

## SHOALHAVEN CITY COUNCIL

### ORDINARY MEETING

To be held on Tuesday, 29 January, 2013  
Commencing at 4.00 pm

23 January, 2013

Councillors,

#### NOTICE OF MEETING

You are hereby requested to attend the Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers, City Administrative Centre, Bridge Road, Nowra on Tuesday, 29 January, 2013 commencing at 4.00 pm** for consideration of the following business.

R D Pigg  
General Manager

**Membership**  
All Councillors

#### BUSINESS OF MEETING

1. **Opening Prayer** – Pastor Trevor Aspin – Nowra City Church
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**  
Clr Tribe has been granted a Leave of Absence for this meeting.
5. **Confirmation of Minutes**  
Ordinary Meeting – 11 December, 2012
6. **Declarations of Interest**
7. **Petitions and Presentations**
8. **Mayoral Minute**
9. **Deputations**
10. **Report of the General Manager – Committees Report**  
Report of the Development Committee – 21 January, 2013  
Report of the Policy and Resources Committee – 22 January, 2013  
Report of the Council Property Steering Committee – 21 January, 2013
11. **Report of the Shoalhaven Traffic Committee – 15 January, 2013**
12. **Report of the General Manager**  
Assistant General Manager  
Finance & Corporate Services  
Shoalhaven Water
13. **Notices of Motion and Questions on Notice**
14. **Addendum Reports**
15. **Confidential Report of the General Manager**  
Report of the Policy and Resources Committee – 22 January, 2013  
Report of the Council Property Steering Committee – 21 January, 2013  
Shoalhaven Water

Note: If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Mayoral Minutes.

Note: The attention of Councillors is drawn to Section 451 of the Local Government Act and Regulations and Code of Conduct regarding the requirements to declare pecuniary and non-pecuniary Interest in matters before Council.

#### Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

# **LOCAL GOVERNMENT ACT 1993**

## **Chapter 3**

### **Section 8(1) - The Council's Charter**

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

## Wording for Acknowledgement of Traditional Owners

“It is customary to acknowledge country and I do so by paying our respects to elders past and present and acknowledge all peoples who have made Australia this great country we live in.”

### Australian National Anthem

*“Advance Australia Fair”*

Australians all let us rejoice  
For we are young and free  
We’ve golden soil and wealth for toil,  
Our home is girt by sea:  
Our land abounds in nature’s gifts  
Of beauty rich and rare,  
In history’s page let every stage  
Advance Australia fair,  
In joyful strains then let us sing  
Advance Australia fair.

Beneath our radiant Southern Cross,  
We’ll toil with hearts and hands,  
To make this Commonwealth of ours  
Renowned of all the lands,  
For those who’ve come across the seas  
We’ve boundless plains to share,  
With courage let us all combine  
To Advance Australia fair.  
In joyful strains then let us sing,  
Advance Australia fair.

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## **MAYORAL MINUTE**

### **ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

#### **1. Tourism & Economic Opportunities**

**File 46263E**

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**RECOMMENDED that all Councillors in future support a positive and collaborative approach to advance and progress the interests of our City and work as a team to resolve problems.**

#### **DETAILS**

# I refer to a news report that appeared in the Milton Ulladulla Times in their edition of 23 January 2013.

The article is titled "GUILLE SLAMS LOST OPPORTUNITIES".

I ask Cllr Guile to confirm that the comments attributed to him have been accurately recorded.

For the information of all Councillors, below are just some of the initiatives Council has taken;

- Revamped the Business and Employment Development Committee and appointed a business representative, John Lamont, as the Chair, so that industry could have a greater influence on strategy.
- As Mayor, I set a new direction at the first meeting of the Business and Employment Development Committee on 21 November 2012 to ensure the Committee is one that is dynamic and informative; i.e, it is not just a forum to read and listen to Council staff reporting on their activities and research, but with members making meaningful suggestions and supporting projects to grow our City.
- At the Business and Economic Development Committee meeting held 21 November 2012, it was resolved that a future meeting be set aside to hold workshop discussions on the issues affecting and arising from unemployment and ways in which business, Government and the not-for-profit sector can contribute to improving Shoalhaven workforce participation and employment levels.

In addition, the City Branding Working Group, comprising of members of the Shoalhaven Tourism Board and the Business and Economic Development Committee had commenced their work last year and Council awaits their final report from which a more co-ordinated marketing approach will flow.

It is unfortunate that Cllr Guile continues to promote a negative view and clearly doesn't wish to be part of a team approach to improving the Shoalhaven.

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I also ask Clr Guile to explain how he sees any suggestion or initiative by the Mayor can be immediately and summarily put into effect.

In the report, if correct, Clr Guile asserts that the Mayor has not introduced an initiative *“to promote the Shoalhaven as a permanent destination to bring your family and business”* after more than 100 days in office;

I ask Clr Guile to explain all the initiatives he took in his 1156 days on Council to address the situation that he now rails against.

If any Councillor has positive contributions to make in advancing our wonderful City then why not put them on our business agenda for discussion rather than choosing instead to generate negative media articles.

## **2. The Fires over the Holiday Period**

**File 46763E**

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**RECOMMENDED that Council endorse the Civic Function to thank all those involved with ‘catastrophic’ fires over the holiday period.**

### **DETAILS**

I cannot speak highly enough of the professional way in which the RFS, SES, Police and National Parks and Wildlife Services and all those others who worked on the ‘catastrophic’ fires.

As Mayor, I became fully informed by Council and at the briefings which I attended each day at 8am. The devastation, seen from the helicopter, was incredible.

The comprehensive and extensive work done by all in the back burning operations was what I believe saved many homes and possibly lives.

Communication by our local media was outstanding as was the work done by Council staff who were consistently on the job around the clock.

Meetings with the General Manager and Deputy Mayor were held to discuss arranging a civic function to thank all those concerned. More details will follow.

A Mayoral letter was sent to all Captains of our Shoalhaven Brigades thanking them for a “job, truly well done”.

## **3. Australia Day – Shoalhaven Celebrations**

**File 4033E**

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**RECOMMENDED that Council receive the report for information.**

### **DETAILS**

I am pleased to advise that the following residents have been honoured in our local celebrations:



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**Marilyn Beaven-Williams – Shoalhaven Citizen of the Year**  
**Jessica Monteith – Young Citizen of the Year**  
**Aaron Lloyd – Sports Award**  
**David Rush – Highly Commended Sports Award**  
**Bridget Mullany – Junior Sports Award**

I would also like to acknowledge the Australia Day Ambassador, Libby Hathorn.

For those Councillors who attended – Thank you.

There were many Celebrations to choose from with Citizenship Ceremonies held at Nowra and Mollymook and 27 new citizens and general celebrations attended at Sussex Inlet and Callala Bay.

Pastor Peter Pilt and Nowra City Church did a stunning job on the day and deserves special mention.

#### 4. **Australia Day Awards**

**File 4033E**

**RECOMMENDED** that in recognition of the honours bestowed upon **Commander Timothy Standen CSC, Commander Paul Moggach CSC RAN, Ian Stewart and Wendy Woodward OAM** that Council endorse the actions of the Mayor to write letters of congratulations to each of the recipients.

#### **DETAILS**

I am pleased to advise that the following Shoalhaven residents have been honoured in the recently announced 2013 Australia Day Honours.

**Commander Timothy Standen RAN CSC** – For outstanding achievement as the Fleet Aviation Engineer Officer.

**Commander Paul Moggach RAN CSC** – For outstanding achievement in the performance of duty as the Commanding Officer of 817 Squadron from August 2009 until decommissioning of the Squadron in December 2011.

**Ian Stewart** – Commendation for Excellence in Emergency Operations, Fire Services Joint Standing Committee, 2008.

**Wendy Woodward OAM in the General Division** – For service to the community through a range of organisations.

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5. **Crime Prevention Van**

**File 3519E**

**RECOMMENDED that an update on the Crime Prevention Van status and running costs be prepared and submitted to Council.**

**DETAILS**

Enquiries have been made in regard to the status of the Crime Prevention Van now based at the Police Station.

Council, I understand, contributes to the running costs. Is it still being used and if so, where and how frequently?

6. **Sanctuary Point Mens Shed**

**File 43724E**

**RECOMMENDED that a report to be submitted to Council for consideration.**

**DETAILS**

Sanctuary Point Mens Shed and their request for premises in Clifton Park; When can a report be expected to come before Council?



