

Ordinary Meeting

Meeting Date: Tuesday, 24 October, 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**
 - Extra Ordinary Meeting - 17 October 2017
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
10. **Notices of Motion / Questions on Notice**
 - CL17.281 Notice of Motion - State / Federal Government - "Cost Shifting" 1
11. **Committee Reports**
 - CL17.282 Report of the Strategy & Assets Committee - 17 October 2017..... 2
 - SA17.260 Notice of Motion - Callala Beach Shared Pathways
 - SA17.264 Acquisition - Drainage Easement - Woollamia - Pt Lot 196 DP15266 - 10 Pritchard Avenue
 - SA17.265 Classification of Land - Lot 310 DP1234415 Kooyonga Close Mollymook Beach
 - SA17.270 Additional Item - Shoalhaven Sporting Fees

| | | |
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| TC17.74 | Proposed No Stopping Zone - Coomea Street Bomaderry (PN 3435) | |
| TC17.75 | Proposed No Stopping Zone Extension - Parson St Ulladulla (PN 3436) | |
| TC17.76 | Proposed Disabled Parking Space - River Rd Reserve Shoalhaven Heads (PN3438) | |
| TC17.77 | Proposed Disabled Parking Space - Community Centre Car Park - Shoalhaven Heads Rd Shoalhaven Heads (PN3439) | |

12. Reports

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13. Confidential Reports

Nil

CL17.281 Notice of Motion - State / Federal Government - "Cost Shifting"

HPERM Ref: D17/342723

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That Council staff prepare a report on the areas of significant "cost shifting" from either State or Federal Governments over at least the past ten years.

Note by the General Manager

To extract reliable data (much of which will be estimates) over a 10 year period will take considerable staff time to research. Council may wish to give an indication on the priority this needs to be given if the Motion is carried.

CL17.281

CL17.282 Report of the Strategy & Assets Committee - 17 October 2017

HPERM Ref: D17/344567

SA17.260 Notice of Motion - Callala Beach Shared Pathways

HPERM Ref:
D17/332618

Recommendation

That Council:

1. Provide \$25,000 to the Callala Beach Progress Association for the completion of the Callala Beach to Myola share pathway prior to Christmas 2017.
2. Funding to be allocated from:
 - a. \$10,000 project allocation 2017/18 Community pathway funding
 - b. \$10,000 project allocation 2018/19 Community pathway funding
 - c. \$ 5,000 Quarterly review September
 - d. Or an alternative revenue source
3. Council to assist with the survey of the centre line of the path for the construction purposes.
4. Council thank and congratulate the Callala Beach Progress Association for going above and beyond in making this project a success, with the end result being a truly unique piece of community infrastructure.

Note by the General Manager:

Staff have agreed to provide \$10,000 under the Community Paths Program in 2017/18 and support provision of \$10,000 in 2018/19 to enable the community to finish the path to Catherine St. In addition, survey to 'set out' the works will be provided by Council staff.

SA17.264 Acquisition - Drainage Easement - Woollamia - Pt Lot 196 DP15266 -10 Pritchard Avenue

HPERM Ref:
D17/300498

Recommendation

That Council:

1. Resolve to acquire a 6 metre wide by 150 metre length Easement for Drainage over part of Lot 159 DP15266 at 10 Pritchard Avenue, Woollamia, as shown in Attachment 1;
2. Pay compensation of \$29,000 plus GST (if applicable) including all ancillary and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from job number 85001; and
3. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CL17.282

**SA17.265 Classification of Land - Lot 310 DP1234415
Kooyonga Close Mollymook Beach****HPERM Ref:
D17/304290****Recommendation**

That Council resolve to classify the land described as Lot 310 DP1234415 Kooyonga Close Mollymook Beach as Operational Land.

SA17.270 Additional Item - Shoalhaven Sporting Fees**Recommendation**

That Council:

1. Abandon any consideration of the imposition sporting field user fees and the General Manager not place this on the Agenda for the next 10 years
2. Include from the rates increase \$500,000pa to the upgrade of our sporting fields

Note by the General Manager:

Councillors have been provided a separate advice in respect to part 1 of this recommendation.

CL17.282

CL17.283 Report of the Nowra CBD Revitalisation Strategy Committee - 11 October 2017

HPERM Ref: D17/344542

CBD17.44 Stewart Place Modifications

HPERM Ref:
D17/320280

Recommendation

That Council undertake works in relation to the painting of the galvanised railings in the Stewart place carpark the same colour as the CBD pot plants and furniture in Jelly Bean Park.

CBD17.49 Additional Item - Resignation of Sivan Mayhew and Membership appointment

Recommendation

That Council:

1. Accept the resignation from Sivan Mayhew; and
2. Invite Wesley Hindmarsh to become a member of the Nowra CBD Revitalisation Strategy Committee.

CL17.283

CL17.284 Report of the Shoalhaven Traffic Committee - 10 October 2017

HPERM Ref: D17/333768

Attachments:

- 1. TRAF 2017/75 [↓](#)
- 2. TRAF 2017/76 [↓](#)
- 3. TRAF 2017/77 [↓](#)
- 4. TRAF 2017/79 [↓](#)
- 5. TRAF 2017/80 [↓](#)

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](#)

TC17.73 No Stopping Zone - Intersection North St and Kalang Ave, Ulladulla (PN 3430)

**HPERM Ref:
D17/328865**

Recommendation

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 31m (approx.) No Stopping zone on the northern side of North Street, east of the Kalang Avenue intersection, Ulladulla, as detailed in the attached plan TRAF2017/75.

TC17.74 Proposed No Stopping Zone - Coomea Street Bomaderry (PN 3435)

**HPERM Ref:
D17/329420**

Recommendation

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 21m (approx.) No Stopping zone across the rear car park exit of 73 Meroo Street, extending 6m north and south of the access, on the eastern side of Coomea Street, Bomaderry, as detailed in the attached plan TRAF2017/76.

CL17.284

**TC17.75 Proposed No Stopping Zone Extension - Parson St
Ulladulla (PN 3436)****HPERM Ref:
D17/329606****Recommendation**

That the General Manager (Director Assets and Works) be requested to arrange for the Installation of a 24m (approx.) No Stopping zone across the commercial car park access located on the southern side of Parson Street, Ulladulla, as detailed in the attached plan TRAF2017/77.

