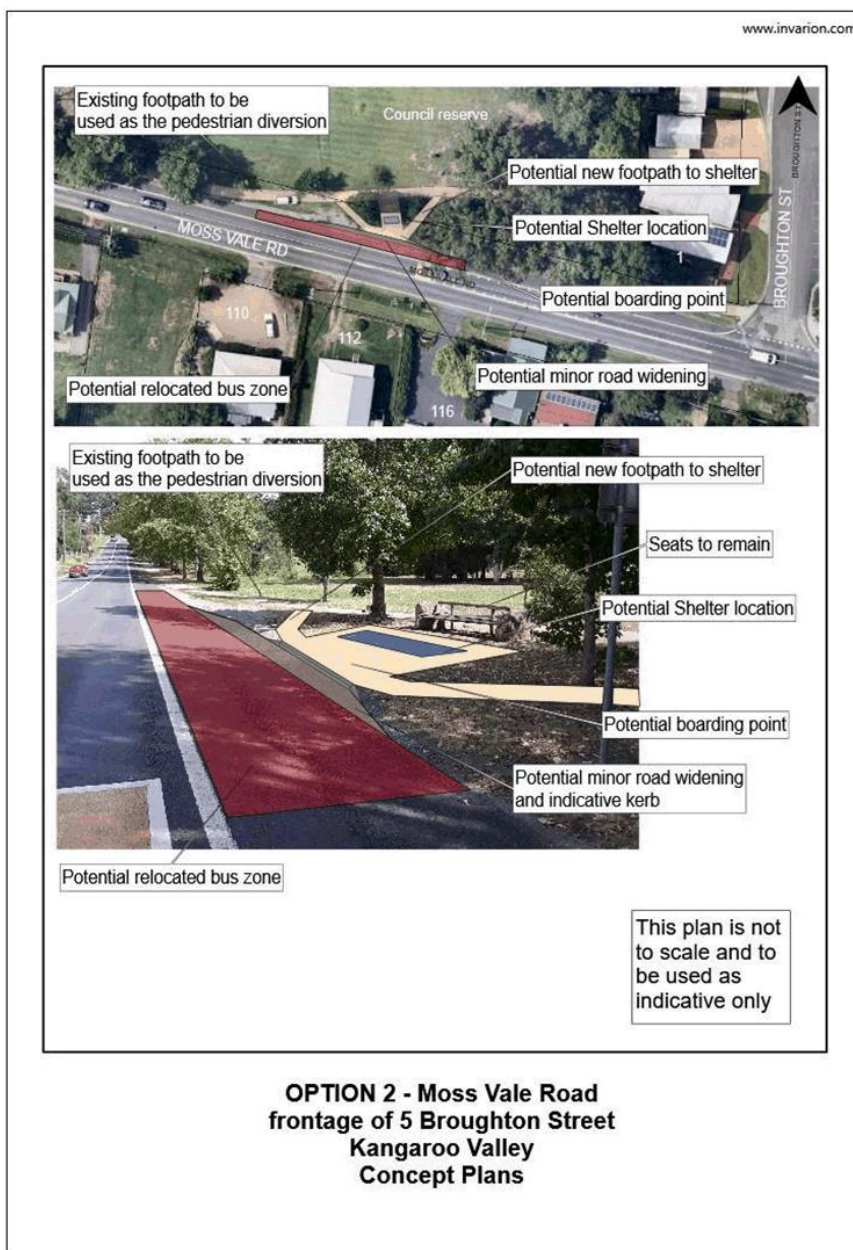
Each of the options have been detailed in the correspondence and your feedback on the matter by the 12 April 2019 would be appreciated in order to meet funding deadlines. Option selection sheet attached.

If you need further information about this matter, please contact Council's Traffic Unit on (02) 4429 3315. Please quote Council's reference 9636E (D19/91776). If you have a tenant occupying your Kangaroo Valley property please pass on this information for their attention.