**Joanna Gash (Mrs)  
Mayor**

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## **REPORT OF GENERAL MANAGER**

### **ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

#### **GENERAL MANAGER – COMMITTEE REPORTS**

##### **DEVELOPMENT COMMITTEE – MONDAY 21 JANUARY 2013 (ITEMS 1 to 2)**

###### **Strategic Planning & Infrastructure**

1. Draft Local Environmental Plan No LP404 – Woollamia Farmlets Rural Residential Lots, Woollamia - Planning Proposal - Post Exhibition Report File 43684E (PDR) [Index](#)

RECOMMENDED that Council:

- a) Receive the outcomes of the exhibition of the Woollamia Farmlets Rural Residential Lots Planning Proposal as detailed in the report, for information;
- b) Adopt the following recommended changes, as detailed in the report, to the Planning Proposal:
  - i. Remove Lot 72 DP 15266 from the Planning Proposal, associated mapping and supporting material;
  - ii. Amend the Draft SLEP 2009 Zoning Map over Lots 78, 78A and 79 in accordance with the revised Zoning Map in Attachment 'D' to reflect the E2 Environmental Conservation zone over the SEPP 14 wetland.
  - iii. Amend the draft SLEP 2009 Minimum Lot Size Map over Lots 79, 78 and 78A in accordance with the revised Minimum Lot Size Map in Attachment 'D'.
  - iv. Amend the Indicative Development Area mapping to accommodate increased Asset Protection Zone areas in accordance with advice from NSW Rural Fire Service and the revised map in Attachment 'E';
  - v. Amend the written Planning Proposal to include comments from NSW Rural Fire Service (RFS) that advise future dwellings could be required to be built to flame zone construction in accordance with Table 2.4.2 of Australian Standard 3959-2009 – Construction of buildings in bushfire – prone areas based on proposed setbacks.
- c) Submit the revised Planning Proposal to the NSW Department of Planning and Infrastructure (DP&I) for finalisation (notification); and
- d) Include the Indicative Development Area Map (Attachment 'E') and specific requirements as detailed in the report, relating to the development of the subject land, as a section of the Area Specific chapter of the Citywide Development Control Plan.

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## **General Business**

2. Additional Item - Vagabond Music & Arts Festival, Kangaroo Valley File DA12/2230 [Index](#)

RECOMMENDED that DA 12/2230 Vagabond Music and Arts Festival in Kangaroo Valley on 25/26 of April 2013 be reported to the Development Committee for determination for the reason of public interest considerations given the interest from Kangaroo residents and particularly those who arrange the ANZAC commemoration.

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**POLICY & RESOURCES COMMITTEE – TUESDAY 22 JANUARY 2013 (ITEMS 3 to 28)**

**Assistant General Manager**

3. Revised Organisational Energy and Water Management Policy File 34317E [Index](#)

RECOMMENDED that

- a) The revised Organisational Energy and Water Management Policy contained in the report attachments be adopted.
- b) The community be informed of the revised Policy, in accordance with the Community Engagement Policy.

**Finance & Corporate Services**

4. Alcohol Free Zones - Culburra Beach File 9821E [Index](#)

RECOMMENDED that:

- a) Council re-establish an Alcohol Free Zone for a period of four years, commencing 1 February 2013, for the following roads and car parks:
  - Ocean Street, Culburra Beach
  - Haven Street, Culburra Beach
  - Surf Club, Farrant Avenue, Culburra Beach
  - Adjacent to Crookhaven Heads Tourist Park (near the boat ramp), Orient Point
- b) Staff initiate consultation with the NSW Police on the introduction of an Alcohol Free Zone in the car park of the Shopping centre in Prince Edward Avenue between Canal Street and Fairlands Crescent.

5. Staff Gratuities upon Retirement Policy Review File 30099E [Index](#)

RECOMMENDED that Council adopt the Staff Gratuities Policy as attached to the Report to the Policy and Resources Committee meeting of 22 January 2013 noting that it shall only apply to staff who are employed by Council before 29 January 2013.

6. Review of Guidelines for Community Consultative Bodies File 1792E [Index](#)

RECOMMENDED that:

- a) Council adopt the Guidelines for Community Consultative Bodies as attached to the report of the Policy and Resources Committee meeting of 22 January 2013;
- b) CCBs be requested to submit to Council a list of attendees at each of their meetings and numbers of those who voted in favour and those against each item where a resolution was made.

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7. Council Members - Payment of Expenses and Provision of Facilities Policy File 5141E [Index](#)

RECOMMENDED that

- a) Council adopt the Council Members – Payment of Expenses and Provision of Facilities Policy as placed on public exhibition including a clause which allows Councillors to be provided with a Council jacket with the option of an embroidered pocket or plain badge identifying Council;
- b) Council, pursuant to Section 253 (3) of the Local Government Act 1993 deem that the proposed amendments are not substantial and for this reason public notice is not required.
- c) Council take no further action on the Training component of the Policy, and review it again as part of the next annual review of the Policy as required by Section 252 of the Local Government Act.

### **City Services & Operations**

8. CCTV at Sanctuary Point Shopping Centre File 24464E [Index](#)

RECOMMENDED that:

- a) Council staff, in collaboration with NSW Police, undertake a Safety Audit of the Sanctuary Point shopping precinct;
- b) Possible CCTV installation/s in this location be reconsidered after completion and consideration of the Safety Audit Report.

9. Ulladulla High School Bushcare Group File 26281E [Index](#)

RECOMMENDED that Council endorse the formation of the Ulladulla High School Bushcare Group under the Shoalhaven City Council Bushcare Program.

10. Acceptance of Grant on behalf of the Mulgen Creek and the Grotto Bushcare Groups from NSW Office of Environment and Heritage File 1835E [Index](#)

RECOMMENDED that Council accept the two grants of \$2,000 each on behalf of the Mulgen Creek and Grotto Bushcare Groups from the NSW Office of Environment and Heritage.

11. Shoalhaven Transport Register File 40733E [Index](#)

RECOMMENDED that Council:

- a) Endorse the application to Transport for NSW for grant funds to assist with the costs of a Shoalhaven Transport Register;
  - b) If successful, accept the grant, vote the funds and receive a further report on implementation arrangements;
  - c) Write to thank the funding body, if successful.
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## Strategic Planning & Infrastructure

12. North Nowra Link Road File 5253E [Index](#)
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RECOMMENDED that:

- a) The next steps in the planning process to build North Nowra Link Road Option 3 (Northern Option) be deferred until traffic modelling is reviewed and refined with current growth predictions and up-to-date traffic data; and
- b) Appropriate preliminary studies for the provision of the Illaroo Road-Moss Vale Road link be commenced and further consultation be undertaken with NSW Roads and Maritime Services (RMS) regarding options for providing traffic relief on the Princes Highway.

13. Upgrade Bomaderry Sporting Complex – Perimeter Fence File 7353E [Index](#)
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RECOMMENDED that Council transfer \$30,000 from budget number 82476 to budget number 82572 to fund an identified shortfall in the Bomaderry sporting complex upgrade project, thus allowing completion of the project.

14. Ulladulla South Shared Pathway - Acceptance of 2012 NSW Coastline Cycleway Grant  
File 2491E [Index](#)
- 

RECOMMENDED that:

- a) The 2012 NSW Coastline Cycleway grant offer of \$112,500 be accepted;
- b) The total project cost of \$225,000 be funded by: the \$112,500 grant; \$5,000 from Footpath Investigation (in 2012/13 Job No 85145); \$17,500 from Local Roads – Survey/Design (in 2012/13 Job No 85635); and by \$90,000 from the 2013/14 Roads to Recovery grant program; and
- c) The Director General (Department of Planning and Infrastructure) be thanked for the grant offer.

15. Extension of Deed of Variation for RMS/Council Road Safety Officer Program Funding Agreement to June 30 2014 File 2499E [Index](#)
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Note: Councillors commented on the excellent work that has been done by the Road Safety Officer, Katherine Wiseham, and expressed their appreciation of her efforts to date.

RECOMMENDED that:

- a) The Road Safety Officer Program continue until 30 June 2014;
- b) Council write to RMS asking for consideration of a multi-year funding cycle for the Road Safety Officer Program rather than an annual term; and
- c) The General Manager be authorised to sign the “Deed of Variation”.

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16. Local Government Conference - National Sea Change Taskforce Inc - Australian Coastal Councils Conference: South Australia - March 2012 File 3444E [Index](#)

RECOMMENDED that:

- a) Council notes the details of the forthcoming conference National Sea Change Taskforce Inc – Australian Coastal Councils Conference, scheduled for 25 to 27 March 2013, in Glenelg & Victor Harbor, South Australia;
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business; and
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy.