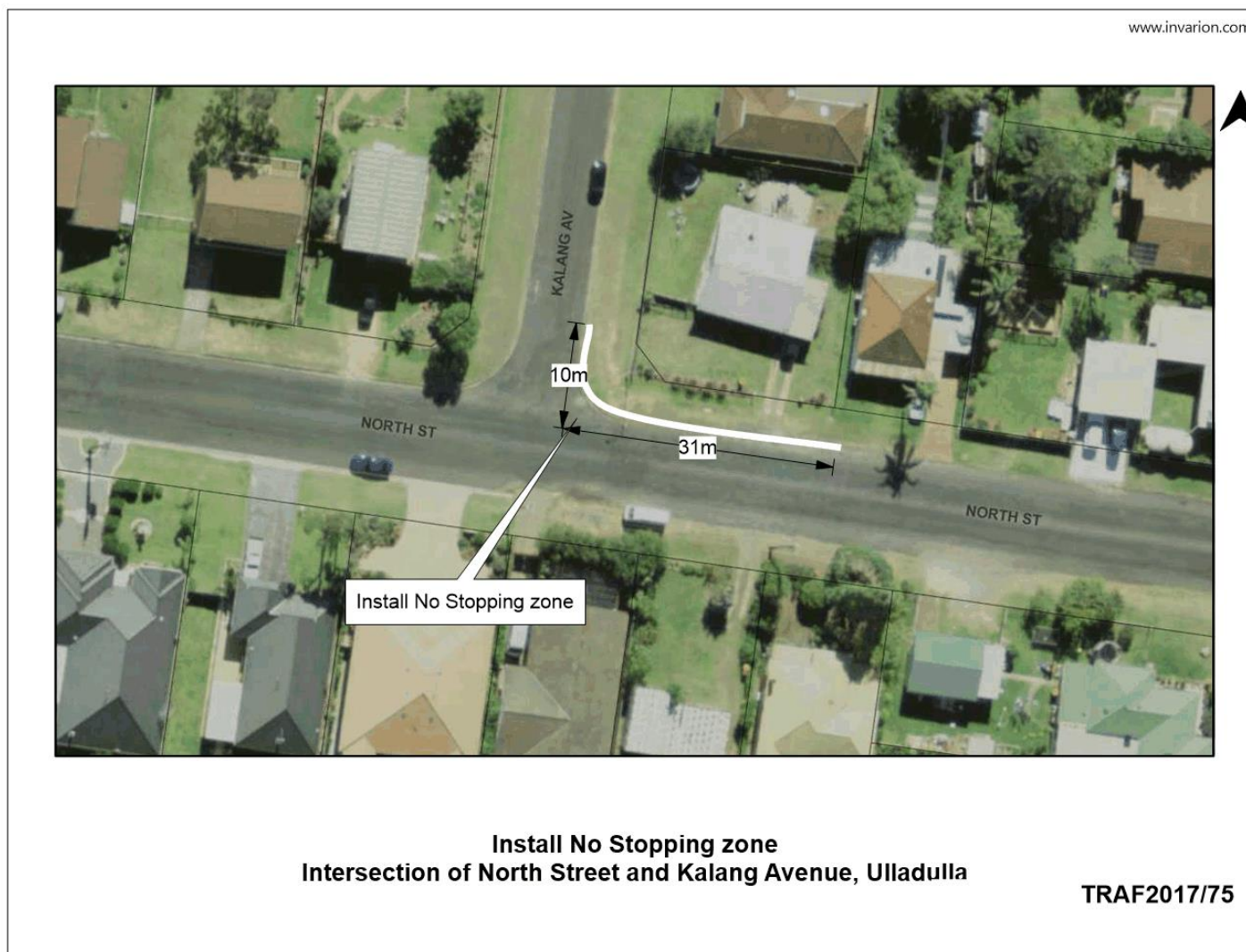
**TC17.76 Proposed Disabled Parking Space - River Rd
Reserve Shoalhaven Heads (PN3438)****HPERM Ref:
D17/329624****Recommendation**

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a dedicated parking space for people with disabilities and associated shared user zone in the wharf car park, River Road, Shoalhaven Heads as detailed in the attached plan TRAF2017/79.

