

## Strategy and Assets Committee

**Meeting Date:** Tuesday, 21 March, 2017  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5:00pm

**Membership** (Quorum - 5)  
Clr Andrew Guile - Chairperson  
All Councillors  
General Manager or nominee

**Please note:** Council's Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. 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 - 21 February 2017 ..... 1
3. **Declarations of Interest**
4. **Mayoral Minute**
5. **Deputations and Presentations**
6. **Notices of Motion / Questions on Notice**
  - SA17.62 Notice of Motion - Code of Meeting Practice - Adjournment of Meetings ..... 26
  - SA17.63 Question on Notice - Traveller Rest Areas ..... 27
  - SA17.64 Question on Notice - "Adopt a Road" Scheme ..... 28
7. **Reports**
  - SA17.65 Economic Development Strategy - Draft Report to be Placed on Exhibition ..... 29
  - SA17.66 Citizens Panel ..... 31
  - SA17.67 Request for Alternate Delegates - Nowra CBD Revitalisation Strategy Committee ..... 48

SA17.68	Shoalhaven Family Day Care - Consultation process and feedback re transfer of service .....	49
SA17.69	Shoalhaven Homelessness Taskforce - Terms of Reference .....	57
SA17.70	Overview/Update - Shoalhaven Section 94 Contributions Plan Review .....	63
SA17.71	Telstra Tech Savvy Seniors Grant Funding .....	69
SA17.72	2017 Future of Local Government National Summit .....	70
SA17.73	2017 Australian Local Government Women's Association Conference .....	76
SA17.74	Bomaderry Aquatic Centre & Nowra Aquatic Park - Winter Swimming in Northern Shoalhaven .....	81
SA17.75	Funding Options - Sealing - Bishops Drive Mollymook .....	102
SA17.76	Long Term Parking Facility Proposal - Bomaderry Railway Station .....	105
SA17.77	Bus Service - Bomaderry Rail Station to Nowra CBD .....	108
SA17.78	Report - Traffic Management - Milton/Ulladulla Area - Summer Holiday Period - By-pass Proposal .....	110
SA17.79	Shared path signage - citywide .....	112
SA17.80	Review - Graffiti Management Policy .....	116
SA17.81	Road Verge Improvements & Maintenance Policy .....	120
SA17.82	Ratepayers Advance Kerb & Gutter Construction - 58 - 64 Basin View Pde, Basin View .....	126
SA17.83	Exercise of Option - Lease - Part First Floor - 12 Berry Street Nowra - Shoalhaven Community Radio Incorporated .....	128
SA17.84	Road Closure - Lot 28 DP 755927 - Conjola .....	130
SA17.85	Variation to Compensation - Acquisition of Easement for Water Supply at Terara .....	133
SA17.86	June 2016 Storm Remediation Response .....	136
SA17.87	Dealing With Development Applications Lodged by Council Staff or Councillors .....	154

## 8. Confidential Reports

### Reports

- CSA17.6 Red Rocks UHF CB Repeater
- Local Government Act - Section 10A(2)(f) - Details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to expose a person to a risk of harm or of serious harassment or serious intimidation.*
- CSA17.7 Pump Procurement Contract
- 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:

1. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Council's 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 Council's community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
2. 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 matters, and any other matter referred to the Committee by the General Manager.
3. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
4. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
5. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'reserve trust manager' within the meaning of s92 of the Crown Lands Act 1989, and the making of recommendations to Council regarding such matters where the function cannot be delegated by Council;
6. 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;
7. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
8. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
9. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;



10. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.
11. Review and make recommendations to Council in relation to:
  - a) The sale prices of land in connection with residential and industrial Council subdivisions;
  - b) The sale of Council property or the purchase or resumption of land;
  - c) The compensation to be offered in respect of land resumed by Council; and
  - d) 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.

## MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

**Meeting Date:** Tuesday, 21 February 2017  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5:00pm

The following members were present:

Clr Andrew Guile - Chairperson  
Clr Amanda Findley  
Clr Joanna Gash  
Clr Patricia White  
Clr John Wells  
Clr John Levett  
Clr Nina Cheyne  
Clr Annette Alldrick  
Clr Kaye Gartner  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

### Apologies / Leave of Absence

Apology was received from Clr Kitchener

### Confirmation of the Minutes

**RESOLVED** (Clr Wells / Clr Pakes) MIN17.86

That the Minutes of the Strategy and Assets Committee held on Tuesday 24 January 2017 be confirmed.

CARRIED

### Declarations of Interest

Mr Russ Pigg – significant non pecuniary interest declaration – will leave the room and will not take part in discussion or vote – as one of his neighbours is an associate of a waste company in the following items:

- SA17.53 – Resource Recovery Park – West Nowra AWT

- SA17.54 – Extension of Waste and recycling Collection and Processing Contracts
- CSA17.4 – Resource Recovery Park – West Nowra AWT
- CSA17.5 - Extension of Waste and recycling Collection and Processing Contracts

## NOTICES OF MOTION / QUESTIONS ON NOTICE

### SA17.24 Notice of Motion - Ecocity World Summit

**HPERM Ref:**  
**D17/39168**

#### **Recommendation (Item to be determined under delegated authority)**

That Council add the Ecocity World Summit, to be held in Melbourne, July 12-14, 2017 to the conference list that councillors and staff can attend.

**RESOLVED** (Clr Gartner / Clr White)

MIN17.87

That Council:

- Notes the details of the Ecocity World Summit scheduled for 12-14 July 2017 in the Melbourne Convention & Exhibition Centre, Melbourne Victoria.
- Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
- Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Aldrick, Clr Gartner, Clr Watson, Clr Proudfoot, Russ Pigg and Clr Findley

AGAINST: Clr Guile and Clr Pakes

CARRIED

### SA17.25 Notice of Motion - Shared Pathways - Mollymook

**HPERM Ref:**  
**D17/39300**

#### **Recommendation (Item to be determined under delegated authority)**

That the staff report on any plans to extend shared pathways in Mollymook. That the report include, specifically, any plan to create a pathway between Forest Way and Tallwood Avenue or when such a pathway might be expected to be constructed.

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN17.88

That the staff report on any plans to extend shared pathways in Mollymook and the report include, specifically, any plan to create a pathway between Forest Way and Tallwood Avenue or when such a pathway might be expected to be constructed.

CARRIED

**SA17.26 Notice of Motion - Bomaderry Sporting Complex****HPERM Ref:  
D17/39696****Recommendation (Item to be determined under delegated authority)**

Council be provided regular reports and updates in relation to the Bomaderry Sporting complex.

MOTION (Clr Cheyne / Clr Wells)

That Council be provided regular reports and updates in relation to the Bomaderry Sporting complex.

AMENDMENT (Clr Watson / Clr Proudfoot)

That Council:

1. Be provided regular reports and updates in relation to the Bomaderry Sporting complex; and
2. Abandon the compulsory acquisition of any private property.

Point of Order – Clr Findley – the amendment is contrary to the Master Plan which Council has already adopted for the Sporting Facility Complex and should be ruled out of order.

Note: The Chairperson ruled against the Point of Order.

MOTION OF DISSENT (Clr Findley / Clr Levett)

That the ruling by the Chairperson regarding the Point of Order is incorrect.

The Chairperson declared the MOTION LOST.

Clr Findley requested Division and the following vote was recored.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Russ Pigg and Clr Findley

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

The AMENDMENT is considered out of order and will not be debated or voted upon.

PROCEDURAL MOTION - ADJOURNMENT OF MEETING (Clr Findley / Clr Gash)

That the meeting be adjourned for 5 minutes.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Russ Pigg and Clr Findley

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

The meeting adjourned the time being 5.28pm

The meeting reconvened the time being 5.32pm

The following members were present:

Clr Andrew Guile - Chairperson  
Clr Amanda Findley  
Clr Joanna Gash

Clr Patricia White  
Clr John Wells  
Clr John Levett  
Clr Nina Cheyne  
Clr Kaye Gartner  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

Note: Clr Alldrick returned to the meeting at 5:37pm.

**RESOLVED** (Clr Cheyne / Clr Wells)

MIN17.89

That Council be provided regular reports and updates in relation to the Bomaderry Sporting complex.

CARRIED

**SA17.27 Notice of Motion - Future Planning Recreational Spaces**

**HPERM Ref:  
D17/44958**

**Recommendation (Item to be determined under delegated authority)**

That Council staff prepare a report for Council on the future planning used in determining the quantum of playing fields and recreational spaces needed to carry our city forward for the next thirty to fifty years. The report should cover, but not be restricted to, the following:

1. The current position regarding the planning of future fields.
2. The expected impact of an ageing population, and the demand that this places on the securing of sites for uses such as men's sheds, croquet courts and the like.
3. Increase in demand for a greater variety of recreational activities for our younger children.
4. The likely significant impact of the massive participation take-up in girl's and women's sport.

**RESOLVED** (Clr Proudfoot / Clr Pakes)

MIN17.90

That Council staff prepare a report for Council on the future planning used in determining the quantum of playing fields and recreational spaces needed to carry our city forward for the next thirty to fifty years. The report should cover, but not be restricted to, the following:

1. The current position regarding the planning of future fields.
2. The expected impact of an ageing population, and the demand that this places on the securing of sites for uses such as men's sheds, croquet courts and the like.
3. Increase in demand for a greater variety of recreational activities for our younger children.
4. The likely significant impact of the massive participation take-up in girl's and women's sport.

CARRIED

**SA17.28 Question on Notice - NSW Container Deposit Scheme**

**HPERM Ref:  
D17/46213**

It was noted that the commencement of the legislation was deferred until December 2017.

**RESOLVED** (Clr Gartner / Clr Findley)

MIN17.91

That the Question on Notice – NSW Container Deposit Scheme and Response be received for information.

CARRIED

**Procedural Motion - Bring Item Forward**

**MOTION** (Clr Findley / Clr Cheyne)

That the following items be brought forward for consideration:

- SA17.41 – Greenwell Point Wharf Management Committee
- SA17.51 – Determination of Review of Environmental Factors (REF) - Lake Conjola Boardwalk Replacement
- SA17.52 – Determination of Review of Environmental Factors (REF) - Rehabilitation of Coolangatta Road CH5400 to CH6550
- SA17.55 – Readoption of Environmental Services Policies.

CARRIED

**SA17.41 Greenwell Point Wharf Management Committee**

**HPERM Ref: D17/2806**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Request NSW Department of Primary Industry – Lands remove Council as Trust Manager for the Greenwell Point Fisherman's Wharf Reserve, as the Greenwell Point Wharf is used primarily by commercial vessels and not for recreation vessels.
2. Write to NSW Department of Primary Industry – Lands as the asset owner for the Greenwell Point main concrete wharf and advise that upgrading of the facility is required as a high priority to cater for the future needs of commercial and charter fishing vessels.

**RESOLVED** (Clr Wells / Clr White)

MIN17.92

That Council:

1. Council request NSW Department of Primary Industry – Lands remove Council as Trust Manager for the Greenwell Point Fisherman's Wharf Reserve, as the Greenwell Point Wharf is used primarily by commercial vessels and not for recreation vessels.
2. Council write to NSW Department of Primary Industry – Lands as the asset owner for the Greenwell Point main concrete wharf and advise that upgrading of the facility is required as a high priority to cater for the future needs of commercial and charter fishing vessels.
3. Prior to the request to the NSW Department of Primary Industry as outlined in parts 1 and 2 above, that Council advertise to the local community the intention to remove Council as the Trust Manager, and should there be no objections, the action proceed without reporting back to Council.

CARRIED

Note: Cllr Gartner left the meeting at 5:51pm

**SA17.51 Determination of Review of Environmental Factors (REF)  
- Lake Conjola Boardwalk Replacement**

**HPERM Ref:  
D17/33957**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Adopts the Lake Conjola boardwalk REF and determines the activity may proceed, and
2. Acknowledges that the Lake Conjola boardwalk site remains culturally sensitive due to previous discovery of Aboriginal ancestral remains close to the boardwalk and Council will ensure relevant safeguards listed in the REF are implemented.

Note: Cllr Gartner returned to the meeting at 5:53pm

**RESOLVED** (Cllr White / Cllr Findley)

MIN17.93

That Council:

1. Adopts the Lake Conjola boardwalk REF and determines the activity may proceed, and
2. Acknowledges that the Lake Conjola boardwalk site remains culturally sensitive due to previous discovery of Aboriginal ancestral remains close to the boardwalk and Council will ensure relevant safeguards listed in the REF are implemented.

CARRIED

**SA17.52 Determination of Review of Environmental Factors (REF)  
- Rehabilitation of Coolangatta Road CH5400 to CH6550**

**HPERM Ref:  
D17/34043**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Adopts the Review of Environmental Factors (REF) and determines the activity may proceed to improve road safety,
2. Acknowledges the tree removal component of the works
3. Ensure relevant safeguards listed in the REF are implemented.

**RESOLVED** (Cllr Wells / Cllr Proudfoot)

MIN17.94

That under delegated authority from Council, the Committee:

1. Adopts the Review of Environmental Factors (REF) and determines the activity may proceed to improve road safety,
2. Acknowledges the tree removal component of the works
3. Ensure relevant safeguards listed in the REF are implemented.

CARRIED

**SA17.55 Readoption of Environmental Services Policies.**

**HPERM Ref:  
D17/34240**

**Recommendation (Item to be determined under delegated authority)**

That Council adopt the following policies, with the minor amendments outlined in the report:

1. The Control and Eradication of Noxious Weeds.
2. Companion Animals (Impacts on Native Fauna) – Conditions of Development Consent.
3. Caravan Parks on Flood Prone Land/ Local Approvals Policy
4. Flood Planning Levels for the Lower Shoalhaven River Floodplain Policy.
5. Foreshore Reserves Policy.
6. Mobile Food Stalls/Vehicles and Temporary Food Premises/ Local Approvals Policy
7. Food Premises Policy.

**RESOLVED** (Clr White / Clr Wells)

**MIN17.95**

That Council adopt the following policies, with the minor amendments outlined in the report:

1. The Control and Eradication of Noxious Weeds.
2. Companion Animals (Impacts on Native Fauna) – Conditions of Development Consent.
3. Caravan Parks on Flood Prone Land/ Local Approvals Policy
4. Flood Planning Levels for the Lower Shoalhaven River Floodplain Policy.
5. Foreshore Reserves Policy.
6. Mobile Food Stalls/Vehicles and Temporary Food Premises/ Local Approvals Policy
7. Food Premises Policy.

FOR: Clr Guile, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Pakes, Clr Watson, Russ Pigg and Clr Findley

AGAINST: Clr Proudfoot

CARRIED

**REPORT OF THE NOWRA CBD REVITALISATION STRATEGY  
COMMITTEE - 8 FEBRUARY 2017**

**CBD17.2 Member Resignation - Mark Crowther**

**HPERM Ref:  
D17/36538**

**Recommendation (Item to be determined under delegated authority)**

That Council

1. Accept the resignation of Mr Mark Crowther from the Nowra CBD Revitalisation Strategy Committee.
2. Write to Mr Crowther to thank him for his contribution to the Committee.
3. Remove one Council staff position (Council to determine: General Manager or Director Assets & Works or Director Planning & Development)
4. Add one (1) additional Community member position



5. Council amend the remaining Nowra CBD Revitalisation Strategy Committee in addition to the reduced staff positions in the Terms of Reference to reflect the following membership:
  - Two (2) Community members (non business operator or landowner)
  - Two (2) CBD Landowners
  - Three (3) CBD Business owner/operators
  - One (1) CBD Business retailer (vacant)
6. Advertise the vacant positions.

**RESOLVED** (Clr Findley / Clr Gash)

MIN17.96

That Council:

1. Accept the resignation of Mr Mark Crowther from the Nowra CBD Revitalisation Strategy Committee.
2. Write to Mr Crowther to thank him for his contribution to the Committee.
3. Remove the General Manager as a Staff member of the Committee
4. Add one (1) additional Community member position to the Committee
5. Amend the remaining Nowra CBD Revitalisation Strategy Committee in addition to the reduced staff positions in the Terms of Reference to reflect the following membership:
  - Two (2) Community members (non business operator or landowner)
  - Two (2) CBD Landowners
  - Three (3) CBD Business owner/operators
  - One (1) CBD Business retailer (vacant)
6. Advertise the vacant positions.
7. Amend the Terms of Reference for the Committee to allow Councillors to attend and speak but not vote (non-voting members).
8. The meetings be conducted in accordance with the Code of Meeting Practice.

FOR: Clr Guile, Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Pakes, Clr Watson, Russ Pigg and Clr Findley

AGAINST: Clr Proudfoot

CARRIED

## REPORTS

**SA17.30 Six Monthly Delivery Program Operational Plan Report 1  
July 2016 to 31 December 2016**

**HPERM Ref:  
D17/38447**

### **Recommendation (Item to be determined under delegated authority)**

That in accordance with the Committee's delegated authority from Council, the report of the General Manager (Executive Strategy) regarding progress to 31 December 2016 on the 2015/2017 Delivery Program and 2016/2017 Operational Plan be received for information, noted and published on Council's website.

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.97

That in accordance with the Committee's delegated authority from Council, the report of the General Manager (Executive Strategy) regarding progress to 31 December 2016 on the 2015/2017 Delivery Program and 2016/2017 Operational Plan be received for information, noted and published on Council's website.

CARRIED

**SA17.31 December 2016 Quarterly Budget Review****HPERM Ref:  
D17/40951****Recommendation (Item to be determined under delegated authority)**

That the December Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.

Note: Clr Proudfoot left the meeting at 7.25pm

**RESOLVED** (Clr Wells / Clr Gash)

MIN17.98

That under delegated authority from Council, the December Quarterly Budget Review outlined in the Quarterly Budget Review Statement be adopted.

CARRIED

**SA17.32 Re-establishment of Alcohol Free Zones - East Nowra, Shoalhaven Heads, Culburra Beach, Orient Point, Mollymook****HPERM Ref:  
D17/28001****Recommendation**

That:

1. Council proceed with the re-establishment of the Alcohol Free Zones for a period of four (4) years in the areas of East Nowra, Shoalhaven Heads, Culburra Beach/Orient Point and Mollymook, including consultation with licensees in the surrounding areas;
2. Should no objections be received to the re-establishment of these zones, authority be given to staff to proceed with the declaration of the above areas as an Alcohol Free Zone, without further reference to Council.

Note: Clr Proudfoot was absent from the meeting.

**Recommendation** (Clr Gash / Clr White)

That:

1. Council proceed with the re-establishment of the Alcohol Free Zones for a period of four (4) years in the areas of East Nowra, Shoalhaven Heads, Culburra Beach/Orient Point and Mollymook, including consultation with licensees in the surrounding areas;
2. Should no objections be received to the re-establishment of these zones, authority be given to staff to proceed with the declaration of the above areas as an Alcohol Free Zone, without further reference to Council.

CARRIED

**SA17.33 Council Policy - Asbestos**

**HPERM Ref:  
D17/11876**

**Recommendation (Item to be determined under delegated authority)**

That Council adopt the draft Asbestos Policy as attached to this report.

Note: Cllr Proudfoot returned to the meeting 7.28pm.

**RESOLVED** (Cllr Findley / Cllr Cheyne)

MIN17.99

That Council adopt the draft Asbestos Policy as attached to this report.

CARRIED

**SA17.34 Council Policy - Events Policy (Revision)**

**HPERM Ref:  
D17/30515**

**Recommendation (Item to be determined under delegated authority)**

That:

1. Council endorse the new Events Policy taking into consideration the changes due to new LEP requirements and place it on public exhibition for 28 days.
2. If no significant comments are received after 42 days the policy be adopted. If significant comments are received a further report be presented to Council

**RESOLVED** (Cllr Guile / Cllr Proudfoot)

MIN17.100

That:

1. Council endorse the new Events Policy taking into consideration the changes due to new LEP requirements and place it on public exhibition for 28 days.
2. If no significant comments are received after 42 days the policy be adopted. If significant comments are received a further report be presented to Council

CARRIED

**SA17.35 Council Policy - Park Management (Policy Consolidation)**

**HPERM Ref:  
D17/23615**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Adopt the Park Management Policy POL17/7.
2. Rescind the following policies:
  - Parks & Reserves – Emplacement of plaques & artefacts & trees
  - Reserve Naming
  - Park Enhancement
  - Icon Parks

**RESOLVED** (Cllr White / Cllr Levett)

MIN17.101

That:

1. Council endorse the new Park Management Policy (POL17/7) and place it on public exhibition for 28 days.

2. If no significant comments are received after 28 days the policy be adopted. If significant comments are received a further report be presented to Council;
3. Rescind the following policies:
  - Parks & Reserves – Emplacement of plaques & artefacts & trees
  - Reserve Naming
  - Park Enhancement
  - Icon Parks

CARRIED

**SA17.36 Bay and Basin Community Hub - Draft Master Plan**

**HPERM Ref:  
D17/28287**

**Recommendation (Item to be determined under delegated authority)**

That Council

1. Endorse public exhibition of the draft Bay & Basin Community Hub Master Plan for a period of 28 days.
2. Advise stakeholders involved in the preparation of the draft Bay & Basin Community Hub Master Plan of its public exhibition.
3. Receive a further report after public exhibition of the draft Bay & Basin Community Hub Master Plan.

MOTION (Clr Watson / Clr Pakes)

That the public exhibition of the Draft Bay & Basin Community Hub Master Plan be deferred pending a review of the Master Plan by a Council Sub-Committee of the Strategy and Assets Committee comprising of available Clrs and representatives from the CCB's in the area.

FOR: Clr Guile, Clr Pakes, Clr Watson, Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Clr Findley

LOST

**RESOLVED** (Clr White / Clr Gash)

MIN17.102

That under delegated authority from Council, the Committee:

1. Endorse public exhibition of the draft Bay & Basin Community Hub Master Plan for a period of 42 days.
2. Advise stakeholders involved in the preparation of the draft Bay & Basin Community Hub Master Plan of its public exhibition.
3. Receive a further report after public exhibition of the draft Bay & Basin Community Hub Master Plan.
4. Establish a Sub-Committee comprising of Clrs and members of the CCB's and user groups be convened to assist to finalise the Draft Bay & Basin Community Hub Master Plan.

FOR: Clr Gash, Clr White, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Russ Pigg and Clr Findley

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

**SA17.37 Adoption of Community Infrastructure Strategic Plan**

**HPERM Ref:  
D17/28535**

**Recommendation (Item to be determined under delegated authority)**

That

1. Council finalise and adopt the draft Community Infrastructure Strategic Plan (including the recommendations in Section 12 and Appendix H) with the following main amendments:-
  - a. the term “rationalisation” be defined further in the plan and understood as explained in this report
  - b. tennis court facilities and netball courts to be included in the plan
  - c. to update provision guidelines for arts, museums and libraries
2. The minor amendments as outlined in the attached submissions table (outlined in Attachment 2) and staff feedback / amendments as identified in the report below also be included in the final version and adopted.
3. Council continue to work with community and sporting groups to develop more accurate information on utilisation rates, times, programs, etc. to better understand future infrastructure needs and facilities that can be utilised for events and marketed
4. Council staff commence exploring ways in which its community infrastructure facilities can be marketed to maximise community knowledge of the facilities and increase utilisation.
5. Council advise those that made submissions related to the draft plan, CCBs, community and sports groups of the resolution of this meeting.
6. Council rescind the *Sportsground Strategic Plan* which is superseded by the Community Infrastructure Strategic Plan:
7. The Community Infrastructure Strategic Plan inform a review of the Council’s Section 94 Plan.

**RESOLVED** (Clr Gartner / Clr White)

MIN17.103

That:

1. Council finalise and adopt the draft Community Infrastructure Strategic Plan (including the recommendations in Section 12 and Appendix H) with the following main amendments:
  - a. the term “rationalisation” be defined further in the plan and understood as explained in this report
  - b. tennis court facilities and netball courts to be included in the plan
  - c. to update provision guidelines for arts, museums and libraries
2. The minor amendments as outlined in the attached submissions table (outlined in Attachment 2) and staff feedback / amendments as identified in the report below also be included in the final version and adopted.
3. Council continue to work with community and sporting groups to develop more accurate information on utilisation rates, times, programs, etc. to better understand future infrastructure needs and facilities that can be utilised for events and marketed
4. Council staff commence exploring ways in which its community infrastructure facilities can be marketed to maximise community knowledge of the facilities and increase utilisation.
5. Council advise those that made submissions related to the draft plan, CCBs, community and sports groups of the resolution of this meeting.
6. Council rescind the *Sportsground Strategic Plan* which is superseded by the Community Infrastructure Strategic Plan:

7. The Community Infrastructure Strategic Plan inform a review of the Council's Section 94 Plan.
8. Before Council plans to sell, rationalise, or close any park, reserve or community hall that it be the subject of a separate report to Council.

CARRIED

**SA17.38 Grant Offer - Community Development Grants  
Programme - Construction of Ulladulla Netball Courts**

**HPERM Ref:  
D17/45952**

**Recommendation**

That Council

1. Accept the Federal Government grant funding offer of \$150,000 from the Community Development Grant Programme for construction of two (2) additional netball courts at Ulladulla Sports Park.
2. Write to Ann Sudmalis MP the Member for Gilmore and the Hon Fiona Nash, Minister for Regional Development, thanking them for the Federal Government funding assistance to assist in the delivery of two (2) additional netball courts at Ulladulla Sports Park.

**Recommendation (Clr White / Clr Findley)**

That Council:

1. Accept the Federal Government grant funding offer of \$150,000 from the Community Development Grant Programme for construction of two (2) additional netball courts at Ulladulla Sports Park.
2. Write to Ann Sudmalis MP the Member for Gilmore and the Hon Fiona Nash, Minister for Regional Development, thanking them for the Federal Government funding assistance to assist in the delivery of two (2) additional netball courts at Ulladulla Sports Park.

CARRIED

**SA17.39 Public Policies for Review - Asset Management**

**HPERM Ref:  
D16/359772**

**Recommendation (Item to be determined under delegated authority)**

That

1. the following public policy be rescinded
  - Cycleways and Footpaths – Charges Applicable
2. the following public policies be adopted with the minor changes
  - POL16/142 Drainage Easements – Maintenance of Open Drains
  - POL16/143 Drainage Easements –Piping in Existing Subdivisions
  - POL16/148 Kerb and Guttering – Charges Applicable
  - POL16/154 Private Use of Public Parking
  - POL16/155 Ratepayer Financing Policy for Kerb and Gutter Construction
  - POL16/158 Rural Fire Stations – Community Use
  - POL16/138 Council Waterways Infrastructure – Use of for Commercial Purposes

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.104

That:

1. The following public policy be rescinded
  - Cycleways and Footpaths – Charges Applicable
2. The following public policies be adopted with the minor changes
  - POL16/142 Drainage Easements – Maintenance of Open Drains
  - POL16/143 Drainage Easements –Piping in Existing Subdivisions
  - POL16/148 Kerb and Guttering – Charges Applicable
  - POL16/154 Private Use of Public Parking
  - POL16/155 Ratepayer Financing Policy for Kerb and Gutter Construction
  - POL16/158 Rural Fire Stations – Community Use
  - POL16/138 Council Waterways Infrastructure – Use of for Commercial Purposes

CARRIED

**SA17.40 Building Better Regions Fund - Projects**

**HPERM Ref:  
D17/48198**

**Recommendation (Item to be determined under delegated authority)**

That;

1. Applications be made for the following projects under the Building Better Regions Fund – Infrastructure Projects Stream
  - a. Woollamia Regional Boating Maintenance Facilities (Project cost \$1,980,000 with Council contribution of \$990,000)
  - b. Shoalhaven Indoor Sports Centre (Project cost \$12,000,000 with Council contribution of \$8,000,000)
2. Applications be made for the following projects under the Building Better Regions Fund – Community Investments Stream
  - a. Nowra Waterfront – investment strategy (Project cost \$500,000 with Council contribution of \$250,000)
  - b. Stewart Place – investment strategy (Project cost \$500,000 with Council contribution of \$250,000)

**RESOLVED** (Clr Findley / Clr Gash)

MIN17.105

That:

1. Applications be made for the following projects under the Building Better Regions Fund – Infrastructure Projects Stream:
  - a. Woollamia Regional Boating Maintenance Facilities (Project cost \$1,980,000 with Council contribution of \$990,000)
  - b. Riversdale Development Proposal – in partnership with the Bundanon Trust. Council acknowledges and accepts there are contractual responsibilities and risks for Council in submitting the application.

2. Applications be made for the following projects under the Building Better Regions Fund – Community Investments Stream
  - a. Nowra Waterfront – investment strategy (Project cost \$500,000 with Council contribution of \$250,000)
  - b. Stewart Place – investment strategy (Project cost \$500,000 with Council contribution of \$250,000)

FOR: Cllr Gash, Cllr White, Cllr Levett, Cllr Cheyne, Cllr Alldrick, Cllr Gartner and Cllr Findley

AGAINST: Cllr Guile, Cllr Wells, Cllr Pakes, Cllr Watson, Cllr Proudfoot and Russ Pigg

CARRIED

Note: A rescission motion was received on this item.

**SA17.41 Greenwell Point Wharf Management Committee**

**HPERM REF:  
D17/2806**

Item dealt with earlier/later in the meeting see MIN17.92

**SA17.42 Intersection of Mernie Street and The Wool Road, Old Erowal Bay**

**HPERM Ref:  
D17/32181**

**Recommendation (Item to be determined under delegated authority)**

That the General Manager (Director Assets & Works) continue to review conditions at the intersection of The Wool Road and Mernie Street, and actively pursue any available grant funding opportunities to provide safety improvements (in particular regarding right turn movements) for vehicles on The Wool Road turning right into Mernie Street, Old Erowal Bay.

**RESOLVED** (Cllr Pakes / Cllr Watson)

MIN17.106

That the General Manager (Director Assets & Works) continue to review conditions at the intersection of The Wool Road and Mernie Street, and actively pursue any available grant funding opportunities to provide safety improvements (in particular regarding right turn movements) for vehicles on The Wool Road turning right into Mernie Street, Old Erowal Bay.

CARRIED

**SA17.43 Land Acquisition - Easement for Drainage - Lot 202 DP1119087 - Jack Kooij**

**HPERM Ref:  
D16/377516**

**Recommendation**

That Council resolve to:

1. Acquire an Easement for Drainage 3 metres wide along the northern boundary of Lot 202 DP1119087 at Kaross Close, South Nowra, shown by broken line on attached easement plan;
2. Endorse the agreement with Shoalhaven District Football Association that all costs associated with the acquisition, including the payment of compensation, be met by the Association; and
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring the Seal to be affixed, otherwise the General Manager be given delegated authority to sign any documentation necessary to give effect to this resolution.



**Recommendation** (Clr Wells / Clr Cheyne)

That Council resolve to:

1. Acquire an Easement for Drainage 3 metres wide along the northern boundary of Lot 202 DP1119087 at Kaross Close, South Nowra, shown by broken line on attached easement plan;
2. Endorse the agreement with Shoalhaven District Football Association that all costs associated with the acquisition, including the payment of compensation, be met by the Association; and
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring the Seal to be affixed, otherwise the General Manager be given delegated authority to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA17.44 Acquisition of Fire Trail Easements at Jerberra Estate, Tomerong**

**HPERM Ref:  
D17/14579**

**Recommendation**

That Council:

1. Approve the acquisition of a fire trail easement approximately 6 metres wide and variable under the Land Acquisition (Just Terms Compensation) Act 1991, in favour of the Rural Fire Service, over Lots 55, 61 & 62 DP 11629, Invermay Avenue, Jerberra Estate, Tomerong, for nil compensation (Attachment 1);
2. Agree to pay the effected land owners of Lots 55, 61 & 62 DP 11629 reasonable legal costs and any other reasonable ancillary costs associated with the acquisition from Job No. 85286; and
3. Authorise 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 the resolution.

**Recommendation** (Clr Wells / Clr Proudfoot)

That Council:

1. Approve the acquisition of a fire trail easement approximately 6 metres wide and variable under the Land Acquisition (Just Terms Compensation) Act 1991, in favour of the Rural Fire Service, over Lots 55, 61 & 62 DP 11629, Invermay Avenue, Jerberra Estate, Tomerong, for nil compensation (Attachment 1);
2. Agree to pay the effected land owners of Lots 55, 61 & 62 DP 11629 reasonable legal costs and any other reasonable ancillary costs associated with the acquisition from Job No. 85286; and
3. Authorise 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 the resolution.

CARRIED

**SA17.45 Classification of land - Lot 116 DP1226471 Dolphin Point**

**HPERM Ref:  
D17/25477**

**Recommendation (Item to be determined under delegated authority)**

That Council approve the classification of the land described as Lot 116 DP 1226471 Dolphin Point as Operational land.

**Recommendation (Clr Wells / Clr Cheyne)**

That Council approve the classification of the land described as Lot 116 DP 1226471 Dolphin Point as Operational land.

CARRIED

**SA17.46 Acquisition and Extinguishment of Easement for  
Drainage - Woollamia - Pt Lot 1 DP650295 785 Woollamia  
Road**

**HPERM Ref:  
D17/30854**

**Recommendation**

That Council:

1. Resolve to acquire a 2 metre wide Easement for Drainage and extinguish an existing Easement for Drainage over part of Lot 1 DP650295 known as 785 Woollamia Road, Woollamia as shown in Attachment 1;
2. Pay all reasonable legal and ancillary costs associated with the acquisition and be funded from Job number 74901.39954; and
3. 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.

**Recommendation (Clr Wells / Clr White)**

That Council:

1. Resolve to acquire a 2 metre wide Easement for Drainage and extinguish an existing Easement for Drainage over part of Lot 1 DP650295 known as 785 Woollamia Road, Woollamia as shown in Attachment 1;
2. Pay all reasonable legal and ancillary costs associated with the acquisition and be funded from Job number 74901.39954; and
3. 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.

CARRIED

**SA17.47 Classification of land - Sunset Strip Manyana- Sewer  
Pump Station - SPS**

**HPERM Ref:  
D17/41087**

**Recommendation**

That Council resolve to classify the land described as Lot 100 DP1222243 known as Sunset Strip Manyana as Operational land subject to no submissions being received objecting to this position by the closing date of 15 March 2017.

**Recommendation** (Clr Proudfoot / Clr White)

That Council resolve to classify the land described as Lot 100 DP1222243 known as Sunset Strip Manyana as Operational land subject to no submissions being received objecting to this position by the closing date of 15 March 2017.

CARRIED

**SA17.48 Rural Fire Service - RFS - Proposed Closure of Part North Street, Berry**

**HPERM Ref: D17/28879**

**Recommendation**

That Council resolve to:

1. Make an application to the Minister administering the Roads Act 1993, for the part of North Street, Berry shown by hatching on Attachment "1" to be closed and retained by Council as Operational land; and
2. Affix the Common Seal of the Council of the City of Shoalhaven to any documentation requiring the Seal to be affixed, otherwise the General Manager be given delegated authority to sign any documentation necessary to give effect to this resolution.

**Recommendation** (Clr Pakes / Clr Alldrick)

That Council resolve to:

1. Make an application to the Minister administering the Roads Act 1993, for the part of North Street, Berry shown by hatching on Attachment "1" to be closed and retained by Council as Operational land; and
2. Affix the Common Seal of the Council of the City of Shoalhaven to any documentation requiring the Seal to be affixed, otherwise the General Manager be given delegated authority to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA17.49 Sale by Expression of Interest - Lot 1 DP 1021332 George Evans Road, Mundamia - Update**

**HPERM Ref: D17/37826**

**Recommendation (Item to be determined under delegated authority)**

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

**RESOLVED** (Clr White / Clr Gash)

MIN17.107

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

CARRIED

**SA17.50 Proposed Retail Lease of 41 Kinghorne Street, Nowra****HPERM Ref:  
D17/38082****Recommendation**

That Council:

1. Enter into a lease with Christian Mathew Wykniet (Trading as Pump House Pies) for two (2) years with a two (2) year option for an annual rent of \$21,529 per annum plus GST with annual increases of 3%; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

**Recommendation (Clr Wells / Clr Cheyne)**

That Council:

1. Enter into a lease with Christian Mathew Wykniet (Trading as Pump House Pies) for two (2) years with a two (2) year option for an annual rent of \$21,529 per annum plus GST with annual increases of 3%; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA17.51 Determination Of Review Of Environmental Factors  
(REF) - Lake Conjola Boardwalk Replacement****HPERM REF:  
D17/33957**

Item dealt with earlier/later in the meeting see MIN17.93

**SA17.52 Determination Of Review Of Environmental Factors  
(REF) - Rehabilitation Of Coolangatta Road Ch5400 To  
Ch6550****HPERM REF:  
D17/34043**

Item dealt with earlier/later in the meeting see MIN17.94

**SA17.53 Resource Recovery Park - West Nowra AWT****HPERM Ref:  
D17/37694****Recommendation (Item to be determined under delegated authority)**

That Council:

1. That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 on the procurement methodology for provision of Alternative Waste Processing Technology.
2. Establish a bio-banking site on land surrounding the Huskisson Recycling and Waste Facility and retire Environmental Offsets needed for the Resource Recovery Park and Landfill extension projects.
3. Receive a further report on options to provide the required Species Credits needed for the Resource Recovery Park.