17. Amalgamation of Natural Resources and Floodplain Management Committees File 1229E [Index](#)

RECOMMENDED that:

- a) Council endorse the recommended amalgamation of the Natural Resources and Floodplain Committees to form three Committees as proposed, on a one year trial basis; and
- b) An amended charter be developed and presented to the newly amalgamated Committees for consideration and recommendation to Council.

18. Berry Car Parking - Princess Street Reserve - Contributions Plan File 35185E, 3265E [Index](#)

RECOMMENDED that:

- a) Residents of Victoria Street adjacent to the Berry Showground be consulted as a matter of urgency to determine their views on the proposed formalisation of parking;
- b) Subject to the outcomes of this community consultation, the staged construction of 90 degree parking in Victoria St, Berry, adjacent to the Berry Showground, be commenced using the existing budget allocations of \$80,000 (Job Number 86578) and \$59,330 (Job Number 85963) in lieu of parking in Princess Street and the acquisition of service lanes'
- c) Should there be any opposition to the proposal to formalise parking, a further report be presented to Council prior to any works proceeding;
- d) The full scope of the parking project in Victoria Street be completed when sufficient contributions from development are received or from some other funding source; and
- e) Formal on-street parking along the northern side of North Street, Berry be designed and this project proceed, before the angled parking in Princess Street and after the completion of the Victoria Street project, when sufficient contributions from development are received.



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19. Estuary Management and Coastal Management Program Grants 2012-13 & 2013-14  
File 3406E [Index](#)
- 

RECOMMENDED that:

- a) Council receive the report for information only;
- b) Council acknowledge the acceptance of the grant funds, valued at \$60,000, received for the purpose of the Shoalhaven River Flood Plain Agricultural Remediation Assessment Project;
- c) The accepted grant funds be allocated to job number 75714; and
- d) Council receive a further report on the outcomes of the grant funding applications sought for the 2013 (OEH) funding program, detailed within this report.

20. Bomaderry Oval – Soccer Field Extension File 2451E [Index](#)
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RECOMMENDED that:

- a) Council reallocate \$33,000 from budget number 82569 (Sports Field Shade Provision) to budget number 82511 (Implement POM) for the purpose of extending the playing surface area at Bomaderry Oval, Bomaderry; and
- b) A further report on the findings and options for Thurgate Oval, be presented back to Council.

### **Shoalhaven Water**

21. Kangaroo Valley Sewerage Scheme Capacity Allocation - Redevelopment of Lot 4 DP 537784 Marshall Street File 1375E [Index](#)
- 

RECOMMENDED that:

- a) The proposed 15 lot residential subdivision of Lot 4 DP 537784, permissible under the current zoning, be included as part of the Kangaroo Valley Sewerage Scheme design capacity;
- b) A report be provided to Council after 12 months operation of the Sewerage Scheme that demonstrates the theoretical vs actual loadings and determines any spare system capacity; and
- c) In the interim, (ie prior to the 12 month proving period), any development that seeks to take up spare capacity from the design allowance be reported to Council for consideration. The cumulative total of all additional development proposals serviced by the Scheme shall not exceed the 10% development capacity factored into the design of scheme, until the outcomes of Part (b) of this resolution are resolved.

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22. Grant of Easement for Sewerage purposes at Sanctuary Point File 21806E, 46728E [Index](#)

# RECOMMENDED that:

- a) Council resolves to grant the Easement for Sewerage Purposes 3 metres wide over Council land Lot 1151 DP 1159783 at Sanctuary Point as shown on copy of that plan, marked 'Attachment A';
- b) Costs associated with the creation of the easement are to be met from Shoalhaven Water's Wastewater Fund. The easement is to be granted at \$nil consideration;
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

23. Ozwater '13 National Water Conference and Exhibition File 3989E [Index](#)

RECOMMENDED that:

- a) Council notes the details of the forthcoming conference Ozwater '13 National Water Conference and Exhibition, scheduled for 7-9 May 2013, at Perth Convention & Exhibition Centre;
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business;
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy;
- d) Councillors attending the conference provide a written report within 30 days of returning from the conference.

24. Review of Shoalhaven Water Group Policies - Round 3 File 12039E [Index](#)

RECOMMENDED that;

- a) Council adopt the following Public Policies with minor changes as detailed within the report:
  - i) Down size, disconnect or nominal sizing of water meter services
- b) Council adopt the following Local Approvals Policy with minor changes as detailed within the report:
  - i) Water Hydrant Standpipe Extraction

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## Development & Environmental Services

25. Policy - Community Consultation for DAs (including Subdivision) and the Formulation of Development Guidelines and Policies File 8139E [Index](#)

RECOMMENDED that:

- a) The revised policy "Community Consultation for DAs (including Subdivision) and the Formulation of Development Guidelines and Policies" be adopted as exhibited;
- b) The policy be placed on Council's website, and Community Consultative Bodies and the development industry be advised.

## City Services & Operations

26. Appointment of Chair – Local Emergency Management Committee File 4537E [Index](#)

RECOMMENDED that Council approve, under Section 381(3) of the *Local Government Act 1993*, the appointment of the General Manager as Chairperson of the Local Emergency Management Committee in accordance with Section 28 (2)(a) of the *State Emergency and Rescue Management Act 1989*.

## City Services & Operations

27. Road Shoulder Remediation Works - Various Streets, Narrawallee Tender File 45950E [Index](#)

RECOMMENDED that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

## General Business

28. Additional Item – Tree Removal – Callala Beach File [Index](#)

RECOMMENDED that the tree, recently inspected and trimmed by Council, located in the road reserve on the corner of Centre Street and King George Street, Callala Beach be removed due to continued falling of branches and combustible material.

# **Note by General Manager:** This tree has been subject to at least five inspections since January 2009 and assessed as low risk. The adjoining owner has been advised several times that he may pay for the cost of removal of the tree provided certain criteria are met as it is within the 45 degree rule. A photo of the tree is in the attachments.

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**COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 21 JANUARY 2013  
(ITEMS 29 to 38)**

**Finance & Corporate Services**

29. Land Sale for Overdue Rates and Charges File 46605E [Index](#)

RECOMMENDED that

- a) Council proceed to sell by public auction, the properties nominated within the report for overdue rates and charges pursuant to Section 713 of the Local Government Act, 1993.
- b) The common seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager (or his delegate) is authorised to negotiate with the highest bidder if the reserve price is not met (if applicable) and sign any documentation necessary to give effect to this resolution.

**Strategic Planning & Infrastructure**

30. Acquisition of Land for Road Widening at Pyree File 45816E, 45817E, 45818E [Index](#)

# RECOMMENDED that:

- a) Council resolve to acquire for road widening that part of Lot 2 DP1110521, Lot 73A DP2813 and Lot 1 DP863730 as shown on the attached copy of the draft plan of acquisition (Attachment A).
- b) Council pay the following compensation under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 for the acquisitions:

AFFECTED LOT	ACQUISITION AREA	COMPENSATION
Lot 2 DP1110521	1,433sq.m	\$3,754 (Plus GST if applicable )
Lot 73A DP2813	1,613 sq.m	\$3,240 (Plus GST if applicable )
Lot 1 DP863730	4,403 sq.m.	\$11,506 (Plus GST if applicable )

- c) Council pay any reasonable legal costs incurred by the land owner pursuant to the terms of the Land Acquisition (Just Terms Compensation) Act 1991
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.
- e) Following acquisition, the acquired land be dedicated as Public Road pursuant to Section 10 of the Roads Act 1993.

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31. Proposed licence of part of Crown Reserve - 96902 to Jervis Bay Game Fishing Club for construction of clubhouse File 45825E [Index](#)

RECOMMENDED that:

- a) The Reserve 96902 Trust (the affairs of which are managed by the Council of the City of Shoalhaven) licence to the Jervis Bay Game Fishing Club Inc. part of Lot 7004 DP 1057339 for a term of ten years at an initial rent of \$434.00p.a. plus GST;
  - b) The General Manager be authorised to finalise negotiations for the licence; and
  - c) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.
32. Lease from the Cambewarra (R246) Reserve Trust to W &R Povey - Cambewarra Lookout Cottage & Tearooms File 4291E [Index](#)

RECOMMENDED that:

- a) Council lease the Cambewarra Tea Rooms to W and R Povey for a term of 2 years with a 3 year option at an initial rent of \$20,000 (Plus GST), and subject to conditions identified in the report.
  - b) Council delegate authority to the General Manager to approve those terms of the Lease not yet finalised;
  - c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution; and
  - d) Council refer the proposed Lease to the DPI Crown Lands Division for Minister's consent.
33. Proposed SubLicence of 275 Green Street, Ulladulla from Milton Ulladulla Historical Society to R & S Sherlock trading as Something's Brewing File 3581E [Index](#)

RECOMMENDED that:

- a) Council permit Milton Ulladulla Historical Society Inc to enter into a sub-licence of Part Lot 702 DP 1065245 known as "Ulladulla's Oldest House" for a period to run concurrently with the Licence from Council to Milton Ulladulla Historical Society Inc of 5 years. The commencing licence fee to be set at \$4,800 inclusive of GST.
- b) The sub licence to be prepared in accordance with the requirements of the Crown Lands Division and to be submitted for the Minister administering the Crown Lands Act for concurrence.
- c) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

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34. Request to Acquire Land - 77 Princess St, Berry - Lot 1 DP 209665 File 44187E [Index](#)

Conflict of Interest Declaration - Clr Baptist – significant non pecuniary interest – Mr Col Waller is a friend and colleague – left the room, did not take part in discussion or vote.

