

Ordinary Meeting

Meeting Date: Tuesday, 27 June, 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:00pm

Membership (Quorum - 7)
All Councillors

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. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting - 23 May 2017
 - Extra Ordinary Meeting - 13 June 2017
 - Extra Ordinary Meeting - 15 June 2017
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Public Apology from Cllr Jo Gash (Code of Conduct Matter)**
10. **Deputations and Presentations**
11. **Notices of Motion / Questions on Notice**

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- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CCL17.34 Tenders - IEMC Pad Mount Electrical Sub Station
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CCL17.35 Tenders - Shoalhaven River Levee Flood Damage Restoration 2017
- Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CL17.157 Notice of Motion - Smoking Ban - Local Shops & Public Spaces - Supporting Public Health & Healthy Cities Philosophy in Practice

HPERM Ref: D17/163738

Submitted by: Cllr Nina Cheyne

Purpose / Summary

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

Recommendation

That Council erect signage and enforce no Smoking in places where children and elderly congregate such as shopping centres & bus stops in our major towns and villages.

Background

Smoking poses a health risk particularly to the vulnerable in our community such as children, babies, the elderly and those living with respiratory conditions. Waverley Council have taken the lead on this initiative successfully and propose that Shoalhaven do the same. The No Smoking in Sports Grounds has been on the whole successfully implemented since July 2015 and this has been welcomed by all sporting clubs.

By promoting and supporting existing state legislation through ensuring that state no smoking signage is in all of the areas it could be to ensure a safe and healthy environment for all people and especially our very young and elderly who are most at risk of an adverse respiratory event.

Tamworth and Gunnedah have recently introduced smoke-free CBD policies. Importantly these policies also include e-cigarettes which are currently largely un-regulated and have unknown health consequences. Tamworth introduced the policy during 2016 and Gunnedah recently resolved to introduce the policy.

The Heart Foundations Active by Design focus on healthy urban design. The Shoalhaven has great potential to increase medium density in some communities in a way that is sensitive to local needs and supports people to be active for short trips. Attached is a link to their website <https://heartfoundation.org.au/active-living/healthy-active-communities> where these resources can be found.

Email Message received by a concerned citizen below:

"There are many citizens that use the areas in Junction, Berry and Kinghorne Street. eg: Students, mothers with young children, pensioners, workers, to name a few.

This area has many businesses, retail shops and coffee shops.

I find it disturbing and unfair that we have to endure the fumes of cigarette smoke.

It would be reasonable to ban cigarette smoking in those areas.

I have noted that Waverley council have banned cigarette smoking in Hall Street from March 30.

CL17.157

Shouldn't we, as citizens, be protected from the fumes of 'passive' smoke?"



CL17.157

Note by the General Manager

Council has the following in place across RCC facilities that are public buildings and reserves managed by Council.

SEC:

- Non Smoking premises
- We have signs which have a non-smoking icon and state:
'No Smoking within 10 metres of this building
Smoke-free environment Act 2000
Penalties may apply'
- The locations of these signs are:
 - By the three doors facing the Bridge Road car park – parallel to the river.
 - At the entry doors that face Bridge Road.
 - On the upright structural external posts facing the front of the building.
 - It appears there was also one by the doors facing the Council building – but no longer. (Will ask Shane to order and put up another one.)
 - There are also signs on the external wall of the gallery, at the kitchen loading dock, the stage door and the theatre loading dock.

Swim & Fitness:

- Non Smoking premises
- Standard Signage from NSW Government at front of all premises
- Do not experience any difficulties in implementing this

Libraries / UCC:

- Non Smoking premises
- Smoking pictogram at front of premises – arranging for one of the newer style NSW Public Health signs
- Does not experience any difficulties in implementing this

Family Day Care:

- Non Smoking premises
- Smoking pictogram at front of premises – arranging for one of the newer style NSW Public Health signs
- Does not experience any difficulties in implementing this

Shoalhaven Regional Gallery:

- Non Smoking premises
- Standard Signage no Smoking pictogram at front of premises and in the courtyard - arranging for one of the newer style NSW Public Health signs
- Does not experience any difficulties in implementing this

Community Facilities:

- Non Smoking premises
- Standard Signage from NSW Government at all premises or older style no smoking pictogram. Signs are replaced / updated as funds permit and are inspected as part of the annual inspection process
- Do not experience any difficulties in implementing this

Parks & Playgrounds:

- Non Smoking area extends 10 meters from a playground
- Standard Signage from NSW Government signs or older style no smoking pictogram. Signs are replaced / updated as funds permit and are inspected as part of the inspection process by Parks staff
- Do not experience any difficulties in implementing this – tends to be self-policing

Sports Grounds:

- Non Smoking premises across all sports grounds
- Standard Signage from NSW Government signs
- Do not experience any difficulties in implementing this

CL17.158 Notice of Motion - Maintenance of Overgrown Open Trail at Southern End of Dolphin Point

HPERM Ref: D17/189279

Submitted by: Cllr Bob Proudfoot

Attachments: 1. Map - Meroo National Park North & Barnunj State Conservation Area [↓](#)

Purpose / Summary

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

Recommendation

That maintenance of the overgrown open trail at the southern end of Dolphin Point (leading into the National Park near the escarpment) be undertaken.

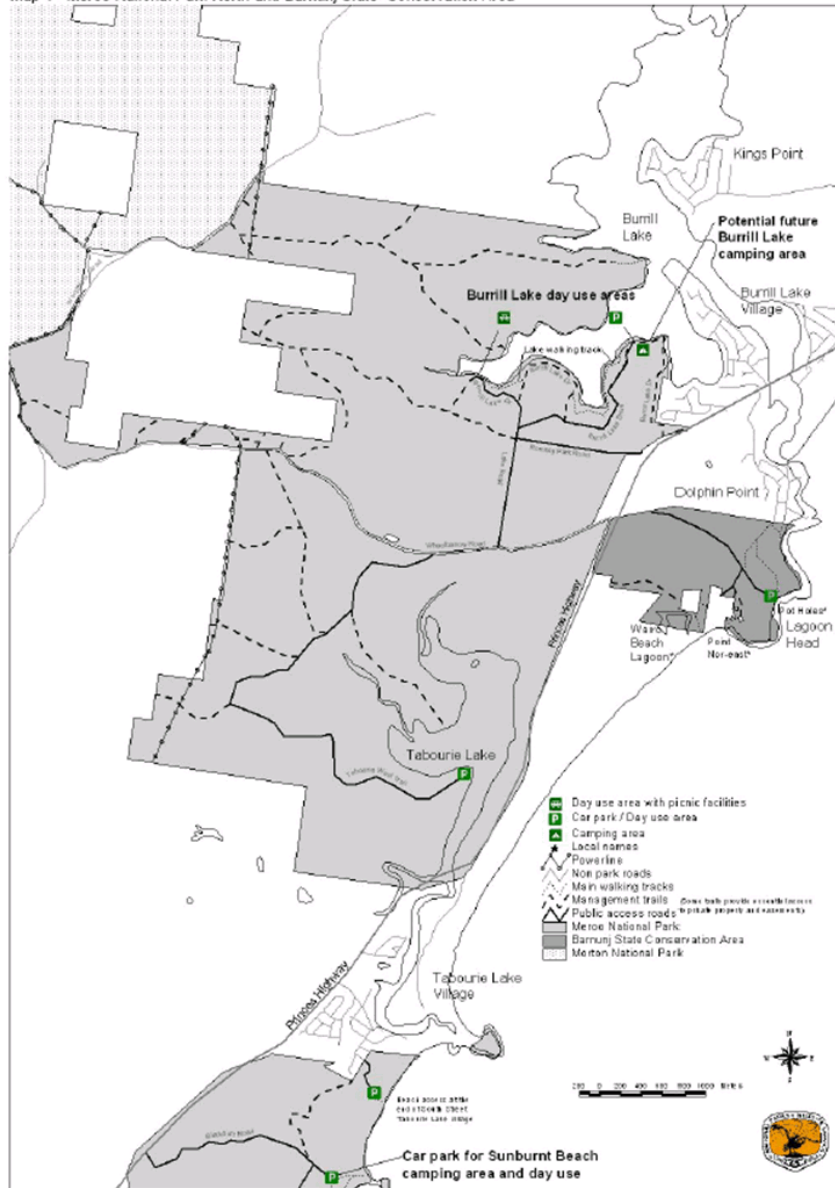
Note by the General Manager

This track is not owned or maintained by Council - it is in the Barnunj State Conservation Area. Refer to map attached.

Council could make representations to the National Parks & Wildlife Service requesting it undertakes required maintenance of the track.

CL17.158

Map 1 - Meroo National Park North and Barnunj State Conservation Area



CL17.159 Notice of Motion - Nowra Poultry Club Show - 60th Anniversary

HPERM Ref: D17/195748

Submitted by: Cllr John Wells

Purpose / Summary

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

Recommendation

That Council sponsor the 60th Anniversary Nowra Poultry Club Show to the extent of \$195.

Background

Nowra Poultry Club have been a regular user/exhibitor at the Nowra Showground for 60 years.

The Clubs exhibitions attract entrants from across the region and promotes excellence in the breeding, display and husbandry of quality Poultry which of course has been an integral part of the Shoalhavens agricultural heritage.

The Club has approached Council for a small sponsorship of its Diamond Jubilee event.

Note by the General Manager

An amount of \$1,757 is available in the 2016/17 Unallocated Donations vote.

CL17.159

CL17.160 Notice of Motion - Donation request - Hayley Dun - Firefighter Climb for Motor Neurone Disease (MND)

HPERM Ref: D17/196444

Submitted by: Cllr Mitchell Pakes

Purpose / Summary

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

Recommendation

That Council sponsor Miss Hayley Dun for \$1500.00 to participate in Firefighter Climb for Motor Neurone Disease

1. Allocate the money from the unallocated donations fund 2016/2017 financial year.
2. Write to Miss Dun wishing her the best of luck for when she undertakes the Firefighter Climb for Motor Neurone Disease.

Background

Note: The General Manager has informed myself that there is \$1757.00 left in the unallocated donations fund for the 2016/2017 financial year.

Miss Hayley Dun is a retained Fire Fighter with the Nowra 405 Station.

A retained Fire Fighter is on call 24/7 and responds to fire calls when required. The Nowra 405 station responds to well over 800 calls a year. Miss Dun has been fundraising very hard for this event, I believe it will be a great idea for council to assist Miss Dun and support this great cause.

The Climb

Hundreds of fire fighters will climb all 1,504 stairs of the Sydney Tower Eye wearing full firefighting kit to raise money for Motor Neurone Disease research at Macquarie University.

When

The climb takes place on Saturday 14 October 2017.

What is MND

MND is Motor Neurone Disease, or ALS, or Lou Gehrig's Disease. It doesn't matter what you call it you don't want it. Normal healthy fit people exactly like you get MND. It strikes indiscriminately, at any time with no proven explanation.

MND is the name given to a group of diseases in which the nerve cells (neurones) controlling the muscles that enable us to move, speak, breathe and swallow undergo degeneration and die. A person's senses and intellect are not affected.

CL17.160

MND is a progressive, terminal neurological disease. There is no known treatment or cure. Each day, in Australia, more than two people die from MND and each day and more than two people are diagnosed with MND. More alarmingly, the death rate for MND in Australia has risen 250%.

In 1985, MND killed one in 500 Australians. In 2011, it killed one in 180 Australians. If you were sitting at the Melbourne Cricket Ground at capacity, more than 550 people around you will die from MND.

MND research is a cause that is very close to the heart of NSW firefighter Matt Pridham, as best friend Adam Regal was diagnosed with Motor Neurone Disease and given a very short life expectancy.

“Ten years ago we lost an uncle to MND. He was the first to be diagnosed in our family. He passed away just 18 months later. My father in 2001 was going through the process of seeing the doctors. From then, he was downhill straight away. It was just over 12 months before he passed away. And then not even twelve months later, I was hit with the same trap.”
Adam Regal

Adam, a loving husband and father of two, has pledged to raise as much money and awareness for this disease as possible. The Firefighters Climb for MND began in 2015 in honour of Adam and all other families in Australia living with MND, with a pledge to do everything possible to find the next MND breakthrough.



Note by the General Manager

Council needs to keep in mind that many individual residents participate in charitable fundraising events and campaigns in many forms. Council should satisfy itself that this particular request is of special significance and does not create any precedent.

CL17.160

CL17.161 Report of the Strategy & Assets Committee - 13 June 2017

HPERM Ref: D17/191081

**SA17.147 Sale of Council Industrial Land - Lot 105
Cumberland Ave, South Nowra - Revision of Sale
Price**

**HPERM Ref:
D17/183462**

Recommendation

That Council set the minimum sale price for Lot 105 DP 1096630 Cumberland Ave South Nowra at \$355,000 plus GST.

**SA17.159 Proposed Road Closure of Part Battys Road Upper
Kangaroo River, sale to Robert McCarron and
Annette Miles and consolidation with Lot 2
DP839210 and Lot 1 DP846976**

**HPERM Ref:
D17/146784**

Recommendation

That:

1. Council resolves to make an application to the Minister administering the Roads Act 1993, for the northern part of Battys Road, Upper Kangaroo River shown by hatching on Attachment "1" to be closed and sold to the owners of the adjoining Lot 2 DP839210 and Lot 1 DP846976, Robert McCarron and Annette Miles;
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed;
3. Council authorise the sale of the closed road to Robert McCarron and Annette Miles for \$7,000.00 (plus GST if applicable) provided that the land comprised in the closed road, Lot 2 DP 839210 and Lot 1 DP 846976 are consolidated into one (1) lot; and
4. All costs associated with this road closure are to be met by Robert McCarron and Annette Miles.

**SA17.160 Transfer of Land within Heritage Estates to NSW
National Parks & Wildlife Service**

**HPERM Ref:
D17/156728**

Recommendation

That Council:

1. Advertise its intention to transfer, for nil consideration, the Council owned lots located within the Heritage Estates at Worrowing Heights, listed in the table below, transfer to the NSW National Parks and Wildlife Service (or their nominee) and if no objections are received and subject to no adverse implications for the transfer from the pending court case, authorise the transfer of the Council owned lots:

DEPOSITED PLAN	LOTS
DP8590	47-48, 74, 77, 130, 136, 138-139, 162, , 172, 183, 186, 188, 194-195, 217, 274, 309, 357

CL17.161

DP8591	1, 14, 25, 28, 58, 60, 81, 87, 106-107, 148, 152-155, 199, 209, 228, 259, 264, 315
DP8770	8, 23, 27, 31, 34, 44, 71, 73, 97, 100-101, 110-112, 189A, 195
DP8771	26, 35, 40, 44
DP8772	4-6, 76, 104-105, 125, 135, 137, 144-145, 158, 167, 201, 204, 210, 223, 224, 244, 251
DP625153	1

- Grant authority to affix the Common Seal of the Council to any documents required to be sealed.

SA17.161 Surrender of Lease - Milton Ulladulla Ex-Servos Club Ltd - Ulladulla Civic Centre, Princes Highway, Ulladulla

**HPERM Ref:
D17/156785**

Recommendation

That Council:

- Resolve to approve the surrender of the consecutive lease agreements (including the associated licence agreements) with Milton Ulladulla Ex-Servos Club Ltd for the use and occupation of the Council owned café / bar area of Ulladulla Civic Centre;
- In its capacity as Reserve Trust Manager of Ulladulla (R87268) Reserve Trust, resolve to approve the surrender of the licence agreement between The Trust, the Minister for Lands and Forestry and Milton Ulladulla Ex-Servos Club Ltd for the Crown Land component of the Ulladulla Civic Centre and surrounds; and
- Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

SA17.162 Classification of Operational Land - Sewer Pump Station - Lot 3 DP1227133 - The Links Road, Nowra Hill

**HPERM Ref:
D17/167768**

Recommendation

That Council resolve to classify the land described as Lot 3 DP1227133 at The Links Road, Nowra Hill as Operational Land.

SA17.163 Extinguishment of Drainage Easement - 32 Kings Point Dr, Kings Point

**HPERM Ref:
D17/174320**

Recommendation

That Council:

- Resolve to extinguish the easement for drainage 3 wide over Lot 72 DP28562 at Kings Point;
- Accept the offer of compensation of \$5,000 plus costs from the owner; and
- Authorise the General Manager to sign all documents required to give effect to this

CL17.161

resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

SA17.167 Coastal Hazard Review- Outcome of public exhibition**HPERM Ref:
D17/36024****Recommendation**

That Council:

1. Adopt the Shoalhaven Coastal Hazard Review, that includes Council's adopted sea level rise projections, in accordance with Council's resolution (D15/39660); and
2. Submit the adopted Shoalhaven Coastal Hazard Review to the NSW Government, replacing the 2009 Coastal Hazard Assessment, as part of the Shoalhaven draft 2012 Coastal Zone Management Plan for certification, in accordance with Council's resolution (MIN16.849); and
3. Review the Shoalhaven Local Environmental Plan 2014 and Shoalhaven Development Control Plan 2014 to reflect the outcomes of the Shoalhaven Coastal Hazard Review and a further report be provided on the proposed amendments.
4. Write to the Office of Environment and Heritage (OEH) to confirm whether or not a more accurate engineering alternative to the Bruun Rule can be used to assess coastal hazards and if not what level of error is the OEH prepared to attribute to the Bruun Rule.

SA17.168 Installation of Barriers to Regulate Traffic - Captain St - Blenheim Beach Reserve - Vincentia**HPERM Ref:
D17/93251****Recommendation**

That Council seek approval from the NSW Roads and Maritime Services to erect a gate and barriers at Captain St for the purpose of regulating traffic to prevent illegal activities, such as camping and rubbish dumping and the risk to the public from dangerous driving following community consultation undertaken by Council.

SA17.170 Renew Deed of Agreement - Shoalhaven REMS**HPERM Ref:
D17/67782****Recommendation**

That Council:

1. Authorise the General Manager to sign the new REMS Deeds of Agreement with each participating land manager using reclaimed water
2. Approve the signing and use of the Common Seal of Council on the Deeds if required;
3. Provide reclaimed water at no charge to end users for a further 15 year period.

CL17.161

CL17.162 Report of the Shoalhaven Access Advisory Committee - 22 May 2017

HPERM Ref: D17/170456

SAA17.13 Application for Membership

HPERM Ref:
D17/85961

Recommendation

That Council

1. Appoint Mr Stephen Taylor as a community member to the Shoalhaven Access Advisory Committee
2. Write to Mr Taylor to notify him of his appointment and invite him to all future meetings.

SAA17.14 Membership - NSW Ageing Disability and Home Care

HPERM Ref:
D17/120270

Recommendation

That Council

1. Accept the membership resignation of NSW Ageing Disability and Home Care and write to thank them for their contribution.
2. Invite Uniting National Disability Insurance Scheme Local Area Coordination Team to nominate a member to participate on the Shoalhaven Access Advisory Committee.
3. Update the Shoalhaven Access Advisory Committee membership once confirmed.

SAA17.22 Changing Place Toilet For Huskisson

HPERM Ref:
D17/149775

Recommendation

That Council consider co-funding a Lift and Change facility for people with disabilities at White Sands Park Huskisson.

Note by the General Manager:

The Disability Inclusion Action Plan (DIAP) identifies at strategy S2.1 progressively increase the availability of accessible toilets across the Shoalhaven. An outcome of the DIAP is at O2.1.2 and strategy is to Identify potential Council projects that could accommodate a Changing Place facilities. Action A2.1.2 is to Identify Council projects that could accommodate a changing Places facility and lobby for funds to provide for them.

Council has not included any budget in the draft 2017/18 DP/OP to implement the DIAP.

A Changing Places room is a facility that caters for persons with severe and profound disabilities and their carers as they are unable to use the current standard accessible toilets.

CL17.162

The room includes an electronic hoist, adjustable adult change table and has more circulation space than a room provided for under the current legislation. The WC is peninsular to allow for 2 carers either side of the WC. This is non-compliant with the current standards for toilets for persons with disabilities and the WC is not able to be used by most wheelchair users who rely on grab rails on the wall. Thus there is a requirement for a compliant accessible toilet room as well when providing a changing places room. The existing Public amenity at White sands was constructed in 2004 and has a toilet for persons with disabilities.

A changing Places room is not currently a requirement of the current building code, premises standard or Australian Standards but Council has already demonstrated its commitment to changing places facilities.

Shoalhaven City Council has led the way with providing Changing Places rooms with facilities currently located at;

- Nowra Aquatic Park – this is able to be used without paying for entry to the Nowra Aquatic Park (part funded by Grant)
- Public toilet at Burrill lake – Lions park (RMS funded)
- Public toilet at Mollymook all-inclusive play space – proposed to be open for patron use this year (part funded by State)

Changing places provided by others for public use in the Shoalhaven are located at in Nowra at Stockland's shopping Centre and Vincentia at a Bay & Basin Shopping Complex.

In major CBD areas such as

- Nowra – options are Nowra Aquatic park or Stockland shopping Centre
- Ulladulla – options are public toilet at Burrill lake and in near future Mollymook All-inclusive play space
- Bay & Basin – options are Bay & Basin Shopping Complex

Shoalhaven City Council has 119 public amenities (toilets) which are provided in areas of high demand associated with the use of other services such as:

- commercial/shopping centres
- parks or
- waterway facilities

There are many other public amenities provide at sporting facilities.

Current asset strategy for public amenities is to replace those that are highly utilised and are already in very poor condition, these upgrades cater for the 80 to 90th percentile of persons with disabilities. The current public amenity capital budget allows for on average the replacement, refurbishment or new public amenity each financial year. Council has with public amenity buildings replaced 6, refurbished 4 and constructed 7 in the past 13 years of which 2 were funded predominately by other funding, 2 of which included changing places rooms.

This current financial year no public amenity was replaced as Council used the renewal budget to contribute to part of the construction costs of the new changing places room which includes a compliant public toilet for persons with a disability at Mollymook All-inclusive play space.

Council staff have met with representatives of the Huskisson Woollamia Community Voice and have agreed on a preliminary concept to add to the existing public amenity. Based on growth it would be proposed to add two fully compliant rooms for persons with disabilities that complies with current Australian standards and for one room to include a lift and change

facility. Detailed investigations or drawings have not been undertaken, but **a preliminary estimate, based on recent market pricing, identifies that the project may cost up to \$280,000 given the constraints of the site and the requirements of the facility.**

Unfortunately, **there is no identified funding source for the construction of new amenities in Huskisson.** A design could be undertaken within the existing budget, this could then be used to apply for 100% funding from external sources.

CL17.163 Report of the Shoalhaven Natural Resources & Floodplain Management Committee - 6 June 2017

HPERM Ref: D17/189412

SN17.1 Vacant Community Member Position

HPERM Ref:
D17/168184

Recommendation

That

1. Mr Peter Hanson and Ms Robyn Flack be appointed as a Community Members on the Shoalhaven Natural Resources and Floodplain Management Committee, filling the current vacancies on the Committee.
2. Mr Hanson and Ms Robyn Flack be notified of their appointment and be invited to all future meetings.
3. That the ten (10) other persons who applied for the position be thanked for their applications and interest in the Committee.
4. A further report be submitted to the SNRFMC to consider another Oyster Farmer / Primary Industry Producer representative.

SN17.3 Update on the certification process for the draft CZMP and update on the development of the new Coastal Management Plan

HPERM Ref:
D17/159762

Recommendation

That the Committee recommend to Council that:

1. Allocate \$40,000 from the 2018/19 coast and estuary budget, as its 50% contribution, towards the development of the Coastal Management Plan subject to the Coastal Management Act being enacted; and
2. Allocate \$30,000 from the 2018/19 coast and estuary budget to update three (3) estuary health report cards to inform the development of the Coastal Management Program.

CL17.163

**SN17.7 2016 East Coast Low Storm Damage Remediation
review May 2017****HPERM Ref:
D17/165314****Recommendation**

That Committee recommends that Council receive the report for information and make the following recommendations, subject to funding being allocated in the 2017/18 Budget to progress the coastal erosion remediation projects:

1. Council proceed with detailed design, Review of Environmental Factors, Aboriginal Heritage assessment for coastal erosion management works at Currarong including a trial geotextile sand groyne and sand nourishment and protection of the Beecroft Avenue precinct subject to undertaking the necessary consultation and obtaining the necessary permits and approvals. That further community consultation be undertaken as part of this process.
2. Council seek advice from NSW Office of Environment & Heritage about the potential development of an emergency action plan or interim management plan for the South Mollmook coastal protection structure as an interim measure until a long-term management strategy is developed as a result of the cost benefit analysis and impact assessment.

SN17.8 Environmental Strategy and Planning**HPERM Ref:
D17/114940****Recommendation**

That Council review and develop its current approach to align vision, values, principles, priorities, guidelines, strategies and plans for strategically managing the natural environment.

SN17.10 Crookhaven Heads - Erosion Behind the Training Wall**Recommendation**

That Council write to Crown Land and request an investigation be undertaken in relation to the erosion behind the training wall and what restoration work is required.

CL17.163

CL17.164 Report of the Shoalhaven Sports Board - 7 June 2017

HPERM Ref: D17/191171

Attachments: 1. Attachment to Report - Elite Athlete Support Program Policy - Strategy & Assets Committee - May 2017 (under separate cover) [↗](#)
2. Healthy Living Policy (DRAFT) [↓](#)

SB17.11 Policy Review - Elite Athlete Support Program

HPERM Ref:
D17/104114

Recommendation

That:

1. Council adopt the Elite Athlete Support Program Policy POL16/182
2. This policy be workshopped with the members (Lisa Kennedy and Elizabeth Tooley) in conjunction with the Acquatics Manager and reported back at a future Board Meeting.

SB17.13 DRAFT Healthy Living Policy

HPERM Ref:
D17/155581

Recommendation

That:

1. Council adopt the Healthy Living Policy.
2. The Sports Board will continue to monitor and review the policy.

CL17.164



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Healthy Living Policy (DRAFT)

Policy Number: [Enter policy number] • **Adopted:** [Click here to enter date] • **Minute Number:** [Click here to enter Minute number] • **File:** • **Produced By:** Finance, Corporate and Community Services Group • **Review Date:** [Enter review date]

1. PURPOSE

To demonstrate Shoalhaven City Council's commitment to providing opportunities for community members to adopt active and healthy lifestyle choices that will reduce the incidence of avoidable conditions such as obesity, diabetes and cardio vascular disease.

2. STATEMENT

Shoalhaven City Council is committed to providing opportunities for community members to adopt active and healthy lifestyle choices that will promote good health. In line with the *NSW Healthy Eating and Active Living Strategy 2013-2018*, Council aims to play a role in keeping people healthy and out of hospital by:

- Supporting opportunities for people to make healthy eating decisions
- Increasing opportunities for people to boost physical activity
- Leading by example and promoting a healthy lifestyle within Council through the Health and Wellbeing Committee programme.

3. PROVISIONS

To achieve this commitment, in partnership with other stakeholders and relevant agencies, Shoalhaven City Council will:

- Provide environments that support healthy eating and active living, such as:
 - Swimming pools and leisure centres
 - Walking and cycling tracks
 - Playgrounds, parks and nature reserves
 - Outdoor fitness stations
 - Community gardens
 - Farmers markets.
- Promote healthy lifestyle choices made available through Council facilities by implementing the NSW Health 'Make Healthy Normal' signage.
- Consider healthy eating and active living strategies in land use planning by:
 - Seeking to retain key agricultural lands for local food production
 - Increasing density and diversity in housing, in close proximity to key services and destinations, thereby promoting reduced reliance on private cars/vehicles

Shoalhaven City Council - Title

- Planning new communities that ensure they are well connected, accessible and encourage inclusivity and active living opportunities.
- Implement best practice healthy eating strategies by ensuring healthy food options are available at its facilities, functions and events.
- Advocate and lobby to other levels of government for the provision of necessary health services.
- Partner with other stakeholders to deliver educational and participation programs that promote healthy eating and active living across the life span, especially in at-risk groups.

4. IMPLEMENTATION

Shoalhaven City Council sets out its strategic direction and priorities through the Community Strategic Plan (10+ year), Delivery Plan (4 year) and Operational Plan (1 year). This is the key framework by which implementation will be directed and assessed, and the revised version is set to be adopted in 2017.

Moreover, Council's Local Environmental Plan (LEP) guides strategic land use and determines things such as medium to high density lands and agricultural lands.

Furthermore, Council recently adopted the Community Infrastructure Strategic Plan 2016 – 2036. This Plan makes recommendations for the future provision, priorities and funding of community infrastructure at local, district and regional levels, and will guide and direct the future of open space and recreation and community buildings across the City.

In addition to this, Council's Community Development and Social and Infrastructure Planning units aim to establish a Wellbeing Strategy and Evaluation Framework (WSEF), based on Community Wellbeing Indicators and Social Return on Investment. This WSEF will provide a detailed and comprehensive mechanism to measure success on objectives and to create a rigorous evidence base for future social investments as they apply to community wellbeing.

5. REVIEW

This policy will be reviewed within one (1) year of the election of a new Council.

6. APPLICATION OF ECOLOGICAL SUSTAINABLE DEVELOPMENT PRINCIPLES

This policy will play a key role in ensuring ecological sustainable development by promoting healthy and sustainable communities.

CL17.165 Report of the Shoalhaven Arts Board - 15 June 2017

HPERM Ref: D17/197375

Attachments:

1. Public Art Policy [↓](#)
2. Terms of Reference [↓](#)
3. Shoalhaven Libraries - Operations Policy [↓](#)
4. Shoalhaven Libraries - Internet Usage Policy [↓](#)
5. Shoalhaven Libraries - Children's Policy [↓](#)

AB17.10 Policy Changes - Public Art Policy POL12/351

HPERM Ref:
D17/72726

Recommendation:

That

1. The words "*and the proceeds from the sale shall be added to the arts collection reserve*" be added to page 4 of the Public Art Policy.
2. Council place the revised Public Art Policy on Public Exhibition for a 28 days and if no significant adverse comment is received the Policy be deemed adopted. (Attachment 1)

AB17.14 Policy Review - Shoalhaven Arts Board Terms of Reference

HPERM Ref:
D17/132516

Recommendation:

That

1. On page 3 of the Terms of Reference insert the word "*practice*" in the first dot point
2. Council adopt the revised Shoalhaven Arts Board Terms of Reference. (Attachment 2)

AB17.15 Council Policy Revision - Internet, Operation and Children's

HPERM Ref:
D17/133598

Recommendation:

That Council adopt the revision of the following policies as detailed in this report:

- Shoalhaven Libraries – Operations (Attachment 3)
- Shoalhaven Libraries – Internet (Attachment 4)
- Shoalhaven Libraries – Children's (Attachment 5)

CL17.165

AB17.16 Arts Board Awards**HPERM Ref:
D17/150635****Recommendation:**

1. That the Shoalhaven Arts Board Awards sub-committee continues to work with the Riverfest committee members to scope, plan and finalise the inclusion of the Shoalhaven Arts Awards at an event on October 20, 2017.
2. Shoalhaven Arts Board Awards sub-committee finalise the budget for the Shoalhaven Arts Awards. This is contingent on the Council revoting the 2016-17 balance of funds allocated in Job Number 21596/10722 of \$9,143 to enable the awards to be held beyond June 2017.
3. A new structure for the Awards be implemented which comprises four categories, with each award winner to receive a cash prize of \$500, and a certificate.

CL17.165



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For more information contact the [Finance](#) Corporate & Community Services Group

Public Art

Policy Number: POL16/197 • **Adopted:** 19/04/2013 • **Minute Number:** MIN13.178 • **File:** 41419E • **Produced By:** [Finance](#) Corporate & Community Services Group • **Review Date:**

1. PURPOSE

The Public Art Policy provides an integrated framework for Council to encourage and support excellence, innovation and aspirations of the Shoalhaven region through the display and installation of public art.

To provide a policy for the development, planning, acquisition, maintenance, de-accessioning and integration of public art that supports the development of a diverse range of permanent, temporary and ephemeral artworks in public places which contribute to the social, cultural, environmental and economic value of the Shoalhaven region.

2. STATEMENT

2. Shoalhaven City Council recognises that public art is as diverse as the landscape of the region in which it is presented. Public Art is inspired and informed by a multitude of environments – the cultural, physical, political, emotional and spiritual. Shoalhaven City Council is committed to establishing a standard of excellence that underpins the implementation of public art throughout the region. This Policy will refer to art that is distinctly separate from the Shoalhaven City Council Art Collection.

Shoalhaven City Council is committed to developing a management and best practice framework to establish a standard of excellence underpinning the implementation of public art throughout the region. This Policy will refer to art that is distinctly separate from both the 'Shoalhaven City Council Regional Gallery Collection' and 'Shoalhaven City Council City Collection'.

2.1. Scope

For the purposes of this policy, public art typically refers to contemporary artwork occurring in public spaces, in both public and private developments, away from the confines of traditional galleries and museums. Public arts can be comprised of diverse art forms and materials to produce both permanent and temporary works that enrich the City's public spaces, assist in the creation of a 'sense of place' and are created by highly experienced public artists, young and emerging artists and artists working in a community setting.

For the purposes of this policy, public art typically refers to contemporary visual art practice comprised of diverse artforms and materials to produce permanent and temporal artworks for

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Shoalhaven City Council - Public Art

~~public exhibition in the public domain such as; site specific work, landscape and building elements, sculpture, local art, painting, digital media and conceptual art.~~

A best practice approach, particularly in integrated public art, involves close collaboration between artists, professionals or designers who work in the built environment, key project stakeholders and community. Examples might include street furniture (chairs, tables, gates etc), playground equipment, bike racks, signage, lighting, pavements as well as components in buildings, bridges and major asset developments.

~~The Public Art Policy and corresponding Public Art Procedures comprehensively outlines strategies and procedures relevant to the achievement of public art projects and cover areas such as education, employment, training for the creative arts sector, cultural identity, heritage, innovative public art models, maintenance, conservation, archiving, de-accessioning of works and professional development for the artist/s.~~

2.2. Background

The development of public space portrays interactions within and between communities. As a contributing element in the shaping of public space, public art signifies its local and regional identity - revealing aspects of community history, character and aspirations. Public art provides opportunity to forge an environment of inclusiveness through careful selection, maintenance and appropriateness to the context of place.

Shoalhaven City Council seeks to build a strong vital arts and heritage culture that acknowledges, promotes and reflects the diversity of its people through the exchange of ideas and responsible urban planning that enhances the quality of public space for residents, ratepayers and visitors.

2.3. Policy Implementation

~~Shoalhaven City Council will support this Policy by implementing Council's strategies and corresponding procedures that constitute key categories:~~

- ~~• Major art projects~~
- ~~• Aboriginal and Torres Strait Islander art~~
- ~~• Temporal art~~
- ~~• Local and community art~~
- ~~• Art in new development~~
- ~~• Partnerships~~
- ~~• Conservation~~
- ~~• Communication~~
- ~~• Art & Cultural Heritage Strategies 2010-14 (smARTspaces)~~

3. PROVISIONS

To achieve this commitment, and in partnership with stakeholders and relevant agencies, Shoalhaven City Council will put into practice the following specifications:

3.1. Key Principles for Public Art Acquisition Approval

Shoalhaven City Council - Public Art

~~The process for acquisition of Public Arts provisions is outlined in the Public Art Procedures.~~
Evaluation and implementation of all public artworks will be based on the following criteria:

- Standards of excellence and innovation
- Appropriateness of the work relative to purpose and context of its site
- Relevance to the ~~objectives and actions of smARTspaces Art and Cultural Heritage Strategy 2010-14~~ Arts Board Strategic Plan 2020
- Consistency with current planning, heritage and environmental policies and plans of management
- Consideration of public safety; the public's access to and use of the public domain
- Consideration of sustainability and maintenance requirements
- Evidence of funding source and satisfactory budget including an allocation for ongoing maintenance if appropriate
- Evidence of formal agreement between Council and artist/s specific to the acquisition being undertaken
- Non-duplication of monuments commemorating the same or similar events

3.2. Acquisition Approval Process for Public Art

~~The process for acquisition of Public Arts provisions is outlined in the Public Art Procedures, which detail directives for qualitative management and processes specific to the type of acquisition being undertaken. Primary means of acquisition include:~~ New Public Art Projects can be developed and approved through the following means:

- Commissioning by Shoalhaven City Council of a specific artist for a project
- Purchase by Shoalhaven City Council of a suitable work
- Loan of a work by an artist / collector to Shoalhaven City Council for a specific time period
- Gift or donation to Shoalhaven City Council by an artist or collector
- Application to Shoalhaven City Council by an artist or group for the development and installation of a new work.

~~Where an application, loan, gift or donation is made to Shoalhaven City Council approval for the Public Art project will require~~

- Application made to council in writing, describing the project or work, and demonstrating how it meets the Key Principles for Public Art (3.1)
- If a development approval is deemed to be required, this must be submitted prior to any further approval processes being undertaken
- Details of the proposal must be advertised publicly and response sought from interested citizens
- Comment should be sought from the Unit Manager – Arts and Culture; the Shoalhaven Arts Board; relevant Group Directors as appropriate, Council's Insurance Officer and Council's WHS Unit Manager.
- The Unit Manager – Arts and Culture will be responsible for informing the applicant of the outcome of their application but will not be responsible for justifying the decision.

4. DE-ACCESSIONING OF PUBLIC ART

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Shoalhaven City Council - Public Art

The process for de-accessioning of Public Arts provisions is outlined in the Public Art Procedures, which detail the process of selling or otherwise disposing of works for the purposes of rationalising the Collection. Primary considerations in de-accessioning of artworks include:

- Rationalisation for the proposed disposal of artwork
- Determine origins of artwork and acquisition status (loan, donation, purchase)
- Complete documentation and permanent archival records of the decommissioning process and artwork

Manage proceeds from sale Where a work has been severely damaged, has lost the original intent or relevance, has reached its agreed lifespan or Council is redeveloping the site, Council has the right to de-accession the work.

De-accessioning of a work can only be undertaken following an assessment and review process which considers:

- The historical, cultural and artistic value of the work
- The origins and acquisition status of the work
- Options and cost to repair or restore the work
- Opportunities to relocate or rehome the work at an alternate council site.

Where the decision is made to de-accession a permanent public artwork, Council shall undertake the following process:

- The work shall firstly be offered for return to the artist / donor or next of kin
- The work shall then be offered to another council, cultural institution or community group
- Only if no other option is available shall the work be sold and the processed proceeds from the sale shall be added to the Art Collection Reserve

5. COLLECTION RESPONSIBILITY

The collection is administered by Council's designated arts unit, in consultation with other Council units as appropriate.

All items of public art shall be placed on the public art data base, administered by the Arts & Culture Unit and insured in accordance with Council's asset management plans and catalogued with details including title, image, size, and medium, artist, and provenance, date of purchase, value, storage place and description.

6. FUNDING

The following sources of funding should be considered and pursued as appropriate:

- Council's annual capital works and operational budgets.
- Donations and sponsorships from the private sector.
- State and Federal Government funding.
- Public funding for projects and "in kind" support from the community and commercial sector.

7. IMPLEMENTATION

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Shoalhaven City Council - Public Art

The ~~City Services & Operations~~ ~~Finance Corporate and Community Services~~ Group is allocated overall responsibility for the administration and implementation of this policy.

Internal departments tasked with responsibilities relating to public art will jointly implement the Public Art Policy ~~and the Public Arts Procedure~~ to maximise opportunities, coordinate efforts, ensure efficiencies and reduce costs.

8. REVIEW

To be reviewed within 1 year of the election of a new Council.

9. APPLICATION OF ESD PRINCIPLES

This policy meets the ESD Principle of developing Social Integrity. Council will maintain and conserve works to ensure the preservation of public art and Council's investment.



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Shoalhaven Arts Board - Terms of Reference

Policy Number: POL16/267 • **Adopted:** 17/03/2015 • **Amended:** 23/06/2015 • **Minute Number:** MIN15.147, MIN15.426 • **File:** 2123E • **Produced By:** [Finance](#) Corporate & Community Services Group • **Review Date:**

1. STATEMENT

Council recognises the value and place of creative expression, cultural facilities, innovative arts activities and embraces a strategic direction to facilitate progressive cultural development across the City. To guide this development each Board member will be responsible for maintaining and reporting on a specific portfolio.

2. PURPOSE

- a) To contribute to and develop strategy and policy both for the Shoalhaven City Council as well as in alignment with the Region.
- b) To develop and implement policy, planning and promotion-vision for the broad arts within existing resources and using a co-opted panel of peers for professional advice. They include:
 - Visual Arts
 - Heritage and Museum Sector
 - Literature
 - Performing Arts
 - Audience-development
- c) Advocate and maintain specific arts related portfolios.
- d) Advocate and promote Board recommendations.