Yours faithfully

Theo Prakash
Transport Engineer
21/03/2019







Council Reference: 9636E (D19/91776)

**KANGAROO VALLEY BUS SHELTERS
OPTIONS SELECTION SHEET**

Please select your preferred option and send any correspondence or further comments to council's General Manager via email (council@shoalhaven.nsw.gov.au) by 12 April 2019.

Name: _____

Preferred option:

- ☐ Option 1 - Within the road reserve fronting 167 Moss Vale Road
- ☐ Option 2 - Within the Moss Vale Road frontage of 5 Broughton Street
- ☐ Option 3 - Within the road reserve fronting 175 Moss Vale Road
- ☐ Option 4 - No shelters are installed along Moss Vale Road

Comments:

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

HPERM Ref: D19/88432

Group: Assets & Works Group
Section: Technical Services

Attachments: 1. Plan of Moss Vale Road Endeavour Energy Easement [↓](#)

Purpose / Summary

This report provides Council with the opportunity to consider granting an Easement for Underground Cables 1 metre wide in favour of Endeavour Energy over the Council-owned Community land known as Lot 16 DP 773481 Moss Vale Road, Kangaroo Valley as shown by red and blue arrows in Attachment 1.

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.

Options

1. Resolve as recommended.

Implications: This easement is required to provide Endeavour Energy with legal access for the operation and maintenance of its essential public infrastructure.

2. Not resolve as recommended and Council defer a decision on the matter pending discussion at a Councillor briefing.

Implications: Endeavour Energy will not have access to install and maintain this public infrastructure that will serve the proposed 12 lot subdivision on adjoining land. This may cause delays and increase costs to the applicant in finding an alternative solution for electricity infrastructure access servicing this subdivision.

Background

SET Consultants, representing Mr Chris Truen, owner of Lot 14 DP 773481 (the parent lot subject to the proposed 12 lot subdivision), submitted a subdivision application (SF10697) that is currently being assessed by Council. An easement is required to be created over Council land, Lot 16 DP 773481 for Endeavour Energy to provide electricity services to the proposed 12 lot subdivision.

It is anticipated that the required easement would be a 1.0m wide with a length of 25.77m as denoted on the attachment 1.

The granting of a lease, licence or estate in respect of Community Land (Lot 16) is permissible under Clause 46 (1) (a) of the Local Government Act 1993 which states:

“A lease, licence or other estate in respect of community land may be granted for the provision of public utilities and works associated with or ancillary to public utilities”.

In this case the granting of the easement for underground cables falls under the definition of other estate.

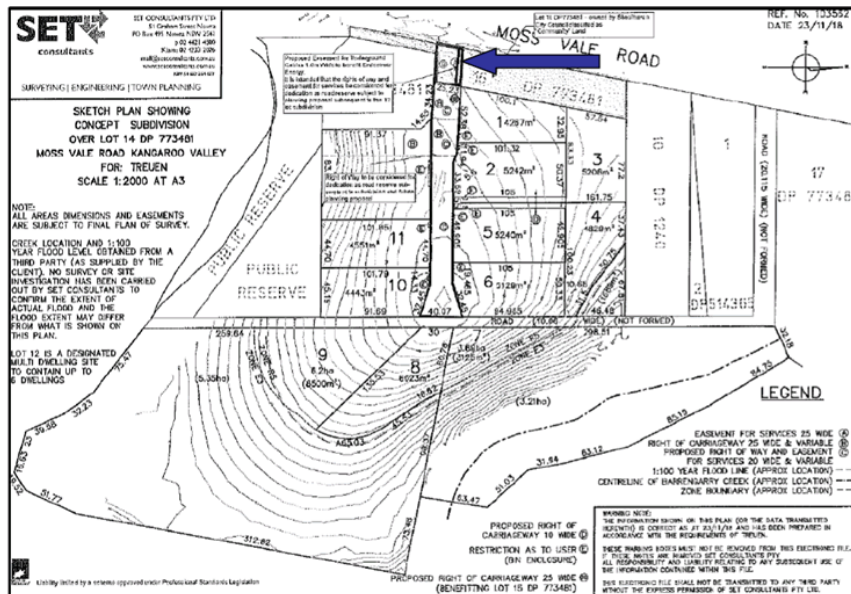
In principle agreement to the granting of the easement and the easement terms has been given by Council. Compensation for the granting of the easement has been assessed at \$2,500 by Walsh and Monaghan Valuers.