Russ Pigg – significant non pecuniary interest declaration - as one of his neighbours is an associate of a waste company - left the room and did not take part in discussion or vote.

**RESOLVED** (Clr Wells / Clr Proudfoot)

MIN17.108

That Council:

1. That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 on the procurement methodology for provision of Alternative Waste Processing Technology.
2. Establish a bio-banking site on land surrounding the Huskisson Recycling and Waste Facility and retire Environmental Offsets needed for the Resource Recovery Park and Landfill extension projects.
3. Receive a further report on options to provide the required Species Credits needed for the Resource Recovery Park.

CARRIED

**SA17.54 Extension of Waste and Recycling Collection and Processing Contracts**

**HPERM Ref:**  
**D17/40470**

**Recommendation (Item to be determined under delegated authority)**

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

Russ Pigg – significant non pecuniary interest declaration - as one of his neighbours is an associate of a waste company – left the room and did not take part in discussion or vote.

Note: Clr Findley was absent from the meeting.

**RESOLVED** (Clr Gash / Clr Pakes)

MIN17.109

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

CARRIED

**SA17.55 Readoption Of Environmental Services Policies.**

**HPERM REF:**  
**D17/34240**

Item dealt with earlier/later in the meeting see MIN17.95

**SA17.56 Acquisition of Easement for Water Supply - 2 Wandean Road Wandandian**

**HPERM Ref:**  
**D17/23306**

**Recommendation**

That:

1. Council resolve to compulsorily acquire an Easement for Water Supply variable width over Lot 5 DP1027962 at 2 Wandean Road Wandandian, shown by broken line on attached copy of DP269010.
2. Council pay compensation as determined by the Valuer-General in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and ancillary costs for the acquisition from

Council's Water Fund.

3. The necessary application be made to the Minister for Local Government and the Governor for approval to the acquisition under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

Note: Clr Findley was absent from the meeting.

Note: Russ Pigg returned to the meeting.

**Recommendation** (Clr Proudfoot / Clr Wells)

That:

1. Council resolve to compulsorily acquire an Easement for Water Supply variable width over Lot 5 DP1027962 at 2 Wandean Road Wandandian, shown by broken line on attached copy of DP269010.
2. Council pay compensation as determined by the Valuer-General in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and ancillary costs for the acquisition from Council's Water Fund.
3. The necessary application be made to the Minister for Local Government and the Governor for approval to the acquisition under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

**SA17.57 Acquisition of Crown land and easement over Crown land at Ulladulla**

**HPERM Ref:  
D17/16594**

**Recommendation**

That the previous approval MIN 16.497 be varied and Council resolve to:

1. Compulsorily acquire from the Crown:
  - a. Lot 1 DP1109186, being part of Lot 7304 DP1166765, at Kings Point Drive Ulladulla, shown on the attached copy of DP1109186 marked Attachment 'A'.
  - b. A Sewerage Easement 10 wide and variable over Lot 7304 and Lot 7305 DP1166765 and Lot 5 DP256334 at Kings Point Drive Ulladulla, the attached copies of DP1109186 marked Attachments 'A' & 'B'.
2. Pay compensation and costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
3. The necessary application be made to the Minister for Local Government and the Governor for the acquisition under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.
5. The land to be acquired to be classified as 'Operational' in accordance with Section 31(2) of the Local Government Act, 1993.

**Recommendation** (Clr Proudfoot / Clr Cheyne)

That the previous approval MIN 16.497 be varied and Council resolve to:

1. Compulsorily acquire from the Crown:
  - a. Lot 1 DP1109186, being part of Lot 7304 DP1166765, at Kings Point Drive Ulladulla, shown on the attached copy of DP1109186 marked Attachment 'A'.
  - b. A Sewerage Easement 10 wide and variable over Lot 7304 and Lot 7305 DP1166765 and Lot 5 DP256334 at Kings Point Drive Ulladulla, the attached copies of DP1109186 marked Attachments 'A' & 'B'.
2. Pay compensation and costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
3. The necessary application be made to the Minister for Local Government and the Governor for the acquisition under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.
5. The land to be acquired to be classified as 'Operational' in accordance with Section 31(2) of the Local Government Act, 1993.

CARRIED

**SA17.58 Grant of easement & restriction over Council land at Nowra**

**HPERM Ref: D17/36398**

**Recommendation**

That Council resolve to:

1. Grant an Easement for Padmount Substation 3.35 wide and a Restriction on the use of land in favour of Endeavour Energy, over Council land Lot 1 DP531142 at St Anns Street Nowra. The Easement and Restriction are delineated (A) and (B) respectively on attached plan marked Annexure 'B'.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

**Recommendation (Clr Cheyne / Clr Levett)**

That Council resolve to:

1. Grant an Easement for Padmount Substation 3.35 wide and a Restriction on the use of land in favour of Endeavour Energy, over Council land Lot 1 DP531142 at St Anns Street Nowra. The Easement and Restriction are delineated (A) and (B) respectively on attached plan marked Annexure 'B'.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

CARRIED

**SA17.59 Future of Human Waste Removal Services**

**HPERM Ref:  
D17/27138**

**Recommendation**

That Council;

1. Seek tenders for human waste removal services
2. Apply full cost recovery to all fees and charges relating to human waste removal services commencing 1 July 2018.

Note: Cllr Findley returned to the meeting at 8.58pm

**Recommendation (Cllr Wells / Cllr White)**

That Council:

1. Seek tenders for human waste removal services
2. Apply full cost recovery to all fees and charges relating to human waste removal services commencing 1 July 2018.

FOR: Cllr Guile, Cllr Gash, Cllr White, Cllr Wells, Cllr Levett, Cllr Cheyne, Cllr Alldrick, Cllr Gartner, Cllr Pakes, Cllr Proudfoot, Russ Pigg and Cllr Findley

AGAINST: Cllr Watson

CARRIED

**SA17.60 Kangaroo Valley Sewerage Scheme Capacity Assessment - Proposed 3 lot subdivision Rendga Cl, Kangaroo Valley**

**HPERM Ref:  
D17/37189**

**Recommendation (Item to be determined under delegated authority)**

That:

1. Council approve the connection of the two additional lots (under SF10539) to the Kangaroo Valley Sewerage Scheme subject to development consent being granted.
2. Staff continue to monitor the Kangaroo Valley Sewerage Scheme capacity and report to Council only those development proposals in future that are considered to exceed normal infill development.

**RESOLVED (Cllr Wells / Cllr Guile)**

MIN17.110

That under delegated authority from Council:

1. Council approve the connection of the two additional lots (under SF10539) to the Kangaroo Valley Sewerage Scheme subject to development consent being granted.
2. Staff continue to monitor the Kangaroo Valley Sewerage Scheme capacity and report to Council only those development proposals in future that are considered to exceed normal infill development.

CARRIED



## Introduction of Items as Matters of Urgency

**RESOLVED** (Clr Pakes / Clr White)

That the following addendum reports be introduced as matters of urgency:

1. SA17.61 Pedestrian Suspension Bridge Over Kangaroo River - Upper Kangaroo Valley

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.

## ADDENDUM REPORTS

**SA17.61 Pedestrian Suspension Bridge Over Kangaroo River -  
Upper Kangaroo Valley**

**HPERM Ref:  
D17/51245**

**Recommendation (Item to be determined under delegated authority)**

That Council;

1. Engage an Engineering consultant to review the options, including costs, for repairing and renewing the footbridge over the Kangaroo River
2. Advise the residents and stakeholders that plans are being progressed to renew components of the bridge and funding will be considered as part of the 2017/18 budget against other priorities.

**RESOLVED** (Clr Wells / Clr Guile)

MIN17.111

That Council:

1. Engage an Engineering consultant to review the options, including costs, for repairing and renewing the footbridge over the Kangaroo River
2. Advise the residents and stakeholders that plans are being progressed to renew components of the bridge and funding will be considered as part of the 2017/18 budget against other priorities.

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 Pakes / Clr White)

MIN17.112

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.

CSA17.3 Sale by Expression of Interest - Lot 1 DP 1021332 George Evans Road, Mundamia  
- Update

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

*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.*

CSA17.4 Resource Recovery Park - West Nowra AWT

*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.*

CSA17.5 Extension of Waste and Recycling Collection and Recycling Processing Contracts

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

*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 9.05pm.

The meeting moved into open session, the time being 9.19pm.

Note: A rescission motion was received in relation to SA17.40 - Building Better Regions Fund - Projects. It will be considered at an Extra Ordinary Meeting on Thursday 23 February 2017 at 5.00pm in the Council Chambers.

There being no further business, the meeting concluded, the time being 9.20pm.

Clr Guile  
CHAIRPERSON

## **SA17.62 Notice of Motion - Code of Meeting Practice - Adjournment of Meetings**

**HPERM Ref:** D17/72458

**Submitted by:** Cllr Joanna Gash

### **Purpose / Summary**

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

### **Recommendation (Item to be determined under delegated authority)**

That Council consider a ten minute adjournment at all meetings after two hours.

### **Background**

Now that council has started an hour later, and meetings going for four hours or more it is not a healthy option to sit for four hours straight.

### **Note by the General Manager**

A scheduled adjournment at 7 p.m. would be supported.

## SA17.63 Question on Notice - Traveller Rest Areas

HPERM Ref: D17/82219

Submitted by: Cllr John Levett

### Question

What is the Council policy or plan on the provision of short time traveller rest areas.

### Background

There appears to be a growing need for roadside areas that can be utilised for overnight traveller stays, with basic toilet and shower facilities. A number of locations are now used which appear to be inadequate for the purpose in particular the roadside area opposite the Bewong Café.

### Response

Roadside rest areas primarily come under the responsibility of NSW Roads & Maritime Services, they provide rest stops in various locations on the Princes Highway within the Shoalhaven region. The rest areas are placed in locations where traffic flow is high enough to justify the cost of establishing such a facility for passing travellers, rather than overnight site accommodation. There is often shelters and toilets provided at rest areas. Areas such as Bewong and Rotary Park (South Nowra) are designed to provide rest stops, not overnight site accommodation.

The provision of overnight site accommodation with adequate facilities is covered under the Local Government Regulations (Caravan Parks and Camping Grounds). Overnight site accommodation of this type is provided by over 80 approved caravan parks in the Shoalhaven. There are alternative primitive camping areas and camp grounds provided in National Parks.

Under State Environmental Planning Policy (SEPP) (Infrastructure) 2007, certain development can be exempt, if development can be carried out by or on behalf of a public authority in connection with a road or road infrastructure facilities and complies with Clause 20 of that SEPP.

This includes roadside facilities and rest areas, if the development does not involve the installation of toilets and involves no greater disturbance to the ground or vegetation than necessary.

<http://www.legislation.nsw.gov.au/#/view/EPI/2007/641/part3/div17/subdiv1/cl97>

Refer to Clause 97 (1) (ix).

Clause 20 of the SEPP states:

## SA17.64 Question on Notice - "Adopt a Road" Scheme

HPERM Ref: D17/82232

Submitted by: Cllr John Levett

### Question

Could Councillors be given an explanation of the operation and success of the "Adopt-a-Road" scheme in the Shoalhaven, is it still actively worked, and could it be expanded as a means of coping with the roadside rubbish issue.

### Response

Shoalhaven City Council does participate in the "Adopt A Road" programme. Currently there is one formal "Adopt A Road" group which is the Adopt A Road Bendigo Bank Parkcare Group which removes litter as necessary along all roads in Sanctuary Point, St Georges Basin and Basin View. The group began in 2012 and the Parkcare Action Plan was adopted by Council in March 2013 (D13/4640). The group was supplied with personal protection equipment by Council and has been very effective and donated over 190 hours of labour, to the task, since its creation.

Council's Parkcare Programme in many areas is very successful and provides an opportunity for volunteers to provide higher levels of services which are currently unable to be funded by Council due to large area serviced. It also provides a fantastic opportunity for volunteers to "give back" to their community and demonstrate pride in the local area. Council provides all groups with financial support and assistance by staff to set up their groups and develop their Action Plans which are then put forward to Council for consideration and adoption. New Parkcare groups require approximately \$400 per year in funding which forms part of the recommendation at the time of the Action Plans adoption.

The Adopt A Road programme can be easily expanded if there are willing volunteers to assist Council in control of litter.

SA17.64

## SA17.65 Economic Development Strategy - Draft Report to be Placed on Exhibition

**HPERM Ref:** D17/73359

**Group:** General Manager's Group  
**Section:** Economic Development

### Purpose / Summary

To have Council commit the Draft Economic Development Strategy (2017-2026) to be placed on public exhibition.

### Recommendation (Item to be determined under delegated authority)

That

1. Council place the draft Economic Development Strategy (2017-2026) on public exhibition for a minimum of 28 days.
2. A report be submitted to Council including comments from submissions received with the view to have the Economic Development Strategy (2017-2026) adopted by Council.

### Options

1. The recommendation be accepted as written
2. An alternative recommendation be proposed

### Background

Shoalhaven Council has had 2 prior 10 year Economic Development Strategies:

- 1996 – “Creating a Platform for Growth”
- 2006 – “Shoalhaven – an enterprising alternative”.

In 2016 the process commenced to create the next strategy to cover the period 2017-2026. A request to consultants was made in July 2016 to submit a proposal to undertake the work.

Locale Consulting was appointed in August/September 2016. A steering committee comprising Council staff, government agencies and business oversaw the project.

A draft of the document was prepared in late 2016 and was submitted to the Steering Committee in January 2017 and comprises the Shoalhaven Economic Development Strategy 2017-2026 and three internal support documents which give direction to the working activities of Council, especially the Economic Development Office.

The Economic Development Strategy has 9 chapters/sections

1. Overview
2. Strategic Context
3. Existing Economic Situation
4. Economic Drivers and Competitive Advantages
5. Achieving a Positive Future

6. Broad Based Actions
7. Key Industry Actions
8. Key Partners and Leadership
9. Implementation and Monitoring .

This Strategy provides an implementation platform for the many and varied economic development opportunities that have been identified through detailed stakeholder discussions and review of several local, regional, state and Federal level initiatives. The Strategy also builds on the Council's Community Strategic Plan's prosperity objectives to create:

- An economy with growing employment opportunities based on Shoalhaven's distinct characteristics, advantages and natural qualities;
- An economy that supports and is supported by growing, diverse and changing communities; and
- Effective promotion of Shoalhaven's investment, business and job opportunities, lifestyle attractions and vision.



Councillor briefing was held on 9th March.

Other stakeholders involved in the process will have an opportunity to review the Strategy during the exhibition period.

The aim is to have the Strategy formally presented to Council in May.

### **Community Engagement**

As part of the consultant's role, targeted individual stakeholder meetings were held with representatives of Council Executive, relevant Section Managers, government agency representatives (Joint Organisation, RDA, Premier and Cabinet, NSW Industry), external organisations (TAFE, UoW), business organisations (Chamber, SPBA) and others over the second half of 2016.

It is proposed that these groups/representatives will be asked to review the DRAFT Strategy and this will be reported to Council in the adoption report.

### **Policy Implications**

As outlined in the Community Strategic Plan, the "prosperity" of the Shoalhaven is a core focus for Council.

The implementation of the 10 year Economic Development Strategy will involve all Council Groups in its delivery.

### **Financial Implications**

Council will need to assess the Economic Development Strategy in its budget determination and provide the necessary resources to deliver as it sees fit.

## SA17.66 Citizens Panel

**HPERM Ref:** D17/82371

**Group:** General Manager's Group  
**Section:** Executive Strategy

**Attachments:** 1. A City of Darebin Citizens Jury Timeline [↓](#)  
2. Eurobodalla Shire Council Citizen Jury Report (under separate cover) [⇒](#)  
3. Citizen Jury Case Studies - At a Glance [↓](#)

### Purpose / Summary

Council, at the Extra Ordinary meeting of 1 February 2017 resolved, in part, that:

*Staff provide a report to the next Ordinary Council Meeting on the establishment of a Citizens' Panel to provide recommendations to Council on priority areas for expenditure related to the proposed Special Rate Variation.*

This report is in response to the above resolution.

### Recommendation (Option 2)

That:

1. Council randomly select a total of 24 persons from the existing 24 Consultative Community Bodies (CCBs), Council's Advisory Committees & Boards, and the Business Chamber Executives, to form a Community Reference Panel to provide input into the Community Strategic Plan (CSP) review process and the Delivery Program/Operational Plan (DPOP) and budget community engagement process.
2. This Panel undertake 3 workshops to provide feedback on the priorities for expenditure of the Special Rate Variation (SRV) and the projects and priorities of the CSP and DPOP
3. Council allocate a budget of \$10,000 to meet staff and other costs to form and assist the Community Reference Panel in the process.
4. Council also utilise alternative community engagement methods to reach other stakeholders of Shoalhaven, to actively seek their feedback on their priority areas for expenditure of the proposed SRV as part of this year's DP/OP and budget and allocate \$5,000 to fund materials and resources for these engagement methods
5. Council consider providing a budget in the 2017/18 financial year for the establishment of a permanent randomly selected Community Reference Panel that could be externally facilitated and used for a number of projects of Council throughout the year and form part of Council's overall community engagement strategy

### Options

1. Should the proposed SRV be supported by the Independent Pricing And Regulatory Tribunal (IPART) and adopted by Council then Council could form a Citizens Panel of randomly selected community participants that represent the demographic mix of the Shoalhaven. This Panel would be tasked to provide Council with recommendations about priority areas for the expenditure of the SRV. Council would need to allocate a budget of at least \$100,000 to externally resource, fund and support the Citizens Panel



process. The General Manager would also need to allocate internal staff resources to support the process.

Implications: A Citizens Panel and other forms of deliberative processes are excellent methods of independent engagement with the community and are highly recommended for many communities throughout Australia. Whilst Citizen Panel processes have worked very effectively in some situations, in others this engagement method has not been successful and the recommendations that Panels have made have not been supported by the community or Council.

There are cost implications for this option including the need for a currently unfunded budget of at least \$100K and external resources to recruit and facilitate the process. There are also staff resource implications given the need for staff to be tasked with supporting the process on top of their existing project commitments.

Timing factors need to also be considered given the length of time required to run the Citizens Panel process - is estimated to be 8-12months. There is also the need to obtain quotations from external consultants and also undertake a planning and design of the process prior to commencement of the process.

The review of the current CSP and creation of the DPOP and Budget for 2017/18 will need to be finalised by June 2017. Engagement on the CSP is expected to commence in April 2017 and will include questions relating to priorities for the next 10 years. The DPOP and Budget engagement will focus on the expenditure of Council funds and the projects that will be undertaken for the next financial year and is expected to commence in May 2017. There is a limited time frame for all these engagement processes given the Council election process and proposed SRV process had to occur prior to commencement of the CSP review. Given the timing, any input provided by a Citizens Panel would not be able to be incorporated into these documents in this financial year and could only be incorporated in the 2018/19 financial year processes.

However by not adopting a Citizens Panel process the CCBs, who suggested this idea, may be concerned and feel that their proposal has not been supported. It is suggested that if alternative engagement methods are utilising and CCBs have input into selecting these methods or being part of these methods then this may assist in alleviating some of their concerns.

2. Council could choose to not utilise an independently run and selected Citizens Panel engagement method for the development of the priorities for the expenditure of the SRV and instead:
  - a. Randomly select persons from the existing 24 CCBs, Council's Advisory Committees & Boards, and the Business Chamber Executives, to form a Community Reference Panel to provide input into the CSP Review process and the DPOP and budget community engagement (which would include the SRV if supported by IPART and Council).
  - b. Utilise alternative community engagement methods to reach other stakeholders of Shoalhaven to actively seek their feedback on their priority areas for expenditure of the proposed SRV as part of this year's DPOP and budget process.
  - c. Council would need to allocate a budget and resources to support this (which would not be more than 10K).
  - d. Consider providing a budget in the next financial year for the establishment of a permanent randomly selected Community/Citizens Panel that could be used for a number of projects of Council throughout the year and form part of Council's overall community engagement strategy.

Implications: This would be a less costly option and more efficient than the formation of an independently selected and run Citizens Panel. Council has used community

reference panels in the past and they have been successful in providing input, along with input from other community members into Council projects and policies. The ultimate decision remains with Council and the recommendations of the panel are considered as part of the overall engagement process rather than being the single method of engagement utilised as would be the case in the use of a Citizens Panel.

Given the timing of the CSP review, DPOP and budget discussions that are about to occur with the community it is important that any panel is established quickly and can have input into this process.

This option does not allow for random community members to be part of the process and does not necessarily provide a representative view of the wider/broader community. It will provide the view point of those that are already actively engaged with Council and who already have an understanding of Council processes and policies. This can assist in the ability for the Panel to move to key considerations faster than community members who have no experience with Council at all.

There has already been information received from the community as part of the proposed SRV engagement process, recent community surveys and other engagement processes that have provided Council with some of the community's priority areas for expenditure of the SRV. A clear message has been that the community seeks additional expenditure on roads and infrastructure. By including a community panel made up of interested community members as part of the CSP, DPOP and Budget engagement process Council will be able to seek additional feedback in this area in a timely manner.

This option proposes that as part of this option Council consider the establishment of a permanent community reference panel that forms part of Council's overall Community Engagement Strategy. This panel would be randomly selected and facilitated. Given the timing of the SRV application, DPOP and budget for 2017/18 delaying the establishment of this Panel would allow for appropriate budget to be allocated in this next financial year and for the time to be available to establish the Panel for the 2018/19 financial year considerations.

### 3. Adopt an alternative recommendation.

#### **Background**

##### Request for a Citizens Panel

As part of the community engagement process for the proposed Special Rate Variation Council received two submissions from our CCBs at Huskisson and Bawley Point. Council also received a combined CCB submission. In these submissions it was suggested that Council utilise a Citizens Panel, as had been used by Eurobodalla Council, to provide Council recommendations on how the proposed SRV be spent as shown in Image 1 below.

The CCB's currently preferred model for this type of holistic review – where the attitudes of residents and ratepayers are central to getting it right – would be some adaptation of the 'Citizen Jury' approach recently undertaken by Eurobodalla Shire

(<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/citizens-jury>)

- This approach involves the residents centre stage in a way that requires that an holistic view be taken of all elements in the proposed service package, including the implied costs of delivery – and requires that each service be justified in terms of the benefits and costs (financial, social, environmental) it offers to the overall package
- It could well greatly reduce the political difficulties that arise in any consideration by Council of service cuts, where this is done item by item rather than holistically
- It seems quite possible that this process could reveal new approaches to service delivery and funding in the Shoalhaven that could work to everyone's advantage.

### **Image 1- Combined CCB submission extract**

On the 1st February 2017 Council resolved (MIN17.71) to:

1. Council receive the feedback and results of the community engagement
2. Council endorse a financial sustainability approach that includes continued improvement in our procurement and asset management practices and improving productivity and implementing a Special Rate Variation
3. Council authorise staff to make formal application to the Independent Pricing and Regulatory Tribunal (IPART) and lodge a Section 508A Special Rate Variation (SRV) on general income for an increase of 11.5% in 2017/18 and 11.5% in 2018/19, above rate peg for each of the 2 years in order for Council to financially support the ongoing provision of service levels to the community and increase levels of asset maintenance and renewal.
4. **Staff provide a report to the next Ordinary Council Meeting on the establishment of a Citizen's Panel to provide recommendations to Council on priority areas for expenditure related to the Special Rate Variation**
5. Council accept the submission from The Shoalhaven Independents on behalf of the ratepayers and residents who attended protest meetings at St Georges Basin, Bomaderry, Huskisson and Nowra as part of the overall submissions and the submission also be reported to IPART.
6. The General Manager report back to Council on how Council could capture any business that is operating from residential premises and re-categorise to business and if there are any legislative hurdles should Council wish to pursue this as an ongoing part of revenue review. This should include the cost for resourcing such a project- this suggestion was put to Council by concerned ratepayers.
7. The General Manager report back if any other Councils apply a levy or any other mechanism to increase rates on those properties that are known to supply accommodation to the tourism industry and are essentially a business- these properties would be those listed by real estate agents and online mechanisms such as Air BnB and Stayz –this suggestion has been raised by concerned business operators.
8. The General Manager also report back on any measures that can be used to essentially pass some of the financial burden of maintaining assets onto the many tourist that come to the Shoalhaven, suggestions that have come through include parking meters for peak tourist times and places and bed taxes. The report should also include any legislative or resourcing issues for such matters.
9. In reporting back could the General Manager please comment on any timing issues that could be foreseen if such mechanisms were to be adopted by Council.
10. Council refer the matters raised by an Independent Auditor in a recent confidential meeting with councillors to Council's Risk & Audit committee for consideration and any further advice. .CARRIED

This report relates to part 4 of this resolution.

#### Community Engagement - Methods

Community engagement is a planned process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest, or affiliation or identify to address issues affecting their well-being. Good community engagement takes time, resources and a budget. Often community engagement in any organisation does not succeed because the methods used do not suit the stakeholders that are meant to be targeted, there is limited time for planning or no planning is undertaken at all, there is no budget allocated or the decision has already been made.

Often engagement is said to have "failed" if it did not present the desired outcome or achieve the required number of comments or the result that the "squeaky" wheels desired. Often the

term engagement or collaboration is being used when actually the engagement is really only about informing the community rather than seeking their feedback. Understanding the exact questions that are really being asked and the outcome that is actually trying to be achieved is very important in determining what method and measure is used for community engagement. Being up front at the beginning of the process about what level of input the community can actually have and why is also very important. Consistent clear messaging and a united voice is also vital to the success of the process.

There are a significant number of community engagement methods that can be used for any project depending where the project sits on the IAP2 community engagement spectrum.

There has recently been a trend towards undertaking more collaborative and deliberative processes and methods, in engaging with the community to enable them to feel included in the process. Many organisations have embarked on deliberative processes such as the use of community panels, working groups, juries and other methods. Each method has its benefits and its risks and needs to be tailored to the situation, stakeholders to be engaged, the question/consideration posed, budget allocated and resources available to the organisation.

### The Citizens Panel Method

A Citizens Panel is a means of involving everyday people in the process of government decision-making. In essence, a Citizens Panel is a group of randomly selected members of a community convened to consider a given topic and provide a response or recommendation to the governing body.

The success of the panel model is based on the premise that if the public know that a group of their fellow citizens have reached consensus around a decision, they immediately have more trust in the decision than if it were made solely by someone in elected office or the public service.

Citizens Panels work because they can convey to the wider community that citizens like them are being given complete access to information, are studying detailed evidence and hearing from subject-matter experts of their own choosing.

There are a number of ways a citizens panel can be formed, run and obtain an outcome. The models that have been used by many organisations vary.

The classic citizens panel model is as follows:

- 12-24 randomly selected against stratified criteria.
- Overseen by stakeholder steering committee, who choose witnesses to give evidence.
- Commitment by decision-makers to seriously consider and publicly respond to recommendations.
- Consensus 'verdict' expected though majority reports still useful.

There are numerous variations to this including.

- The size of the panel can vary and range from a small number to up to 350 people.
- The time and duration of the process can vary and be either carried out in a consecutive fashion i.e. over 3-4 days or over a number of weeks with one meeting per week or month.
- Citizens Panels have taken on many different names and can be called Community Panel, Community Jury etc.
- Members of the panel can be randomly selected or a blend those engaged with randomly selected or comprise of very engaged community members (such as the community panel process used for Collingwood beach).

- Incentives given can vary from vouchers, to full funding eg \$250.00 per day.
- Remits (or considerations) can be a very narrow question or a more broad question.
- Stakeholders role can vary from oversight to witnesses or observers.

There are significant risks with using a Citizens Panel. Some of these risks have been seen in the Shoalhaven through the Collingwood Beach Community Panel process and the Citizens Panel attempt for the Rating Category Review. Citizens Panels do not always work and are not the only engagement method that can be used to seek community input and empowerment. Risks associated with using deliberative methods include:

- Stakeholders can feel marginalized (those that are not selected as random panel members).
- It can be seen as a way to disempower those with different points of view.
- The broader community can feel or actually be left out of the process.
- Stakeholders will not go on the same journey as panel members, and may well still be polarised.
- Stakeholders may choose not to participate and lobby decision-makers directly.
- The Panel can be used inappropriately - it is seen as a new innovative method but may not be the right one for the decision making process.
- The recommendations of the Panel may not align with Council or Councillor priorities, finances or legislative requirements.

There are however benefits of using this method including:

- The ability to really consider and look at a tricky question.
- It can be a very transformative and inclusive experience for the Panel.
- Those with strong interests are required to pitch to citizens (rather than claiming to speak on their behalf when lobbying).
- Clearer accountability with process outputs and ultimate decisions made.
- They can be the convergence of a broader community engagement process.

#### Selection of Committee Members

The selection of the Community Panel can be undertaken using a variety of methods including:

- Random selection from the electoral roll or rate payers database, members are randomly selected from the electoral roll and sent invitations to participate, indicating that their agreement does not guarantee final selection as selection needs to be demographically representative of the community as a whole.
- Random face to face recruitment approaches are made door to door, at events, in shopping centres, etc.
- Random telephoning - community are randomly selected by telephone number and called and invited to participate. Respondents complete a demographic survey and are matched to fill the selection criteria.
- Non-targeted advertisements - advertisements are placed in relevant newspapers and community publications which provide no detail other than participants are sought. Those who express an interest are then surveyed against demographic data.
- Snowballing technique - recruiters ask friends and family to contact people they feel might be interested in participating.

### Resources Required

As with any community engagement, it is important to have a clear purpose in mind which will inform the design of a panel process. It requires many months of careful planning and considerations of issues such as the panel selection, the remit, background material, observers, the authority of the panel's recommendations, costing and evaluation. In particular, Council needs to be clear about what it will do with the panel's recommendations. On receiving the panel's final report, Council will be expected to respond publicly to the recommendations, outlining the reasons behind their response.

The Victorian Association of Local Government outlines in their summary on Citizens Panels that *"anecdotal evidence speaks to the enormous amount of time and energy that a panel process requires of council officers with the responsibility of making it happen."* One fundamental task is to ensure that colleagues and elected representatives understand what's involved. This is in addition to all of the many practical considerations about the design of the process and the smooth running of the panel on the day. Typically, the running of a panel process tends to fall to community engagement/development teams in council. Where a panel process sits in council is an important consideration.

### Timing

A timeline prepared by the City of Darebin's Citizens' Panel is provided as **Attachment A** by way of an example. For this process the total time from beginning to end was almost 12 months, in most case studies reviewed the time to run the panel process was between 8-12 months.

Council is about to commence the CSP review process and also undertake the DPOP and Budget engagement. All are due to be completed by June 2017. The establishment of a Citizens Panel to influence these processes will not be able to occur. Any input the Panel would have into the spending of the SRV, DPOP and CSP would be through the 2018/19 DP/OP and Budgetary process.

### Costs

The cost of convening a citizens panel varies considerably with the design of the process. Detail contained in case studies and council budgets are unclear and may not include internal costs. Eurobodalla ran their process for \$100K. The Victorian Local Government Association (representing the majority of councils that run these panels) estimates that many range from \$50 - \$180K, which includes the cost of an external facilitator. They outline that the City of Greater Bendigo's Citizens' Panel budget is given as \$89K; and the City of Melbourne's large-scale People's Panel on the Council's 10-year financial plan cost in the order of \$180K.

Council needs to consider whether there would be funds available to support this type of process and whether this would be money well spent or represent value for money over other approaches to community consultation. It will also be important to consider some of the less tangible outcomes, such as the goodwill generated or the ability for a panel to generate new ideas that may not have been considered in the past.

### Key Imperatives for Success

There are a number of key imperatives for the success of a Citizens Panel. Drawing information from a number of research documents on the subject the success factors are summarised below and include:

- **Sufficient funding.** Funding needs to include costs for the use of specialist consultant to run the process, recruitment, incentives, process design, facilitation, obtaining specialist witnesses, venues and catering.
- **There is a well scoped remit** - Research tends to point to Citizens Panels being most useful for convergence issues - focusing on making choices between carefully crafted options, yet with room to craft new possibilities.

- **Design and structure of the Panel has been well planned and considered and set for the proposed remit.** In order to run a Citizens Panel process there is a lot of time, resources and skill required, the process needs to allow for sufficient time for the Panel to deliberate, and for additional time to be provided as needed.
- **The process is independent and equitable.** The facilitation of the process needs to be undertaken independently of the organization including the formation of the Panel. This is to ensure that evidence has not been stacked to any particular side, the process has been fair and well run, stakeholders believe they have been able to provide their evidence and given the opportunity to also have their say. Some stakeholders however may not be able to participate in the process- there needs to be fair and balanced evidence.
- **At the end of the process the Panel must feel that it is their report, that the process has been well run and genuine.** The Panel is able to make public comment about the process, their findings and what they have learnt, this can be both positive and negative.
- **Decision makers support and believe in the process.** Decision makers need to be willing to accept that the outcome may be different to their preferred option and if it is accept the recommendations of the Panel. They need to accept the report provided by the Panel and this report needs to be unedited. They need to ensure that they are willing to adopt or support recommendations and if they do not support or adopted recommendation to provide detailed and public comment about why any recommendations are not adopted or supported.

There are significant risks associated within utilizing the Citizens Panel method. The ongoing “cost” (loss of trust, community dissatisfaction etc) can result if the process is done poorly and does not deliver sufficient rationale for the ‘verdict’. Not adopting the recommendations of the Panel can also have significant implications.

#### Case Study Examples

##### *Eurobodalla Council*

The request from CCBs references the Eurobodalla Council’s use of a Citizens Panel for the consideration of the way Council spent it’s money. Eurobodalla Council uses a Citizens Panel to review its range and level of services to inform development of the Delivery Program 2017-21 and meet Fit for the Future commitments. Commencing in June 2016 the expected completion of the project is March 2017. The process was independently run by the new Democracy Foundation.

The total cost of the process is stated as **\$100,000**.

Prior to the process commencing Council staff prepared a briefing book for all panel members to assist in their deliberations and understanding of the process.

The Citizens’ Panel consultation process was run completely independent of Council. The process is entirely managed by the newDemocracy Foundation to ensure a fair methodology and unbiased result. A total of 24 panel members were used and selected based on the population of the Council area and previous experience of the consultant.

The newDemocracy Foundation posted invitations to 5,000 Eurobodalla residents. The addresses for the 5,000 invitations are randomly drawn from land titles information. Recipients of the invitation are asked to register online (or by phone) to indicate they are interested and available for the final selection. Based on those available, a second random draw was carried out to select the final 24 members. Upon completion of the process panel members will receive a one-off payment of \$400 for any associated costs incurred from being a part of this process. Meals and refreshments were also be provided at the meetings. The panel members met six times between September and November 2016.

As part of the process Eurobodalla residents, community groups and organisations were encouraged to make a submission to the Panel on issues that they would like the Citizens' Panel to consider when making their recommendations on Council spending and service delivery.

From the submissions, the panel members selected speakers to present at future meetings. Speakers will varied at each meeting to reflect the topics raised by the community submissions or to provide additional information to the Panel on topics of their choosing.

The final report of this Panel (**Attachment B**) provided to Eurobodalla Council and shows a range of recommendations which are yet to be fully considered by Council (expected March 2017).

#### *Wollongong Council*

In 2013 Wollongong City Council utilised a Citizens Panel for the consideration of the Financial Sustainability of Council. The Citizens Panel was established to seek feedback on Council's finances, and to help Council develop a plan for the maintenance and repair of the City's ageing infrastructure. The Panel was specifically tasked with identifying ways Council could direct further resources to pay for the upkeep our city's post-war roads, buildings and footpaths. Council appointed a market research company to recruit randomly selected community members for the Citizens Panel. Council also hired an independent engagement specialist, Straight Talk, to facilitate the Panel. Straight Talk led a similar process for Canada Bay Council in 2012.

The 34-person Citizens Panel was asked to address three specific questions:

- What are the priority services for Council to deliver and to what level should Council deliver these services?
- What are the opportunities to achieve operational improvements?
- How should Council fund the delivery of these services to the desired level?