3. TERMS OF REFERENCE

3.1. RELATIONSHIP TO COUNCIL

The Shoalhaven Arts Board 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.

3.2. DELEGATED AUTHORITIES

[Shoalhaven Arts Board](#)

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Shoalhaven Arts Board – Terms of Reference

- Act within adopted budgets aligning with Council's strategic plans and document, and make recommendations on the arts to Council
- Appoint suitable representatives to fill casual vacancies on a set term basis
- Inform and recommend policy for arts related funding programs, and where required by Council, vote on related matters
- To establish a peer panel of professionals, experts and practitioners across art forms, heritage and cultural platforms to be co-opted as needed for input and advice to the Shoalhaven Arts Board
- To establish a Shoalhaven Arts Foundation:
 - To support the development and enrichment of broad arts across the Shoalhaven including visual, heritage, literature & performing arts
 - To ensure that the Foundation in its governance, membership and charter are independent/ and at arms-length from Council yet which needs to work in concert with the Shoalhaven Arts Board, and the Council and the community needs
 - To fundraise and develop a sustainable principal investment to generate ongoing grant funds

Relevant staff will work collaboratively with the Shoalhaven Arts Board to:

- Develop and implement activities to achieve objectives in line with the Shoalhaven Arts Board recommendations, the Council's policies and corporate plan

3.3. MEMBERSHIP

- a) The membership of the Shoalhaven Arts Board to be nine (9) members in total and to include community member representatives from Health & Well-being, Education, Arts Institutions, Artists, Corporate/Business and a maximum of three (3) skills based Councillors (one from each of the three (3) wards).
- b) To ensure inclusion in the membership of the board of a range of strategic capability, expertise and advice from within the arts.
- One of the positions community member representatives is designated as an Aboriginal Local Member.
- c) Community member representatives of the Board are appointed through an Expression of Interest process with the exclusion of casual vacancies should they arise.

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3.4. ELECTION/APPOINTMENT

Industry Representatives

- Appointment to the Board can be for a maximum four (4) years with a set commencement and finish date
- Vacancies will be advertised locally via media, Council communication channels and industry networks
- Applications will be actively sought from appropriately skilled industry representatives,
- Council will manage the application process,

Shoalhaven Arts Board – Terms of Reference

- An interview panel will consist of a Council staff member, the Chairperson of the Board and one (1) suitably qualified independent representative to assess the applications and make recommendations for appointments to the Board and Council.

Councillors

Council will advise Shoalhaven Arts Board of its appointed representatives. Council at its discretion can replace representatives at a time of its choosing.

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3.5. CASUAL VACANCIES

Should there be a casual vacancy; the Shoalhaven Arts Board will seek applications by appropriate means to fill these vacancies to align with finish dates.

3.6. TERM OF APPOINTMENT

- Appointments will be for a term of two (2) years
- If representative is terminated or resigns an early a substitute will be appointed only until the fixed finish date-date as a casual vacancy

3.7. SUB COMMITTEES/WORKING GROUPS/PORTFOLIOS

The Board will have the right to establish sub groups as deemed appropriate to assist in fulfilling their role and purpose.

3.8. BOARD MEETING PRACTICE AND PROCEDURESS

- The administrative provisions of Council's adopted Code of Meeting Practice shall apply subject to any amendments by the Terms of Reference.
- Formal Board Meetings will be held quarterly in a form and format as determined by Shoalhaven Arts Board including one annual art/culture strategy session for the purpose of reviewing the status quo, quality and relevance of programs and projects and to identify and prioritise future short and long term goals
- To hold an annual Arts/museum/culture industry forums for feedback and ideas that might inform the Annual strategic plan will be held
- Agenda and minutes from previous meetings will be circulated to members at least seven (7) days prior to the meeting
- Members must declare in writing any interest in any report tabled at the meeting covered by the Code of Conduct and Pecuniary Interest
- Informal Board meetings, special meetings will be held as and when required or set by the Board
- Planning and costs associated with conducting meetings will be borne by Council and funded from a line item in the Arts & Culture budget.
- The Chairperson will be appointed by the Board, the position will be limited to a two (2) year term and is open to all members of the Board.

3.9. QUORUM

- The Quorum will consist of at least half plus one (1) of the members.

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3.10. VOTING AND RECOMMENDATIONS

- 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 at two (2) consecutive meetings, then the majority of 60% of those present can adopt a recommendation
- Alternative views are to be minuted

The Board shall ensure that an agreed written record of each of their meetings is forwarded to Council.

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3.9. CODE OF CONDUCT

- All members of the Board are to abide by Council's Code of Conduct.
- Board members should act in a professional and responsible manner with the information they obtain as a member, as the Board requires openness and honesty to function well.
- Board members should feel free to express their opinions and views without fear of recrimination
- It is essential for Board members to accept collective responsibility, remain loyal to decisions of the Board, even where they may not have agreed with the final decision.

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3.10. 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.

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3.11. COMMUNICATION

- All issues must be clearly communicated including priorities, limitation and benefits to the community
- Members of the Board are not permitted to speak to the media as Committee of Council representatives of the Board unless approved by the Chairperson
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Board and not of Shoalhaven City Council
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes
- The Chair of the Board is the point of contact for communication between Board members and Council staff.

3.12. PARENT ADVISORY GROUP

Ordinary Council

3.13. Code of Conduct

All members of the Board are to abide by Council's Code of Conduct.

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Shoalhaven Arts Board – Terms of Reference

3.14. Record of Minutes

The Board shall ensure that an agreed written record of each of their meetings is forwarded to Council.

3.15.3.13. STAFF ATTENDANCE

Executive staff are normally required to attend the meetings of the Board. Other staff at the Directors' discretion or at the Board's request can attend meetings as required.
Staff have no voting privileges.

3.16.3.14. EXPECTATIONS OF BOARD MEMBERS

- Board members will undertake the prescribed Induction process
- Pecuniary Interest Returns are required on appointment and annually as required by the Office of Local Government and Council

3.17.3.15. RESPONSIBILITY OF COUNCIL

Council will provide secretarial support to arrange meetings and take minutes and provide professional officer support where required.

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

4. IMPLEMENTATION

The Finance Corporate and Community Services Group of Council is allocated responsibility for the administration of the policy.

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5. REVIEW

To be reviewed within one (1) year of the election of a new Council, or earlier at the discretion of Council.

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SHOALHAVEN LIBRARIES - OPERATIONS

Policy Number: POL16/209 • **Adopted:** 23/07/2002 • **Reaffirmed:** 22/02/2005 • **Amended:** 28/04/2009, 21/05/2013 • **Minute Number:** MIN02.891, MIN05.135, MIN09.489, MIN13.490 • **File:** 6230E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:**

1. PURPOSE

The purposes of this policy are:

- to inform library staff and the public of the operations policy of Shoalhaven Libraries;
- to enable detail library staff to carry out their duties in accordance with this policy membership and lending conditions that apply to the library and its collections;
- to outline the service delivery standards and requirements of the library.

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2. STATEMENT

The policy is to be read in conjunction with Council's Code of Conduct, [Shoalhaven Libraries Internet Usage Policy](#) and [Shoalhaven Libraries Children's Policy](#) and amendments made therein. It was adopted by Minute 02.891 on 23rd July 2002 and renamed and reaffirmed in its revised format by Minute 05.135 on 22nd February 2005 and Minute 09.489 on 28 April 2009.

3. PROVISIONS

3.1. Mission Statement

Shoalhaven Libraries aims to educate, enrich, entertain, inform, involve and empower the people of the Shoalhaven.

Shoalhaven Libraries is also committed to serving the information and recreation needs of children and young people. The Library aims to provide a welcoming environment, with resources and programs to meet the needs of all Library users including targeted groups.

3.2. Professional Values

Shoalhaven Library services are underpinned by the following professional values:

The **ALIA Statement on Free Access to Information (2007/2015)** states "that freedom can be protected in a democratic society only if its citizens have unrestricted access to information and ideas."

The Australian Library and Information Association (ALIA) 'believes that library and information services have particular responsibilities in supporting and sustaining the free flow of

Shoalhaven City Council - Shoalhaven Libraries - Operations

information and ideas, resisting attempts by individuals or groups within their communities to restrict access to information and ideas.'

Collection material should not be rejected on the grounds that its content is controversial or likely to offend some sections of the library's community.

A publication that has not been subjected to legal restriction or prohibition will not be excluded from the collection on moral, political, racist or religious grounds alone whatever the pressure that may be brought to bear by individuals or groups.

The **ALIA Statement on Professional Conduct (2007)** states that 'People engaged in library and information services are members of a profession committed to intellectual freedom and the free flow of ideas and information.'

The Library Council of NSW guideline **Access to Information in New South Wales Public Libraries (2008)** states that public libraries have 'a role as an unbiased source of information and ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues.'

Public Libraries acknowledge the democratic rights of individuals to freely pursue their own information interests. This view is articulated in the **UNESCO Public Library Manifesto (1994)** which states that 'constructive participation and the development of democracy depend on satisfactory education as well as on free and unlimited access to knowledge, thought, culture and information.'

The user's right to privacy with respect of the use of the library or its materials is fully recognised and guarded within the provisions of the **Library Act of New South Wales 1939** and **amendments**.

3.3.— Shoalhaven Libraries Objectives

3.3.1.—To provide the Community with a library service that is free, equitable, accessible, cost effective and efficient;

3.3.2.—To provide access to a current and relevant collection which meet community needs;

3.3.3.—To provide physical facilities, that are attractive, designed for efficiency and sustainability, flexible and functional and, which will serve the identified needs of the community;

3.3.4.—To provide a mobile library service via a specially designed and equipped vehicle to those people who cannot reach a static branch or central library;

3.3.5.—To provide the community with a range of programs and activities related to library services and collections;

3.3.6.—To strive for excellence in customer service and to ascertain library patron satisfaction or dissatisfaction with library services;

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3.4. Shoalhaven Libraries – Responsibility Statement

3.4.1. Collection Development

The criterion for the selection of library materials follows professional standards as defined by the Australian Library & Information Association (ALIA) and is outlined in the Collection Development Policy of the South Coast Cooperative Library Service (2011).

3.4.2. Access to Resources

The role of Shoalhaven Libraries staff is to guide and assist clients in finding and accessing resources appropriate to particular interests and inquiries.

The catalogue of the South Coast Cooperative Library Service is available through the Internet allowing users to access the collections of the libraries that make up the South Coast Cooperative Library Service. Member services are also available through the WebOpac at www.sccls.nsw.gov.au

Shoalhaven Libraries general collection may contain publications that have been classified 'Unrestricted' and films classified 'G' (General), 'PG' (Parental Guidance) or 'M' (Mature) in accordance with the Classification (Publications, Films and Computer Games) Act 1995 (cth). This material is available to all persons, without restriction. It is the responsibility of parents or guardian, not library staff to make a final decision as to what is suitable for their child.

The Library promotes and supports client access to information, including electronic information through its internet facilities. Users of the Internet are not permitted to access illegal sites.

3.4. Shoalhaven Libraries Services Statement

3.5.1. Information & Readers Advisory Services

The Information Services Team offers reference and readers' advisory services to clients. This includes:

- access to up to date reference materials and online databases;
- education programs to support information and digital literacy, and effective use of library resources and facilities.

3.5.2. Interlibrary Loans and Document Delivery to facilitate access by the local community to resources held in other Australian library and information services collections.

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- 3.5.3. Local Studies Collection – ~~to provide access to, preserve and maintain a collection that relates to the heritage and development of the Shoalhaven.~~
- 3.5.4. Community Information – ~~to provide information on a diverse range of groups within the Shoalhaven via a web based community directory. This is accessible at <http://www3.shoalhaven.nsw.gov.au/infodirectory>~~
- 3.5.5. Cataloguing
- ~~To provide a framework for bibliographic control of library materials and the exchange of bibliographic data~~
 - ~~To maintain rigorous control to ensure consistency and uniformity to facilitate use by those unfamiliar with library protocols~~
- 3.5.6. Services to Targeted Client Groups**
- ~~to provide services and materials which meet the needs of particular client groups served by the Library;~~
 - ~~to provide the community with a range of activities/programs related to library services and collections that enrich the lives of the community.~~
- The major library client groups represented in the Shoalhaven are:
- 3.5.6.1. Children & Youth Services**
(See Shoalhaven Libraries – Children's Policy)
- 3.5.6.2. Other Targeted Client Groups**
- ~~Literacy – to actively promote and support programs for members of the community with identified literacy needs~~
 - ~~CALD – to meet the library needs of culturally and linguistically diverse communities~~
 - ~~Aboriginal & Torres Strait Islanders – to actively consult and negotiate with indigenous Australians to promote library and information literacy~~
 - ~~Disabled – to provide barrier-free access to library services and resources for people with a disability~~
 - ~~Aged – to ensure that older members of the community can access and use library collections, services and programs. The Home Library Service provides access to library information and resources for those community members who are unable to physically access their local library due to disability or age. A doctor's certificate is required as proof of eligibility to register.~~

3.4. Management of Process

Public Libraries in New South Wales are operated by Local Government Authorities in accordance with the Library Act 1939 and the Library Regulation 2005. The Act mandates the fundamental principle for public library services in NSW, which is free and equitable access to information.

The Act sets out the core library services that must be offered free of charge; determines the regulations governing the use of the Library; defines the relationship between Local Government and the State Government with regard to public library services; and articulates the State Government funding process.

Shoalhaven City Council - Shoalhaven Libraries - Operations

Membership

Library membership is free of charge for all residents. Reciprocal memberships are available for members of libraries outside the Shoalhaven. Temporary membership is also available for visitors.

Fees and Charges

Core library services (as detailed in the Library Act 1939 and amendments) are free to members.

Charges are assigned for services defined as value-added.

All fees and charges are set by resolution of Shoalhaven City Council and are included in Council's Annual Management Plan.

4. IMPLEMENTATION LIBRARY SERVICE CHARTER

The Finance Corporate & Community Services Group will administer this policy. Library users can expect:

- Prompt, courteous and efficient service by approachable and non-judgemental staff.
- A welcoming and safe environment.
- Free and equal access to resources and services to all individuals and groups within the community, in accordance with the NSW Library Act 1939.
- A range of library resources and services at each library tailored to the needs of each community.
- Library information resources which are relevant and up-to-date.
- Access to a range of information technologies, including public computers, internet access, WiFi and electronic resources.
- Access to staff with professional expertise and knowledge.
- Provision of assistance to people who need adaptive technology and different media to enable them to use the full range of library services and facilities.
- Confidentiality in accordance with the NSW privacy legislation.
- To have suggestions and comments about the library service welcomed.

5. REVIEW VISITORS AND LIBRARY USERS CODE OF CONDUCT

5. TO BE REVIEWED WITHIN ONE YEAR OF THE ELECTION OF A NEW COUNCIL.

5.1. All users of Shoalhaven Libraries branches are required to observe the following facility rules:

- 5.1.1. Agree to abide by all rules of the facility applicable to the general public.
- 5.1.2. Agree not to harass, threaten or intimidate facility staff in the carrying out of their duties.
- 5.1.3. Agree not to harass, threaten or intimidate other Library users.
- 5.1.4. Agree not to behave in a manner that would be regarded by a reasonable person as being offensive.
- 5.1.5. Observe all lawful directions from staff in relation to conduct whilst in Council facilities.
- 5.1.6. Bags and personal belongings are your responsibility and should be kept with you at all times.

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- 5.1.7. Library users that leave items in the Library do so at their own risk
- 5.1.8. Photography in the Library is not permitted without prior permission
- 5.1.9. Adults must accompany and supervise children at all times
- 5.1.10. Refrain from using mobile phones while visiting the Library
- 5.1.11. Respect the rights of other Library users
- 5.1.12. Push bikes and skateboards are not permitted in the Library and are left at the Library users own risk
- 5.1.13. Evacuate the Library quickly and safely when requested by staff
- 5.1.14. "Safety is Everyone's Responsibility": Report any problems, or potential risks, to the Library staff immediately
- 5.1.15. Library users who do not comply with the Visitors and Library users Code of Conduct may be asked to leave the library or may be refused access to the library buildings by any library staff member.

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6. APPLICATION OF ESD PRINCIPLES SHOALHAVEN LIBRARIES OBJECTIVES

Social integrity
Social capital

Ensure equity of service 6.1 To provide the Community with a library service that is free, equitable, accessible, safe, cost effective and efficient;

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6.2 To provide access to a current and relevant collection which meets community needs;

6.3 To provide physical facilities that are attractive, designed for efficiency and sustainability, flexible and functional, and which will serve the identified needs of the community;

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6.4 To provide a specially designed and equipped mobile library service to those people who cannot reach a static branch or central library;

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6.5 To provide the community with a range of programs and activities to enhance community engagement;

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6.6 To strive for excellence in customer service and to ascertain library customer satisfaction or dissatisfaction with library services;

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7. SHOALHAVEN LIBRARIES – RESPONSIBILITY STATEMENT

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7.1 Collection Development

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The criterion for the selection of library materials follows professional standards as defined by the Australian Library & Information Association (ALIA) and is outlined in the Collection Development Policy of the South Coast Cooperative Library Service.

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7.2 Access to Resources

The role of Shoalhaven Libraries staff is to guide and assist customers in finding and accessing resources appropriate to particular interests and needs.

Shoalhaven City Council - Shoalhaven Libraries - Operations

The catalogue of the South Coast Cooperative Library Service is available online allowing users to access the collections of the libraries that make up the South Coast Cooperative Library Service. Member services are also available through the library catalogue at www.shoalhavenlibraries.com.au

Shoalhaven Libraries general collection may contain publications that have been classified 'Unrestricted' and films classified 'G' (General), 'PG' (Parental Guidance), 'M' 'MA' (Mature) or 'R' (Restricted) in accordance with the Classification (Publications, Films and Computer Games) Act 1995 (cth). DVDs classified MA and R cannot be borrowed by junior library members. All other resources are available to all persons without restriction. It is the responsibility of parents or guardians, not library staff, to make a final decision as to what is suitable for their child.

The Library promotes and supports Library users' access to information, including electronic information through its internet facilities. Accessing illegal or offensive sites is prohibited.

7.3 Shoalhaven Libraries Services Statement

7.3.1 Information & Readers Advisory Services – to offer reference and readers' advisory services to Library users. This includes:

- access to up to date reference materials and online databases;
- education programs to support information and digital literacy, and effective use of library resources and facilities;
- Reader's Advisory tools such as 'What to Read Next' advice, booklists, bookmarks and online databases.

7.3.2 Reservations – to provide an access and delivery service for items on loan or held at Cooperative branches. A cost recovery fee applies.

7.3.3 Interlibrary Loans and Document Delivery – to facilitate access to resources held in other Australian library and information services collections. This includes public, special, educational, State and National Libraries. Fees apply.

7.3.4 Local Heritage Collection – to preserve, maintain and provide access to a collection of local heritage information, that covers the social, economic and development of the Shoalhaven.

7.3.5 Cataloguing

- To provide a framework for bibliographic control of library materials and the exchange of bibliographic data.
- To maintain rigorous control to ensure consistency and uniformity to facilitate use by those unfamiliar with library protocols.

7.3.6 Community Noticeboards and Display Cabinet

- A glass display case can be booked and is available for use by community groups

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- All material for display should be approved, signed and dated by the Customer Services Manager or other senior staff.
- The Community Noticeboards are not to be used for advertising for private business, personal 'For Sale' notices and /or commercial endeavours.

7.3.7 Services to Targeted Customer Groups

- To provide services and materials which meet the needs of particular customer groups;
- To provide the community with a range of activities/programs and events related to library services and collections that enrich the lives of the community.

The major library customer groups represented in the Shoalhaven are:

7.3.8 Children & Youth Services

(See Shoalhaven Libraries – Children's Policy)

7.3.9 Other Targeted Customer Groups

- **Literacy** – to actively promote and support programs for members of the community with identified literacy needs
- **CALD** – to meet the library needs of culturally and linguistically diverse communities
- **Aboriginal & Torres Strait Islanders** – to actively consult and negotiate with indigenous Australians to promote library and information literacy
- **People with a disability** – to provide barrier-free access to library services and resources for people with a disability.
- **Aged** – to ensure that older members of the community can access and use library collections, services and programs. The Home Library Service provides access to library information and resources for those community members who are unable to physically access their local library due to disability or age. A doctor's certificate is required as proof of eligibility to register.
- **Mobile Library** – to provide access to library resources to customers in remote areas.
- **Digital** – Digital membership that provides 24 hour access to resources and information.

7.4 Library Membership

Membership to the library is free, in accordance with the requirements of the Library Act 1939.

The Act sets out the core library services that must be offered free of charge; determines the regulations governing the use of the Library; defines the relationship between Local Government and the State Government with regard to public library services, and articulates the State Government funding process.

7.4.1. Membership Categories

- **Digital** – any resident of Shoalhaven Local Government Area can join free of charge and access all digital resources

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- **Adults** – permanent residents, ratepayers and those working in the Shoalhaven Local Government Area can join free of charge
- **Juniors** – persons under sixteen (16) years of age must have permission of a parent or legal guardian. The parent or guardian should accompany the child or young adult to the library and produce current identification in order to join.
- **Reciprocal Borrowers** – Visitors and non-residents who are current members of their local public library (in Australia) may join as a reciprocal borrower. This type of membership is free, however a current membership card from their home library is required to be held by Shoalhaven Libraries, and staff will verify the status of their public library membership. Reciprocal borrowers must return the Shoalhaven Libraries card and all items on loan to them before their home library membership card is returned to them.
- **Temporary Members** – Visitors and non-residents may join the library by paying a refundable deposit. Temporary members must return the Shoalhaven Libraries card, all items on loan and the original receipt before the refund is processed.
- **Organisations** – Local organisations (e.g. Nursing homes, pre-schools) can join the library, however written approval from the organisation's executive on letterhead is required.

Current identification showing a current address must be shown. Accepted forms of identification are:

- A current NSW Driver's Licence or NSW Photo Card
- A current Health Care Card (Centrelink)
- Shoalhaven Council Rates Notice
- Student Card
- Defence Card
- Lease Agreement/Rent Receipt

Only one library membership per person is allowed.

8. LENDING CONDITIONS

8.1 Loan Period

- The standard loan period is four (4) weeks.
- Two (2) loan extension (renewal) is allowed, except if an item is reserved or overdue by more than two (2) weeks.
- Heavily reserved items will have a reduced loan period of two (2) weeks.
- Requests for loan extensions can be made by phone, email or in person at any branch library. Members can also renew their loans online via the online catalogue.
- Some library collections are not for loan, such as Reference, Local Heritage and newspapers. The materials in these collections are for use within the library only.
- Extended loan periods greater than four (4) weeks can be requested and is allowed at the discretion of each branch manager. New and popular items will not be considered.
- The loan period for special collections or materials may vary from the standard period as determined by the Library Manager.

8.2 Loan Limit

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- Overall borrowing is limited to twenty (20) items per borrower, with a limit of six (6) per type
- Non-fiction collection - maximum of three (3) items per topic (per household).
- Fiction collection – a limit of three (3) books by the same author applies
- DVD and CD collections – a limit of six (6) per adult membership and three (3) per junior membership applies
- Games and Puzzles – a limit of three (3) per membership
- The loan limit for special collections or materials may vary from the standard policy as determined by the Library Manager and Branch Managers.

8.3 Reservations

- Library members may reserve lending material at any branch library and can choose to collect the reserved item at any branch library. A fee is applicable.
- Members are advised when a reserved item is ready for collection.
- Uncollected reservations are returned to the collection for others to borrow when the ten (10) day hold period expires.
- Items reserved by other members cannot be renewed.

8.4 Library Cards

- Library members must show their library card to borrow material.
- Library members must have their library card to use the public access computers without charge.
- The person using a computer booking must be the same card holder booked in for the session and the member is responsible for having their card or knowing its number.
- The borrower named on the membership card, or their guarantor, is responsible for losses and/or damage to library material borrowed on that card.
- Lost membership cards should be reported immediately.
- A fee is charged for the replacement of any membership card which has been lost, stolen or damaged.

8.5 Overdue and Lost / Damaged Items

- All borrowing privileges will be suspended if any items are overdue for longer than 30 days. Once the items are returned undamaged borrowing privileges will be reinstated.
- Library notices will be sent to remind members of overdue loans and request their return. Final Demand notices are also sent for non-returned and lost material stating the replacement cost if the items are not returned after 90 days. If the items are not returned or replacement fees paid within 30 days of the Final Demand notice being sent borrowers will be banned from using library services.
- Charges also apply for the replacement of items lost or damaged by a borrower. The replacement charge consists of the original purchase price or value and an item processing fee. The replacement charge (minus item processing fee) may be refunded if the original receipt is provided, the item is in good condition and it is within three (3) months of the item being lost. Any refunds due will be paid by cheque.
- Damaged items will be retained by the library for auditing purposes. Requests to keep damaged items which have been paid for may be granted by the Library Manager.

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- Borrowing privileges are withdrawn if accounts for fines, or lost or damaged items remain unpaid.

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8.6 Fees, Charges and Fines

- Core library services (as detailed in the Library Act 1939 and amendments) are free to members. Charges are assigned for services defined as value-added.
- The Local Government Act provides for Council to apply fees and charges as resolved by Council annually. All fees and charges are set by resolution of Shoalhaven City Council and are included in Council's Annual Management Plan.
- Borrowers must pay for items which are non-returned, lost or damaged.
- The library does not charge overdue fines.
- For a list of current fees & charges charged by Shoalhaven Libraries please visit www.shoalhavenlibraries.com.au

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8.7 Responsibility for Minors

- Responsibility for losses or damage incurred by members under sixteen years of age is assumed by the parent or guardian. This acceptance of responsibility is indicated by the parent's or guardians signed declaration on the membership application form or by clicking Submit when registering online.
- Parents or guardians are responsible for the supervision of their children's reading matter and, Internet access and behaviour in the Library.

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9. FOOD AND DRINK

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9.1 Drinks

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- Non- alcoholic beverages in spill-proof or covered containers are permitted (such as covered coffee cups, soft drink cans and water bottles).

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9.2 Food

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- Snacks are permitted (such as commercially wrapped bars and biscuits)

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9.3 Prohibited Area – Local Heritage and Technology Area

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- No food or drink is allowed in the Local Heritage Area or Technology Area. No food or drink is to be consumed near Local Heritage material.

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9.4 General Conditions

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- We ask you to act responsibly when consuming food and drink in the library and to be considerate of other library users.
- Please dispose of your rubbish in the bins provided and report any spills to library staff.
- Library staff will use their discretion in determining whether food and drink are suitable to be consumed in the library. You will be asked to remove food or drink if it is considered to be unsuitable.

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9.5 Children

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- Parents and Guardians are responsible for monitoring the consumption of food and drink by children under their supervision.

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9.6 Library Activities and Functions

- Alcohol will only be served at an activity or function with the prior approval of library management. The library practises responsible service of alcohol.
- Drink containers and foods not prescribed above may be used at library activities or functions with staff supervision.
- Parents, teachers, and supervisors of young children shall be alerted when food or drink is served at children's activities.

10. IMPLEMENTATION

The Finance, Corporate & Community Services Group will administer this policy.

11. REVIEW

To be reviewed within one year of the election of a new Council.

12. APPLICATION OF ESD PRINCIPLES

Social integrity
Social capital
Ensure equity of service

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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

Website: www.shoalhaven.nsw.gov.au

For more information contact the Finance Corporate & Community Services Group

Shoalhaven Libraries Internet Usage Policy

Policy Number: POL16/210 • **Adopted:** 10/06/2014 • **Minute Number:** D14/146783 • **File:** 6230E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:**

1. PURPOSE

The purpose of this policy is to:

- Manage the provision of public access services to the Internet in Shoalhaven Libraries.
- ~~Ensure equity of access to the Internet for library users members of South Coast Cooperative Libraries.~~
- Ensure that the user understands their rights & ~~responsibilities when using electronic resources.~~
- Provide a clear statement of acceptable use of the Internet ~~in Shoalhaven Libraries.~~

2. STATEMENT

The policy is to be read in conjunction with the Shoalhaven Library Policy and Shoalhaven Children's Policy and amendments made therein.

3. PROVISIONS

3.1. Access

Shoalhaven City Council provides free access to all members of ~~the South Coast Cooperative Library Service.~~ Shoalhaven Libraries for up to 2 hours.

~~Free access is available when library cards are presented. to the internet through the libraries public computers requires.~~

If users are not a member of the South Coast Cooperative Library Service access is available on showing identification, however a fee does apply.

- Members to present a library card to login for free access. If a library card isn't presented, then a nominal fee applies.
- Non-members pay a nominal fee.
- A standalone 10 minute express terminal is available at Nowra Library

A free Wi-Fi service is available to all customers.

- A mobile print service is also available to all users, however printing costs apply.

3.2. Conditions of Use

- Bookings are encouraged and can be made up to one month in advance by phone, in person or online. can be made up to one month in advance by phone, in person or online.

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Half hour or hourly bookings are available which includes time needed for printing.

Session times will be cancelled when more than 15 minutes late to allow access by other customers.

- Bookings for longer than one hour can be requested and decided by each library's manager

- To ensure privacy for everyone, a maximum of only 2 users per terminal is allowed. permitted.

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- Group bookings can be made can be made on request at some branches. Permission is at the discretion of each library manager

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Earphones are to be used for listening to audio. For hygiene reasons users should are requested, where possible, to provide supply their own earphones, to enable listening to audio websites.

- As a courtesy to others mobile phone calls should be kept to a minimum on silent, and where possible any urgent calls be taken outside of the library.

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- Shoalhaven Libraries is not responsible for any loss or damage occurring from the use of this resource, including the accuracy or content of web sites, technical difficulties, service interruptions, financial transactions, printing layouts or the transmission of computer viruses.

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- Saving work product is the responsibility of the user. Backups cannot be made on council computers so it is recommended that users bring their own external drive. Thumb drives can also be purchased from the library.

- All computers automatically shut down 15 minutes prior to the library closing. A warning notice appears 5 minutes before shutdown. Any unsaved work will be lost at this point and cannot be retrieved.

- Library staff can provide brief and general assistance only and are not available to send emails, type documents, fill out forms or provide tuition in any software application. The

Shoalhaven City Council - Shoalhaven Libraries Internet Usage Policy

library does offer technology assistance classes that users are welcome to enquire about at their local branch.

As the Internet is provided by Council and on Council equipment the following rules apply to preserve the integrity of the service:

- a) Only Council installed software can be used.
- b) Only private non-commercial activities can be performed

Access will be withheld if:

- a) Sites or content presents a risk to the network, other users or Council's operations.
- b) Users damage equipment or alter the set-up of computers.

Due to legislative regulations access to the Internet will be withheld if users are found to have:

- ~~Consistently downloaded~~ Downloaded pornographic, offensive or objectionable material;
- Used the Internet for any unlawful or inappropriate purposes;
- Modified or gained access to restricted files or data belonging to others.

Unlawful conduct will be reported to the relevant authorities.

Access to the Internet, including Wi-Fi, by children under the age of 16 is the responsibility of the children's parent or guardian. Junior members must be accompanied by an adult when using the Internet. The parent/guardian is responsible for monitoring appropriate use of all information technology applications, including the Internet.

3.3. Security

~~Security on the internet cannot be guaranteed. The Library takes no responsibility for any consequences, direct or indirect, arising from the clients' use of particular sites.~~

- All care is taken to ensure security on the internet, however it cannot be guaranteed. The Library takes no responsibility for any consequences, direct or indirect, arising from the use of particular sites.
- All personal devices are the responsibility of the user. Staff are not responsible for the loss or damage of personal computer devices or files contained within them.
- Users are responsible for securing their personal information ie: logging out of accounts and internet banking details.

3.4. Printing

Due to Council's information technology security requirements, users may experience limitations when attempting to save or download material from the Internet.

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Shoalhaven City Council - Shoalhaven Libraries Internet Usage Policy

- Printing is available at the Library on a fee for service basis (Council sets printing charges). Users undertaking printing are responsible for collection and payment of all printouts/documents. Payment is to be made before printing is released.
- Printing is only available on paper supplied by the library.
- Release of printing requires acceptance of the cost and layout of printing by the user therefore staff are not responsible for incorrect or unwanted prints and cannot offer a refund once payment has been made. Printing can be previewed before accepting the printing terms.
- Printing in the document queue will be deleted if not collected within 24 hours.
- Mobile or remote printing incurs the same fees as printing from the library PC's.

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3.5. Copyright

Users accessing the Internet need to be aware that material on the Internet may be protected by copyright. Individuals are therefore personally responsible for complying with the appropriate laws (both international and federal) governing copyright material.

4. IMPLEMENTATION

The Finance Corporate & Community Services Group will administer this policy.

5. REVIEW

To be reviewed within one year of the election of a new Council.

6. APPLICATION OF ESD PRINCIPLES

Not applicable.



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) 4428 8939

Email: council@shoalhaven.nsw.gov.au

Website: www.shoalhaven.nsw.gov.au

For more information contact the Finance Corporate & Community Services Group

SHOALHAVEN LIBRARIES - CHILDREN'S POLICY

Policy Number: POL16/208 • **Adopted:** 25/05/2004 • **Reaffirmed:** 22/02/2005 • **Amended:** 28/04/2009, 3/09/2013 • **Minute Number:** MIN04.663, MIN05.135, MIN09.469, MIN13.843 • **File:** 6230E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:**

1. PURPOSE

The Policy provides children, young people and their parents / guardians / carers with a clear understanding of the role of the Library and the scope of its services as they apply to children and young people.

2. STATEMENT

This Policy is to be read in conjunction with Council's Code of Conduct (POL16/22/290), and Shoalhaven Libraries' Operations Policy (POL16/209) and Internet Usage Policy (POL16/210) and amendments made therein.

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3. PROVISIONS

Shoalhaven Libraries is committed to serving the information and recreational needs of children and young people. The Library aims to provide a welcoming environment, and targeted resources and programs to meet the needs of children and young people.

3.1. Professional Values

Public Library services to children and young people are underpinned by the following professional values:

3.1.1. The Australian Library & Information Association (ALIA) Statement on Free Access to Information states that "that freedom can be protected in a democratic society only if its citizens have access to information and ideas".

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This statement also addresses censorship. Libraries should resist "attempts by individuals or groups within their communities to restrict access to information and ideas". Collection material should not be rejected on the grounds that its content is controversial or likely to offend some sections of the Library's community.

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3.1.2. A publication that has not been subjected to legal restriction or prohibition will not be excluded from the collection on moral, political, racist or religious grounds alone whatever the pressure that may be brought to bear by individuals or groups.

Shoalhaven City Council - Shoalhaven Libraries - Children's Policy

- 3.1.3. The ALIA Statement on Professional Conduct states that *"People engaged in library and information services are members of a profession committed to intellectual freedom and the free flow of ideas and information."*
- 3.1.4. The Library Council of NSW Guideline 'Access to Information in New South Wales Public Libraries', states that public libraries have *"a role as an unbiased source of information and ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues."*
- 3.1.5. The Library Council of NSW 'Children's Policy Guidelines for NSW Public Libraries' (revised July 2008) states that public libraries *"support young people through the provision of collections and programs that foster an appreciation of literature and promote the development of information literacy skills"*.
- 3.1.6. Public Libraries acknowledge the democratic rights of individuals to freely pursue their own information interests. This view is articulated in the United Nations Educational, Scientific & Cultural Organisation (UNESCO) Public Library Manifesto which states that *"constructive participation and the development of democracy depend on satisfactory education as well as on free and unlimited access to knowledge, thought, culture and information"*.
- 3.1.7. The NSW Office of Children and Young People suggests that relevant articles from the United Nations Convention on the Rights of the Child are noted by public libraries, including:
- Article 13: Outlines the child's right to freedom of expression; to seek, receive and impart information and ideas.
 - Article 29: Outlines that children have the right to develop personality, talents and mental and physical abilities to their fullest potential.
 - Article 31: Recognises the right of children to leisure, play and recreational activities and the freedom to participate in cultural and artistic life.

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3.2. Service Statement – Services to Children and Young People

Shoalhaven Libraries services to children and young people include:

- fiction ~~and~~ non-fiction ~~and~~ recreational books
- magazines
- CDs
- DVDs
- audio books on CD
- computer and internet access
- assistance from specialist and general staff in accessing collections
- Access to resources for homework help
- internet training
- story times and related activities for preschoolers and school age children
- space for activities and study
- Children's Book Week and Youth Week celebrations
- events and performances

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3.3. Parent / Carer Responsibility Statement

3.3.1. Access to resources

Shoalhaven City Council - Shoalhaven Libraries - Children's Policy

The role of Shoalhaven Library staff is to guide and assist children and young people in finding and accessing resources appropriate to particular interests and inquiries.

The catalogue of the South Coast Cooperative Library Service is available through the [internet](http://library.shoalhaven.nsw.gov.au/libero/WebOpac.cls), allowing users to access the collections of the libraries that make up the South Coast Cooperative Library Service. Various member services are also available through the WebOpac at <http://library.shoalhaven.nsw.gov.au/libero/WebOpac.cls>.

Shoalhaven Libraries' general collection may contain publications that have been classified 'Unrestricted' and films classified 'G' (General), 'PG' (Parental Guidance) or 'M' (Mature) in accordance with the Classification (Publications, Films and Computer Games) Act 1995 (Cth). This material is available to all persons, including children and young people, without restriction.

Parents / [guardians](#) / carers are responsible for ensuring that their child's selection and use of materials in the Library's general collection accords with any restrictions the family may wish to set.

Shoalhaven Libraries encourages parents / [guardians](#) / carers to consult with their child to develop clear rules regarding access to resources that accord with the family's personal values and beliefs.

The Library promotes and supports children's and young persons' access to information, including electronic information through its [internet](#) facilities.

Library staff are available to assist children and young people in the use of the [internet](#), and to recommend websites on particular subjects.

Parents / [guardians](#) / carers are responsible for their child's use of the [internet](#). All users of the [internet](#), including children and young people are not permitted to access illegal sites.

[Please refer to Shoalhaven Libraries Internet Usage Policy \(POL16/210\) for more information about Internet responsibilities.](#)

3.3.2. Unattended Children

Application: in this Policy, a child is defined as a person under twelve (12) years of age.

Unsupervised children can be at risk in any public place, including public libraries. Shoalhaven Libraries staff do not supervise children in the Library, and there is a risk that unattended children may leave the Library at any time, hurt themselves, or be approached by strangers. In addition, [the Library](#) does not have the facilities or appropriate licenses to attend to children who are sick, injured or hungry.

Children left unattended in [a public library](#) may be classed as a child or young person at risk to harm under Section 23 of the Children and Young Persons (Care and Protection) Act, 1998 and may be reported as such to the Director-General of the Department of Community Services. Parents / [guardians](#) / carers who leave a child unattended in [a public library](#) are exposing their child to potential harm, and may be committing an offence under Section 228 of the same Act.

Shoalhaven City Council - Shoalhaven Libraries - Children's Policy

Young children left alone in a library can become distressed, bored or disruptive. Young people who disturb other library users may be removed from the Library under Clause 17 of the Library Regulation 2010 under the Library Act, 1939.

Library staff, in the event of any child left unattended in a public library at the time of library closure, will:

- Notify Council's Call Centre which will log the call, then contact the Police and/or Council's Ranger Service or Security Service, provided that all attempts to notify the parent / guardian / carer have been made prior to notifying the authorities named above.
- Two (2) staff members will remain with any unattended child until the arrival of the parent / guardian / carer or the authorities named above.

3.4. Child safe, child friendly principles

- 3.4.1. Child-safe means taking steps to keep children safe from physical, sexual or emotional abuse.
- 3.4.2. Child-friendly means children are valued, respected and included so that they feel confident that they will be listened to.
- 3.4.3. Council ensures that public libraries the Library are safe for children from a Work Health Safety point of view and public libraries that it takes reasonable care to ensure that the Library is safe and welcoming for all Library users. Responsibility for a child's use of the Library lies with the parents / guardian / carers at all times.

3.5. Mandatory reporting

Under section 24 of the Children and Young Persons (Care and Protection) Act 1998, any person can report harm or risk of a child or young person aged under 16.

General Library staff are not legally required to report incidents, however, there is a legal requirement under Section 27 of the same Act for any person who participates in providing children's services to report incidents where they reasonably suspect, during the course of their work, that a child is at risk of significant harm.

Australian Institute of Family Studies: 'Mandatory reporting of child abuse' (2009) at <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect-provides-more-information-relating-to-requirements-of-mandatory-reporting-in-NSW>.

4. IMPLEMENTATION

The Finance Corporate & Community Services Group will administer this Policy.