Community Engagement

This matter is a local area low impact issue as outlined in Council’s Community Engagement Policy and Handbook and therefore no community engagement has taken place in regard to the easement in isolation.

Financial Implications

All costs associated with the grant of easement are to be met by the registered proprietor of Lot 14 DP 773481, Mr Chris Truen. These costs include but are not limited to legal costs associated with the easement creation, valuation costs and the compensation.



Plan of Acquisition / Deposited Plan Lot 16 DP 773481
Easement in favour of Endeavour Energy.



SA19.89 Fee Waiver - St Andrews Way, Coolangatta - Sewer Scheme

HPERM Ref: D18/264834

Group: General Manager's Group

Purpose / Summary

Obtain endorsement to offer a 6-month amnesty on the fees for connection to the sewer for twenty-three (23) residential lots in St Andrews Way, Coolangatta and eleven (11) properties along Bolong Road, Coolangatta.

Recommendation (Item to be determined under delegated authority)

That Council endorse to waive the final drainage inspection fee of \$135 for 6 months, for the following existing residential dwellings located on the following lots:

1. Lots 1 to 22 of DP 1090614 - St Andrews Way Coolangatta and;
2. Lot 23 DP 1144425 - 99 Edwards Wollstonecraft Lane Coolangatta.
3. 11 properties known as 1260 – 1280 Bolong Rd, Coolangatta.

Options

1. Adopt the recommendation.

Implications: Assist in providing incentives for owners to connect to the pressure sewer main for a period of 6 months. All these properties have been identified as being at a potentially high risk to public health and the environment. The total cost to Council will be \$4,590 if all 34 lots apply within the 6-month period.

If faults with the drainage are identified during the audit of a property by Shoalhaven Water's contractor, the fee waiver will not apply to the lot/s. The owner/s will be required to organise the rectification of these defects themselves and submit a completed application form for alterations to house drainage and pay the associated fee (\$540; 2018/19).

2. Not to adopt the recommendation.

Implications: The property owners would be required to pay the Council fees relating to the final plumbing and drainage inspection.

3. Other direction as Council decide.

Implications: Any implications relating to cost, policy and risk need to be considered.

Background

In 2003, Council approved a development application for a twenty three (23) lot subdivision, now known as St Andrews Way, Coolangatta, and 99 Edward Wollstonecraft Lane, Coolangatta (the estate). The parcel of land was identified under the then Local Environmental Plan (LEP) as 'Special Rural Lifestyle Area No.4' with allotment sizes ranging from 1,380 m² to 3,100 m². Nineteen (19) of the approved lots are now less than the minimum lot size of 2500 m² currently required under Council's Shoalhaven Development Control Plan (DCP) 2014 for the subdivision of un-sewered properties.

As part of the original assessment of the subdivision Council received and considered a report from an environmental consultant dealing with the collection and disposal of effluent on each of the sites within the subdivision. Further reports were also received and considered by Council as part of the assessment of individual dwellings in the estate, leading to approvals.

Despite the positive assessments provided by the environmental consultants, problems have been encountered within the estate with on-site sewage management systems not working as designed. In 2011, the NSW Food Authority, in conjunction with Council, undertook water quality testing in order to verify pollution sources impacting on the Berry's Bay oyster harvest area that is downslope of the St Andrews Way development. The results of this study revealed that there was evidence of human faecal contamination downstream of the development and evidence of effluent from the development reaching the outlet of the Berry's Bay catchment to the Shoalhaven River.