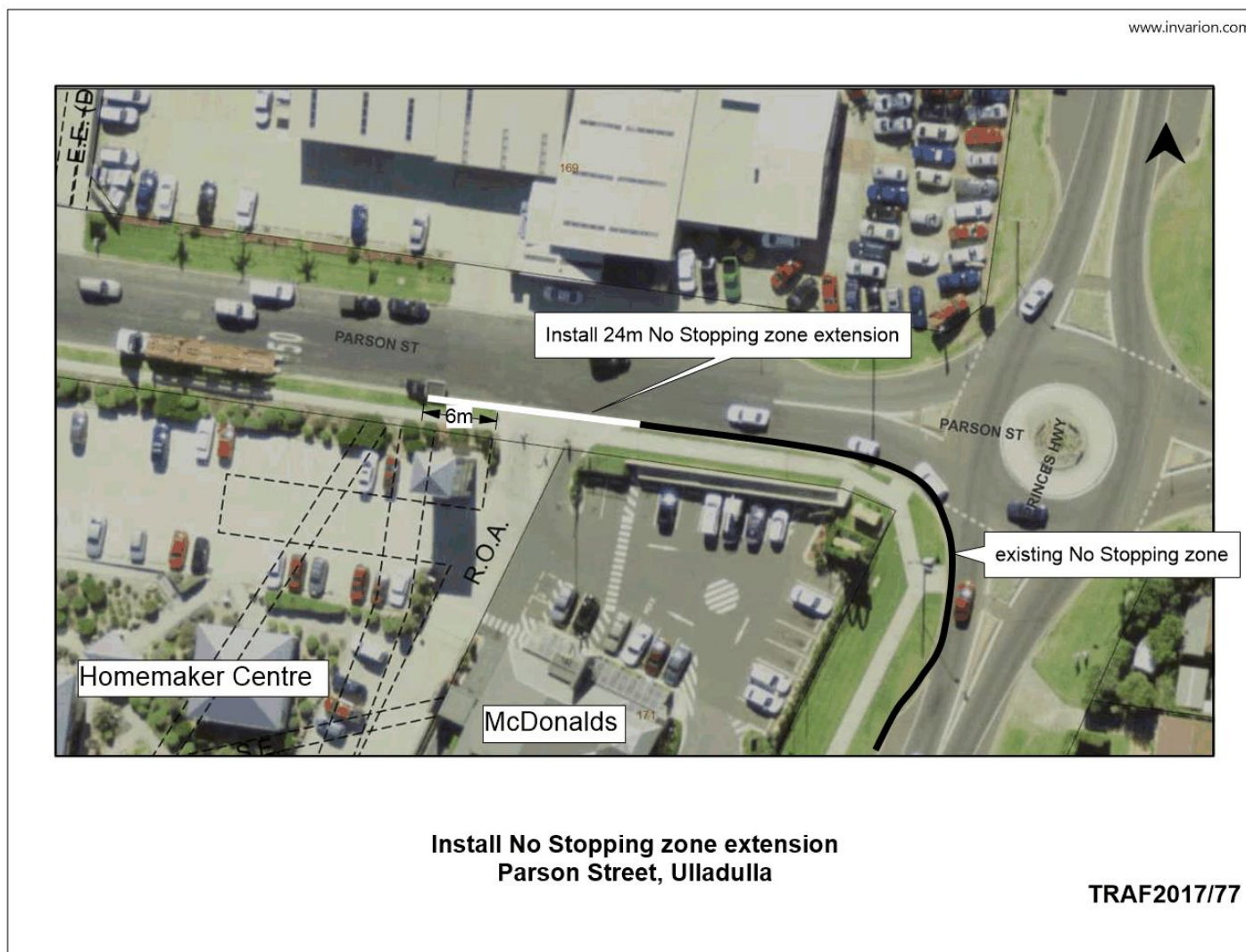
**TC17.77 Proposed Disabled Parking Space - Community
Centre Car Park - Shoalhaven Heads Rd Shoalhaven
Heads (PN3439)****HPERM Ref:
D17/329643****Recommendation**

That the General Manager (Director Assets and Works) be requested to arrange for the installation of three dedicated parking spaces for people with disabilities, and associated shared zones in the car park adjacent to the Shoalhaven Heads Community Centre, Shoalhaven Heads Road, Shoalhaven Heads, as detailed in the attached plan TRAF2017/80.

CL17.284









www.invarion.com

in accordance with AS2890.6

2.6m parking spaces

Install dedicated parking spaces for people with disabilities and associated shared zones
Shoalhaven Heads Community Centre car park

TRAF2017/80

CL17.285 Investment Report September 2017

HPERM Ref: D17/336504

Group: Finance Corporate & Community Services Group
Section: Finance

Attachments: 1. Shoalhaven Monthly Investment Report - September 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 30 September 2017 be received for information.

Options

1. The report on the Record of Investments for the period to 30 September 2017 be received for information

Implications: Nil

2. Further information regarding the Record of Investments for the period to 30 September 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 30 September 2017 be received for information with any changes requested for the Record of Investments to be reflected in the report for the period to 31 October 2017

Implications: Nil

Background

Please refer to the attached monthly report provided by Council's Investment Adviser – CPG Research and Advisory Pty Ltd.

CPG Research and Advisory Pty Ltd have included a section on Council's investment in institutions who lend to fossil fuels (see page 12).

The interest earned for the month of September was \$574,659, which was \$159,654 above budget.

RECORD OF INVESTMENTS Cash and Investment Balances

| | September 2017 | August 2017 |
|--|--------------------------|--------------------------|
| Cash And Investments Held | | |
| Cash at Bank - Transactional Account | \$3,248,042 | \$8,081,441 |
| Cash at Bank - Trust Fund | \$1,240 | \$1,240 |
| Cash on Hand | \$42,400 | \$60,000 |
| Other Cash and Investments | \$196,586,908 | \$198,520,316 |
| | \$199,878,590 | \$206,662,997 |
| Fair Value Adjustment | \$208,435 | \$199,518 |
| Bank Reconciliation | -\$185,115 | \$580,077 |
| | \$23,320 | \$779,595 |
| Book Value of Cash and Investments | \$199,901,910 | \$207,442,592 |
| Less Cash & Investments Held In Relation To Restricted Assets | | |
| Employee Leave Entitlements | \$8,135,913 | \$8,135,913 |
| Land Decontamination | \$1,562,728 | \$1,568,532 |
| Critical Asset Compliance | \$2,366,883 | \$2,379,251 |
| North Nowra Link Road | \$489,444 | \$489,453 |
| Other Internal Reserves | \$5,156,493 | \$4,723,758 |
| Section 94 Matching Funds | \$340,853 | \$340,881 |
| Strategic Projects General | \$4,107,879 | \$4,665,630 |
| Industrial Land Development Reserve | \$5,391,125 | \$5,391,125 |
| Plant Replacement | \$1,873,668 | \$1,755,851 |
| Financial Assistance Grant | \$4,433,416 | \$4,433,416 |
| S94 Recoupment | \$1,713,461 | \$1,713,461 |
| Commitment To Capital Works | \$6,065,620 | \$6,068,897 |
| Property Reserve | \$2,905,233 | \$3,104,415 |
| Total Internally Restricted | \$44,542,716 | \$44,770,583 |
| Loans - General Fund | \$4,014,005 | \$4,032,951 |
| Self Insurance Liability | \$1,466,227 | \$1,411,797 |
| Grant reserve | \$7,203,429 | \$8,846,259 |
| Section 94 | \$29,352,685 | \$29,157,677 |
| Storm Water Levy | \$547,640 | \$727,237 |
| Trust - Mayors Relief Fund | \$77,793 | \$77,793 |
| Trust - General Trust | \$4,965,150 | \$5,013,339 |
| Waste Disposal | \$8,890,878 | \$10,263,506 |
| Section 64 Sewer | \$0 | \$0 |
| Sewer Fund | \$47,311,112 | \$50,318,246 |
| Sewer Plant Fund | \$1,706,673 | \$1,693,090 |
| Section 64 Water | \$16,848,012 | \$16,829,130 |
| Water Fund | \$23,045,506 | \$22,017,836 |
| Water Communication Towers | \$305,301 | \$314,072 |
| Water Plant Fund | \$1,106,063 | \$1,043,420 |
| Total Externally Restricted | \$146,840,474 | \$156,179,767 |
| Total Restricted | \$191,383,190 | \$200,950,350 |
| Unrestricted Cash And Investments | | |
| General Fund | \$8,518,720 | \$6,492,242 |