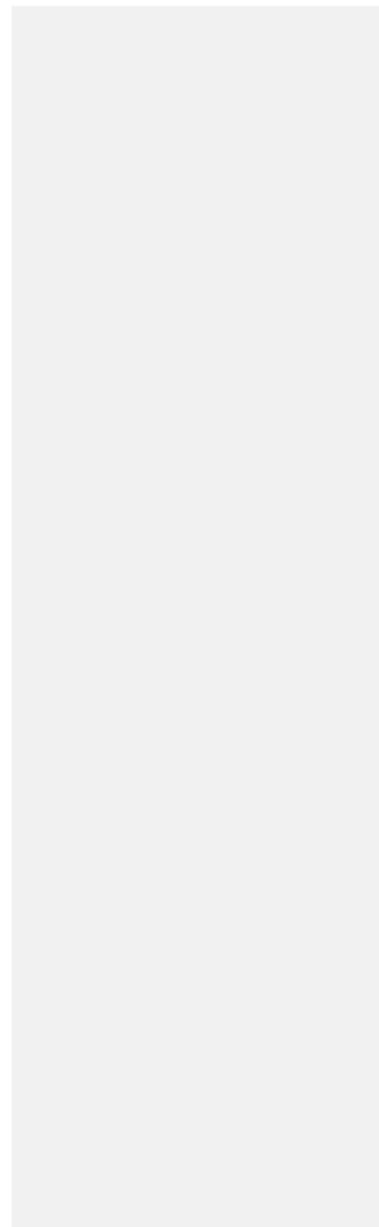
5. REVIEW

To be reviewed within one year of the election of a new Council.

6. APPLICATION OF ESD PRINCIPLES

- Social integrity
- Social capital
- Ensure equity of service

- A safe place to go
- Plan to meet the needs of future generations



CL17.166 Report of the Nowra CBD Revitalisation Strategy Committee - 14 June 2017

HPERM Ref: D17/197873

**CBD17.34 Appointment of Members - Community and CBD
Retailer Positions**

**HPERM Ref:
D17/188506**

Recommendation:

That

1. Luke Sikora be appointed as a Community member on the Nowra CBD Revitalisation Strategy Committee.
2. Lynnette Kearney be appointed as a CBD Business Retailer member on the Nowra CBD Revitalisation Strategy Committee.
3. Luke Sikora and Lynnette Kearney be notified of their appointments and be invited to all future meetings.
4. The other five (5) persons who applied for the Community member position be thanked for their applications and interest in the Committee.

CL17.166

CL17.167 Report of the Shoalhaven Traffic Committee - 13 June 2017

HPERM Ref: D17/187724

- Attachments:**
1. TRAF 2017-33 [↓](#)
 2. TRAF 2017-34 [↓](#)
 3. TRAF 2017-35 [↓](#)
 4. TRAF 2017-36 [↓](#)
 5. TRAF 2017-37 [↓](#)
 6. TRAF 2017-38 [↓](#)
 7. TRAF 2017-39 [↓](#)
 8. TRAF 2017-40 [↓](#)
 9. TRAF 2017-41 [↓](#)
 10. TRAF 2017-42 [↓](#)
 11. TRAF 2017-43 [↓](#)

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

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

IMPORTANT NOTE:

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

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

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

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

**TC17.34 Intersection Priority - Intersection Sydney Ave /
Derwent St / Sealark Rd, Callala Bay (PN 1861)**

**HPERM Ref:
D17/184264**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following Give way and associated line marking changes at the intersection of Sydney Avenue, Sealark Road and Derwent Street, Callala Bay, as detailed in the attached plan TRAF 2017/33:

1. Give Way (R1-2B) signage and associated hold line (TB/TB1) line marking control on all minor legs of the intersection
2. 25m of single barrier (B1) line marking for the northern leg of Sealark Road
3. 35m of single barrier (B1) line marking for the southern leg of Sealark Road with a 7m break at the intersection of Derwent Street
4. 15m of single barrier (B1) line marking on the western intersection approach with a 15m gap prior to the splayed edge (E1) line markings
5. Edge (E1) and continuity (C1) line marking to delineate the central island whilst

CL17.167

permitting through movements along Sealark Road

TC17.35 No Stopping Zone - Halloran Street, Vincentia (PN 3180)

**HPERM Ref:
D17/184300**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 33m No Stopping zone on the western side of Halloran Street, Vincentia between Seabreeze Street and Moona Creek Road as detailed in the attached plan TRAF 2017/34.

TC17.36 Line Marking - Lotus Street, Hyams Beach (PN 3396)

**HPERM Ref:
D17/184311**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of give way (TB/TB1) hold line markings, pavement arrows, guide posts and edge (E1) line marking changes in Lotus Street, Hyams Beach, as detailed in the attached plan TRAF 2017/35.

TC17.37 Bridge Load Limit & One Lane Treatment - Bengalee Creek Bridge, Koloona Dr, Bangalee (PN 3398)

**HPERM Ref:
D17/184331**

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a 13 tonne gross bridge load limit and one lane controls on the Bengalee Creek Bridge, Koloona Drive, Bangalee as detailed in the attached plan TRAF 2017/36.

TC17.38 No Stopping Zone - Francis Ryan Reserve Car Park, Sanctuary Point (PN 3403)

**HPERM Ref:
D17/184363**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following changes at the Francis Ryan Reserve car park Access Road, Sanctuary Point as detailed in the attached plan TRAF 2017/37:

1. Install a 22m No Stopping zone on the eastern side of the access road covering the car park entrance and footpath.
2. Extend the existing western No Stopping zone 38m south.

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TC17.39 Regulatory Signage & Line Marking - Plunkett St and Haigh Avenue, Nowra (PN3404)

**HPERM Ref:
D17/184376**

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated with the development of No.103 Plunkett Street and No.18 Haigh Avenue, Nowra, as detailed in the attached plan TRAF 2017/38, subject to the following:

1. Internal motorbike parking signage be installed as R5-1-4 'motor bikes only' signage.
2. Relocate the internal pedestrian crossing which crosses the drive through, further to the west.
3. Installation of pedestrian crossing signage (R3-1B) on the westbound approach of the crossing in accordance with AS 1742.10-2009.
4. The 2 hour (2P) sign time restricted parking sign on the southern side of Plunkett Street, reflect the existing 8.30am-6pm Mon-Fri 8.30am-12.30pm Sat time restriction.

TC17.40 Edge Line Marking - Main Road, Cambewarra (PN 3405)

**HPERM Ref:
D17/184411**

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 120m of edge (E1) line marking on both sides of the Browns Creek Bridge, Main Road, Cambewarra as detailed in the attached plan TRAF 2017/39.

TC17.41 Regulatory Signage & Line Marking - Nowra Hill Road, Nowra Hill (PN 3406)

**HPERM Ref:
D17/184429**

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated upgrade of the intersection of BTU Road and Nowra Hill Road to a BAR / BAL, as detailed in the attached TRAF 2017/40, subject to:

1. The Give Way hold line to be reflected as TB/TB1 hold line markings
2. The southern edge (E1) line marking to be installed along the travel lane

TC17.42 Bridge Load Limit - Chisolms Creek Bridge, Bundewallah Road, Bundewallah (PN 3407)

**HPERM Ref:
D17/184442**

Recommendation:

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a 15 tonne gross bridge load limit on the Chisolms Creek Bridge, Bundewallah Road, Bundewallah as detailed in the attached plan TRAF 2017/41.

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**TC17.43 Regulatory Signage - Car Park Service Agreement -
Aldi, Kinghorne St, Nowra (PN 3408)****HPERM Ref:
D17/184478****Recommendation:**

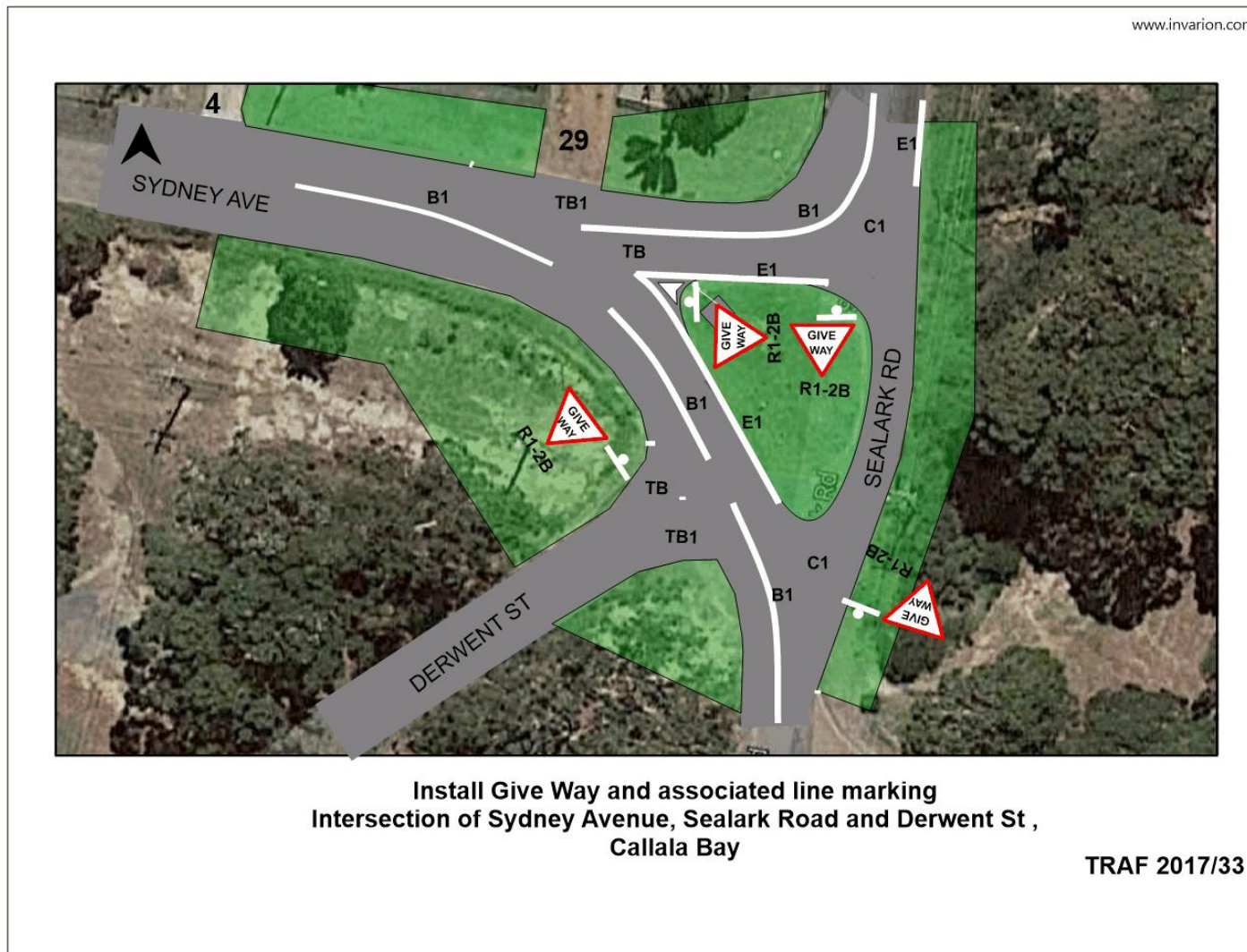
That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage to be installed within the Aldi car park to time restrict parking to 2 hour (2P) between the times of 8am and 4pm Monday to Friday and between the times of 8am to 4pm Saturday To Sunday, Kinghorne Street, Nowra as detailed in the attached plan TRAF 2017/42.

**TC17.44 Upgrade T-intersection to CHR - Intersection of
Forest Rd & Callala Beach Rd, Wollumboola (PN
3409)****HPERM Ref:
D17/184507****Recommendation:**

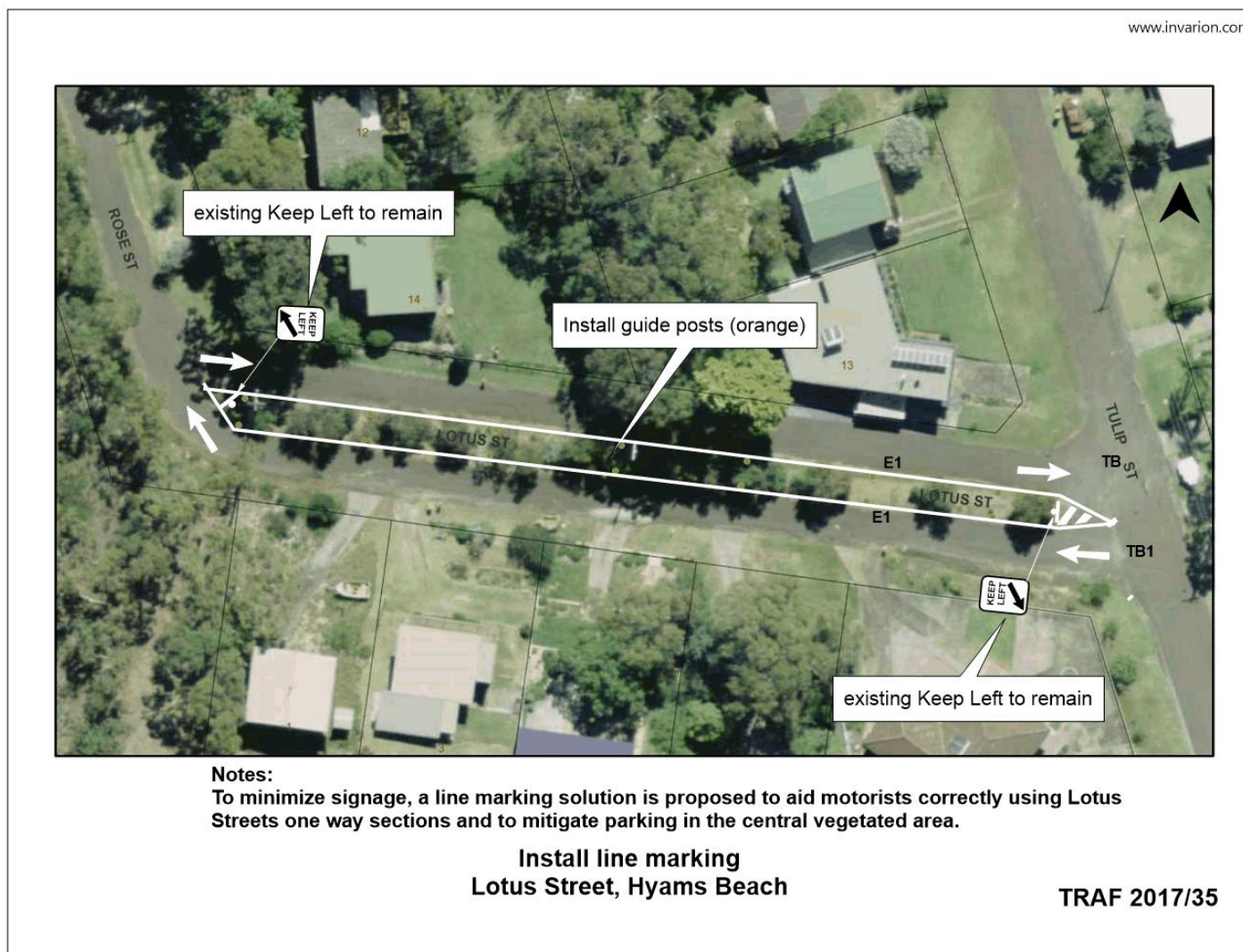
That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated with the upgrade of the intersection of Forest Road and Callala Beach Road, Woollumboola, to a CHR (S) as detailed in the attached plan TRAF 2017/43, subject to the following:

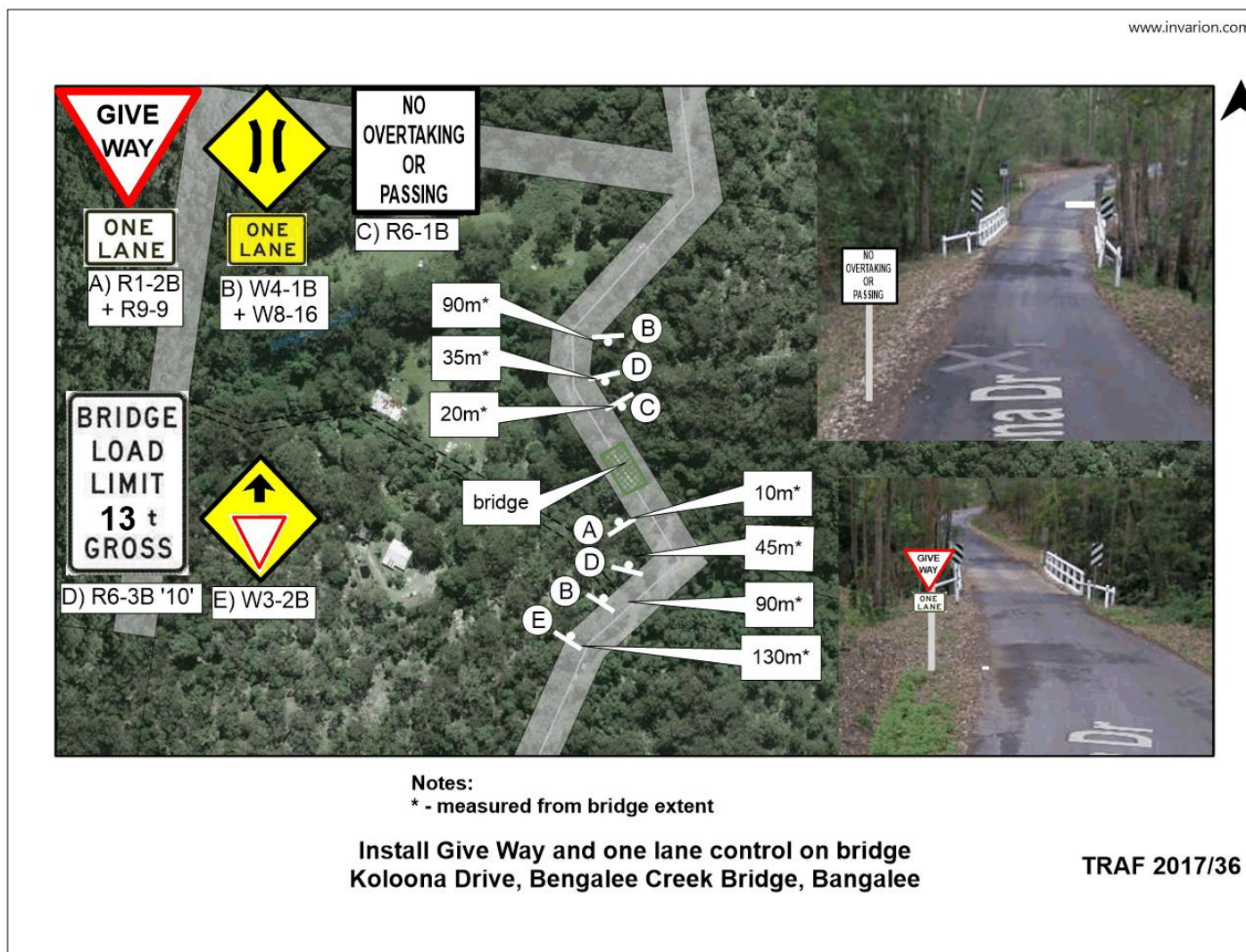
1. The double barrier (BB) centre line marking in Callala Beach Road terminating at the TB hold line.

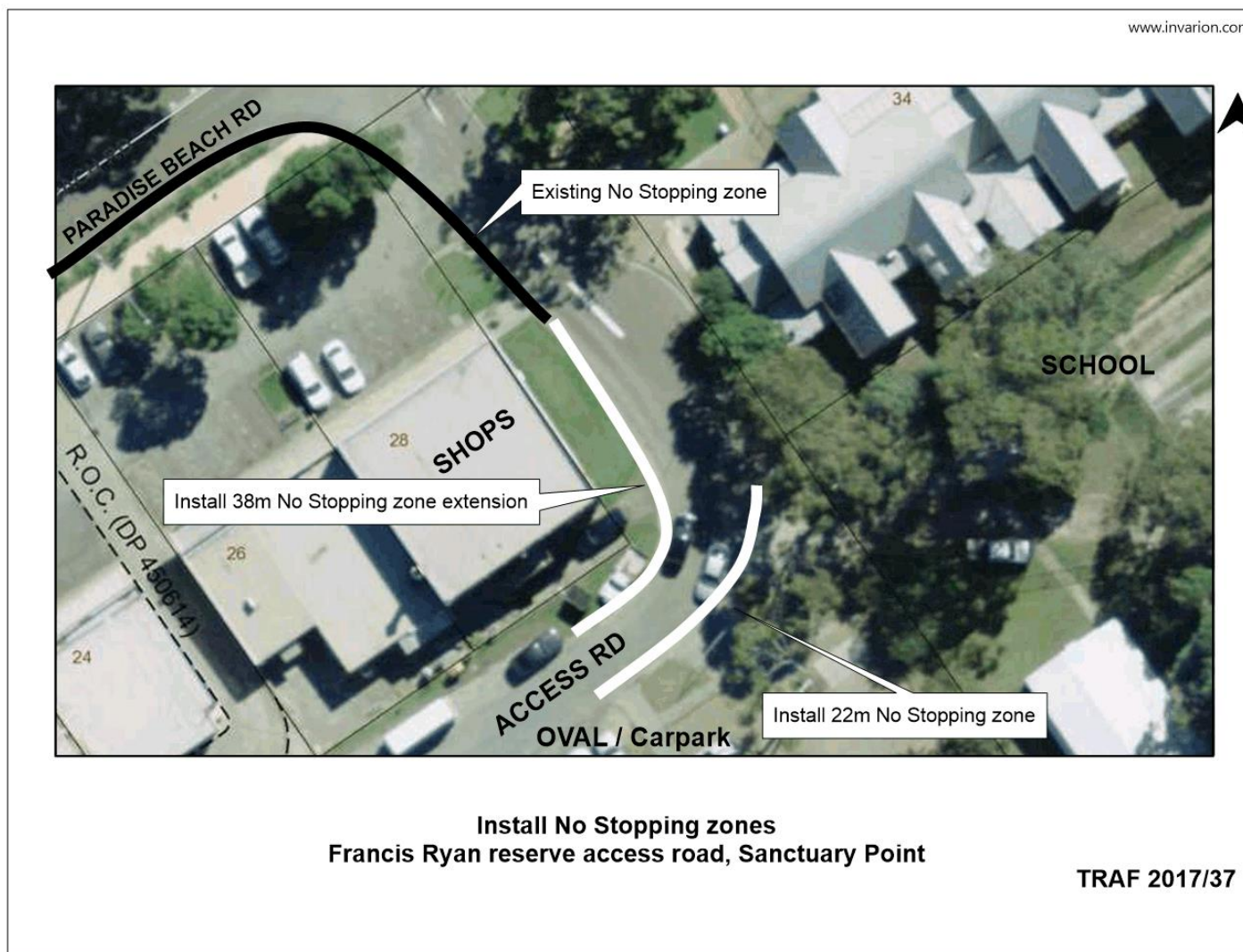
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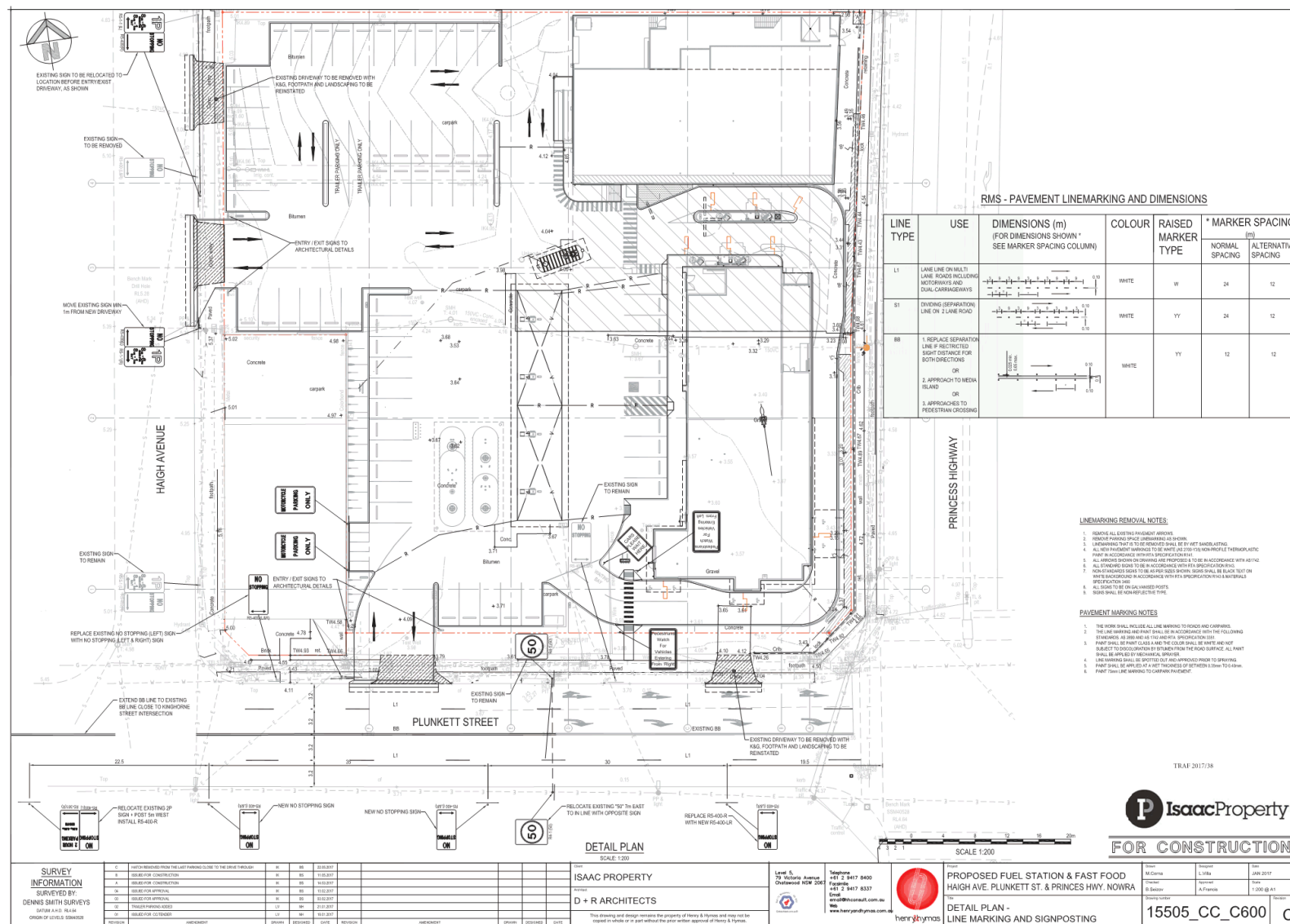