The Panel was seen as a first step in the community engagement process. The recommendations of the Panel were then provided to the broader community for further comments, ideas, and suggestions from all community members. Following the receipt of the recommendations from the Panel Council came out in the media with a message that *"This is an ongoing process that will only get better with many hands and many voices from all areas of the City."*

The process was subject to significant community concern as the recommendations made proposed the closure of a number of community facilities and the cessation of a number of Council services. This case study shows an example of a process that can have negative impacts if the recommendations provided by the community do not match the wider communities view or the view of special interest groups or the view of the Council.

Some articles about the Panel and considerations include:

<http://www.illawarramercury.com.au/story/1896767/growing-fears-over-citizens-panel-sway/>

<http://www.illawarramercury.com.au/story/1896704/swimmer-labels-potential-closure-cruel/?cs=300>

<http://www.illawarramercury.com.au/story/1894454/explanations-for-panel-recommendations/?cs=12>

<http://www.illawarramercury.com.au/story/1896710/report-just-a-conversation-starter-farmer/?cs=300>

<http://www.illawarramercury.com.au/story/1894633/citizens-panellist-dont-blame-us/?cs=300>

<http://www.illawarramercury.com.au/story/1889371/stand-by-to-pay-more-and-get-less-wollongong/?cs=300>



There are many more similar articles that were featured in the Illawarra Mercury and other publications during this time. The process created significant distrust and outrage in the Wollongong community during this time and as a result most of the recommendations were not adopted. Whilst panels are effective and have been very successful in a number of locations, success is not always guaranteed and they can have potentially negative outcomes for the community, participants and Council.

#### *Other Case Studies*

There are numerous articles, research papers and case studies about the use of a Citizens Panel. A short summary of some of the key recent examples that have occurred in Australia has been provided as **Attachment C**.

The newdemocracy foundation website also provides some excellent examples of the use of panels <https://www.newdemocracy.com.au/>

Some examples of positive media and discussion on the use of Citizens Panels include:

<http://www.abc.net.au/radionational/programs/futuretense/citizens-juries-giving-power-to-the-people/5779168>

<http://www.smh.com.au/comment/melbourne-peoples-panel-makes-bold-decisions-where-politicians-fear-to-tread-20150331-1mchjp.html>

<http://www.smh.com.au/comment/experiment-pays-off-melbourne-peoples-panel-produces-robust-policy-20150628-ghzoz4.html>

#### **Community Engagement**

The proposed use of a Citizens Panel is one engagement method that can be utilised to determine the community's priority in the expenditure of the proposed SRV. This method sits within "empower" on the IPA2 community engagement spectrum which hands the decision making power over to the people. This method needs funding and resource allocation and can be more costly than some other forms of community engagement methods.

As with any community engagement process it is imperative that community engagement is well planned and designed to obtain feedback from the key stakeholders that are being targeted.

#### **Financial Implications**

As outlined in the report the cost and resources estimated to be required for the implementation of a Citizens Panel can vary from 60K to 180K. In the case of Eurobodalla the costs stated for this Panel total 100K. It is not known if this also includes staff time. It is recommended that if a Citizens Panel engagement process is adopted by Council then a budget allocation of at least 100K is also provided.

Currently there is not a specific community engagement or project budget that could be used for this process. Community engagement is generally funded through specific projects and often there is not a community engagement budget allocated for some of our engagement activities e.g. recent SRV application engagement, Council merger community engagement.

Given the limited funds that Council has at this time (hence the need for the proposed SRV) Council needs to consider whether the allocation of these funds for this purpose is an appropriate use of Council resources. Council will also need to be able to justify to the wider community that this expenditure is necessary and that other alternative engagement methods could not be used to obtain a similar result.

#### **Conclusion**

There are two options that are being proposed as part of this report on the use of a Citizens Panel for the development of priority expenditure for the proposed SRV. The community have clearly shown that they would like input into how the funds obtained from any SRV are spent and that if they are able to have input into this they would be more willing to accept an

increase in rates. There are many methods of obtaining community feedback about priority expenditure, a Citizens Panel is one method that could be employed. It can take at least 8-12 months to complete the process and rely on funding in the order of 100K, Council needs to consider whether this is a useful use of Council funds and resources or if the same outcome could be achieved through alternative engagement methods or another option.



### Darebin's Citizen's Jury – Actions taken

	Action	Actioned by	Timing	Resources
<b>Budget approval</b>				
1	2014/15 budget approved – includes \$1 million for Infrastructure Fund	CFO	June 2014	2014/15 Budget
<b>Briefings</b>				
2	Executive Management briefing paper	CFO	July 2013	
3	Council briefing paper	CFO	August 2013	
4	Executive Management briefing paper	CFO	May 2014	
5	Council briefing paper	CFO	January 2014	
6	Executive Management briefing paper	CFO	January 2014	
<b>Recruiting the jury</b>				
7	Engaged newDemocracy Foundation	CFO	February 2014	
8	Invitations sent by new Democracy	newDem	March 2014	Invitation to join the jury
9	Jury recruited by new Democracy based on demographics of Darebin	newDem	April 2014	
<b>Appointing facilitators</b>				
10	Quotation process run	CFO	March-April 2014	
<b>Information to Jurors</b>				
11	Jurors information pack	CFO	May 2014	Participant Pack
12	Jurors terms of reference	Facilitators new DEM		
13	Updates after each meeting	CFO/Facilitators	May- Aug 2014	
14	SMS reminders to each juror prior to each meeting	CFO	May- Aug 2014	
15	Community submissions	Community		
<b>Observers</b>				
16	Invitation via website and local media	CFO	May-Aug 2014	
17	Observers' code of conduct	newDem		Observers' Code of Conduct
<b>Community Engagement</b>				
18	Local Solutions to Local Issues	CFO	Dec 2013-Feb 2014	Local Solutions website
19	Community invitations	CFO	June 2014	Invitation to Darebin's community to submit ideas
<b>Witnesses/presenters</b>				
20	Witnesses' Terms of Reference	Facilitators	May 2014	Witness Guide
<b>Council paper</b>				
21	Council paper seeking approval of Citizen's Jury recommendations	CFO	September 2014	Council report – Citizen's Jury recommendations

Reproduced with kind permission of the City of Darebin. For further information see the Deliberative Democracy Hub at [www.vlga.org.au](http://www.vlga.org.au).



### Citizen Jury Case Studies - at a glance

The table below captures some examples of the ways in which juries have been used in different settings in Australia – and links to further information. On the DD Hub on the VLGA website, you will find more detail on those marked with a '✓' in the [Local Government Case Studies](#) handout. You will also find a detailed account of the [Yarra Ranges Council People's Panel](#) in a separate handout.

Many of the sponsors listed provide considerable detail about timing, background information, jury reports, expert presentations and juror feedback. Design notes on several of these juries can be found on the newDemocracy Foundation website: [www.newdemocracy.com.au/ndf-work/](http://www.newdemocracy.com.au/ndf-work/)

Sponsor	Task	Timing	Further info	Case study
<a href="#">Victorian Government: Geelong Citizens' Jury</a>	A randomly-selected 100-member jury convened to deliberate on local governance arrangements following the dismissal of the Greater Geelong City Council in April 2016. The Jury will be asked to consider: <i>Our council was dismissed. How do we want to be democratically represented by a future council?</i>	October - November 2016	<a href="http://geelongcitizensjury.vic.gov.au/">http://geelongcitizensjury.vic.gov.au/</a>	✗
<a href="#">City of Greater Bendigo</a>	A jury of about 24 people drawn together to offer a considered view on the range and level of services to be provided across the municipality. This forms part of the engagement on the City's new Council Plan (2017 – 2021). <i>What should Council spend our money on to shape the community's future ?</i>	July- September 2016	<a href="https://www.bendigo.vic.gov.au/your-say/Have-your-say/Citizens-Jury">https://www.bendigo.vic.gov.au/your-say/Have-your-say/Citizens-Jury</a> This site includes documents provided to the jury (such as the Jury Briefing Book) and information requested by the jury.	✗

Sponsor	Task	Timing	Further info	Case study
<a href="#">Infrastructure Victoria</a>	Infrastructure Victoria was created in October 2015. In developing its 30-year strategy, two citizen juries (in Shepparton and Melbourne), made up of about 40 randomly selected people considered: <i>What should we do to meet Victoria's infrastructure needs?</i>	June - July 2016	<a href="http://yoursay.infrastructurevictoria.com.au/30-year-strategy/citizen-jury">http://yoursay.infrastructurevictoria.com.au/30-year-strategy/citizen-jury</a>	✖
<a href="#">City of Melbourne: Citizens Jury</a>	A randomly selected jury of 52 people met to produce a refresh of <i>Future Melbourne 2026</i> . The jury was the third of three phases of consultation on a refresh of the <i>Future Melbourne</i> plan, beginning in February 2016.	May - June 2016	<a href="http://participate.melbourne.vic.gov.au/future/creating-future-melbourne-2026-plan">http://participate.melbourne.vic.gov.au/future/creating-future-melbourne-2026-plan</a> A comprehensive site with detailed information on engagement around the <i>Future Melbourne</i> refresh and the role of the jury, including video.	✖
<a href="#">Yarra Ranges Council</a>	People's Panel of 12 people drawn at random from the community of Yarra Glen, met to identify infrastructure projects to be funded by proceeds from the sale of council-owned land in the town.	April - May 2016	<a href="http://www.yarraranges.vic.gov.au/Lists/Current-consultation/Yarra-Glen-Peoples-Panel/Yarra-Glen-Peoples-Panel">http://www.yarraranges.vic.gov.au/Lists/Current-consultation/Yarra-Glen-Peoples-Panel/Yarra-Glen-Peoples-Panel</a>	✓ (see also separate handout)
<a href="#">City of Yarra: Liveable Yarra People's Panel</a>	As part of the 'Liveable Yarra' project, the Council hosted a four session deliberative forum on the question of: <i>What advice would you give Council on rewriting the Planning Scheme?</i>	In November 2015, Council resolved to receive and note the Panel's advice and supported it being used to inform the Planning Scheme rewrite.	<a href="http://www.yarracity.vic.gov.au/planning-building/Yarra-planning-scheme/liveable-yarra-project/">http://www.yarracity.vic.gov.au/planning-building/Yarra-planning-scheme/liveable-yarra-project/</a> This includes background information and council reports.	✓
<a href="#">Surf Coast Shire Council: Spring Creek Precinct Structure Plan</a>	Surf Coast Shire ran a Community Panel (of 32) to consider: <i>How do we design for urban growth that is in balance with the surrounding environment?</i>	Panel met during August 2015; Council responded to the Panel's report in November 2015.	<a href="http://www.surfcoast.vic.gov.au/My_Property/Building_Planning/Planning/Strategic_Projects_Studies/Spring_Creek_Structure_Plan">http://www.surfcoast.vic.gov.au/My_Property/Building_Planning/Planning/Strategic_Projects_Studies/Spring_Creek_Structure_Plan</a>	✓

Sponsor	Task	Timing	Further info	Case study
<a href="#">VicHealth</a>	Vic Health held a Citizen's Jury (of 78) with the aim of engaging the community in a discussion and debate around potential solutions for overweight and obesity: <i>We have an obesity problem. How can we make it easier to eat better?</i>	October 2015	<a href="https://www.vichealth.vic.gov.au/programs-and-projects/victorias-citizens-jury-on-obesity">https://www.vichealth.vic.gov.au/programs-and-projects/victorias-citizens-jury-on-obesity</a> This process first involved an online phase exploring evidence and questioning experts, before the jury met face-to-face.	✖
<a href="#">Shire of Nillumbik</a>	As part of a broader community engagement plan on rate capping, the Shire convened a Community Panel to discuss rate capping and future budget priorities: <i>Are the current service levels about right, too high or too low ? Are the infrastructure investment levels about right, too high or too low ?</i>	Panel recommendations reported at Council meeting, October 2015	<a href="http://www.nillumbik.vic.gov.au/News/Council-endorses-broad-consultation-on-rate-capping">http://www.nillumbik.vic.gov.au/News/Council-endorses-broad-consultation-on-rate-capping</a>	✓
<a href="#">Marrickville Council Infrastructure Jury (NSW)</a>	The Marrickville Infrastructure Jury (MIJ) was convened to consider the Council's infrastructure needs: 1. <i>What level of infrastructure quality do we want to pay for in Marrickville?</i> 2. <i>What are our local priorities for investment?</i>	Jury met September – November, 2014. Council received the report in November 2014. The Jury was reconvened to consider the pros and cons of a proposed special rate variation to fund infrastructure renewal. A supplementary Jury report was completed in early February 2015.	<a href="http://yoursaymarrickville.com.au/marrickville-infrastructure-jury">http://yoursaymarrickville.com.au/marrickville-infrastructure-jury</a>	✓

Sponsor	Task	Timing	Further info	Case study
<a href="#">City of Melbourne: People's Panel</a>	As one component of a comprehensive community engagement strategy, the City of Melbourne's People's Panel convened to consider the Council's first 10-year financial plan.	The Panel formally presented its recommendations to Council at a special Future Melbourne Committee in November 2014.	<a href="http://participate.melbourne.vic.gov.au/10yearplan">http://participate.melbourne.vic.gov.au/10yearplan</a>	✓
<a href="#">City of Darebin: Citizen's Jury</a>	A citizen's jury of 31 randomly selected community members considered: <i>How should we best spend \$2 million to improve our community through the use of infrastructure funding?</i>	Council unanimously approved the Jury's recommendations in September 2014.	<a href="http://www.darebin.vic.gov.au/en/Your-Council/How-council-works/Council-Initiatives">http://www.darebin.vic.gov.au/en/Your-Council/How-council-works/Council-Initiatives</a>	✓
<a href="#">Government of South Australia</a>	The Government of South Australia has run two citizen juries. The first considered: <i>How can we ensure we have a vibrant and safe Adelaide nightlife?</i>	Report to Premier October 2013. The Jury's report and the government's response were tabled in Parliament in November 2013.	A report of the process, including status updates and an evaluation of the process can be found at: <a href="http://yoursay.sa.gov.au/decisions/cr-eating-a-safe-and-vibrant-adelaide-nightlife/about">http://yoursay.sa.gov.au/decisions/cr-eating-a-safe-and-vibrant-adelaide-nightlife/about</a>	x
	A second jury considered issues around cycle safety: <i>Motorists and cyclists will always be using our roads. What things could we trial to ensure they share the roads safely?</i>	Jury presented its recommendations to the State Premier in November 2014. The South Australian Government Response to the Citizens' Jury Report was released in January 2015.	The outcomes of the jury process, including an evaluation, can be found at: <a href="http://yoursay.sa.gov.au/decisions/sharing-our-roads-safely/outcome">http://yoursay.sa.gov.au/decisions/sharing-our-roads-safely/outcome</a>	x

Sponsor	Task	Timing	Further info	Case study
<a href="#">City of Greater Geraldton (WA): #changesCGG Community project</a>	<p>The #changesCGG Community project is how the City is delivering on a commitment made following the highly successful 2029 and Beyond project, a city wide consultation and engagement program that opened up its decision making processes to the wider community.</p> <p>An excellent example of how a council has used deliberative approaches as part of a broader engagement strategy and the conditions requisite to successful deliberation.</p>	2013 +	<p><a href="http://www.cgg.wa.gov.au/your-council/having-your-say/changescgg-community.aspx">http://www.cgg.wa.gov.au/your-council/having-your-say/changescgg-community.aspx</a></p> <p>See also: Hartz-Karp (2012)</p>	✕
<a href="#">City of Canada Bay (NSW)</a>	In 2012, the City convened a Citizens' Panel project of 36 members) to make decisions as to the desired range and quality level of Council services.	The Panel reached a broad consensus on their findings and presented their report formally to Council in November 2012	<a href="http://www.canadabay.nsw.gov.au/citizens-panel-pg.html">http://www.canadabay.nsw.gov.au/citizens-panel-pg.html</a>	✕



## **SA17.67 Request for Alternate Delegates - Nowra CBD Revitalisation Strategy Committee**

**HPERM Ref:** D17/56377

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

### **Purpose / Summary**

To consider the request for alternate delegates for members of the Nowra CBD Revitalisation Strategy Committee.

### **Recommendation (Item to be determined under delegated authority)**

That there be no change to the Terms of Reference in relation to membership of the committee.

### **Options**

1. As recommended.

### **Background**

At a meeting of the Nowra CBD Revitalisation Committee, the committee discussed alternate delegates for those occasions that members are absent.

A review of the meetings of the Committee was undertaken and it showed that the Committee has never failed to reach quorum or lost quorum at a meeting and therefore there is no identified need for this substantial change to meeting practice for this committee.

Therefore it is recommended that no delegates be provided.

### **Policy Implications**

There are no provisions in the Code of Meeting Practice for proxy voting. It should be noted that proxy voting is also not permitted for Councillor Members of committees.

### **Risk Implications**

Allowing nominees at a members discretion for a committee that has delegated authority to expend council funds will create complications for the requirements of Pecuniary Interest returns and could impact on the continuity of direction. The committee has sufficient active members to ensure a quorum is achievable.

## SA17.68 Shoalhaven Family Day Care - Consultation process and feedback re transfer of service

**HPERM Ref:** D17/8966

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

**Attachments:** 1. Family Day Care Submissions - Final (under separate cover) [⇒](#)

### Purpose / Summary

To detail the consultation process with affected staff, Educators and Families and feedback regarding potential transfer of the Shoalhaven Family Day Care Service to a suitable provider.

### Recommendation

1. That Council receive the report for information on the consultation process with affected staff, Educators and Families and feedback regarding potential transfer of the Shoalhaven Family Day Care Service to a suitable provider for information.
2. That Council adopt **Option 4 Performance Targets met or transfer** and that an update report be provided to Council in April 2018.
3. That as part of the public exhibition/community engagement period for the draft 2017/18 DP/OP council specifically gain feedback on the matter of 'ratepayer subsidy' for the FDC service.

### Options

1. Recommendation as stated

Implications: the report is accepted for information in relation to the consultation process and staff commence changes in the service to meet the targets outlined in option 4.

2. An alternative recommendation is made

Implications: Council can make an alternative recommendation based on one of the other options.

### Background

At the Council meeting of the 20 December (MIN16.989) Council resolved to:

1. Consider a further report once the consultation process with potential affected staff, Educators & Families to transfer the Shoalhaven Family Day Care Service to a suitable provider is complete. The report to council is to include all feedback, comment or suggestions from affected parties.
2. Immediately commence the necessary communication with relevant staff in line with the Local Government Award requirements

3. Immediately commence the necessary communication with the educators in line with requirements
4. Commence the necessary communication with users of the service in line with requirements
5. Make immediate representations to the Member for Gilmore and the relevant Federal Government Minister to have organisational funding for Family Day care restored.

#### Consultation Process

The consultation and information process with potential affected staff, educators and families is now completed.

Council resolved (MIN16.776) at the meeting of 22 November to commence the necessary steps to transfer the Shoalhaven Family Day Care Service to a suitable provider. The resolution also directed Council to commence necessary communication with relevant staff in line with the Local Government Award requirements as well as commencing necessary communication with educators and service users re the potential transfer of service.

The consultation process was as follows:

- Thursday 24 November (morning) Director Corporate and Community Services met with the Family Day Care Coordinator and informed her of the Council decision to seek to transfer the provision of Shoalhaven Family Day Care to an alternative provider;
- Thursday 24 November (afternoon) the Human Resources Manager and the Director Corporate and Community Services and the Coordinator Community Development met with Shoalhaven Family Day Care Coordination Unit staff to inform of the decision of Council, discuss implications for the service and outline the provisions of the Local Government Award;
- Monday 28 November 2016 Coordinator Community Development met informally with Coordination Unit staff to discuss the potential transfer of the service to another provider and potential implications for staff.
- Monday 28 November 2016. Letters sent to Educators and Families notifying of the Council decision to transfer the service to an alternative provider. Letters detailed the process for seeking an alternative approved Early Childhood provider and highlighted the transfer would have little impact on Educators or Families. The letter to Educators also informed of planned engagement sessions for Educators. Both letters assured Families and Educators of Councils' ongoing commitment to the provision of quality Early Childhood Education and that Council would retain sponsorship until an appropriate alternative provider could be found.
- Thursday 1 December. A follow-up letter was sent to Educators providing more information on the decision, outline the reasons behind the decision and notify Educators of planned meetings with them to further discuss the issues. This letter assured Educators that Shoalhaven Family Day Care was not closing and that Educators would be involved in the evaluation and selection process as part of EOI development and assessment.
- Thursday 1 December. Individual letters were hand delivered to potentially affected staff. These letters outlined individual potential entitlements for staff as well as process and options for future deployment within the organisation.
- Thursday 1 December. Letter emailed to parents and families to assure them that the service was not closing and that Council's commitment is for both families and educators to be supported by a highly competent licenced provider.
- Tuesday 6 December 2016. A meeting was convened with Educators. The meeting was addressed by the Director Corporate and Community Services. Also in attendance were the Manager Recreation Community and Culture and the Coordinator Community Development. The meeting outlined the process of service review, development of confidential report to Council regarding the transfer of the

service to another approved provider and impacts on staff and other stakeholders. The outcome of the meeting was that an Educator working group was established to assist in the development of an EOI to attract another provider.

- Throughout the engagement and consultation process a number of submissions have been received. These are attached. A summary of the points raised are listed below. Through this process staff have maintained contact with those affected and sought to provide accurate responses to enquiries.

### **Future Direction**

There are 5350 providers of Childcare services in NSW. Of this there are 358 FDC providers and 38 of these are provided by Local Government. Of these 38, 29 services meet or exceed the quality standards. (Source NQS data – Q4 2016 – data as at 30 December 2016).

The sector itself has been undergoing significant growth over the past 3 years. There have been an additional 565 new childcare services registered with the national register between the December reporting period in 2013 and 2016. Of these there have been 147 new FDC providers.

Council has several options available to it in relation to the future direction of Family Day Care. These are outlined below:

#### **Option 1 – Continue with the original resolution**

This option would be for Council commence the necessary steps to transfer the Shoalhaven Family Day Care Service to a suitable provider. Council can choose to seek an alternate supplier of the service and transfer the service to that provider. If Council decided to withdraw from the provision of this service it cannot be sold to another provider but must be transferred for no financial gain. This can be achieved through an Expression of Interest process

There are a number of early childhood, education and care providers in the industry sector, including commercial and not for profit entities. Councils make up around 10% of the providers of Family Day Care Services.

If Shoalhaven City Council decide to transfer its operations to another Provider it must in writing notify the regulatory authority (NSW Government Early Childhood Education and Care Directorate) of the transfer at least 42 days before the transfer is intended to take effect.

A regulatory authority may intervene in a transfer of a service approval if it has concerns about whether the receiving approved provider is capable of operating the Education and Care Service.

#### **Option 2 – Maintain the existing service but full cost recovery**

This option would see Council maintain its commitment to FDC with the view of undertaking steps to cover in full the subsidy made to the service by the general ratepayer.

These steps would include:-

- An increase in all associated fees,
- An increase in the number of educators maintained and operating
- An increase in the number of families/children using the service
- No increase in Coordination Unit costs thereby resulting in a lower level of service.

In order to achieve this the following assumptions/targets will need to be met from 1 July 2018.

Assumptions to break even	Current	30-Jun-18
Number of children per educator cap	4.0	4.0
Utilisation	88%	90%
Number of children per educator	3.8	3.8
Number of Educators	39	49
Worked hours per educator	37	37
Av. Weeks Worked per Educator	48	48
Educator Registration Fee pa	\$ 31.00	\$ 34.00
Educators Levy per educator	\$ 18.00	\$ 20.00
Educator Training Fees	\$ 295.45	\$ 295.45
Administration levy per hour	\$ 1.05	\$ 1.20
Impact of assumptions		
increase in weekly/annual hours provided to children		24%
increase in Educator levy charge		11%
increase in the hourly admin levy		10%
increase in the ratio of children to educators		0%
increase in the number of educators		23%
increase in Children to CU Hours		23%
increase in Educators to CU Hours		23%
increase in staff resources - regrades no additional FTE		0%

In considering any of the options 2 – 4 the assumptions and their impacts need to be understood. **When fees increased in 2015/16 by 14% there was a drop of utilisation of 7%.** It can be expected that the proposed increases in fees will have a further impact on utilisation. The assumptions around increases in the levels of service and ratios of children and educators to the Coordination Unit resources are significant increases.

To achieve this position the actions outlined in Option 4 below will also need to be implemented.

### Option 3 – Maintain the existing service including current/future subsidy levels

This option would see Council maintain its commitment to FDC with the view of undertaking steps to minimise the subsidy made to the service by the general ratepayer but maintaining a commitment to cover any subsidy.

In this instance the general ratepayer covers the cost of childcare for this specific group of families within this specific service. While Council does provide vehicles for the Central Shoalhaven Mobile Pre School and other support for some childcare services such as the provision of buildings questions could be asked as to why the general ratepayer should provide this direct support when they do not provide this level of support for other families using different forms of childcare. There are approximately 70 child care service providers in the Shoalhaven providing child care services to thousands of children each week.

To achieve this outcome a number of actions would need to be consider. These steps would include:-

- Possible increases in all/some associated fees,
- Possible increases in the number of educators maintained and operating
- Possible increases in in the number of families/children using the service
- Possible increase in Coordination Unit costs.

#### Option 4 – Performance targets met or transfer

This option would require the setting of targets for the service to achieve prior to 30 June 2018 to cover all costs associated with the service including the reduction of funding from the Federal Government.

Forecasting to cover these costs indicate that the following assumptions and actions would need to be met by 30 June 2018:-

Assumptions to break even	Current	30-Jun-18
Number of children per educator cap	4.0	4.0
Utilisation	88%	90%
Number of children per educator	3.8	3.8
Number of Educators	39	49
Worked hours per educator	37	37
Av. Weeks Worked per Educator	48	48
Educator Registration Fee pa	\$ 31.00	\$ 34.00
Educators Levy per educator	\$ 18.00	\$ 20.00
Educator Training Fees	\$ 295.45	\$ 295.45
Administration levy per hour	\$ 1.05	\$ 1.20
Impact of assumptions		
increase in weekly/annual hours provided to children		24%
increase in Educator levy charge		11%
increase in the hourly admin levy		10%
increase in the ratio of children to educators		0%
increase in the number of educators		23%
increase in Children to CU Hours		23%
increase in Educators to CU Hours		23%
increase in staff resources - regrades no additional FTE		0%

If this option is chosen it is recommended that the following targets are met by the set dates

Targets	
Utilisation	88% current
	89% by 30 September 2017
	90% by 30 March 2018
Educators	39 current
	44 by 30 September 2017
	49 by 30 March 2018
Fees	1.05 Current
	1.12 set from 1 July 2017
	1.20 set from 1 July 2018

SA17.68

Should these forecasts not be substantially met a further report would be presented to Council to consider its options.

A number of **actions** will be undertaken in an effort to address these targets. These include:

- A new streamlined educator recruitment process
- The increased use of social media to market the service and seek educators
- The development of a FDC Website
- The use of technology to allow some meetings to occur with Educators via Skype/Facetime to maximise staff time working with educators and reduce time spent travelling
- The continued implementation of the Quality Improvement Plan
- Creating electronic files for Educator files reducing administration time and processes
- Transitioning the coordination unit to Harmony Web for the submission of time sheets
- Administration staff visiting new Educators to assist them setting up efficient administration processes, leading to long term time saving
- All Coordination Unit staff have been accessing councils professional learning opportunities to ensure they are multi skilled in the uses of various software e.g. TRIM, Excel to improve efficiencies
- Creating electronic files for Children's files further reducing administration time and processes
- Introduce Harmony Web for Educators use which will see an end to the processing of hundreds of timesheets each week. All would be done electronically. We have been advised by another service time spent on this for them has reduced by 90% (from approximately 10hours per week to two). Educators will also be able to view the enrolment information and their payment information for their own service and will therefore have less need to contact the coordination unit with enquiries about these matters. Auditing of timesheets will be more efficient and will also be far less time consuming.
- In coming weeks staff will be doing training in Online Meetings Using Skype with the intention that this will be a way of meeting with groups of Educators, particularly in outlying areas, for professional development. It could also be used for discussions with individuals or small groups.
- The Educational Leader currently visits every Educator at least once a year to discuss their documentation (in addition to their monthly home visits). This needs to be done at rest time or out of care hours. We can see how by emailing their documentation then using Online Meeting travel time for these meetings could be reduced dramatically – particularly for Educators located outside of the Nowra area.
- Recruitment of more highly qualified Educators. Already 44% of our Educators hold or are completing a degree or diploma in early childhood education which surpasses the regulation requirement for them to hold (or be working towards) a Cert III. Those who are only commencing the Cert III need far more support than those already trained.
- Online enrolments with follow up from coordination unit staff introducing themselves.
- Educator portal attached to website
- Reviewing play session practices – initially changing from two staff attending to one. There could be occasions (monthly/fortnightly) where staff set up but Educators conduct the play session themselves and assist in packing up.
- Implementing improved data collection practices

In order to meet the demands place on the staff by the required increases the actions listed above will need to be implemented quickly. It is through these efficiency measures that staff time is freed up from administration areas to direct services to educators and families. These initiatives will see a reduction in the hours committed to administration and an increase in hours to the staff directly working with the Educators.

The use of technology such as skype etc will allow more time to directly communicate with the Educators and less time spent on the roads travelling.

## Community Engagement

In line with the Council resolution staff have been consulted. Time for their feedback was also extended by three weeks.

Council has received 12 submissions about the proposal from 9 individuals. 5 from staff, 6 from Educators (3 from one educator, 2 from a second educator and one from a third educator) and one submission from a family. There are 40 educators and over 350 families using the service. The decision of Council received significant media coverage and social media coverage. All submissions are attached in full to this report.

The following main issues were raised:-

Issue Raised
Shocked/surprised/saddened to be informed of intention to seek alternative provider for Family Day Care (or way this was communicated)
Process of informing educators and families ie families and clients informed before educators or educators read about the decision on social media before receiving letter
Lack of Consultation and/or transparency - Why a meeting of educators was not called or why were educators/Coordinator/staff not consulted to prior sending letter
Council showing disregard and respect to traditionally female workforce
Request a meeting with educators to discuss issues
Uncertainty for future of Coordination unit staff and/or resulting stress on staff
Staff not approached for strategies to deal with financial changes
Family Day Care an affordable and flexible, quality care option Council should support
Systems are in place to limit liability and risk concerns
Coordination unit staff are professional, ethical, flexible, supportive, knowledgeable and cohesive
Details of current numbers of services supported by NSW Councils inaccurate
Concern transfer to another provider may not go smoothly or lead to a decrease in the number of educators or a reduction in childcare options
Children will suffer from the potential of not having access to a quality Family Day Care service
Future Federal funding. Questions of how to apply, who would apply

The submissions raised points such as the method of communication and consultation, uncertainty for staff, educators and families. There is nothing in any of the submissions that provides evidence that there will be detrimental impacts if Council follows the original proposal to seek EOIs from a suitably qualified provider for the coordination unit services.

One of the outcomes of the consultation process is that a group of educators have volunteered to assist in the development of the EOI documentation. As indicated in the original report the educators will be part of the assessment process should Council proceed along this path. In the EOI process Council would require all applicants to ensure they already meet the National Quality Framework (NQF) standards as required by the Australian Children's Education & Care Quality Authority (ACECQA).



## Risk Profile

There are a number of risks that Council needs to consider in relation to this matter.

- Risks associated with operating the business and the exposure of council staff were highlighted in the previous report. Systems are in place to manage and mitigate these risks.
- Should Council wish to proceed with operating the service at a zero subsidy level there are financial risks related to the ability of the service to maintain the required numbers of educators, children to educator ratios and utilisation levels. Associated with this is possible impact of the significant price rises on the utilisation level.
- Should council wish to proceed with operating the service with ratepayer subsidy there are risks that part of the general community would not agree that this is necessary or core business for the council.
- By going to an EOI process to seek another provider there are some risks that a suitable provider cannot be sourced. By maintaining the service as previously recommended throughout this process Council can mitigate the impact of this on children, families, educators and staff.

## SA17.69 Shoalhaven Homelessness Taskforce - Terms of Reference

**HPERM Ref:** D17/60968

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

**Attachments:** 1. Shoalhaven Homelessness Taskforce - Terms of Reference [↓](#)

### Purpose / Summary

Establish the Shoalhaven Homelessness Taskforce as a section 355/377 Committee of Council and endorse the Terms of Reference of the Taskforce

### Recommendation (Item to be determined under delegated authority)

That Council

1. Establish the Shoalhaven Homelessness Taskforce as a section 355/377 Committee of Council;
2. Endorse the Terms of Reference of the Shoalhaven Homelessness Taskforce
3. Confirm the three councillor representatives on the taskforce.

### Options

1. Endorse the establishment of the Shoalhaven Homelessness Taskforce as a section 355/377 Committee of Council as per the recommendation.

Implications: Endorsing the establishment of the Shoalhaven Homelessness Taskforce as a section 355/377 committee of Council will allow the Taskforce to commence its role as an advisory committee to Council in accordance with the proposed Terms of Reference for the taskforce.

2. Not endorse the establishment of the Shoalhaven Homelessness Taskforce as a section 355/377 Committee of Council

Implications: Not endorsing the establishment of the Shoalhaven Homelessness Taskforce as a section 355/377 committee of Council creates additional workloads for staff in duplication of reports and administration of the taskforce. It also, places the taskforce external to the committee structure of Council. This option would also require rewriting of the Terms of Reference for the taskforce.

## Background

At the meeting of the Strategy and Assets Committee of Shoalhaven City Council on Tuesday 19 July 2016 (MIN16.539) RESOLVED that Council

- a) *Hold a meeting with the Federal & State members, church leaders, stake holders and Community Housing to discuss vacant halls, premises etc that could be used for extreme emergency housing*
- b) *Consider any of its commercial facilities in and around Nowra that may be suitable.*

This minute resulted in invitations being sent to a range of stakeholders and interested parties to meet at a forum to discuss homelessness in the Shoalhaven and consider options for providing shelter for homeless people during times of extreme weather conditions.

The forum was conducted was on Wednesday 17 August 2016 and was facilitated by Dr Judith Stubbs. In attendance at the meeting were representatives from Council, specialist homeless services, government and community sector housing agencies, other relevant services, Members of Parliament, Church representatives, representatives from the Police (Local Area Command) and members of the community.

The main outcome of the forum was a the formation of a Homelessness Taskforce to progress a number of key issues discussed at the forum. Representatives from across the service sector and community volunteered to be part of the taskforce.

The first meeting of the taskforce was on 2 September 2016. This meeting further investigated issues relating to homelessness in the Shoalhaven and the provision of emergency accomodation in times of extreme weather conditions.

Further meetings of the Taskforce were convened on 14 October and 5 December 2016. A number of actions required following up from these meetings including:

- the development of Terms of Reference for the taskforce;
- the possibility for the development of a Council Homelessness Strategy;
- investigation of available Council land for the development of affordable housing options and a reporting path to Council.

Terms of Reference for the Taskforce have now been developed. The terms of reference, in their current form, request that the Taskforce is established as a section 355/377 Committee of Council. This would place the taskforce as a strategic advisory committee of Council to advocate for and inform Council's decision making process related to homelessness and related issues that can be dealt with at the Local Government level.

The Terms of Reference further outline the role of the taskforce as:

- Advise on the development and application of a Homelessness Strategic Plan;
- Provide comment on relevant Council policies and strategies and
- Advocate community views on homelessness issues.

## Community Engagement

The Terms of Reference for the Shoalhaven Homelessness Taskforce have been developed following meetings of the Taskforce and reflect discussions and decisions made at these meetings.



**City Administrative Centre**  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

**Southern District Office**  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Website: [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

For more information contact the Corporate & Community Services Group

## Shoalhaven Homelessness Taskforce - Terms of Reference

**Policy Number:** POL17/28 • **Adopted:** [Click here to enter date] • **Minute Number:** [Click here to enter Minute number] • **File:** 44336E • **Produced By:** Corporate & Community Services Group • **Review Date:**

### 1. PURPOSE

To provide appropriate and considered strategic advice on homelessness and related issues that can be dealt with at Council level. The Taskforce will work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Council's decision making process.

### 2. STATEMENT

Homelessness is a growing problem in all communities throughout Australia. On any given night in Australia 1 in 200 people are homeless. (Homelessness Australia). On census night in 2011 the Shoalhaven Local Government Area recorded 375 homeless people. Only about 6% of these are "rough sleepers" ie those in improvised dwellings, tents or sleeping out.