RECOMMENDED that the matter of the Request to Acquire Land - 77 Princess St, Berry - Lot 1 DP 209665 be deferred pending consideration of a further report..

35. Road Reserve Closing and Opening through Lot 323 DP 751302, Upper Kangaroo Valley River File 45099e [Index](#)

# RECOMMENDED that:

- a) Council resolve to make an application to the Minister administering the Roads Act 1993, for the closure of that part of Upper Kangaroo Valley Road traversing Lot 323 DP751302 shown as shaded on Attachment A.
- b) Council resolve to accept the dedication of public road by the owner of Lot 323 DP751302 in respect of the area shown hatched on Attachment A.
- c) Council authorise the transfer of that part of Upper Kangaroo Valley Road to be closed to the owner of Lot 323 DP751302, by way of exchange with no further compensation for the proposed new road through Lot 323 that is to be dedicated as public road.
- d) Council pay all survey, legal costs and lodgement fees associated with the closure of the existing road reserve and establishment and recording of a new road reserve within the lot, from job number 85001 16350.
- e) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

36. Classification of land - Lot 518 DP1179957 Sugarwood Road, WorrigeFile SF8735-02 [Index](#)

RECOMMENDED that Council resolve to classify Lot 518 DP1179957 Sugarwood Road, Worrige as operational land in accordance with section 31 (2) of the Local Government Act ,1993.

37. Classification of Land - Lot 2 DP1161380, Part of 418 Princes Highway, Burrill Lake File 39444E [Index](#)

RECOMMENDED that Council resolve to classify Lot 2DP1161380 Princes Highway, Burrill Lake as operational land in accordance with Section 31 (2) of the Local Government Act, 1993.

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## **General Business**

38. Additional Item – Report - Re-Configuration of Worrigee St Carpark File 17670E [Index](#)

RECOMMENDED that a report be presented to Council on the potential re-configuration of the Worrigee St all day car park to meet minimum Australian Standards.

R.D Pigg  
**GENERAL MANAGER**

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**SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 15 JANUARY 2013**

**ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

**REPORT OF THE CONVENOR**

**ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY**

39. Adjustments to Centre Linemarking – City Wide (PN 1457) File 1948E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the centre linemarking on the following roads being adjusted to comply with Australian Standards:

- a) Burrier Road, Burrier
- b) Cabbage Tree Lane, Nowra Hill
- c) Illaroo Road, North Nowra
- d) Main Road, Cambewarra
- e) Woollamia Road, Woollamia.

40. Bus Zone - Scenic Drive, Nowra - Adjacent Hospital (PN 2606) File 2017E [Index](#)

# RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the 6m of the bus zone in Scenic Drive, Nowra to be signed to permit Community Transport vehicles to use the area, as detailed in the attached plan TRAF 2013/02.

41. Proposed Development - Signs and Lines Plan - 2 Murdoch St Huskisson - Lot 102 DP 755928 (PN 2914) File DA07/3188 [Index](#)

RECOMMENDED that the General Manager (Director Development Services) be advised that the Shoalhaven Traffic Committee has no objections to the proposed signs and lines plan (TRAF 2013/04) associated with the re-alignment of the Murdoch/Burrill Street intersection, Huskisson.

42. Road safety at T junction - Charles and Church Street, Milton (PN 2915) File 1703E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of No Stopping zones for the regulatory distance of 10m on the north-west and south-western corners of the intersection of Charles/Church Street, Milton, as detailed in TRAF 2012/01.



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## General Business

43. Additional Item – Proposed temporary occupancy of on-street parking – Lawrence Avenue, Nowra. Development Application including a 2 storey hostel for short term accommodation – 11 Lawrence Avenue, Nowra Lots 1-2, DP 213469 Applicant: Project Coordination Owner: St Vincent De Paul Society NSW File DA09/1239 [Index](#)

# RECOMMENDED that the General Manager (Director Strategic Planning and Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the temporary loss of nine parking spaces (3 on the western side of Lawrence Avenue) and (6 on the eastern side of Lawrence Avenue) during the 12 month construction phase of Lots 1-2 DP 213469 Lawrence Avenue, Nowra as detailed in the attached plan TRAF 2013/05.

Martin Upitis  
CONVENOR

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## **REPORT OF GENERAL MANAGER**

### **ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

#### **ASSISTANT GENERAL MANAGER / GENERAL MANAGER**

#### **44. Energy Efficiency Program Funding Application - Street Lighting Replacement** File 41342E [Index](#)

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**PURPOSE:** Delivery Program Strategy: 2.3.2

To consider submitting a Council proposal to the Community Energy Efficiency Program for the upgrade of the city's street lighting to energy efficient fittings.

#### **RECOMMENDED that:**

- a) **Council apply for Community Energy Efficiency Program Round Two funding to upgrade the city's street lighting to energy efficient fittings;**
- b) **The project proposal be based on a one year project implementation and capital funding provided by Council and the CEEP;**
- c) **The General Manager be authorised to vary the project proposal details to optimise financial and environmental outcomes to Council;**
- d) **If the CEEP funding application is successful, project assumptions be monitored and details revised if required to optimise financial and environmental outcomes to Council, including negotiations with Endeavour Energy to ensure use of the best available light fittings at the time the project is rolled out.**

#### **OPTIONS**

1. Do nothing, wait for more emerging and efficient lighting technologies to become available and cost effective, and consider implementation of a street light replacement project at a future time. Pending a possible future project, Endeavour Energy will continue to upgrade to the current preferred energy efficient fittings as individual lights fail or reach their expected end of useful life. This replacement process is likely to take up to 20 years, and will use the technology preferred by Endeavour at the time of replacement, and Council will continue to pay higher energy costs and produce higher levels of carbon emissions until such time as an alternative energy efficient change over project is rolled out. Funding under CEEP or equivalent programs may or may not be available, either at all or on the current favourable basis.
2. Do nothing, not consider future options, and let the Endeavour Energy progressive upgrade process continue, as in Option 1 above. Council will continue to pay higher energy costs and produce higher levels of carbon emissions well into the

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future, while conversion of fittings will slowly occur based on Endeavour's priorities and technology preferences.

3. Undertake the project with CEEP funding support, on the basis outlined in this report, using Council and CEEP capital funding. This is expected to produce carbon emissions reduction of at least 1474 tonnes per annum (about 3.5% of Council's total emissions, including landfill operations), and prudent 20 year energy cost savings of \$3.6 million (in today's dollars), with project Net Present Value of \$3.85 million (including reduced SLUOS charges) and payback period of four years. **Recommended Option.**
4. Undertake the project with CEEP funding support but with a varied project scope or approach. This might include:
  - a. Council not funding the capital cost, and having Endeavour Energy replace the fittings, which would be cost-recovered via increased SLUOS fees. This would reduce Council's initial costs dramatically, but also reduce the financial savings and possibly the project value for CEEP subsidy purposes;
  - b. Using a more efficient light fitting than assumed in the report, eg 32 watt or '2x14 watt'. These are not Endeavour's preferred technology, but would improve the financial and environmental performance of the project. If the project moves to detailed scoping and specification phase, then these options should be pursued with Endeavour, but a prudent initial assumption is based on the 42 watts option that is known to be deliverable.
  - c. Three year roll-out instead of one year. This would spread slightly the timing of Council's capital input and also the capture of financial and environmental benefits, and may be less attractive for CEEP funding purposes.

## REPORT DETAILS

### Background

Shoalhaven City Council provides approximately 10,000 street lights, together with various other public realm lighting. The majority of Council's street lighting system is physically owned and managed by Endeavour Energy and installed on Endeavour's electrical distribution infrastructure. Endeavour Energy charges Council for the provision of each street light unit - covering the cost of the poles, wires and light fittings including maintenance costs - on a per hours of operation basis. This system is known as SLUOS charges, with the charges set through the Australian Energy Regulator. Council's forecast SLUOS charges for 2012/13 are \$840,000.