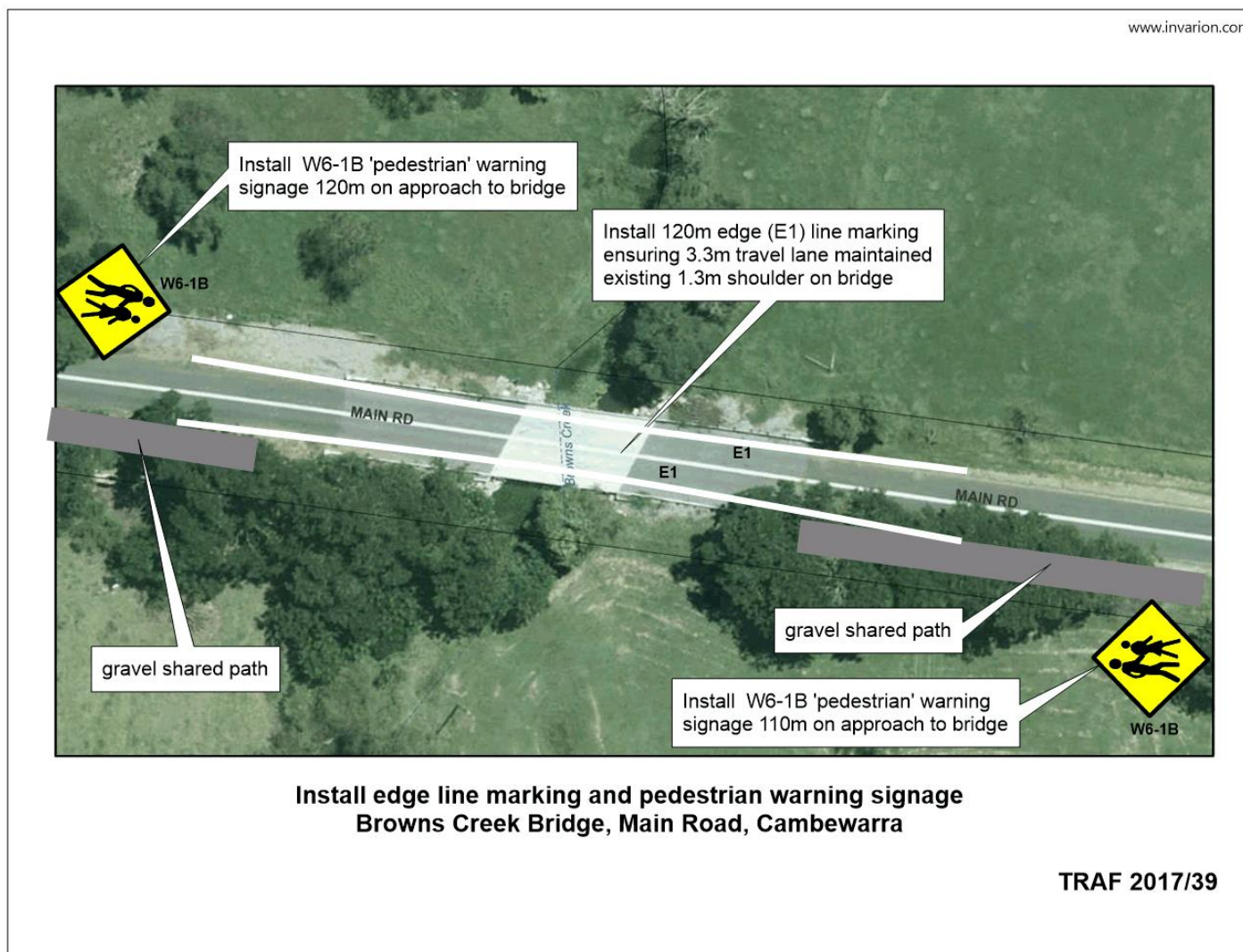


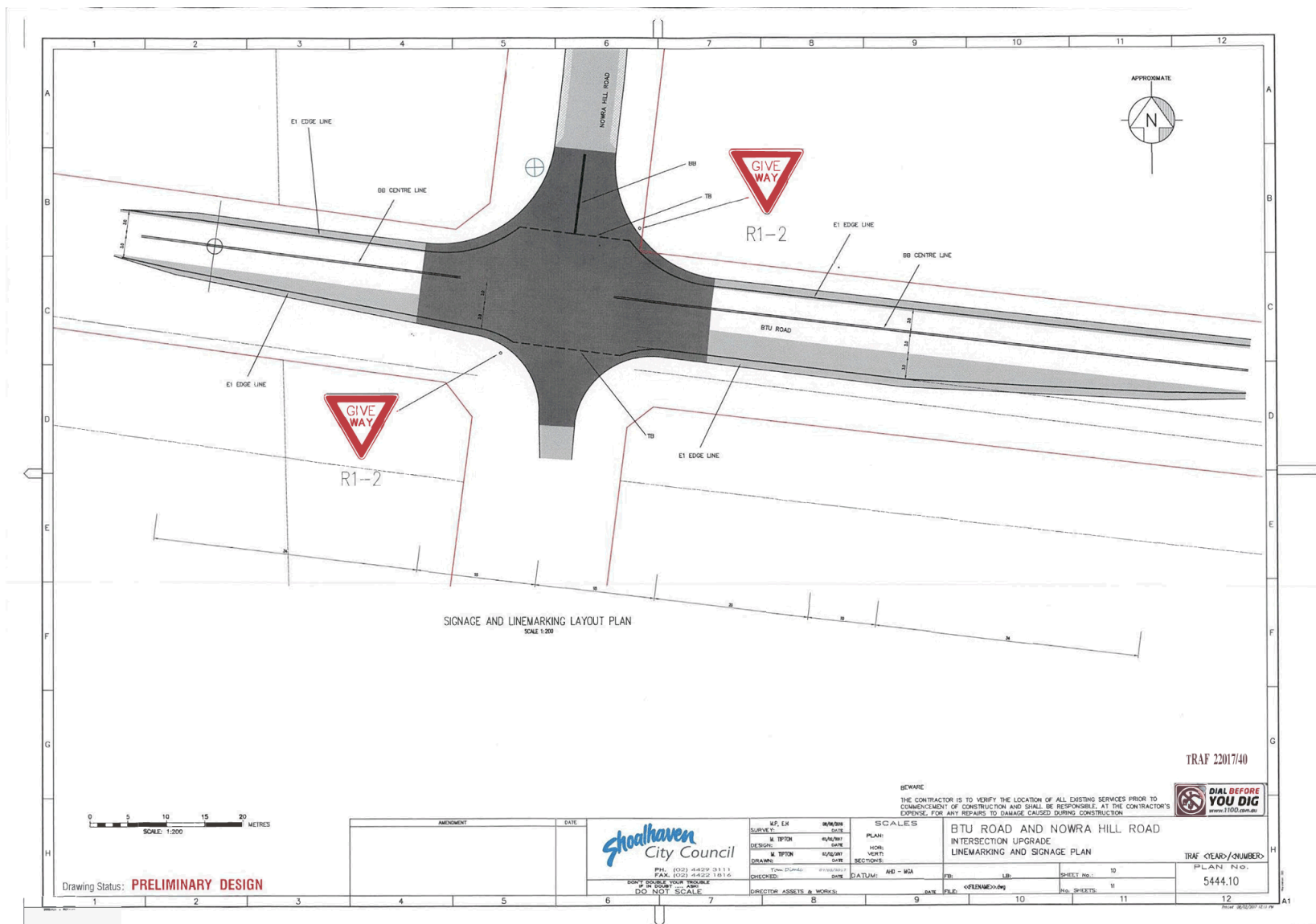


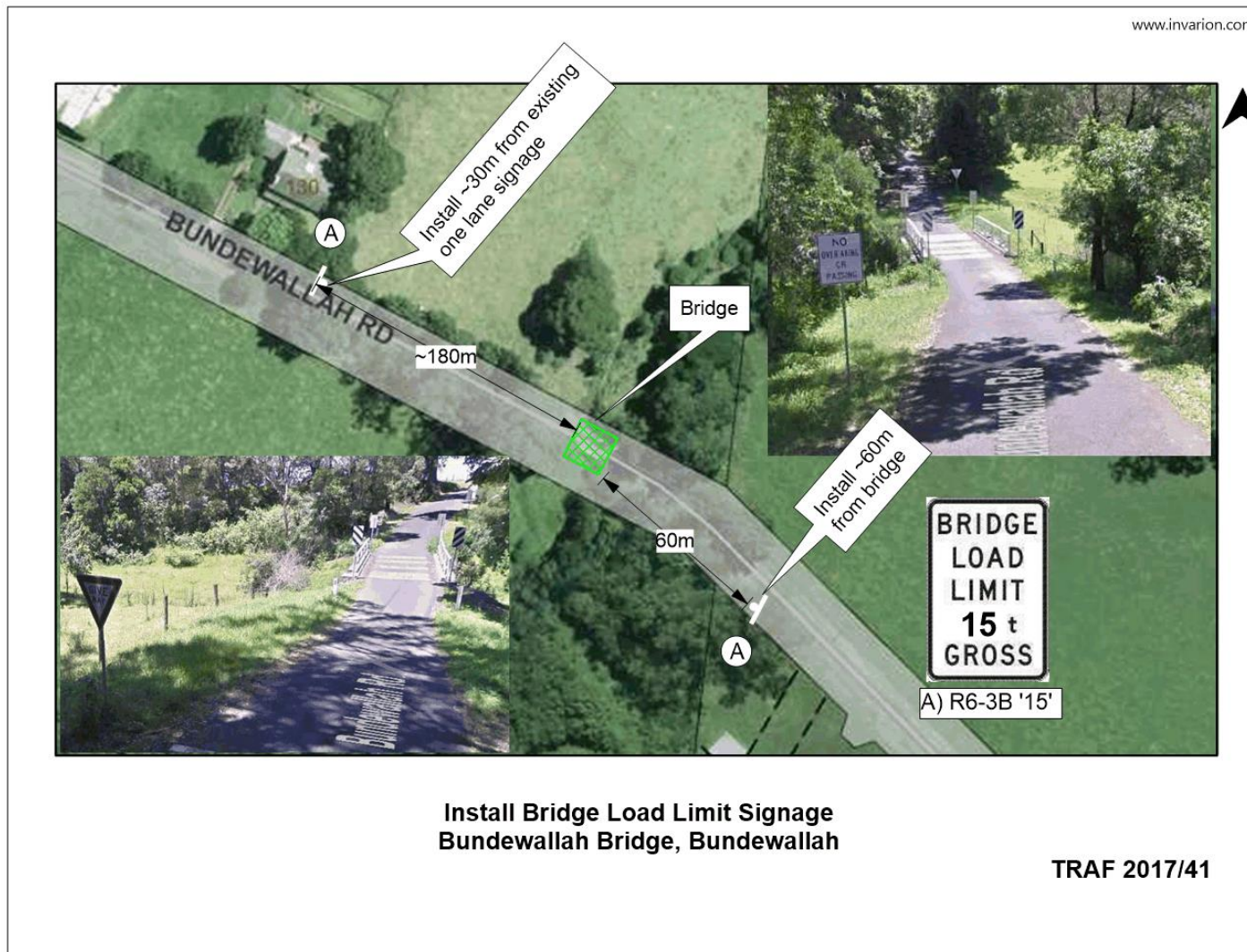


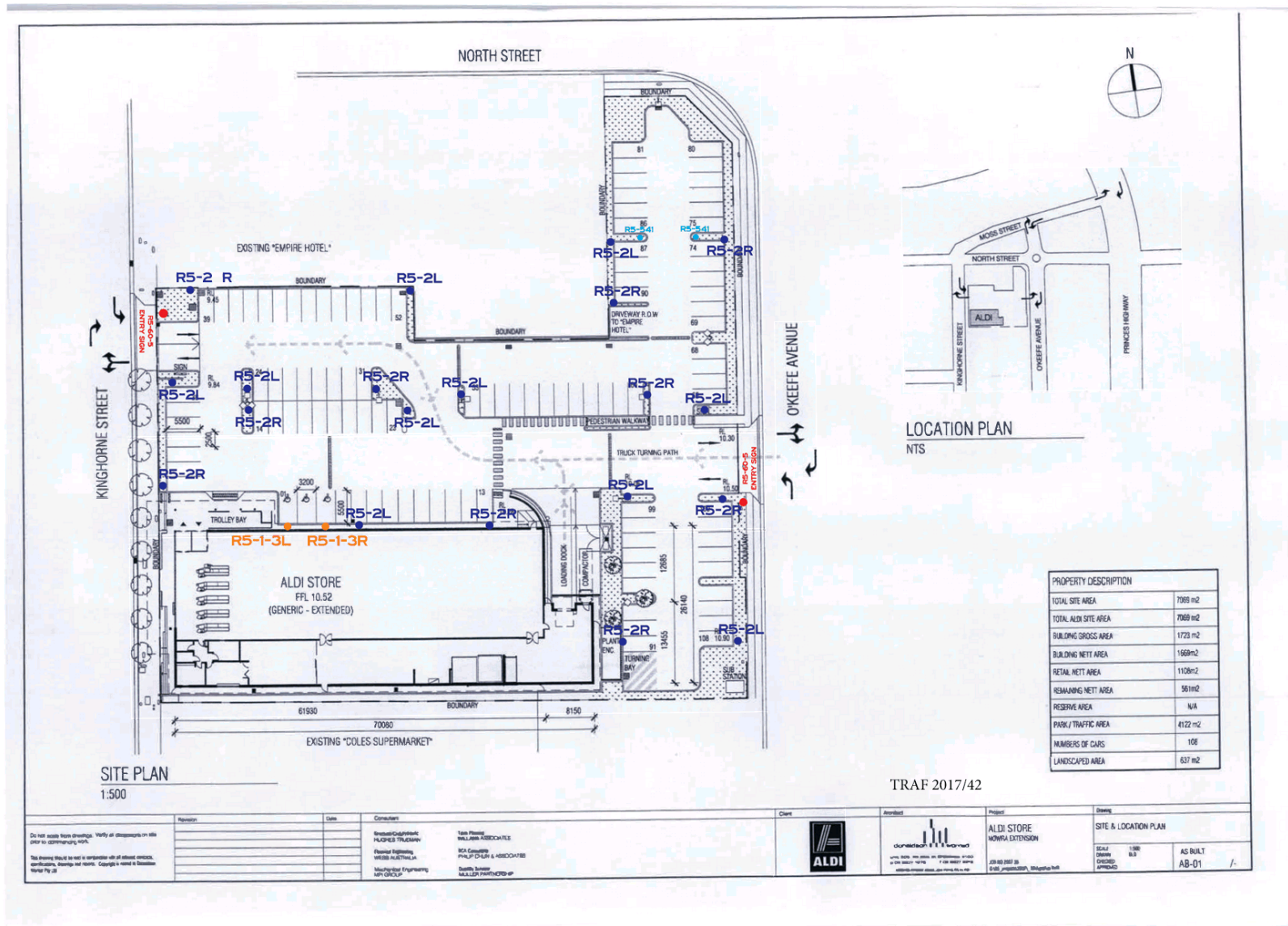




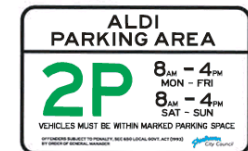








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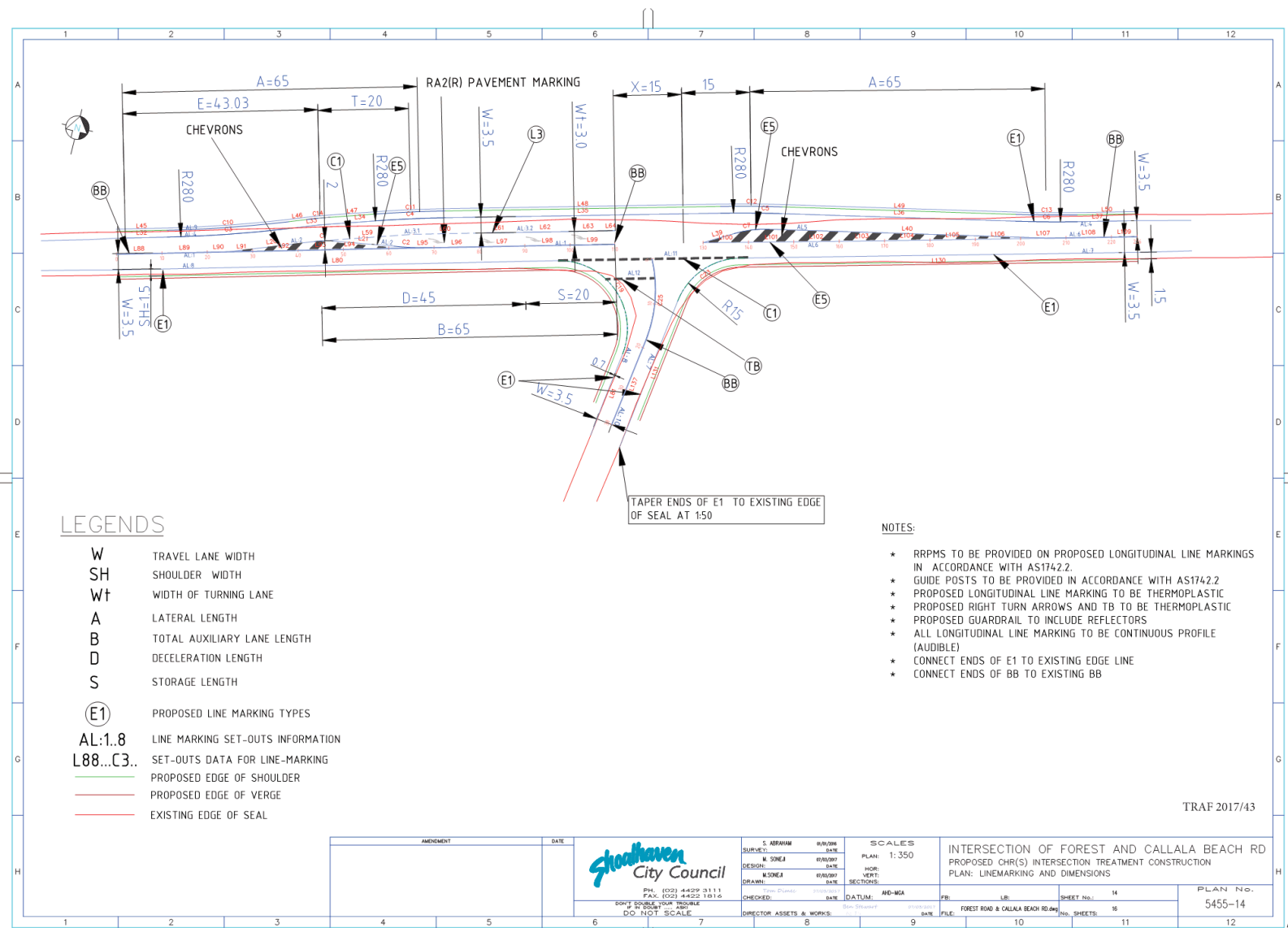
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SETOUT COORDINATES ALIGNMENT ALH1							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L88	0.000	250073.827	6128723.888				79°18'21" Straight
	10.000	250085.296	6128729.091				
L89	10.000	250086.989	6128728.830				79°13'57" Straight
	20.000	250092.969	6128728.888				
L90	30.000	250092.969	6128727.830				79°12'28" Straight
	20.000	250097.802	6128728.888				
L91	20.000	250097.802	6128728.888				79°12'07" Straight
	30.000	250092.841	6128730.188				
L92	30.000	250092.841	6128730.188				79°13'20" Straight
	40.000	250092.841	6128730.188				
L93	40.000	250092.841	6128730.188				79°18'22" Straight
	50.000	250092.841	6128730.188				
L94	60.000	250092.841	6128730.188				79°18'19" Straight
	70.000	250092.841	6128730.188				
L95	70.000	250092.841	6128730.188				79°18'22" Straight
	80.000	250092.841	6128730.188				
L96	80.000	250092.841	6128730.188				79°18'22" Straight
	90.000	250092.841	6128730.188				
L97	90.000	250092.841	6128730.188				79°18'22" Straight
	100.000	250092.841	6128730.188				
L98	100.000	250092.841	6128730.188				79°18'22" Straight
	100.841	250092.841	6128730.188				

SETOUT COORDINATES ALIGNMENT ALH4							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L92	0.000	250073.758	6128723.888				79°14'17" Straight
	11.249	250085.051	6128729.794				
C3	30.350	250085.051	6128729.794	280.300	27.091	8° 32' 45"	79° 14' 17" Arc
	30.350	250085.051	6128729.794				69° 41' 32" Arc
L94	44.600	250085.051	6128729.794				72° 02' 38" Straight
	57.274	250085.051	6128729.794				
C4	57.274	250085.051	6128729.794	279.982	15.483	3° 10' 00"	72° 02' 38" Arc
	72.768	250085.051	6128729.794				79° 30' 41" Arc
L96	72.768	250085.051	6128729.794				79° 30' 41" Straight
	155.991	250085.051	6128729.794				
C5	155.991	250085.051	6128729.794	280.300	13.933	2° 47' 38"	79° 30' 41" Arc
	147.016	250085.051	6128729.794				79° 30' 41" Arc
L98	147.016	250085.051	6128729.794				79° 30' 41" Straight
	212.889	250085.051	6128729.794				
C9	212.889	250085.051	6128729.794	280.300	13.932	2° 47' 38"	79° 30' 41" Arc
	228.144	250085.051	6128729.794				79° 30' 41" Straight

SETOUT COORDINATES ALIGNMENT ALH7							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L100	0.000	250082.387	6128729.794				285° 41' 23" Straight
	67.825	250082.387	6128729.794				
C10	67.825	250082.387	6128729.794	15.000	16.889	87° 30' 57"	285° 41' 23" Arc
	105.299	250082.387	6128729.794				188° 10' 59" Arc
L131	105.299	250082.387	6128729.794				188° 10' 59" Straight
	158.474	250082.387	6128729.794				

SETOUT COORDINATES ALIGNMENT ALH9							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
C25	0.000	250085.051	6128729.794	30.048	17.881	54° 33' 11"	187° 27' 28" Arc
	16.156	250085.051	6128729.794				187° 27' 28" Arc
L107	16.156	250085.051	6128729.794				187° 27' 28" Straight
	35.278	250085.051	6128729.794				

SETOUT COORDINATES ALIGNMENT ALH2							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L92	0.000	250073.827	6128723.888				69° 41' 32" Straight
	35.000	250073.827	6128723.888				
C1	41.773	250073.827	6128723.888	16.889	3.888	11° 02' 23"	69° 41' 32" Arc
	47.498	250073.827	6128723.888				69° 41' 32" Arc
L91	47.498	250073.827	6128723.888				69° 41' 32" Straight
	61.389	250073.827	6128723.888				
C2	61.389	250073.827	6128723.888	61.872	8.338	7° 42' 53"	69° 41' 32" Arc
	89.770	250073.827	6128723.888				69° 41' 32" Arc

SETOUT COORDINATES ALIGNMENT ALH3							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L98	126.410	250085.051	6128729.794				69° 41' 32" Straight
	136.830	250085.051	6128729.794				
C7	144.501	250085.051	6128729.794	24.413	7.933	18° 42' 00"	69° 41' 32" Arc
	205.000	250085.051	6128729.794				69° 41' 32" Arc
L90	205.000	250085.051	6128729.794				69° 41' 32" Straight

SETOUT COORDINATES ALIGNMENT ALH5							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L85	0.000	250073.371	6128727.878				79° 14' 17" Straight
	11.249	250085.296	6128729.091				
C10	30.350	250085.296	6128729.091	278.930	28.948	8° 32' 45"	79° 14' 17" Arc
	38.225	250085.296	6128729.091				69° 41' 32" Arc
L94	38.225	250085.296	6128729.091				69° 41' 32" Straight
	42.101	250085.296	6128729.091				
C14	42.101	250085.296	6128729.091	113.179	5.183	2° 42' 04"	72° 02' 38" Arc
	47.299	250085.296	6128729.091				72° 02' 38" Arc
L97	47.299	250085.296	6128729.091				72° 02' 38" Straight
	67.198	250085.296	6128729.091				
C11	67.198	250085.296	6128729.091	281.482	13.932	3° 10' 00"	72° 02' 38" Arc
	72.768	250085.296	6128729.091				79° 30' 41" Arc
L98	72.768	250085.296	6128729.091				79° 30' 41" Straight
	155.991	250085.296	6128729.091				
C12	155.991	250085.296	6128729.091	280.300	13.758	2° 47' 38"	79° 30' 41" Arc
	147.016	250085.296	6128729.091				79° 30' 41" Arc
L99	147.016	250085.296	6128729.091				79° 30' 41" Straight
	212.889	250085.296	6128729.091				
C13	212.889	250085.296	6128729.091	278.930	13.878	2° 47' 38"	79° 30' 41" Arc
	228.144	250085.296	6128729.091				79° 30' 41" Arc
L90	228.144	250085.296	6128729.091				79° 30' 41" Straight

SETOUT COORDINATES ALIGNMENT ALH6							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L99	46.480	250073.371	6128727.878				72° 02' 38" Straight
	66.480	250073.371	6128727.878				
L90	66.480	250073.371	6128727.878				79° 12' 28" Straight
	79.660	250073.371	6128727.878				

SETOUT COORDINATES ALIGNMENT ALH12							
Number	Change	Existing	Northings	Radius	Target Length	Definition Angle	Bearing
L61	79.862	250048.911	6128748.862				79° 12' 07" Straight
	66.187	250048.911	6128747.964				
L62	66.187	250048.911	6128747.964				79° 13' 07" Straight
	100.962	250048.911	6128748.862				
L63	100.962	250048.911	6128748.862				79° 12' 07" Straight
	108.180	250048.911	6128747.964				
L64	108.180	250048.911	6128747.964				79° 12' 07" Straight
	110.288	250048.911	6128748.862				

AMENDMENT		DATE		S. ABRAHAM		R. HUNTER		SCALES		INTERSECTION OF FOREST AND CALLALA BEACH RD PROPOSED (HR'S) INTERSECTION TREATMENT CONSTRUCTION PLAN: SET-OUTS FOR LINE MARKING	
SURVEYED		BY		DESIGNED		DRAWN		PLAN		NO. SHEETS	
CHECKED		DATE		DATE		DATE		HORIZ. SCALE		SHEET NO.	
DATE		DATE		DATE		DATE		VERT. SCALE		DATE	
DIRECTOR ASSETS & WORKS		DATE		DATE		DATE		DATE		DATE	

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CL17.168 Smart Cities and Suburbs Program - Round 1

HPERM Ref: D17/189911

Group: General Manager's Group
Section: Economic Development

Purpose / Summary

To inform the Council about the Smart Cities and Suburbs Program – Round 1 and request permission to apply for funding for projects.

Recommendation

1. That the Council approve Council's participation in projects that seek grant funding from the Smart Cities and Suburbs Program being:
 - a. A Smart Illawarra and Shoalhaven collaborative project, led by the Illawarra Pilot Joint Organisation, to extend the LoRaWAN network in the region and associated sub projects.
 - b. An ActewAGL regional project that seeks funding to offset the cost of the installation of electric car superchargers.
2. That Council approve its funding contribution and vote funds required and detailed in this report from Shoalhaven Water and the Economic Development Reserve.

Options

1. As recommended

Implications: Shoalhaven City Council will be part of two regional projects seeking funding from the Smart Cities and Suburbs program.

2. Accept Part 1 of the recommendation.

Implications: Shoalhaven City Council will contribute \$30,000 toward the project with the aim to extend the LoRaWAN network into the Shoalhaven. Shoalhaven Water will commit \$35,000 toward the establishment of a chlorine monitoring project and will provide substantial in-kind contribution through providing access to their communications and water infrastructure for the installation of the gateways. Funding will come from Shoalhaven Water and the Economic Development Reserve.

3. Accept Part 2 of the recommendation

Implications: Shoalhaven City Council will contribute \$5000 per electric car supercharger installation. The project will deliver up to three (3) electric car superchargers to be installed at locations to be determined. Funding will come from the Economic Development Reserve.

CL17.168

4. Not participate in any applications

Implications: Shoalhaven City Council will not have the opportunity to be part of either regional Smart City project.

Background

As part of the 2016 election campaign the Australian Government announced the establishment of a \$50 million competitive Smart Cities and Suburbs Program to support projects that apply innovative technology-based solutions to urban challenges. The program encourages eligible organisations – local governments, private companies, research organisations and not for profit bodies – to deliver collaborative smart city projects that improve the liveability, productivity and sustainability of Australian cities, suburbs and towns. The program will foster smart cities capability through collaborative projects involving one or more communities.

Round 1 of the Smart Cities and Suburbs Program opened on 17 March 2017 and will close on 30 June 2017.

For round one:

- The minimum grant amount is \$100,000
- The maximum grant amount is \$5 million
- The grant amount will be up to 50% of eligible project costs.

There is a total of \$50 million available in round one.

The project will be assessed against four merit criteria, being:

- The extent to which the project is innovative and uses smart technology and open data
- The scope of social, environmental and economic benefits
- The extent of community focus and impact on the liveability of the cities, suburbs and towns
- Capacity, capability and resources to carry out the project.

Project 1 – Smart Illawarra and Shoalhaven Project

This project will be led by Wollongong City Council as the endorsed leader on behalf of the Illawarra Pilot Joint Organisation. Project collaborators include;

- Wollongong City Council
- Shellharbour City Council
- Kiama Municipal Council
- Shoalhaven City Council
- Smart Infrastructure Facility – University of Wollongong

The project essentially consists of the installation/expansion of the LoRaWAN network and the rollout of a series of monitoring projects that rely on that network.

LoRaWAN is a Low Power Wide Area Network with features that support low-cost, mobile, and secure bi-directional communication for Internet of Things and smart city applications. LoRaWAN is optimised for low power consumption and is designed to support large networks with millions and millions of devices. The benefits for Council are a low cost alternative for data monitoring and collection. The network is designed to work with any

number of commercially available sensors and is a communication vehicle that supports any number of other projects.

The LoRaWAN system uses open source data and will be available for community use. Data is captured and transmitted via 'gateways'.

Shoalhaven City Council, via the Economic Development Office, will contribute \$30,000 toward the cost of installation of a number of gateways for the LoRaWAN system in the Shoalhaven. It is envisaged that gateways will be installed on Council owned property and existing communications towers (operated by Shoalhaven Water) One gateway may be installed at the UoW Shoalhaven Campus if the site is considered suitable.

Five streams of interest areas will be submitted under the application as examples of rollout that could benefit local government across this region. These areas are:

- Smart parking – indicators to count vehicles in transit or at a parking station so as to indicate congestion or availability of parking spaces
- ICOL engineering/estuary management – indicators that can identify risk and assessment regarding the opening of lakes/rivers/lagoons prior to storm events to minimise flooding impact
- Stormwater culvert management – indicators to alert of blockages at culverts/pipes/drains that could cause asset damage due to a storm event
- Water Treatment – Chlorine residuals testing and modelling
- Aged Care – indicators to show mobility & alertness of clients in at-home care

For each of these pilot areas, a small team has written a brief synopsis of how, what, why, when and where such technologies could be deployed and benefit LG. A template for the synopsis has been developed for this by WCC. These will form annexures to the application to justify the rollout and benefits to Councils as alerts, productivity improvements, asset management tools etc....

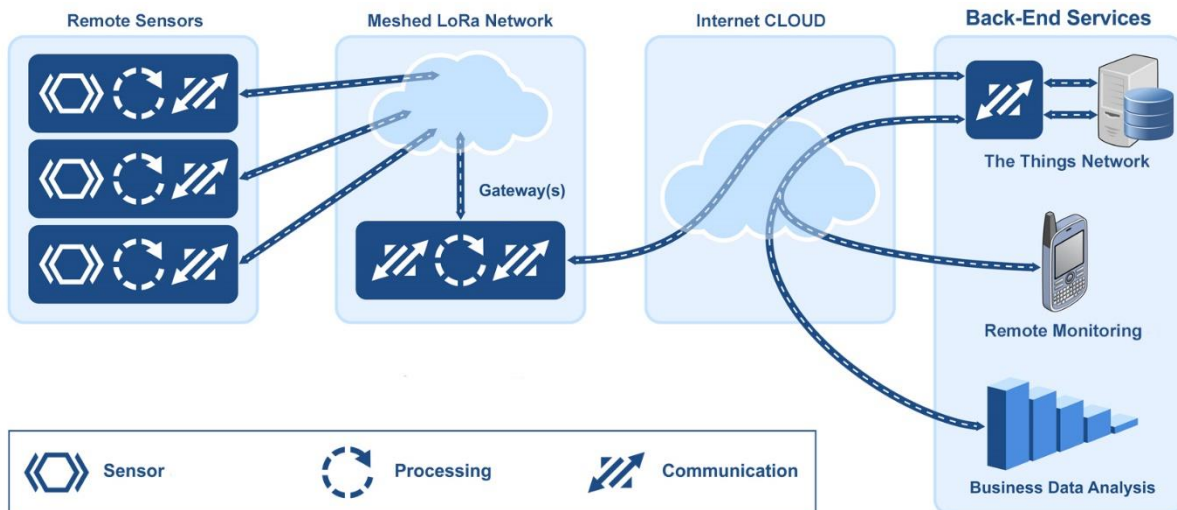
Contributions for this project will come from each of the Councils with Wollongong Council contributing in excess of \$1million and for Shoalhaven Council a base contribution of \$30,000 which will be used to purchase and deploy a number of gateways to cover Nowra and Shoalhaven Heads as part of this pilot.

Shoalhaven Water will contribute an additional (\$35,000) toward a Shoalhaven based chlorine monitoring project that uses the LoRaWAN system to transfer data.

The installation of the LoRaWAN system enables any number of cost effective future uses of the system including:

- Leak detection in water infrastructure
- Environmental monitoring
- Traffic data collection
- Waste transport – network efficiencies.

The IPJO and the UoW are in the process of developing a MoU that will outline each partners' roles and responsibilities. Shoalhaven Water, as 'owner' of much of the infrastructure suitable for deployment of the gateways, will need to be consulted and a commercial licence may need to be developed in order to protect Council and any commercial opportunities or impacts that may arise.



Project 2 – Installation of Electric Car Rapid Chargers

Shoalhaven City Council has been approached by ActewAGL to participate in a regional grant application for Smart Cities and Suburbs funding. ActewAGL will be the lead proponent. The grant funding will be to cover some of the installation costs associated with the installation of universal rapid electric car chargers. Council has been approached to contribute a nominal amount (\$5,000 per installation). Council will also need to provide two adjoining car spaces per installation marked 'Electric Vehicle' and allocate that space for a period of three years.

At this point in time, Shoalhaven City Council need only commit in principal to the project. There are a number of unknowns that could impact installation costs including access to three phase power (80 amps at 415 volts) for their 50kW rapid chargers.

ActewAGL are intending to install universal Tritium Rapid Chargers. These chargers are compatible with all electric vehicles.

An announcement on the Property Observer website, dated 13 June 2017, stated that Stocklands Nowra will be installing a Tesla Destination Charger. Tesla Destination Chargers are only compatible with Tesla vehicles and charge at a much slower rate than rapid chargers (otherwise known as super chargers). The Tritium Rapid Charger will charge an electric vehicle quite quickly with electric vehicle car parking time limits to be in the order of 25 - 40 mins. Tritium is a Brisbane based company.



Community Engagement

The purpose of this report is to inform and forms part of community consultation.

Community Development, supported by Shoalhaven Water, undertook a community engagement session seeking 'smart city' ideas that could be incorporated into a Smart City application or into a longer term project. The "Smart Cities Innovation Grant Think Tank" was held on the 5th June 2017 at the Nowra School of Arts.

Policy Implications

Shoalhaven Water will enter into a MoU with the Illawarra Pilot Joint Organisation and Smart Illawarra to define ownership and ongoing maintenance and access to the LoWaRan gateways.

Council's Traffic Unit will provide input into the development of guidelines and policy surrounding the management of the Electric Vehicle Car Parking stations.

Shoalhaven City Council will enter a MoU with ActewAGL regarding maintenance, electricity usage and decommissioning of the electric car charging stations.

Financial Implications

Smart Illawarra and Shoalhaven project:

- \$30,000 contribution from the Economic Development budget toward the installation of LoWaRAN gateways and associated infrastructure
- \$35,000 from Shoalhaven Water to undertake a chlorine monitoring project

Installation of Electric Car Rapid Chargers

- \$5,000 per installation of electric car chargers (\$15,000 max)
- ActewAGL will cover ongoing maintenance of the car charger
- Shoalhaven Council needs to provide two car parking spaces for each dedicated electric vehicle recharging stations

Risk Implications

Installation of Electric Car Rapid Chargers

The main risk with this project is cost overruns associated with unforeseen impacts associated with electricity provision. It is highly unlikely that there would not be a cost effective location within the Shoalhaven to install the car charger. However, should a cost effective location not be found within the Shoalhaven LGA ActewAGL would be able to divert the funding to another LGA thus alleviating any risk associated with cost overruns.

CL17.169 International Cities Town Centres & Communities (ICTC) - Mainstreet 2017 - Conference

HPERM Ref: D17/188633

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

Attachments: 1. Conference program [↓](#)

Purpose / Summary

To consider Councillor attendance at the International Cities Town Centres & Communities (ICTC) Mainstreet conference scheduled for 25-27 October 2017 in Melbourne, VIC.

Recommendation

That Council

1. Notes the details of the ICTC Mainstreet conference scheduled for 25-27 October 2017 in Melbourne, VIC.
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 ICTC Mainstreet 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 \$1055
Mid-Rate \$1155
Late Rate \$1255
- travel, accommodation and out of pocket expenses : not yet determined.

The following Council Business is scheduled within the period of the conference:

- Ordinary Meeting 24 October 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.

ICTC Mainstreet 2017

Program

This year's conference will shine the spotlight on people, connections and communities and making great places to live, work, play and visit.

From those who lead, plan and develop right through to those who activate, program and manage, this event will focus on how innovation, collaboration and strong leadership helps to advance and transform our places into vibrant, liveable centres.

The introduction of new social and digital infrastructure, visionary urban design, creative economic development initiatives and innovative technology is changing how we live, work, and play. Effectively collaborating with our stakeholders will be the key to us understanding what innovations and strategies we use to lead, shape and plan our cities

Presentations

- High profile keynote speakers from the United States and Asia Pacific
- Over 50 diverse and interactive presentations
- Workshops
- Guest speaker panel session with audience interaction

Field Trips

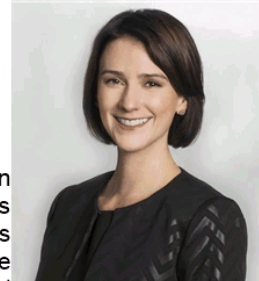
- Stonnington
- Dandenong
- Geelong
- Darebin
- Queen Victoria Markets

Social Function

Networking function - Thursday 26 October

Guest Speakers

Jessica Lappin, President, Alliance for Downtown, New York & President, Downtown Lower Manhattan Association, USA



Jessica Lappin is the President of the Alliance for Downtown New York. The organization manages New York City's largest Business Improvement District (BID) and provides service, advocacy, research and information to advance Lower Manhattan as a global model of a 21st century Central Business District for businesses, residents and visitors. Lappin also serves as the President of its sister organization, the Downtown Lower Manhattan Association.

A lifelong New Yorker, and recent Crain's "40 Under 40" honoree, Ms. Lappin has a distinguished record in civic life and public service. Since taking the helm of the Alliance in February 2014, Lappin has emerged as the voice of the downtown business community and ensured that the BID remains at the forefront of efforts to shape the neighbourhood. Under her leadership, the Alliance has advocated successfully for incentives to improve the business climate, significantly expanded its free public WiFi network, produced award winning marketing videos, instituted a district-wide solar-powered recycling program and helped secure nearly \$100 million in resiliency funding for Lower Manhattan. Lappin has also led the organization's economic development efforts to create a first-of-its kind innovation hub, workspace and collaboration centre called Lower Manhattan HQ.

Prior to her tenure at the Alliance, Lappin was elected to serve two terms in the New York City Council, representing the Upper East Side, East Midtown, and Roosevelt Island, and was praised by the New York Times for her "steely resolve, dedication, and energy." She played a key role in bringing the Cornell Technion Applied Science and Engineering Campus to Roosevelt Island, oversaw the approval of over 20,000 new public school seats citywide and 5 new schools on the East Side, helped keep 100 senior centers from closing, expanded the city's recycling efforts and spearheaded the successful development of four new waterfront parks. And, as Co-Chair of the Women's Caucus, she authored a nationally recognized, landmark bill to protect women's health and reproductive rights.

The Aspen Institute, a renowned international think tank, selected her as a Rodel Fellow in 2011. The Rodel program is focused on transcending political partisanship and addressing overarching questions of leadership and effective governance.

She also serves on the Steering Committee of the Association for a Better New York (ABNY) and the boards of the FDR Memorial and Four Freedoms Park, Battery Conservancy, American Skin Association, and as an Ex Officio member of New York City Centre and NYC & Company.

Lappin lives in Manhattan with her husband and two sons. She graduated from Georgetown University, Phi Beta Kappa and Magna Cum Laude, and from Stuyvesant High School, where she was in the first class to graduate from its Lower Manhattan location.

Mike Lydon, Principal, The Street Plans Collaborative, Miami, USA

Tactical Urbanism: A community changemaker's guide to collaboration in the 21st century city

Mike Lydon is a Principal of The Street Plans Collaborative, an international award-winning planning, design, and research- advocacy firm based in Miami, New York City, and San Francisco. Mike is an internationally recognized planner, writer, and advocate for liveable cities. NPR, The New York Times, CNN Headline News, ABC News, City Lab, Smithsonian Magazine, Salon, Next City, and Architect Magazine have featured his work, among many other national and international publications.



Mike collaborated with Andres Duany and Jeff Speck in writing The Smart Growth Manual, published by McGraw-Hill in 2010 and named one of the top ten planning books of 2010 by Planetizen. He is also the creator and primary author of the The Open Streets Project (2012), the co-creator and editor of The Mercado Project: Lessons from 20 Markets across South America, and the globally acclaimed, four-volume Tactical Urbanism digital publication series (2011 – 2014). With Tony Garcia, Mike is the recipient of the 2017 Seaside Prize and co-author of Tactical Urbanism: Short-term Action for Long-term Change, published by Island Press in 2015 and also named by Planetizen as one of the top 10 planning books of the year. Most recently, Mike co-authored The Tactical Urbanist's Guide to Materials and Design, published by Street Plans with the support of the Knight Foundation.

Before launching Street Plans in 2009, Mike worked for Smart Growth Vermont, the Massachusetts Bicycle Coalition, and Ann Arbor's Get Downtown Program. From 2006 – 2009 Lydon worked for Duany Plater-Zyberk and Company (DPZ), an international leader in the practice of smart growth planning, design, and research techniques.

Mike received a B.A. in American Cultural Studies from Bates College and a Masters in Urban Planning from the University of Michigan. Mike lives in Brooklyn, New York and he encourages you to trade four wheels for two.

Professor Rob Adams, Director City Design and Projects, City of Melbourne

Rob is currently the Director City Design and Projects at the City of Melbourne and a member of the Cities of the Future

Council of the World Economic Forum.

With over 45 years' experience as an Architect and Urban Designer and 34 years at the City of Melbourne, Rob has made a significant contribution to the rejuvenation of central Melbourne. He and his team have been the recipients of over 150 Local, National and International Awards including on 4 occasions receiving the Australian Award for Urban Design and the C40 Cities Climate Leadership Award 2014 for its Adaptation and Resilience Projects.



Rob has also been awarded the Prime Minister's Environmentalist of the Year Award in 2008 and the Order of Australia in 2007 for his contribution to Architecture and Urban Design. In December 2016, Rob was conferred with the degree of Doctor of Architecture from the University of Melbourne.

Some key projects include Postcode 3000, CH2 Australia's first 6 Star Green Commercial Office Building, Birrarung Marr, Swanston Street, City Square, Return to Royal Park, the Open Space and Urban Forest Strategies and numerous community buildings including Docklands, Boyd, East Melbourne and Kathleen Syme Libraries. His team is currently involved in two major city shaping projects, the Queen Victoria Market Renewal and Metro.

His recent focus has been on how cities could be used to accommodate and mitigate rapid population growth and the onset of climate change. He has published and presented extensively on the subject of 'Transforming Cities for a Sustainable Future'.

Robbie Robertson, Partner, Spatial & Brand Experience, Deloitte

Innovation in Digital & Physical: Two worlds become one

What drives Robbie to come to work every day is a deep passion for developing spaces that have a tangible purpose, and is more than simply a well designed environment. Fusing digital, brand and customer experience into a retail store, innovation centre or workplace is at the core of every project that Robbie leads.



With 20 years of global experience working in the UK, US, SE Asia and now Australia, Robbie is helping to develop omni channel solutions for his clients, which include, Priceline, NAB, ANZ, Siam Bank, Federal Govt and Telstra. He is also an industry commentator and speaker (Good Design Australia, AIMIA, Worktech, ADMA, CX Aus).

Finally, he is avid supporter of diversity and inclusion in the workplace, and is the lead Partner for Globe@Deloitte.

He was recently recognised by the Australian Financial Review as one of the top most influential LGBT executives in Australia. Robbie has a Masters in Urban Design and Business Administration

**Jacyl Shaw, Director Engagement, Carlton
Connect Initiative
Carlton Connect Innovation Precinct**



As Director of Engagement, Jacyl oversees the creation and delivery of a suite of programs and activities to foster a culture of innovation at CCI and leads the engagement strategies for current and prospective partners in community, government and industry.

Jacyl's former roles at the University include senior international strategic advisor to the University's Deputy Vice Chancellor (Global Engagement, Deputy Director of the Festival of Ideas in 2009 and 2011 and Strategic Adviser to the Director of the Australia India Institute and Director of Asialink Business & Community Partnerships.

Jacyl is well known amongst University of Melbourne leaders and industry colleagues for her enthusiasm and tenacity as well as her strategic creativity to 'boundary span' and create new interdisciplinary, multi faculty 'whole of university' opportunities and benefits.

In 2011 Jacyl was awarded the University of Melbourne's Vice Chancellor's Professional Staff Award for Engagement. In 2014 she completed her Masters of Enterprise at The University of Melbourne and joined the Board of Melbourne University Publishing. She is currently representing the University in the Committee for Melbourne's Future Focus Leaders Program.

Her other qualifications are a BA and LLB from the University of Melbourne and a LLM from Monash University.

Marcus Westbury, Founder, Renew Australia

Creating Infrastructure: Developing the Collingwood Arts Precinct

Marcus Westbury is the inaugural CEO of Contemporary Arts Precincts Ltd that is leading the development of the Collingwood Arts Precinct in Melbourne. Marcus is the founder of the multi award winning Renew Newcastle and Renew Australia projects that have helped launch more than two hundred creative and community projects in Newcastle, NSW and reopened more than a hundred vacant properties across Australia.



Marcus's background is as an urbanist, writer, media maker and festival director and the founder and manager of multiple arts events, community projects and social enterprises across Australia. He is the author of the crowd funded Amazon best selling book *Creating Cities* (Niche Press, 2015) and has been the writer and presenter of the ABC TV series *Bespoke* and *Not Quite Art*. Marcus advises government and businesses and speaks and writes extensively nationally and internationally about creativity, culture and place.

Kimberley Paterson, Associate Director Research & Consulting, Knight Frank

Australia's Coworking Culture: The growth, trends and drivers behind the coworking industry

Kimberley is an Associate Director in the Research and Consultancy team at Knight Frank, based in the Melbourne office and has more than 10 years' experience in the research and analysis of property markets. Kimberley joined Knight Frank in 2016 and heads up Knight Frank's Research department in Victoria.



Kimberley is responsible for providing market commentary on property research to the general market in both report and presentation format, providing local insights and strategic advice to clients. Kimberley has published many property market research reports on the various Melbourne property markets and has also compiled a number of industry specific reports including Melbourne's co-working industry. Along with the requirements of the annual research work program, Kimberley has undertaken consulting projects for both internal and external clients.

Prior to joining Knight Frank, Kimberley had previously worked at JLL with roles based in New Zealand, London and Melbourne. While in London, Kimberley was a senior analyst in the office leasing team and was responsible for all research outputs, providing high quality reports covering the office market combined with presenting to clients.

Ching Ching Lee, Director, Pop Creative Collective

Shopfronts and Place: Simple improvements that transforms and activates a shopping precinct

Ching Ching is a multi-disciplined designer and visual merchandiser, with a passion for design that engages with people, community and the environment. Over the past 16 years, she has consulted to hundreds of small business owners – encouraging them to take an active approach to the way they present their 'bricks and mortar' shops. She has found the link between shops and place is how we inspire businesses to activate their shopfronts as part of the overall place experience.

Ching Ching's portfolio is not limited to visual merchandising as her team at Pop Creative have worked extensively with local government to develop Christmas strategies and design or place activation strategies that are practical with short/medium term timeframes.



CL17.170 Sustainable Futures Community Membership Appointment

HPERM Ref: D17/193432

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

Purpose / Summary

Council to appoint the five vacant community member positions on the Sustainable Futures Committee.

Recommendation

That

1. The following community members be appointed to the Sustainable Futures Committee:
 - a. David Brawn
 - b. Oisin Sweeney
 - c. Rob Roy Hayward
 - d. Peter McVay
 - e. Lorraine Larri
2. They be notified and invited to all future meetings
3. The unsuccessful applicants be advised and thanked for their application

Options

1. As recommended

Implications: nil

2. That alternate persons be appointed to the Committee.

Background

Council called for expressions of interest, seeking to fill 5 Community Member positions on the committee with specific expertise in policy, energy (including energy technology), ecology, sustainable economic development, climate change and waste and resource recovery.

The vacant positions were advertised in the South Coast Register and Milton Ulladulla Times, on Councils webpage and a media release and on social media platforms.

CL17.170

In total 14 applications were received, from the following persons:

- Jule Anne Danser
- David Brawn
- Oisin Sweeney
- Lani Imhof
- Robert Hayward
- Lucy Carew-Reid
- Peter McVay
- David Schlosser
- Brett Stevenson
- Lorraine Larri
- Duncan Marshall
- Andrew Litchfield
- Daniel Jones
- Terry Barrett

The selection panel comprised of Councillors White and Gartner and Kelie Clarke met Thursday 15 June 2017 to determine the successful applications.

The selected applicants displayed a high level of expertise and experience relevant to the committee.

As the quality of applications was outstanding, unsuccessful applicants will be invited to engage with the work of the Sustainable Futures Committee when opportunities for community input arise.

Community Engagement

The vacant positions were advertised in the South Coast Register and Milton Ulladulla Times, on Councils webpage and a media release and on social media platforms.

CL17.170

CL17.171 Investment Report May 2017

HPERM Ref: D17/191868

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Shoalhaven Monthly Investment Report - May 2017 (under separate cover) [⇒](#)

Purpose / Summary

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

Recommendation

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 31 May 2017 be received for information.

Options

1. The report on the Record of Investments for the period to 31 May 2017 be received for information

Implications: Nil

2. Further information regarding the Record of Investments for the period to 31 May 2017 be requested

Implications: Staff will need to prepare a further report to provide any information that is required.

3. The report on the Record of Investments for the period to 31 May 2017 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 30 June 2017

Implications: Nil

Background

Please refer to the attached monthly report provided by Council's Investment Adviser – CPG Research and Advisory Pty Ltd. Late in May, there was a downgrade of some financial institutions' credit rating from AA to BBB. This has caused our investments in the BBB category to be above the policy limit (see page 7). There is no breach of policy because, at the time the investments were purchased, they were within the policy. Council will not be reinvesting or purchasing new investments with these BBB institutions until this category is back with the policy limit.

CPG Research and Advisory Pty Ltd are to provide a suggested reporting format to Council to allow assessment of its moderate divestment strategy as at the end of the 2016/17

financial year. Excluding financial institutions that are not in the comparison tables produced by Market Forces (18%), approximately 56% of Council's net exposure is with financial institutions with no current record of funding fossil fuel investments (with credit ratings ranging from AAA to BBB-), with investment opportunities assessed as they mature in line with Council policy.

Further comparisons and budget review is found below:

The interest earned for the month of May was \$543,775.59, which was \$40,290.23 above budget.

RECORD OF INVESTMENTS Cash and Investment Balances

	May 2017	April 2017
Cash And Investments Held		
Cash at Bank - Transactional Account	\$7,535,688	\$8,975,458
Cash at Bank - Trust Fund	\$1,240	\$1,240
Cash on Hand	\$49,350	\$82,050
Other Cash and Investments	\$206,520,481	\$202,950,138
	\$214,106,759	\$212,008,886
 Fair Value Adjustment	 \$181,029	 \$180,294
Bank Reconciliation	\$263,136	\$583,912
	\$444,164	\$764,206
 Book Value of Cash and Investments	 \$214,550,923	 \$212,773,092
 Less Cash & Investments Held In Relation To Restricted Assets		
Employee Leave Entitlements	\$8,620,913	\$8,620,913
Land Decontamination	\$1,567,386	\$1,567,663
Critical Asset Compliance	\$2,392,311	\$2,393,605
North Nowra Link Road	\$656,096	\$662,297
Other Internal Reserves	\$3,468,033	\$3,362,560
Section 94 Matching Funds	\$335,199	\$400,348
Strategic Projects General	\$6,798,330	\$3,551,185
Industrial Land Development Reserve	\$3,519,169	\$2,650,152
Plant Replacement	\$3,025,502	\$4,458,311
S94 Recoupment	\$1,853,433	\$1,863,567
Commitment To Capital Works	\$6,492,323	\$6,521,095
Property Reserve	\$3,250,431	\$3,309,795
Total Internally Restricted	\$41,979,126	\$39,361,490
 Loans - General Fund	 \$6,833,239	 \$7,076,843
Self Insurance Liability	\$1,346,473	\$1,303,353
Grant reserve	\$0	\$739,602
Section 94	\$28,781,769	\$28,602,015
Storm Water Levy	\$539,820	\$558,870
Trust - Mayors Relief Fund	\$95,347	\$99,808
Trust - General Trust	\$5,255,078	\$5,252,644
Waste Disposal	\$8,220,615	\$7,037,311
Sewer Fund	\$64,578,045	\$68,222,144
Sewer Plant Fund	\$1,595,236	\$1,563,744
Section 64 Water	\$15,624,210	\$15,544,221
Water Fund	\$22,521,585	\$24,023,050
Water Communication Towers	\$1,103,729	\$1,129,268
Water Plant Fund	\$1,085,990	\$1,007,915
Total Externally Restricted	\$157,581,136	\$162,160,788
 Total Restricted	 \$199,560,262	 \$201,522,278
 Unrestricted Cash And Investments		
General Fund	\$14,990,661	\$11,250,813

CL17.171

The table below lists the major movements:

Total Cash and Investments	+ \$1,777,832	
Unrestricted General Fund Cash	+ \$3,739,848	Rates instalment month
Strategic Projects Reserve	+ \$3,247,144	Receipt of Water and Sewer dividend and tax equivalents
Industrial Land Development Reserve	+ \$869,809	Land sales
Plant Replacement Reserve	- \$1,432,809	Expenditure occurring on projects that were recently funded during the March QBR
Grant Reserve	- \$739,602	Expenditure on projects
Waste Disposal	+ \$1,183,304	Rates instalment month
Sewer Fund	- \$3,644,099	Expenditure on REMS
Water Fund	- \$1,501,465	Expenditure on projects

Certification – Responsible Accounting Officer:

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy number POL15/51.