CL17.285

The table below lists the major movements:

| | | |
|--------------------------------|---------------|---|
| Total Cash and Investments | - \$7,540,682 | |
| Unrestricted General Fund Cash | + \$2,026,478 | Receipt of the first Financial Assistance Grant and rates instalments |
| Strategic Projects | - \$557,751 | Expenditure on projects |
| Grans Reserve | - \$1,642,830 | Expenditure on projects, eg Flinders Road |
| Waste Disposal | - \$1,372,628 | Not a rates installment month, contracts expendtiure |
| Sewer Fund | - \$3,007,134 | Expenditure on REMS |
| Water Fund | + \$1,027,670 | Lower Expenditure in month |

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 POL16/186.



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.

CL17.285

CL17.286 Register of Pecuniary Interest Returns 1 July 2016 to 30 June 2017

HPERM Ref: D17/275100

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

Attachments: 1. 2016/2017 Pecuniary Interest Returns Designated Persons List [↓](#)

Purpose / Summary

To provide the Council with the Register of Pecuniary Interest Returns lodged with the General Manager for the period of 1 July 2016 to 30 June 2017 as required under Section 450A of the Local Government Act.

Recommendation

That:

1. The report regarding the Register of Pecuniary Interest Returns lodged for the period of 1 July 2016 to 30 June 2017 be received for information;
2. The General Manager consider appropriate action in respect of any Designated Persons who have failed to provide their return for the period of 1 July 2016 to 30 June 2017.

Options

1. As Recommended

Implications: Disciplinary action may be applied to individuals who have not completed the required return and therefore have breached the Local Government Act, 1993.

2. Council may withdraw delegated authority to the Boards whose members have not completed the returns.

Implications: Withdrawing Delegated Authority from Boards may impact on more resolutions being reported to Council.

3. The General Manager may suspend membership of Boards for any member in contravention of the Local Government Act.

Implications: Suspending membership until the form has been returned may result in the Boards not reaching Quorum for meetings.

Background

The lodgement date for Pecuniary Interest returns covering 1 July 2016 to 30 June 2017 was 30 September 2017.

Persons with an obligation to lodge a pecuniary interest return by 30 September 2017 are listed in Attachment 1 of the register tabled at this meeting.

CL17.286

Notice was provided to all Councillors, designated Staff and Board members on 27 July 2017, 1 August 2017 and 10 August 2017, with reminders sent on 7 September 2017 and 26 September 2017 and contact and reminder attempted by telephone call. The Group Directors' Personal Assistants also assisted with following up staff during this period.

All Councillors have completed and lodged their returns. This includes the Initial Returns of those Councillors newly elected in October 2016 which were due on 10 January 2017.

Returns have been received from all designated staff members with the exception of some who are not present in the workplace to complete their obligations due to leave, illness or other reason.

Despite numerous reminders a total of 9 individuals being board or delegated committee members have not completed returns at the time of preparing this report without explanation (ie. not on leave or unable to complete due to illness or other reason). They are listed below:

| | Name | | Delegation arising from membership of following: |
|----|----------|-----------|--|
| 1. | Royston | Ernie | JRPP |
| 2. | Caldwell | James | Nowra CBD Revitalisation |
| 3. | Chiam | Alison | Shoalhaven Arts Board |
| 4. | Cochrane | Annie | Shoalhaven Tourism Advisory Group |
| 5. | Lees | Mark | Shoalhaven Tourism Advisory Group |
| 6. | Duffy | David | Shoalhaven Tourism Advisory Group |
| 7. | McLeod | Paul | Shoalhaven Tourism Advisory Group |
| 8. | Rodgers | Neil | Shoalhaven Tourism Advisory Group |
| 9. | Shields | Catherine | Shoalhaven Tourism Advisory Group |

Advice provided to Council by the Office of Local Government in September 2015 was that 'hard copies' of returns are no longer required to be tabled at the Council meeting. Therefore the register of returns for this period is attached and tabled and electronic versions of the documents may be viewed upon request.

Policy Implications

Failure to complete the return is a breach of the Local Government Act 1993 and Clause 4.7 of the Code of Conduct.

Risk Implications

A failure of meeting the obligations with respect to the Pecuniary Interest Returns by designated officer leaves Council at risk of non compliance with legislative requirements, conflict of interests and limited transparency.

2016/2017 Pecuniary Interests

| No | Surname | Name | Group | Returned |
|-----|--------------|---------|------------------|----------|
| 1. | Ahmed | Naif | Assets and Works | 28/7/17 |
| 2. | Apolo | Matt | Assets and Works | 7/8/17 |
| 3. | Braddick | Ed | Assets and Works | 21/9/17 |
| 4. | Brighton | Wayne | Assets and Works | 7/8/17 |
| 5. | Carter | Brett | Assets and Works | 27/7/17 |
| 6. | Critchley | Phil | Assets and Works | 7/9/17 |
| 7. | Cronk | Trevor | Assets and Works | 7/8/17 |
| 8. | Davis | Brad | Assets and Works | 8/9/17 |
| 9. | Dimec | Tom | Assets and Works | 28/7/17 |
| 10. | Dunn | Melissa | Assets and Works | 22/8/17 |
| 11. | Fraser | Tony | Assets and Works | 28/7/17 |
| 12. | George | Gary | Assets and Works | 27/7/17 |
| 13. | Green | Pamela | Assets and Works | 27/7/17 |
| 14. | Harben | Mike | Assets and Works | 2/8/17 |
| 15. | Harris | Michael | Assets and Works | 27/7/17 |
| 16. | Hojem | David | Assets and Works | 8/9/17 |
| 17. | Holmes | Ros | Assets and Works | 25/9/17 |
| 18. | Horton | Greg | Assets and Works | 21/8/17 |
| 19. | Knill | Peter | Assets and Works | 27/9/17 |
| 20. | Merange | Darrell | Assets and Works | 13/9/17 |
| 21. | Paisley-Topp | David | Assets and Works | 2/8/17 |
| 22. | Poidevin | Michael | Assets and Works | 22/8/17 |
| 23. | Punnett | Troy | Assets and Works | 29/8/17 |
| 24. | Stewart | Ben | Assets and Works | Resigned |
| 25. | Strachan | Michael | Assets and Works | 31/8/17 |