Of those who are homeless 56% are male and 25% are Aboriginal and Torres Strait Islanders. Homelessness may be defined as: "when a person does not have suitable accommodation alternatives they are considered homeless if their current living arrangement:

- is in a dwelling that is inadequate; or
- has no tenure, or if their initial tenure is short and not extendable; or
- does not allow them to have control of, and access to space for social relations."

(Australian Bureau of Statistics)

People become homeless for a number of reasons. This can be due to structural factors such as lack of income, lack of affordable housing or rental accommodation, cost of living pressures, discrimination, poverty or lack of superannuation funds in retirement. Or it could be due to system failures such as children exiting from the care system, discharge from prison, hospital, rehabilitation or other institution. This is compounded by individual circumstances such as domestic violence, addictions, traumatic events, mental illness or physical health and disability.

There are no short term solutions to the issue of homelessness in the Shoalhaven. Without the provision of increased Government funding to provide longer term temporary accommodation and fund services to provide an increased number of emergency beds for men, women and children the situation can only continue to degenerate. Long term solutions involve the construction of affordable housing.

### 3. TERMS OF REFERENCE

#### 3.1. Relationship to Council

The Homelessness Taskforce is a Section 355 & 377 Committee of Council (Local Government Act 1993).

It is a strategic advisory committee to advocate for and inform Council's decision making process related to homelessness in the Shoalhaven.

#### 3.2. Role of the Taskforce

The role of the Homelessness Taskforce is:-

- Provide Council with strategic advice on homelessness and related issues that can be dealt with at a Local Government level.
- Work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Council's decision making process
- Advise on the development and application of a Homelessness Strategic Plan
- Provide comment on relevant Council policies and strategies
- Advocate community views on homelessness issues

#### 3.3. Membership

Membership of the Taskforce is open to members of the community with an interest in addressing issues of homelessness across the Shoalhaven.

The taskforce will have a total membership of up to 20 positions which include:

- Up to 16 representatives from community representatives being either Government/Non-Government agencies/organisations and community members.
- Three (3) Councillors be nominated by the elected Council
- The General Manager or nominee.

The process for nomination to the taskforce will be as follows:

- An Expression of Interest will be advertised for membership of the taskforce. The Expression of Interest will be advertised locally via media and Council communication networks.
- Council will manage the application process.
- Appointment to the Shoalhaven Homelessness Taskforce can be for a maximum four (4) years with a set commencement and finish date and standing members may re-nominate for an additional term.
- Any individual, representatives of an organisation, service or agency, who agree to work within the purpose of the taskforce may nominate to become a member.
- Organisations, services, agencies or residents groups may only nominate one representative.
- The taskforce aims to include the voices of all stakeholders, and welcomes the participation of those who have a lived experience of homelessness.
- An interview panel will consist of a Council staff member, the Chair of the Shoalhaven Homelessness Taskforce and one (1) independent person will assess the applications and make recommendations for appointments to the taskforce and then Council.

#### 3.4. Meetings

- The taskforce will meet on a quarterly basis and more frequently if required
- Agendas and minutes from previous meetings will be circulated to members at least seven (7) days prior to the meeting

*Shoalhaven City Council - Title*

- The Chair if the Taskforce will be limited by a four (4) year tenure and is open to all members of the Taskforce.
- A quorum will consist of eight (8) members of the Committee.

**3.5. Voting**

- Voting and Recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes.
- Where a consensus cannot be reached then the majority of 60% of those present can adopt a motion.
- Alternative views are to be minuted.

**3.6. Code of Conduct**

- Meetings be conducted in an informal manner, but still within Council's 'Code of Conduct' Policy which all members are required to observe.
- Taskforce members should act in a professional, responsible and respectful manner with the information they obtain as a member.
- Taskforce members must at all times respect other members when expressing their opinions and views. Members should feel free to express their opinions without fear of recrimination.

**3.7. Confidentiality and Privacy**

Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

**3.8. Communication**

- All issues must be clearly communicated including priorities, limitations and benefits to community.
- Members of the Taskforce are not permitted to speak to the media as representatives of the Taskforce unless approved by the chairperson.
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Taskforce and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.

**3.9. Council Staff Attendance**

Shoalhaven City Council will provide administrative Council staff who are normally required to attend the meetings of the Advisory Committee to carry out the following tasks:

- Collate and distribute Business Papers.
- Organise meetings.
- Minute taking, storage and distribution of minutes and associated documents.
- Providing administrative support to the Community Development Team to distribute information between the Committee and the Community Development Team.
- Other staff at the relevant Group Directors' discretion or at the Advisory Committee's request can attend meetings as required. Staff have no voting privileges.

**3.10. Expectation of Taskforce Members**

Pecuniary Interest Returns may be required on appointment and annually as required by the Office of Local Government and Council.

**3.11. Responsibility of Council**

*Shoalhaven City Council - Title*

Council at its discretion may review and change the Terms of Reference, Role and Structure of the Taskforce.

**4. REVIEW**

After every Council election.

## SA17.70 Overview/Update - Shoalhaven Section 94 Contributions Plan Review

**HPERM Ref:** D17/67071

**Group:** Planning & Development Services Group  
**Section:** Strategic Planning

### Purpose / Summary

This report provides an overview of the review currently underway in regard to the Shoalhaven Contributions Plan 2010 and the associated improvements to processes being undertaken.

### Recommendation (Item to be determined under delegated authority)

That:

1. The report on the proposed reforms to the Shoalhaven Contributions Plan 2010 be received for information
2. The funds from recoupment projects and identified deleted projects be transferred to a “recoupment fund” and used as Council’s apportionment to projects and to provide seed funding for community infrastructure projects identified in the revised Contributions Plan.

### Options

1. The recommendation be accepted as written

Implications: The process to reform the Shoalhaven Section 94 Contributions Plan will continue.

2. The Committee makes an alternative recommendation

Implications: Council needs to be aware that any changes must be in line with legal requirements, and must be flexible to change with upcoming state legislative changes.

### Background

The current Shoalhaven Contributions Plan 2010 (the CP) is a highly detailed plan with a strong nexus and apportionment across many projects. However, the plan has become overly complicated through time with 178 active projects, and a large number of deleted and superseded projects that are required to be maintained in the system. There has also been, until recently, limited corporate ownership of the plan, and no explicit processes and procedures for all internal stakeholders in Council. There is also limited integration between the CP and the Capital Works Plan.

Currently, the total cost of the projects in the CP is approximately \$283 million, of this Council is required to pay approximately \$116 million which needs to be budgeted for in the Capital Works Plan. Therefore, while individual projects may have some funds sitting in each Section 94 project account, works may not have commenced as Council has not been in a position to budget the matching funds. For some of the CP projects, Council’s contribution is in excess of 80% of the total project cost.



Over time, this has led to a plan that is unsustainable in its current form and one that needs to be reformed (or replaced) and improved to make the plan more affordable and defensible. The potential new plan will also provide greater certainty and consistency to the development industry and ensure that it is able to keep up with changes to legislative reporting requirements through regular reviews.

It is also important to note that the NSW Government is also looking at reforming the Developer Contributions system as part of the ongoing reform of the State's planning framework. However the detail of this has not yet been released, but two aspects that are likely to feature are stricter reporting requirements and narrower timeframes for spending money collected as development contributions.

#### Internal Development Contributions Panel

An internal staff 'Development Contributions Panel' has been established and is meeting monthly, with the aim of taking a 'whole of Council' approach to the establishment of a new Contributions Plan and actions are agreed on. Staff are also involved in a range of associated technical and administrative tasks including correcting databases errors and rectifying systems issues.

The Panel is chaired by the Director of Corporate & Community Services, and is attended by Council staff from the following Sections, who are stakeholders of the plan:

- Strategic Planning
- Finance
- Assets and Works
- Project Delivery
- Community Infrastructure
- Development Services
- Building and Compliance
- Information Technology

#### Current Section 94 Funds

The Developer Contributions account currently has approximately \$30.8 million in its fund across all projects, both active and deleted. However, there is a negative balance of approximately \$17 million across projects that have either been commenced or completed. This leaves a net amount of approximately \$13.8 million.

The table below provides a summary of the balances across the project areas:

Project Area	No. of Active Projects	All Projects (active/deleted/dummy)		
		Postive Bal Projects (S94 Bank)	Negative Bal Projects (Recoup)	All Projects (S94 Net)
AREC – Active Recreation	11	\$11,927,472.70	-\$3,678,540.15	\$8,248,932.55
CARP – Car Parking	10	\$1,191,366.52	-\$904,442.01	\$286,924.51
CFAC – Community Facilities	23	\$8,947,914.77	-\$4,892,373.10	\$4,055,541.67
DRAI – Drainage	3	\$577,043.58	-\$653,237.33	-\$76,193.75
FIRE – Fire eg. RFS buildings, EOC	2	\$0.00	-\$1,141,491.05	-\$1,141,491.05
MGMT – Management – Salaried positons working on S94	1	\$194,132.90	-\$70,332.18	\$123,800.72
OREC – Passive Recreation	13	\$1,437,308.62	-\$205,751.71	\$1,231,556.91
ROAD – Roads	115	\$6,525,006.24	-\$5,472,739.90	\$1,052,266.34
<b>TOTAL</b>	<b>178</b>	<b>\$30,800,245.33</b>	<b>-\$17,018,907.43</b>	<b>\$13,781,337.90</b>
ADMI - Admin		\$13.00	\$0.00	\$13.00
<b>TOTAL</b>		<b>\$30,800,258.33</b>	<b>-\$17,018,907.43</b>	<b>\$13,781,350.90</b>
Source:		S94 Bank Position Rep	S94 Bank Position Rep	

It is intended that following an analysis of projects, that available funds will be allocated to priority Section 94 projects identified in a new, revised CP. However, as indicated, contributions can only be used to fund a portion of the cost of providing new or augmented infrastructure, and Council will need to provide matching funds towards projects identified in the Plan.

#### Flexibility in Funding

As shown, Council currently has a substantial amount of funds in contributions accounts that can potentially be utilised to deliver new or improved infrastructure identified in the Plan. However, there is also an obligation for Council to fund a significant portion of the cost of providing new or improved infrastructure.

As part of the review of the CP, the Contributions Panel are investigating a number of options to increase flexibility and ‘free up’ the contributions funds to the delivery of priority infrastructure identified in the Plan.

There are two main options that are being considered to provide flexibility in funding infrastructure:

- 1. Pooling of funds** – This would allow funding to be pooled and used to deliver priority community infrastructure projects sooner, rather than waiting for each individual project to collect sufficient funds to be delivered. While this provides a level of flexibility in spending contributions, Council will still be legally required to provide the necessary contribution for constructed projects.
- 2. Use of recoupment payments** – Payments that Council receives for completed projects and identified deleted projects would be placed into a “recoupment fund” to be used as Council’s apportionment to projects and to provide ‘seed’ funding for community infrastructure projects identified in the new Contributions Plan. As outlined above, Council needs to provide matching funding to free up contributions funds and ensure that infrastructure in the Plan can be delivered in a timely manner.

Analysis of the above options is currently being undertaken to determine the best way forward taking into account sustainable infrastructure projects that would be tied to increases in demand associated with population growth.

Any future projects need to be identified via a needs analysis, and prioritised in the Plan, otherwise Council will be left in a similar position, with insufficient funding for identified infrastructure projects.

#### Financial Analysis/Review

A large amount of work has been undertaken to track and clean up past expenditure, with a dedicated Section 94 accountant focusing on analysing historic costings and ensuring that the current plan is ready to be transitioned to a new plan. This has also involved improving the Section 94 database.

#### Review of Projects

As part of the review of the CP, the list of projects in the Plan will change. There are a number of current projects that have been “active” for a number of years, with minimal accompanying development. As Section 94 projects must be associated with an increase in demand linked with population growth, this means that only small amounts of funding have been collected for certain projects, in areas where little to no growth is projected or has occurred.

The two key sections of Council who will play a role in setting the projects in the CP are Asset Management and Social & Infrastructure Planning. These sections are currently commencing/undertaking needs analyses to determine which projects in the current plan should be retained, and which should be discontinued. Projects will be prioritised based on need analyses such as the *Community Infrastructure Strategic Plan 2016-2036*.

It should also be noted that Section 94 Developer Contributions are only one of the potential funding mechanisms available to Council to fund infrastructure associated with development. There may be others which may be more appropriate for some projects, on a case by case basis, such as Voluntary Panning Agreements (VPAs).

#### Section 94 Funded Projects

The following tables provide information in relation to projects that have been funded through Section 94 Contributions over the past few years.

The expenditures below occurred for the projects listed.

Expenditure 2014/15		
Job Number	Name	Project Code Charge to s94
31023	Section 94	CWMGMT0001 88,673.04
82474	North Shoalhaven Indoor sport	01AREC0006 18,230.02
82567	Ison Pk Carpk Access Seal	01AREC0008 3,892.12
10290	Cont To Loan Repayments	05AREC0004 64,900.00
63603	Shoalhaven Entertainment Centre	CWCFAC0002 565,691.74
88787	Moss St West End	01CARP0001 1,524.63
85098	North Nowra Link Road	01ROA D0101 5,300.53
81762	Nowra Pool Design	01AREC0007 1,004,824.79
88799	Nowra CBD Multideck Carpark	01CARP0001 18,660.71
82561	St Georges Basin Village Green	99ORE C0001 80,000.00
85099	Sth Nowra Internal Access Rd	01ROA D3104 4,007.03
86191	Ulladulla Traffic & Pedest Imp	05DRA I2009 25,546.89
85986	Boree St Ulladulla LATM	05DRA I2009 64,937.42
		1,946,188.92
Expenditure 2015/16		
Job Number	Name	Project Code Charge to s94
31023	S94 Project Mgt Costs	CWMGMT0001 91,333.00
10265	Treasury (Development Accountant)	CWMGMT0001 27,895.99
86631	Quinns Ln/Old Southern Rd Roundabout	01ROA D0039 10,160.69
86914	Urban Winnima Ln Huskisson	03ROA D0061 -
88794	77 Princess St Berry Carpark	01CARP0002 15,217.80
82474	North Shoalhaven Indoor sport	01AREC0006 190,025.66
82567	Ison Pk Carpk Access Seal	01AREC0008 -
10290	Ulladulla Sports Park - Loan Repayments	05AREC0004 64,900.00
63603	Shoalhaven Entertainment Centre (Recoupment Project)	CWCFAC0002 565,691.74
88787	Moss St West End	01CARP0001 -
88786	Worriquee St Cnr Burr Ave	01CARP0001 -
85098	North Nowra Link Road	01ROA D0101 -
81762	Nowra Pool Design (Recoupment Project)	01AREC0007 1,328,781.00
88799	Nowra CBD Multideck Carpark	01CARP0001 22,299.99
82561	St Georges Basin Village Green	99ORE C0001 -
85099	Sth Nowra Access - Quinns/Old Southern Rd	01ROA D3104 62,280.14
86191	Ulladulla Traffic & Pedest Imp	05DRA I2009 20,198.59
85986	Boree St Ulladulla LATM	05ROA D0065 127,903.17
		2,526,687.77
Budget 2016/17		
Job Number	Name	Project Code Charge to s94
82474	Northern Shoalhaven Sports Stadium	1AREC2006 2,168,929.32
81553	Bay and Basin District Community Centre and Branch Library (Bay & Basin urban precinct)	3CFAC3001 33,990.00
86631	Quinns Lane/Old Southern Rd - Construct Roundabout	1ROAD2039 174,395.30
88816	Car parking 16 Nielson Rd 45-47 Ellimobas Av Sussex Inlet	4CARP3001 300,000.00
86191	Ulladulla CBD Road Env Imp - 05ROAD0065 Deleted Project	5ROAD0065 480,000.00
85986	Boree St Ulladulla LATM - Funds from 05ROAD0065 Deleted Project	5ROAD0065 90,333.59
86176	Naval College Rd Widening - 03ROAD0033 deleted project	Dummy Project -
88821	Nowra CBD Parking (not appearing in budget) - also Job 88799	1CARP3001 100,000.00
85098	Nth Nowra Link Rd-Construct Rd Bridge & Traffic Facilities	1ROAD2101 -
85330	Port Jervis Est Tomerong - Pamell Rd Sealing (also Cambourne & Evelyn Rd)	3ROAD2016 24,000.00
86914	Winnima Lane Huskisson - use pooled funds	3ROAD0061 95,000.00
		3,466,648.21

### Next steps

A new stand-alone contributions plan will need to be adopted by Council. This will not rely on previous or historic information. Projects contained within it will be identified via needs analysis to ensure they line up with increased demand due to population growth. Council's apportionment will also be calculated if applicable to each of the projects.

The new plan will be linked to Council's Capital Works Plan to provide consistency and clarification to the project commencement and completion timelines.

It is pertinent to note that although Section 94 funding is an important revenue stream for the provision of community infrastructure, it is highly constrained. Funds are tied with identified projects, and projects can only be included if they are tied with increased demand from population growth. Section 94 funding cannot be used for any maintenance works over the life of a project, which must come from other revenue streams within Council.

Roles and responsibilities will be allocated to the necessary internal stakeholders, with clear processes established. This will be coupled with training and upskilling of staff where necessary.

It is anticipated that the Draft of the new plan will be completed by the end of June 2017.

### **Community Engagement**

Any changes to the CP or a new CP will be publicly exhibited in consideration of legislative requirements and Council's Community Engagement Policy. A report will be presented to Councillors prior to any community consultation.

### **Policy Implications**

The reform of Council's Section 94 Plan will lead to the current plan being repealed. The new plan will be a stand-alone plan, independent of previous plans, and will ensure projects are appropriately identified and apportioned. The CP will be better linked with the Capital Works Plan to provide more certainty around project commencement and completion timelines.

### **Financial Implications**

As outlined above, the current CP is currently unsustainable and is a complex document. There are a number of deleted projects, and also active projects which are highly unlikely to be completed as there has been little to no development or projected growth in some areas. Any funds identified are to be transferred to a recoupment fund and used as Council's apportionment to projects and to provide seed funding for community infrastructure projects identified in the new CP.

## SA17.71 Telstra Tech Savvy Seniors Grant Funding

HPERM Ref: D17/70549

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

### Purpose / Summary

To advise Council on successful funding application under the NSW Government and Telstra Tech Savvy Seniors for the amount of \$1800.

### Recommendation

That Council:

1. Accept the NSW Government and Telstra Tech Savvy Seniors grant funding to the value of \$1,800 for Shoalhaven Libraries to deliver a series of technology training modules to the Shoalhaven Community and adjust the budget accordingly.
2. Write to the NSW Government accepting the grant offer.

### Options

1. Council adopt the recommendation as printed.

Implications: Adoption of recommendation will result in Tech Savvy Seniors training to take place at Ulladulla and Nowra Libraries.

2. Council reject the recommendation.

Implications: Tech Savvy Seniors classes will not be delivered at Shoalhaven Libraries.

### Background

Shoalhaven Libraries has once again been successful in securing funding to offer a minimum of 12 technological training sessions to the public. Subjects include, basic internet, androids and iPads, smartphones and online shopping training. This funding will assist with the costs associated with technology training provision and add to the existing commitment by Shoalhaven Libraries to run regular training on a variety of topics.

Council has been successful in receiving \$1,800 for this project and now requires to finalise arrangements to accept these funds.

### Financial Implications

The program of training sessions will run over the next 12 months at Ulladulla and Nowra Libraries. The funds will be used to support the costs of training that staff provide.

## **SA17.72 2017 Future of Local Government National Summit**

**HPERM Ref:** D17/73086

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

**Attachments:** 1. Summit Agenda [↓](#)

### **Purpose / Summary**

To consider Councillor attendance at the 2017 Future of Local Government National Summit scheduled for 25-26 May 2017 in the Angliss Conference Centre, Melbourne.

### **Recommendation (Item to be determined under delegated authority)**

That the Committee

1. Notes the details of the 2017 Future of Local Government National Summit scheduled for 25-26 May 2017 in Melbourne.
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.

### **Options**

1. As per the recommendation.
2. That Council not approve Councillor attendance at the Conference as Council Business.

### **Background**

The 2017 Future of Local Government National Summit is considered relevant to local government. Information in relation to the conference is attached to this report.

Costs associated with the conference are estimated as follows:

- registration : \$594
- travel, accommodation and out of pocket expenses : not yet determined.

Council's policy is to limit the number of conferences a councillor may attend each year to three, in addition to any conference organised specifically by a local government association.

The Conference commences at 9.00am Thursday 25 May 2017 and concludes at 3.15pm Friday 26 May 2017. Currently a Councillor Briefing is scheduled for 4.00pm Thursday 25 May 2017.

**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.



# 2017

# FUTURE OF LOCAL GOVERNMENT

## NATIONAL SUMMIT

THURSDAY MAY 25 & FRIDAY MAY 26, 2017

The Angliss Conference Centre,  
555 La Trobe Street, Melbourne.



### An inconvenient truth:

Future Shock is upon us but our system of governance is disintegrating. What next? There is a Better Way. Let's design it. A call to action!



**We are in the midst of a crisis of confidence in government and governance. It's time:**

- to realise we are poised between an old world that no longer works and a new one struggling to be born. We need to strengthen local democracy so citizens have more control of their own lives, communities and services.
- to reclaim 'municipal': where Local Government (LG) catalyses the collaboration of citizens, communities and institutions to work together for the public good. Every issue demands a localist response.
- to recognise LG is the connective tissue that holds the disparate elements of community together in a broader process of community building.
- to recognise the full benefits of cost efficiencies, modern service delivery and citizen engagement will not be realised until there is more devolution of political, administrative and funding powers to LG and LG creates more space for communities.
- for LG to capture the Australian political imagination by putting people and place first.

**Taking account of:**

- The great degree of disillusionment most citizens feel towards the current system, where they have a largely passive role to play.
- The 'top down' silo planning, confusion, waste and duplication that exists in the current unstable, unsatisfactory and unsustainable Federation arrangements in Australia.
- The need to enable place-based, collaborative local planning and delivery of required outcomes.
- The rapid advance of technology that is enabling participatory decision-making to take place to provide citizens with more control over their lives

it is self-evident that we need to transition to an adapted model of governance for the 2020s.

**These dimensions will be discussed by a great array of Australian and international presenters supported by co-design input from attendees. The outcome will be the Better Way.**

The Summit is excitedly convened by the  
Municipal Association of Victoria for Councils nationally

  
**Future of  
Local Government  
Program**  
Smart Councils. Strong Communities

  
MUNICIPAL ASSOCIATION OF VICTORIA

## 2016 FUTURE OF LOCAL GOVERNMENT SUMMIT COMMUNIQUE

In the next 10 years, seismic change will transform society and government. To take advantage of this opportunity, and remain relevant, the Local Government sector needs to:

- Truly become the servant of the community and support citizens to build stronger communities
- Increase stakeholder trust in local government
- Take a bolder, more strategic, leadership position in the debate about the future of Australia's Federal agenda
- Establish a local government R&D function where Councils can experiment, pilot and take risks.



### DAY 1: THERE IS A BETTER WAY: THE NEW STORY IS ABOUT PLACES AND COMMUNITIES. LG NEEDS TO STEP BACK AND MAKE SPACE FOR EMPOWERED COMMUNITIES

#### 9.05AM WELCOME AND INTRODUCTION (MAV PRESIDENT AND GILBERT ROCHECOUSTE MC)

- Are we happy with the present position in which LG finds itself?
- Are we happy with Donald Trump?

#### 9.15AM WHAT'S CURRENTLY NOT WORKING IN THE PUBLIC SECTOR IN AUSTRALIA?

#### 9.30AM SETTING THE SCENE:

- The Future of Local Government journey to date: MAV
- From the old story to the new story: from Business as Usual to Places and Communities, Gilbert Rochecouste and Graham Sansom.

Gilbert and Graham will discuss the opportunity for local government to recognise that the sector can self-empower its way to a very different and more productive future, by focussing on community strengthening and place-making.

Gilbert is the founder of Village Well and is recognised both nationally and internationally as a leading voice in Placemaking. He has worked with hundreds of communities, developers and businesses over the last 25 years to create more vibrant, connected and resilient communities.

Graham Sansom is Adjunct Professor at the University of Technology, Sydney. Until recently he was Director of the UTS Centre for Local Government and also the Australian Centre of Excellence for Local Government. From 1994-98 he was CEO of the Australian Local Government Association.

- Yes, we can! Case studies from the sector: demonstrating LG can do it.

#### 10.30AM MORNING TEA NETWORKING

#### 11AM 'TRANSFORMING LOCAL GOVERNMENT', JONATHAN CARR-WEST, CEO, 'THE LOCAL GOVERNMENT INFORMATION UNIT (UK)

Dr Jonathan Carr-West has been Chief Executive of the Local Government Information Unit (LGIU), the local democracy think tank, since 2013. Jonathan is a leading national authority on local government transformation, local democracy and public services. Some of his particular interests are in participative democracy, the evolving nature of public services and devolution. With an extensive media profile and sector credibility, he has published on topics as diverse as localism

#### 11.45AM WHAT IS THE ROLE OF LOCAL GOVERNMENT IN THE NEW STORY? PLENARY DISCUSSION

#### 12.30pm 'THE IMPORTANCE OF LEARNING HOW TO BE COMMUNITY-LED AND PLACE-BASED', LUCINDA HARTLEY, CO-FOUNDER CODESIGN STUDIO, SUPPORTED BY TRACEY O'CONNOR, WHITEHORSE CITY COUNCIL.

There is a lot of talk about being community-led and place-based but it can be challenging to walk the talk. An enhanced local government framework must be built on a re-assessment of the role and importance of place. The need now is for community-based leadership with the capacity to work with communities to help them determine their priorities and how to meet them, including co-design and co-production with community playing an active role. The role of LG is to act as facilitator (not director) to meet the varying needs of the community, and to arrange government and private partnerships to deliver on these needs. Lucinda is a landscape architect, urban designer and Honorary Senior Fellow at the University of Melbourne. She is co-author of the Tactical Urbanism Guide to Australia and New Zealand and the Rapid Urban Revitalisation toolkit. She is a member of the Ministerial Advisory Council for Fisherman's Bend and the global Place Leadership Council. Tracey will discuss the ground-breaking Neighbourhood Project at Whitehorse.

#### 1PM LUNCH NETWORKING

1.45PM	<b>'CITY-CHARRETTE 2030: FUTURE= PAST + NOW', JACYL SHAW, DIRECTOR ENGAGEMENT, CARLTON CONNECT INITIATIVE (CCI),</b> It's 2030 and local communities across Australia have undergone the great "greenaissance". After that long hot summer of 2020 with temperatures of 49 degrees not to mention memorable 2026 when four of the nation's cities reached 10+ million people now The Republic is leading the world with fresh thinking and active citizens co-creating healthy communities, liveable and loveable public spaces, conscious governance and civil civic society. Churchill once claimed "If we open up a quarrel with the past, we will find that we have lost the future ... " This City Charrette 2030 will turn Churchill's quote on its head and suggest that "we must open up a discussion with our past in order to find our future". This interactive discussion and thought- experiment will engage participants and an invited panel to work together to consider how decisions and actions made by communities in 2017 have impacted on the future city, the tomorrow town and posterity. The session is designed to put participants in a series of alternative futures to help consider ways and means for communities to create equitable prosperity and opportunity for all, via knowledge, networks and pioneering ventures. This City-Charrette is created and presented by the good people at the University of Melbourne's Carlton Connect Initiative, which has laid the foundations for Australia's leading innovation precinct, anchored by the University of Melbourne.
3.15PM	<b>AFTERNOON TEA NETWORKING</b>
3.40PM	<b>'CREATING A SENSE OF PLACE', FRED KENT, FOUNDER OF PROJECT FOR PUBLIC SPACES (PPS) (VIDEO)</b>
3.55PM	<b>'THE BETTER WAY: LESS LOCAL GOVERNMENT AND MORE LOCAL GOVERNANCE', DAVID HAMMOND, DIRECTOR, HAMMOND ROBERTSON AND FORMER CEO, THAMES-COROMANDEL COUNCIL (NZ)</b> David oversaw a leading-edge example of the devolution of power to the community at Thames Coromandel. Facing a hostile community, the Council determined that the community should manage local issues locally and allocated 14 services to local (elected) Community Boards. The outcomes were: <ul style="list-style-type: none"> <li>• The emergence of capable local leadership</li> <li>• Significantly higher community satisfaction and trust in Council</li> <li>• Citizens shaping their own area (co-design and co-production approach)</li> <li>• Reduced Council rates (project cost and time reduced significantly)</li> <li>• To remove 'local' from Council business so they can focus on strategic directions.</li> </ul> After a sweep out of Councillors at the previous election, the next election saw no change in Councillors and strong competition for a place on the Community Boards.
4.30PM	<b>THE NEW STORY: PROGRESS TO DATE AND NEXT STEPS</b>
5PM	<b>NETWORKING DRINKS/LIGHT REFRESHMENTS</b>
6PM	<b>CLOSE - A SMALL GROUP WORKS UP THE MANIFESTO FOR DAY 2</b>

## **DAY 2: CALL TO ACTION: CREATING A MOVEMENT TO IMPLEMENT THE BETTER WAY; SELF-EMPOWERMENT**

9AM	<b>THE MANIFESTO IS LAUNCHED: THE 'SMALL GROUP' SPEAKS TO IT AND THE PANEL INTERACTS AND TESTS IT WITH THE SUMMIT PARTICIPANTS</b>
9.45AM	<b>'PLACEMAKING: THE BETTER WAY. YES, WE CAN!', GILBERT ROCHECOUSTE, VILLAGE WELL.</b> Gilbert will demystify the practical art and science of empowering community engagement and Placemaking processes and how to create more resilient, vibrant and just communities. The foundations for 21st Century Place Leadership will be presented as a new model for Councils. Gilbert will discuss: <ul style="list-style-type: none"> <li>• Key Placemaking trends and processes</li> <li>• Best practice skills to mobilise communities for action</li> <li>• New metrics to measure resilience and Placemaking outcomes</li> <li>• Inspiring and practical case studies of can-do communities</li> </ul>
10.20AM	<b>'THE NEED FOR MORE DEVOLUTION OF POLITICAL, ADMINISTRATIVE AND FUNDING POWERS TO LOCAL GOVERNMENT', DR MIKE REID, PRINCIPAL POLICY ADVISOR, LOCAL GOVERNMENT NEW ZEALAND.</b> Mike will discuss the need for greater power to be handed to local government to enable the "Better Way" to be fully successful and for local communities to reap the potential benefits. Mike has worked in a diverse range of policy areas including local governance, elected member development, legislative change, social policy, relationships with Maori and local democracy. Mike completed his PhD in public policy in 2011 and is currently on the board of the Institute of Governance and Policy Studies. He speaks regularly on local government matters and has published widely.



10.40AM	MORNING TEA NETWORKING				
11.05AM	HOW CAN LG SHIFT THE FOCUS FROM SERVICE DELIVERY TO COMMUNITY STRENGTHENING?				
11.30AM	<p><b>'THE NEW DIGITAL AGE CAN DELIVER FOR COMMUNITIES BUT IT NEEDS COLLABORATION AND INNOVATION', MARTIJN SCHRODER, DIGITAL TRANSFORMATION MANAGER, CITY OF BALLARAT.</b></p> <p>Martijn has worked internationally in business transformation for Transurban &amp; Queensland Motorways, Myer, Dept. of Treasury and Finance (Vic), Royal District Nursing Service, Caltex Indonesia and Cap Gemini (The Netherlands). He firmly believes that local government can use technology to significantly improve efficiency and responsiveness to the community.</p>				
11.55AM	HOW CAN WE FAST TRACK COLLABORATION BETWEEN COUNCILS TO BENEFIT COMMUNITIES?				
12.15PM	<b>'THE IMAGE OF LG IS AN ONGOING PROBLEM: WHAT CAN BE DONE? HOW CAN WE BUILD TRUST AND IMPROVE THE IMAGE OF LG?'</b>				
12.45PM	LUNCH NETWORKING				
1.30PM	<p><b>'LEADING IN UNCERTAINTY AND COMPLEXITY' WITH DIANA RENNER, UNCHARTED LEADERSHIP INSTITUTE.</b></p> <p>Mastery of known knowledge and technical skills no longer guarantees today's local government leaders either personal or organisational success. What's required is developing the skills, flexibility and resiliency to operate and thrive in challenging and uncertain environments. Diana is co-director and co-founder of the Uncharted Leadership Institute.</p> <p>In her work she weaves together a range of disciplines including Adaptive Leadership, Complexity Theory, Adult Development and Process Oriented Psychology to build the capability of organizations and individuals to successfully navigate uncertainty and make progress on complex challenges. The objective is to develop more self-awareness and comfort with ambiguity and uncertainty, learn new tools for making progress in uncertainty and designing 'safe to fail' experiments.</p>				
1.50PM	HOW CAN WE INTRODUCE LOCALISM INTO THE FEDERATION? THIS IS A KEY QUESTION FOR THE BETTER WAY				
2.15PM	<p><b>TRANSITIONING TO THE 2020S: IMPLEMENTING THE BETTER WAY &amp; CREATING A MOVEMENT: ACTION TO CREATE LEARNING SITES AROUND AUSTRALIA: YES, WE CAN!</b></p> <table> <tr> <th>ISSUE</th><th>PLACE-BASED RESPONSE</th></tr> <tr> <td> <ul style="list-style-type: none"> <li>• Community governance</li> <li>• Knowing what is important: community planning</li> <li>• Citizens juries</li> <li>• Learning to be community-led</li> <li>• Climate change</li> <li>• Obesity:</li> <li>• Multiculturalism</li> <li>• Minimising waste</li> <li>• Crowdfunding</li> <li>• Local food</li> <li>• Positive ageing</li> <li>• Nurturing community connection</li> <li>• Growing community leaders</li> <li>• Others to be added (by you)</li> </ul> </td><td></td></tr> </table>	ISSUE	PLACE-BASED RESPONSE	<ul style="list-style-type: none"> <li>• Community governance</li> <li>• Knowing what is important: community planning</li> <li>• Citizens juries</li> <li>• Learning to be community-led</li> <li>• Climate change</li> <li>• Obesity:</li> <li>• Multiculturalism</li> <li>• Minimising waste</li> <li>• Crowdfunding</li> <li>• Local food</li> <li>• Positive ageing</li> <li>• Nurturing community connection</li> <li>• Growing community leaders</li> <li>• Others to be added (by you)</li> </ul>	
ISSUE	PLACE-BASED RESPONSE				
<ul style="list-style-type: none"> <li>• Community governance</li> <li>• Knowing what is important: community planning</li> <li>• Citizens juries</li> <li>• Learning to be community-led</li> <li>• Climate change</li> <li>• Obesity:</li> <li>• Multiculturalism</li> <li>• Minimising waste</li> <li>• Crowdfunding</li> <li>• Local food</li> <li>• Positive ageing</li> <li>• Nurturing community connection</li> <li>• Growing community leaders</li> <li>• Others to be added (by you)</li> </ul>					
2.30PM	HOW CAN WE BECOME BETTER AT SHARING KNOWLEDGE ACROSS LG?				
2.50PM	<b>THE MANIFESTO (PARTICIPANTS INVITED TO SIGN IT) AND THE LIGHT ON THE HILL AND THE WAY FORWARD: NEXT STEPS</b>				
3.15PM	CLOSE				

**NOTE:** The outcome of the Summit will be discussed with the ABC with a view to it being a Q&A topic later this year.

**Who should attend?** Anyone with an interest in change and the future of local government.

Especially Councillors, CEOs, Directors, and managers and officers in Innovation, Organisational Development, Corporate Planners, Strategic Planning, Human Resources, Service Planners, Business Transformation, Digital Transformation, Information Management and Business Analysis.

**COST:** \$594 (including GST)

**NOTE:** no single day registrations are available.

**TO REGISTER:** For online registration and conference details go to [www.mav.asn.au/events](http://www.mav.asn.au/events) (click on 'upcoming events' and scroll down to May 25).

**QUERIES:** [jhennessy@mav.asn.au](mailto:jhennessy@mav.asn.au)

**NOTE:** Program subject to change

**SUGGESTED ACCOMMODATION:** Radisson on Flagstaff Gardens, 380 William St, Melbourne Vic 3000.  
Phone (03) 9322 8000 (refer to MAV event at Angliss Conference Centre for discount).

## **SA17.73 2017 Australian Local Government Women's Association Conference**

**HPERM Ref:** D17/81524

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

**Attachments:** 1. Conference Program [↓](#)

### **Purpose / Summary**

To consider Councillor attendance at the 2017 Australian Local Government Women's Association (ALGWA) Conference scheduled for 4 to 6 May 2017 in Penrith.