Michael Pennisi
Chief Financial Officer

Financial Implications

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

CL17.171

CL17.172 Disability Inclusion Action Plan - Adoption of Plan

HPERM Ref: D17/152684

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

Attachments: 1. Feedback Spreadsheet - Draft Disability Inclusion Action Plan - Get Involved - April 24 - May 24 2017 (under separate cover) [⇒](#)
2. Disability Inclusion Action Plan - Draft - Updated - June 6 2017 (under separate cover) [⇒](#)

Purpose / Summary

To seek Council approval to finalise and adopt the Disability Inclusion Action Plan (DIAP) 2017 -2021

Recommendation

That Council

1. Finalise and adopt the Disability Inclusion Action Plan with the minor amendments as summarised in this report and outlined in the attachment to this report.
2. Council acknowledge that no funds have been specifically provided in the 2017/18 budget for the implementation of the plan, however noting that some infrastructure works will have outcomes consistent with the Plan.
3. Allocate \$100,000 in the 2018/19 budget to commence the implementation of actions contained in the Disability Inclusion Action Plan.

Options

1. Adopt the recommendation

Implications: This will allow finalisation of the DIAP in line with State Legislation.

2. Adopt the recommendations with amendment(s).

Implications: Council may resolve to remove or add the recommendations this may require re-exhibition of the DIAP and not meet State Government Legislative timeframes of lodgement with the NSW Government by July 1, 2017. Without any funding implementation of the plan will be very limited.

3. Council not adopt the draft DIAP and provide a different strategic direction to staff.

Implications: This would threaten the timeline that the DIAP needs to be submitted to State Government by. There is a legislative requirement for the Shoalhaven Disability Inclusion Action Plan to be lodged with the NSW Government by July 1, 2017.

Background

Shoalhaven City Council has a Disability Action Plan, which is registered with the Human Rights and Equal Opportunity Commission. New legislation, the “Disability Inclusion Bill 2014” was passed by the NSW Parliament, which is now known as the Disability Inclusion Act 2014. This has required Council to prepare and adopt a Disability Inclusion Action Plan to meet the requirements of this Legislation.

The Act aims to achieve for people with a disability its objectives acknowledging human rights, promoting independence and social and economic inclusion of people with a disability enabling choice and control, setting up safeguards and where practical supporting the United Nations Convention on the Rights of People with a Disability.

The Act also recognises particular groups such as Aboriginal and Torres Strait Islander people with a disability, people from cultural and linguistically diverse backgrounds with a disability and women and children with a disability.

Under the Act the NSW Government must develop a four (4) year State Disability Inclusion Plan to guide how the whole of Government work towards the inclusion of people with a disability in the community. The State Disability Inclusion Plan will show how it improves access to mainstream services and community facilities.

The Act requires NSW Government, local Councils and some other public authorities to develop and implement a Disability Inclusion Action Plan. Local Governments/Councils plans must be in place by July 1 2017.

Council engaged Jenny Bray Training and Consulting to prepare the Draft Disability Inclusion Action Plan for Shoalhaven City Council. Targeted stakeholder consultations and workshops formed a key process in developing the draft Plan. Council endorsed public exhibition of the draft Shoalhaven Disability Inclusion Action Plan for a period of 28 days by delegated authority at the Strategy and Assets meeting on 18/04/2017 (SA17.105).

Council exhibited the draft DIAP document from April 24 to May 24 2017 in line with Councils minute.

The Draft DIAP with recommended amendments in line with community consultation is attached to this report. Subject to adoption by Council will be submitted to the State Government.

Community Engagement

During the public exhibition period, Council received eleven (11) submissions. The table attached to this report shows community submissions received via Council’s ‘Get Involved Page’ and by email during the public exhibition period April 24 – May 24, 2017. The attached table has staff comments and recommendations. The recommended changes are reflected in the draft DIAP attached to this report.

Financial Implications

It is expected that many of the actions detailed in the DIAP will be financed through the relevant Group, Section or Unit budgets or as new initiatives and projects are rolled out. However, a budget attached to the DIAP would allow the purchase of items such as accessibility software for website development, hearing loops and assist to implement access improvements to key Council infrastructure such as the Council Chambers and recreation facilities. To enable the DIAP implementation process to commence, funding of

\$100,000 was sought in financial year 2017/18 however this request was not successful. It is therefore recommended that Council allocate \$100,000 in the 2018/19 budget.

It is anticipated that a similar budget would be requested in subsequent annual budgets to ensure that the DIAP action plans are implemented through until 2021.

As Council decided not to allocate funding to implementation of the DIAP, there is a risk that there will be insufficient human and material resources to adequately implement the basic elements of the DIAP.

In July 2018, the Department of Ageing, Disabilities and Home Care (ADHC) will cease to fund the Ageing and Disability position within the Community Development team at Shoalhaven City Council. Prior to this occurring Council will need to consider how it will resource coordination and implementation of the DIAP beyond this timeframe.

Risk Implications

The minimum legislative requirements for local government in relation to preparing a DIAP are set out in the Disability Inclusion Act 2014. These are:

- NSW Councils to prepare a DIAP by 1 July 2017,
- Consulting people with disability must be undertaken and documented as part of the planning process,
- Councils must give a copy of the DIAP actions to the Disability Council NSW,
- Councils must report on implementation of their DIAP in their Annual Report, and forward a copy to the Minister,
- Council must review their DIAP every four years.

There is a reputational risk to Council if this does not occur.

CL17.173 AB17.9 - Shoalhaven Arts Board - Vacancies

HPERM Ref: D17/197921

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

This item has been referred directly to Council for determination as members of the Shoalhaven Arts Board declared conflicts of interest and were not be able to vote, therefore there were not sufficient numbers for a quorum to enable the vote.

Purpose / Summary

For the Shoalhaven Arts Board to appoint four (4) community members to the Board to fill the vacancies that have arisen due to changes in Board membership.

Recommendation

1. That Karen Morrow Akehurst be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
2. That Barbara Dawson be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
3. That Peter Lavelle be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
4. That Alison Chiam be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
5. Thank Merilynn Weiss and Robert Swieca for their contribution and service to the Shoalhaven Arts Board.

Options

1. Adopt the recommendations
Implications: This will allow the Shoalhaven Arts Board to continue with its work
2. Amend the recommendation
Implications: Currently unknown
3. Reject the recommendation and provide an alternative
Implications: Currently unknown

Background

Vacancies have arisen in the Shoalhaven Arts Board due to expiration of board membership and resignations of some current board members. Robert Swieca and Merilynn Weiss will both step down from their roles on the Board and Warwick Keen and Troy Lenihan have tendered their resignations. Robert and Merilynn have both been instrumental in supporting the transition of the Board following the review in 2015.

CL17.173

An Expression of Interest was conducted in order to fill these community representative vacancies during April and applications closed on 28th April 2017. Four (4) nominations were received and in accordance with the Shoalhaven Arts Board Terms of Reference applications were reviewed and interviews were conducted with a panel consisting of the Shoalhaven Arts Board Chairperson, a Council staff member, and one (1) suitably qualified independent representative.

Following this process it is recommended that Karen Morrow Akehurst, Barbara Dawson, Peter Lavelle and Alison Chiam be appointed to the Shoalhaven Arts Board. The term of appointment is for an initial two (2) years with the option for a further two (2) years. The two-year term of the appointment will commence upon adoption by Council and be due for review prior to 30th June 2019.

At this point in time there remains a Local Aboriginal Member position vacant which the Shoalhaven Arts Board may wish to consider as a casual vacancy and seek applications by appropriate needs to fill the vacancy.

Community Engagement

The opportunity to nominate for membership of the Shoalhaven Arts Board was advertised widely across the Shoalhaven.

Financial Implications

There are no financial implications related to the appointment of members to the Shoalhaven Arts Board. Funding to support arts and cultural activities is provided by Council and administered through the Arts and Cultural Unit, Recreation Community and Culture Section in the Finance Corporate and Community Services Group of Council.

CL17.173

CL17.174 AB17.11 - Policy Changes and Reaffirmation - Shoalhaven City Art Collection - Acquisition and Management

HPERM Ref: D17/197956

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

Attachments: 1. Draft Policy [↓](#)

This item has been referred directly to Council for determination as members of the Shoalhaven Arts Board declared conflicts of interest and were not be able to vote, therefore there were not sufficient numbers for a quorum to enable the vote.

Purpose / Summary

To review changes proposed to the Shoalhaven City Art Collection – Acquisition and Management Policy and reaffirm the policy.

Recommendation

That Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management policy with the proposed changes as outlined in the attachment.

1. Name change from Shoalhaven City Arts Centre to Shoalhaven Regional Gallery
2. Minor changes to Section 3 Provisions, sub-section 3.2 Gifts and Donations
3. Minor changes to Section 4 Procedures:
 - a. Sub-section 4.2 Accession
 - b. Sub-section 4.3 Deaccessioning

Options

1. Adopt the recommendations

Implications: This will allow for inclusion of minor changes to make policy relevant and up to date.

2. Amend recommendations

Implications: Any significant change to the policy should consider consultation and input from the wider community and/or alternatively may have a resourcing implication.

3. Rescind Policy

Implications: Not recommended as this will result in a loss of provisions and controls for the relevant policy.

Background

The Shoalhaven City Art Collection – Acquisition and Management Policy guides the Shoalhaven Arts Board and Shoalhaven City Council in the collection, rationalisation and management of the Shoalhaven City Art Collection. The City Art Collection is a growing asset to Council and provides opportunities to engage the Shoalhaven Community and others with the art of the Shoalhaven.

The proposed changes to the Policy provide greater clarity around the guidelines for collection and rationalising the collection, provides greater flexibility in accepting works as befits the growing collection and awareness of the collection and updates collection management aspects to meet national standards and new software.

These proposed changes are further detailed in the Attachment.

Community Engagement

The review of the above policy is considered a minor policy change that does not warrant community engagement. Community engagement is recommended only if the policy is significantly considered for amendment by the elected Council.

Policy Implications

Reaffirmation of the above policy to make it relevant and up to date.

Financial Implications

No financial implications arising from the proposed changes in the Policy.



Shoalhaven City Council Art Collection - Acquisition and Collection Management

Policy Number: POL16/174

Adopted: 12/05/2009

Amended: 21/05/2013, 18/02/2014

Minute Number: MIN09.612, MIN13.522, MIN14.121

File: 18106E

Produced By: Finance Corporate & Community Services Group

Review Date:

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*Shoalhaven City Council Art Collection - Acquisition and Collection Management***1. PURPOSE**

The aim of this Policy is to establish administrative guidelines for a purposeful, consistent approach to acquisition of works and management of the Shoalhaven City Art Collection.

2. STATEMENT

The title shall be the "Shoalhaven City Art Collection – Acquisition and Collection Management Policy" and will be owned and managed by Shoalhaven City Council.

The Shoalhaven City Art Collection has been established to:

- Collect contemporary and historical works of visual art of demonstrable excellence by artists of significance with an emphasis on Australian artists and artists who have a connection to the Shoalhaven.
- Enrich, educate and inform the community of Shoalhaven City and its visitors in quality visual arts practice in Australia,
- Stimulate awareness and appreciation of the visual arts
- Strengthen an historical, social and locally relevant visual arts resource
- Establish a valuable collection of Regional significance and National interest

2.1. Scope

The Policy for acquiring art is to further develop the present strengths of the Collection, especially by seeking works that are of local, national and international significance. All artworks selected, acquired or commissioned by Council will contribute towards the development of a unique and distinctive collection and will give priority to acquiring works of art that satisfy one or more of the following scoping statements:

- 2.1.1. Relate to the Shoalhaven region, by Australian artists, particularly those who have a proven record of practice and development of their art form and who are represented in public collections or who have received recognition through awards and prizes
- 2.1.2. Build upon strengths and fill gaps in the current holdings of the Shoalhaven City Art Collection, as well as develop the representation of artists already held, in order to create a comprehensive, though specifically oriented, collection.
- 2.1.3. Artworks by local Indigenous artists, particularly those who have proven development and commitment to their art form or represent a significant group or time
- 2.1.4. To consider exceptions only where the works are significant and relate to the current holdings and policy

2.2. Background

The Art Collection of Shoalhaven City Council has been gradually acquired over many years . The Shoalhaven Arts Board, after its inauguration in 1998, created Guidelines and a single Policy to inform acquisition. With the establishment of the Shoalhaven City Arts Centre in

Shoalhaven City Council Art Collection - Acquisition and Collection Management

2004, the Policy was amended to recognise the significant loans and donations added to the organisations collection.

In early 2008, Shoalhaven City Council's Art Collection was divided into two (2) separate Collections to distinguish between a primary Collection with works of significance titled "The Shoalhaven Regional Gallery Collection" and a secondary Collection with works of significance titled "The City Collection" which included gifts to the City of lesser artistic, historic or monetary value (as identified at the time of the audit).

Collecting activities are often cost prohibitive, however, the Collection does not seek to cover a complete range of art. Following an audit of both Collections conducted by external art consultants in 2012/13, the objective to define the focus of the Collection has led to the merger of both Collections and determined six (6) primary collecting areas:

1. Australian Landscape
2. War and Peacekeeping
3. Australian Contemporary
4. Indigenous
5. Secular and Religious
6. Ceramics

3. PROVISIONS

3.1. General

- 3.1.1. The Collection is managed by Council's Arts Manager.
- 3.1.2. Council will contribute an annual budget allocation for adequate maintenance and acquisition of new works in the Shoalhaven City ~~Arts Centre~~ Art Collection. Unexpended annual funding will be accumulated in a suspense reserve to form a growing resource.
- 3.1.3. All works shall be placed on a database and insured in accordance with Council's asset management plans and catalogued with details including title, image, size, and medium, artist, and provenance, date of ~~purchase~~acquisition, acquisition status, value, ~~storage place~~location and description.
- 3.1.4. The services of professionals in the field will be obtained for conservation, valuation, restoration and museum standard pest treatment.
- 3.1.5. "The Shoalhaven City Art Collection" will be stored at the Shoalhaven ~~City Arts Centre~~Regional Gallery, Nowra or as permanent exhibition throughout Council's City Administrative Centre, Nowra, or in a separate suitable location as deemed necessary.
- 3.1.6. Acquisition of artworks will be directed by this Policy and the following considerations:
 - The artwork's current and future relevance to the Collection
 - Local significance
 - Significance of the artist
 - Historical and/or cultural value
 - Cost and/or value for money

Shoalhaven City Council Art Collection - Acquisition and Collection Management

- Available funding
- Advantageous opportunities

3.2. Gifts and Donations

3.2.1. Artworks can be accepted into the Collection in the form of donations and bequests. The works must correspond with the details of the Collection Policy as part of acquisition procedure.

3.2.2. ~~No offer of artworks will be accepted into Council's custody until such time as the offer has been formally considered and resolved by Shoalhaven Arts Board to accept the works. With consideration to insurance and risk requirements, artworks may be temporarily accepted by Council for the purposes of consideration of a donation or purchase, formal assessment of a work or to seek valuation of a work prior to acquisition.~~

3.2.3. ~~Only works which can be stored without incurring unreasonable additional cost or which do not cause curatorial or conservational difficulty will be accepted.~~

~~3.2.4.3.2.3.~~ The Shoalhaven Arts Board will accept donations and bequests under the Cultural Gifts Program which fulfil the requirement of the Collection Policy.

~~3.2.5.3.2.4.~~ Objects outside the scope of this Policy and gifted to Council through national and international relations will be registered as Council assets in place of being accessioned.

~~3.2.6.3.2.5.~~ Donors will be informed that neither conditions nor provenance will be accepted as part of the donation or bequest and that the art work/s becomes the property of Shoalhaven City Council and subject to its prevailing Policy.

~~3.2.7.3.2.6.~~ On behalf of the Shoalhaven City Art Collection, Council will obtain clear and valid title to all purchases, bequests, gifts, donations or loans.

~~3.2.8.3.2.7.~~ On rare occasion, when a unique bequest, which falls beyond the general guidelines is offered, the Shoalhaven Arts Board may deliberate over the acceptance of such a bequest and its capacity to honour any stated provenance. In this event, the Shoalhaven Arts Board will make a special recommendation to be ratified by Council.

~~3.2.9.3.2.8.~~ Donations of money, grants or art works will be receipted within the convention and standards of the Australian Taxation Act.

3.3. Loan Items

3.3.1. Council's formal Artwork Loan Agreement is to clearly and contractually specify the conditions of any loan to or from the Collection and to be signed by relevant parties. The Agreement outlines detail relating to the term of loan, ownership, responsibilities, conservation, security, maintenance, insurance and date of return.

3.3.2. Items offered for loan are subject to the selection criteria and procedure contained in this Policy and do not warrant automatic inclusion into the Collection.

3.3.3. No loan of artworks will be accepted into Council's custody until such time as the matter has been formally considered and resolved by the Shoalhaven Arts Board to accept the works. Works accepted on loan will be maintained, insured and administered as collection items, however, Council does not own the items. Any

Shoalhaven City Council Art Collection - Acquisition and Collection Management

valuation of the Art Collection should delineate between the value of the Collection owned as distinct from the value of the Collection administered.

- 3.3.4. Works on loan should not be lent to other institutions or individuals without the written consent of the owner of the work.

3.4. Conflict of Interest

- 3.4.1. Acquisition of works for the Shoalhaven City Art Collection will be in accordance with this Policy. At all times, Council and Shoalhaven Arts Board members are to declare any conflict of interest prior to deliberations on the acquisition of artworks.
- 3.4.2. Purchase or acceptance of donations from current full-time Council officers or Shoalhaven Arts Board members will not ensue without first obtaining an independent valuation of the work and ratification from the responsible delegated Council authority.

4. PROCEDURES

4.1. Selection Procedure

- 4.1.1. All proposed acquisitions, whether by purchase, gift, exchange or loan will be appraised by an Acquisition Sub-Committee comprising:
- a Councillor member as nominated by Council
 - Shoalhaven Arts Board Executive Officer as Convenor
 - Shoalhaven Arts Centre Manager
 - A Shoalhaven Arts Board representative with visual arts background/ qualifications as nominated by the Board and
 - An invited/co-opted member of the arts community who possesses knowledge of Australian Art
- 4.1.2. Acquisition appraisals will be consistent with this Policy.
- 4.1.3. Works not accepted into the Shoalhaven City Art Collection may be considered for inclusion and registration as a Council asset without being accessioned as part of the Collection.
- 4.1.4. The Sub-committee may present the opportunity for specialist outside expert comment on proposed acquisitions.
- 4.1.5. All proposals and recommendations shall be in a written report and will include details of:
- The artist's name
 - Residential status
 - The title and image of the work
 - Date of execution
 - Medium and size
 - Method of acquisition
 - The vendor or donor
 - The provenance of the work
 - Price, valuation or insurance value if a gift or a loan
 - Current condition

Shoalhaven City Council Art Collection - Acquisition and Collection Management

as well as a statement setting out the reasons for acquisition, its place in the collection and its merit as a work of art in its own right.

- 4.1.6. The ~~Shoalhaven Arts Board Executive Officer~~ **Arts Manager**, on the advice of the Arts Acquisition Sub-Committee, will present a recommendation to the Shoalhaven Arts Board for its consideration and adoption
- 4.1.7. Acknowledging that some artwork is sacred and restricted, only works intended for public display or approved for display in consultation with appropriate representatives and communities will be considered for acquisition.
- 4.1.8. No acquisition will be made which compromises or jeopardises the financial viability of the Collection budget.
- 4.1.9. The Shoalhaven Arts Board will not accept any work which bears any unreasonable or inappropriate restrictions on its display, storage, maintenance and provenance.
- 4.1.10. The Board will be mindful of Australian or international laws or covenants that restrict or govern the acquisition of cultural material.

4.2. Accession

- 4.2.1. ~~Under supervision of the delegated Council Arts Officer artworks newly acquired delivered works must be accessioned by way of registration and cataloguing details into councils Shoalhaven Art Collection database~~ Newly acquired works are to be registered in the Collection Management System on receipt by the Shoalhaven Regional Gallery. Registration and catalogue data include:

- issue of a unique identifier number
- photographic image of work
- information regarding materials, technique and provenance

- 4.2.2. File and document numbers of related documents such as Acquisition Agreement, Loan Agreement, Maintenance Schedule and Condition Report must also be entered into the database.

4.3. Deaccessioning

- 4.3.1. The process of removing or disposing of works in the collection, otherwise known as deaccessioning, will not be undertaken for any reason apart from:

- lack of relevance to the Collection
- duplication of another object in the collection
- requirement of prohibitive conservation work and/or the work is beyond repair
- the work has already been destroyed, lost or stolen
- cannot be suitably stored
- should be returned as restitution of cultural property
- subject to legislation which prevents Council holding title to it

- 4.3.2. For deaccessioning to proceed, the Board must receive written recommendation and formally determine to deaccession the work. The report will clearly state the reason for disposal and include:

- object unique identification number;
- description;
- photograph;

Shoalhaven City Council Art Collection - Acquisition and Collection Management

- advice on legal status (if available);
- any written specialist advice;
- impact the action would have on the collection; and
- suggested method of disposal

4.3.3. Where deaccessioning is approved the order of priorities for removing the work from the collection shall be:

- Donated works returned to the original donor / artist or next of kin
- Donated works offered as a donation to another cultural institution, or works that were purchased are offered for sale to another cultural institution based on current valuation.
- Works sold at auction and the proceeds of the sale reinvested into the collection acquisition fund.

4.3.3.4.3.4. For items that have already been destroyed, lost or stolen, the deaccessioning process must also be completed. The Board will then determine whether reasonable steps, if economically viable, have been taken to locate/recover /restore the work.

4.3.4.4.3.5. After a 2 month interval (cooling off period) works which have previously been presented to the Arts Board for deaccessioning and rejected, may be re-submitted for consideration and further determination by the Arts Board. .

4.3.5.4.3.6. ~~Permission of the donor, or where feasible, next of kin should be sought where artworks have been donated to the Collection or purchased with donated funds. If the original donor (or their descendants) do not consent to deaccessioning, the works must be retained.~~Where artworks have been donated to the collection, the donor, or where feasible the next of kin, should be offered the opportunity to have the work returned to them. Al reasonable effort should be made to contact the donor or next of kin to discuss the deaccessioning of the work. Works purchased via a collective (group) donation do not fit this category.

4.3.6.4.3.7. Procedural guidelines for each method of disposal and/or removal of artworks must be clearly defined, implemented and proceed in full public knowledge. Evidence of compliance should be attached to deaccessioning documentation.

4.3.7.4.3.8. Archived records documenting deaccessioned work will be permanently stored within Council.

5. IMPLEMENTATION

The Finance, Corporate & Community Services Group of Council will administer this policy.

6. REVIEW

To be reviewed within 1 year of the election of a new Council.

7. APPLICATION OF ESD PRINCIPLES

Council will maintain and store works to ensure the preservation of artworks and Council's investment.

CL17.175 Tender - Shoalhaven Indoor Sports Centre - Trade Package No. 7 - Civil Works

HPERM Ref: D17/197634

Group: Assets & Works Group

Purpose / Summary

To inform Council of the process for the Shoalhaven Indoor Sports Centre – Civil Works managed by Zauner Construction.

Recommendation

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

Options

1. Council accept the recommendation as presented.

Implications: A separate report will consider commercial information

2. Council amend the recommendation.

Implications: This may delay these important works.

Background

To inform Council of the process for the Shoalhaven Indoor Sports Centre – Civil Works sub contract under Zauner construction

Tenders for the Shoalhaven Indoor Sports Centre - Civil Works sub contract package were called by Zauner on 26 April 2017 and closed at 10:00am on 1 June 2017. The package was advertised in both local and metropolitan newspapers, and tenderers were directed to access the tender documents using the Zauner portal on Tenderlink and 3 offers were recieved.

Community Engagement

The effect on the public during construction is managed by the project communication plan through written notification, electronic media and provision of contact details for any concerns during the construction phase; these works will not impede the existing basketball stadium operations.

Regional Development Consent (RA15/1001) is approved for the Shoalhaven Indoor Sports Centre; community consultation consistent with that process has been undertaken.

Financial Implications

Sufficient funds have been allocated in the Shoalhaven Indoor Sports Centre Capital Project budget for the years 2016/17 and 2017/18. Funding is available to cover the recommended amount including other project costs for civil works.

CL17.176 Tenders - IEMC Pad Mount Electrical Sub Station

HPERM Ref: D17/198676

Group: Assets & Works Group

Purpose / Summary

To inform Council of the process for the Integrated Emergency Management Centre (IEMC) pad mount electrical sub station tender process.

Recommendation

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

Options

1. Council accept the recommendation as presented.

Implications: A separate report will consider commercial information

2. Council amend the recommendation.

Implications: This may delay these important works.

Background

Council called Tenders for the IEMC pad mount contract on 23 May 2017 which closed at 10:00am on 15 June 2017. Two tenders were received at the time of closing from Great Southern Electrical and Pearce & Percy.

Community Engagement

The proposed contract was advertised in local newspapers and the aspect of the works that may attract community concern is the removal of three eucalypt trees fronting Albatross Road. Adjacent landowners were provided with written notification of the proposed works including the removal of the trees and no responses were received.

Financial Implications

The proposed contract has initial funding of \$165,000 from the Rural Fire Service and \$135,000 from Council. An additional allocation is needed to fund the proposed contract and management fees. It is proposed to source the additional funds from the s94 Contributions Plan Project CWFIRE2002.

CL17.177 Classification of Operational Land - Road Dedication - Lot 1 DP 1084959 - Upper Kangaroo River

HPERM Ref: D17/176326

Group: Assets & Works Group
Section: Business & Property

Attachments: 1. Extract - Deposited Plan 28562 [↓](#)

Purpose / Summary

To classify the land described as Lot 1 DP1084959, comprising a formed road, at Upper Kangaroo Valley (refer to Attachment 1), as Operational Land.

Recommendation

That Council resolve to classify the land described as Lot 1 DP1084959 at Upper Kangaroo River as Operational Land

Options

1. Resolve as recommended.

Implications: The land will be able to be used for its intended purpose (connection road to Kellys Road, Upper Kangaroo River).

2. Not resolve as recommended.

Implications: The land will default to Community Land and therefore is subject to the Community Land provisions as outlined in the Local Government Act 1993 (LGA93).

3. Provide further direction to staff and propose an alternative.

Background

Lot 1 DP1084959, was acquired by Council for the purpose of a road to form the continuation of Kellys Road, Upper Kangaroo River.

Section 31(2) of the Local Government Act, 1993 (LGA93) provides that before Council acquires land, or within 3 months after it acquires land, Council may resolve to classify it.

There are two Classification available:

1. Operational Land – land which Council owns as a business entity and upon which it conducts Council business, and
2. Community Land – Land in Council's ownership which is held for and on behalf of the Community – subject to the Community Land provisions of LGA93.

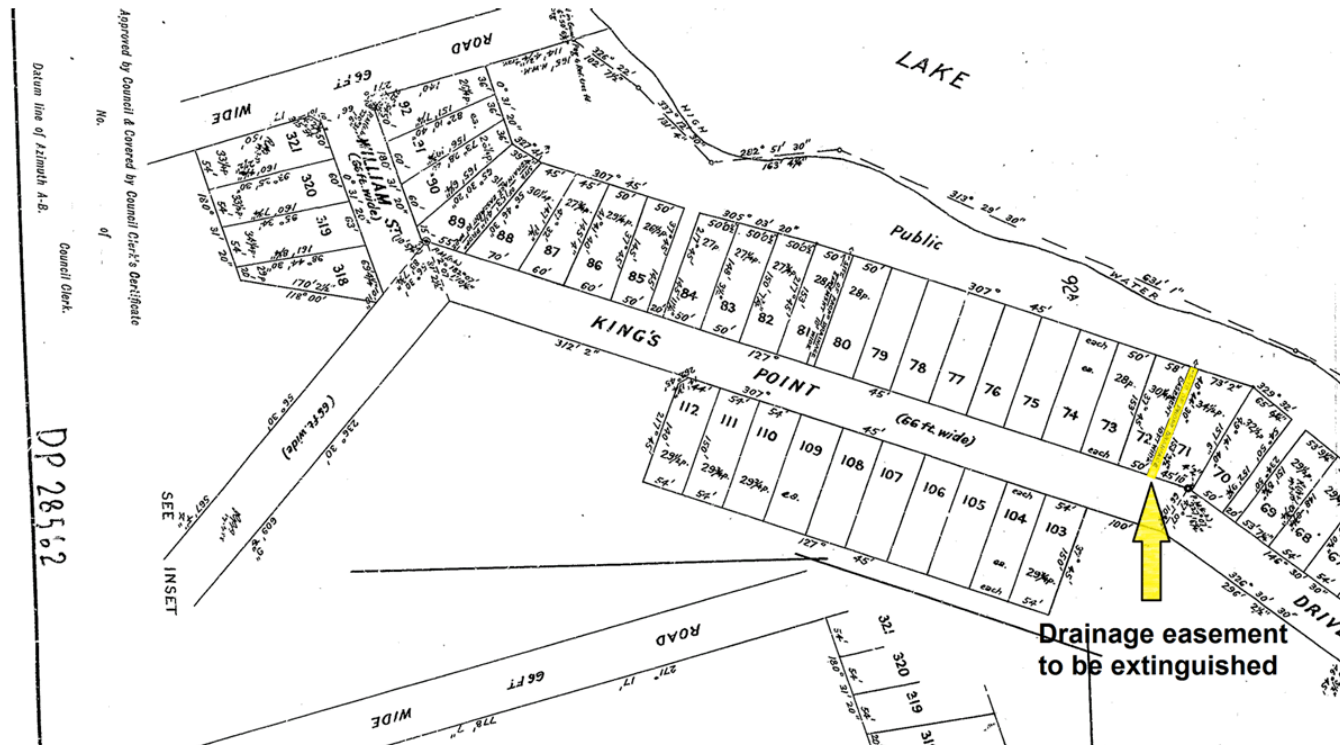
CL17.177

A resolution of Council, within the time frame prescribed in LGA93, is required to finalise the classification of land as Operational. Should the classification process not be completed, the land will default to Community Land.

Community Engagement

In accordance with Section 34 of LGA93, a public notice of Council's intention to classify the land as Operational was placed in the local press 14th June 2017 allowing 28 days or written submissions, closing 13th July 2017. At the time of writing this report no submissions have been received, however any submissions received prior to the closing time will be advised at the Committee meeting.

ATTACHMENT 1 – Extract of DP28562



CL17.178 SA17.158 - Proposed Sale of Land - 11 Grandview Street, Erowal Bay

HPERM Ref: D17/192417

Group: Assets & Works Group

Section: Business & Property

Attachments: 1. Aerial View [↓](#)

This item was deferred from the Strategy & Assets Committee 13 June 2017.

Purpose / Summary

To consider a recommendation to authorise the sale of vacant land at Lot 24 Sec 1 DP9182, 11 Grandview Street, Erowal Bay as shown in aerial view at Attachment 1.

Recommendation

That Council:

1. Advertise its intention to dispose of 11 Grandview Street, Erowal Bay (Lot 24 Sec 1 DP9182) in accordance with Policy 16/256 (POL16/256) and advise the local CCB, and if no objections are received, authorise the sale of the property by public auction;
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale from Job Number 88650 and the net income from the sale be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any contract or sale documents required to be sealed.

Options

1. Adopt the recommendation as written.

Implications: The proposed sale will be advertised and if no objections to the sale of the property are received it will go to auction. The proposed sale will generate additional income for Council and dispose of a property asset that does not currently support community needs. If objections are received, a further report to Council will be provided.

2. Resolve to develop site (not recommended):

- a. Subdivide the land for a dual occupancy and develop each lot with a residence for sale to the open market as a finished product.
- b. Report back to Council:
 - i. On the tender process for the award of a contract for the construction of the residences; and
 - ii. prior to taking the properties to the market.

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Implications: Council will become the developer, retaining all risk associated with the development of the land, house construction and end product sale. The improved return is dependent on the sale price of the dual occupancy. It appears based on a desktop analysis that it may not provide a higher return.

3. Not adopt the recommendation and provide further direction to staff.

Implications: The property will be retained with Council responsible for ongoing maintenance and property related costs.

Background

The subject property comprises of a single parcel of vacant land described as Lot 24 Section 1 DP9182 and is 872.6 sq m in area. The land is classified Operational with a zoning of R2 Low Density Residential under Shoalhaven LEP 2014.

This property was acquired in lieu of overdue rates in 1988. The property is fully cleared, grassed with a creek running down an unformed road to the south.

Council staff have considered the proposed disposal of this property with two concerns raised:

- a. ***Strategic Planning***

In response to a concern the soil was 'water charged' a geotechnical investigation was undertaken which reported there is no specific geotechnical basis that would preclude the development of the site for residential purposes. Notwithstanding, elements were identified which will require careful management. It was recommended that any entity seeking to develop the site complete adequate assessment to satisfy themselves that any proposed works appropriately consider any potential constraints.

- b. ***Environmental Services (Bushfire/Bushland Management)***

The land is adjacent an unformed timbered Council road reserve and as such is part bushfire prone. A development proposal for a dwelling will trigger compliance with Planning for Bushfire Protection 2006. This may trigger a referral to the RFS who may require the development meet specific conditions.

If the property is to be sold, the contract for sale will include conditions which adequately cover these issues.

Disposal "as is" versus a "dual-occupancy" development

An alternative consideration is for Council to take on the role of developer of the land and undertake the following tasks:

- Dual-occupancy subdivision and servicing of both lots
- Construction of concrete drive to rear lot
- Construction of two free-standing three bedroom residences
- Disposal of the two residences inclusive of engaging solicitors and agents

The following table sets out the potential financial costs/return relative to each option:

Task	“As is”	“Dual-occupancy”
Subdivision, servicing, Kerb & Gutter	n/a	\$50,000
Concrete driveway to rear block	n/a	\$25,000
Construct two residences (3 bedroom, 1 bath and 1 garage) ready to market	n/a	\$600,000
Sub-total	n/a	\$675,000
Interest on \$675,000 for 12 months at 3%pa	n/a	\$20,250
Gross realisation	\$230,000	\$900,000 (front @ \$480,000 & rear @ \$420,000)
Less selling costs (agents & legal)	\$6,600	\$22,000
Net realisation	\$223,400	\$182,750
Land book value (land cost)	\$175,000	\$175,000
Profit	\$48,400	\$7,750

Erowal Bay Real Estate overview

The median house price for Erowal Bay is \$480,000 with most interest in the area coming from “Elderly Couples” at 23.7%. This is closely followed by “Established Couples & Families” @ 19.2% and “Older Couples & Families” @ 17.6%. Therefore the return depends on the market interest and it is difficult to determine the sale price, due to it not being on the waterfront and being adjacent to the bushfire prone land affecting construction costs.

There has only been three instances where the on average 1,000 sqm block has been subdivided to allow for a dual-occupancy development. Of the three, only one is in a battle-axe configuration.

The risk associated with Council taking on the role of developer in this instance is not adequately compensated for in the profit for a “dual-occupancy”. The builder may have a low risk margin. There has also been no allowance made in the above figures for a contingency to cover any potential construction cost over run or on going holding costs beyond a twelve month period. Should either of these scenarios occur, Council may lose money on the development. It is for these reasons the recommendation that Council develop the land is not supported.

Community Engagement

The proposed sale of the subject land is considered to be a local area low impact issue as outlined in Council’s Community Engagement Policy. There will be an appropriate level of community engagement before the property is offered for sale and this will include newspaper advertising, notification on Council’s website and informing the local Community Consultative Body.

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Financial Implications

The proposed sale of this land will generate additional income for Council to be set aside for future land development and disposal projects. This represents potential for an improved return on assets which is considered to be in the best interests of the wider community.

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CL17.179 Report for Council - Updates on the Shoalhaven River Levee Flood Damage Restoration 2017 Project

HPERM Ref: D17/171801

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Flood levee locations and restoration options [↓](#)
2. Report to Council Ordinary Meeting February 2016 [↓](#)

Purpose / Summary

1. To inform Council of the tender results for Shoalhaven River Levee Flood Damage Restoration 2017 project, and
2. To request for additional funding to conduct repair works for the flood damaged levee sites including works at high priority damaged levee locations.

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

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

Recommendation

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

Options

1. As recommended.

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

2. Council could select an alternative option:

Implications: The release of current tender details is not recommended until a final decision is negotiated.

Background

Council received National Disaster Relief and Recovery Arrangements (NDRRA) program funding to repair the levee flood damages that occurred in 2015 (\$1.13 million) which was

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reported to Council on 29 November 2016. Council also submitted a NDRRA claim (\$272,470) to repair flood damages that occurred in June 2016 and this is still pending. NDRRA is a joint funding initiative from Commonwealth and State Governments to provide disaster relief and recovery payments and infrastructure restoration to assist communities recover from the effects of natural disasters.

Council engaged NSW Public Works immediately following the August 2015 flood event to inspect and prepare estimates to repair the levee system to pre-flood condition. These estimates were used for the NDRRA 2015 claim. Council's NDRRA application for 2016 has not been determined. Council has been advised that the 2015 NDRRA application was successful.

Council also engaged NSW Public Works to project manage the current Shoalhaven River Levee Flood Damage Restoration 2017 project. In addition, a Review of Environmental Factors (REF) for the restoration works was prepared by Ecological Consultants Australia.

Council invited tenders on 21 March 2017 to select a suitable contractor to conduct the restoration of Shoalhaven River levee damages that occurred during August 2015 and June 2016 flood including the high priority levee audit defects that were identified prior to August 2015 flood (in accordance with Council's resolution MIN16.119b). The tender closing date was 18th April 2017.

Shoalhaven River Levee Flood Damage Restoration 2017 Project Tender

Council called for tenders for the Shoalhaven River Levee Flood Damage Restoration works on 21 March 2017, which closed at 10:00am on 18 April 2017. Two tenders were received at the time of closing.

Tenders were received from the following:

Tenderer	Location
Kenpass Pty Ltd	Saddleback Mountain NSW 2533
Stefanutti Construction Pty Ltd	Unanderra NSW 2526

The details relating the evaluation of the tenders are contained in the Tender Recommendation Report (confidential report).

Shoalhaven River Levee Flood Damage Restoration 2017 Project Options

Based on the updated NSW Public Works estimates that took the current tender quotations and the Review of Environmental Factors into account, it was revealed that the revised cost estimate is much greater than the original estimates. Therefore, additional funds are required to conduct the restoration works to include all works within the original project scope – repair 2015 and 2016 flood damages, and repair high priority defects from the 2015 audit.

In addition, a number of Levee sites that were damaged during August 2015 flood, were damaged again in June 2016 flood. Meaning that damages that were sustained during these two separate events need to be repaired at the same time. In addition, the NDRRA 2015 grant funds will only cover repair works to reinstate levees back to pre-flood condition. All these factors have contributed to requiring additional funding. Rock protection works to protect the repair works have been identified as necessary to minimise further damage to the levees during future events, however Council is unable to claim these works under NDRRA funding.

Council is currently preparing a report and updated claim based on NSW Public Works updated cost estimates for the 2015 and 2016 damages, to cover the unforeseen expenditure discussed above. The outcome of the original NDRRA 2016 claim is still pending.

Council resolved to allocate \$200,000.00 (MIN16.119b) on capital works on 16th February 2016 to repair the 2015 audit high priority defects. This audit was conducted prior to the 2015 flood. These works are included as part of the Shoalhaven River Levee Flood Damage Restoration 2017 Project Tender.

There is no guarantee that Council will be successful in obtaining the funding requested as part of the revised NDRRA claims however it will be recommended that council make strong representations through our local members of Parliament.