In addition to the problematic nature of the subdivision, the operation of on-site sewage systems at eleven (11) other properties located immediately adjacent to Berry's Bay have also been identified as being at a potentially high risk to public health and the environment. These properties are No.'s 1260 to 1280 Bolong Road, Coolangatta. These lots are potentially at a higher risk due to their relatively smaller size (1,051 m²–1, 644 m²), close proximity to Berry's Bay oyster lease area (less than 50 m to some properties), and the potential for future development (e.g. extensions, dual occupancy) as there are currently several smaller, older houses on the properties. The impact of new development may mean larger houses which have a larger footprint that may impact on available area for effluent disposal and a larger effluent disposal area may be required to support development.

The poor and constrained site characteristics and the proximity to the Berry's Bay oyster lease area have led Council to seek alternative long-term management options to deal with the wastewater/effluent generated from the St Andrews Way subdivision and the Berry's Bay properties.

Council considered a report in April 2016 and resolved the following:

- a) *Council recognise in principle, that the long-term wastewater needs for St Andrews Way estate, Coolangatta; 99 Edward Wollstonecraft Lane, Coolangatta and No.'s 1260 – 1280 Bolong Rd, Coolangatta (Berry's Bay) is to connect to pressurised reticulated sewer, pending Council approval of a financial plan to fund the scheme;*
- b) *The financial plan will determine what, if any, additional contributions may be payable by existing residents; and*
- c) *Options to fund the sewer scheme are to be reported to Council once the outcome of the potential merger with Kiama Council is determined, in accordance with section 23A of the Local Government Act (merger guidelines).*

Community Engagement

Community consultation regarding Council's fees for final plumbing and drainage inspection occurs during the annual process for all of Council's Fees and Charges.

The option to waive these fees is seen as a "one off" arrangement to encourage all existing dwellings to connect to proposed pressure sewer main and as such specific community consultation is not considered necessary or appropriate.

Policy Implications

Council currently has a policy for providing fee waivers for development application and construction certificate fees, but this only applies to charitable organisations and community groups.

Financial Implications

The funds allocated through the St Andrews Way, Coolangatta - Sewer Scheme will be limited to the 34 lots only. The total cost to Council will be \$4,590 if all 34 lots apply within the 6-month period. This approach could establish a precedent for other areas connecting to Sewer Schemes. However, St Andrews Way and Berry's Bay properties are considered unique with a number of the properties experiencing failing onsite effluent disposal systems.

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

HPERM Ref: D19/114286

Group: Planning Environment & Development Group
Section: Development Services

Attachments: 1. Request to refund fees - Nowra Christian School [↓](#)
2. Request to refund fees - Nowra Rifle Club [↓](#)

Attachments:

Purpose / Summary

This report is to inform Council of two separate requests for the refunding of application fees made by Nowra Baptist Church Christian School Ltd. and Nowra Rifle Club Inc. in accordance with Council's Policy POL18/19 Waiving of Development Application Fees and Other Fees for Charitable Organisation and Community Groups.

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.

Options

1. Adopt the recommendation.

Implications: Council would be required to reimburse the relevant application fees paid in relation to DA19/1060 and DA18/1887. In accordance with the Policy the Council can resolve that the refund be made from an alternate source of funding

2. Not refund the relevant application fees.

Implications: All relevant fees would be retained and not be refunded.

3. Alternative recommendation.

Implications: Council would need to specify an alternative recommendation and advise staff accordingly.

Background

Nowra Baptist Church Christian School Ltd.

On 11 December 2018, Council received DA19/1060 in relation to a new classroom building with associated carparking and landscaping proposed for Nowra Christian School at 194 Old Southern Road, South Nowra, and lodged by Nowra Baptist Church Christian School Ltd.

On 8 January 2019, DFP Planning Pty Ltd, acting on behalf of Nowra Christian School, emailed Council acknowledging a fee waiver. The DA fees amount to \$3,761.00 (Attachment 1). Justification was provided in the form of the Council pre-lodgement meeting notes which confirms the organisations eligibility for the waiver of fees under Council's Policy POL18/19.