### **Recommendation (Item to be determined under delegated authority)**

That the Committee

1. Notes the details of the 2017 Australian Local Government Women's Association Conference scheduled for 4 to 6 May 2017 in Penrith.
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.

### **Options**

1. As per the recommendation.
2. That Council not approve Councillor attendance at the Conference as Council Business.

### **Background**

The ALGWA Conference is considered relevant to local government, Information in relation to the conference is attached to this report.

Costs associated with the conference are estimated as follows:

- registration: Early bird \$957 (ends 24 March)  
Standard \$1,067  
1 day \$627
- travel, accommodation and out of pocket expenses : not yet determined.

The Conference commences at approximately 12.00pm Thursday 4 May 2017 and concludes at approximately 1.00pm Saturday 6 May 2017. The conference is followed by the ALGWA AGM and the United Services Union Gala Dinner. There is currently no Council Business scheduled within the period of the conference.

**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.



Your adventure starts now!

**ALGWA** <sup>NSW</sup>  
Annual Conference

**YOUR ADVENTURE STARTS NOW!**

**PENRITH 4-6 May 2017**

Penrith is steeped in rich history, it's surrounded by natural beauty, has a thriving arts and culture scene and boasts an impressive list of adrenaline attractions.

We're looking forward to showcasing this to you, and so much more, at the 2017 ALGWA conference in Penrith in May.

The two-day conference features an entertaining, thought-provoking and informative program of speakers and workshops, and off-site and after hours activities to appeal to the adventurer in everyone!

Whether you're coming alone or bringing your partner, you can explore what the region has to offer. Plan your trip at [visitpenrith.com.au](http://visitpenrith.com.au). While you're there make sure you subscribe to the monthly e-newsletter to keep up to date with what's happening in Penrith.

You can also connect with Visit Penrith on Facebook, Instagram and Twitter for regular updates on things to see and do, and remember to share all your adventures in Penrith using #visitpenrith.

## REGISTER NOW

**Registrations and conference information:** [penrithcity.nsw.gov.au/algwa2017](http://penrithcity.nsw.gov.au/algwa2017)

**Date:** Thursday 4 May – Saturday 6 May 2017

**Venue:** Penrith Panthers Event Centre

**Accommodation and Attractions:** [visitpenrith.com.au](http://visitpenrith.com.au)

**Conference enquiries:** [shelley.lee@penrith.city](mailto:shelley.lee@penrith.city)

**ALGWA:** [algwa.org.au](http://algwa.org.au)

**PENRITH**  
CITY COUNCIL



[penrithcity.nsw.gov.au](http://penrithcity.nsw.gov.au)

## PROGRAM

Morning	Afternoon	<b>DAY 1 - Thursday 4 May</b>
		Registration opens
Morning	Afternoon	Local Government Super welcome function
		<b>DAY 2 - Friday 5 May</b>
Morning	Afternoon	Wellness activity
		<b>Mayor's official welcome:</b> Penrith Mayor Clr John Thain
Morning	Afternoon	Official opening
		<b>ALGWA OPENING ADDRESS</b>
Morning	Afternoon	<b>Keynote Speaker Robbi Mack:</b> Robbi Mack is the 'Queen of HeartBeatz' and has a passion for inspiring and amplifying the potential found in human connection. Robbi empowers people with the tools to integrate our minds, with a message from the heart. An expert in emotional intelligence, she innately understands the importance of self-awareness, self-management, and the power of empathy in becoming our greatest selves.
		<b>Topic:</b> Heartbeatz for resilience – Courage to change the things we can.
Morning	Afternoon	<b>MORNING TEA</b>
		Majorie Propsting Talk - Heather Chaffey - Neighbourhood Renewal Coordinator, Penrith City Council
Morning	Afternoon	<b>Kim-Cherie Davidson:</b> Live your bucket list, dream and explore
		Kim-Cherie Davidson is a media profiler, adventurer, storyteller, photographer, dreamer, inspirer, explorer and philanthropist.
Morning	Afternoon	In the past five years Kim-Cherie has summited Mount Kilimanjaro, run a marathon at Uluru, climbed three peaks in South America and trekked in Nepal. Her secret to these achievements is slow and steady at the back of the pack because it is about being part of the race, not first. Through these physical pursuits, Kim-Cherie has pushed herself physically, mentally, emotionally, spiritually and grown exponentially.
		As a speaker, storyteller and coach, she has inspired women to follow their own adventure dreams. From her own experience, Kim-Cherie knows they can turn their dreams into reality with the right support and mindset.
Morning	Afternoon	She also started a Facebook page "liveyourbucketlistau" for women to have a place to dream, inspire and explore their adventure dreams. Kim-Cherie's passion is to help you live your bucketlist.
		<b>Full conference discussion panel:</b> Local inspiring leaders
Morning	Afternoon	<b>LUNCH</b>
		<b>CONCURRENT WORKSHOPS</b>
Morning	Afternoon	<b>Kim-Cherie Davidson:</b> How to start your bucket list
		<b>Flourishing Mothers:</b> Boosting wellbeing and increasing your levels of flourishing both at work and outside of work
Morning	Afternoon	<b>Professor Roberta Ryan:</b> Director of the Institute for Public Policy & Governance and the UTS Centre for Local Government at the University of Technology Sydney.
		<b>Topic:</b> The state of women in local government referencing amalgamation, and leadership and what that means for young women.
Morning	Afternoon	<b>AFTERNOON TEA</b>
		ALGWA hotspots
Morning	Afternoon	Performance of Chicago by the Penrith Musical Comedy Company (tickets limited) at the Joan Sutherland Performing Arts Centre.



DAY 3 – Saturday 6 May	
Morning	Wellness activity
	Morning announcements
	<b>Sandy Davies:</b> Executive Manager People & Capability, Penrith City Council
	<b>Topic:</b> Silver Award Gender Equity. How to get accreditation for gender equity and the process.
Afternoon	<b>Jane Liddelow:</b> Style Makeover HQ
	<b>Topic:</b> Discover your personal style for business. Does your appearance reflect your personal values and beliefs? Does it convey who you are and how you want to be seen in business?
	<b>MORNING TEA</b>
	<b>Margo Blacklaw:</b> Training and Coaching Solutions
Night	<b>Topic:</b> This session covers all you need to know to successfully write a winning resume. It involves preparation and updating of your resume as well as improving your image with a LinkedIn Profile.
	2019 Conference bids
	<b>LUNCH</b>
	ALGWA AGM
Night	United Services Union Gala Dinner – Chairman's Lounge, Pepper Stadium
	<i>Program subject to change without notification.</i>



## SA17.74 Bomaderry Aquatic Centre & Nowra Aquatic Park - Winter Swimming in Northern Shoalhaven

**HPERM Ref:** D17/83607

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

**Attachments:** 1. Combined Income Patronage Distribution [↓](#)  
2. Attendance Bomaderry Aquatic Centre Versus Nowra Aquatic Park [↓](#)

### Purpose / Summary

To provide Council with a detailed financial report following Nowra Aquatic Park's first 12 month operations and to seek Council's direction on the future season lengths for both Nowra Aquatic Park and Bomaderry Aquatic Centre.

### Recommendation

That Council

1. Within the Shoalhaven Swim & Fitness area, maintain the operation of:
  - a. Bomaderry Aquatic Centre 25 metre indoor pool – all year
  - b. Bomaderry Aquatic Centre 50 metre outdoor pool – all year
  - c. Nowra Aquatic Park 50 metre outdoor pool - close 30 June 2017 until 1 November 2017
  - d. To be funded within existing 2016/17 budgets
2. Undertake a comprehensive Community Engagement Process to outline the proposed six (6) options for summer and winter swimming in the northern Shoalhaven (Bomaderry Aquatic Centre and Nowra Aquatic Park) as outlined in this report. That this consultation seek the community's views on which is the preferred option taking into consideration all factors including service level provision and costs. This be undertaken as part of the DPOP consultation and be reported back to Council as part of the budget process.
3. Upon receipt of the feedback, determine which option of the six considered it will fund in future budgets.

### Options

Option 1

As Recommended. This will result in the NAP closing at the end of June.

#### Implications

Unless funding is provided in the 2017/18 budget, the NAP will not be available for training squads or recreational swimming until November 2017. There are also costs associated with 'holding' the pool in a dormant state during this period, however this basically maintains the previous "level of service" for these facilities. This option does not however leverage the community benefits that could be gained from the investments made in improving the Nowra Aquatic Park.

## Option 2

Council can choose to alter the recommendation as it deems fit.

## Implications

Any decision of Council will need to consider the financial impact on the organisation.

There are 6 operational options that Council can consider for the ongoing operations of the aquatic facilities in the northern Shoalhaven and the level of service provided to the community. These are outlined below.

## Facility Operating Scenarios

### 1. Operate:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – summer and winter
- c. Nowra Aquatic Park 50 metre pool – summer and winter
- d. Increase on Budget \$158,904**

#### Implications:

- Increases services available for the community.
- Most expensive option requiring additional operational expenditure

### 2. Operate:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – summer only
- c. Nowra Aquatic Park 50 metre pool – summer only
- d. Increase on Budget \$50,387**

#### Implications:

- Reduction in service at Bomaderry facility
- Likely impact on Learn to Swim families with more than one (1) child
- Some families required to travel to Nowra Aquatic Park
- Reduced access to 25 metre pool users - programming difficulties
- Programming issues
- Impact on hirers
- Impact on income
- No 50 metre pool open during winter
- Higher care and maintenance costs

### 3. Operate:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – summer only
- c. Nowra Aquatic Park 50 metre pool – summer and winter
- d. Increase on Budget \$143,920**

#### Implications:

- Reduction in service at Bomaderry facility
- Increase in service at Nowra facility
- Overall increase in net cost of services
- Only one (1) 50 metre pool open during winter
- Likely impact on Learn to Swim families with more than one (1) child
- Some families required to travel to Nowra Aquatic Park
- Programming issues
- Restricted access to 25 metre pool users - programming difficulties
- Reduces community consultation period and transition to closure time

- Likely impact on Learn to Swim families with more than one (1) child
- Impact on income

4. Operate – historic position:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – summer and winter
- c. Nowra Aquatic Park 50 metre pool – summer only
- d. Increase on Budget \$NIL**

Implications:

- Likely impact on both Learn to Swim and Squad families
- Only one (1) 50 metre pool open during winter
- Potentially no access for external hirers and resultant financial loss
- Likely impact on Learn to Swim families with more than one (1) child
- Higher care and maintenance costs

5. Operate:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – decommissioned – permanent closure
- c. Nowra Aquatic Park 50 metre pool – summer only
- d. Increase on Budget \$19,013**

Implications:

- Likely impact on Learn to Swim families with more than one (1) child
- Some families required to travel to Nowra Aquatic Park
- Reduction in service
- Impact on income
- All swimming carnivals required to be hosted at Nowra Aquatic Park
- Potentially no access for external hirers – resultant in reduced income rather than financial loss
- Higher care and maintenance costs

6. Operate:

- a. Bomaderry Aquatic Centre 25 metre pool – summer and winter
- b. Bomaderry Aquatic Centre 50 metre pool – decommissioned – permanent closure
- c. Nowra Aquatic Park 50 metre pool – summer and winter
- d. Increase on Budget \$122,629**

Implications:

- Reduction in service
- Only one (1) 50 metre pool open during winter
- Likely impact on Learn to Swim families with more than one (1) child
- Some families required to travel to Nowra Aquatic Park
- Programming issues
- Restricted access to 25 metre pool users - programming difficulties
- Reduces community consultation period and transition to closure time
- Likely impact on Learn to Swim families with more than one (1) child
- Some families required to travel to Nowra Aquatic Park
- Impact on income

The table below provides Councillors with a visual aid on the potential operational scenarios.

FACILITY OPERATING SCENARIOS												
	1		2		3		4		5		6	
	S	W	S	W	S	W	S	W	S	W	S	W
BAC 25m indoor	√	√	√	√	√	√	√	√	√	√	√	√
BAC 50m outdoor	√	√	√		√		√	√	D	D	D	D
NAP 50m outdoor	√	√	√		√	√	√		√		√	√
BUDGET INCREASE	\$158,904		\$50,387		\$143,920		Nil		\$19,013		\$122,629	
Note – Option 4 is the historic / funded operation						S = Summer   W = Winter   √ = Open   D = Decommissioned						

The figures above present Councillors with options to operate both facilities. It is important to remember that, where a pool may be closed for 6 months, there are still significant costs associated with expenditure and income, closing at season end, restarting and plant maintenance (care and maintenance costs). The figures are also impacted by significantly reduced income with the loss of revenue of hirers and memberships.

Unlike the old Nowra Olympic Pool, the new Nowra Aquatic Park was designed to operate all year round, therefore, a shutdown period will come with higher costs.

### Background

At its meeting held on 9 December 2014, Council's Policy & Resources Committee made the following resolution (D14/327890):

“RESOLVED that:

- a) *In accordance with the Committee's delegated authority from Council, staff provide a further report on the social and financial implications of the condition and the level of services provided at the Bomaderry and Nowra Aquatic Centres in the context of Council's future financial sustainability.*
- b) *That the further report be provided after the opening of Nowra Aquatic Centre [Park]”*

With more than 12 months elapsed since opening of Nowra Aquatic Park in October 2015, quantitative and qualitative information is now available for Council's review and consideration in terms of management of summer and winter swimming in the Northern Shoalhaven.

Previously, Nowra Aquatic Park – formerly known as Nowra Olympic Pool - operated for only five (5) months of the year, generally from 1 November until 31 March each swimming season. The amenities and heating system of the old Nowra Olympic Pool were not conducive to or capable of 12 month operation.

Staff are seeking direction as to Council's preferences for summer and winter swimming in the northern Shoalhaven.

The newly refurbished Nowra Aquatic Park is fitted with quality amenities and mechanical systems. These systems and amenities were designed to facilitate both winter and summer swimming. Currently, a quantum of budget exists only to operate Nowra Aquatic Park on a trial basis for the first 12 month operation.

As yet, Council has not made a determination on the future of winter swimming in the northern Shoalhaven. Consequently, budget provisions were made to operate Nowra

Aquatic Park until 31 March 2017, which aligns with traditional winter hours of operation of the facility.

In considering the future direction of Bomaderry Aquatic Centre, the condition of the asset and, in light of Council's recent adoption of the Bomaderry Nowra Regional Sports & Community Precinct Master Plan, Council will need to consider transitioning in preparation for development into the regional hub.

The Master Plan aims to improve the quality of facilities in the location, by integrating facilities and improving their utilisation and status for long term sustainability and growth of active and passive recreation and social activities, co-located to provide a community and tourism destination.

It should be noted that the Master Plan does not include a 50 metre outdoor pool and will affect the closure of the existing Bomaderry Aquatic Centre 50 metre outdoor pool. Whilst not including timeframes for design or construction, the scenarios within this report may assist Council in providing a transitional pathway towards closure of the Bomaderry 50 metre outdoor pool.

The Bomaderry Aquatic Centre 50 metre outdoor pool has been identified as being nearing the end of its serviceable life. Further, there are also works required to be undertaken to the indoor 25 metre pool and overall amenity of the indoor building structure.

A number of swim clubs outside of the Shoalhaven currently share pool facilities, including metropolitan swim clubs. Bomaderry Swimming Club itself has previously shared its facilities with both Shoalhaven Swimming Academy and Nowra Swimming Club during the winter months when Nowra Olympic Pool was previously closed and during the construction of Nowra Aquatic Park. The success of sharing facilities largely comes down to programming, which has been proactively undertaken by Shoalhaven Swim & Fitness Management.

The close proximity of Nowra Aquatic Park and Bomaderry Aquatic Centres, i.e., only 3.0 kilometres, would suggest that maintaining two (2) outdoor 50 metre heated pools so close together would be financially unsustainable.

Therefore, a single outdoor 50 metre pool in the northern Shoalhaven, particularly at least in the winter months, more than adequately meets the recreational training needs of the northern Shoalhaven community.

As stated earlier in this report, based on established planning and provision principles of one (1) local aquatic facility per 10,000 to 40,000 people and one (1) district aquatic facility per 40,000 to 70,000 people, the provision of one (1) 50 metre swimming pool is meeting the benchmarks and is capable of servicing and meeting the needs of the northern Shoalhaven community now and well into the future.

Throughout many Local Government Areas within NSW, there are few Councils which have invested as much as Shoalhaven in terms of social infrastructure, specifically aquatic / leisure facilities. Such large social and financial investments are rarely seen, even in metropolitan areas with much larger populations.

### **Nowra Aquatic Park Operating Figures – October 2015 to January 2017**

The below figures provide Councillors with a budget position and a report, not only on the first 12 months of operation and year to date financial position, but also a projected budget for both Nowra Aquatic Park and Bomaderry Aquatic Centre for the current financial year.

NOWRA AQUATIC PARK – COST TO OPERATE					
	YTD BUDGET Jul 2016 to Jan 2017 \$	YTD ACTUAL Jul 2016 to Jan 2017 \$	ACTUAL COST FULL YEAR OPERATION Nov 2015 to Oct 2016 \$	FULL YEAR BUDGET 2016/17 - 9 mths operation \$	PROJECTED ACTUAL FULL YEAR RESULT Jul 2016 to Jun 2017 \$
Income	207,017	261,897	393,879	306,957	452,089
Expenditure	619,356	469,960	827,541	803,562	867,530
Cost to Operate	412,339	208,063	433,662	496,605	415,441

The above savings and projected outcomes provide Council with the opportunity to operate Nowra Aquatic Park for the balance of 2016/17 financial year without additional funding resource allocation. For the above table:

1. Depreciation excluded
2. Nowra Aquatic Park was budgeted to operate (2016/17 year) for 9 months only – Nett Cost \$496,605
3. Projected actual result to operate for 12 months - cost \$415,441
4. A full year Budget for 2017/18 year would be very similar to projected current year's actual result

BOMADERRY AQUATIC CENTRE – COST TO OPERATE					
	YTD BUDGET Jul 2016 to Jan 2017 \$	YTD ACTUAL Jul 2016 to Jan 2017 \$	ACTUAL COST FULL YEAR OPERATION Nov 2015 to Oct 2016 \$	FULL YEAR BUDGET 2016/17 \$	PROJECTED ACTUAL FULL YEAR RESULT Jul 2016 to Jun 2017 \$
Income	315,217	386,053	657,673	499,289	671,532
Expenditure	658,104	600,659	1,119,401	1,122,269	1,089,227
Cost to Operate	342,887	214,606	461,728	622,980	417,696

NOWRA AQUATIC PARK & BOMADERRY AQUATIC CENTRE – COST TO OPERATE					
	YTD BUDGET Jul 2016 to Jan 2017 \$	YTD ACTUAL Jul 2016 to Jan 2017 \$	ACTUAL COST FULL YEARS OPERATION Nov 2015 to Oct 2016 \$	FULL YEAR BUDGET 2016/17 \$	PROJECTED ACTUAL FULL YEAR RESULT Jul 2016 to Jun 2017 \$
Income	522,234	647,950	1,051,552	806,246	1,123,621
Expenditure	1,277,460	1,070,619	1,946,942	1,925,831	1,956,757
Cost to Operate	755,226	422,669	895,390	1,119,585	833,137

## **Impacts of Nowra Aquatic Park Re-Opening**

### *Overall Income*

- The initial forecast of the impact of Nowra Aquatic Park re-opening assumed a 45% reduction in income and attendance at Bomaderry Aquatic Centre.
- Overall income by end of 2015/16 delivered only a 7% reduction in overall Centre income for Bomaderry Aquatic Centre, as the Centre performed much better than expected through a 20% increase in Learn to Swim income and an increase in Water Fitness class attendance which assisted in offsetting the initial decrease in General Aquatics income.

### *General Aquatics – Casual Entry - Lane*

- Bomaderry Aquatic Centre had an initial decrease in General Aquatics income when Nowra Aquatic Park re-opened in October 2015. The immediate decrease in the first 3 months of Nowra opening was 21%. This margin has improved from quarter to quarter over the last 12 months and, as at end of December 2016, is now only a decrease of 12%.
- As of January 2017, Bomaderry Aquatic Centre General Aquatics income is continuing to improve as general usage increases through pool bookings, general use of the Centre and a significant increase in Water Fitness programs. Overall, Centre income remains steady due to significant increases in Learn to Swim income.

### *Learn to Swim*

- Bomaderry Aquatic Centre Learn to Swim continues to increase in enrolments from term to term, with Term 1 2017 currently catering to 725 enrolments – enjoying the highest enrolment ever in a term at this Centre.
- While the program increase can easily be facilitated via the 25 metre indoor and 50 metre outdoor collectively year round, potential closure of the 50 metre outdoor pool in Terms 2 and 3 may restrict the capacity of the program as it currently stands and any future growth.
- This 'flow-on' affect may impact Terms 1 and 4 on approximately 50 to 100 students if the Bomaderry Aquatic Centre 50 metre pool is closed year round. To counter the increased usage, there would need to be periods when the 25 metre pool was Learn to Swim and Squad only. This could also be alleviated by extension of operating hours. The additional costs could be covered by income from the extended program.
- Refer Attachment 1:
  - a. Bomaderry Aquatic Centre Patronage Vs Income Comparison – Current & Previous Financial Years
  - b. Nowra Aquatic Park Patronage Vs Income Comparison – Current & Previous Financial Years
- These attachments will show that that the highest number of users does not necessarily reflect the highest income group. This highlights the financial importance of Learn to Swim programming.



## Usage Trends

- With the re-opening of Nowra Aquatic Park, two (2) long term lane hirers / professional external swim coaches moved from Bomaderry Aquatic Centre to Nowra Aquatic Park, resulting in a \$6,500 per term decrease in group booking revenue for Bomaderry Aquatic Centre, along with a subsequent reduction in multi visit pass holders related to those hire groups.
- The removal of these groups from Bomaderry Aquatic Centre 50 metre pool, however, has allowed more pool space available for lap swimmers and growth of the in-house, i.e., Council's, Squad program at Bomaderry Aquatic Centre.
- Since the re-opening of Nowra Aquatic Park in October 2015, Bomaderry Aquatic Centre and Nowra Aquatic Park combined now attract higher user numbers that those experienced by both Centres prior to refurbishment of Nowra Aquatic Park.
- In essence, rather than splitting user groups, both facilities are seeing an increase in repeat visitation and attracting new patrons. In 2015/16, there were over 224,000 users across both Centres and 2016/17 is currently tracking to increase on that figure with year-to-date users at 180,000 as of February 2017.

## Group Bookings

- The current 'split' of school swimming carnivals is still approximately 50 / 50 hosted between Bomaderry Aquatic Centre and Nowra Aquatic Park.
- At present, during Regional and Zone swimming carnivals, schools from as far away as Snowy River Shire are travelling to Nowra Aquatic Park.
- Bomaderry Aquatic Centre has retained significant annual bookings, including hosting the Department of Education Swimming Scheme for eight (8) weeks each year between September and December. These will not be impacted by the proposed winter closure.
- Bomaderry Swim Club has increased its annual Club carnival from one (1) per year to two (2) per year in 2016/17.
- Although many of the schools which previously used Bomaderry Aquatic Centre have shifted across to Nowra Aquatic Park since re-opening, this has provided Bomaderry Aquatic Centre with more lane space to facilitate new school group users on a regular weekly basis which previously could not be accommodated, further increasing the Centre's user base throughout 2016/17.

INDOOR POOL VS OUTDOOR POOL USAGE COMPARISON - BOMADERRY AQUATIC CENTRE OVER 12 MONTHS - JAN16 to DEC16		
	25 metre Indoor Pool	50 metre Outdoor Pool
July – September (winter)	85%	15%
October – December (spring)	62%	38%
January – March (summer)	57%	43%
April – June (autumn)	80%	20%

## Overall Usage

With the re-opening of Nowra Aquatic Park in October 2015, following an initial drop in overall patronage, patronage has steadily increased and has delivered an overall increase at both facilities.

Winter swimming at Nowra Aquatic Park has also exceeded expectations in terms of recreational swimmers. Whilst it is difficult to quantify the social benefits for the community, Nowra Aquatic Park has attracted new user groups, with seniors and parents with young families using the Park as a meeting point. Nowra Aquatic Park is enjoying this new patronage, it is does not appear to be at the detriment of any of Bomaderry Aquatic Centre programs or patronage. There is also evidence to suggest that Nowra Aquatic Park has become a destination point for 'day-trippers' travelling from outside the Shoalhaven.

It could be argued that Nowra Aquatic Park is still enjoying 'a honeymoon period'. A conservative approach has been adopted with regard to budget allocation for the upcoming year. The 2016/17 has been a 'bumper' summer, which is reflected in visitation at both Nowra Aquatic Park and Bomaderry Aquatic Centre.

Future summer swimming seasons may not see the same level of patronage and this, therefore, will be reflected in income and also higher heating pool expenses.

Should the Shoalhaven experience a cooler / wetter summer, income and patronage figures would be reflected in a substantial downturn in income and patronage, particularly for outdoor facilities such as Nowra Aquatic Park and Bomaderry Aquatic Centre and an associated increase in energy costs to supplement solar heating systems in order to maintain pool water temperatures at required temperature.

Accordingly, budgets are developed to reflect average summer conditions.

## Considerations for Summer Operation only at Bomaderry Aquatic Centre – 50 metre pool closed in Winter

### *Impact on Squad Program*

Of the Squad enrolments, there are a total of 20 families and, of these, 13 have younger children also enrolled in either lower Squad levels and / or school age after-school Learn to Swim levels. Splitting the programs between Nowra Aquatic Park and Bomaderry Aquatic Centre could effect a family's ability to have all children enrolled within these programs – Potential worse case financial impact - \$24,000 per annum based on \$6,000 per term.

### *Winter Hours*

Between 3.30pm and 7.00pm, Monday to Friday, Bomaderry Aquatic Centre 25 metre indoor pool may require to be closed to the general public whilst these programs are running, affecting an average of 25 people per day who would have the choice to swim at Nowra Aquatic Park's outdoor pool.

There will be no impact on school programs or Bomaderry Swim Club.

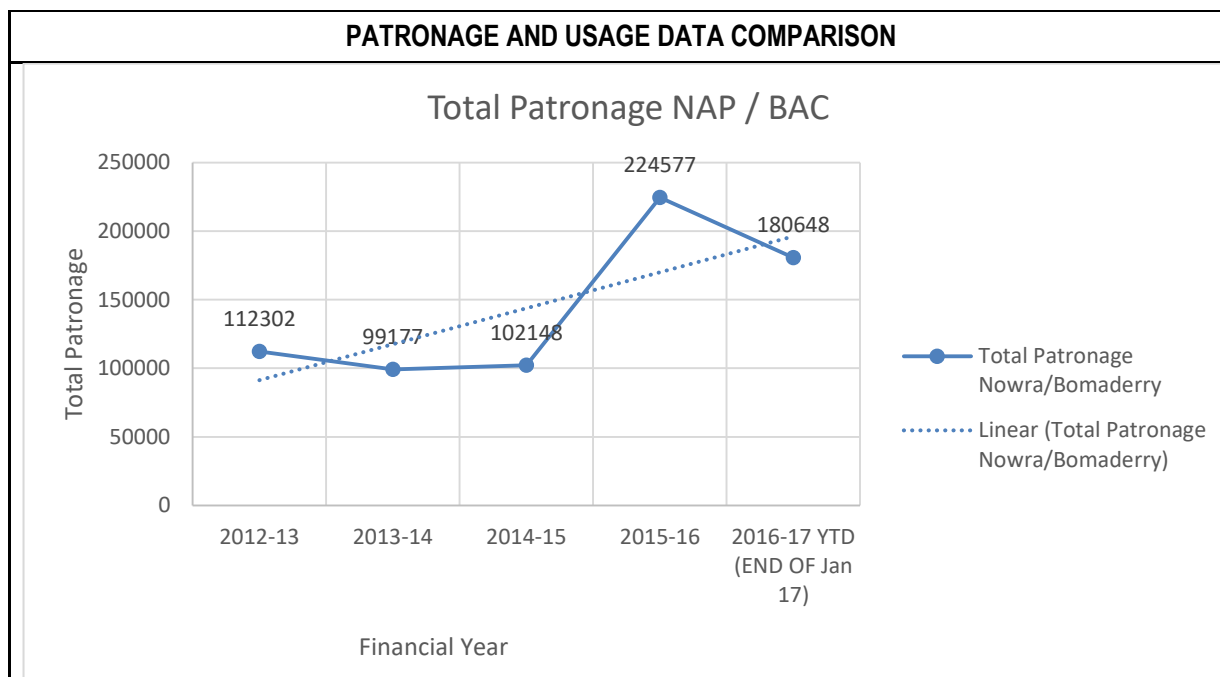
### *Complete Decommissioning of Bomaderry Aquatic Centre Outdoor 50 metre pool*

- The complete decommissioning of the outdoor 50 metre pool may have a detrimental impact on Bomaderry Swim Club numbers. The Club will have the opportunity to utilise the indoor 25 metre pool, use the Nowra Aquatic Park or a combination of both. The Club's annual development carnival will require to be hosted at Nowra Aquatic Park.
- School students on the northern side of the Shoalhaven River will face a very small increase in travel time and costs to Nowra Aquatic Park for 'long course', i.e., 50 metre pool training and swimming carnivals.
- With reduced indoor lane space, all external hirers may be required to move to Nowra Aquatic Park which can accommodate them.

- All school carnivals will require to be held at Nowra Aquatic Park, affecting the complete closure from 9am until 3pm Monday to Friday, each week for up to six (6) weeks. This is not considered as problematic as all carnivals were managed and hosted successfully at Bomaderry Aquatic Centre during the Nowra Aquatic Park construction period.
- During cooler inclement periods and winter months, the Bomaderry Aquatic Centre Squad program is normally moved from the outdoor 50 metre pool into the indoor 25 metre indoor pool at short notice. With the decommissioning of the Bomaderry Aquatic Centre 50 metre pool, all Squad programs from Bomaderry Aquatic Centre would be operated from Nowra Aquatic Park.

*Implications for both Bomaderry Aquatic Centre and Nowra Aquatic Park if closed during winter:*

- **Bomaderry Aquatic Centre:**
  - Impact on Learn to Swim Program at Bomaderry Aquatic Centre – utilising 25 metre pool only, the Program will be unable to grow or retain numbers during April to October - numbers would require to be capped in order to allow for different user groups impacted by closure of the 50 metre pools
  - Impacts significantly on Department of Education swimming program run from end of September each year - program is too large to operate in 25 metre pool only – Bomaderry Aquatic Centre
  - Impacts Canoe Polo for 4 months – Bomaderry Aquatic Centre
- **Nowra Aquatic Park:**
  - Impacts in excess of 37,000 users which utilised these facilities during same period last year – Nowra Aquatic Park
  - Impacts in excess of 130 external squad group sessions – Nowra Aquatic Park
  - Impacts our industry body Royal Life Saving Society Australia running essential courses – since reopening, Nowra Aquatic Park is the preferred training facility – in turn, less courses will be run in Shoalhaven
  - Impacts Waterpolo for 2 months – Nowra Aquatic Park
  - Impacts Nowra Swim Club for 2 months – Nowra Aquatic Park
- **Both:**
  - No 50 metre pool in northern Shoalhaven region during this period
  - Impacts in excess of 120 bookings (external squad groups excluded) – across both facilities



Refer to Attachment 2 - Comparative User Group & Patronage Data showing sustained increase in patronage across both facilities

### Asset Condition – Defect & Capital Considerations - Bomaderry Aquatic Centre

#### *Future Capital – Outdoor Pool*

Installed in 1999, the Bomaderry Aquatic Centre outdoor 50 metre pool heating has, over the past six (6) years, presented staff with operational difficulties and, as these systems continue to age, maintenance and servicing costs will continue to increase, reaching the point that these costs are no longer sustainable nor the systems reliable operationally or meeting the service levels expected by the community.

The Bomaderry Aquatic Centre outdoor 50 metre pool shell, the Plant Room, Kiosk and Amenities are 40 years old reaching the end of their useful life.

Additionally, these replacements to the facility will only allow for a 'like-for-like' refit. No replacements would be undertaken to improve the overall appearance or functionality of the facility and, in all likelihood, the general public would see minimal physical improvements at the completion of works.

This retrofit would increase the longevity of the mechanical services, however, will not provide for any enhancement of amenities nor guarantee longevity of the pool shell, which is also at the end of its economic life.

#### *Future Capital – Indoor Pool*

The Bomaderry Aquatic Centre 25 metre indoor pool was opened in 1986 and is now 31 years old. The overall building and amenities are best described as adequate. There have been some recent improvements such as painting, tiling and replacement of cubicle partitions, however, the whole facility is aged and tired.

The indoor pool filtration system is compliant, however, this is a highly used body of water in daily use for Learn to Swim lessons, gentle exercise programs and lane walking due to the

favourable water temperature and accessibility. The demand for space to meet user needs is at capacity.

In 2014, the proposed rectification works, for works such as pool shell, mechanical services and heating, ventilation, air conditioning systems, were costed at \$2.12 million (total costs excluding interest payments), however, these costs would have also significantly increased since this time.

Whilst it could be argued that Bomaderry Aquatic Centre indoor and outdoor pools are nearing the end of their serviceable lives, both assets, although undergoing regular servicing and maintenance, do present staff with operational difficulties.

In all likelihood, these pools will not suffer any catastrophic failure effecting as immediate closure. The longer both pools at Bomaderry Aquatic Centre remain open, however, there is increased likelihood that expensive / reactive maintenance will be required in order to ensure compliance with NSW Department of Health standards and ensuring that the facility remains open to the public.

Bomaderry Aquatic Centre is reaching a point of criticality. Each asset component is depreciated at different rates dependent on the life expectancy of each component, i.e., pool blankets have a five (5) year life, whereas, buildings with 60 years of life. Whilst there is \$3.66M remaining in Written Down Value, it is impractical to depreciate Bomaderry Aquatic Centre to Nil value.

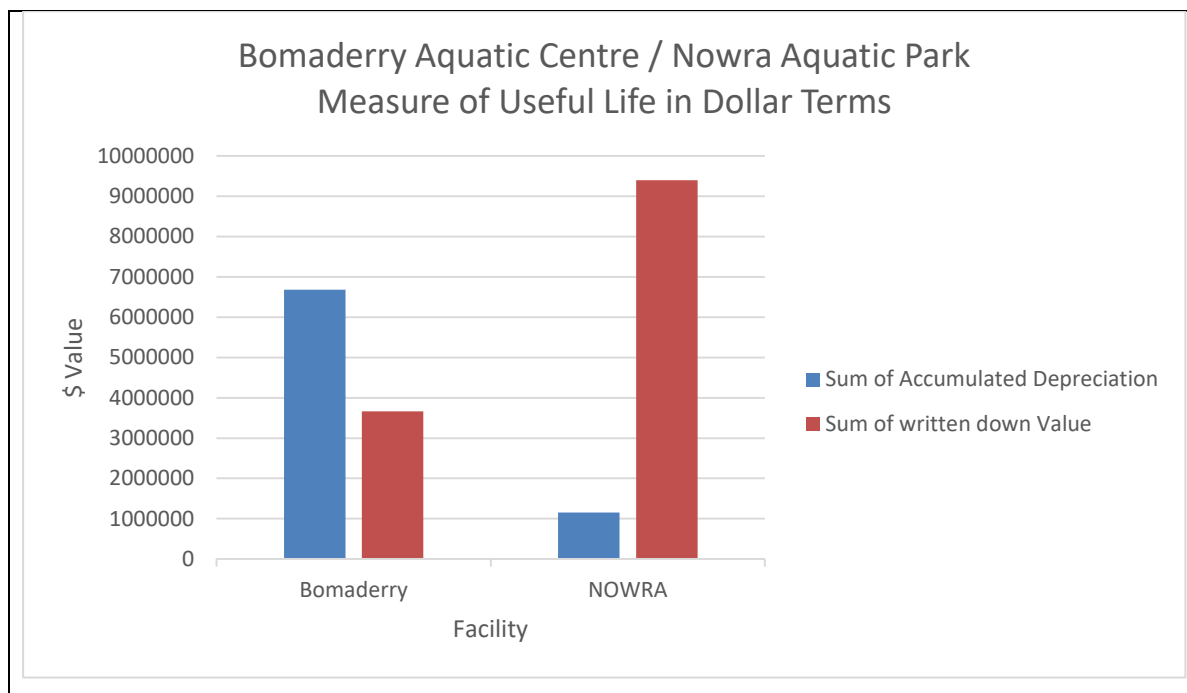
Asset components move through their life expectancy of “Cradle to Grave” with the following conditioning: Excellent to Good to Fair to Poor to Very Poor and then Failure. Customers’ expectations are that they are unwilling to patronise assets that are in “poor” and especially “very poor” condition.