In order to progress forward with the levee restoration works, options have been developed for Council to consider. **Attachment 2** contains a map of the levee locations and illustrates the percentage of restoration works for each option. The detail of each option and cost estimates are included in the confidential report.

Flood levees are considered critical assets under the NDRRA funding and they provide flood mitigation benefits to the community. It is recommended that council give approval for all necessary works to be undertaken. This will allow Council to commence restoration works on a priority basis, starting with the highest priority levee first. This has been identified by NSW Public Works and Council's Floodplain Officers as the Terara levee (P1L2). Council's Asset Management Plan - Flood Mitigation Drainage Structures identifies this levee and as a category 1 – critical flood mitigation structure.

Capital works budget of \$200,000 to repair May 2015 Audit high priority defects

In the past Council resolved to repair the high priority defects identified in the May 2015 levee audit report (MIN16.119b). It is recommended that some portion of this budget be diverted to repair the flood damaged levee sites, including rock protection that are more prone to damage and require urgent attention.

Access and time restrictions to work on two wedding venues

There are two properties at Terara that are wedding venues (Lot 103 DP 883852 and Lot 1 DP 855360). Due to their ongoing business, Council will only be able to work on their property during winter up to 14th August 2017. Accordingly, repair works at these two sites should occur at first.

Community Engagement

Council's Floodplain Engineers and Property Unit Officer met with property owners to discuss access and levee repair works to be conducted on their properties. Deed of Agreements (DoA) have been sent to property owners who would be affected by the levee repair works. DoA's will allow Council to conduct the current levee repair works and future maintenance work on levees located on private properties. To date, most of the DoA's been received from the property owners, Council is negotiating with the remaining property owners to finalise the remaining DoA's.

Policy Implications

Council's Asset Management Plan for flood mitigation drainage structures, documents the required inspection and maintenance of the Shoalhaven River levee system.

Financial Implications

This is discussed in more detail in the confidential report however to enable all works to be undertaken will require additional flood damage claims to reflect the anticipated costs and additional council funds to complete the 2015 audit works (i.e. not directly related to flood damage).

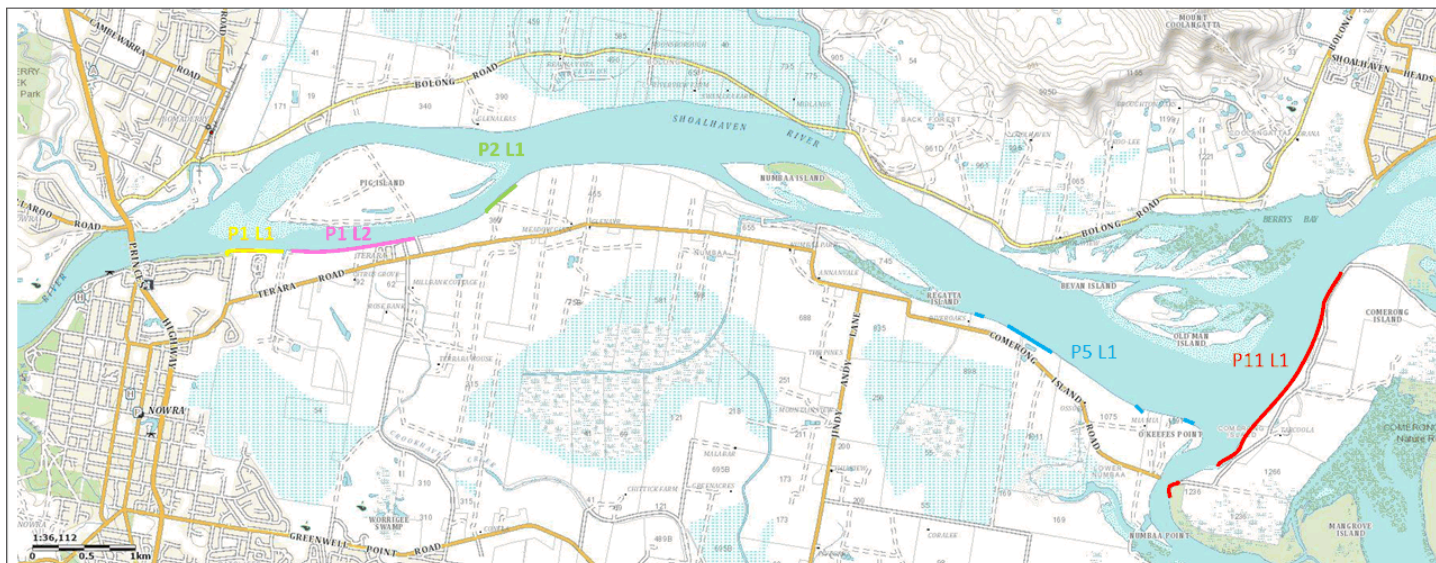
Risk Implications

Flood levees are considered state significant infrastructure, therefore, it is necessary to conduct the repairs so that the levees can continue protecting people and property from river flooding and to ensure existing damaged levee sections are not damaged further.

Without rock protection, the levees will be susceptible to erosion during future storm and flood events and it is likely that Council will need to undertake repairs after such future events. The installation of rock protection will reduce the risk of erosion.

Taking these risks into consideration and the flood mitigation benefits that flood levees provide to people and property, it is recommended that Council seek to vary the 2015 and 2016 NDRA claims to increase the amount of funding Council is requesting. These revised claims would cover the revised cost estimates of all flood damage repairs as well as allocate the additional budget required to complete all works in Option 1.

To avoid risks to property, or further damage to the levee from a future flood event it is important to approve the necessary works to proceed.



Option/ Levee ID	P1L1	P2L2	P2L1	P5L1	P11L1
Option 1	100%	100%	100%	100%	100%
Option 2	26%	90%	100%	4%	69%
Option 3	26%	90%	100%	4%	97%
Option 4	26%	77%	100%	94%	72%
Option 5	26%	77%	100%	4%	68%

% of levee identified defects repaired under each option

Option/ Levee	Option 1	Option 2	Option 3	Option 4	Option 5
P1L1	100%	26%	26%	26%	26%
P2L2	100%	90%	90%	77%	77%
P2L1	100%	100%	100%	100%	100%
P5L1	100%	4%	4%	94%	4%
P11L1	100%	69%	97%	72%	68%

REPORT OF GENERAL MANAGER**ORDINARY MEETING****TUESDAY, 16 FEBRUARY 2016****PLANNING AND DEVELOPMENT****1. Repair of flood levees****File 1799E****SECTION MANAGER: Kelie Lowe****PURPOSE:**

The purpose of this report is to:

- a) Inform Council of the damages caused by the August 2015 flood and ongoing deterioration of the Shoalhaven River flood levee network;
- b) Request support for starting the repair process to the damaged flood levees prior to receiving funding from the Natural Disaster Relief and Recovery Arrangements; and
- c) Request support for the 2016/17 capital works budget bid for \$200,000 for levee repairs.

RECOMMENDED that Council:

- a) Advance the restoration of category 1 flood levees (valued by Public Works at \$460,000), damaged during the August 2015 flood, ahead of confirmation of Natural Disaster Relief and Recovery Arrangements to ensure these assets are returned to pre-disaster condition as soon as possible;
- b) Council include the capital works bid of \$200,000 for the high priority levee repair works identified in the recent levee audit conducted by Royal HaksoningDHV to complete the first stage of this project in 2016/17;
- c) An additional report be provided to Council so that support for the future works program to repair, upgrade and maintain the Shoalhaven River flood levee network can be sought; and
- d) Reaffirm Councils position to not conduct stage 2 Terara levee upgrade (from Ferry Lane to Terara Nursery) due to financial limitations and limited cost benefit ratio as identified in the Terara Village floodplain risk management study and plan, and Council reconsider its position once the Lower Shoalhaven Floodplain Risk Management Study and Plan is reviewed.

OPTIONS

- 1. Adopt as recommended.

Implications: Due to recent flooding, several sections of the flood levees have suffered from circular failure, slope damage, erosion, and cracking. In addition to this, there were damaged levee sections that were identified before the August 2015 flood by a levee audit done by expert consultant Royal HaskoningDHV in May 2015 which require repair. A briefing to Council has provided a detailed overview of levee damages, required works, associated costs and options for the proposed future works program.

2. An alternate recommendation is adopted.

Implications: Unknown

DETAILS

A briefing in relation to the costs of the flood levee restorations and potential priority implementation options has been presented to Councillors. The brief outlined levee restoration works required as a result of the August 2015 floods as well as estimated costs.

- # The Shoalhaven River floodplain has an extensive network of levees (see **Attachment A** – levee network site plan). A number of the levees (P1L1, P1L2 and P2L1) protect the relatively dense residential settlements of Nowra and Terara from flooding. The other levees (P3L1, P5L1, P6L1, P8L1, P9L1, P11L1) primarily protect farmland, paddocks and the occasional farm building. Accordingly P1L1, P1L2 and P2L1 are considered a category 1 levee and the rest of the levees are considered as category 2. Council's Flood Mitigation Drainage Structures Asset Management Plan (AMP) states that a category 1 levee is a critical flood mitigation structure, providing public flood risk mitigation benefits along Terara, Riverview Rd and Scenic Drive.

The flood in August 2015 caused significant damage to Council's levees with approximately 133 linear meters of category 1 levee being damaged. This damage only occurred to the Terara levee, the Riverview Rd levee was not damaged. The Terara Levee damages include:

- a slip circle failure had been developed, immediately east of Ferry Lane, Nowra;
- levee sections (slumps/circular failure) were damaged immediately west of the Terara Sands operation;
- a tree falling into the river after being undermined taking sections of levee with it near the nursery; and
- sections of the river bank/toe have been eroded from Bryant Street, Terara to the end of the category 1 levee.

- # The flood damages have been evaluated by NSW Public Works at approximately \$1.2 million for both category 1 & 2 levees. A bid for funding under the Natural Disaster Relief and Recovery Arrangements (NDRRA) has been made to repair flood damages as reported to the Strategy & Assets Committee of Council held on 20 October 2015 (copy of Council resolution **Attachment B**). Council has received initial advice from NSW Public Works stating that they have supported our NDRRA application for the repair of flood damaged levees, and that this support and the application is now with Treasury. The NDRRA considers all levees as essential assets, therefore funding is expected to be granted, however, Council does not know when the application will be determined.

Because of the substantial damages and the critical role category 1 levees play in minimising flood damages to property, it is recommended that works to repair the Terara category 1 levee commence immediately, prior to confirmation that funding under the NDRRA is provided. Works to repair the category 2 levees will commence following confirmation of NDRRA funding.

The cost of the category 1 flood damage is approximately \$460,000. There is no existing budget to cover this cost if the NDRRA funding claim is not successful. If Council supports the immediate commencement of this work, NSW Public Works will be engaged to commence the detailed design work required to undertake the repairs. This initial work will be funded from the existing 2015/16 Flood Program budget. Any subsequent repair works to the levee would require an advance from Council general funds.

General repair and upgrade

- # Repairing the flood damaged levees provides an opportunity to upgrade the levee and repair other damages. In 2005 Sinclair Knight Merz (SKM) was commissioned by Council to undertake detail design of Terara levee. The specific objectives of that design brief was to upgrade the levee between Ferry Lane and Bryant Street in Terara Village to prevent overtopping of the levee in the 15 to 20 year Average Recurrence Interval (ARI) flood (see site plan in **Attachment C**). The required upgrade works were divided into section 1 (Ch 1300m -1812m) and section 2 (Ch 520m -1300m). Section 1 was upgraded in 2005 and section 2 was not upgraded due to financial limitations and limited flood benefit as identified in the Terara Village floodplain risk management study and plan.

Conducting repair work and upgrading the levee at the same time could provide significant cost and time savings as machinery, materials and staff time can be consolidated into one project. The upgrade of Terara levee, section 2, to the design standard will mean the Terara levee can protect the whole Terara village up to the design 20 year ARI flood. However, NSW Public Works estimates that these upgrade works will cost between \$715,000 without rock protection and \$2.15 million with rock protection, similar to the 2005 stage 1 upgrade.

Given the considerable costs it is recommended that Council reaffirm its previous position to not conduct stage 2 levee upgrade due to financial limitations and limited flood benefit as identified in the Terara Village floodplain risk management study and plan. As part of the review of the Lower Shoalhaven River Floodplain Risk Management Study and Plan more sophisticated flood modelling will be used to determine the benefit of the existing levee, increased levee heights or other flood mitigation options. Following the review Council will be able to reconsider what flood mitigation options, if any, need to be implemented.

Levee audit

Royal HaskoningDHV conducted an audit of all of the Shoalhaven River floodplain levees in May 2015. The audit was conducted to determine the state of levees, to identify levees with defects and to prioritise them for remediation works. As part of this work the consultant trained Council Officers on how to conduct audits and prepared a levee audit manual for Council. The audit identified a number of defects for both category 1 and 2 levees.

Royal HaskoningDHV recommended that priority for remedial actions be given to unacceptable defects, particularly those that occurred on the class 1 levees.

The total financial cost of the restoration of all defects for all flood levees has been estimated by NSW Public Works at approximately \$13,000,000 (including rock toe protection). The cost of these works is obviously unaffordable at this time which is why a staged restoration approach is being proposed. However the cost of unacceptable defects is \$260,000. Therefore priority damages could be repaired through the capital works bid of \$200,000, with priority being given to repair works of unacceptable defects on category 1 levee.

Levee failure could significantly increase damage to people and property. Without repair and upgrade works the flood mitigation benefits of the levee system cannot be guaranteed. Council could be found liable if damages occurred should levees be found not to have been built and maintained to design standards. This project should therefore be a high priority.

FINANCIAL IMPLICATIONS:

Repair of the August 2015 flood damage to category 1 Terara levee is estimated at \$460,000. The NDRRA considers all levees as essential assets, therefore funding is expected to be granted.

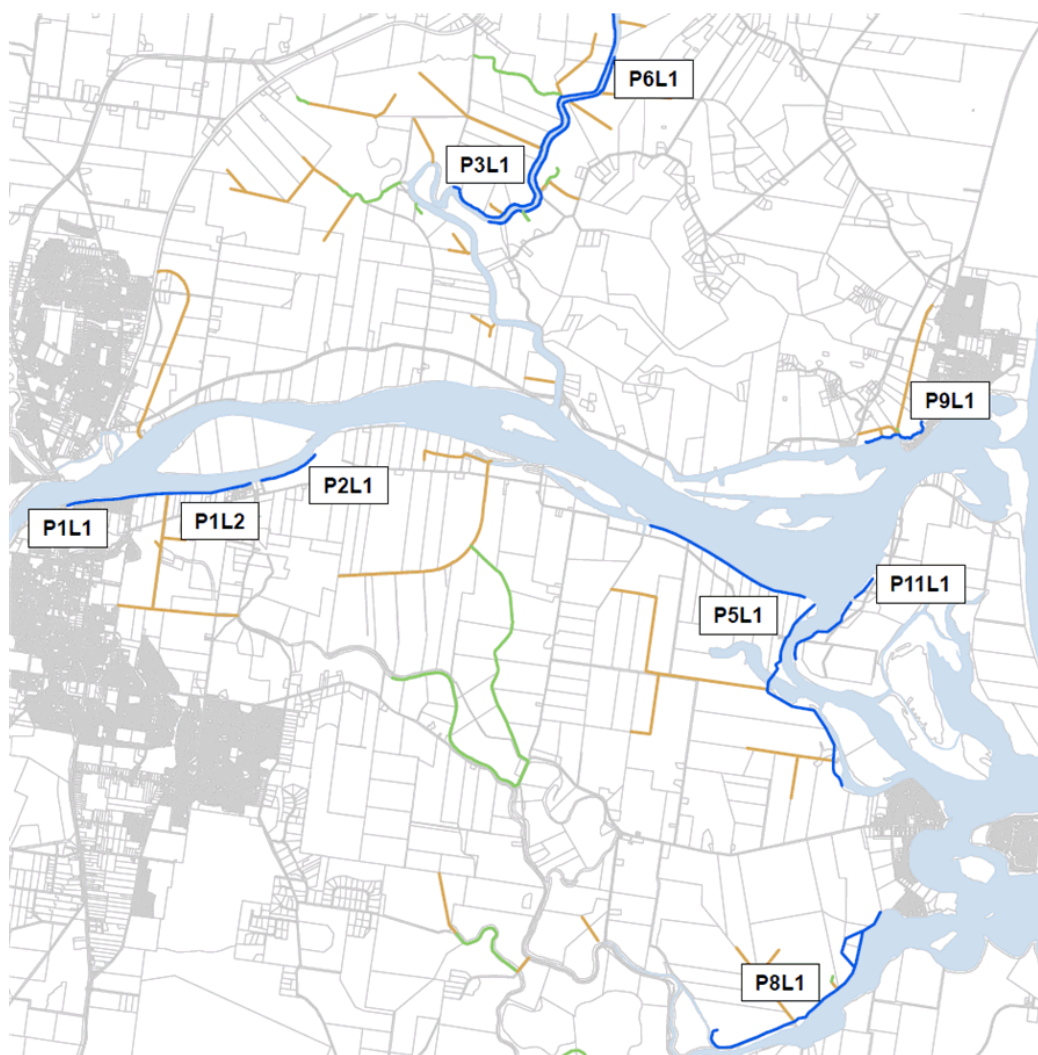
Substantial savings could be achieved by conducting required levee repair works (identified in the Royal HaskoningDHV levee audit) at the same time as the flood damage repairs. This requires Council to support the 2016/17 capital works bid of \$200,000.

Guidance is sought from Council, through a briefing of Council, in relation to prioritisation of flood levee restoration works to ensure maintenance of the flood levee system are within budgetary constraints.

COMMUNITY ENGAGEMENT:

Affected property owners will be informed prior to the works commencing. Given that some levees and their access are on private land with no easement access will need to be negotiated and agreed to with individual land owners.

Ordinary Meeting 16 February 2016 - Item 12 - Attachment A



Ordinary Meeting 16 February 2016 - Item 12 - Attachment B

ADOPTED AT COUNCIL MEETING HELD ON TUESDAY 27 OCTOBER 2015

662. Natural Disaster Funding Requirements File 51860E

That Council:

- a) Receive the report for information;
- b) Allocate \$271,000 from the capital works program budget, through a reduction in scope of works, to operational budgets to cover un-claimable costs associated with the emergency response;
- c) Advance the restoration program for essential assets ahead of claim approval to ensure these assets are returned to pre-disaster condition as soon as possible;
- d) Staff provide a further report following further development of the restoration program and discussion with agencies administering the NDRRA to provide further recommendations on restoring non-eligible assets; and
- e) Make representations to the State & Federal Governments expressing concerns that changes to Natural Disaster Relief and Recovery Arrangements (NDRRA) have reduced Council's capacity to effectively respond to natural disasters.

CL17.179 - Attachment 2

Ordinary Meeting 16 February 2016 - Item 12 - Attachment C



CL17.179 - Attachment 2

CL17.180 Review of Draft Bush Fire Environmental Assessment Code and Planning for Bush Fire Protection - Council Submission

HPERM Ref: D17/179434

Group: Planning Environment & Development Group
Section: Environmental Services

Attachments: 1. Submission - Planning for Bush Fire Protection Review (under separate cover) [↗](#)
2. Submission - Bush Fire Environmental Assessment Review [↓](#)

Purpose / Summary

To outline the proposed changes to the Bushfire Environmental Assessment Code Review and Planning for Bush Fire Protection Review and to endorse a proposed Council submission. (Attachments 1 & 2).

Recommendation

That Council make a submission to the NSW Rural Fire Service based on the content of the report including Attachments 1 & 2 regarding Bushfire Environmental Assessment Code and Planning for Bush Fire Protection.

Options

1. Adopt the recommendation and endorse Attachment 1 & 2 as Council's submission.
Implications: This is the preferred option as it ensures that Council comments on the proposals by the required date of 30 June 2017. It is essential that Council comment on the proposed revised documents given the likely impact on Council and the Shoalhaven generally.
2. Change the draft submissions (Attachment 1 & 2) as necessary and submit to the NSW Rural Fire Service.
Implications: It is important that the issues identified in Council's submission are considered and addressed by the NSW Rural Fire Service in finalising the documents. If items are removed or adjusted, they will potentially not be able to be addressed and there would not be sufficient time to report to Council with an amended submission.
3. Not make a submission
Implications: This is not the preferred option, the exhibited changes will have an impact on Council, including operational resourcing requirements.

Background

The NSW Rural Fire Service (RFS) is seeking public comment on the proposed Draft Revised Bush Fire Environmental Assessment Code 2017 and the Draft Revised Planning for Bush Fire Protection 2017 up until 25 June 2017. Council requested and was granted an

CL17.180

extension of up until 30 June 2017, so that the draft submission could be reported to Council for its consideration.

The Bush Fire Environmental Assessment Code is the principal mechanism for environmental assessment and approval of bush fire hazard reduction in NSW. The NSW RFS have undertaken this review to provide for the main types of works utilised to achieve hazard reduction and to reflect relevant changes to environmental assessment processes. NSW RFS state that the aim of the review is to assist public authorities and private landholders to better undertake hazard reduction works for the benefit of our communities and the environment.

Planning for Bush Fire Protection (PBP) was developed by the NSW RFS to provide development standards for building in bush fire prone areas in NSW. It provides for the protection of human life and helps to minimise the impacts on property from the threat of bush fire.

The NSW RFS state that the aim of the review of Planning for Bush Fire Protection is to incorporate lessons learnt from major bush fire events such as the 2009 Victorian Black Saturday fires, along with changes to building code and construction standards. The revision of Planning for Bush Fire Protection 2006 has been undertaken by the NSW RFS.

More information is available on the NSW RFS website -
<http://www.rfs.nsw.gov.au/news-and-media/have-your-say>

Bush Fire Environmental Assessment Code

Council's draft submission is contained in **attachment 2**.

The updating and improvements to the Bushfire Environmental Assessment Code and attachments is very welcome and, for the most part supported. Many referenced documents and tools are still under development or not available for use by local government. These include: Fire Trail Standards; Fire and Weed Management Guidelines and assessment tools within the Bushfire Protection for Existing Development Guidelines.

It is difficult to know the full extent of implications for Council as there have not been any background briefings or input into the development of these documents by Council. Once Council officers have a better understanding of the implications for Council, if any, a further report will be provided to Council.

There is likely to be significant financial implications for Council should it be the regulatory authority responsible for implementing the revised draft Bush Fire Protection for Existing Development - A Guide for Fire Agencies and Land Managers. This guide recommends upgrades of existing development to improve bushfire protection. Additional resources and budget would be required to regulate this.

Significant additional budget and resources are likely to be required to manage transport corridor fire breaks (TCFBs), a new type of hazard reduction not in identified or described in the current Bush Fire Risk Management Plan (BFRMP) template.

The introduction of linear fire breaks as a new type of fire management zone that is not identified or described in the (current) Bush Fire Risk Management Plan template is likely to require significant additional budget and resources to implement. The draft Shoalhaven District Bush Fire Management Plan identifies many linear fire breaks, many of which are

Council roads. No consultation with affected stakeholders has been undertaken regarding their inclusion in the draft revised Code or BFRMPs, other than the release of the draft Code.

It is recommended that:

- The definition and use of this new fire management zone be expanded to include TCFBs with permissible locations defined in sections 3.6.1 & 3.6.2.
- The NSW RFS defer the introduction of both Transport Corridor Fire breaks and Linear Fire Breaks pending the outcome of further stakeholder consultation.

Planning for Bush Fire Protection

Council's draft submission is contained in **attachment 1**, this submission is a detailed technical review of the document rather than a submission on general issues.

On 1 August 2002, Planning for Bushfire Protection 2001 was adopted in NSW. This was originally developed as a guide for local government but it was enshrined in legislation following a severe fire season in 2001/2002. This document was prepared by the NSW Rural Fire Service and it was ground breaking in addressing many of the problems impacting on subdivisions, new dwellings and existing development. It also called up the construction requirements of AS3959 (1999) – Buildings in bushfire prone areas and was seen as a pioneer document for dealing with bushfire issues.

The document was revised, improved and amended in 2006. Following the devastating bushfires in Victoria in February 2009, changes were made to the Australian Standard AS3959 (2009) – Buildings in bushfire prone areas and this was adopted in NSW in 2010. To facilitate the necessary enhancements to Planning for Bushfire Protection 2006, an Addendum dated 2010 was prepared by the NSW Rural Fire Service. This effectively aligned Planning for Bushfire Protection 2006 with AS3959 (2009) and also dealt with the state specific matters that applied here in NSW. For example, here in NSW we have

- a different vegetation classification system that was developed by the NSW RFS;
- upsized the requirements for timber decks resulting in bushfire resistant timbers being required for supporting posts, framing and decking material;
- upsized the requirements for unenclosed spaces beneath buildings; and
- specific measures for sarking and unenclosed spaces beneath buildings.

The new Planning for Bushfire Protection 2017 is yet another improvement that recognises the increased research in this space. The requirements in the 2010 Addendum have been included and the flow and read of the document has been significantly enhanced and improved. The document is still NSW specific and it logically deals with the bush fire issues by addressing the following:

- Legal framework of the legislation
- Bush fire protection measures
- Strategic planning
- Residential and rural residential subdivisions
- Special fire protection purpose developments (vulnerable developments such as nursing homes, schools, etc.)
- Residential infill development
- Other development (including non-residential uses such as offices, factories, historical buildings, wind farms, telecommunication towers and outdoor community events)
- Grassland.

Generally, the comments are positive and the transition into this new version of Planning of Bush Fire Protection will not cause a great number of concerns. Staff have prepared some comments for the RFS suggesting where clarification needs to be considered to make the document more user friendly and alleviate possible anomalies. The main issues that have changed are as follows:

- Site assessment: - A new site assessment methodology is provided in the document and this is specific for NSW vegetation. This alleviates the need to use Section 2 in AS3959 (2009). There are a lot more tables to consider but they are not difficult to interrupt and people will no doubt become more proficient over time.
- Construction standards: - Generally the requirements of AS3959 (2009) – Buildings in bush fire prone areas will be used. There are some variations to upsize the previous matters listed in the Addendum and this is a consistent approach. There are now requirements for landscaping closest to the dwelling (mown grass or pavement) and non-combustible fencing. These are both positive outcomes and address the most recent research on building loss in these areas. There is also more reliance on providing a static water supply on site and good access for fire fighting operations.
- Grassland considerations: - The new grassland requirements stipulate a flame zone distance and all areas to 50 metres only need to address BAL-12.5. This will be a saving to the end user but questions have been raised on backing up this approach with peer reviewed research.
- Greater reliance on bush fire consultants: - for vulnerable developments and where performance based solutions are proposed, there is a greater emphasis on reports from recognised bush fire consultants. This allows a greater flexibility in the design and final outcome for proposals.

Staff have recently received in-house training in the research and requirements for developments located in bush fire prone areas. It is anticipated that once the document is finalised, the NSW RFS will roll out additional training to assist with its implementation.

Policy Implications

Following adoption of the Bushfire Environmental Assessment Code and Planning for Bushfire Protection any relevant policies will need to be reviewed for consistency with the new documents.

Financial Implications

Potentially additional budget and resources are likely to be required to implement new requirements for Council as a land manager under the draft revised Bushfire Environmental Assessment Code and potentially as a regulator under the draft revised Bush Fire Protection for Existing Development.

However, at this stage, it is difficult to quantify the full implications as no training or briefings have been provided to date and some supporting documents have not been released. Council is requesting that further consultation be undertaken with land managers so that meaningful feedback can be provided to the NSW RFS once land managers have been provided further information and advice about the draft documents and their intended implementation.

Risk Implications

If the Bushfire Environmental Assessment Code is adopted without further landholder consultation there is potential for increased risk for Council as a land manager that will need to be managed, particularly in relation to transport corridor fire breaks and linear fire breaks.

Council Reference: 28873E (D17/179441)

Bush Fire Code Review
C/O- Manager Community Planning
Locked Mail Bag 17
GRANVILLE NSW 2142

By Email: bushfirecode@rfs.nsw.gov.au

Dear Sir/Madam

Submission - Bush Fire Environmental Assessment Code

Please find attached Council's submission for the draft revised Bush Fire Environmental Assessment Code 2017 and draft Bush Fire Protection for Existing Development - A Guide for Fire Agencies and Land Managers 2017.

Council requests that defer the introduction of both Transport Corridor Fire breaks and Linear Fire Breaks pending the outcome of further stakeholder consultation for the reasons outlined in the attached submission.

If you need further information about this matter, please contact Kelie Clarke, Planning Environment & Development Group on (02) 4429 3501. Please quote Council's reference 28873E (D17/179441).

Yours faithfully

Warwick Papworth
Acting Group Director
Planning Environment & Development

X June 2017

Comments – Review of the Bushfire Environmental Assessment Code (the Code)

Section	Comment / suggested changes
Section 3 – Types of Hazard Reduction (HR)	
3.1 Purpose of works	<p>Previously, HR works that could be assessed using the Code were tied to the Bush Fire Risk Management Plan (BFRMP) applicable to the land; there is no longer a requirement that HR works must be tied to the BFRMP or any strategic document or plan.</p> <ul style="list-style-type: none"> This broadens the applicability of the proposed revised Code beyond areas of strategic value identified in BFRMPs to 'land'.
3.2.1.5 – Maximum extent of work permissible within an APZ (Boundary Fences) p18. Previously 3.2.1.4	<p>Vegetation >10 years old was previously excluded from permissible works however trees are no longer dealt with in relation to clearing for protection of boundary fences. Recommend the addition of a statement referring to the requirements of Part 4 section 4.4 <i>Standards for the protection of trees</i> be included in the text of this section.</p>
3.3 – SFAZs Previously 3.3	<p>The definition of SFAZs no longer relates to district bush fire risk management plans (BFRMP) i.e. "mapped or described in a BFRMP" defining them only as "any vegetated area that is managed as a SFAZ".</p> <ul style="list-style-type: none"> Devalues the higher-order planning document (BFRMP) and its focus on <u>fuel management in strategic locations</u> based on the protection of assets. Potentially allows the BFEAC to be used inappropriately or more broadly than originally considered.
3.4 – Land management zones	<p>Comments as for 3.3. above.</p>
3.5 – Transport Corridor Fire Breaks (TCFBs) 3.5.1 – describes the maximum extent of works permissible in a TCFB. 3.5.1.1 – distances for mechanical works in TCFBs. 3.5.1.2 – scope for burning in TCFBs.	<p>This is a new type of Hazard Reduction that is not identified or described in the (current) Bush Fire Risk Management Plan template nor has consultation with affected stakeholders been undertaken regarding their inclusion in the draft revised Code or BFRMPs outside their introduction here.</p> <p><i>"Transport Corridor Fire Breaks (TCFBs) are limited to public roads and railways under the care and responsibility of the following authorities: a local authority (councils) or the Roads and Maritime Services in relation to public roads; and Transport for NSW in relation to railways."</i></p> <ul style="list-style-type: none"> This new type of fire management zone potentially has significant resourcing implications for Council depending on the number and extent of Council roads mapped as TCFBs in future BFRMPs and how their management is treated in future BFRMPs in relation to implementation. Recommend TCFBs not be included as a stand-alone fire management zone but be included as a <i>type</i> of Linear Fire Break (see 3.6 below) that is applicable to transport corridors as defined. Recommend the RFS defer the introduction of Transport Corridor Fire breaks as a type of fire management zone pending the outcome of meaningful stakeholder consultation.

<p>3.6 – Linear fire breaks (LBFs) (other than transport corridor fire breaks)</p>	<p>This is also a new type of fire management zone that is not identified or described in the (current) Bush Fire Risk Management Plan template nor has consultation with affected stakeholders been undertaken regarding their inclusion in the draft revised Code or BFRMPs outside their introduction here.</p> <ul style="list-style-type: none"> • Recommend that the definition and use of this new fire management zone be expanded to include TCFBs with permissible locations defined in sections 3.6.1 & 3.6.2. • Recommend the RFS defer the introduction of both Transport Corridor Fire breaks and Linear Fire Breaks pending the outcome of further stakeholder consultation.
<p>3.8 – Fire Trails</p>	<p>The reference provided for this section has not been prepared and unavailable for review. As such it is not possible to provide comment.</p>

Comments – review of Bush Fire Protection for Existing Development - A Guide for Fire Agencies and Land Managers - Attachment to the Bush Fire Code review

Section	Comment / suggested changes
<p>1.7 & 2</p>	<p>The document referenced as <i>Building Best Practice Guide – Upgrading of Existing Buildings (NSW RFS)</i> should be included as an Appendix/Attachment to the document and/or readily available to the general public through the RFS website. This will emphasise the 'shared responsibility' status of management of bushfire.</p>
<p>3.2 – Undertake Site Assessment</p>	<p>Steps for assessing the risk treatment requirements are provided. Step 3 references the 'short fire run methodology' and 'Short Fire Run Practice Note. 2016' however these are not provided for review or use. This section also describes entering inputs into the "NSW RFS Existing Development Treatment Calculator". This is also not available for use or review.</p> <ul style="list-style-type: none"> • Recommend providing land managers will access to these assessment tools to ensure equity, consistency and transparency of assessments and results.
<p>5 – Alternate Approach for Risk Treatments</p>	<p>The alternate approach to be employed when the acceptable approach cannot be achieved for existing residential development greater than 29kw/m² and existing SFPP development greater than 19kw/m² includes the development of a prescribed burn proposal 'for the area'. This is not always going to be achievable for various reasons so the wording should reflect this.</p> <ul style="list-style-type: none"> • Recommend amending the wording of this requirement to the <i>consideration</i> of a burn proposal.

CL17.181 Cities Power Partnership - Climate Council

HPERM Ref: D17/193605

Group: Planning Environment & Development Group
Section: Environmental Services

Purpose / Summary

To inform Council about the Climate Council's Cities Power Partnership (CPP) and recommend that Council join the CPP.

Recommendation

That

1. Council sign up as a Power Partner as part of the Climate Council's Cities for Power Partnership; and
2. Request the Sustainable Futures Committee to report back to Council on 5 key recommended actions as a partnership pledge.

Options

1. As recommended.

Implications: Council will receive access to a national knowledge hub to assist with the implementation of emissions reductions projects and be buddied with other participating Councils to knowledge share. Participants will also have access to expert advice and potentially exclusive access to small grants and renewable energy incentives as they become available.

2. Alternative recommendation.

Implications: Unknown.

Background

The Climate Council is Australia's leading climate communication organisation. The Climate Council is launching the Cities Power Partnership in July 2017.

Cities and towns across Australia are surging ahead with emissions reduction plans. Kiama, Eurobodalla and Bega Councils have all signed up to the CPP. Signing up to the CPP provides Council exclusive access to an extensive online knowledge hub and connects Council with other Councils through a 'buddy' system to share knowledge throughout the program.

Partners have 6 months to select 5 key actions from the partnership pledge ranging from renewable energy, efficiency, transport and advocacy. It is recommended that Council's Sustainable Futures Committee identify the 5 key actions from the partnership action pledge options and report these back to Council for consideration. Council's report back on progress on the 5 key actions after 6 months.

More information can be found on the Climate Council's webpage at <https://www.climatecouncil.org.au/cpp>

Community Engagement

The CPP assists Councils to connect with other Councils and engage with their communities to accelerate emissions reductions and clean energy successes.

Policy Implications

The CPP meets the objectives and terms of reference of Council's Sustainable Futures Committee and can assist in the delivery of these objectives.

Financial Implications

The CPP is free to join. Power Partners may have access to small grants and renewable energy incentives as they become available.

CL17.182 Proposed Submission - Amendments to State Environmental Planning Policy No. 64 Advertising and Signage

HPERM Ref: D17/153143

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. Submission - DP&E - SEPP 64 Advertising & Signage & EP&A Regulation 2017 [↓](#)
2. SEPP 64 Transport Corridor Outdoor Advertising and Signage Guidelines - 2015 (under separate cover) [⇒](#)

Purpose / Summary

Detail changes proposed to *State Environmental Planning Policy No. 64 - Advertising and Signage* (SEPP 64) and the *Environmental Planning & Assessment (EP&A) Regulation 2000* (the Regulation) and enable a submission to be made in this regard.

Recommendation

That Council make the submission attached to this report to the NSW Department of Planning and Environment (DP&E) on the consultation draft of *State Environmental Planning Policy No 64 - Advertising and Signage (Amendment No 3)* and *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017*.

Options

1. Adopt the resolution and endorse **Attachment 1** as Council's submission to the proposed *State Environmental Planning Policy No 64 - Advertising and Signage (Amendment No 3)* and *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017*.

Implications: This is the preferred option, as it will enable Council to provide a submission on the proposed changes to SEPP 64 and the EP&A Regulation in relation to advertising in transport corridors and advertising on parked trailers.

2. Make changes to the draft submission included as **Attachment 1** and submit to DP&E.

Implications: This option will still enable Council to provide a submission, however the implications of any possible changes are unknown and may require closer consideration or refinement.

3. Not make a submission.

Implications: This is not favoured, as it will mean that Council does not provide input on the changes proposed to SEPP64 and the EP&A Regulation in relation to advertising in transport corridors and advertising on parked trailers to improve road safety.

Background

The NSW Government, through the Department of Planning & Environment (DP&E) and Transport for NSW, are proposing changes to SEPP 64 and the Regulation in relation to advertising in transport corridors to address safety and amenity concerns relating to the growing proliferation of trailer based advertising on roads and adjacent areas.

The proposed amendments address the feedback received during 2016 on the *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines) (provided as **Attachment 2**) and to increase road and rail safety.

The *Guidelines* complement the provisions of SEPP 64, by outlining best practice for the planning and design of outdoor advertisements in transport corridors and include design criteria and road safety considerations that are used in the assessment of Development Applications alongside *Shoalhaven Development Control Plan (DCP) 2014* Chapter G22: Advertising Signs and Structures.

Current Exhibition

The NSW Government is currently seeking feedback on changes to SEPP 64 and associated the Regulation and have placed the following material on public exhibition between 5 May and 30 June 2017. The following exhibition material is available on DP&E's website at: planning.nsw.gov.au/proposals:

- Consultation draft: *State Environmental Planning Policy No. 64 – Advertising and Signage (Amendment No 3)* (SEPP 64);
- Consultation draft: *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017* (the Regulation);
- Changes to planning rules for outdoor advertising Frequently Asked Questions; and
- Explanation of Intended Effect.

The proposed changes seek to improve road safety by ensuring that State planning rules reflect and support the proposed changes to the *Guideline* on the use of advertising signs in transport corridors i.e. major roads or railway corridors, and land owned, occupied or managed by Roads and Maritime Services or Sydney Trains/NSW TrainLink. The changes also seek to address safety and amenity concerns relating to the growing proliferation of trailer based advertising within or within view of roads and road related areas.

Draft SEPP No. 64 – Advertising and Signage (Amendment No 3)

SEPP 64 provides planning controls in relation to outdoor advertising and signage in NSW that is visible from any public place or public reserve. The SEPP aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

The key changes proposed to the SEPP (outlined in further detail below) include:

- Repealing clause 16(4)(b) to ensure advertising in transport corridors is permissible with consent;
- Inserting a new clause 27A to prohibit advertising on parked trailers on roads and road related areas;

- Requiring development consent to display advertising on trailers that are parked on private land, viewable from a road or road related area; and
- Updating terms and definitions and rephrasing clause 6 Signage to which this Policy applies

Repeal of clause 16(4)(b) - Transport corridor land

Any Local Environmental Plans (LEP) made after 3 August 2007 that prohibit advertising in a transport corridor, currently overrides the provisions of SEPP 64. Repealing clause 16(4)(b) from SEPP 64 will permit advertisements within transport corridors (e.g. along the Princes Highway and the Railway Corridor) with development consent, despite the provisions of an LEP. Councils will continue to determine whether advertising is permitted on land outside transport corridors.

However, the proposed changes will not apply to signs positioned on the roof of parked motor vehicles, as the definition of 'advertisement' in SEPP Clause 9(d) does not include signage on vehicles.

Potential revenue to the Roads and Maritime Services (RMS) and Sydney Trains from advertisements in transport corridors will be used to fund public benefit programs such as road safety improvements, better public transport services and improvements to public amenity.

Clause 27A Advertisements on trailers parked on (or visible from) roads or road related areas

The addition of clause 27A into SEPP 64 will prohibit advertisements on trailers parked on all roads and road related areas (as defined by the Road Transport Act 2013) i.e. roads, road shoulders, road reserves, footpaths and nature strips/road verge. The aim of clause 27A is to address safety and amenity concerns related to the growing proliferation of trailer-based advertising within, or seen from, roads and road related areas.