No fees were waived at the time of lodgement. The archiving and advertising fees amounting to \$238.00 are not subject to Council's Policy and will be retained. As such, the refund subject to the Committee's determination is \$3,523.00.

Nowra Rifle Club Inc.

On 27 July 2018, Council received DA18/1887 in relation to a composting toilet for Nowra Rifle Club Inc. at Lot 7314 Forest Road, Comberton.

On 13 August 2018, the Secretary/Vice President of Nowra Rifle Club Inc. emailed Council to request a waiver of DA and CC fees amounting to \$370.00 (Attachment 2). The following justification was provided for the reimbursement:

"As per policy Number POL13/109 [now POL18/19] "Policy on Waiving of Development Application Fees and Other Fees for Charitable Organisation and Community Groups." We have met the exemption criteria as per:

- *Section 2.1 (a) "a local community or sporting group registered with Council's Community Services Directory"*
- *Section 2.2 Waiver threshold for Das and CCs*
- *Section 2.3 Payment of fees for Das and CCs*

We would like to apply for Waiver of fees and also for reimbursement of fees paid over the waiver threshold."

At the time of lodgement, the fees under the threshold of \$2,000 were waived as per the Policy. This report relates to the amount over the \$2,000.00 threshold which was paid at the time of lodgement. The archiving and advertising fees amounting to \$238.00 are not subject to Council's Policy and will be retained. As such, the refund subject to the Committee's determination is \$132.00.

Reimbursement Eligibility

Council's Policy POL18/19, sets out the parameters for refunds. Firstly, exemption criteria must be met which includes a school, registered charity, and local sporting group or a local community group listed in Council's Directory; and secondly a \$1,500.00 threshold must not be exceeded (for combined applications, that is DA with CC, the threshold is \$2,000.00).

Nowra Baptist Church and Nowra Christian School are a school and registered charity and the total of all fees paid is \$3,761.00. Excluding fees for archiving and advertising, the fees subject to the reimbursement amount to \$3,523.00. Fees under \$1,500.00 were not waived at the time of lodgement.

Nowra Rifle Club Inc. is a local sporting group and is listed in the Community Directory and fees under the \$2,000.00 limit were waived at the time of lodgement. The remaining fees

paid amounted to \$370.00. Excluding fees for archiving and advertising, the fees subject to the reimbursement amount to \$132.00.

Clause 2.4 of POL18/19 states as follows:

“If a reimbursement of the fees is sought, a written request outlining the grounds for reimbursement must be submitted. The matter will then be referred to Council’s Strategy and Assets Committee for consideration by Council. Any donations by way of whole or partial reimbursement determined by the Council will be paid out of the “unallocated donations” budget or a source identified in Council’s resolution.”

The requests for reimbursement of fees are considered to be in accordance with clause 2.4 of POL18/19.

Community Engagement

Nil.

Policy Implications

It is unlikely that the adoption of the recommendation of this report will have any substantial policy implications.

Financial Implications

Council’s support of the requests would require reimbursement of fees amounting to a total of \$3,655.00 from the unallocated donations budget or another source identified in Council’s resolution. The 2018-2019 Unallocated Donations budget has been completely expended. It is recommended that the payment therefore be made from the proposed 2019-2020 Budget allocation. The Policy allows the Council to identify an alternate source of funding by resolution.

Risk Implications

There are no inherent risks associated with the adoption of the recommendation of this report.

SA19.90

From: Stephen Earp <searp@dfpplanning.com.au>
Sent: Tuesday, 8 January 2019 9:51 AM
To: Gina Giddy
Cc: Timothy Steele; Penny Smith; 'design@stantondahl.com.au'
Subject: RE: 194 Old Southern Rd South Nowra
Attachments: 9 - Quantity Surveyor - 194 Old Southern Rd, South Nowra.pdf; 1 - Pre-DA Meeting Notes - 194 Old Southern Rd, South Nowra.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Gina,

Thanks for your enquiry – I have **attached** the Quantity Survey's statement for reference, which shows the total project value as \$2,575,000 + GST.