Replacing individual components at this stage may not be cost efficient, given the limited useful life remaining of other asset components.

The risk is increasing exponentially, especially risk to reputation and risk of non-value for outlay of funds.

The below Chart “Measure of Useful Life in Dollar Terms” makes measurements and comparisons between the two (2) facilities:

- The vertical axis indicates the dollar value of the accumulated depreciation and subsequent decrease in useful life, i.e., the ‘written down’ value.
- The blue bar represents the years of useful life which have been spent, while the red bar represents how much useful life is left on the asset – hence, it is apparent that Bomaderry Aquatic Centre is approximately 75% through its useful life compared to Nowra at 10%.

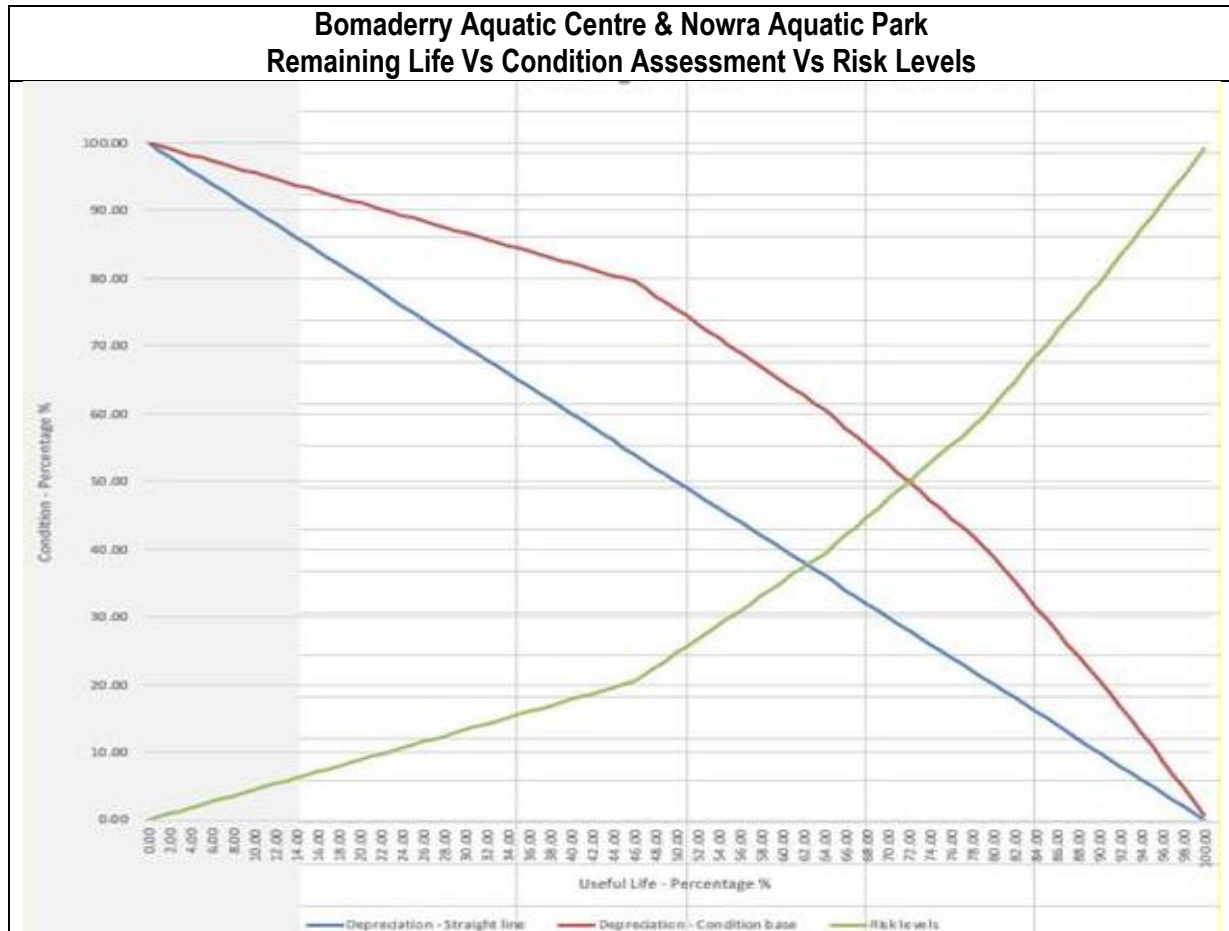


Council Assets are given a condition rating which evaluates the measure of their remaining life. The condition can vary depending on factors such as age, quality, utilisation and environment and is assessed by regular inspections of an asset throughout the period of its useful life.

The Chart below is indicative of how the level of risk increases as the remaining life of an asset diminishes.

- The blue line represents the life of an asset terms of straight line depreciation.
- The red line represents the life of an asset based on the condition rating assessed by regular inspections over the life of the asset.
- The green line represents the increase in risk as a facility progresses through its useful life.

Risk factors and community expectations go 'hand in hand' in dictating the level of service required for the aquatic facility. Where the green line crosses the red line approximately 75% through the assets useful life is the point at which the condition drops below the satisfactory level of service expected by the community for an Aquatic Facility and is deemed not fit for purpose.

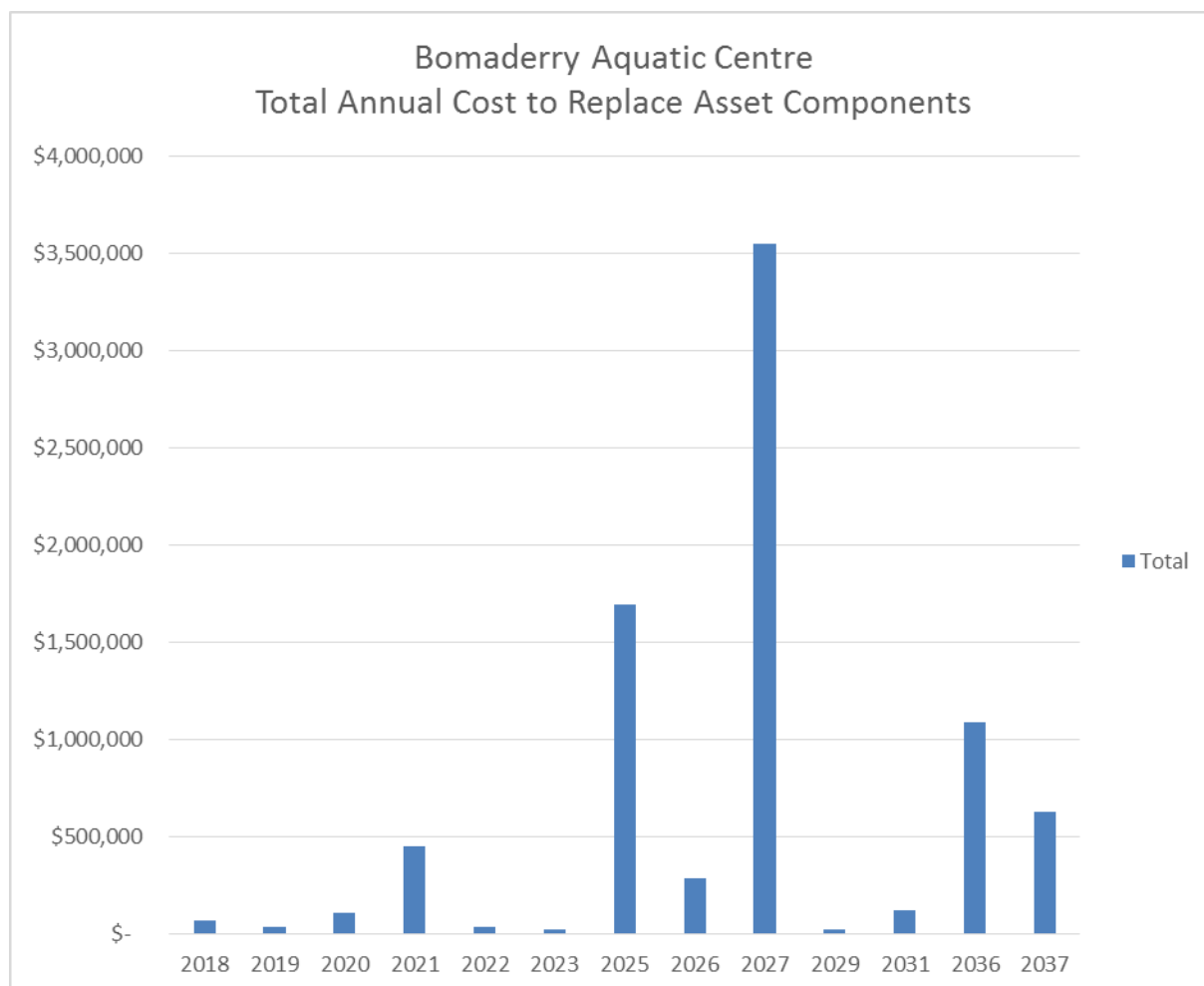


SA17.74

The below Chart represents the cost of replacement for asset components at Bomaderry Aquatic Centre annually over the next twenty (20) years.

Significant funding amounts are required throughout the next ten (10) years, with a sum of \$674,000 being required before 2021. Further critical funding points are 2025 and 2027, totalling \$5.2 million.

Replacement costs are accumulated in the Conquest Asset Management System and are estimated on historical data, the most recent replacement being the Nowra Aquatic Park construction, and are in line with Rawlinsons Construction Handbook 2016 and Scott Fullarton Valuations.



SA17.74

The total replacement cost of each component at Bomaderry Aquatic Centre as it comes to the end of its useful life is calculated to be \$9,349,285. As specified above, this is only to replace components 'like for like' with no upgrade to the facility which would not be feasible.

To replace the outdoor pool shell will require replacement of existing subterranean hydraulics, plant and filtration equipment and the existing building in which these are housed, as has recently been experienced with Nowra Aquatic Park. Thus, in reality, the minimum cost of replacement and upgrade would be approximately \$5.5 million for the outdoor facilities. To upgrade and replace the indoor facility, based on the 2004 construction of Sussex Inlet Aquatic Centre indoor Pool, would be in excess of \$6.5 million.

At present, \$2.0 million is allocated for rectification for the 2020/21 Budget. This allocation, based on today's assumption of 3.5% annual loan payments of approximately \$234,000 over ten (10) years, is \$2.34 million. It could be argued that these funds would be better directed to the Bomaderry Community Hub, rather than channelled into an ageing asset.

### Report Summary

The issues raised in this report are not insurmountable but present council with opportunities to continue to improve on their existing service levels and also to provide creative ways of developing our programs across both sites. Shoalhaven Swim & Fitness Management is comfortable that these changes can be facilitated without detriment to our programs and services to the community. Staff are comfortable that options can be presented which accommodate all patrons. Some recreational swimmers will become accustomed to the changes presented.



## Community Engagement

Two (2) comprehensive community engagements have been undertaken.

1. Prior to the re-opening of Nowra Aquatic Park in October 2015, Council's extensive community engagement undertaken on winter swimming in the northern Shoalhaven in 2014 provided opportunities for a wide range of stakeholders and community members to provide feedback on:
  - previous pool usage
  - likely future winter pool usage
  - potential for winter swimming at both facilities

It is not unreasonable to assume that, following 12 months of operation, the survey weighting may change.

2. Recent Community Engagement Undertaken during Bomaderry Community Hub Consultation - a number of submissions received during the draft Bomaderry Nowra Regional Sports & Community Precinct Master Plan's public exhibition period related to the community's concern at the proposed removal of the Bomaderry Aquatic Centre 50 metre outdoor pool.

Although community engagement has occurred in the past regarding Nowra Aquatic Park and Bomaderry Aquatic Centre, it is important for the community to clearly understand the options outlined in this report and to provide specific feedback on the approach which Council may choose to take in this regard. The engagement will sit within the 'Consult' section of the IAP2 Community Engagement Spectrum and will require to utilise a variety of community engagement methods to ensure that the message is provided to key stakeholders and the stakeholders themselves are able to provide feedback. An important aspect is the opinion of the broader community i.e. is increasing service levels of the aquatic facilities acceptable within the context of needs across the City.

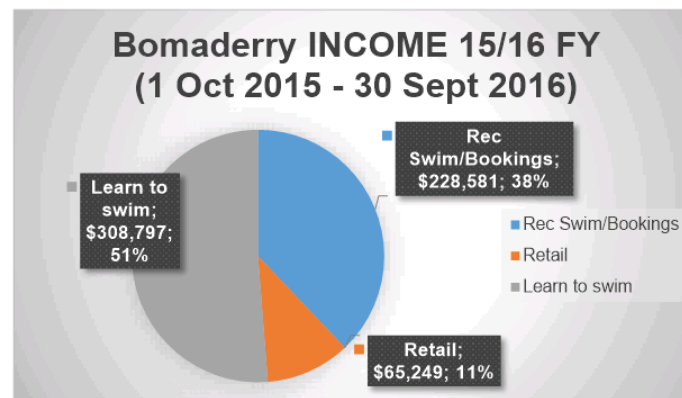
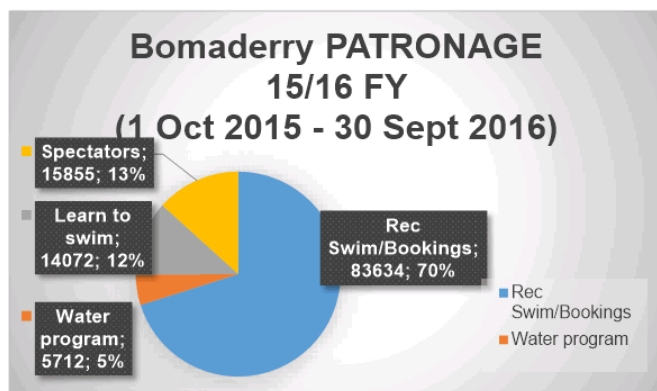
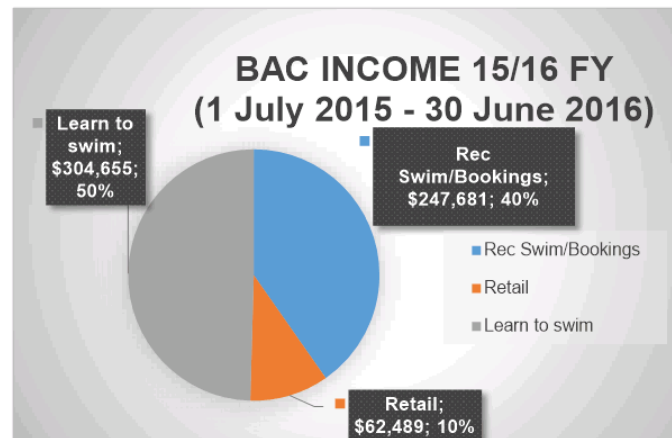
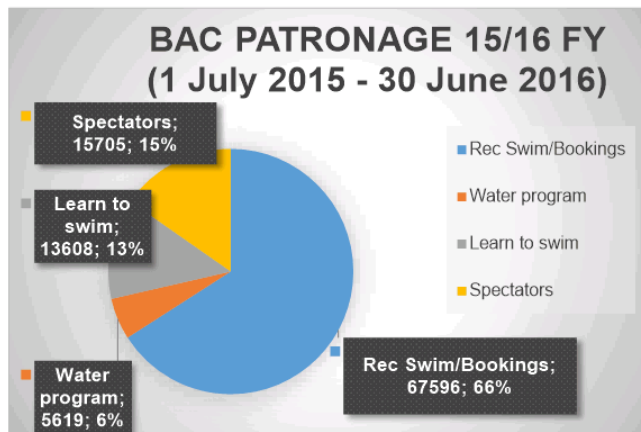
It is proposed that a Community Engagement Plan be developed to outline methods to be utilised, key stakeholders, resource allocation and funding implications, with a further report submitted to Council for its consideration at the conclusion of the community engagement process.

## Financial Implications

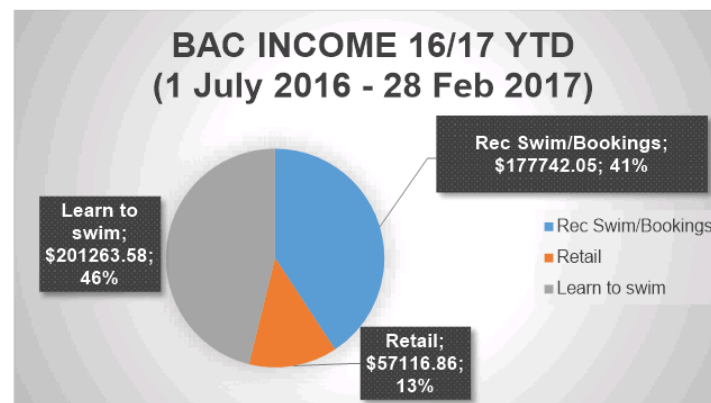
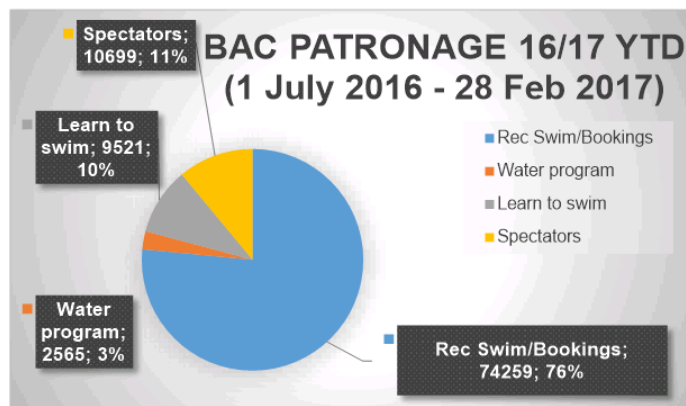
The financial implications and current performance are provided earlier in this report.

The financial modelling provided is based on current usage levels and average winter and summer temperatures. Should these figures be affected by adverse weather conditions or additional service providers opening in the northern Shoalhaven, these figures will be impacted.

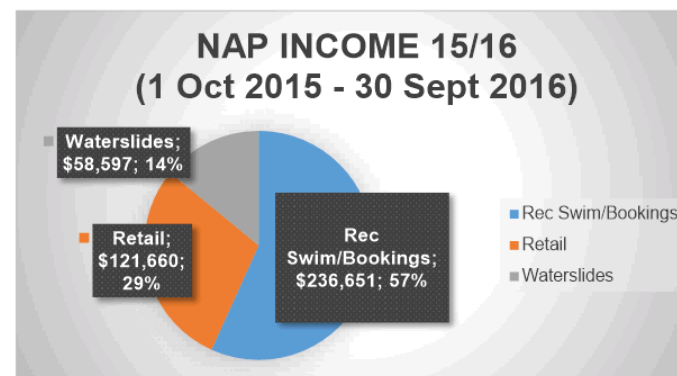
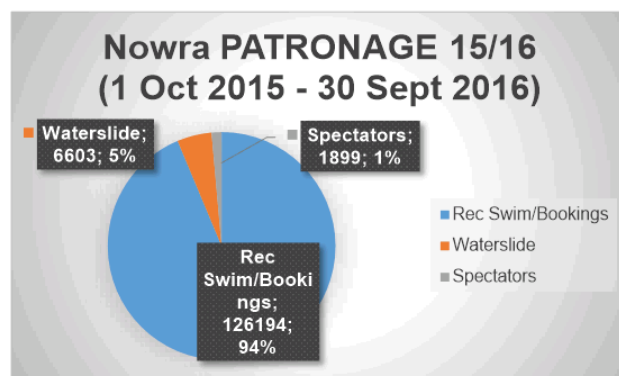
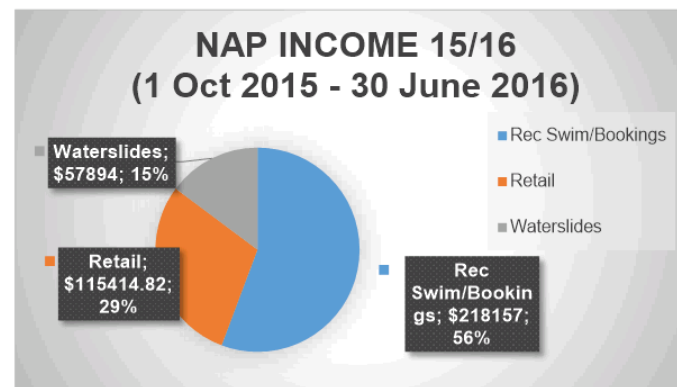
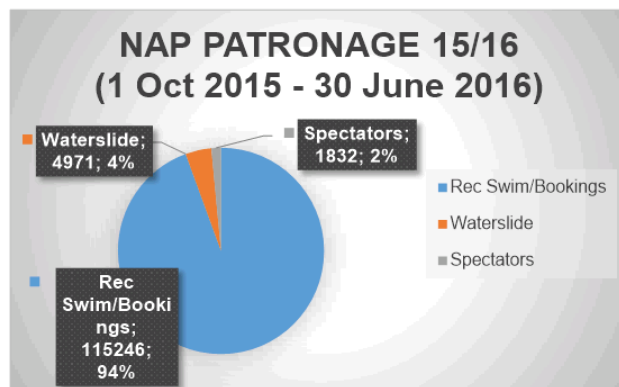
BAC Combined income-patronage



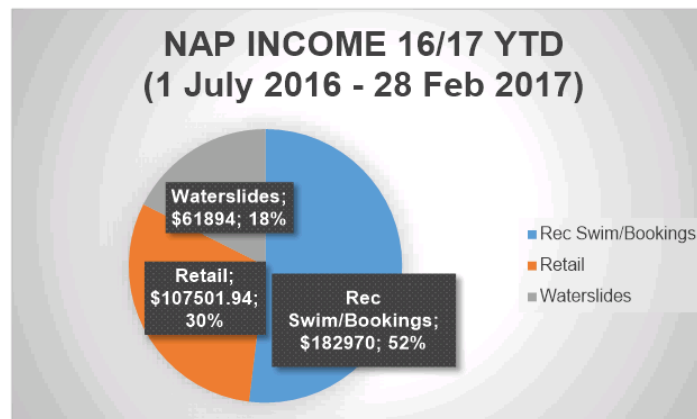
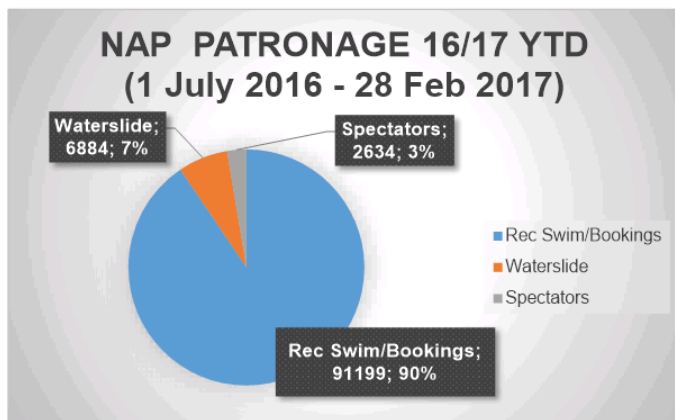
BAC Combined income-patronage



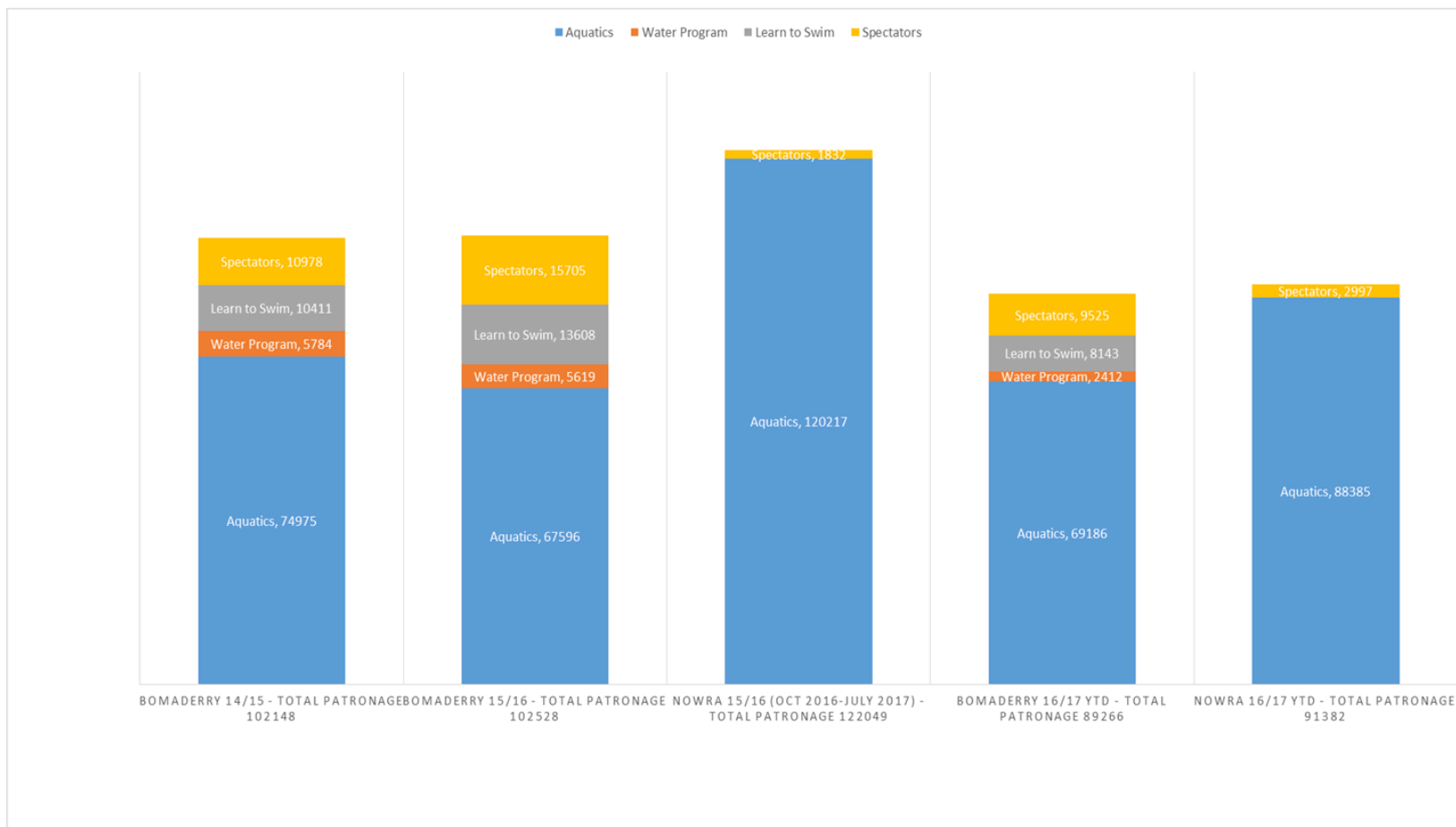
NAP Combined income-patronage



NAP Combined income-patronage



**Attachment to Report - Attendance Bomaderry Aquatic Centre Versus Nowra Aquatic Park - Winter Swimming in Northern Shoalhaven**



## **SA17.75 Funding Options - Sealing - Bishops Drive Mollymook**

**HPERM Ref:** D17/37745

**Group:** Assets & Works Group

**Section:** Asset Management

**Attachments:** 1. Bishop Drive Sealing Options [↓](#)

### **Purpose / Summary**

To report on funding opportunities, and the extent of work required, to seal 150m of an access road, off Bishop Drive, Mollymook.

### **Recommendation (Item to be determined under delegated authority)**

That the report on the sealing of 150 metres of Bishop Drive be received for information and the works not be funded in the 2017/18 budget.

### **Options**

1. Receive the report for information. (Recommended)

Implications: Resident concerns would remain unaddressed.

2. Fund the sealing of the road (Not recommended)

Implications: Funding would be diverted from 'asset renewal' projects. The commitment of funds to this project would therefore be contrary to Council's strategy which is focused on asset renewal, as widening and sealing the road is not 'asset renewal' but is 'new construction'.

### **Background**

Council resolved at its meeting 31 January 2017 (Minute MIN17.33) that

1. Council consider in the 2017/18 budget an allocation of money to seal 150 metres of Bishop Drive Mollymook.
2. A report be provided to Council outlining:
  - a. Section 94 contributions and other funding possibilities with the opportunity for recoupment, in relation to works on this roadway.
  - b. The extent of works required on this roadway.

The sealing of the access road, off Bishop Drive, (Attachment 1) is not included as a project in the Contributions Plan (CP). It is also unlikely to be included as a future CP project as it would only provide direct access to adjacent developable properties. Projects are only permitted to be included in a Council's CP if they are associated with and are required to accommodate an increase in population in an identified area. This would involve traffic studies to be completed and any portion of use of the road not associated with population

growth will still be the liability of Council to fund. Additionally, if no development occurs, Council would not receive any funding for a CP project. Council's current CP contains a number of projects in a similar state and because of this is currently undergoing a review.

A development consent condition to upgrade the access road had already been imposed on a recently lapsed development application (DA08/1842) for these properties. As there have been no recent development applications in this area, there is no short-term potential for the sealing of the access to be developer funded.

The widening and sealing of the access would qualify for funding under the Federal Government's Roads to Recovery program. However, all Roads to Recovery funds are committed to 'road renewal' projects, not to new construction works. There are no other known grant funding sources for which the widening and sealing would qualify.

The minimum standard for this road would be a sealed pavement width of 6 metres and an overall formation width of 8 metres. This would necessitate the removal of some trees and associated earthworks. No drainage structures, such as kerb and gutter or pits, would be provided. However, 'table' drains would be formed as part of the earthworks.

### **Community Engagement**

Although direct community engagement has not been undertaken, Council has received a petition of 400 signatures requesting the sealing of the road.

### **Financial Implications**

The estimated cost to widen and seal the access road to the minimum standard is \$213,000.

This project has not been included in the draft 2017/2018 Operational Plan budget as an appropriate funding source has not been recognised.

There is a backlog of existing roads which are in poor condition and would have higher traffic volumes and speeds and a higher priority for funding than constructing this access road.



Attachment 1: LOCALITY MAP



## **SA17.76 Long Term Parking Facility Proposal - Bomaderry Railway Station**

**HPERM Ref:** D17/56033

**Group:** Assets & Works Group

**Section:** Asset Management

**Attachments:** 1. Merroo St - Long Term Parking - Bomaderry Railway Station [↓](#)

### **Purpose / Summary**

To report on the availability of land in the vicinity of the Bomaderry Railway station to be used for all day/night parking

### **Recommendation (Item to be determined under delegated authority)**

That the report on the availability of land in the vicinity of the Bomaderry Railway station to be used for all day/night parking, be received for information

### **Options**

1. Receive the report for information (Recommended)

Implications: No further action will be undertaken

2. Make some other recommendation

Implications: Council would need to identify a funding source for the carpark

### **Background**

Council resolved at its meeting on 15 November 2016 (Minute MIN16.855) that

*“a report come to Council on the availability of land in the vicinity of the Bomaderry Railway station to be used for all day/night parking and, if available, the feasibility of creating all-day/all-night parking, with disabled access included.”*

Although the NSW government could develop further car parking on its land in Bomaderry, it has made no funding commitment for this purpose. The State Government is currently funding Transport Access Programs throughout the State by providing hundreds of car spaces for commuters and in some locations building multi-deck car parks. Following representations, Council was advised in April 2016 that long-term parking in Bomaderry would be considered as part of the process.

There is currently only one vacant property (49 Merroo Street – Attachment 1) close to the Bomaderry railway station which may be suitable for the development of a car park. The local CCB has also shown interest in this land for continued use as a park.

The property is currently privately-owned. The feasibility of developing a car park on this site would depend on:

- The owner's willingness to sell the property
- The proposal meeting all development controls
- Council's acceptance of a car park being developed in a prominent location in the centre of the Bomaderry shopping centre and
- Council securing funding of up to \$800,000 to acquire the property and build a car park

### **Community Engagement**

The Pride of Bomaderry community consultative body has requested that more all-day parking be provided in the precinct.

### **Financial Implications**

The estimated cost to acquire a suitable property and construct a car park is \$800,000.

This project has not been included in the draft 2017/2018 Operational Plan budget as an appropriate funding source has not be recognised.

There is a backlog of existing infrastructure which is in poor condition and would have a higher priority for funding than the construction of a new car park.

If funds were diverted from 'infrastructure renewal' to 'new construction', Council's financial sustainability benchmark result would be impacted.

Attachment 1: BOMADERRY RAILWAY STATION PRECINCT



## SA17.77 Bus Service - Bomaderry Rail Station to Nowra CBD

HPERM Ref: D17/56121

Group: Assets & Works Group  
Section: Asset Management

### Purpose / Summary

To report on the feasibility of subsidising a shuttle bus service, or facilitating timely bus services, from Bomaderry railway station to the Nowra CBD

### Recommendation (Item to be determined under delegated authority)

That the report on the feasibility of subsidising a shuttle bus service, or facilitating timely bus services, from Bomaderry railway station to the Nowra CBD, be received for information.

### Options

1. Receive the report for information (Recommended)

Implications: No further action will be taken

2. Propose an alternative recommendation.

Implications: Funding will need to be identified if any shuttle service is proposed

### Background

Council resolved at its meeting on 15 November 2016 (Minute MIN16.857) that

*a report come to Council on the feasibility of either:*

1. *subsidising a shuttle bus service from Bomaderry Railway station to the Nowra CBD; or*
2. *facilitating a process whereby the current bus companies agree on a suitable timetable system to provide timely bus services between the station and the CBD and beyond, if appropriate.*

### Shuttle bus service

The feasibility of subsidising a shuttle bus service depends on the availability of both appropriate vehicles and funding for any financial assistance.

It is possible to hire a bus and driver for a dedicated shuttle bus service. However, if this is not undertaken by an approved commercial bus operator, passengers cannot be charged for this service. Consequently, if Council wished to subsidise this service, it would be required to fund the full cost as there are no cost recovery options. The estimated cost to run a shuttle bus service would be about \$700 per 8 hour working day or about \$250,000 per year, 7 days per week.

A shuttle bus service would compete directly with commercial bus operators as these operators already have scheduled services which meet trains at Bomaderry station, between 7am and 7pm from Monday to Friday. This duplication of service would be unwarranted.

Although Council advocates for public transport improvements, it is not responsible for any public transport service. In this case, it may be difficult to justify spending funds on effectively running a shuttle bus service in competition with established operators.

#### Bus timetables

Following a review of timetables, it appears bus companies currently provide services which meet every scheduled train, between 7am and 7pm Mondays to Fridays, and between 8am and 1pm on Saturdays. Although it is unlikely that bus companies will extend their services into the low demand periods on weekends, the current timetables substantially meet Council's requirement *to provide timely bus services between the station and the CBD*. In this case, there is no need to facilitate a process to make changes to the existing timetables.

#### **Community Engagement**

Community engagement has not been undertaken on this matter.

#### **Financial Implications**

About \$250,000 per year would be necessary to provide a 7 day per week free shuttle bus service from Bomaderry railway station to the Nowra CBD.

## SA17.78 Report - Traffic Management - Milton/Ulladulla Area - Summer Holiday Period - By-pass Proposal

HPERM Ref: D17/80036

Group: Assets & Works Group  
Section: Asset Management

### Purpose / Summary

To update Council in response to Notice of Motion MIN17.129 – CL17.33

### Recommendation (Item to be determined under delegated authority)

That the Report of the General Manager (Director of Assets & Works) be received for Information and council note the status of this matter as detailed in the Princes Highway Corridor Strategy.