The energy component for street lighting is currently supplied by Origin Energy under a Local Government Procurement contract and is predicted to cost \$914,000 this financial year.

Council's Sustainability Action Plan (2011) includes two Actions directly related to street and public realm lighting:

*Strategic Direction: Reduce energy consumed by Council within its buildings and activities*

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### Street Lighting Replacement Program

*In association with Endeavour Energy (the asset owner), replace existing 80w mercury vapour street lighting lamps to more efficient compact fluorescent or other more efficient lamps.*

### Best Practice Public Lighting Review

*Undertake annual "best practice" review of public area lighting to inform future directions for Council owned assets and discussions with utility providers for street lighting, to be based on annual meetings with Endeavour Energy and other research.*

Currently the majority of the city's street lights are older units that are inefficient compared to today's technology. For example, the current most common light fitting is the '80 watt mercury vapour' fitting which uses approximate 96 watts including the control unit and the and lamp, which can be compared with a modern compact florescent fitting and lamp that uses approximately 46 watts. The resultant energy used by the new fitting is less than half that of our current fittings.

Other emerging technologies such as LED are advancing and receiving media coverage, but they are not yet approved for installation as street lighting on Endeavour's network – Endeavour is trialling them - and they are not yet cost effective relative to the options being proposed in a city-wide lighting upgrade project. However, should the project proceed to more detailed planning and design phases, the newer/better technology options should be monitored and reviewed with Endeavour in order to optimise Council's project outcomes at the time of roll-out. In the current phase of change towards energy efficient products, there will typically be 'another better technology around the corner', however, from Council's perspective as a service provider and project owner staff consider that the current street lighting technology options with their significant benefits compared to our current position provide significant and sufficient basis to proceed rather than delay pending the potential availability of incrementally better options.

While there are different views about climate change, carbon emissions impacts and the need for carbon pricing or other schemes directed to changing Australians' energy consumption behaviour, the availability of various State and Commonwealth programs providing incentive for projects delivering energy efficiency results makes the viability and cost-benefit of such projects more attractive for Council. We have delivered a number of smaller scale energy efficiency projects over recent years, many with the support of external funding programs.

### **Energy efficient lighting project**

In late 2012 the Southern Councils Group contracted Ironbark Sustainability to prepare a business case on behalf of the majority of the member Councils, to consider the potential value of developing and submitting proposals for energy efficient street lighting upgrade projects, jointly or separately, for the CEEP Round 2 funding.

# The business case for Shoalhaven City Council recommends the replacement of 7,426 of the current fittings and canvases three basic efficient and cost-effective modern available street light fittings, having regard to capital cost, energy cost savings, carbon emissions reduction and lighting performance. While a final mix of lighting types would be determined through further needs analysis and project planning, the assumptions

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used to develop the current proposal would allow for improved outcomes in all respects following a more detailed specification process. Refer to Attachment 1.

The business case also identifies options including:

- implementing the project over one or three years;
- funding it either directly by Council or by Endeavour Energy (with subsequent cost-recovery from the SLUOS charges over the life of the fittings);
- varied financial outcomes based on low, medium or high assumptions as to energy cost increases over the next 20 years.

# Council staff have undertaken further analysis of the Ironbark report, including independent financial modelling, to verify the conclusions on project viability. Refer to Attachment 2.

The key cost components of the lighting upgrade project would be:

- A payment to Endeavour Energy for the deemed remaining life of light fittings removed, which Endeavour owns and has already paid for;
- The cost of purchase and installation of replacement light fittings;
- Replacement of the annual SLUOS charge from Endeavour (which in part currently recovers the cost of existing light fittings), with a revised, lower charge reflecting the cost associated with the new fittings;
- Project development and management costs;
- On-going cost savings arising from the reduction in energy used by the new light fittings.

In addition to financial outcomes, discussed further below, the project would deliver:

- a reduction in Council's carbon footprint, through minimum emissions reduction of 1474 tonnes per year, being some 3.5% of Council's total emissions. The more efficient light fitting options could deliver up to 2017 tonnes per year emissions reduction;
- the ability to promote energy efficiency practice - internally within Council, within the Shoalhaven and regional community and across the local government sector. This would be a component of the project, driven by the CEEP funding criteria.

## **FINANCIAL IMPLICATIONS**

### *Viability without CEEP*

Using the most conservative assumptions, the Ironbark business case predicts a total project cost \$3.494 million, for which CEEP funding of up to \$2 million would be sought. The conservative scenario modelling developed by Council staff indicates the total Net Present Value of the project, plus savings on SLUOS charges, at \$1.85 million over the 20 year life of the fittings, with a payback period of 12 years, excluding the CEEP funding. These figures include the subsidy available through the NSW Government Energy Savings Scheme (Energy Savings Certificates), being some \$353,760 over a 12 year period.

No CEEP funding	Pricing Increase	Project NPV	reduced NPV SLUOS	Project NPV plus SLUOS saving	Project Breakeven Year
42 W units	Low	\$462,230	\$1,389,212	\$1,851,442	12
	Medium	\$2,735,308	\$1,389,212	\$4,124,520	
	High	\$4,574,747	\$1,389,212	\$5,963,959	

#### *Impact of CEEP on viability*

Round 2 of the Community Energy Efficiency Program (CEEP) will fund up to two thirds (to maximum \$2 million) per single application, with applications closing in early February 2013. This program is competitive based projects' alignment to the assessment criteria.

Shoalhaven can align well with the funding criteria, with its 'low' socio-economic and regional status. Together with Council's project endorsement, Council's track record of energy efficiency achievements, Ironbark technical documentation and Council staff work on the proposal, this should allow the presentation of a strong funding submission. A number of Councils across Australia did receive funding for street lighting upgrades under CEEP Round 1. When \$2 million CEEP funding is included, the conservative scenario indicates Net Present Value plus SLUOS savings at \$3.85 million over the 20 year life of the fittings, with a payback period of 4 years, including the NSW Government ESC subsidy.

With CEEP funding	Pricing Increase	Project NPV	reduced NPV SLUOS	Project NPV plus SLUOS saving	Project Breakeven Year
42 W units	Low	\$2,462,230	\$1,389,212	\$3,851,442	4
	Medium	\$4,735,308	\$1,389,212	\$6,124,520	
	High	\$6,574,747	\$1,389,212	\$7,963,959	

Note: the scenario adopted for the purpose of Council's proposal would be based on the 'low' energy price increase scenario (which would apply to Council's on-going rate of energy consumption), and the benefits would be greater than this to the extent that actual energy costs continue to rise at a rate higher than this conservative assumption.

The project is expected to deliver on-going operating cost savings of some \$331,694 per year, with Council's up-front capital costs recovered in the first seven years, and net improvement to Council's financial operating result for every year after that.

#### *Funding Council's share of project costs*

With the maximum CEEP funding of \$2 million, and with ESCs taken into account, Council's capital funding of the project would be some \$1.5 million.

The financial analysis indicates that energy cost savings and reduced SLUOS charges will result in a payback period of 4 years, with savings going to Council's operations after

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that initial period. This is based on first year energy cost savings of \$243,864 (vs. *current costs*) and SLUOS reduction of \$87,830, forecast forward over future years.

While the allocation of the required capital amount must be carefully considered in light of Council's financial sustainability pressures, given the significant and relatively short-term financial benefit of the Council-funded approach (vs. the Endeavour-funded model) it is proposed that Council's funding requirement be met by a loan in the 2013/14 budget year.

#### *Managing the project*

The project cost estimates include provision for project preparation and management activities, with the required inputs sourced from both within and external to Council.

### **COMMUNITY ENGAGEMENT**

The timeframe and resources available for compiling the project scope and completing the analysis has not allowed specific community engagement to be undertaken. However, the strategic direction of Council reflected in the Community Strategic Plan, Sustainability Action Plan and Energy Savings Action Plans – themselves based on various engagement inputs through previous strategic planning and other projects - supports leadership in a project of this nature. The 2012 End of Term community survey indicated that Council's work to encourage community and business action on energy efficiency is well-aligned to community expectations.

Councillors, in the November 2012 strategic priorities workshop, identified an 'icon renewable energy project' as a strategic initiative with community value. While this proposal is not directly a 'renewable' energy one, it has clear energy efficiency and flow-on value, not least significant financial sustainability outcomes.