We note that Nowra Christian School is exempt from paying DA lodgement fees, as set out on Page 9 of the Pre-DA meeting minutes (copy **attached** for reference).

Please let me know if this resolves your query, or if further information is required to enable the assessment of the application.

Regards,

Stephen Earp | Partner

d: 02 9473 4914 | m: 0413 199 686

e: searp@dfpplanning.com.au



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From: "design@stantondahl.com.au" <design@stantondahl.com.au>
Date: Monday, 7 January 2019 at 9:35 AM
To: Gina Giddy <gina.giddy@shoalhaven.nsw.gov.au>
Subject: Re: 194 Old Southern Rd South Nowra

Hi Gina

I am responding to your email dated 3rd January and your phone call of the 21st December. Thanks for your email. Unfortunately, I have only just returned to work and the person in charge of this project will be returning back next Monday 14th January. Apologies for the delay. I will ask them to contact you on their return.

Kind regards,

Lyn Knight

stanton dahl architects

stanton dahl architects abn 32 002 261 396
Nominated Architects DP Stanton 3642 SM Evans 7686
PO Box 833 Epping NSW 1710 ph: 8876 5300 fax: 9868 2624
email: design@stantondahl.com.au web: www.stantondahl.com.au

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If you are not the recipient indicated above, please notify the sender by return email, do not use, forward or disclose the contents and remove the message and any attachments from your system.

From: Gina Giddy <Gina.Giddy@shoalhaven.nsw.gov.au>
Date: Thursday, 3 January 2019 at 12:00 PM
To: "'design@stantondahl.com.au'" <design@stantondahl.com.au>
Subject: FW: 194 Old Southern Rd South Nowra

From: Gina Giddy
Sent: Thursday, 3 January 2019 10:31 AM
To: 'office@nowrabaptist.org.au' <office@nowrabaptist.org.au>
Subject: 194 Old Southern Rd South Nowra

Good Morning

Council has received your Development Application for Alterations & Additions to Nowra Christian School to provide New Classroom building with associated Car Parking, landscaping and tree removal.

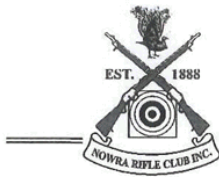
Would you please email the total project value of the development works to enable the assessment of your application.

Kindest Regards

Gina Giddy
Customer Services Supervisor
Shoalhaven City Council

02 4429 3309
Bridge Rd (PO Box 42) Nowra NSW 2541
Gina.Giddy@shoalhaven.nsw.gov.au
www.shoalhaven.nsw.gov.au





Nowra Rifle Club Inc.

ABN – 29339159898

President: Cliff Austen
Vice President/Secretary: Nick Charlesworth
Treasurer: Loraine Wood
Pistol Club Captain: Gary Nosworthy

13/08/2018

To General Manager
Shoalhaven City Council
PO BOX 42, Nowra, 2541

RE: Development Application for composting toilet block at Nowra Rifle Club Inc
Waiving of fees
DA18/1887

Nowra Rifle Club Inc has recently lodged an application of Composting toilets to be located at Nowra Rifle Range Inc.

As per policy Number POL13/109 "Policy on Waiving or Development application Fees and Other Fees for Charitable Organisations and Community Groups" we have met the exemption criteria as per:

- section 2.1 (a) "a local community or sporting group registered with Council's Community Services Directory"
- section 2.2 Waiver threshold for Das and CCs
- section 2.3 Payment of fees for Das and CCs

We would like to apply for Waiver of fees and also for reimbursement for fees paid above the waiver threshold

Attached are:

- Initial Invoice total for DA
- Invoice paid for threshold on 13/08/2018

Thank you

Nick Charlesworth
Secretary/Vice President
Mob: 0488934452

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.