| No | Surname | Name | Group | Returned |
|-----|-----------|--------------|--------------------------------|-------------------|
| 26. | Sullivan | Kevin | Assets and Works | 4/8/17 |
| 27. | Upitis | Martin | Assets and Works | Completed |
| 28. | Wagstaff | David | Assets and Works | 11/9/17 |
| 29. | Wells | Scott | Assets and Works | 16/8/17 |
| 30. | Willis | John (Frank) | Assets and Works | 1/8/17 |
| 31. | Wills | Ken | Assets and Works | 8/9/17 |
| 32. | Young | Geoff | Assets and Works | 28/7/17 |
| 33. | Alldrick | Annette | Councillor | 13/9/17 |
| 34. | Cheyne | Nina | Councillor | 1/8/17 |
| 35. | Findley | Amanda | Councillor | 18/9/17 |
| 36. | Gartner | Kay | Councillor | 19/9/17 |
| 37. | Gash | Jo | Councillor | 7/8/17 |
| 38. | Guile | Andrew | Councillor | 31/7/17 |
| 39. | Kitchener | Mark | Councillor | 12/9/17 |
| 40. | Levett | John | Councillor | 25/9/17 |
| 41. | Pakes | Mitchell | Councillor | 1/9/17 |
| 42. | Proudfoot | Bob | Councillor | Completed |
| 43. | Watson | Greg | Councillor | 10/9/17 |
| 44. | Wells | John | Councillor | 19/9/17 |
| 45. | White | Patricia | Councillor | 7/9/17 |
| 46. | Aney | Peter | Finance, Corporate & Community | 13/9/17 |
| 47. | Ball | Ros | Finance, Corporate & Community | 27/7/17 |
| 48. | Bell | Coralie | Finance, Corporate & Community | 31/7/17 |
| 49. | Blackshaw | Alan | Finance, Corporate & Community | 1/8/17 |
| 50. | Coulston | Bronwyn | Finance, Corporate & Community | On Leave -2018 |
| 51. | Crangle | Amanda | Finance, Corporate & Community | 14/8/17 |

| No | Surname | Name | Group | Returned |
|-----|-----------|----------|--------------------------------|---------------------|
| 52. | Edwards | Susan | Finance, Corporate & Community | 2/8/17 |
| 53. | Elliott | Glen | Finance, Corporate & Community | 3/8/17 |
| 54. | Evans | Lisa | Finance, Corporate & Community | 26/9/17 |
| 55. | French | Paul | Finance, Corporate & Community | 27/7/17 |
| 56. | George | Samuel | Finance, Corporate & Community | 19/9/17 |
| 57. | Goldsmith | Michael | Finance, Corporate & Community | 5/9/17 |
| 58. | Hahn | Don | Finance, Corporate & Community | 26/9/17 |
| 59. | Jackson | Debra | Finance, Corporate & Community | 15/9/17 |
| 60. | Kielly | Mark | Finance, Corporate & Community | 27/7/17 |
| 61. | Lenahan | John | Finance, Corporate & Community | 3/8/17 |
| 62. | Lewis | Jane | Finance, Corporate & Community | 11/8/17 |
| 63. | McCoy | Melissa | Finance, Corporate & Community | 9/10/17 |
| 64. | McFadyen | Fiona | Finance, Corporate & Community | 8/8/17 |
| 65. | McMahon | Sara | Finance, Corporate & Community | 27/7/17 |
| 66. | Milburn | Craig | Finance, Corporate & Community | 18/9/17 |
| 67. | Mohan | Aravindh | Finance, Corporate & Community | 21/9/17 |
| 68. | Norwood | Kevin | Finance, Corporate & Community | 22/8/17 |
| 69. | Patterson | Karen | Finance, Corporate & Community | 19/9/17 |
| 70. | Pennisi | Michael | Finance, Corporate & Community | 27/7/17 |
| 71. | Perry | Andrew | Finance, Corporate & Community | 25/9/17 |
| 72. | Phelan | Vanessa | Finance, Corporate & Community | 25/9/17 |
| 73. | Ross | Shalissa | Finance, Corporate & Community | On leave – May 2018 |
| 74. | Spencer | Shane | Finance, Corporate & Community | 8/8/17 |
| 75. | Taylor | Sarah | Finance, Corporate & Community | 1/8/17 |
| 76. | Neilson | Samantha | General Manager's Group | 2/8/17 |
| 77. | Pigg | Russ | General Manager's Group | 8/9/17 |