The CEEP funding criteria includes consideration of past or proposed community involvement. The application proposal will need to include a comprehensive Communication Plan that engages local communities and raises awareness of energy efficiency and Council sustainability actions locally, regionally and within the local government sector

R.T. Donaldson  
**ASSISTANT GENERAL MANAGER**

R.D Pigg  
**GENERAL MANAGER**

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## **REPORT OF GENERAL MANAGER**

### **ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

#### **FINANCE AND CORPORATE SERVICES**

**45. Record of Investments - December 2012**

**File 2126E [Index](#)**

**PURPOSE:** Delivery Program Activity: 4.5.1.1

Under Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation it is a requirement to provide a written report to Council on a monthly basis setting out details of all money that Council has invested.

**RECOMMENDED that the Report of the General Manager (Finance and Corporate Services Group) on the Record of Investments for the period to 31 December 2012 be received for information.**

#### **OPTIONS**

1. The report on the Record of Investments for the period to 31 December 2012 be received for information.
2. Further information regarding the Record of Investments for the period to 31 December 2012 be requested.

#### **DETAILS**

Council's overall investment performance resulted in a weighted average return of 4.51% (annualised), 135 basis points above the average 90 day Bank Bill Rate of 3.16% (as supplied by CBA).

The Managed Fund Portfolio returned an average 3.59% over the last twelve months while Council's direct investment portfolio posted a weighted average of 4.57%, 141 basis points above the benchmark. The Managed Fund Portfolio returns have decreased due to the poor performance of some of the investments which have been directly affected by the downturn in the US & European markets.

Interest earned on Council's investment portfolio for this financial year to December 2012 was \$2,674,516 compared with \$3,181,424 for the same period last year. The decrease in interest on investments is due to the Council's overall weighted average return decreasing by 109 basis points over the last 12 months. With a further reduction in the cash rate it is anticipated that this will continue to decrease over the coming months.



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The Portfolio Valuation Report provided by ANZ for 31 December 2012 states that:

The RBA reduced the official cash rate by 0.25% to 3.00% at the December meeting. While the 3 month BBSW rate closed the month at 3.14%, a decrease of 0.19% for the month.

The Australian equity market gained 3.2% during the month with the S&P ASX 200 closing at 4,648.90. The Australian dollar lost one third of one US Cent at the end of November, buying 1.0394 USD at month end.

## **RECORD OF INVESTMENTS**

### **as at 31st December 2012**

#### **Total Cash And Investments**

Total Cash	7,358,567
Total Investments	<u>98,262,813</u>
	<u><b>105,621,380</b></u>

#### **Less Cash & Investments Held In Relation To Restricted Assets**

Leave Entitlements & Workers Compensation Liability	7,925,308
Financial Assistance Grant	3,025,637
Grant reserve	670,353
North Nowra Link Road	794,277
Other Internal Reserves	6,418,840
Section 94	22,319,027
Section 94 Matching Funds	1,719,677
Strategic Projects General	982,997
Trust	90,145
Waste Disposal	8,459,855
Sewer Compensation	6,568
Sewer Construction Works	4,417,336
Section 64 Water	8,741,043
Water Construction Works	<u>22,844,952</u>
<b>Total Restricted</b>	<b>88,416,015</b>

#### **Unrestricted Cash And Investments**

General	15,205,365
Water	1,000,000
Waste Water	<u>1,000,000</u>
<b>Total Unrestricted</b>	<b>17,205,365</b>

**SHOALHAVEN CITY COUNCIL  
STATEMENT OF INVESTMENTS  
31 December 2012**

<b>DIRECT INVESTMENTS:</b>								
<b>Institution</b>	<b>Rating</b>	<b>Inv Type</b>	<b>Principal</b>	<b>Terms</b>	<b>Interest Rate</b>	<b>Maturity</b>		<b>Final Maturity</b>
						<b>(1st)</b>		
ANZ	A1+	FRN	\$2,000,000.00	92	4.36%	22-Apr-13		22-Apr-13
Bank of Qld	A2	TD	\$1,000,000.00	118	5.05%	10-Jan-13		
Bank of Qld	A2	TD	\$1,000,000.00	118	5.01%	16-Jan-13		
Bank of Qld	A2	TD	\$2,000,000.00	113	4.95%	17-Jan-13		
Bank of Qld	A2	TD	\$2,000,000.00	99	4.66%	24-Jan-13		
Bank of Qld	A2	TD	\$1,000,000.00	119	4.70%	07-Feb-13		
Bank of Qld	A2	TD	\$2,000,000.00	105	4.70%	21-Feb-13		
Bendigo Bank	A2	TD	\$1,000,000.00	112	4.70%	23-Jan-13		
Bendigo Bank	A2	TD	\$2,000,000.00	99	4.60%	24-Jan-13		
Bendigo Bank	A2	TD	\$2,000,000.00	91	4.55%	28-Feb-13		
Bendigo Bank	A2	TD	\$1,000,000.00	91	4.70%	14-Mar-13		
Bendigo Bank	A2	TD	\$2,000,000.00	184	4.60%	05-Jun-13		
Community CPS Australia	NR	TD	\$1,000,000.00	94	4.50%	07-Mar-13		
Heritage Bank	A3	TD	\$2,000,000.00	103	4.96%	09-Jan-13		
Illawarra Mutual Building Society	A2	TD	\$2,000,000.00	104	4.50%	28-Feb-13		
ING Bank (Australia) Ltd	A1	TD	\$1,500,000.00	148	5.20%	03-Jan-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	91	4.58%	14-Feb-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	175	4.68%	24-Apr-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	182	4.75%	13-Jun-13		
Intech Credit Union	NR	TD	\$1,000,000.00	97	4.60%	27-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	100	4.75%	24-Jan-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.70%	21-Feb-13		
Members Equity Bank	A2	TD	\$1,000,000.00	98	4.60%	27-Feb-13		
Members Equity Bank	A2	TD	\$1,000,000.00	104	4.60%	06-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.55%	14-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.66%	21-Mar-13		
National Australia Bank	A1+	MATD	\$90,144.80	365	5.03%	30-Jun-13		
National Australia Bank	A1+	TD	\$5,000,000.00	29	4.70%	08-Jan-13		08-Apr-14
National Australia Bank	A1+	TD	\$3,000,000.00	91	4.52%	24-Jan-13		
National Australia Bank	A1+	TD	\$2,000,000.00	112	4.62%	30-Jan-13		
National Australia Bank	A1+	TD	\$1,000,000.00	105	4.52%	06-Feb-13		
National Australia Bank	A1+	TD	\$1,000,000.00	105	4.52%	13-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	105	4.52%	14-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	112	4.53%	21-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	98	4.60%	07-Mar-13		
National Australia Bank	A1+	TD	\$2,000,000.00	111	4.62%	21-Mar-13		
National Australia Bank	A1+	TD	\$4,000,000.00	97	4.43%	28-Mar-13		
Newcastle Permanent Building Society	A2	TD	\$2,000,000.00	92	4.40%	14-Mar-13		
NSW Treasury Corp	A1+	TD	\$3,300,000.00	182	3.10%	04-Apr-13		
Police Credit Union Ltd (SA)	NR	TD	\$1,000,000.00	92	4.63%	14-Feb-13		
Rural Bank	A2	TD	\$2,000,000.00	92	4.68%	28-Feb-13		
Suncorp Metway Ltd Bank	A1	TD	\$1,000,000.00	105	4.50%	20-Feb-13		
Suncorp Metway Ltd Bank	A1	TD	\$2,000,000.00	91	4.60%	21-Feb-13		
Westpac Bank	A1+	TD	\$4,000,000.00	119	4.65%	24-Jan-13		
Westpac Bank	A1+	TD	\$4,000,000.00	105	4.50%	07-Feb-13		
Westpac Bank	A1+	TD	\$2,000,000.00	92	4.59%	28-Feb-13		
Westpac Bank	A1+	TD	\$2,000,000.00	103	4.56%	13-Mar-13		
Westpac Bank	A1+	TD	\$2,000,000.00	112	4.40%	28-Mar-13		
<b>TOTAL DIRECT INVESTMENTS</b>			<b>\$91,890,144.80</b>		<b>4.57%</b>			

MANAGED FUNDS	Rating	Inv Type	Carrying Value	Purchase Date	Monthly Return	Return over last 12 months
CDO Portfolio	NR	CDO	\$4,826,316.71	Various	0.19%	2.22%
Macquarie Income Plus	AAAm	MF	\$1,546,351.25	17/08/2005	0.66%	7.88%
<b>TOTAL MANAGED FUNDS</b>			<b>\$6,372,667.96</b>		<b>0.30%</b>	<b>3.59%</b>
<b>TOTAL INVESTMENTS</b>			<b>\$98,262,812.76</b>		<b>4.51%</b>	

*Note:*

<i>CA At Call Account</i>	<i>CDO Collateralised Debt Obligation</i>	<i>FRSD Floating Rate Sub Debt</i>
<i>MF Managed Fund</i>	<i>CRD Committed Rolling Deposit</i>	<i>FRN Floating Rate Note</i>
<i>MATD Mayors Appeal Term Deposit</i>	<i>TD Term Deposit</i>	

It is noted that these have been made in accordance with the Act, Regulations and the Council's Investment Policies.