### Options

1. Accept the Recommendation

Implications: Council will be informed of the RMS position on the matters, as requested

2. Make some other Recommendation

Implications: RMS (on behalf of the NSW State Government) are responsible for the management of the Highway and are unlikely to change their view at this time

### Background

At the Ordinary meeting of Council on 28 February 2017, it was resolved;

*That a report be prepared for Council on the effectiveness of the traffic management strategies implemented during the Summer holiday period in the Milton - Ulladulla area. In addition, an up-date as to where the Milton- Ulladulla by-pass proposal is at the present.*

In response to Council's request the RMS has provided the following information to Council:

*The Princes Highway corridor strategy identifies that in the short term RMS will continue to manage peak holiday traffic through Milton with manual traffic control and monitor the impact of the management strategy, and to investigate options to improve driver information using ITS to inform drivers upstream of Milton of the traffic conditions.*

*RMS has end of queue management for both Milton and Ulladulla depending on journey(north bound or south bound).*

*In relation to the effectiveness of the current traffic management arrangements there are signs that the queues have reduced. The queues are still long but RMS crews that conduct*

*the end of queue management have reported slight improvements. However this is heavily influenced by the day the holiday period starts and finishes on (mid-week or weekend).*

*The longer term priority is to commence investigation into the suitability and need of a bypass of Milton and Ulladulla and gain a better understanding of the benefits it would provide. Currently no investigations have begun.*

ITS stands for Intelligent Transport systems, and by this RMS means they are investigating electronic variable message signage which could be provided in advance of towns that are experiencing queueing.



## SA17.79 Shared path signage - citywide

**HPERM Ref:** D17/25041

**Group:** Assets & Works Group

**Section:** Asset Management

**Attachments:** 1. ATTACHMENT A - existing shared path behavioural sign [↓](#)  
2. ATTACHMENT B - share the track pamphlet [↓](#)

### Purpose / Summary

To report on the feasibility and costs associated with installing additional signs on Council's shared path network highlighting rules for users following a Notice of Motion (MIN16.991).

### Recommendation

That the General Manager (Director of Assets & Works)

1. Continues to ensure that signage for cycleways complies with Australian Standard AS1742.9 (Bicycle facilities) and AUSTROADS Guide to Road Design Part 6A (Pedestrian and Cyclist paths)
2. Includes a 'share the path' educational component in the pamphlet for distribution with the rates notices at a future time.
3. Develops a strategy to install additional signage at key locations along the shared path network within existing budget constraints.

### Options

1. As recommended

Implications: continue to comply with signage standards; include a 'share the path' educational component with rates notices and develop a strategy for additional signs.

2. Council install additional behavioural signage at key locations along Council's shared path network (Not recommended).

Implications: The installation of additional behavioural path signage on Council's existing shared path network is unfunded at present. It is recommended to develop the strategy before installing additional signage.

3. Another recommendation.

### Background

Council resolved at its meeting on 20 December 2016 (Minute MIN 16.991)

*That a report come to Council regarding the installation of more effective signs along our cycle ways. The signs could at least address the following:*

1. Keep left
2. Warn when approaching

*3. Move off path when stopped*

*4. Control your dog*

Shared path behavioural signage has been implemented on some of Council's shared path network. This signage is implemented at Huskisson and Vincentia at major path access points and is used to encourage path users to behave in a predictable and co-operative manner. However this type of signage is not regulatory.

Attachment A indicates an example of a behavioural sign installed at Huskisson.

There are cost implications with the installation and ongoing maintenance of signage.

On all of Council's shared path network, regulatory shared path and shared path (end) signage is installed at the commencement of the shared path in accordance with Australian Standards. These signs regulate and determine the type of facility, and prescribe to users that the path is regulated under the NSW Road Rules.

Kiama Municipal Council, Shellharbour City Council and Wollongong Council in association with the Illawarra Bicycle Users Group (ibug) and Healthy Cities Illawarra Inc. recently supported a 'share the track' pamphlet and distributed this to all residents in those areas. This was an educational campaign that outlines the rules and responsibilities of shared path users.

Attachment B contains the 'share the track' pamphlet recently distributed by Kiama, Shellharbour and Wollongong Councils. Among other behavioural aspects, all of the four issues of concern to Council (per the Council resolution) are addressed on that pamphlet.

Staff can develop and distribute similar information to Shoalhaven residents. This could be included and mailed out as part of a future Council's Rates Notice distribution to reach land owners across the city, as well as a selection of other outlets.

### **Financial Implications**

Option 1 – The inclusion of a 'share the path' component in the rates notice mail-out can be funded from existing budgets.

Option 2 - It is expected that the supply and installation of a behavioural shared path sign is significant and is not currently funded. It would be better to develop a strategy if signs are to be installed at key locations across the city, as well as identifying funding for the cost of ongoing maintenance and installation of the signs. There is no current budget identified for this type of additional signage to be installed on existing shared paths across the city.

ATTACHMENT A



Example of a shared path behavioural sign located at Huskisson





ATTACHMENT B



SA17.79 - Attachment 2

'Share the track' pamphlet – Recently distributed by Kiama / Shellharbour / Wollongong Council's, Healthy Cities Illawarra Inc & Illawarra Bicycle Users Group (ibug)

## SA17.80 Review - Graffiti Management Policy

HPERM Ref: D17/73999

Group: Assets & Works Group

Section: Works & Services

Attachments: 1. Graffiti Management Policy [↓](#)

### Purpose / Summary

The *Graffiti Management Policy* is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

### Recommendation (Item to be determined under delegated authority)

That Council reaffirm the Graffiti Management Policy with the minor update to nominate Assets & Works as the responsible Council Group.

### Options

1. As recommended (preferred option).

Implications: The only change is the responsible Group name has been updated to reflect the current Council organisational structure.

2. Not accept the recommendation, giving reasons and propose an alternative.

Implications: Any significant changes will require community engagement prior to adoption.

### Background

The Graffiti Management policy provides a commitment to the management of graffiti across the Shoalhaven City Council area. It also provides a basis to manage and minimise the impact of graffiti.

The Graffiti Management Policy has been developed in response to concerns of graffiti proliferation raised by community members within the Shoalhaven and the need to act quickly.

A minor change has been made to the Group name responsible for the policy from *City Services and Operations* to *Assets and Works*.

### Community Engagement

No material changes are proposed to the current policy, so community engagement is not considered necessary.



**City Administrative Centre**  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

**Southern District Office**  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Website: [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

For more information contact the Assets and Works Group

---

## Graffiti Management

**Policy Number:** POL16/147 • **Adopted:** 23/04/2013 • **Minute Number:** MIN13.411 • **File:** 1244E • **Produced By:** Assets and Works Group • **Review Date:**

### 1. PURPOSE

The Graffiti Management policy provides a commitment to the management of graffiti across the Shoalhaven City Council area. It also provides a basis to manage and minimise the impact of graffiti across the Shoalhaven City Council Local Government Area.

The Graffiti Management Policy has been developed in response to concerns of graffiti proliferation raised by community members within the Shoalhaven.

### 2. STATEMENT

Shoalhaven Council is committed to providing safer communities, supporting ownership of local neighbourhoods, reducing the occurrence of graffiti and addressing perceptions of criminal activity such as graffiti. This is to establish the Shoalhaven as a preferred place to live, work, visit and play.

Community groups have placed an increased emphasis on graffiti management and in support Council are to develop a robust management framework including having appropriate operating and management practices in place. In addition a well defined policy and management framework is essential.

#### 2.1. Objectives of the policy

- To enhance the built and natural environment in the Shoalhaven by reducing the incidence and visibility of graffiti.
- To remove graffiti as quickly as possible as a strict deterrent.
- To involve the local community and youth as partners in reducing graffiti.
- To remove graffiti using environmentally sustainable methods to minimise harm to the environment.
- To encourage private property owners to take responsibility for prompt action against graffiti on property under their management.

#### 2.2. Legislation

The "Graffiti Control Act 2008" is the relevant NSW Government legislation.

For current information relating to Graffiti legislation, please refer to the Crime Prevention website.

Shoalhaven City Council -

[http://www.crimeprevention.nsw.gov.au/Pages/cpd/protectcommunity/graffitivandalism/the\\_laws\\_relating\\_to\\_graffiti.aspx](http://www.crimeprevention.nsw.gov.au/Pages/cpd/protectcommunity/graffitivandalism/the_laws_relating_to_graffiti.aspx)

### 2.3. Policy Implementation Strategy

Shoalhaven City Council will *support* this Policy by:

Implementing a Graffiti Management Plan with strategies that constitute five main categories:

**Eradication** – graffiti removal and methods; Private Property Agreement; prioritising actions; response times; partnerships with volunteer services; Crime Prevention Through Environmental Design principles

**Engagement** – networks with community, major infrastructure owners, and business; Public Art Policy, projects and programs; diversionary activities; place management

**Education** – graffiti education program for offenders and non-offenders; public educational information and initiatives; Council website; promotional material; campaigns

**Enforcement** - recording; reporting; prosecution; partnerships with police, schools, Corrective Services and Juvenile Justice;

**Evaluation** – targets; measures; audit; timeframes; surveys; consultation; identification of factors outside Council's control.

Fundamental to implementation of the Graffiti Management Policy are:

- Regular inspections and removal of graffiti based on assessment;
- Photographic recording of graffiti to assist police in identifying offenders;
- Encourage private property owners relating to the quick removal of graffiti on their property.
- Publicise the reporting of graffiti within community promotional material

### 3. PROVISIONS

To achieve this commitment, and in partnership with stakeholders and relevant agencies, Shoalhaven Council will:

- Implement a whole of community approach and proactive response to community safety, protection of assets and graffiti management.
- Promote community participation in decision-making processes and ensure that community expectations are considered. This will be done by integrating the needs and expectations of our stakeholders and employees into our planning through effective communication.
- Establish partnerships between Council and law enforcement agencies, utility owners, private property owner/occupiers, youth and offenders
- Align our systems with best practice graffiti and vandalism processes where budgets allow

*Shoalhaven City Council - Graffiti Management*

- Promote community responsibility, and assist the community in maintaining their property through awareness, education and reporting
- Continually improve our management practices by assessing performance against corporate commitments and stakeholder expectations.
- Work with stakeholders to assist in design and planning of the built environment to deter graffiti.
- Retain regular monitoring and incident response capability for Graffiti and effective reporting mechanisms to provide relevant and timely information, and promote confidence in graffiti removal and its management.

**Policy Guidelines****3.1. General**

The following guidelines provide key directives to Council staff and community:

- Reduce the incidence of graffiti through the use of precise strategies including an improved reporting mechanism, prioritising removal and persisting with removal.
- Removal of graffiti on Council assets shall be undertaken in accordance with Council's adopted Asset Management Plan. The frequency of inspection and removal is subject to yearly allocation of resources.

**4. IMPLEMENTATION**

The ~~City Services & Operations~~ **Assets & Works** Group is allocated overall responsibility for the implementation of this policy and all documents prepared for inclusion in the graffiti management plan.

To maximise opportunities, coordinate efforts, ensure efficiencies and reduce costs, relevant council departments will jointly implement the Graffiti Management Policy and Graffiti Management Plan.

**5. REVIEW**

To be reviewed within 1 year of the election of a new council.

**6. APPLICATION OF ESD PRINCIPLES**

This policy meets the ESD principle of developing social integrity.



## **SA17.81 Road Verge Improvements & Maintenance Policy**

**HPERM Ref:** D17/53061

**Group:** Assets & Works Group

**Section:** Works & Services

**Attachments:** 1. Road Verge Improvements & Maintenance Policy [↓](#)

### **Purpose / Summary**

The *Road Verge Improvements & Maintenance Policy* is presented for readoption. This policy supports current practices.

### **Recommendation (Item to be determined under delegated authority)**

That Council reaffirm the Road Verge Improvements & Maintenance Policy (POL16/157).

### **Options**

1. Resolve to adopt the recommendation.

Implications: Council first adopted this policy in March 2016 following community engagement.

2. Resolve to make amendments to the recommendation.

Implications: No issues have been raised since introducing the policy 12 months ago. Any significant changes will require community engagement prior to adoption.

### **Background**

Council relies on community members to maintain the verge area directly in front of their property to contribute to their community's amenity. In most instances, this includes mowing of grass and maintenance of their driveway crossing. This provides a fantastic outcome across the majority of the city.

Council's responsibilities for the maintenance of the road pavement and drainage system is generally well understood by the community. However, there is uncertainty regarding verge maintenance and there are expectations for Council to repair an individual's driveway access to their property and resolve vegetation encroachments into the road corridor. Also, poorly constructed and maintained driveways, can cause public safety and stormwater ponding issues.

This policy clarifies roles and responsibilities to advise property owners that approvals are required to undertake works in the road corridor, the appropriate standards to be achieved and to clarify the extent of Council's maintenance activities.

**Community Engagement**

No changes are proposed to the current policy (adopted 12 months ago), so community engagement is not considered necessary for affirmation.

**Financial Implications**

Council's road maintenance budget is for the up keep of road and drainage assets. Diverting funds to deal with individual private property issues will limit the funds available to address problems in the network that affect the whole community. Appropriate design controls and construction standards of verge improvements will limit the maintenance burden to the community.

The policy formalises existing practice and does not have a cost impact or provide savings.



**City Administrative Centre**  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

**Southern District Office**  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Website: [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

For more information contact the Assets & Works Group

## Road Verge Improvements & Maintenance Policy

**Policy Number:** POL16/157 • **Adopted:** 15/03/2016 • **Minute Number:** MIN16.204 • **File:** 16716E • **Produced By:** Assets & Works Group • **Review Date:**

### 1. PURPOSE

This policy outlines Shoalhaven City Council's (Council) scope of activities in the road verge and clarifies the property owner's requirements regarding improvements and maintenance of this public land.

Residents are encouraged to maintain the verge area, directly in front of their property, to contribute to their community's amenity. In most instances, this will include mowing of lawn grass and their driveway crossing.

Council will only undertake works on the verge to ensure public safety, make capital improvements (e.g. install pathway) or undertake maintenance of the Council drainage system (excluding roof water lines) and road shoulder.

### 2. STATEMENT

The verge or nature strip is the area of public land between the property boundary and the back of kerb or edge of road.

Council recognises that the primary purpose of the verge is for use by pedestrians and accommodate utility services (e.g. water, sewer & telecommunications). Traditionally, the maintenance of the verge is a shared responsibility between Council and its residents. This allows Council to maximise the use of its resources on public lands that are enjoyed by all members of the community.

This policy incorporates Council's powers under Sections 98, 138 & 218 of the Roads Act and applies to all road reserves of which Council is the Road Authority, as defined by the Act, or has care and control.

### 3. PROVISIONS

#### 3.1. Verge Improvements

- For driveways, landscaping or any works in the road reserve in front of their property and side (for corner allotments), property owners must seek Council approval by submitting an *Application for Consent for Works & Structures in/on a public road*. Further details and the application form are available on Council's website.

*Shoalhaven City Council - Road Verge Improvements & Maintenance Policy*

- These works are known as *Verge Improvements* and are provided at the full cost of the property owner.
- Council approval is not required for placement / growing of lawn grasses or minor maintenance activities, such as mowing.
- Verge Improvements in the verge must:
  - not obstruct the use of the verge by pedestrians. An area for pedestrians, min 1.5m wide of flat grass or compacted material must be provided;
  - not include vegetation or structures that limit the safe sight distances for drivers using the road or drivers entering / exiting properties. Generally, up to 2 appropriate street trees will be supported for planting in the road verge ;
  - be constructed in accordance with approved plans and specifications;
  - not impede the flow of stormwater drainage;
  - use vegetation (grass, shrubs & trees) that are appropriate for the location. Vegetation selection considerations include the impact on (short term and long term) infrastructure and pedestrian safety. A list of appropriate street trees is available on Council's website.
  - consider the presence of underground services and any development that may be damaged by works associated by those services.
- Property owners are responsible for the construction and maintenance of a driveway crossing from the kerb and gutter, including the construction of the layback or road shoulder to their property boundary.
- The construction of the crossing must be in accordance with Council standard drawings (available on Council's website) or otherwise approved by Council.

**3.2. Scope of Councils Maintenance Activities**

- Council maintains the road formation, being the road pavement to the kerb and gutter, the kerb and gutter, drainage structures, pathways and ancillary structures (e.g regulatory signage);
- On roads where there is no kerb and gutter, Council maintenance includes the road shoulder and road side open drains (swale drains). The shoulder is the nominal 0.5m to 1.0m wide section of road adjoining the travel lanes. It may be bitumen sealed or unsealed (exposed gravel) or grassed.
- Maintenance of the swales will be undertaken as needed to maintain the flow of stormwater. Culverts installed in the swales by property owners as part of their driveway crossing are not maintained by Council. Council may clear debris from the culverts to improve the flow of drainage.
- Council may undertake mowing of verges in rural areas to limit the encroachment of vegetation.

- Council does not construct or maintain driveway crossings.
- Trees that are located on the verge are maintained by Council - refer to Council's Tree Management Policy.

### **3.3. Property Owners Responsibilities**

- Property owners must seek approval from Council for any works on the verge, except as stated in Section 3.1 of this policy.
- Each property owner shall maintain the verge at the front and the side (for corner allotments) which in most instances will include mowing and edging of grass, but also include other improvements installed by the property owner and the lawful disposal of any rubbish.
- Property owners must maintain the verge, including the driveway crossing in a safe condition so not to impact the safe use of the verge by other road users and not impede the flow of stormwater.
- Repair and maintenance of their fences that are damaged by road side tree falls.

### **3.4. Verge Reinstatement**

Where a verge improvement (that is provided by the property owner) is damaged by a Service Authority, the property owner must negotiate with the Service Authority about rectification works.

Where Council's activities impact the verge, Council will reinstate the verge to the same standard that existed prior to the commencement of work. Reinstatement of any verge improvement only applies to improvements that were approved by Council.

### **3.5. Un-satisfactory works in the Verge**

- Where Council assesses vegetation, works or structures in the verge are impacting the safe and proper use of the verge, Council will request the property owner to take action to remedy the issue. Issues may include, but not limited to:
  - Overgrown vegetation or landscape (approved or not) that is impacting the driver sight lines, delineation of the road edge and / or pedestrian movements.
  - Driveways, including pipe culverts that block or impede the flow of stormwater.
- Council will, in accordance with Road Act (Section 98) instruct the property owner to alter any works in the road reserve within 28 days. Council may alter the works if there is no action by the owner, at no cost to the owner.
- Council may, under the Roads Act (Section 218), instruct a property owner to construct, improve or repair a driveway crossing in the verge. Council may undertake this works and seek to recover the cost from the property owner.
- Where material (e.g. gravel, sand) is washed or blown onto the road or pathway from a property access, Council may, in accordance with Section 95 of the Roads Act, issue a direction to the owner to remove the material and prevent it recurrence.

**4. REVIEW**

This policy shall be reviewed:

- Within 12 months of the date of the election of a new Council; or
- Every 4 years; or
- As directed by Council; or
- A change occurs to legislation that affects the policy.

**5. APPLICATION OF ESD PRINCIPLES**

To ensure consistency with Council's economic, social and environmental objectives due consideration shall be given to the communities best interest.

## **SA17.82 Ratepayers Advance Kerb & Gutter Construction - 58 - 64 Basin View Pde, Basin View**

**HPERM Ref:** D17/73903

**Group:** Assets & Works Group  
**Section:** Works & Services

### **Purpose / Summary**

The General Manager has disclosed a Pecuniary interest in this matter as he is the owner of one of the properties referred to in the report. This matter is therefore being dealt with by the Director of Assets & Works.

The purpose of this report is to advise and gain Council's approval for the amount of contribution to be recovered, from the owner of land adjoining a public road, towards the costs incurred by Council in constructing kerb and guttering along a public road adjacent to the land, in accordance with Section 217 of the Roads Act 1993. (POL12/240).

### **Recommendation**

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. Peter Brown of 58 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$5,379.72 (advance) of which \$1,722.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.
2. Stephen Long of PO Box 460, Wollongong in respect of Kerb and Gutter construction at 60 Basin View Parade to the value of \$5,621.72 (including additional an \$242, which includes \$22 GST, for a single driveway) (advance) of which \$1,964.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.
3. Russ Pigg of PO Box 1150, Nowra in respect of Kerb and Gutter construction at 62 Basin View Parade to the value of \$7,372.80 (including an additional \$484, which includes \$44 GST, for a 4.8 mt driveway) (advance) of which \$2,689.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
4. Sean Butcher of PO Box 30, Coniston in respect of Kerb and Gutter construction at 64 Basin View Parade to the value of \$7,130.80 (including an additional \$242, which includes \$22 GST, for a single driveway) (advance) of which \$2,447.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
5. Graham Butler of 68 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$8,408.88 (advance) of which \$2,070.16 (excluding GST) is the contribution, \$6,338.72 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$7,923.40.
6. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

## Options

1. Council accept the recommendation as presented.

Implications: Council will be contractually bound to repay contributions plus interest as per the Policy. The ratepayers and Council will benefit from the proactive efforts of ratepayers to improve drainage, appearance and access to properties and it may minimise erosion of the existing road verge.

2. Council not accept the recommendation, giving reasons and propose an alternative resolution.

Implications: Residents will be without kerb & gutter infrastructure and may be dissatisfied in the outcome.

Council has in place a program whereby Ratepayers can pay the full cost of the provision of kerb and gutter along a public road adjacent to their land, where the work is not identified in Council's Capital Works program. This Policy accommodates ratepayers who wish to have kerb and gutter ahead of Council's planned program. Under the program Council enters into a formal agreement with the ratepayer, for them to advance to Council the full cost of the work and for Council to repay Council's component of cost, after a period of 5 years. The costs are in line with Council's adopted Fees and Charges.



## SA17.83      Exercise of Option - Lease - Part First Floor - 12 Berry Street Nowra - Shoalhaven Community Radio Incorporated

**HPERM Ref:**      D17/71592

**Group:**            Assets & Works Group  
**Section:**        Business & Property

### Purpose / Summary

To seek Council approval to execute under the Seal of the Council of the City of Shoalhaven the lease for the five (5) year option period between Council and Shoalhaven Community Radio Incorporated. The lease permits the continued occupation of a small office area at the Shoalhaven Art Gallery located at 12 Berry Street, Nowra.

### Recommendation

That Council:-

1. Approve the additional five (5) year term of the lease agreement with Shoalhaven Community Radio Incorporated for the continued occupation of Part 12 Berry Street, Nowra;
2. Affix the Seal of the Council of the City of Shoalhaven to the lease agreement and any other documentation required to be sealed to enable the lease to be finalised.

### Options

1. Not resolve as recommended.

#### Implications

The original lease agreement as executed by both parties provided for an option for a further term of five (5) years.

2. Provide further direction to staff and propose an alternative.

#### Implications

An option is the lessee's right and Council is therefore required to exercise the option term and should seek advice if considering an alternative.

### Background

At the Ordinary Council Meeting of 30 January 2007 (MIN7.88) Council resolved:

*"....that*

- a) *The Council of the City of Shoalhaven Leases to Triple U Community Radio a 54 m2 area of the first floor at the Shoalhaven City Arts Centre at 12 Berry Street, Nowra for a term of 10 years at a rental of \$5,000 per annum plus GST;*

SA17.83

- b) *The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.”*

At the time the lease agreement was entered the terms included a further option period of five (5) years to be exercised by the lessee prior to the expiry of the ten (10) year lease agreement. The lessee has now exercised this option in accordance with the terms of the lease. Shoalhaven Community Radio Inc. have been in occupation of the building since 2007 without incident. As the lessee is not in breach of the lease agreement, Council is required to exercise the option term.

In order to finalise the lease agreement, a resolution of Council is required to authorise the granting of a lease for the option period and to enable the Seal of Council to be affixed to the relevant documentation.

## SA17.84 Road Closure - Lot 28 DP 755927 - Conjola

HPERM Ref: D17/59419

**Group:** Assets & Works Group  
**Section:** Business & Property

**Attachments:** 1. Site Plan [↓](#)

### Purpose / Summary

To obtain a resolution from Council to close an unformed portion of Wollybutt Road, Conjola, within Lot 28 DP 755927, and then sell to J B McCloghry & V M Gautier to facilitate the construction of a residential dwelling.

### Recommendation (Item to be determined under delegated authority)

That Council resolves to:

1. Make an application to the Minister administering the Roads Act 1993, for the unformed part of Wollybutt Road Conjola, shown by red shading on Attachment "1", to be closed and vested in Council as Operational Land, then sell to the owners, J B McCloghry & V M Gautier, for consolidation with the adjoining Lot 28 DP755927,;
2. Authority be given to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to the resolution; and
3. Council authorise the sale of the closed road to J B McCloghry & V M Gautier in exchange for the land shown by blue hatching on Attachment "1" pursuant to Section 44 of the Roads Act 1993 and that such land be dedicated as public road in the plan of consolidation pursuant to Section 9 of the Roads Act 1993;
4. All costs associated with this matter are to be met by the applicant.

### Options

1. Resolve as recommended.

Implications: The applicant will be able to proceed with a DA for a residential home. Realigning Wollybutt Road.

2. Not resolve as recommended.

Implications: The shed currently built on the road would need to be relocated and an additional area would need to be cleared to accommodate a residential home.

3. Provide further direction to staff and propose an alternative .

### Background

J B McCloghry & V M Gautier cleared some land on their property and built a shed. It was later determined that, as a result of inaccurate GPS coordinates, the shed was constructed on part of the unformed Wollybutt Road.

This discovery was made when a surveyor was engaged to locate a site for a residential dwelling.

Initially, an application was made directly to the Department of Primary Industries – Lands by J B McCloghry & V M Gautier to close the whole of the unformed Wollybutt Road that traversed their property. This proposal was not supported by Council as the closing of the road would close off access from the northern area of the adjoining National Park to the south eastern section of the Park.

Given this, an alternative solution was sought resulting in the recommendation to realign the road. This predominately requires the closing of the road red shaded on Attachment “1” being the location of the shed and opening a new section of road to the west, shown by blue hatching on Attachment “1” which is approximately 40 metres from the proposed residential development.

Section 44 of the Roads Act states:

*“Land forming part of a former public road may be given, by or with the consent of the person in whom it is vested, in compensation for other land acquired for the purposes of this Act”*

Upon the closed road being consolidated with the adjoining land by way of registration of a “plan of consolidation” a notation would be placed on same in accordance with Section 9 of the Roads Act which states:

- (1) *A person may open a public road by causing a plan of subdivision or other plan that bears a statement of intention to dedicate specific land as a public road (including a temporary public road) to be registered in the office of the Registrar-General.*
- (2) *On registration of the plan, the land is dedicated as a public road.*

By realigning the road, the applicant can proceed with their DA for residential development and access through the property is not adversely impacted.

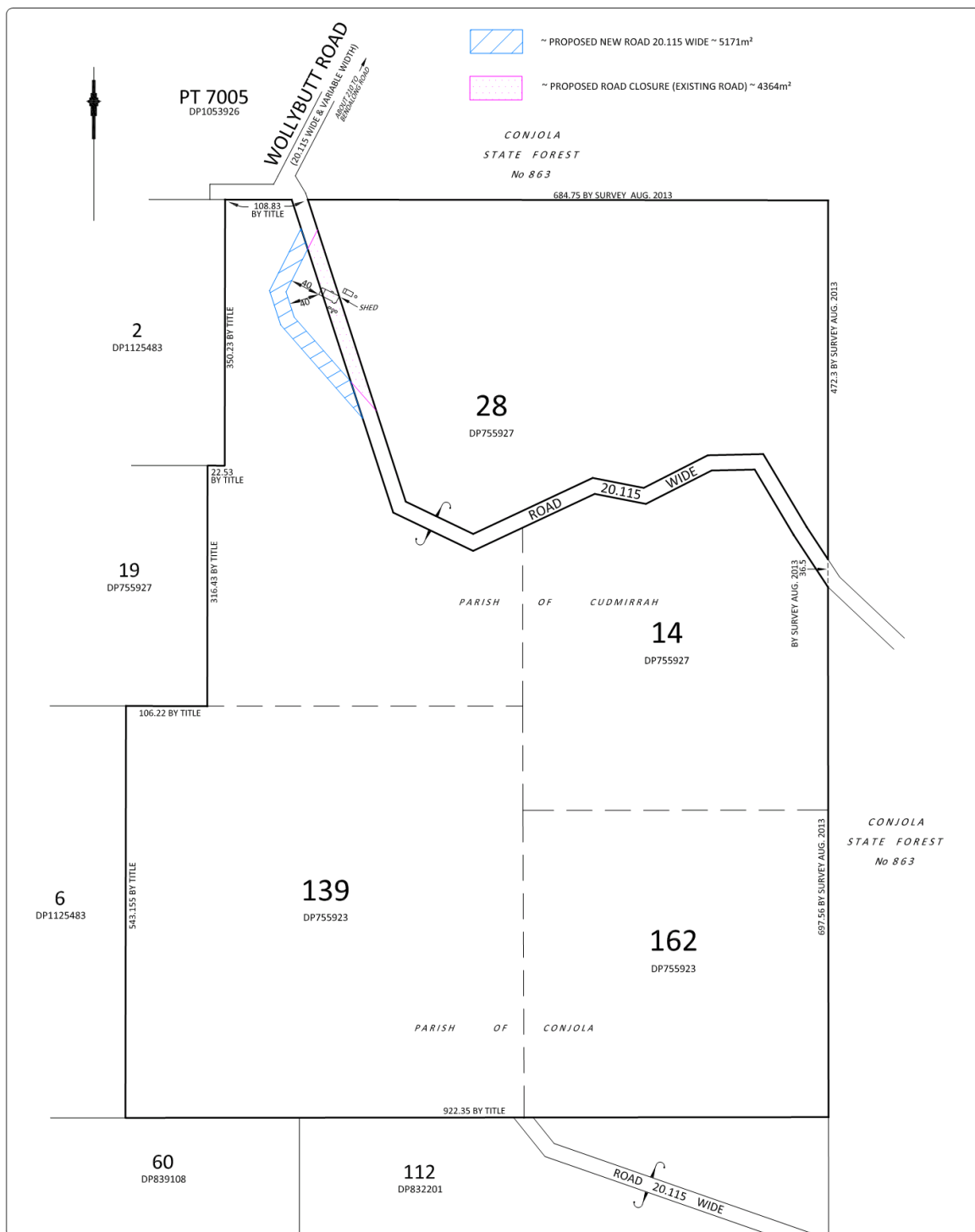
### **Community Engagement**

Public consultation and advertising has been undertaken by Department of Primary Industries – Lands.

### **Financial Implications**

The land within the road, shown as red shading on Attachment “1” will be transferred to J B McCloghry & V M Gautier as compensation under Section 44 of the Roads Act for dedicating the new road shown as blue hatching on Attachment “1”.

All costs associated with the road closure and dedication will be met by the J B McCloghry & V M Gautier.



REDUCTION RATIO 1: 4500 AT A3	SURVEYED	AMENDMENTS	BY	DATE	<b>RYGATE &amp; WEST</b> (ULLADULLA) ABN 56 056 675 355 CONSULTING SURVEYORS, PLANNERS, ROAD & DRAINAGE ENGINEERS 266 GREEN ST. ULLADULLA N.S.W. 2539 P.O. BOX 107, ULLADULLA N.S.W. 2539 PH 02 44542137 FAX 02 44552916 mail@rygateandwest.com.au
DATE : 02.02.2017	DESIGNED	AREA OF ROAD OPENING & CLOSURE	CC	07.02.2017	
	DRAWN				
	CHECKED				

<b>MR &amp; MRS J &amp; V McCLOGHRY</b>		<b>PLAN</b> SHOWING PROPOSED ROAD CLOSURE & OPENING OVER LOT 28 DP 755927		REFERENCE No. U16850 DRAWING No. U16850_ROAD CLOSURE.dwg ISSUE <b>B</b>
CONJOLA		CITY OF SHOALHAVEN		SHEET <b>1</b> OF <b>1</b> SHEET

## SA17.85 Variation to Compensation - Acquisition of Easement for Water Supply at Terara

**HPERM Ref:** D17/75193

**Group:** Assets & Works Group

**Attachments:** 1. Easement Plan [↓](#)

### Purpose / Summary

This report is submitted to vary the compensation from \$8,500 to \$15,000 plus GST (previously approved under MIN16.914 for the acquisition and extinguishment of easements over Lot 1 DP579451 at Millbank Rd, Terara).

### Recommendation (Item to be determined under delegated authority)

That Council resolve to amend MIN16.914 (3) by inserting \$15,000 plus GST in lieu of \$8,500 plus GST.

### Options

1. Resolve as recommended. The work already undertaken by Shoalwater was required to provide improved water supply services.
2. Not resolve as recommended and provide further directions to staff.

### Background

At the Ordinary meeting of Council on the 22<sup>nd</sup> November 2016 Council resolved under MIN16.914 to:

- “1. Acquire an Easement for Water Supply 3 wide over Lot 1 DP579451 at Millbank Rd, Terara, as shown by hatching on plan marked Attachment ‘1’;
2. Council extinguish an existing Easement for Water Supply marked ‘D’ as shown on DP579451 that has been made redundant, as shown on plan marked Attachment ‘2’;
3. Council pay compensation of \$8,500 (plus GST if applicable) and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council’s Water Fund;
4. If necessary, the compensation be adjusted in accordance with the area of the easement to be acquired determined by final survey;
5. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.”

Compensation was initially determined at \$8,500 plus GST however a revised valuation was subsequently required for the following reasons:

1. The original assessment was based on an estimated area of 1880 sq metres for the easement as shown on the sketch plan. The survey plan since undertaken has determined an increased area of 1931 sq metres for the easement. Refer to Attachment 1.
2. The original valuation report stated that the easement for the most part was within a 'Right of Way' and the compensation was adversely affected for that reason. It was subsequently found that the 'Right of Way' had been extinguished. The Valuer has taken into account the removal of the 'Right of Way' and has recalculated the compensation payable.

Having regard to the above items, the revised report by Walsh & Monaghan Pty Ltd has assessed the compensation at \$15,000 plus GST.

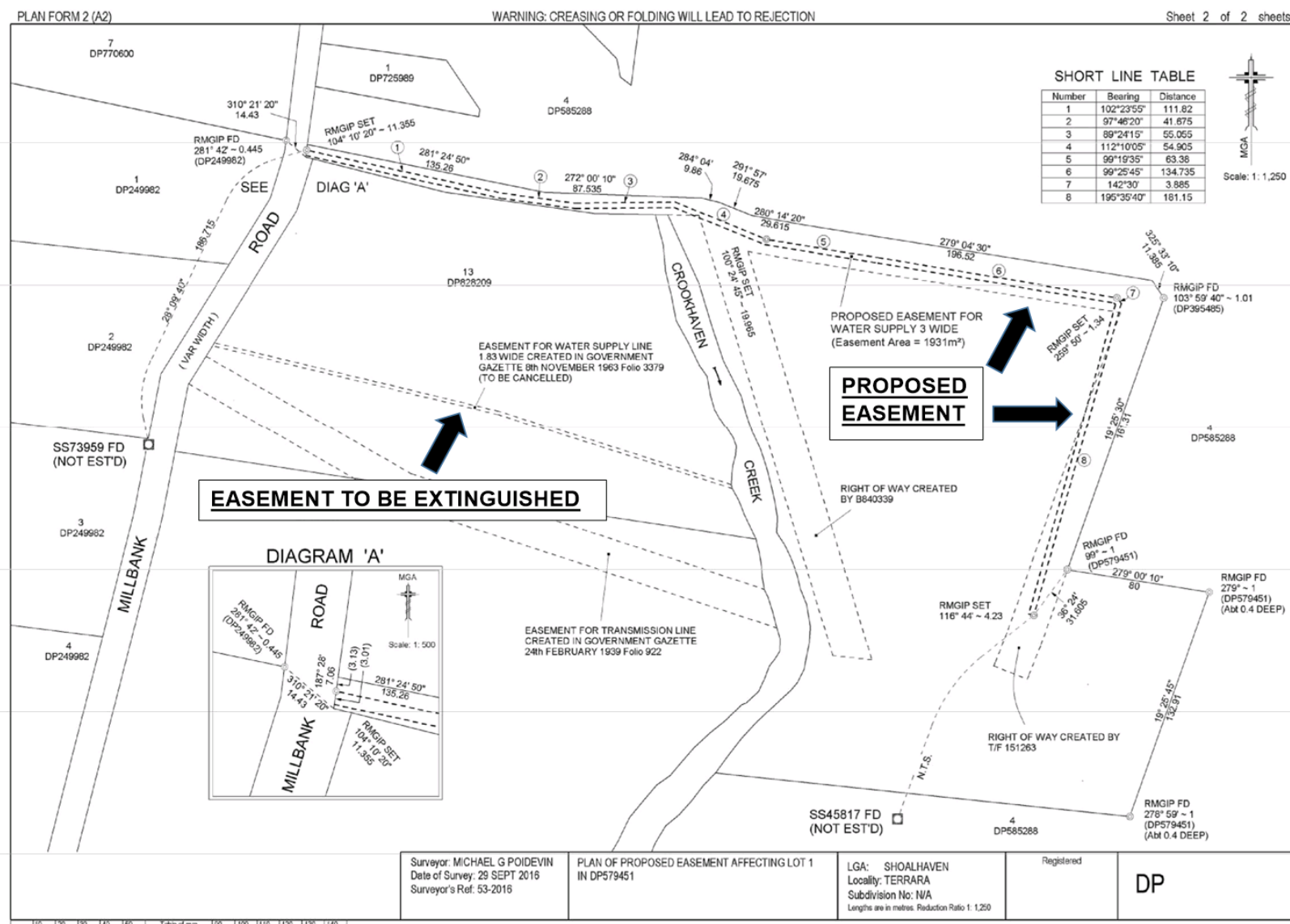
An increased offer at that amount has been accepted by the land owner. His solicitor has also advised that the owner is liable for GST on the transaction.