| No | Surname | Name | Group | Returned |
|------|------------|----------|-------------------------------------|----------|
| 78. | Prasad | Shalni | General Manager's Group | 2/8/17 |
| 79. | Pullen | Greg | General Manager's Group | 2/8/17 |
| 80. | Rippon | Jessica | General Manager's Group | 2/8/17 |
| 81. | White | Kim | General Manager's Group | 1/8/17 |
| 82. | Royston | Ernie | JRPP | |
| 83. | Agam | Sivan | Nowra CBD Revitalisation | Resigned |
| 84. | Aldous | Annie | Nowra CBD Revitalisation | 9/10/17 |
| 85. | Baxter | Scott | Nowra CBD Revitalisation | 28/9/17 |
| 86. | Caldwell | James | Nowra CBD Revitalisation | |
| 87. | Goddard | Brendan | Nowra CBD Revitalisation | 22/8/17 |
| 88. | Kearney | Lynnette | Nowra CBD Revitalisation | 4/10/17 |
| 89. | Parker | George | Nowra CBD Revitalisation | 29/9/17 |
| 90. | Sikora | Luke | Nowra CBD Revitalisation | 19/9/17 |
| 91. | Anderson | David | Planning, Environment & Development | 7/8/17 |
| 92. | Anstiss | David | Planning, Environment & Development | 22/8/17 |
| 93. | Baker | Rodney | Planning, Environment & Development | 23/8/17 |
| 94. | Bern | Cathy | Planning, Environment & Development | 2/8/17 |
| 95. | Birmingham | Megan | Planning, Environment & Development | 3/8/17 |
| 96. | Blatch | Peter | Planning, Environment & Development | 28/9/17 |
| 97. | Bonner | James | Planning, Environment & Development | 18/9/17 |
| 98. | Brooks | Peta | Planning, Environment & Development | 26/9/17 |
| 99. | Cavallo | Nick | Planning, Environment & Development | 21/9/17 |
| 100. | Choros | Roy | Planning, Environment & Development | 1/8/17 |
| 101. | Clark | Wayne | Planning, Environment & Development | 29/9/17 |
| 102. | Clark | Gordon | Planning, Environment & Development | 1/9/17 |
| 103. | Clarke | Kelie | Planning, Environment & Development | 25/9/17 |

| No | Surname | Name | Group | Returned |
|------|----------|--------------|-------------------------------------|----------------|
| 104. | Clay | Shaun | Planning, Environment & Development | 3/8/17 |
| 105. | Clunas | Emma | Planning, Environment & Development | 1/9/17 |
| 106. | Connor | Patrick | Planning, Environment & Development | 1/8/17 |
| 107. | Cooper | Kayla | Planning, Environment & Development | 24/8/17 |
| 108. | Costello | Phil | Planning, Environment & Development | 28/9/17 |
| 109. | Cottrell | David | Planning, Environment & Development | Left Council |
| 110. | Crompton | Craig | Planning, Environment & Development | 19/9/17 |
| 111. | Csanitz | Elizabeth | Planning, Environment & Development | 3/8/17 |
| 112. | Dalyell | Alison | Planning, Environment & Development | 3/8/17 |
| 113. | Dillon | Malcolm | Planning, Environment & Development | 4/10/17 |
| 114. | Dixon | Elizabeth | Planning, Environment & Development | 2/8/17 |
| 115. | Dollery | Ian | Planning, Environment & Development | 18/9/17 |
| 116. | Downing | Elizabeth | Planning, Environment & Development | 22/8/17 |
| 117. | Dwyer | Christopher | Planning, Environment & Development | 26/9/17 |
| 118. | Fisher | Andrew | Planning, Environment & Development | 3/8/17 |
| 119. | Foley | Marie-Louise | Planning, Environment & Development | 3/8/17 |
| 120. | Gibbes | Andrew | Planning, Environment & Development | Left Council |
| 121. | Gillies | Andrew | Planning, Environment & Development | 13/9/17 |
| 122. | Greaves | Iain | Planning, Environment & Development | 26/9/17 |
| 123. | Griggs | Adam | Planning, Environment & Development | Extended Leave |
| 124. | Haig | Jason | Planning, Environment & Development | 2/10/17 |
| 125. | Hamilton | Ian | Planning, Environment & Development | 28/8/17 |
| 126. | Hansen | Phil | Planning, Environment & Development | 22/8/17 |
| 127. | Hernell | Anna | Planning, Environment & Development | 1/8/17 |
| 128. | Heung | Simon | Planning, Environment & Development | 26/9/17 |
| 129. | Hislop | Suzanne | Planning, Environment & Development | 2/8/17 |

| No | Surname | Name | Group | Returned |
|------|------------|---------|-------------------------------------|---|
| 130. | Holland | Martin | Planning, Environment & Development | 22/8/17 |
| 131. | Hollinger | Eric | Planning, Environment & Development | 3/8/17 |
| 132. | Horvath | Steven | Planning, Environment & Development | 18/9/17 |
| 133. | Howarth | Gregory | Planning, Environment & Development | 27/9/17 |
| 134. | Hunter | Nicole | Planning, Environment & Development | 19/9/17 |
| 135. | Irwin | Garon | Planning, Environment & Development | 15/8/17 |
| 136. | James | Ian | Planning, Environment & Development | 9/10/17 |
| 137. | Jarman | Michael | Planning, Environment & Development | 2/8/17 |
| 138. | Jenkins | Angela | Planning, Environment & Development | 25/9/17 |
| 139. | Johnston | Peter | Planning, Environment & Development | 1/8/17 |
| 140. | Jones | Nathaly | Planning, Environment & Development | Resigned |
| 141. | Kacir | Sarah | Planning, Environment & Development | 4/8/17 |
| 142. | Koglin | Lee | Planning, Environment & Development | 24/8/17 |
| 143. | Lampard | Brendan | Planning, Environment & Development | 9/8/17 |
| 144. | Lissenden | Kristie | Planning, Environment & Development | 19/9/17 |
| 145. | Little | Trent | Planning, Environment & Development | 31/8/17 |
| 146. | Lloyd | Aaron | Planning, Environment & Development | 19/9/17 |
| 147. | Marr | Thelma | Planning, Environment & Development | 8/8/17 |
| 148. | Massie | Raymond | Planning, Environment & Development | 27/9/17 |
| 149. | McDonald | Anne | Planning, Environment & Development | 7/8/17 |
| 150. | McLoughlin | Patrick | Planning, Environment & Development | 8/8/17 |
| 151. | McMillon | Kane | Planning, Environment & Development | 13/9/17 |
| 152. | McNeice | Phillip | Planning, Environment & Development | On Leave until November Email 21/9/17 |
| 153. | McVey | Alison | Planning, Environment & Development | 29/9/17 |
| 154. | Meier | Wayne | Planning, Environment & Development | 3/8/17 |