The prohibition will therefore apply to all roads open to, or used by, the public in the Shoalhaven, in addition to the Princes Highway. Clause 27A will also require consent for the display of advertisements on trailers parked on private land that are visible from a road or road related area. The proposed consent requirements and prohibition will not apply to advertisements on parked trailers that are:

- Ancillary to the dominant purpose of the trailer (for example, signage on a removalist trailer or a trailer for gardening services), or
- Parked by or on behalf of a public authority (such as RMS) in exercising their functions.

As clause 9(d) Advertisements to which this Part applies currently provides that there is no consent requirement for advertising on vehicles, this clause is proposed to be amended to implement the new clause 27A applying to signage on a parked trailer. Clause 27A will not apply to advertisements positioned on the roof of a parked motor vehicle.

Draft Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017

The proposed amendment to the Regulation introduces a new penalty notice offence in Schedule 5 Penalty Notice Offences in conjunction with a breach of the new Clause 27A in SEPP 64, and can result in the issue of a penalty notice. The proposed changes will introduce \$1500 fines for individuals and \$3000 for businesses/corporations who advertise on trailers parked on roads, footpaths, nature strips and road shoulders. This will enable Council to issue penalty notices for parked trailers that are taking up a parking space, restricting sight lines or causing a distraction.

Proposed Council Submission

The proposed changes are generally supported as Council has consistently worked to prevent the proliferation of unnecessary signage. Some additional matters have been identified for consideration by DP&E in finalising the changes and the key issues outlined in the proposed Council submission (provided as **Attachment 1**) include:

1. **Review the provisions permitting ‘advertising’ in transport corridors with development consent** - The introduction of clause 27A will prohibit advertising on parked trailers on all roads and road related areas however it does not prohibit signage positioned on the roof of parked motor vehicles. As the definition of ‘advertisement’ in SEPP 64 (via Clause 9(d)) excludes ‘signage on vehicles’, this matter should be further considered and clarified by DP&E as this is a growing and often unsightly trend.
2. **Expand clause 27A provisions to all parked motor vehicles** – Prohibiting advertising on parked trailers is likely to simply result in an increase in the use of advertising positioned on the roof of parked motor vehicles (cars, vans, trucks) instead. This would generate similar road safety concerns related to parked trailers such as obstructing sight lines, causing distractions and taking up on-street parking spaces. As such, clause 27A should be expanded to also prohibit advertising on parked motor vehicles i.e. cars, vans, and trucks as well as parked trailers.
3. **Expand provisions requiring development consent to display advertising on trailers on private land seen from a road/road related area** - this requirement should be broadened to apply to advertisements on all parked motor vehicles in addition to parked trailers given that the proliferation of advertising trailers may simply be replaced by parked motor vehicles with advertisements positioned on the roof instead.
4. **Provide a comprehensive full set of relevant definitions in SEPP 64** – For ease of use the types of signage that may be captured by SEPP 64 should be specifically listed and defined in the SEPP. In addition, a comprehensive list of relevant definitions from multiple external pieces of legislation should be provided in Clause 1 of SEPP 64 (or at least re-produced in full in the Guidelines) including *road, road related area, classified road, main road, public road, advertisement, advertising structure, public transport agency, public place, public authority* etc.
5. **Enable penalty notices to be issued for advertisements displayed on parked motor vehicles and parked trailer advertisements** - The regulation requirements should be broadened to apply to advertisements on all parked motor vehicles (cars, vans, trucks, motor cycles etc.), as well as trailers, to enable Council to issue penalty notices for these vehicles, as required.

Community Engagement

The public exhibition documents have been available for community comment on DP&E’s website between 5 May 2017 and 30 June 2017.

Policy Implications

Future amendments to *Shoalhaven DCP 2014* Chapter G22: Advertising Signs and Structures may be required as a result of the proposed amendments to SEPP 64 and the EP&A Regulation. Any required future amendments would be separately considered and reported to Council, as needed.

Financial Implications

There are no immediate financial implications for Council, however the proposed changes to the EP&A Regulation will introduce a new penalty notice offence in *Schedule 5 Penalty Notice Offences* involving \$1500 fines for individuals and \$3000 for businesses/corporations who advertise on trailers parked on roads, footpaths, nature strips and road shoulders.

Risk Implications

There are no immediate risk implications for Council in making a submission to DP&E, however there may be additional ranger/compliance resources required.

CL17.182



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

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

Council Reference: 31157E (D17/169280)

Mr Stephen Murray - Executive Director, Regions
Planning Services, Regions
Department of Planning & Environment - Sydney
GPO Box 39
SYDNEY NSW 2001

Dear Sir

**Submission – SEPP 64 Advertising and Signage (Amendment No 3) &
EP&A (Penalty Notices for Parked Trailer Advertisements) Regulation 2017**

Thank you for the opportunity to provide comments on the consultation draft of *State Environmental Planning Policy No. 64 - Advertising and Signage (Amendment No 3)* (SEPP 64) and *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017* (the Regulation).

Council at its Ordinary meeting on 27 June 2017 resolved that:
(Insert Resolution)

Council welcomes and supports the proposed changes to SEPP 64 and the Regulation to address safety and amenity concerns relating to the growing proliferation of advertising on parked trailers within (or within view of) roads and road related areas.

Some additional matters for consideration have been identified and are outlined below. These issues should be considered and addressed to finalising the draft amendments to SEPP 64 and the Regulation.

1. Review provisions permitting 'advertising' in transport corridors with consent

Council supports the proposed changes requiring development consent for advertising in transport corridors. However, while the introduction of clause 27A will prohibit advertising on parked trailers on all roads and road related areas (which includes transport corridors), it does not specifically prohibit signage positioned on the roof of parked motor vehicles, which are becoming a growing and unsightly issue.

As the definition of 'advertisement' in SEPP 64 (via clause 9(d)) does not include 'signage on vehicles' it is therefore noted that allowing the display of an advertisement in a transport corridor with consent will not apply to signs positioned on the roof of parked motor vehicles.

It is therefore suggested that this matter be further considered and included in the amendments, as the display of signs on parked motor vehicles in transport corridors is generally not supported.

Council is also concerned with permitting flashing digital signage, similar to RMS signage, with consent in transport corridors. Council acknowledges that digital signage is addressed in the *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines), however there is a need to ensure that they are static or rotate/change slowly. Again, this type of signage has generally been discouraged to date.

2. Expand clause 27A provisions to parked motor vehicles (cars, vans, trucks) as well as parked trailers

Council supports the proposal to insert clause 27A Advertisements on trailers parked on (or visible from) roads or road related areas into SEPP 64. The concerns about safety in relation to advertising on parked trailers as they can obstruct motorists' vision and distract drivers and are a general nuisance is supported. Trailers parked on main roads are an unnecessary distraction, traffic hazard and often obstruct sight distance visibility for vehicles entering the main road in the vicinity of a trailer sign.

However, the prohibition on advertising on parked trailers should not just be limited to trailers. There are also a range of cars, vans and trucks that park semi-permanently on the Princes Highway for the purpose of advertising, causing a similar traffic distraction/hazard. Whilst motor vehicles are generally (although there are some) not parked in the one location 24/7 (unlike many of the parked advertising trailers), they generate similar road safety concerns as trailers, including unnecessarily obstructing sight lines, causing distractions and taking up on-street parking spaces.

As a result of the proposed amendments, Council is also likely to see an increase in the use of advertising positioned on the roof of parked motor vehicles, in place of advertising on parked trailers. It is therefore suggested that clause 27A is expanded to prohibit advertising on all parked motor vehicles such as cars, vans, trucks, motor cycles, which generate the same concerns as trailers and are likely to simply be used in place of advertising on parked trailers.

It is noted that clause 9(d) currently provides that there is no consent requirement for signage on vehicles and is proposed to be amended to implement the new clause 27A applying to signage on a trailer. It is suggested that this provision is expanded to apply to signage on the roof of parked motor vehicles, which generate similar concerns and are likely to be used in place of advertising on parked trailers.

3. Expand provisions requiring consent for advertising on parked trailers on private land seen from a road/road related area to all motor vehicles

This proposal to require development consent for advertising on parked trailers on private land seen from roads and road related areas is supported. However, it is suggested that this requirement be broadened to also apply to advertisements on all parked motor vehicles (cars, vans, trucks etc.) given that the proliferation of advertising trailers may simply be replaced by parked motor vehicles with advertisements positioned on the roof.

In addition, an advisory note should be considered to clarify that these provisions do not apply to utility vehicles/trailers associated with trucks displaying business identification signage that

are temporarily parked and where the signage is ancillary to the dominant purpose of the utility vehicle/trailer.

4. Provide a broader, comprehensive set of definitions in SEPP 64

Council strongly supports the need to update terms and definitions in SEPP 64, in particular that clause 6 is rephrased to clarify what signage the SEPP applies to. However, in this regard, it is suggested that all types of signage that may be captured by SEPP 64 are specifically listed and defined.

In addition, many relevant terms referred to in SEPP 64 are defined in external pieces of legislation including:

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Road Transport Act 2013*
- *Roads Act 1993*
- *Transport Administration Act 1988*

It is suggested that a full and complete list of relevant definitions such as road, road related area classified road, main road, public road advertisement, advertising structure public transport agency public place, public reserve, public authority is provided in clause 1 of SEPP 64 (or at least reproduced, in full, in the Guidelines).

5. Enable penalty notices to be issued for advertisements displayed on parked motor vehicles as well as advertisements on parked trailers

Council supports the proposed changes to the Regulation enabling Council to issue penalty notices for parked trailers. However, it is suggested that the regulation requirements are broadened to apply to advertisements on the roof of all parked motor vehicles (cars, vans, trucks etc.) as well as trailers, to enable Council to also take enforce action against these vehicles as required.

Thank you again for the opportunity to comment on the proposed changes to SEPP 64 and Regulation. It is hoped that DP&E will fully consider the comments raised in this submission in finalising the changes.

If you need further information about this matter, please contact Danielle Ratcliffe, Planning Environment & Development Group on (02) 4429 3482. Please quote Council's reference 31157E (D17/169280).

Yours faithfully

Gordon Clark
Strategic Planning Manager
Insert Date

c.c.	The Hon. Gareth Ward, MP	kiama@parliament.nsw.gov.au
	The Hon. Shelley Hancock, MP	southcoast@parliament.nsw.gov.au
	The Hon. Richard Colless, MCL	rick.colless@parliament.nsw.gov.au
	Mr Justin Field, MLC	Justin.field@parliament.nsw.gov.au
	The Hon. Paul Green, MLC	paul.green@parliament.nsw.gov.au
	The Hon. Donald Harwin, MCL	office@harwin.minister.nsw.gov.au

CL17.183 Draft Worrowing Heights Precinct Plan - Update & Next Steps

HPERM Ref: D17/157861

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. Draft Worrowing Heights Precinct Plan and Strategic Directions Report (under separate cover) [⇒](#)

Purpose / Summary

Provide an update on the Worrowing Heights Precinct Plan and obtain direction to commence landowner consultation on the draft Precinct Plan and Strategic Directions Report.

Recommendation

That Council:

1. Adopt the draft Worrowing Heights Precinct Plan and Strategic Directions Report for the purposes of landowner and broader community consultation.
2. The draft Worrowing Heights Precinct Plan and Strategic Directions Report be made publicly available for minimum period of 28 days.
3. Request the proponent of the Planning Proposal for 1310 Naval College Road, Worrowing Heights to consider the draft Precinct Plan as exhibited and modify their proposal accordingly.
4. Council staff report back after the landowner/community consultation and dialogue with the proponent of the PP.

Options

1. Adopt the recommendation.

Implications: This will enable the progression of an overall strategic direction for the broader precinct. This will also allow an initial decision to be made for the Planning Proposal (PP) over 1310 Naval College Road, Worrowing Heights.

2. Adopt an alternative recommendation.

Implications: This may delay a strategic direction being finalised for the broader precinct and affect the ability to make a decision for the PP over 1310 Naval College Road, Worrowing Heights that can ultimately be justified and be able to progress.

Background

On 18 July 2016, the Development Committee considered a report on a proponent initiated Planning Proposal (PP) that had been received for 1310 Naval College Road, Worrowing

Heights that sought to rezone the site SP3 Tourist under Shoalhaven LEP2014 and increase the maximum height of buildings to 18m under the LEP.

The Committee resolved (under delegation) to:

- a) *Defer a decision on the Planning Proposal to rezone 1310 Naval College Road, Worrowing Heights to SP3 Tourist; until a more detailed strategic planning exercise that considers the future zoning of the broader precinct as per the previous Council resolution has been investigated.*
- b) *Report the issue back to Council following the strategic review of the broader precinct.*
- c) *Advise the proponent, the NSW Rural Fire Service and Department of Planning and Environment of this resolution*

Following this resolution, Council staff met with the proponent to discuss the preparation of a precinct plan for the broader area. The two options discussed were either Council or the proponent engaging a consultant to prepare the precinct plan. The proponent advised that they wished for Council to undertake this process. Thus, in September 2016, Locale Consulting Pty Ltd (Locale) commenced a strategic review of the precinct (outlined in red) as illustrated in *Figure 1* below. The site within the precinct to, over which the PP was submitted, is outlined in blue.



Figure 1 – Precinct Plan Boundary

Draft Strategic Directions Report and Precinct Plan

The draft Strategic Directions Report prepared by Locale provides a potential strategic planning framework for the future use of approximately 67 hectares of land within the precinct at Worrowing Heights. A copy of the draft report is provided as **Attachment 1**.

The draft Strategic Directions Report contains a strategic directions analysis for the precinct that is based on investigations undertaken of the physical environment constraints, opportunities, infrastructure requirements, landowner consultation, tenure arrangements and review of existing strategic planning policies and land use options.

The draft report recognises the unique attributes of the precinct in relation to the:

- Natural environment, including the site's interface with adjoining National Parks;
- Relatively large size of the precinct and need to consider it in a staged manner, both from a land supply demand and long term planning perspective; and
- Location on an urban/ rural fringe that creates both opportunities and constraints to possible land uses that may be viable in the precinct.

Precinct Plan Options

The draft Strategic Directions Report identifies four possible options for a precinct plan.

Whilst the plans are high level and indicative only, they identify boundaries for short to long-term uses and the retention of vegetation zones within the existing RU2 Rural Landscape zone. These options have also been informed by a strategic site analysis (included as an appendix to Attachment 1) and a Market Feasibility Analysis (prepared by Walsh & Monaghan Pty Ltd, dated 24 April 2017 and included as an appendix to Attachment 1).

The options also respond to the precinct plan principles as contained in the report, and the precinct vision *to recognise the unique natural characteristics of the precinct, and create staged opportunities for future land uses that are both connected to, and balanced with, the surrounding Bay & Basin area.*

All of the options recognise the most significantly environmentally constrained land located in the south-western corner of the precinct, from both a flora and fauna and bushfire perspective. This portion of the precinct is recommended to maintain its existing RU2 Rural Landscape zone, or to possibly be rezoned to an environmental zone in the future following appropriate studies. This approach is consistent with the Shoalhaven Local Environmental Plan 2014, Jervis Bay Settlement Strategy, Illawarra Shoalhaven Regional Plan where relevant and recent site-specific data that has been obtained through development applications.

Option 1

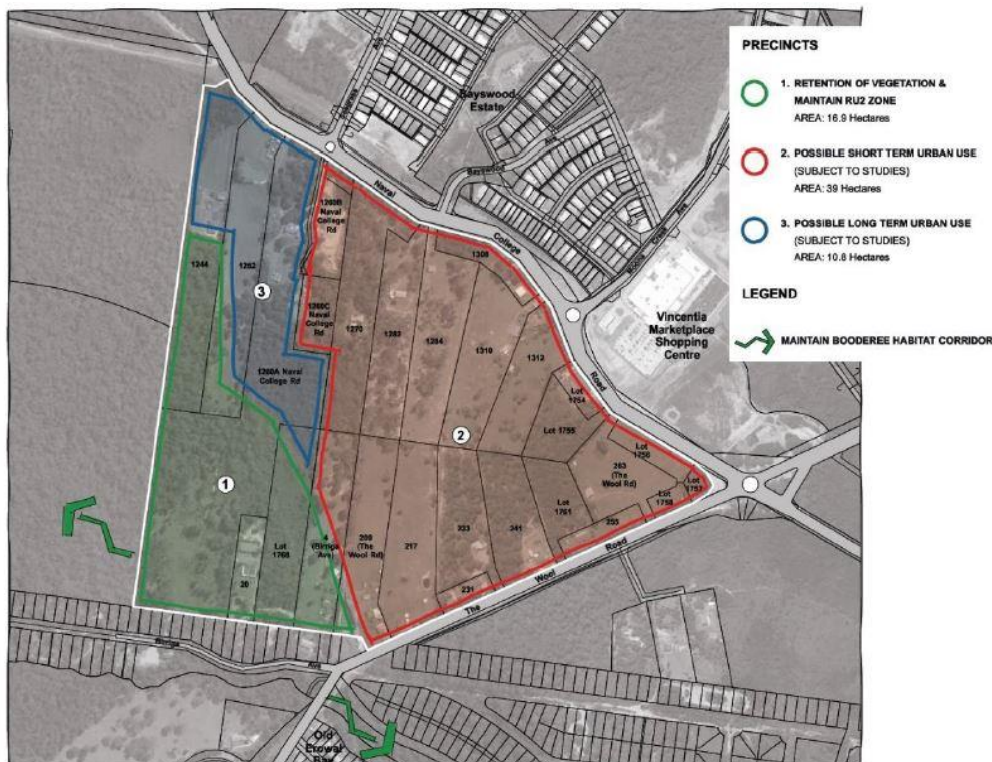


Figure 2 – Option 1 Precinct Plan

Option 1 includes short-term and long-term urban use investigation areas. The short-term investigation area has been identified due to its proximity to the existing urban area, i.e. Bayswood Estate and Vincentia. Due to the large size of this area (39 ha), careful consideration will need to be given to land supply and detailed staging, should this option be pursued.

Option 2

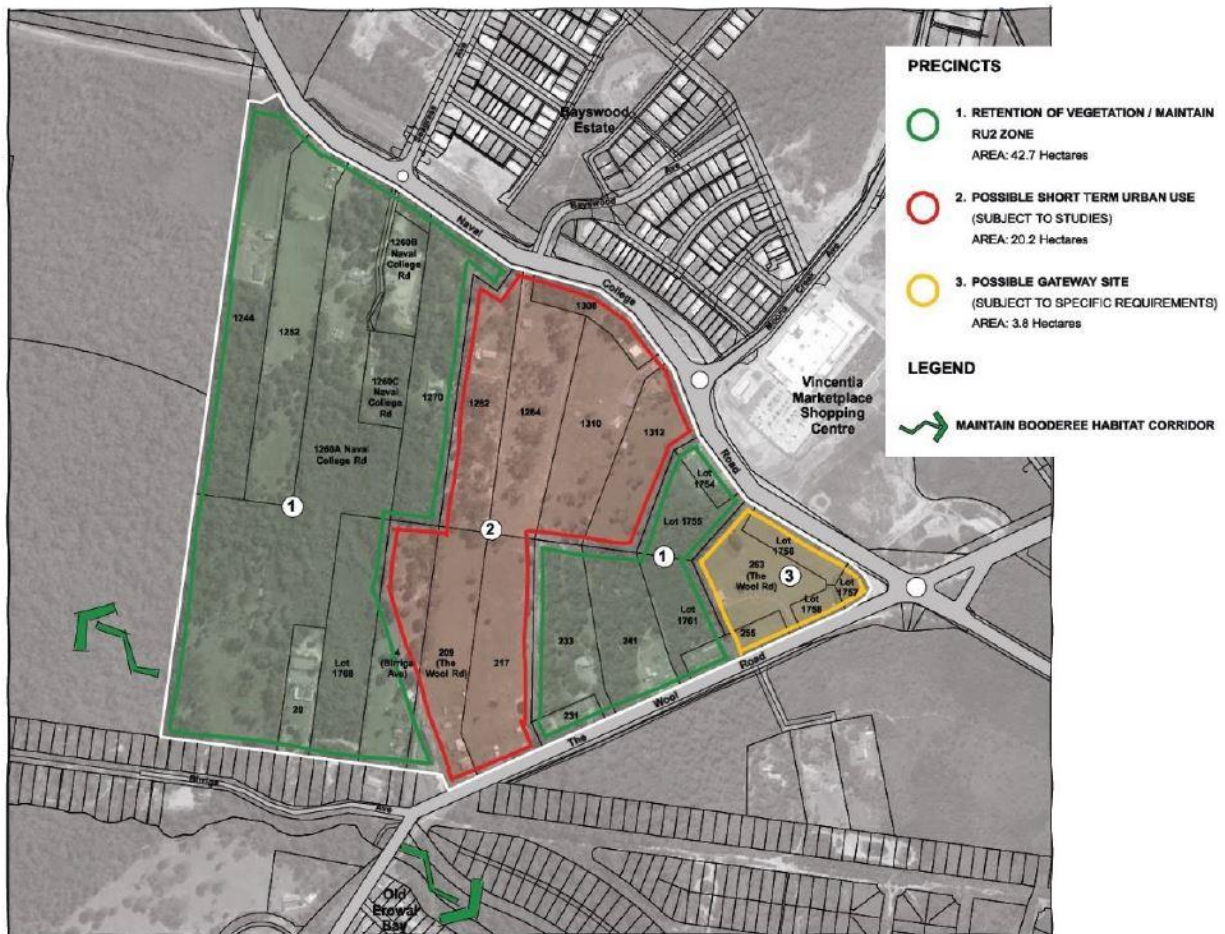


Figure 3 – Option 2 Precinct Plan

Option 2 provides opportunities for precincts within the broader precinct, with the prospect of a gateway or landmark site at the crossroads. A gateway / landmark site could incorporate various land uses including educational establishments, tourist & visitor accommodation, eco-tourist facilities, information & education facilities, recreation facilities and/or commercial premises.

Urban uses could also be investigated in the short-term in area 2, which would be physically separated by the gateway/landmark site through a vegetation corridor. The vegetation corridor recognises the environmental constraints of this area. The draft Strategic Directions Report identifies that the separation of the two development precincts may create issues of viability/increased development costs, environmental impact (i.e. edge effects of development within precincts) and ongoing management of vegetated areas. This along with land supply and staging will need to be considered in detail, should this option be pursued.

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Option 3

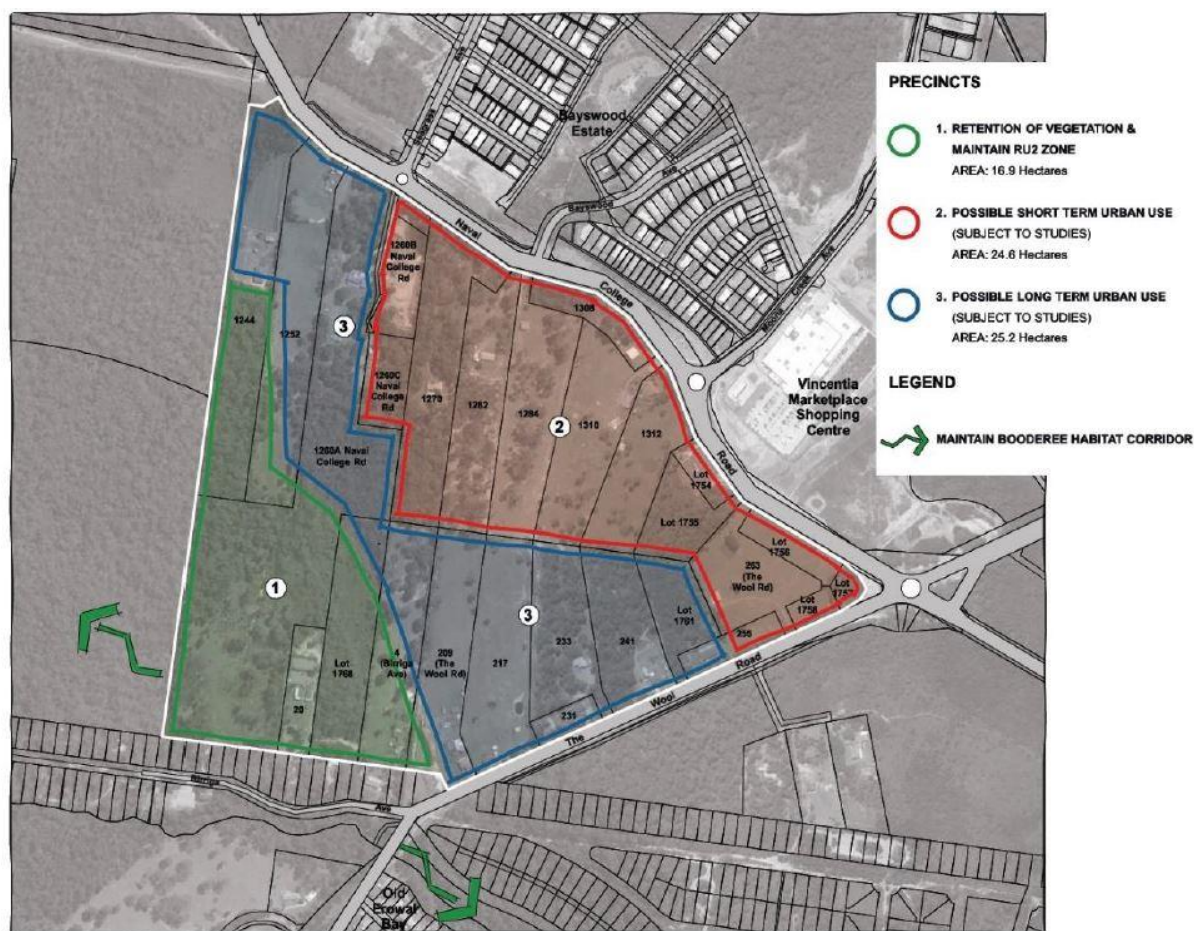


Figure 4 – Option 3 Precinct Plan

Option 3 includes short-term and long-term urban use investigation areas. The short-term urban use investigation area has been identified due to its proximity to the existing urban area (being Bayswood Estate and Vincentia), possible servicing and access arrangements and distance from the identified western bushfire risk. The smaller size of the short-term urban use investigation area creates an opportunity to focus on detailed planning for that area whilst not discounting future urban use if or when it is appropriate to investigate in the medium/longer term. This is an important consideration in the context of the Market Feasibility Analysis.

Note: Option 3 is identified in the draft Strategic Directions Report as the preferred Precinct Plan of the four presented.

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Option 4

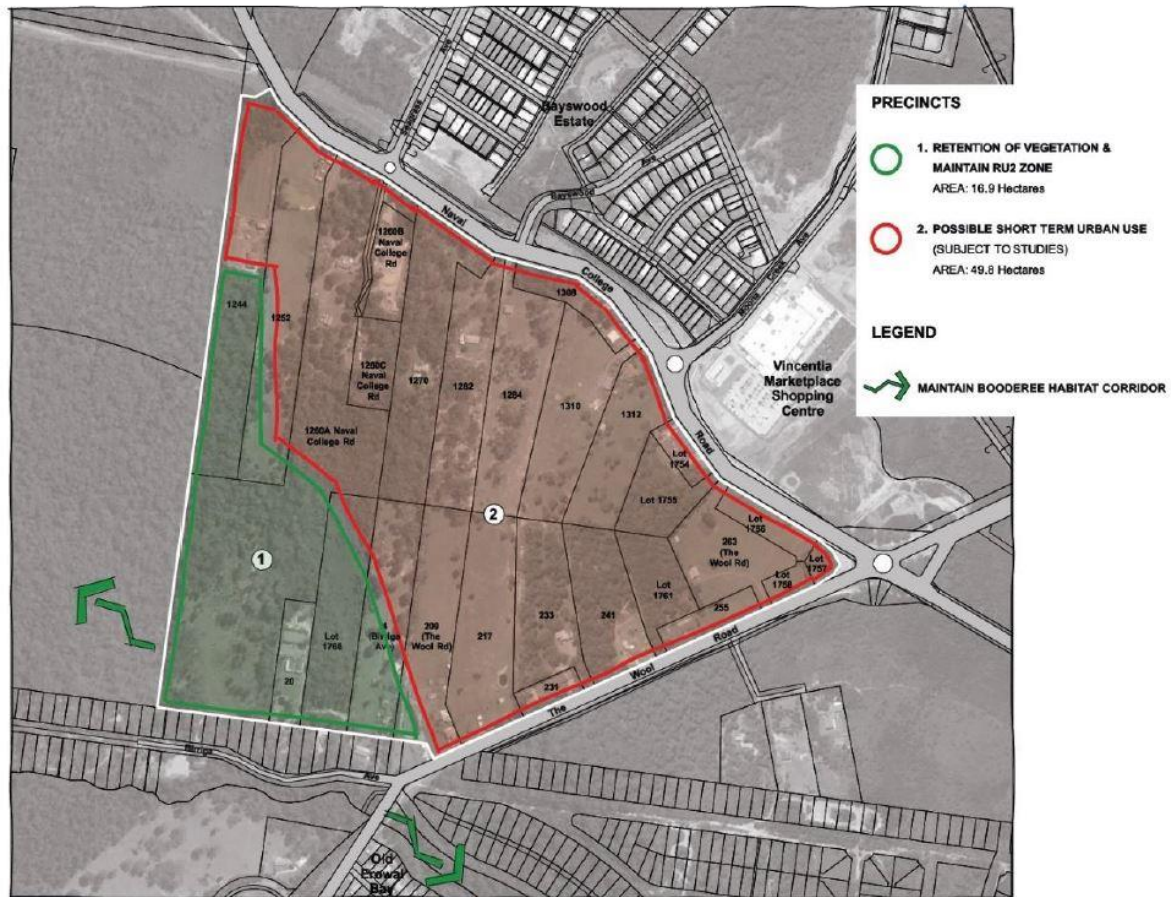
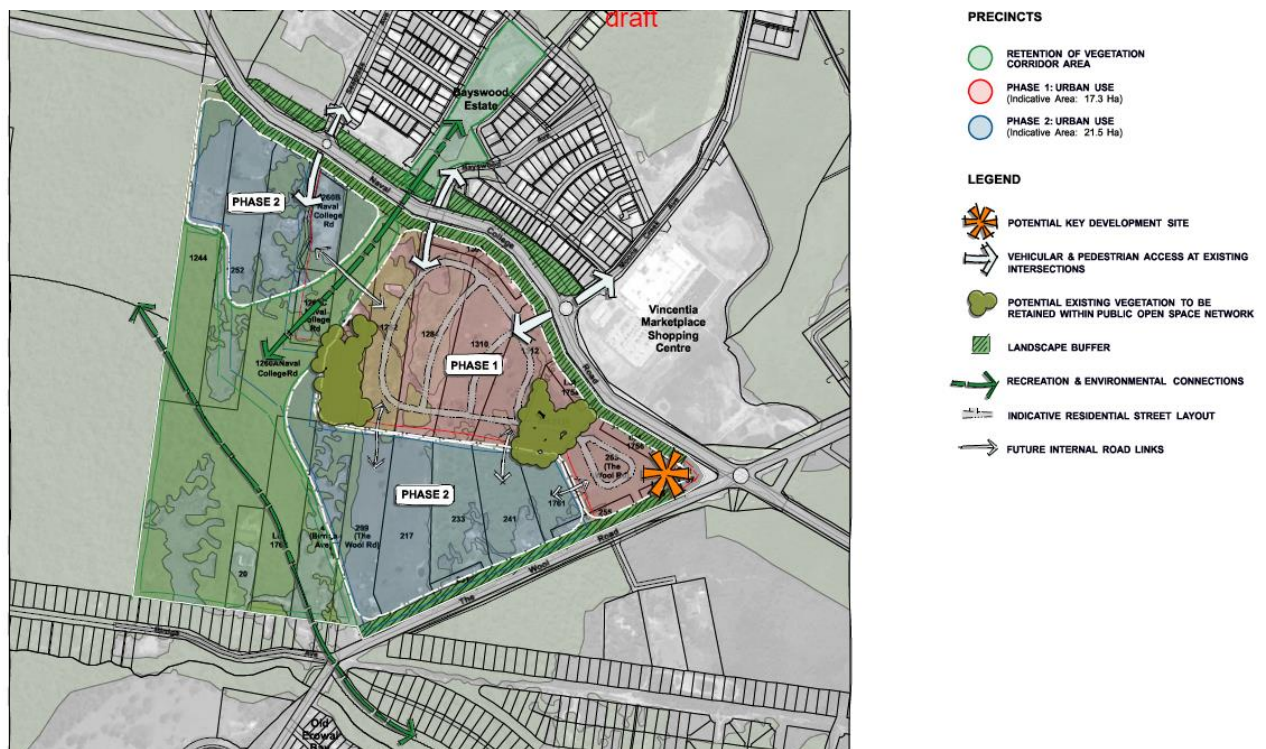


Figure 5 – Option 4 Precinct Plan

Preferred Precinct Plan



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Figure 6 – Preferred Precinct Plan in the Draft Strategic Directions Report

Option 4 includes a large short-term urban use investigation area across the remainder of the precinct. It is noted that the short-term urban use investigation area is larger than the nine stage Bayswood Estate, and would require careful land supply consideration and a detailed staging plan, should Option 4 be pursued.

The preferred Precinct Plan (shown in *Figure 6 above*) proposes a balanced approach to environmental protection and provision of urban land use investigation, whilst recognising the changing nature of the surrounding area. This option contains a number of phases (i.e. not made available all at once) and recognises that any future urban land use and potential rezoning is most viable within 'Phase 1' in *Figure 6*, subject to targeted studies. The Phase 1 area allows for better integration with surrounding urban development associated with Bayswood Estate, whilst providing the opportunity to address residential land demand in the medium to longer term with the Phase 2 area.

The preferred Precinct Plan also provides the opportunity for a gateway site, if desired/appropriate, at the intersection of The Wool Road and Naval College Road, which has the potential to act as an anchor to the precinct. Development of this site could take many forms, in which case it would possibly be appropriate to explore land uses and key design outcomes as a separate planning process. The landmark site concept was considered possible in the Market Feasibility Analysis.

Whilst the preferred Precinct Plan is based on the fundamentals of Option 3 (as discussed above), it also builds on the preferred precinct plan in the Market Feasibility Analysis of Option 4 with respect to addressing demand for residential land release, and the recognition of the potential use of the gateway site.

The draft Strategic Directions Report advocates that this option will allow the Precinct Plan vision and principles to be fulfilled as planning continues for the precinct. The preferred Precinct Plan would be subject to further studies to determine a more detailed planning outcome for the precinct, this would include but is not limited to; flora and fauna, bushfire, traffic, visual impact, infrastructure servicing, hydrological, contamination and geotechnical assessment. These studies would then inform a masterplan of the precinct to manage staging, recreation and environmental connections, landscape buffers, retention of existing vegetation, potential for key development sites and future road network.

Possible core land uses/zones

The draft Strategic Directions Report provides a discussion of possible core land uses and zones, summarised below, in the context of the Precinct Plan and is informed by the Market Feasibility Analysis.

Tourism

The draft Strategic Directions Report identifies that as part of the Market Feasibility Analysis, it was concluded that there is not sufficient demand for more land to be zoned for tourism purposes in the Bay & Basin area and therefore within the precinct.

The Market Feasibility Analysis states *"it is considered that there is sufficient land available to promote tourism opportunity within both the immediate "Bay and Basin" locality and the broader Shoalhaven considering that these opportunities may also be available in other zones, albeit, at a fairly low key scale which is consistent with current development trends"*.

The draft report concludes that some tourism land uses incorporated under the group term of "tourist and visitor accommodation" (excluding farm stay accommodation) are permitted in

residential zones such as R1 General Residential and therefore could be pursued in the short, medium and longer term under this zone, if applied, within the precinct.

Business/Commercial

Within the Bay and Basin area, the Market Feasibility Analysis determined that business and commercial land uses are generally well catered for, especially within the vicinity of the precinct because of the recent Vincentia Marketplace development. As such, specific business zones are not considered warranted within the precinct at this stage.

The preferred Precinct Plan provides the opportunity for the development of a gateway site that could benefit from a business zone such as B4 Mixed Use. The draft Strategic Directions Report acknowledges that some permitted land uses may not be suitable at the crossroads intersection, therefore recommends that a separate planning process be undertaken to determine appropriate land uses and key design solutions in light of the precinct plan vision and principles. Some non-residential, business land uses that may be appropriate on the “gateway site” are permissible in the R1 General Residential zone.

Some business type land uses could be pursued in the short, medium and possibly longer term under a R1 General Residential zone within the precinct, or via a separate planning proposal process in the area of the gateway site.

Residential

The Market Feasibility Analysis identified that the demand for residential land is driven by the supply of appropriate zoned land. Due to the environmental constraints of the Bay and Basin area, it was considered that the demand for residential zoned land might not be able to be satisfied in the medium to long term. The report states: *“the lack of zoned land will eventually impact supply, therefore, is also likely to sustain the demand for residential land in this location over the medium to long term as the existing stock is absorbed by the market.”*

The draft Strategic Directions Report recommends that it is appropriate to consider a residential zone to provide opportunity for the residential development in association with supporting development controls. The R1 General Residential zone permits low density residential uses as well as seniors housing and multi dwelling housing, for which there may be demand for in the longer term.

Detailed studies will need to be undertaken, which may limit the area of developable land and can be zoned for residential purposes. This may support a R1 General Residential zone (rather than the R2 Low Density Residential or R5 Large Lot Residential zone) to achieve feasible density outcomes.

Other Land Uses

Other land uses investigated as possible within the precinct (which would not be permitted in an R1 General Residential zone or by a State Environmental Planning Policy) include health services facilities, recreation facilities and environmental facilities. If a planning proposal is pursued and the subject land uses are warranted, these land uses may be able to be investigated further.

Building Height

The draft Strategic Directions Report indicates that the maximum height of building of 11m should be retained in light of the Precinct Plan vision and principles. Alternatively, should the precinct be rezoned for residential purposes the maximum height of buildings is recommended to be 8.5m. An increased height of building could be considered on the gateway site to form a landmark into the precinct; this would need to be investigated as part of a separate planning proposal process.

Planning Proposal – 1310 Naval College Road

The current PP over 1310 Naval College Road proposes to rezone the land from RU2 Rural Landscape to SP3 Tourist, and increase the maximum height of buildings from 11m to 18m. The intent of the PP is to allow the future development of the site for a tourist development, specifically a 180-room serviced apartments and 120-room hotel and associated uses.

A preliminary review of the PP by the consultants has determined that the proposal is potentially an overdevelopment of the site. The proposed height is not in keeping with the existing and future scale of development on the urban/rural fringe of the Bay and Basin area. The review notes that the economic assessment does not justify the proposed location or the proposed size of development; this creates the risk of undermining future development for tourist accommodation in a more appropriate location.

The draft Strategic Directions Report recommends a preferred Precinct Plan option that supports a R1 General Residential zone over approximately 60% of the precinct. It also proposes that the existing maximum height of buildings of 11m is retained or alternatively, should the precinct be rezoned for residential purposes the maximum height of buildings be amended to 8.5m. The same approach is currently recommended over the subject PP site.

As part of the proposed landowner consultation, discussions will be held with the proponents of the PP. As part of this process, it is recommended that the proponent consider the draft Strategic Directions Report and the preferred precinct plan and if appropriate modify their proposal accordingly. Following the landowner consultation, a report to consider a revised PP will be provided to Council for consideration.

Community Engagement

Following the resolution to undertake a more detailed strategic review of the broader precinct, Council wrote to landowners within the precinct advising of the preparation of a Precinct Plan. As part of this process, the landowners were provided with an opportunity to provide feedback on their aspirations for their land and the precinct generally. Out of the 23 landowners in the precinct, 16 responded (either verbal or in writing).

Another opportunity was provided to the landowners to provide feedback during a site inspection of the precinct. Some landowners requested that the consultants do not enter their properties, these requests were respected.

There were various possible future uses identified by the landowners including residential, mixed use and tourism. Further discussion on the landowner consultation is provided in the draft Strategic Directions Report.

There are no legislative provisions with respect to community engagement for precinct plans. Although this is the case, it is considered good practice to continue to engage with the landowners within the precinct. A drop-in session will be held to provide landowners and the broader community, including Community Consultative Bodies, an opportunity to discuss the draft Strategic Directions Report and the preferred Precinct Plan option with the consultants and Council staff.

In addition, the draft Strategic Directions Report will also be made available on Councils internet site for comment for a minimum period of 28 days.