P Dun  
Director, Finance & Corporate Services Group

## FINANCIAL IMPLICATIONS:

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

### 46. Changes to Council Meeting Dates

File 3910E [Index](#)

**PURPOSE:** Delivery Program Activity: 4.3.1.1

To review the meeting dates for some Council and Committee Meetings.

**RECOMMENDED** that Council amend the meeting dates for the Council Ordinary Meeting and the Committee meetings as detailed below:

- **Development and Council Property Steering Committee from Tuesday 5<sup>th</sup> February to Monday 18<sup>th</sup> February**
- **Policy & Resources from Tuesday 12<sup>th</sup> February to Tuesday 19<sup>th</sup> February**
- **Ordinary Meeting from Tuesday 19<sup>th</sup> February to Tuesday 26<sup>th</sup> February**
- **Policy and Resources from Tuesday 12<sup>th</sup> March to Friday 15<sup>th</sup> March**
- **Policy and Resources from Tuesday 14<sup>th</sup> May to Thursday 9<sup>th</sup> May**
- **Development & Council Property Steering Committee from Tuesday 4<sup>th</sup> June to Thursday 13<sup>th</sup> June**
- **Development and Council Property Steering Committee from Tuesday 10<sup>th</sup> September to Monday 16<sup>th</sup> September**

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## OPTIONS

1. That Council amend the meeting dates for the Council Ordinary Meeting and the Committee meetings as detailed below:
  - Development and Council Property Steering Committee from Tuesday 5<sup>th</sup> February to Monday 18<sup>th</sup> February
  - Policy & Resources from Tuesday 12<sup>th</sup> February to Tuesday 19<sup>th</sup> February
  - Ordinary Meeting from Tuesday 19<sup>th</sup> February to Tuesday 26<sup>th</sup> February
  - Policy and Resources from Tuesday 12<sup>th</sup> March to Friday 15<sup>th</sup> March
  - Policy and Resources from Tuesday 14<sup>th</sup> May to Thursday 9<sup>th</sup> May
  - Development & Council Property Steering Committee from Tuesday 4<sup>th</sup> June to Thursday 13<sup>th</sup> June
  - Development and Council Property Steering Committee from Tuesday 10<sup>th</sup> September to Monday 16<sup>th</sup> September
  
2. That Council not amend the meeting dates for the Council Ordinary Meeting and the Committee meetings as detailed below:
  - Development and Council Property Steering Committee from Tuesday 5<sup>th</sup> February to Monday 18<sup>th</sup> February
  - Policy & Resources from Tuesday 12<sup>th</sup> February to Tuesday 19<sup>th</sup> February
  - Ordinary Meeting from Tuesday 19<sup>th</sup> February to Tuesday 26<sup>th</sup> February
  - Policy and Resources from Tuesday 12<sup>th</sup> March to Friday 15<sup>th</sup> March
  - Policy and Resources from Tuesday 14<sup>th</sup> May to Thursday 9<sup>th</sup> May
  - Development & Council Property Steering Committee from Tuesday 4<sup>th</sup> June to Thursday 13<sup>th</sup> June
  - Development and Council Property Steering Committee from Tuesday 10<sup>th</sup> September to Monday 16<sup>th</sup> September
  
3. That Council amend the following meeting dates only:  
(Council to determine those dates from the above lists)

## DETAILS

Council resolved at its December meeting to determine the dates of its Ordinary and Committee meetings. As the Committees have been granted delegated authority and the Mayor is the Chair of the Council Property Steering Committee, the proposed amended dates have been requested to enable the Mayor's attendance at those meetings.

From an operational perspective, the request is supported by staff.

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**FINANCIAL IMPLICATIONS:**

There are no financial implications as a result of these changes, apart from the cost of an advertisement.

**COMMUNITY ENGAGEMENT:**

No community engagement is required as a result of this resolution, apart from the public notice required by Clause 232 of the Local Government (General) Regulation 2005.

P.J. Dun  
**DIRECTOR, FINANCE & CORPORATE SERVICES**

R.D Pigg  
**GENERAL MANAGER**

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## **REPORT OF GENERAL MANAGER**

### **ORDINARY MEETING**

**TUESDAY, 29 JANUARY 2013**

#### **SHOALHAVEN WATER**

##### **47. Tender for Shoalhaven Water Pump Procurement**

**File 46328E [Index](#)**

**PURPOSE:** Delivery Program Activity: 1.6.1.7 Plan and implement water supply and sewerage asset replacement programs to maintain quality and reliability of service.

To inform Council of the tender process used for the Shoalhaven Water Pump Procurement.

In accordance with the Department of Local Government's "Tendering Guidelines for NSW Local Government 2009" and Section 10A(2)(d)(i) of the Local Government Act 2003, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it, and will be considered as part of a separate confidential report.

**RECOMMENDED that in accordance with Clause 179 of the Local Government (General) Regulation 2005, Council consider the separate confidential report.**

#### **OPTIONS**

1. Council could choose not to accept the recommendation, giving reasons, and propose an alternate decision.

#### **DETAILS**

##### ***Introduction:***

This report provides the results of a tender process undertaken by Shoalhaven Water, whereby proposals were sought from pump manufacturers/suppliers to supply water and sewerage pumps of various sizes and quantity for a minimum period of four (4) years with the option of an additional one (1) year extension.

##### ***Background:***

Shoalhaven Water operates 228 sewage pumping stations comprising approximately 470 pumps and 26 water pumping stations comprising approximately 60 pumps. In order to provide adequate services to the community Shoalhaven Water is developing ongoing asset replacement programs. It has been identified that a number of pumps (particularly

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sewage submersible type) are approaching the end of their design, maintenance and/or hydraulic lives and thus require replacement. A program is being developed to replace these pumps systematically over a five (5) year period.

Given the significance of the program, Shoalhaven Water is seeking to minimise procurement costs (without compromising product quality and service) and improve the exchangeability of pump parts and equipment between different sites and pump sets.

***Key Issues:***

In order to support a cost effective and efficient pump asset replacement/upgrade program Shoalhaven Water recommends a strategy which involves a Pump Procurement contract with a single manufacturer/supplier. Tenders were called on this basis in an open tender process.

Tenders were called on 19 November 2012 and closed on 20 December 2012. Four (4) tenders were received from the following companies:

- Redwest Nominees t/a Dynapumps
- KSB Australia Pty Ltd
- Q-MAX Holdings Pty Ltd t/a Q-MAX Pumping Systems
- Xylem Water Solutions Australia Ltd

The pre-tender estimated value for this contract was in the order of \$3 million over the next five (5) years.

Shoalhaven Water seeks, from this tender, a company that provides value for money for a wide range of pumps (and associated equipment) while supporting an experienced professional team that has demonstrated quality before and after sales service. The products being offered must be proven over a period of time to be highly reliable.

The Tender Evaluation Plan (TEP) prepared for the assessment included mandatory, price and non-price criteria.

***Conclusion:***

In order to meet the high demand for new pumps over the next five (5) years, it is recommended that Council enter into a contract for the supply of pumps and ancillary equipment. The Confidential Report provides evidence that there are numerous advantages to Council from costing and resource efficiency perspectives to the proposed procurement approach.

**FINANCIAL IMPLICATIONS:**

Council can expect significant savings on the purchase cost of pumps and ancillary equipment.

Savings would also be realised from the efficiency in the proposed procurement process. Traditionally pumps have been purchased on an ad-hoc basis meaning RFT/RFQ documents were being produced by staff a number of times per year.

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The proposed contract is focused on ensuring timely delivery of quality assets, continuous improvement and reducing costs to Council. Shoalhaven Water aims to have a relationship with a supplier that will drive these outcomes and efficiently deliver these important assets.

This approach will allow Shoalhaven Water to standardise its replacement parts in stores and allow controlled interchange of pumps between stations in emergency situations.

**COMMUNITY ENGAGEMENT:**

Water and sewage pumping stations are critical assets and the efficient management of these assets is crucial to the protection of the environment and public health.