| No | Surname | Name | Group | Returned |
|------|------------|-----------|-------------------------------------|----------|
| 155. | Moyle | Melissa | Planning, Environment & Development | 2/8/17 |
| 156. | Murphy | Nathan | Planning, Environment & Development | 27/9/17 |
| 157. | Nelson | Liberty | Planning, Environment & Development | 1/8/17 |
| 158. | Netzler | Bryan | Planning, Environment & Development | 18/9/17 |
| 159. | Nile | David | Planning, Environment & Development | 3/8/17 |
| 160. | O'Sullivan | Kristy | Planning, Environment & Development | 18/9/17 |
| 161. | Papworth | Warwick | Planning, Environment & Development | 12/9/17 |
| 162. | Parnell | Jodie | Planning, Environment & Development | 1/8/17 |
| 163. | Pearman | Anthony | Planning, Environment & Development | 4/8/17 |
| 164. | Pickering | Shane | Planning, Environment & Development | 7/8/17 |
| 165. | Price | John | Planning, Environment & Development | 17/8/17 |
| 166. | Pryor | Neale | Planning, Environment & Development | 7/8/17 |
| 167. | Ratcliffe | Danielle | Planning, Environment & Development | 11/9/17 |
| 168. | Rokobauer | Grant | Planning, Environment & Development | 8/8/17 |
| 169. | Roose | Thomas | Planning, Environment & Development | 22/9/17 |
| 170. | Rouse | Cameron | Planning, Environment & Development | 3/8/17 |
| 171. | Sage | Mark | Planning, Environment & Development | 22/8/17 |
| 172. | Scott | Gordon | Planning, Environment & Development | 1/8/17 |
| 173. | Sevenler | Ali | Planning, Environment & Development | 22/8/17 |
| 174. | Smith | Michael | Planning, Environment & Development | 22/8/17 |
| 175. | Sneesby | Mark | Planning, Environment & Development | 4/8/17 |
| 176. | Staples | Ian | Planning, Environment & Development | 27/9/17 |
| 177. | Subhan | Mir Abdus | Planning, Environment & Development | 7/8/17 |
| 178. | Swan | Trent | Planning, Environment & Development | 14/8/17 |
| 179. | Tague | Jenna | Planning, Environment & Development | 2/8/17 |
| 180. | Tooley | Di | Planning, Environment & Development | 24/8/17 |

| No | Surname | Name | Group | Returned |
|------|-------------|------------|-------------------------------------|----------|
| 181. | Turner | Lauren | Planning, Environment & Development | 22/9/17 |
| 182. | Vernez | Andre | Planning, Environment & Development | 8/9/17 |
| 183. | Volkanovski | Jessica | Planning, Environment & Development | 4/8/17 |
| 184. | Weston | Elliott | Planning, Environment & Development | 21/9/17 |
| 185. | Wood | Colin | Planning, Environment & Development | 8/8/17 |
| 186. | Akehurst | Karen | Shoalhaven Arts Board | 9/10/17 |
| 187. | Chiam | Alison | Shoalhaven Arts Board | |
| 188. | Dawson | Barbara | Shoalhaven Arts Board | 23/9/17 |
| 189. | Grant | Ian | Shoalhaven Arts Board | 4/10/17 |
| 190. | Lavelle | Peter | Shoalhaven Arts Board | 7/9/17 |
| 191. | Cochrane | Annie | Shoalhaven Tourism Advisory Group | |
| 192. | Crow | Robert | Shoalhaven Tourism Advisory Group | 16/10/17 |
| 193. | Forbes | Matthew | Shoalhaven Tourism Advisory Group | 13/8/17 |
| 194. | Goodman | David | Shoalhaven Tourism Advisory Group | 22/8/17 |
| 195. | Hallum | Louise | Shoalhaven Tourism Advisory Group | 31/8/17 |
| 196. | Lees/Duffy | Mark/David | Shoalhaven Tourism Advisory Group | |
| 197. | Locke | Lynn | Shoalhaven Tourism Advisory Group | 5/9/17 |
| 198. | McLeod | Paul | Shoalhaven Tourism Advisory Group | |
| 199. | Rodgers | Neil | Shoalhaven Tourism Advisory Group | |
| 200. | Shields | Catherine | Shoalhaven Tourism Advisory Group | |
| 201. | Thomas | Jo | Shoalhaven Tourism Advisory Group | Resigned |
| 202. | Banwell | David | Shoalhaven Water | 4/8/17 |
| 203. | Brignell | Jared | Shoalhaven Water | 14/8/17 |
| 204. | Gilkes | Allan | Shoalhaven Water | 8/9/17 |
| 205. | Holmes | Tony | Shoalhaven Water | 22/8/17 |
| 206. | Horner | Robert | Shoalhaven Water | 1/8/17 |

| No | Surname | Name | Group | Returned |
|------|------------|--------|------------------|----------|
| | | | | |
| 207. | Jennings | Mark | Shoalhaven Water | 4/8/17 |
| 208. | Kidd | Matt | Shoalhaven Water | 7/8/17 |
| 209. | Krogh | Carmel | Shoalhaven Water | 8/9/17 |
| 210. | Lazarevski | Ljupco | Shoalhaven Water | 1/8/17 |
| 211. | McVey | Andrew | Shoalhaven Water | 11/8/17 |
| 212. | Rodgers | Julia | Shoalhaven Water | 21/8/17 |
| 213. | Wady | Ivan | Shoalhaven Water | 10/8/17 |

CL17.287 NIDS Housing Masterclass - National Housing Conference 2017

HPERM Ref: D17/337518

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

Attachments: 1. Program [↓](#)

Purpose / Summary

To consider Councillor attendance at the NDIS Housing Masterclass scheduled for 28 November 2017 and the National Housing Conference scheduled for 29 November 2017 to 1 December 2017 in the International Convention Centre, Sydney.

Recommendation

That Council

1. Notes the details of the:
 - a. NDIS Housing Masterclass scheduled for 28 November 2017.
 - b. National Housing Conference scheduled for 29 November 2017 to 1 December 2017.
2. Authorises available Councillors to attend the masterclass and/or 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 limit the number of Councillors attending the Conference and such attendance be deemed Council Business.
3. That Council not approve Councillor attendance at the Conference as Council Business.

Background

The NDIS Housing Masterclass and the National Housing Conference 2017 are considered relevant to local government, Information in relation to the conferences is attached to this report.

Costs associated with the NDIS Housing Masterclass are estimated as follows:

- registration : \$695
- travel, accommodation and out of pocket expenses : not yet determined.