CL17.184 Council Submission - Proposed Greenfield Housing Code

HPERM Ref: D17/174166

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments:

1. Council Submission to proposed Greenfield Housing Code [↓](#)
2. Background Paper - A Review of Complying Development in Greenfield Areas (under separate cover) [⇒](#)
3. Explanation of Intended Effect Proposed Greenfield Housing Code (under separate cover) [⇒](#)

Purpose / Summary

Endorse the Council submission (**Attachment 1**) on the proposed Greenfield Housing Code amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 that was made prior to the public exhibition deadline of 16 June 2017.

Recommendation

That Council:

1. Endorse the attached submission (Attachment 1) to the NSW Department of Planning and Environment on the proposed Greenfield Housing Code; and
2. Advise the NSW Department of Planning and Environment of this resolution.

Options

1. Endorse **Attachment 1** as Council's submission on the proposed Greenfield Housing Code.

Implications: This is the preferred option, as it will enable the Council resolution to be forwarded to the NSW Department of Planning and Environment (DP&E) confirming the Council support for the submission.

2. Adjust **Attachment 1** and include additional comments as necessary and submit to DP&E.

Implications: Although not preferred, this option enables modifications and additions to be made to the submission for DP&E's consideration and enable a modified submission to be provided.

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3. Not endorse the submission.

Implications: This option is not favoured as it may result in the issues raised in the attached submission not receiving appropriate attention in the final Greenfield Code. This could have significant future implications for nominated Urban Release Areas (URA) in Shoalhaven.

Background

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) is a State Government policy which provides a streamlined and flexible planning approval system for development with generally no or minimal impact.

Under the Codes SEPP, the General Housing Code currently allows the development of one and two storey dwelling houses to be carried out under a fast track approval process called complying development. DP&E aims to provide opportunities to increase the uptake of residential complying development in Greenfield areas by simplifying the development standards and tailoring them to suit new growth areas through the proposed Greenfield Housing Code (Code).

The proposed Code documentation was on exhibition for community comment from 16 May to 16 June 2017 and was available for viewing on the DP&E's website: planning.nsw.gov.au/proposals. The Background Paper and an Explanation of Intended Effect for the proposed Code are provided at **Attachment 2 and 3**.

The proposed Code is intended to apply to land defined as a residential release area under clause 136AB of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and any other Greenfield release areas nominated by Councils and identified in a schedule to the Code.

In Shoalhaven, the proposed Code will apply to all URA's mandated by Part 6 of the Shoalhaven Local Environmental Plan 2014, at this point, those in the Nowra-Bomaderry area and also the Badgee area at Sussex Inlet.

The proposed Code will apply to land zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, and RU5 Village, which is consistent with the General Housing Code.

The key initiatives and elements of the proposed Code include:

- Removing identified barriers to the take up of complying development including enabling private certifiers to issue complying development certificates on lots that have been approved, but not registered;
- Allowing driveway locations to be approved 'in principle' at the subdivision stage;
- Enabling Section 68 Local Government Act approvals on vacant lots;
- Allowing complying development despite a registered easement in certain circumstances;
- Development of a set of Subdivision and Masterplan Guidelines.
- Simplifying and basing key development controls on lot width rather than lot area;
- Using site coverage as a control rather than gross floor area;
- Consistent numerical dwelling front setbacks rather than averages;
- Maximum depth of 6m for any habitable room from a window;
- Allowing a double garage on lots 10m wide and over; and
- Improving landscaping provisions by requiring a tree in the front and rear setback of a property.

Council Submission

Whilst the proposed Code is a general improvement on the current Housing Code, there are elements of the proposed Code that are of concern.

The key issues outlined in the submission (**Attachment 1**) include:

1. The proposed Code is metro-centric - Many of the key elements proposed have been informed by the Sydney Growth Centre Development Control Plans and therefore allow for development on lots as small as 6-7 metres wide, 25m deep and a minimum of 200m² in area. DP&E have been requested to consider a regional variation to the proposed Code that would be better suited to the Shoalhaven URAs and provide better protection to the residential amenity and the desired future character for these areas.
2. Changes to the process of how Complying Development Certificates (CDC) are issued – Allowing CDCs to be issued prior to lot registration may be counterproductive and slow the overall approval process, for example if an amendment to a subdivision consent is made. This is also inconsistent with the notion of obtaining planning and construction approval at the same time.
3. Minimal guidance around the articulation zone – Whilst the articulation zone is defined in the Codes SEPP, there is limited guidance as to what can be built in this zone and whether it will be managed by specific development standards.
4. Protection for lots with rear lane access – The proposed Code offers no protection for lots where Council provisions require rear lane access (i.e. no driveway at the primary street frontage). This is a key design component that is being considered for certain land within the Moss Vale Road South URA and it could ultimately be compromised by the lack of relevant provisions in the proposed Code.
5. Improved landscaping provisions – While the requirement for a tree in the front and rear setback will be positive in ‘greening’ a new release area and reducing the heat island effect, suitable guidance should be provided on the minimum pot size to encourage establishment and survival, and species suitable for the locality.

Conclusion

Due to the tight timeframe set down by DP&E for submissions, it was important for Council to make a submission on this matter prior to 16 June 2017 to ensure that the proposed draft Code is appropriate in the context of Shoalhaven and regional areas generally. Any additions or amendments to the Council submission will be forwarded to DP&E with the Council resolution.

Policy Implications

DP&E proposes a three year transition period between the application of the existing policy for residential complying development (General Housing Code, soon to be replaced with the new Housing Code) and the proposed Code.

The proposed Code is generic and there will be little opportunity for Council to control residential development approved under this pathway. It is crucial that Council has input at the subdivision and master planning stages to produce a good subdivision layout and design outcome that encourages a positive character and amenity, resulting in a desirable place to live.

Financial Implications

There are no immediate financial implications in this regard.

Community Engagement

The draft documentation was on exhibition for community comment for a period of 5 weeks from 16 May to 16 June 2017 and was available for viewing on the DP&E's website.



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Deering St, Ulladulla NSW 2539 02 4429 8999

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

Council Reference: 31157E (D17/179410)

Department of Planning & Environment - Codes & Approvals Pathways
By email only: codes@planning.nsw.gov.au

Dear Ms Kinkade

Submission – Proposed Greenfield Housing Code

Council would like to thank the Department of Planning & Environment (DP&E) for the opportunity to provide comments on the proposed Greenfield Housing Code (Code) amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). Processes that make things easier to understand and reduce costs and delays to homeowners are generally welcomed. In addition, we look forward to the development of master planning and subdivision guidelines that assist in developing well designed Greenfield areas.

Council is currently working on the detailed planning for the third significant Urban Release Area (URA) in the Nowra-Bomaderry area, Moss Vale Road South, to meet the requirements of Part 6 of the Shoalhaven Local Environmental (LEP) Plan 2014 and to enable the release of land in the near future. Through this process, Council aims to facilitate a highly desirable residential environment that encourages housing choice through various designs and densities, whilst capitalising on the high scenic value and pastoral landscape setting.

Within the Moss Vale Road South URA, a minimum lot size of 300m² is proposed in identified high amenity areas (i.e. close proximity to open space) to allow for the delivery of a more affordable housing product that will cater for the changing needs of the community. This lot size will be significantly smaller than typically occurs in Shoalhaven. The small lots will have rear lane access to improve streetscape amenity, parking and main road function. In this regard, it is important that any proposed development controls that will apply to the area encourage development sympathetic to the character and amenity of the area, allow a diverse range of well designed homes and make it an attractive place to live. It is hoped that any Codes SEPP provisions applying to the site will also facilitate the overall vision for our URAs.

Some matters for consideration have been identified and are outlined below. Council requests that these issues be addressed by DP&E prior to finalising the proposed Code.

Please note, this submission will be reported to Council's Ordinary Meeting on 27 June 2017. DP&E will be advised of the Council resolution along with any reported changes or additions that may come out of that meeting.

1. Background Paper

- The proposed Code is metro-centric in nature. This is evident by key elements of the Code having been informed by the Growth Centres DCPs, however the Code applies to all Greenfield sites in NSW. Due to the demands of the Sydney Metropolitan Area, it is appreciated why the State Government are working towards a simplified and flexible planning system. Regional areas, such as Shoalhaven, are experiencing similar pressures as a result of out-migration from Sydney but not necessarily to the same scale. Aspects such as access to infrastructure (public transport, education, health) make the appropriateness of this scale of development generally inappropriate for a wider Shoalhaven context. As such, DP&E should consider developing a greenfield Code specific to regional areas, i.e. within the Category 2 LGAs as defined in clause 136AB of the *Environmental Planning & Assessment Regulation 2000*.
- Any provisions that simplify the Code and makes it easier to interpret are welcomed, provided the standard of the development outcome is not compromised.
- While Complying Development Certificate (CDC) approvals for unregistered lots may speed up the approval process, it does not eliminate the potential for Section 96 Modification applications for subdivisions. This has implications in terms of dwellings being approved in locations that may not be within the final registered allotment boundaries. This may result in an increase in modifications to subdivision consents/CDC approvals and slow down rather than speed up the development process.
- The proposed deferred commencement of CDCs on unregistered lots seems to be at odds with the intent of getting planning and construction approval at the same time.
- The ability to disregard easements may result in poor development outcomes.
- The Subdivision and Masterplan Guidelines will provide good baseline guidance to Councils and developers in planning Greenfield areas. DP&E should provide guidance to Council's in preparing these guidelines in light of the Code.
- The principle approval of driveways at the subdivision stage will allow for a more holistic design and improve amenity, street parking, road function and finished outcome.
- The Background Paper mentions good designed housing having a variety of material, colours and textures and being integrated and sympathetic; however, there are no provisions around how building articulation can contribute to the streetscape presentation and character of a Greenfield area.
- As discussed in the Background Paper, it is important that a Greenfield area develops or presents a distinctive character. The proposed Code must include design provisions that consider amenity and result in good design outcomes.

2. Explanation of Intended Effect

- Page 5 – Consideration should be given to requiring home builders to submit dwelling designs to the Government Architects Office within the three year transition

period. This step will help ensure that the design of dwellings in Greenfield areas complies with the Code and also achieves a good design outcome.

- Page 9 - The wording in brackets “excepting the boundary of a battle-axe access handle” associated with the definition of a front boundary for battle-axe lots is unclear. Please consider wording it similar to the wording in the second definition, i.e. “excluding the boundary of any part of the lot that is an access handle”.
- The articulation zone should be supported by easy to interpret diagrams. Detailed provisions need to be provided in terms of protruding roof forms, building elements, portico, etc. Should also specify what elements do not qualify as an articulation zone, i.e. paved porch area excluding a roof.
- Building articulation makes a big difference to streetscape character – as such, will it be a mandatory requirement?
- Development standards need to consider how easements for maintenance (on lots adjoining a zero side boundary) are managed.
- A control should be incorporated into the Code that stipulates that where a rear lane access is provided, that rear lane must be used for vehicular access to the lot. This will improve streetscape amenity and overall road safety and function. This is of particular importance to the Moss Vale Road South URA where a number of lots are likely to be required to have rear access only (i.e. rear loaded). Without a provision in the proposed Code, the intent and integrity of this feature could be compromised.
- The Code would benefit from incorporating controls for corner allotments to ensure that they address both frontages. This will result in improved streetscape character and design.
- Landscape elements should be required in rear laneways to soften the appearance and add visual interest.
- Section 2.5 – The Proposed Development Standards:
 - Development controls allowing for lot sizes as small as 200m², 6m wide and a minimum of 25m in depth are potentially considered inappropriate in a regional context. Lots as small as 300m² with an 8-9m width and 30-35m depth may be more suitable. It may also be appropriate for these smaller blocks to be limited to single storey development to deliver a more affordable and manageable product considering the ageing population and increasing housing stress in regional areas. It is recommended that regional areas be given a different criteria, for example: minimum lot size of 300m², 8-9m width and 30-35m depth.
 - The principle of using lot width is supported, however the size of the blocks and lot width needs to be considered in a regional context.
 - The built form standards should not incorporate building heights. It is recommended that within URAs, the Code refers to the mapped Height of Building under the relevant environmental planning instrument. There are concerns for example, that in foreshore or scenic protection areas where the maximum height is lower (e.g. 7.5m in Shoalhaven) that an 8.5m limit would have an adverse impact on foreshore amenity, amenity generally and view sharing.

- Front setbacks as small as 4.5m to the front building line (3m the articulation zone) are suitable in areas where the carriageway cross-section is wide enough to avoid the perception of overcrowding. Without appropriate carriageway treatment, minimal setbacks can cause poor streetscape design, amenity and character outcomes. These setbacks should be encouraged / permitted only where road verges have a minimum depth of 5m or a carriageway cross-section of 16m.
- Restrictions on the maximum width for garage doors and driveways is supported – this is particularly important in locations where access is available from the front setback. Garages should be primarily for the storing of cars and exclude laundry areas.
- Site coverage control only applies to upper storeys. This could result in the lower storey being built to the maximum floor space based on setbacks and landscaping requirements and influence the ability to achieve a good urban design outcome.
- Enabling dwellings on lots 6-7m wide to have 0m side boundaries and enforcing upper storey side boundaries of at least 1.5m on side 'A' will potentially create a poor urban design outcome and streetscape character. If these dwellings are limited to single storey, this will not be an issue.
- It is recommended that the plan of subdivision/precinct plans limit the number of lots within the same width range to a maximum of two to ensure variation in dwelling design and encourage quality streetscape character.
- Limiting the number of storeys on 6-7m wide blocks to a single storey should also be considered as another suitable alternative, allowing for improved block amenity, accessibility and the delivery of a more affordable housing product.
- Table 2 has a control for the "maximum building height (dwelling)" but the control relates to "additional controls for rear garages". Reference to 'dwelling' should be removed.
- Table 3 allows for front garages as wide as 6m on a 10m wide block – this would result in a majority of the ground floor façade being taken up by a garage. Further articulation of the dwelling should be mandated to encourage improved dwelling design.
- While the landscape control relating to the provision of trees in front and rear setbacks is a positive, a minimum pot size should be stipulated to ensure that trees that are planted have a better survival rate. This also allows for a more consistent planting approach to be taken. The proposed Code should also refer to the relevant Council planting schedule/streetscape palette so that the choice of tree is appropriate to the climate and character of the area. It should be noted that NATSPEC stipulate the best-practice minimum pot size is 150L for a higher rate of establishment and survival.
- Table 5 includes a development control which stipulates that no windows, doors and openings are permitted on walls less than 900mm from the boundary. This will result in the sides of dwellings with no window or door treatment on lots 6m to 15m where there is a 0m side setback. This would result in a poor design outcome and poor amenity within individual dwellings.

- The 3D indicative views illustrating the dwellings in accordance with the controls (assumed) appear to show dwellings that are potentially overly bulky.

3. Summary

Thank you again for the opportunity to comment on the proposed Code. Generally, the proposed Code has the potential to streamline the assessment process in URAs. There are, however, a number of provisions that should be reconsidered to achieve more appropriate design, amenity and affordability outcomes.

Of great importance to Shoalhaven is the need for a regional variation to the proposed controls as the need to create higher density living (i.e. small allotments with large dwellings) in regional URAs is not as crucial as it is in the Sydney metropolitan area.

It is hoped that our comments will be fully considered and that an opportunity will be provided to comment on the complete draft instrument prior to its notification.

If you need further information about this matter, please contact Anne McDonald, Planning Environment & Development Group on (02) 4429 3511. Please quote Council's reference 31157E (D17/179410).

Yours faithfully



Gordon Clark
Strategic Planning Manager
09/06/2017

CL17.185 Funding Offer - NSW Heritage Grants 2017-18 and 2018-19

HPERM Ref: D17/179789

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. NSW Office of Environment and Heritage - 2017-19 - Local Heritage Places Letter of Offer [↓](#)
2. NSW Office of Environment and Heritage - 2017-19 - Local Heritage Advisor Letter of Offer [↓](#)

Purpose / Summary

Detail the NSW Heritage Grants funding offers received for the 2017-18 to 2018-19 financial years from the NSW Government and seek endorsement to accept the offers.

Recommendation

That Council:

1. Accept the NSW Heritage Grants funding offers for 2017-18 and 2018-19 for the Local Heritage Places and Local Government Heritage Advisor streams; and
2. Allocate sufficient funding through the 2018-19 Council Budget process to meet Councils matching commitment in this regard.

Options

1. Adopt the recommendation.

Implications: This will enable NSW Heritage Grant funding offers to be accepted which will ensure the continuation of the Heritage Advisor Service and Shoalhaven Local Heritage Assistance Fund Program for 2017-18 to 2018-19.

2. Adopt an alternative recommendation.

Implications: This would not be inconsistent with the established process that has been followed for this grant funding that Council has been successfully promoting and administering.

Background

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

The conservation of Shoalhaven's cultural heritage by its owners is clearly beneficial to the broader community and visitors to the area. These grants, although small, show that Council

and the NSW State Government are committed to providing assistance to owners to conserve and enhance their properties for future generations. These heritage projects demonstrate Council's commitment to heritage conservation management and promoting cultural sustainability, heritage tourism and the Community Strategic Plan.

NSW Heritage Grants Program 2017-18 and 2018-19

OEH have introduced a new NSW Heritage Grant process, requiring Councils to apply for two (2) financial years in the one application, to provide greater efficiency in grant administration and management processes and provide financial certainty for Councils.

NSW Heritage Grant funding was sought under the following streams:

- Local Heritage Places (Shoalhaven Local Heritage Assistance Fund) – application was successful and Council has been offered a grant of up to \$7,500 per annum (ex GST) for 2017-18 and 2018-19. Acceptance is required by 31 July 2017.
- Local Government Heritage Advisors – application was successful and Council has been offered a grant of up to \$8000 per annum (ex GST) for both the 2017-18 and 2018-19 financial years towards providing a Heritage Advisor Service for Shoalhaven. Acceptance is required by 31 July 2017.
- Local Government Planning Studies (Review of Heritage Study for Heritage Conservation Area: Berry Township) – application was not successful as this stream was oversubscribed.

A subsequent application under *Heritage Near Me – Local Heritage Strategic Projects* is currently being prepared with assistance from Council's Heritage Advisor and will be submitted shortly. The funding available is \$10,000 to \$100,000 per project. Should this be successful it will be separately reported.

Community Engagement

No specific community engagement is required in relation to this report. The Shoalhaven Local Heritage Assistance Fund will continue to be advertised in accordance with the usual process when the funding round opens, following acceptance of the funding offers. Direct advice will also be provided to people who have previously expressed an interest in the program.

Policy Implications

As part of the funding agreement for Local Government Heritage Advisors Grant and to claim, re-imbursement Council is required to submit a Heritage Strategy covering 2017-19. Council reaffirmed the Shoalhaven Heritage Strategy 2014-2017 to extend it to 2017-2020 on 9 May 2017.

A separate broader major review and amendment of the four year Shoalhaven Heritage Strategy will be undertaken in conjunction with Council's Heritage Advisor in the coming months and will be reported to Council for endorsement.

Financial Implications

Shoalhaven Local Heritage Assistance Fund (Local Heritage Places Grant)

The funding offer from OEH for the 2017-18 and 2018-19 years is up to \$7,500 (ex GST) per annum, with a funding formula for both years of \$1: \$1 (OEH: Council). Therefore, Council needs to contribute at least \$15,000 initially in order to claim reimbursement of the maximum grant amount offered.

For the 2017/18 financial year Council's budget currently includes \$21,000. While this amount is higher than the minimum required amount of \$15,000, the additional funding available is likely to be taken up by small heritage projects given the success of previous years and the positive influence the projects have on Heritage Conservation throughout Shoalhaven.

Council will need to ensure that sufficient funding is provided in the 2018-19 financial years to cover Council's required financial commitment for this period.

Local Government Heritage Advisors Grant

The funding offer from OEH for the 2017-18 and 2018-19 years is up to \$8,000 (ex GST) per annum, with a funding formula for both years of \$1:\$1 (OEH:Council). Therefore, Council needs to contribute at least \$16,000 in order to claim reimbursement of the maximum grant amount offered.

For the 2017-18 financial year Council's budget currently includes \$12,000. However, Council will need to contribute at least \$16,000 to claim reimbursement of the maximum grant amount offered of \$8,000. The additional \$4,000 required will need to be resolved through the quarterly budget review process as required.

Council will need to ensure that sufficient funding is provided in the 2018-19 financial year budget to cover Council's required financial commitment for this period.

CL17.185



**Office of
Environment
& Heritage**

LGP2017068

Mrs Danielle Ratcliffe
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541
Australia

**2017-18 to 2018-19 NSW Heritage Grants Program
Local Heritage Places – Letter of Offer**

Dear Mrs Ratcliffe

I am pleased to advise that the Executive Director of the Heritage Division has approved a grant to Shoalhaven City Council of up to \$7,500 per annum (ex GST) for 2017-18 and for 2018-19 with a matching funding contribution required from council in each year. Your grant has been approved under the Local Heritage Places stream of the NSW Heritage Grants.

If you accept this funding you must use it towards a small heritage grants program in your Local Government Area during the 2017-18 and 2018-19 financial years in line with the information provided in [How to establish a local heritage fund](#).

Further details of the offer and the conditions applying to your grant project are attached.

Please note that our grant funding will be paid as a reimbursement at the end of the project. The amount to be reimbursed will be half the amount that council pays (ex GST) toward its grant recipients' projects, up to \$7,500. Examples of how the reimbursement will be calculated are included on the last page of this letter. Please contact us if you would like further information on how the reimbursement will be calculated.

Following the recommendations of the Heritage Council of NSW, the Executive Director approved funding to 75 councils under the Local Heritage Places stream. The collective value of grants approved under this stream over the two years is \$974,500.

A list of the successful recipients will shortly be available on the Office of Environment and Heritage's (OEH) website <http://www.environment.nsw.gov.au/heritage/funding/grants1113.htm>.

I would like to take this opportunity to wish you well with your project. Your work will make a valuable contribution to conserving, promoting and supporting heritage in NSW. If you have any questions about the offer, Jan Nye, Team Leader Heritage Grants can be contacted on 02 9873 8529 or at heritage.grants@environment.nsw.gov.au.

Yours sincerely

NIGEL ROUTH
Director, Heritage Strategy
Heritage Division

30 May 2017

Details of this Offer

To accept this offer please sign in to [SmartyGrants](#) and complete a Funding Offer Acceptance on-line by 31 July 2017. You will be advised once your acceptance has been reviewed by OEH.

An outline of the funding arrangements is provided below.

Funding Stream:	Local Heritage Places
Project No:	LGP2017068
Project Name:	Shoalhaven City Council Local Heritage Places Grant
Funding Amount 2017-18:	up to \$7,500 (ex GST)
Funding Amount 2018-19:	up to \$7,500 (ex GST)
Funding Formula for both years:	\$1:\$1 (OEH: Council)
Funding Period:	Period 1 -2017-18 Period 2 -2018-9
Reporting Requirements:	Final financial report covering the relevant financial year showing details of each grant project Project evaluation report including outcomes in the relevant financial year and Acquittal documents including a statutory declaration on expenditure incurred.
Grant Payment Options:	Payment will be made on satisfactory review of your reporting and acquittal documents. Payment will be made as a reimbursement of actual expenditure (ex GST) incurred by council on the costs of the project, taking into account the Funding Formula and the Funding Amount. [See example on page 5] Funding approved for the 2017-18 and 2018-19 financial years will be acquitted separately. Unacquitted funding from 2017-18 will not be available in 2018-19 without the expressed approval of OEH.
Conditions of approval	This approval is subject to the council: <ul style="list-style-type: none"> • undertaking the project in accordance with the guidance material covered in the Office of Environment and Heritage (OEH) publication How to establish a local heritage fund • advising OEH of any changes to key personnel and changes to staff contacts details • acknowledging that all personnel employed or otherwise engaged by council in the conduct of the Project shall be council's sole responsibility

Milestone schedule

Milestone number	Milestone due date	Milestone requirement	Payment by OEH Excluding GST (up to)	Payment due
1	31 July 2017	Funding Offer Acceptance on SmartyGrants	N/A	N/A
2	15 May 2018	Submission and satisfactory review of 2017-18 acquittal documents including: <ul style="list-style-type: none"> • Final financial report for 2017-18 • Outcomes report (tba) • Statutory declaration on actual expenditure • GST compliant tax invoice to OEH 	\$7500	30 June 2018
3	15 May 2019	Submission and satisfactory review of 2018-19 acquittal documents including: <ul style="list-style-type: none"> • Final financial report for 2018-19 • Heritage Strategy covering 2018-19 • Outcomes report (tba) • Statutory declaration on actual expenditure • GST compliant tax invoice to OEH 	\$7500	30 June 2019

Example Only – Calculation of Grant Payment

The following is an example only to assist council to calculate how much of the grant to claim. In preparing an actual claim for payment Council must use the Grant funding amount and Funding formula noted on the previous page.

OEH will not reimburse Council more than Council provided to its grant recipients.

	Example 1
Grant funding amount (grant approved by OEH)	up to \$5,000 (ex GST)
Funding Formula (OEH : Council contribution)	\$1:\$1 (ie 2 parts)
Actual council expenditure to its grant recipients for projects funded under the small heritage grants program ie total noted on your Final financial report under the final column (Local heritage funding) <ul style="list-style-type: none"> Do not include GST Do not include your applicant's contribution to the projects 	\$9,000 (ex GST)
Claim Calculation	$\$9,000 / 2 = \$4,500$
Council claims	\$4,500 (ex GST)

	Example 2
Grant funding amount (grant approved by OEH)	up to \$6,000 (ex GST)
Funding Formula (OEH : Council contribution)	\$1:\$1 (ie 2 parts)
Actual council expenditure to its grant recipients for projects funded under the small heritage grants program ie total noted on your Final financial report under the final column (Local heritage funding) <ul style="list-style-type: none"> Do not include GST Do not include your applicant's contribution to the projects 	\$20,000 (ex GST)
Claim Calculation	$\$20,000 / 2 = \$10,000$
Council claims	\$6,000 (ex GST)



**Office of
Environment
& Heritage**

LGA2017068

Mrs Danielle Ratcliffe
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541
Australia

**2017-18 to 2018-19 NSW Heritage Grants Program
Local Government Heritage Advisors – Letter of Offer**

Dear Mrs Ratcliffe

I am pleased to advise that the Executive Director of the Heritage Division has approved a grant of up to \$8,000.00 (ex GST) to Shoalhaven City Council for both the 2017-18 and the 2018-19 financial year. Your grant has been approved under the Local Government Heritage Advisors stream of the NSW Heritage Grants.

You must use this grant funding towards providing a heritage advisor service in your Local Government Area during the 2017-18 and 2018-19 financial years in line with the information provided in the [Heritage information series -How to establish a heritage advisor service](#).

Following the recommendations of the Heritage Council of NSW, the Executive Director approved funding to 78 councils under the Local Government Heritage Advisors stream. The collective value of grants approved under this stream over the two years is \$1,042,800.

A list of the successful recipients will shortly be available on the Office of Environment and Heritage's (OEHS) website <http://www.environment.nsw.gov.au/heritage/funding/grants1113.htm>.

Further details of the offer and the conditions applying to your grant project are attached. Please note the funding formula to determine whether council is required to make a contribution towards the project.

I would like to take this opportunity to wish you well with your project. Your work will make a valuable contribution to conserving, promoting and supporting heritage in NSW. If you have any questions about the offer, Jan Nye, Team Leader Heritage Grants can be contacted on 02 9873 8529 or at heritage.grants@environment.nsw.gov.au.

Yours sincerely

NIGEL ROUTH
Director, Heritage Strategy
Heritage Division
25 May 2017

Details of this Offer

To accept this offer please sign in to [SmartyGrants](#) and complete a Funding Offer Acceptance on-line. This will be reviewed by OEH.

An outline of the funding arrangements is provided below.

Funding Stream:	Local Government Heritage Advisors
Project No:	LGA2017068
Project Name:	Shoalhaven City Council Heritage Advisor Service
Funding Amount 2017-18:	up to \$8,000.00 (ex GST)
Funding Amount 2018-19:	up to \$8,000.00 (ex GST)
Funding Formula for both years:	\$1:\$1 (OEH: Council)
Reporting Requirements:	Heritage Strategy covering the relevant financial year Report showing activities and outcomes in the relevant financial year and Acquittal documents including a statutory declaration on expenditure incurred.
Grant Payment Options:	Payment will be made on satisfactory review of your reporting and acquittal documents. Payment will be made as a reimbursement of actual and anticipated expenditure (ex GST) incurred by council on the project taking into account the Funding Formula and the Funding Amount. [See example on following page] Funding approved for the 2017-18 and 2018-19 financial years will be acquitted separately. Unacquitted funding from 2017-18 will not be available in 2018-19 without the expressed approval of OEH.
Conditions of approval	This approval is subject to the council: <ul style="list-style-type: none"> • undertaking the project in accordance with the guidance material covered in the Office of Environment and Heritage (OEH) publication How to establish a heritage advisory service • advising OEH of any changes to key personnel and changes to staff contacts details • acknowledging that all personnel employed or otherwise engaged by council in the conduct of the Project shall be council's sole responsibility

Milestone schedule

Milestone number	Milestone due date	Milestone requirement	Payment by OEH Excluding GST (up to)	Payment due
1	31 July 2017	Funding Offer Acceptance on SmartyGrants	N/A	N/A
2	15 May 2018	Submission and satisfactory review of 2017-18 acquittal documents including: <ul style="list-style-type: none"> • Summary of activities undertaken in 2017-18 • Heritage Strategy covering 2017-18 • Outcomes report (tba) • Statutory declaration on actual and anticipated expenditure • GST compliant tax invoice to OEH 	\$8,000.00	30 June 2018
3	15 May 2019	Submission and satisfactory review of 2018-19 acquittal documents including: <ul style="list-style-type: none"> • Summary of activities undertaken in 2018-19 • Heritage Strategy covering 2018-19 • Outcomes report (tba) • Statutory declaration on actual and anticipated expenditure • GST compliant tax invoice to OEH 	\$8,000.00	30 June 2019

Example Only – Calculation of Grant Payment

The following is an example only to assist council to calculate how much of the grant to claim. In preparing an actual claim for payment Council must use the Grant funding amount and Funding formula noted on the previous page.

	Example 1
Grant funding amount (grant approved by OEH)	up to \$5,000 (ex GST)
Funding Formula (OEH : Council contribution)	\$1:\$1 (ie 2 parts)
Actual council expenditure on Heritage Advisor services excluding GST	\$9,000 (ex GST)
Claim Calculation	$\$9,000 / 2 = \$4,500$
Council claims	\$4,500 (ex GST)

	Example 2
Grant funding amount (grant approved by OEH)	up to \$6,000 (ex GST)
Funding Formula (OEH : Council contribution)	\$1:\$1 (ie 2 parts)
Actual council expenditure on Heritage Advisor services excluding GST	\$20,000 (ex GST)
Claim Calculation	$\$20,000 / 2 = \$10,000$
Council claims	\$6,000 (ex GST)

CL17.186 OZ Water Conference 2017

HPERM Ref: D17/187888

Submitted by: Clr John Wells
Clr Patricia White

Attachments: 1. Conference report [↓](#)

Purpose / Summary

To provide a report (Attachment 1) from Clr John Wells and Clr Patricia White on the OZ Water Conference held at the Sydney International Convention Centre on 16-18 May 2017 in accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy.

Recommendation

That Council receive the report from Clr John Wells and Clr Patricia White on the OZ Water Conference 2017 for information.

Options

1. Receive the report for information
2. Request further information on the conference

Conference Report

OZ - WATER Conference

Date: 16TH TO 18TH May 2017

By: Cllr John Wells & Cllr Patricia White



Links:

Conference highlights can be located at: <http://www.ozwater.org/>

Overview

The National Water Conference - OZWATER 2017 was held between 16th and 18th May 2017 at the new Sydney International Convention Centre. The Conference was attended by Cllr's. White and Wells.

OZWATER 2017 was a very large conference with over 2000 delegates including 21 delegations from overseas. The Conference had some 295 presenters; delivered 260 sessions over the 3 days; and the Trade Exhibition had 250 exhibitors displaying hardware, software and services associated with the water and waste water industries.

The theme for this year's conference was ***"Embracing Innovations and Disruption for a Smart Water Future"***. This theme was explored by several of the key note speakers, including:

Jane Huxley M.D. Pandora Australia and New Zealand

"Every single person in a business is capable of thinking in an innovative way if we enable the right environments, incentives and rewards that recognise this behaviour, then there will be a greater volume of ideas anda higher change to connect with and delight your customers".

Dr Jordan Nguyen – Biomedical Engineer and Founder of Psykinetic.

....."Uncovering the potential of both artificial intelligence and virtual reality; in particular the convergence between these and how they will shape many potential new realities for us. New worlds to explore work place possibilities; methods of multi-modal education and training; new tools to create; and test big ideas.....is something to get excited about."

Lucy Turnbull – Chief Commissioner Greater Sydney Commission.

"In its original Latin innovation meant 'in with the new' – a definition that remains just as relevant in modern usage as we strive to bring new approaches; fresh eyes; and creative thinking to bare on issues and opportunities. It is never accepting that there is no better way to do something".

A session of particular interest was presented by the industries asset management network whose objectives are to:

- Disseminate current asset management information and showcase items which provide true value to members
- Assist and develop asset management capability through events forums and shared information
- To leverage knowledge and share asset management information and build networks

Prior to the conference the network surveyed its membership to identify the top four enablers and disruptors facing the industries asset management practise over the next 5-10 years. The results were –

Top Enablers

- ✓ Analytics big data , availability of information
- ✓ Predictive analysis
- ✓ Alignment with ISO 55000
- ✓ Integrated Management Systems

Top Disruptors

- Climate change
- Increased public expectation and customer engagement
- Internet of things
- Regulation

The area's most likely to be significantly impacted by these developments are:

- I. Customers
- II. Water Utility Companies
- III. Water Utility Employees
- IV. Regulators
- V. Asset Management Specialists

Key learning's from the panel discussion on the survey included:

- ✚ "the need to be agile in decision making and attentive to what customers value, what customers want today, may not be what they want tomorrow". (Peter Saltsikas, Senior Manager SA. Water)
- ✚ "Good regulation should be a facilitator, not a blocker of innovation. Regulations should be outcomes based". (Erin Cini Director Licensing and Compliance, IPART)
- ✚ "ISO 55000 attempts to integrate international standards relating to environment, quality, OHS and other relevant standards. ISO 55000 is applied based on decision making criteria and must continually adapt to a changing environment (Tom Carpenter, CEO Institute of Quality Management P/L).

Another panel session sought to flesh-out learning's from the past decade of recycled water investments. One case study assessed the crisis in access to potable water by a Sydney Golf Course during the millennial drought. The study showed that recycling was an available, adaptable, cost effective solution to a local problem – quickly delivered and fit for purpose.

The example of recycled water capture and re-use over whole subdivisions in a Queensland context was shown, however, it increases developer's costs to the point of unviability.

In terms of an "aha moment" the session demonstrated that quick, simple, cost effective solutions are possible and more likely on small, localised projects with strong and purposeful water end-usage are likely to be successful. Opportunities for such applications in sporting fields and public amenity assets bears contemplation.

The Conference also considered the triennial assessment of the National Water Initiative (NWI) whose objective is to achieve a National compatible market, regulatory and planning framework. This involves:

- I. Access entitlements and planning
- II. Best practise pricing
- III. Water markets and trading
- IV. Integrated Management of Environmental Water
- V. Water resource accounting
- VI. Urban water reform
- VII. Knowledge and capacity building
- VIII. Community partnership and adjustment

Presenters noted that in recent years the NWI had lost momentum, almost "burnout" in some irrigation communities. The NWI needs to be refreshed, especially in the light of Australia's population growth of 11 million more people by 2050, whilst climate change may reduce surface water run-off by up to 30 percent.

With regard to the quantum of water availability, Dr Robert Argent of Bureau of Meteorology, delivered a session addressing water access across 3 perspectives.

Groundwater.

- ✚ Security of groundwater resources need to be managed across the nation.
- ✚ The trend in Victoria shows groundwater dropping to millennial drought levels even though rainfall has returned to average levels.

Surface Storage

- ✚ Major storages can drop 50%-60% in El Nino years
- ✚ Current capacity of 305 major storages is at 67.3%
- ✚ Storage availability is 8800gl.
- ✚ Since April 2017 the majority of rivers (80%) are running at average or above average levels.

Soils

- Deep soil moisture levels have benefitted across Australia from the heavy rains of 2016.
- Upper level of soil moisture is suffering from surface drying but respond quickly from topical rain.

NSW Minister for Regional Water, Niall Blair, addressed the conference on 3 key initiatives.

Water security for Broken Hill. A pipeline project associated with the town being disconnected from the Menindee Lakes. A Water Security Funding Program for the Bush.

A commitment to streamline the regulatory framework for Regional Water Utilities.

Finally, of the plenary and panel sessions presented, an interesting session delivered by Melbourne Water, outlined an on-line application based community access model to the uses of public land owned by Melbourne Water which are extraneous to contemporary operational requirements. An innovative approach to improving the City's liveability by delivering access to public land for active and passive recreational purposes in appropriate circumstances.

The Ozwater'17 Gala Dinner and Awards Night was certainly a night to remember – not just for the calibre of finalists and winners, but for the chance it gives this growing and changing industry to highlight innovation and best practice among its ranks.

Held in the Grand Ballroom of Sydney's newly minted International Convention Centre, and sponsored by TRILITY and ANZ, the gala dinner and awards ceremony brought together top minds across the industry, from engineering to governance, research, academia, utilities and more.

Managing Director of TRILITY, Francois Gouws, addressed the more than 900 people in attendance, saying that this year's nominees showcased the talent and capabilities of the industry to solve national and global challenges. Awards nominees came from all states and territories, and included projects at the organisational level down to individuals.

Shoalhaven Water had two nominees in the Awards - Carmel Keogh for the Water Professional of the Year and Student Water Prize Kaitlyn Bell. This year's Student Water Prize, which recognises excellence in water-related studies and research, was given to Kaitlyn Bell from the University of Wollongong. Her thesis, which she tested at Shoalhaven Water, focused on the development of a performance measuring device for improved monitoring of sewer pump stations. The award for Water Professional of the Year went to Profession Craig Simmons of the National Centre for Groundwater Research and Training.

The foregoing is just a snap shot of the Conference whose full proceedings are available on the AWA website.

We commend the Conference to all Counsellors.

Councillors Patricia White & John Wells.



Gala Dinner



Professional of the Year and Student Water Prize Kaitlyn Bell

CL17.186 - Attachment 1

CL17.187 2017 Floodplain Management Australia National Conference

HPERM Ref: D17/196668

Submitted by: Cllr Mark Kitchener

Attachments: 1. Conference Report (under separate cover) [↗](#)

Purpose / Summary

To provide a report (Attachment 1) from Cllr Mark Kitchener on the 2017 Floodplain Management Australia National Conference held in Newcastle in accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy.

Recommendation

That Council report on possible funding sources and costs for delivering a staged approach to providing the local State Emergency Service Units with the following:

- Siting of gauge boards at Burrill and Tabourie lakes, so residents may gain an understanding of current water depths and provide the SES with additional data, to correlate with the automated gauges, located at different sites in the same lake.
- Install rainfall gauges in Lake Burrill and Lake Tabourie catchments in order to correlate rainfall data with lake levels.
- Mapping of possible evacuation areas and routes with contours to enable the SES to rapidly provide evacuation details for door-knocking teams.
- Provide a system to obtain from Shoalhaven City Council information related to road closures due to flooding.
- Provide updated tourist park evacuation plans to the SES.
- Provide electronic contour maps of 200 mm intervals to the SES.
- Provide 'Road Closed' sign boards to the SES
- Provide for all local SES units, contour maps with floor heights of residential buildings for the towns in their precincts. Ulladulla for example would need maps for Lake Conjola, Conjola Park, Lake Tabourie, Lake Burrill, Narrawallee, and Fisherman's Paradise.
- Support the Shoalhaven SES units financially by subsidizing the SMS emergency alert system during a major flood event. (approximately 3 x \$200 per major event)
- A flood information pack to be distributed with new Development Applications.
- Hold discussions with the four SES controllers of the Shoalhaven and determine an appropriate priority list for the above.

Options

1. Adopt the recommendation.
2. Receive the report for information.
3. Request further information on the conference.

General Manager Comment:

There was a budget bid submitted to council (not supported by council) for the recognition of the role of the Local Emergency Management Officer (a statutory position council must assign) and in doing so provide funds for an Administration position which is needed to replace the substantive position held by Kim White. Council does not provide an operational budget to support emergency services planning and various staff do their best within existing budgets. Without a dedicated staff resource the implementation of the above recommendation (even to research all matters & report back to council) will take a long time to achieve, or otherwise divert staff from their current works which has other impacts.

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.