### **Financial Implications**

The compensation and reasonable legal costs associated with the acquisition are to be funded from Council's Water Fund.

### **Risk Implications**

Creation of the easement is necessary to secure Shoalhaven Water's access for the operation and maintenance of essential public infrastructure. The proposed action is administrative and has no environmental impact.





## SA17.86 June 2016 Storm Remediation Response

**HPERM Ref:** D16/400617

**Group:** Planning & Development Services Group  
**Section:** Environmental Services

**Attachments:** 1. Report to Shoalhaven Natural Resources & Floodplain Management Committee 29 November 2016 [↓](#)

### Purpose / Summary

To provide Council with an update on remediation works undertaken since the June 2016 East Coast Low and outline the need for increased budget to manage coast and estuary assets.

All remediation works have been undertaken using Council emergency funding of \$500,000, \$350,000 for coastal management priority works and \$150,000 for restoration works in the immediate vicinity of adjoining Holiday Haven Tourist Parks (MIN16.586).

### Recommendation

1. Council consider funding the Coastal Management and Infrastructure Reserve (MIN16.998) by transferring \$500,000 each year from the Strategic Projects Reserve or another source, to fund priority coast and estuary management and infrastructure projects commencing in 2017/18 financial year.
2. In 2017/18 Council allocate \$400,000 to complete and implement the Currarong coastal erosion strategy and determine the source of funds during the consideration of the draft 2017/18 budget.

### Options

1. Adopt the report as recommended.

Implications: This will enable Council to manage priority works at Currarong and subject to council future funding build Council's capacity to be able to respond to erosion and natural disaster events.

2. Not adopt the report as recommended.

Implications: This is likely to result in continued uncertainty and inaction on priority coastal assets and not build Council's capacity to respond to erosion and natural disaster events. Ad hoc decisions will be necessary to respond reactively as situations occur. Management of Coastal Assets will be unable to be planned and scheduled.

3. Council propose an alternative option.

Implications: Unknown

## Background

Due to the cumulative impacts of sea level rise, increasing storm intensity and more frequent wave attack from the east and north east (as occurred during the June east coast low), the Shoalhaven coast will continue to suffer increasing impacts from storm damage.

Currently, the coastal maintenance budget stands at \$180,000 per annum. This budget is required to service both maintenance and upgrades of coastal assets. For example, at Currarong Beach, a beach access staircase was replaced and upgraded. A cost benefit analysis triggered the decision to replace the former timber staircase with one manufactured using fibre reinforced polymer (FRP). This material has a life span of 50 years compared to treated pine with a life span of approximately 15 years. The significantly longer life span comes with an increased cost. The Currarong FRP staircase costs \$57,000; a timber equivalent would have cost approximately \$25,000. Applying a simple cost benefit analysis shows it is well worth the extra cost.

At the 40 beaches managed by SCC, there are approximately 240 beach access ways. Most were constructed in the 1980s and are now well and truly at the end of their life. For those access ways which have treated pine components (i.e. steps, stair cases and handrails), it's proposed that future upgrades be largely undertaken using FRP. For example, a set of steps at Plantation Point (Vincentia) was replaced with FRP 'risers and stringers' at a cost of \$12,000.

Headland staircases are particularly vulnerable to storm erosion and it is anticipated several stair replacements will be required on a priority basis, each valued at approximately at \$100,000.

Beach access ways are considered 'minor assets'. In addition to these, there are major assets such as foreshore protection structures. There are nearly 40 existing foreshore protection structures scattered throughout estuaries and in some coastal locations, many of which are in need of repair. Upgrades are expensive averaging approximately \$50,000 per project. For example, the recent work at Ulladulla Harbour, to repair the rock protection structure and undertake beach scraping, cost \$50,000 and in this case, no grant funding was available.

At south Mollymook Beach rock protection structures, stretching from the northern side of the Surf Club to the southern end of the Golf Club, are in urgent need of repair and upgrade to protect the road, sewer main and pump station, pathways, public space and the two clubs. A NSW Government grant (Coastal Program) of \$50,000 has recently been secured to prepare a detailed design and cost benefit analysis for the upgrade. As with all Coastal Program grants, Council is required to provide matching dollars, making it a \$100,000 project.

Construction of the redesigned foreshore protection is estimated at \$3,000,000. Council would again apply to the Coastal Program for funding but 50% of the cost would need to be financed by Council. As with all grant programs, this is a competitive process, with no guarantee of securing the matching dollars.

Contributing to the financial challenges, is the fact that applications to the State Government for Disaster Relief funding have failed, confirming that bank erosion does not meet the criteria for State Government disaster support, leaving Local Government financially responsible for these high cost, vulnerable assets.

With the hundreds of minor coastal assets (pedestrian access ways, boardwalks, service vehicle accesses, viewing areas, some car parks and fishing platforms) and around 40 foreshore protection assets, the annual budget for coastal and estuary maintenance and upgrade / replacement needs to be substantially increased.

At its Ordinary meeting of 20 December 2016 Council resolved to establish a Coastal Management and Infrastructure Reserve to enable it to respond to storm damage and programmed maintenance and infrastructure development, in Shoalhaven's coastal zone.

Council recognised that a fund needed to be established to address the significant shortfall in funding which limits Council's capacity to replace foreshore protection structures and access ways and undertake restoration works in response to coastal erosion events like the June 2016 east coast low.

Based on the examples above, Council's coast and estuary asset management plan and the costs of the work required for restoration works in response to the June 2016 east coast low, it is recommended that Council fund annually \$500,000 to fund priority projects and provide a reserve fund to respond to coastal erosion events.

Section 94 contributions cannot be used to fund the reserve. The Strategic Projects Reserve could be utilised to fund the new reserve however council will need to analyse this in the context of its 10 year financial plan forward projections. Almost all works needed relates to additional maintenance or renewal/replacement of existing assets so funding from the SRV would be consistent with its purpose. Councillors need to provide direction on this important issue during the consideration of the 2017/18 DP/OP and budget.

**Update of works undertaken at the most severely affected beaches since the report to the Shoalhaven Natural Resource & Floodplain Management Committee in November 2016. (Attachment 1)** A summary of June 2016 east coast low technical information from Manly Hydraulics Laboratory is also provided at the end of the report.

#### 1. Shoalhaven Heads – River Road

Royal Haskoning DHV engaged to provide report on erosion remediation design options. A public meeting was held on December 7 with the Shoalhaven Heads Forum to discuss progress of the erosion remediation design being prepared by the Water Research Laboratory (UNSW). The community conclusion is that the whole River Road frontage should be addressed as one priority project.

The preliminary cost estimate for remediation was discussed and is estimated at \$750,000.

#### 2. Culburra Beach

Inspections and repair works continue.

Replacement of beach access steps with FRP products is recommended. At approximately \$10,000 per access the total cost is expected to be a minimum of \$80,000.

#### 3. Greenwell Point

Further structural assessment will be required during 2017 to establish the structural integrity of the rock protection and it is anticipated the remediation of existing rock protection would be in the order of \$100,000. Protection of the heritage sand stone wharf, relocation of the shared pathway out of the hazard zone and remediation of Adelaide St and Haiser Road is expected to be in the order of \$300,000.

#### 4. Vincentia – Nelsons Beach

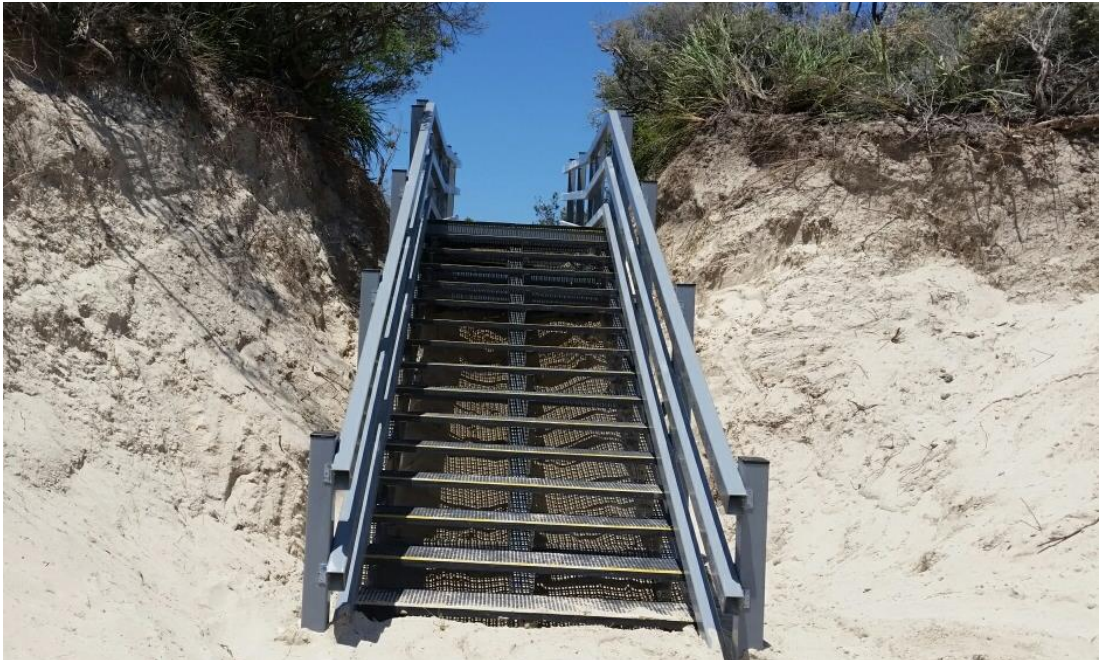
Following the June storm, the northern access to Nelsons Beach at Plantation Point became a public risk and was closed. In December 2016, a survey of visitors who were utilising Plantation Point and the two accesses to Nelsons Beach was conducted, to determine which access was most heavily used and whether it would be appropriate to permanently close the northern access. It was found that, by far, the southern access is most heavily utilised. The decision was taken to upgrade the southern access using FRP and to permanently close the northern access.

#### 5. Currarong

Following the consultant's presentation at the public meeting (14.10.2016), submissions were received regarding the proposed trial groyne at Currarong Beach. Information has been placed on Council's website, utilising the new 'Get Involved' page and Council will continue to take comments about the trial groyne and the beach access way closure and replacement proposal until the end of March.  
<http://getinvolved.shoalhaven.nsw.gov.au/currarong-beach-erosion>

Before Christmas, the prefabricated FRP staircase was installed at the eastern end of Currarong Beach. The total cost, including installation, was \$57,000.

A second FRP staircase will be installed in the middle of the beach in early March.



SA17.86

As a component of the sand nourishment works, a sand ramp was created to provide a temporary, safe beach access way in the mid-section of the beach, with a temporary timber ramp added just prior to Christmas.

The Peel Street access, at the western end of the beach remains safe and open. Other unsafe beach accesses were closed off and extra signage was installed prior to Christmas directing people to the three safe options. Visitors continued to ignore signage and breach these access ways so further deterrents and signs have been installed to block access to the closed tracks.

Work will continue during early 2017 to prepare the Aboriginal Heritage Impact Permit (AHIP), the Review of Environmental Factors (REF) and the detailed coastal engineering design for the trial groyne structure. Sand nourishment and protection works for the Beecroft Parade frontage also needs to be implemented. Total cost is expected to be in the order of \$1 million.

#### **6. Bendalong - Boat Harbour**

Following preparation of an Aboriginal Heritage Due Diligence report and REF, beach scraping works were successfully undertaken on 8 December 2016 at a cost of \$10,000. See photos below.

An Aboriginal Heritage consultant has been engaged to undertake an AHIP (before further works can be implemented) and a coastal engineer will be engaged to prepare a coastal hazard assessment at an estimated cost of \$25,000.

The draft Landscape Master Plan for Boat Harbour is being revised prior to going back to the community for further consultation.





SA17.86

#### **7. Mollymook Beach**

As discussed above, the grant application submitted by Council in August 2016 was successful, with Council unexpectedly receiving the letter of notification from OEH on 16 December 2016. Work is proceeding to engage a consultant to prepare the detailed design and cost benefit analysis for upgrade of the foreshore protection structures at south Mollymook Beach.

#### **8. Ulladulla Harbour**

Beach scraping and repair of the rock protection was completed on 23 November 2016 at a cost of \$50,000. Photos below.



## 9. Lake Tabourie

Staff attended the 15 December 2016 meeting of the Lake Tabourie CCB, who confirmed that they expect the 80 meter, elevated boardwalk to be replaced in 2017. Estimated cost \$100,000. There is currently no budget to undertake these works.

## Community Engagement

Staff and councillors attended CCB/public meetings at Currarong, Shoalhaven Heads and Lake Tabourie as outlined in each relevant section above.

## Policy Implications

### Beach access

Council's Coastal and Estuary Asset Management Plan guides the management of beach access ways in the Shoalhaven. Council has about 240 beach access ways, most of which were constructed in the 80's under the NSW Government Beach Improvement Program that followed the devastating storms of the 1970's.

All beach access ways are, of course, regularly maintained to keep them safe and useable. For simple sand accesses, this generally means just pruning back the vegetation. For accesses which have constructed components included in them (steps, stairs, boardwalks), maintenance and replacement is more costly, especially as most are now approaching the end of their asset life and are in need of major repair or replacement.

On average, a new access ways costs \$25,000. This is a major budgetary challenge given that the annual budget for coastal access capital works is only \$50,000. With many beach accesses being closed as a result of the June east coast low, we now have the opportunity to apply some adaptive strategies. Reducing the number of coastal access ways in areas that are 'over serviced' would allow savings to be channelled towards upgrading the retained assets. At beaches where this approach is appropriate, discussion and consultation with affected communities will occur.

### **Foreshore protection structures**

In regard to foreshore protection, unlike beach accesses, we don't have the option of removal. In fact, it's likely that more structures will be needed and we know that many existing structures are in need of repair. Repair, replacement and construction of these structures is very costly and will continue to be an expanding budgetary need.

In addition, the increasing frequency and intensity of coastal storms introduces greater complexity and cost implications connected to estuary entrance intervention, coastal erosion and landslips.

Council has yet to develop an appropriate emergency response outside the Coastal Maintenance Program's contractor base who provide this service. The proposal is for Council to have an emergency store of geo fabric bags (75m<sup>3</sup> + filling frames) and Kyowa rock eco gabions (Japanese product new to Australia) stockpiled and available at the Bomaderry and Ulladulla stores for Council maintenance when emergency response is required.

### **Financial Implications**

Council's Environmental Services has a coastal foreshore access capital works budget of \$88,000 (\$39,000 Crown Trust contribution) and a coastal foreshore erosion capital works budget of \$111,000 (\$49,000 Crown Trust contribution).

Given that storms are becoming more intense and that Council manages 40 beaches, 8 of which are categorised as highly vulnerable to storm erosion, this amount is inadequate.

The Coastal Maintenance Program budget is \$180,000 per annum. This also is inadequate given that, in the absence of other budgets, it's also utilised for upgrades to the hundreds of minor assets and the 40 existing foreshore protection structures.

This is an unsustainable budgetary situation. An increased annual allocation of funds is required in order to properly manage emergency and strategic remediation programs at Council managed beaches and estuaries.

### **Risk Implications**

Council is obliged to provide appropriate risk strategies and funding to prepare for, and respond to, coastal emergency scenarios.

Should council be unable to allocate sufficient funds for coastal management works then some areas are likely to become unusable by the public for safety & liability reasons.

Works are also required to protect the integrity of the interface between the beach and council assets, crown and private lands to mitigate risks of damage from high seas and surge.



Summary of June 2016 ECL technical information from Manly Hydraulics Laboratory.

## **NSW Ocean Waves and Water Levels June 2016 East Coast Low Storm**

### **Supporting Technical Information**

#### **Preamble**

An East Coast Low pressure system developed off the mid-north coast of NSW on the afternoon of Saturday 4<sup>th</sup> June 2016. The system tracked south past Sydney (offshore) on Sunday 5<sup>th</sup> afternoon and continued towards the Victorian border on Monday/Tuesday. Apart from causing significant rainfall and strong NE winds along the adjoining NSW coast, the event was coincident with the winter solstice Spring tide (King Tide), as well as a positive tidal residual of up to +0.34m (storm surge) and large ocean waves, increasing in height and period from north to south. The coincidence of elevated ocean levels and large waves arriving at the coast from the E and ENE (a somewhat atypical storm wave direction) resulted in substantial and widespread erosion and damage to the NSW coast. This report presents a summary of the highest waves and ocean water levels recorded during the event by NSW Water Solutions' Manly Hydraulics Laboratory (MHL) for the NSW Office of Environment and Heritage.

#### **Ocean Waves**

##### **Data Capture**

Apart from some telecommunication problems during the event (affecting some of the real-time data presented on the web) and an unfortunate failure of the Batemans Bay shore station PC (from which event data may be lost), we have been able to recover good quality wave data for the event from all stations. Other than Batemans Bay and Port Kembla (which lost data before 5pm on Sunday) we recovered more than 97% of all event data, including data from the Eden Buoy which lost its mooring before midnight on Saturday the 4<sup>th</sup>, but miraculously stayed mostly within radio range and operational until we recover it on Wednesday 8 June.

The quality controlled available wave records were re-assessed from the buoy raw data files (removing data spikes and missing data) to determine valid parametric wave statistics, including the event maximum significant wave heights and the individual largest recorded wave heights and corresponding peak spectral wave periods and wave directions within each hourly record to produce the event wave statistics as summarised in **Table 1** below.

The event was not extreme in terms of the storm peak significant wave height for most areas, being characterised by an average recurrence interval (ARI) of less than one year (Byron Bay) to about once in 7 years (Crowdy Head), although these average recurrence intervals do not consider the coincident elevated ocean water levels resulting in more rare combined probabilities. Furthermore, the storm peak significant wave height recorded at Eden had an average recurrence interval of about once in 85 years and a maximum individual wave height of 17.7 metres as seen in **Figure 1**. This is now the largest individual wave ever recorded along the NSW coastline since records began around 1976. This largest wave was recorded at 4:30am on Sunday 6<sup>th</sup> of June 2016, being characterised by a wave period of 14.1 seconds and being 2.8 metres higher than the previously largest measured individual wave of 14.9 metres that was recorded off Sydney on 21 April 2015.



## **SN16.6 June 2016 Storm Remediation Response**

**HPERM Ref:** D16/347267

**Group:** Planning & Development Services Group  
**Section:** Environmental Services

**Attachments:** 1. NSW Ocean Waves and Water Levels - June 2016 East Coast Low Storm - Supporting Technical Information  
2. Currarong Coastal erosion management - public meeting - hand out (under separate cover)

### **Purpose / Summary**

To inform the Committee on the status of responses to the 4 – 7 June 2016 East Coast Low flood / coastal storm event in coastal areas.

### **Recommendation**

That the Committee recommend that Council

1. Proceed with detailed design, Review of Environmental Factors, Aboriginal Heritage assessment for long-term coastal erosion management works at Currarong including a trial geotextile sand groyne and sand nourishment. That further community consultation be undertaken as part of this process.
2. Council recognise the opportunity provided by the August 2015 and June 2016 East Coast Lows to investigate adaptive strategies to the management of Council's Coastal Assets such as retreat, relocate and/or rationalisation of the number of assets where possible.

### **Options**

1. Adopt the recommendation of this report  
Implications: This will allow progress of long-term erosion management at Currarong and more effective coastal assets management.
2. The Committee could provide an alternate recommendation to Council  
Implications: unknown

### **Background**

Following the June 2016 East Coast Low event (overview provided in Attachment 1), reports to Council were prepared to provide an overview of damages and a priority list of repair works. In response, Council allocated \$500,000 with \$350,000 for coastal management priority works and \$150,000 for restoration works in the immediate vicinity of adjoining Holiday Haven Tourist Parks (min 16.586).

This report provides an update on status of repairs to date.

Ulladulla Harbour foreshore protection

The June 2016 storm caused major erosion of a 30-metre section of the existing rear harbour revetment and the loss of the tidal beach affecting park infrastructure and public amenity.

Response:

- Post storm survey investigations completed;
- Hazard management installed and undermined park furniture removed or relocated;
- Site meetings held with Roads & Maritime Services (RMS), Office of Environment & Heritage (OEH) and Crown Lands;
- RMS funding applied for but denied;
- Contractor engaged to undertake remediation works including extension of protection and rock fill of the upper embankment and beach scraping as well as relocating sand from the southern beach fronting the boat ramp carpark. Works are expected to occur in November/December 2016 at an approximate cost of \$50,000.

Community consultation:

- Media release issued on 11 November 2016 to advise community of planned restoration works.



Figure1: Impacts of June 2016 storm on Ulladulla Harbour foreshore

Currarong Beach

The June storm caused significant beach sand loss under elevated tide and NE storm conditions along Warrain Crescent and damages to park and road assets at the rock pools and Dolphin Reserves.

Response:

- Short term safety and clean up measures included temporary hazard fencing and remediation of parks infrastructures around Abrahams Bosom reserve carpark sand recovery and rock pools remediation completed at a cost of \$25,000;

- Beach access hazard closure and reshaping of beach access at Peel St and Currarong Creek completed;
- Land survey of erosion profiles as part of beach erosion monitoring program;
- Community consultation, public meeting, in September 2016 by Coastal Engineer from Royal Haskoning to discuss short and long term responses;
- REF completed and relevant permits obtained for short-term works; and
- Coastal engineering advice and Aboriginal Heritage assessment informed short-term works (beach scraping and nourishment) and step access replacement (limited to two) along Warrain Crescent contracted. Soil Conservation Service was contracted to do the works in early November at an approximate cost of \$150,000; the works required Aboriginal Land Council supervision given the sensitivity of the site.

Next Steps/community consultation:

- The community meeting at Currarong was attended by approximately 125 community members. The meeting clearly highlighted that a trial geotextile sand groyne is the recommended option by three coastal experts and OEH to manage long-term erosion at Currarong.  
  
A hand out was distributed to the participants at the community meeting (refer attachment 2). At the meeting community members were invited to make submissions to Council. At the time of writing this report 11 submissions have been received. Four (4) submissions are in support of the trial geotextile sand groyne. Five (5) do not support the groyne due to concerns on impacts (visual and environmental) and cost. One (1) submission is silent as to whether it supports or not supports the groyne, and another raises concerns but acknowledges something needs to be done. A submission from the Currarong Progress Association advised that at their November meeting, there was unanimous support for the consultant's recommendations for longer term management of the beach and dunes.
- It is recommended that Council progress with detailed design, REF and Aboriginal Heritage Assessment for long-term response including a trial geotextile sand groyne installation and beach nourishment.
- Further community consultation to be undertaken as part of this process including opportunities to rationalise number of access ways.



Figure 2: Eight beach access stairs were destroyed at Currarong along Warrain Crescent by the June 2006 storm

#### Lake Tabourie

The 80m foreshore boardwalk was lifted during the combined ocean storm/flood event and damaged beyond repair.

#### Response:

- Short term responses included hazard signage, temporary fencing with the staged removal of the structure completed with post foundations removed prior to September school holidays to make site safe; and
- Land survey was completed in late September and confirmed existing land level provided reasonable access along the estuary foreshore within the current “open entrance” scenario and reasonable access levels within the intervention level for Tabourie entrance of 1.2m AHD.

#### Next Steps/community consultation:

- Council staff will continue discussions with the community to confirm a reasonable outcome for this popular foreshore walking precinct, noting the significant conflict between foreshore access and threatened Shorebird nesting areas for migratory shorebirds (Hooded Plover and Little Tern) and the availability for beach access from the Beach Road carpark.





Figure 3: Damaged Lake Tabourie boardwalk

#### Shoalhaven Heads

The River Rd estuary foreshore experienced moderate erosion impact as the flood notch breached and allowed the significant ocean swell / king tide to enter and combine with local catchment flooding.

The Shoalhaven open beach access ways were damaged and beach erosion warning signs in place since the 2015 event were upgraded during September.

Response:

- Contactors were engaged to reshape the main beach access points for public safety with other beach access points remaining closed;
- Tree inspection along the River Road foreshore led to the removal of 45 dangerous trees that are included in a monitoring program;
- Building waste has emerged from bank failures containing asbestos, a monitoring program has commenced with removal of asbestos;
- Land survey and comparative survey has commenced to monitor erosion of the River Road frontage;
- Water Research Laboratory (WRL) has been engaged to develop a remediation design, with the pub frontage identified as a priority area due to risk; and
- Contractors were engaged to undertake additional 'make safe' works along the River Rd foreshore including beach scraping to cover exposed tree root plates that present a public risk, and spread tree mulch left on site from initial dangerous tree removal.



Figure 4: Eroded foreshore along River Road, Shoalhaven Heads

Next Steps/community consultation:

- Council staff and WRL are to attend a public meeting organised by the Shoalhaven Heads Community Forum on 7 December 2016 to discuss management options for River Road erosion.

#### Mollymook Beach

The south end of the beach damage included exposure of the Golf Club protective gabion wall and inundation of the Ocean St road stormwater system and damage to the sandstone retaining wall.

The Blackwater creek sand nourishment area suffered minor damages.

The creek training wall at north end of the beach was damaged.

Response:

- Repair to the northern creek retaining wall was completed in October 2016 where a section of rock gabions was replaced with geotextile sand bags (cost \$25,000);
- Minor beach reshaping to beach access and repair of sand nourishment at Blackwater Creek was completed in October 2016;
- The gabion structure partly protecting the Golf Club and shared path was exposed and damaged and is also approaching the end of its useful life. Regular inspections of gabion structure to monitor public risk will continue (in particular from protruding gabion structure's wire); and
- Inspection and risk assessment of pathways undertaken by Recreation Community and Culture.

Next Steps/community consultation:

- Royal Haskoning have drafted a Foreshore Stabilisation at Mollymook Beach (South) for long term protection of the southern end of Mollymook beach including sewer

pump station, Golf Club, shared pathway, Golf Avenue Road reserve and extending to the Surf Club precinct; and

- Consultation with the Golf Club, OEH, Council's asset custodians (road, stormwater, sewer, and shared path) is required to define a preferred option and funding scheme before detailed design and environmental assessments can progress.



Figure 5: Eroded gabion protection structure at Mollymook Surf Club

#### Culburra Beach

Southern beach access ways were damaged from The Haven north along the entire beach with some rock outcrops uncovered.

Response:

- Short term response included preliminary staff inspection and engagement of contractors to inspect and reshape some beach access points where feasible.

Nest steps:

- Inspection and repair work will continue in the 2016-17 financial year under the annual Coastal Risk Assessment in July.

#### Vincentia

Collingwood Beach stormwater outlets were inundated and erosion occurred at the bridge abutments of the shared pathway along Collingwood Beach.

Beach access points at Plantation Point were damaged.

Response:

- Repair of the bridge abutments additional rock protection was completed in October; and
- Plantation Point access (north east) closed due to risk to users, repairs/upgrade scheduled to access point near play equipment prior to Christmas.



Next step/community consultation:

- Inspection and repair work will continue in the 2016-17 financial year under the annual Coastal Risk Assessment in July and relocation of undermined furniture; and
- Consultation with community to continue to assess potential to rationalise number of access ways to the beach at Plantation Point.



Figure 6: Erosion along the shared path at Vincentia

Greenwell Point Foreshore

Existing shoreline protection structures at Adelaide St were eroded.

The shared footpath at Titania Park was eroded/undermined.

The sandstone wharf site which was damaged in 2015 was further undermined.

Responses:

- Hazard areas immediately isolated with hazard signage and barriers;
- Beach scraping of shared cycleway frontage completed; and
- Minor repairs of damaged rock protection and recreation beaches completed.

Next steps:

- Programmed repairs of rock protection assets; and
- Design of heritage sandstone wharf precinct is in preparation for heritage permit application.





Figure 7: Erosion along the shared path at Greenwell Point

#### Bendalong Coastal Headlands

The E/NE storm was shown to increase in intensity in south coast locations with Bega experiencing a 1 in 85 year event. As experienced at Currarong, exposed north facing sites such as Bendalong experienced a long period of wave damage with the spring tide allowing wave attack at the rear of the beach.

#### Responses:

- Cunjurong Point - main stair access point to Green Island undermined needing emergency barriers and beach scraping to reinstate;
- Bendalong Headland - several beach access ways undermined with scour depths of 1.5m on a cobble beach unexpected and requiring extension of star treads of over 2m; and
- Kioloa Beach Caravan Park - potentially hazardous erosion scarp requiring warning signage and barriers.

#### Bendalong Boat Harbour

The storm scoured several areas in the bay uncovering Aboriginal midden deposits and shell deposits. Sections of this high use park are unstable placing Council assets and visitors at risk from tree fall and embankment collapse. The Office of Environment and Heritage (OEH) heritage staff have inspected the site and provided preliminary advice and detailed assessment has commenced to accompany a landscape master plan for the reserve. Contractors have been engaged to place safety fencing in high public risk areas and place rock bollards in unstable road verges to manage high public risk for the coming season.



Figure 8: Erosion along Bendalong Boat Harbour foreshore

#### **Community Engagement**

Most sites discussed above will require further community consultation.

The East Coast low provided an opportunity to inform and educate the Shoalhaven community. The event and its impacts were documented in a special edition of Council's Frontline News accessible at:

<http://doc.shoalhaven.nsw.gov.au/DisplayDoc.aspx?record=D16/279931>

#### **Financial Implications**

Council's Coastal and Estuary Assets Management Plan guides the management of beach access ways in the Shoalhaven. Council has about 220 beach access ways that for most were built in the 80s under the State Beach Improvement Program that followed the devastating storms of the 70s. These access ways are regularly maintained to keep them safe and useable, however most are approaching the end of their useful life and most are in need of major repair and replacement. On average, a new access ways costs \$25,000 with an annual allocation of \$50,000 for coastal access capital works, Council is faced with a major budgetary challenge. With many parks assets (tables and seats) being removed or relocated and beach accesses being damaged and closed as a result of the June East Coast low, we now have the opportunity to apply some adaptive strategies to our coastal assets. Reducing the number of coastal access ways in areas that are 'over serviced' would allow savings to be channelled towards upgrading the retained assets. At beaches where this approach is now appropriate, discussion and consultation with affected communities will occur.

## **SA17.87 Dealing With Development Applications Lodged by Council Staff or Councillors**

**HPERM Ref:** D17/72258

**Group:** Planning & Development Services Group  
**Section:** Building & Compliance Services

**Attachments:** 1. Dealing With Development Applications Lodged by Council Staff or Councillors [↓](#)

### **Purpose / Summary**

To consider the re-adoption of existing public policies which deal with development applications lodged by Council Staff or Councillors

### **Recommendation (Item to be determined under delegated authority)**

That Council adopt the following policies with minor amendments:

1. Dealing With Development Applications Lodged by Council Staff or Councillors

### **Options**

1. Adopt the recommendation

#### Implications:

The minor changes made to the policy will assist the assessing officer with consistency and transparency when dealing with development applications lodged by Council Staff or Councillors. The changes also reflect the new name of the Group.

2. Not adopt the recommendation and leave the document unchanged.

#### Implications:

The wording of the policy could be considered unclear and open ended.

### **Background**

The Planning, Environment and Development Group policy listed below has been reviewed and amendments made as follows:

- POL16/235 - Dealing with Development Applications Lodged by Council Staff or Councillors (Attachment 1) – this policy was adopted by Council in 2009 and only some minor wording changes have been made to provide clarity to assessing officers dealing with development applications lodged by Council Staff or Councillors. The changes include deleting text in section 3.3 “consideration shall be given to whether”.

The paragraph in the policy now reads as follows:

*“Generally, any DA lodged where the applicant and/ or land owner is a Council staff member or Councillor, the DA should be processed in the normal manner, which may include determination under delegated authority. Nevertheless if one (1) or more of the following matters are triggered, (text deleted) the DA is to be reported to the elected Council for determination:”*

- Updated references to new Group title.
- Minor amendment to clarify an expression used in clause 3.2.3 in the policy. The word ‘unfairly’ has been deleted.



City Administrative Centre  
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra  
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

Southern District Office  
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Website: [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

For more information contact the Planning, [Environmental](#) & Development [Services](#) Group

## Dealing With Development Applications Lodged by Council Staff or Councillors

**Policy Number:** POL16/235 • **Adopted:** 10/03/2009 • **Reaffirmed:** 26/02/2013 • **Minute Number:** MIN09.271, MIN13.110 • **File:** 3621E • **Produced By:** Planning, [Environmental](#) & Development [Services](#) Group • **Review Date:** 01/12/2016

### 1. PURPOSE

To ensure that where a Development Application (DA) is lodged, and the applicant and/ or land owner is a Council staff member or Councillor, that:

- the development assessment process is free from any conflicts of interest;
- the development assessment process is undertaken in a transparent and unbiased manner;
- the assessment of DAs for staff and/ or Councillors is undertaken strictly in accordance with Council's Code of Conduct and is free from any undue influence; and
- this procedure will also provide both the DA applicant/ land owner and assessor guidance on how to appropriately deal with the application prior to its determination.

### 2. STATEMENT

That this procedure is applied to **all** DAs lodged where the applicant and/ or land owner is a Council staff member or Councillor. Council's Code of Conduct must be adhered to in every respect.

### 3. PROVISIONS

#### 3.1. General

Any DA subject to this Procedure will be processed in the same way as any other DA subject to the conditions and criteria set out in this procedure to ensure transparency and public confidence.

#### 3.2. Relationship between Assessing Officer and Applicant and/ or Land Owner (when Applicant and/ or Land Owner is a Council Staff Member or Councillor)

Staff need to be aware that if they are the assessing officer, referral officer, supervisor and/ or applicant and/ or land owner, the following principles should be adhered to:



*Shoalhaven City Council - Dealing With Development Applications Lodged by Council Staff or Councillors*

- 3.2.1. If a Council staff member is the applicant and/ or land owner, any discussion relating to the affected DA processing, status, etc, must be undertaken in the staff member's (ie, applicant) own time, in a public location (eg, foyer, front counter) and the applicant should be treated in the same manner as any other member of the public.
- 3.2.2. If a Councillor or staff member is the applicant and/ or land owner, the Councillor or staff member must not use his/ her position to influence the Assessing Officer in the processing of his/ her application.
- 3.2.3. The assessing officer is to ensure that all processes undertaken during the assessment of any DA are in accordance with Council's policies and procedures and the applicant is neither given any special treatment nor discriminated against ~~unfairly~~.

### **3.3. How to ascertain if the DA is to be reported to Council for determination**

Generally, any DA lodged where the applicant and/ or land owner is a Council staff member or Councillor, the DA should be processed in the normal manner, which may include determination under delegated authority. Nevertheless if one (1) or more of the following matters are triggered, ~~consideration shall be given to whether~~ the DA is to be reported to the elected Council for determination:

- 3.3.1. The scale and extent of the DA lodged eg, pergola vs larger commercial proposal;
- 3.3.2. The proposed DA seeks a substantive variation to any performance-based DCP or Council Policy;
- 3.3.3. The proposed DA creates significant public interest and/ or large numbers of submissions;
- 3.3.4. Whether an independent assessment and/ or peer review has been undertaken;
- 3.3.5. The applicant and/ or land owner is a staff member within the development assessment sections of the Development and Planning, Environmental Services and Development (PED) (DES) Group; and
- 3.3.6. The extent of any public perception of a possible conflict of interest that may exist between the DA lodged and the applicant's and/ or landowner's relationship with the DES-PED Group (ie, relevant assessment staff).

### **4. DECLARATION OF CONFLICTS OF INTEREST FOR DES GROUP STAFF MEMBER**

Where a staff member, working within the DES-PED Group, is party to a development application as applicant and/ or land owner, the staff member shall advise their supervisor of their conflict of interest and ensure that this procedure and Council's Code of Conduct are adhered to.

### **5. IMPLEMENTATION**

To be implemented by DES-PED Group as required.

### **6. REVIEW**

This procedure will be reviewed within one (1) year of the election of every new Council, or earlier should circumstances arise to warrant revision.

## 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.