The proposed contractual arrangement will provide for greater efficiency in the purchase of new pumps, thus reducing the risks associated with the safe delivery of water and minimising the risk of overflows from sewage pumping stations.

T Holmes  
**ACTING DIRECTOR SHOALHAVEN WATER**

R.D Pigg  
**GENERAL MANAGER**



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**NOTICES OF MOTION**

**ORDINARY MEETING**

**TUESDAY, 29 JANUARY, 2013**

**48. Growth and development of Nowra/Bomaderry**

**File 18107E [Index](#)**

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

- 1. That the General Manager report to Council the progress on reaching the population growth target off 135,000 by 2016 as previously identified by planning staff.**
- 2. The report might also include but not be limited to the following:**
  - Shoalhaven's growth and economic performance against the rest of regional NSW**
  - Constraints to growth**
  - Initiatives that Council can implement to address the results.**

Signed  
Clr Guile

**49. Public release of the briefing report on the North Nowra Link Road File 5253E [Index](#)**

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

**That Council release to the public the report of Council staff provided to Councillors in the confidential briefing held on Wednesday 5 December 2012.**

**Background:**

The Mayor has already spoken on radio about the content of this briefing and the subsequent report from staff has not made it to a full Council meeting, being considered in a Committee under delegation. This is such an important matter for the Nowra/Bomaderry community that the professional advice provided by Council staff should be released to the public.

Signed  
Clr Guile

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50. **Public meeting regarding Council's position on the North Nowra link road** File 5253E [Index](#)

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

**That the General Manager convene a public meeting with local residents, businesses and community groups to report on Council's current policy on the North Nowra Link road; to hear local views and to respond to questions.**

Signed  
Clr Guile

51. **Return of Ice Skating to the Shoalhaven Entertainment Centre** File 39846E [Index](#)

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

1. **That Council thanks Mr Bob Mangan and all the staff team at the Shoalhaven Entertainment Centre for the enormous effort invested by them to make 'Ice Escape' the success that it was.**
2. **That Council encourage the General Manager to bring forward a further proposal to stage this event in 2014 to capitalise on the both the success, experience and event knowledge gained from the 2013 program.**

Signed  
Clr Guile

52. **Harry Sawkins Park improvements** File 19244E [Index](#)

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

1. **That the General Manager provide a plan for the installation of seating and/or associated outdoor furniture in Harry Sawkins Park in the vicinity of the Graham Street cafe, after consultation with park users and cafe staff.**
2. **That Council consider funding the implementation of this plan either from quarterly surpluses, budget savings, current works budgets or for the 2013/14 management plan.**

Signed  
Clr Guile

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53. **Installation of walkway lighting – North Nowra**

File 3031E [Index](#)

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

**That Council consider funding the installation of lighting to the pedestrian walkway connecting Jamieson and Illaroo Roads, North Nowra either from quarterly surpluses, budget savings, current works budgets or for the 2013/14 management plan.**

Signed  
Clr Guile

54. **Zoning investigations and adjustments around the Shoalhaven Memorial Hospital Health Precinct**

File 1435E [Index](#)

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

- 1. That Council request the General Manager (Director Strategic Planning and Infrastructure) to investigate and report on possible changes to zonings surrounding the Shoalhaven Memorial Hospital Health Precinct.**
- 2. The report should also address any planning initiatives that might ease the impact of the developments in this area on surrounding residences.**

Signed  
Clr Guile

55. **Using tourism to promote economic development**

File 46263E [Index](#)

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

- 1. That the General Manager report to Council a strategy to promote the benefits of businesses and families relocating to the Shoalhaven from major centres, to coincide with the 2013/14 South Coast tourist influx.**
- 2. The report should address above and below the line marketing strategies as well as social media to capture the attention of visitors and travellers.**

Background:

The Shoalhaven has so much to offer new residents and businesses that we should be presenting to our visitors. Good schools, a world class university including a medical school, lots of industrial land with good access to water and power and substantial progress toward a better highway. That is all over and above the recreation and leisure options that draws people to our region.

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Shoalhaven visitors are driving through Bomaderry and Nowra oblivious to the opportunities available here. We need to be proactive with these messages. This could include signage; a media campaign; development of our current app; and use of social media.

Signed  
Clr Guile

**56. Tourism risk management contribution to marketing program      File 1490E [Index](#)**

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

**Council requests the Shoalhaven Tourist Board give consideration to commencing a process of working with community tourism groups to develop a template risk management plan for fire instances and other natural disasters that would assist all tourism operators in developing their own plans that would enhance their marketing performance.**

Background:

The recent catastrophic conditions in the Shoalhaven and the considerable effort of the RFS and emergency services have highlighted the necessity of all aspects of Council operations being responsive to these circumstances arising. There is an opportunity for Council as the chief promoter of tourism in the City, to encourage and resource an effort for operators to improve their readiness for these situations and this can and should be seen as an integral part of the marketing of our City as a destination.

Signed  
Clr Guile

**57. Wheelbarrow, Monkey Mountain and Woodburn Roads      File 9099E, 42176E [Index](#)**

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

- 1. Given that logging is to commence within the following month, the General Manager urgently report on the current poor conditions and maintenance schedule for the above roads.**
- 2. The report should cover the plans, costs and timing on addressing:**
  - Where the landslide has occurred on the western end of Wheelbarrow Road (currently with traffic management)**
  - Major corrugations across each of these roads**
  - The site of the recent truck accident on Monkey Mountain Road and safety factors that may be relevant.**

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Signed  
Clr Baptist  
Clr White  
Clr Guile

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## **CONFIDENTIAL BUSINESS PAPER AGENDA**

### **GENERAL MANAGER – COMMITTEES REPORT**

#### **POLICY & RESOURCES COMMITTEE – 22 JANUARY 2013**

**1. Road Shoulder Remediation Works – Various Streets, Narrawallee - Tender**

**Reason**

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

#### **COUNCIL PROPERTY STEERING COMMITTEE – 21 JANUARY 2013**

**2. Additional Item – Further Report – Land Swap Options, Nowra**

**Reason**

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.

### **SHOALHAVEN WATER**

**3. Tender for Supply of Pumps and Ancillary Equipment to Shoalhaven Water**

**Reason**

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

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

**ADDENDUM REPORT OF GENERAL MANAGER**

**ORDINARY MEETING**

**TUESDAY, 29 JANUARY, 2013**

**STRATEGIC PLANNING AND INFRASTRUCTURE**

1. **Grant of Lease - Western Freight Management - Council Property - 21 Norfolk Avenue, South Nowra** **File 12657E**
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**PURPOSE:** Delivery Program Activity: 4.5.1.12

# Consider the grant of a lease of Lot 77 DP 1032397 known as 21 Norfolk Avenue South Nowra, to Western Freight Management for an initial term of 12 months at \$24,000.00 p.a. payable in advance, with an option for a further two years.

**RECOMMENDED that:**

- a) **Council offer a lease to Western Freight Management of Lot 2 DP 1137716 for a term of one year at a rent of \$24,000 p.a. plus GST payable at commencement of the lease term, with an option for a further two years term.**
- b) **The General Manager be delegated authority to endorse any terms of the Lease that may not yet be settled; and**
- c) **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.**
- d) **The Committee concur to the granting of occupancy from the week ending 8 February, 2013.**

**OPTIONS**

1. Recommended - endorse the proposed lease on the terms offered.
2. Not recommended – decline the lease prospect and provide direction to staff.

**DETAILS**

The subject property is an asset of Waste Management - as a business unit. Property Unit was engaged to arrange to offer the property on the open market for lease.

Integrity Real Estate which specialises in industrial property were engaged to list the property for lease. The agency had the property listed for approximately eight months, with only one earlier prospect, which did not come to fruition.

The present interest was brought to Property Unit's attention in mid December but no formal application was received until 21 January, 2013 and the prospective tenant requires occupancy of the premises by 15 February to be able to meet freight contract contracts and obligations.

Waste Management as asset owner, has given concurrence to the prospective tenancy. Credit check on the prospect revealed that it has no payment defaults but that a writ for \$8,514 remains unresolved. It is reiterated that the full rent for twelve months is to be paid in advance. Reference checks are satisfactory.

### **FINANCIAL IMPLICATIONS:**

The asking rent was determined by Walsh & Monaghan Valuers prior to the listing with Integrity RE. The prospective tenant agreed to the asking rent on the basis of Council agreeing to a one year lease with payment of the years rent of \$24,000.00 in advance.

P L Adams

**DIRECTOR STRATEGIC PLANNING & INFRASTRUCTURE**

R G Pigg

**GENERAL MANAGER**