Costs associated with the National Housing Conference are estimated as follows:

- registration : Full \$1520
Day \$829.50
- official functions, optional : Day registration only – Welcome Function \$88 – Conference Dinner \$154
- travel, accommodation and out of pocket expenses : not yet determined.

An option available to Council is to define the number of Councillors attending the conference and for Council to determine the appropriate Councillors authorised to attend. However council has a policy of limiting each councillor to three conferences per year exclusive of conferences organised by the Commonwealth or State LG Associations.

The NDIS Housing Masterclass commences at 9.00am and concludes at 4.00pm Tuesday 28 November 2017.

The National Housing Conference commences at 1.00pm Wednesday 29 November 2017 and concludes at 4.30pm Friday 1 December 2017.

There are also the following pre conference activities available:

- Site tour 1: Large Scale Urban Renewal – 12.00pm to 6.00pm 28 November 2017
- Site tour 2: Development a Second City – 9.00am to 1.00pm 29 November 2017
- Site tour 3: Inner-city innovation in social housing delivery – 9.00am to 1.00pm 29 November 2017
- The Big Issue Challenge – 9.00am to 12.00pm 29 November 2017
- Satellite event: Ageing on the Edge in NSW - Tickets \$30 – 9.30am to 12.20pm 29 November 2017

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

- Homelessness Taskforce Shoalhaven 27 November 2017
- Ordinary Meeting Tuesday 28 November 2017.
- Sustainable Futures Committee Wednesday 29 November 2017.
- Councillor Briefing Thursday 30 November 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.

National Housing Conference 2017

Building for better lives

29 Nov – 1 Dec 2017



International Convention Centre, Sydney




| Pre-conference program – Tuesday 28 November 2017 | | | | | |
|---|---|------------------|---|-------------------|---|
| 9.00am – 4.00pm | Satellite event: NDIS Housing Masterclass This small interactive masterclass will explore all the housing implications of the NDIS roll-out and is led by Joseph Connellan, a practitioner with 30 years' experience in developing and delivering improved services, especially in housing and disability services. <i>This is a separate event with separate registration fee. Register via https://www.eventbrite.com.au/e/ndis-housing-sydney-28-november-2017-tickets-37329414283?aff=es2</i> | | | | |
| 12.00pm – 6.00pm | Site tour 1: Large scale urban renewal Riverwood and Campbelltown This site tour provides attendees with insight into a range of large scale urban renewal projects in Riverwood and Campbelltown. The Riverwood region has been identified as a state significant precinct for Sydney. Find out more... <i>Limited places available</i> | | | | |
| Pre-conference program – Wednesday 29 November 2017 | | | | | |
| 9.00am – 1.00pm | Site tour 2: Developing a second city Telopea and Parramatta As the population of Parramatta booms increasing the demand for housing, retail and community spaces, this tour will examine the master planning involved in creating a 'second city'. Find out more... <i>Limited places available</i> | | Site tour 3: Inner-city innovation in social housing delivery Glebe and South Sydney This site tour will visit a number of innovative developments that are using inner-city land to not only create new housing, but to renew these areas and make them great, liveable neighbourhoods. Find out more... <i>Limited places available</i> | | |
| 9.00am – 12.00pm | The Big Issue Challenge The Big Issue Challenge is a unique opportunity for delegates at this year's National Housing Conference that makes a real difference. Together with your colleagues, you will join a vendor on the streets of Sydney to assist them in selling their magazines. Find out more and register here... <i>Limited places available</i> | 9.30am – 12.20pm | Satellite event: Ageing on the edge Ageing on the Edge in NSW - Are older people coping or collapsing in the rental market? Find out more... <i>This is a separate event with separate registration fee. Register via https://www.eventbrite.com.au/e/ageing-on-the-edge-in-nsw-a-state-of-crisis-for-older-renters-tickets-37749665265</i> | 10.30am – 12.30pm | Satellite event: CHIA Annual General Meeting The Community Housing Industry Association is holding its Annual General Meeting to coincide with the National Housing Conference. Find out more and register here... |

This is a **draft** program and subject to change at 10 October 2017


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| Conference program – Wednesday 29 November 2017 (Day one) | | |
|---|--|---|
| 1.00pm – 7.00pm | Registration open | Location: NHC 2017 Exhibition Precinct The Gallery, ICC Sydney |
| 2.00pm | <p>PLE1: Opening Plenary Building for better lives</p> <p>PERFORMANCE: Descendance Sydney based, performance troupe Descendance Aboriginal and Torres Strait Islander Dance Theatre will open the conference program.</p> <p>Presenters: <u>Tony De Domenico</u>, Chairman, AHURI Limited - Welcome from Conference Convenor <u>Michael Coultts-Trotter</u>, Secretary, NSW Department of Family and Community Services - Welcome from Conference Host <u>Dr Ian Winter</u>, Executive Director, AHURI Limited - Introduction to the program <i>Keynote speaker to be confirmed</i></p> | <p>Location: Pyrmont Theatre</p> <p>Sponsored by:</p>  |
| 3.30pm | Afternoon tea and Exhibition Precinct open | Location: The Gallery |
| 4.00pm | <p>PLE2: Keynote Plenary Address Designing a National Housing Strategy for Canada: Lessons Learned</p> <p><i>What can Australia learn from Canada, a country operating under the same federated system of government? Evan Siddall, who played a key role in developing Canada's new National Housing Strategy will outline the key features of the Strategy and the political challenges in its implementation. Mr Siddall will also outline the important role the Canada Mortgage and Housing Corporation plays in contributing to the stability of the housing market and financial system and providing support for Canadians in housing need.</i></p> <p>Keynote address: <u>Evan Siddall</u>, President and CEO, Canada Mortgage and Housing Corporation (Canada) Facilitator: <u>Dr Ian Winter</u>, Executive Director, AHURI Limited</p> | Location: Pyrmont Theatre |
| 5.00pm – 7.00pm | <p>NHC 2017 Official Welcome Function</p> <p><i>Visit the Exhibition Precinct, renew old friendships, make new acquaintances, enjoy local food and wine, discuss challenges and celebrate achievements made over the past year.</i></p> <p>PERFORMANCE: Hot Potato Band Known to cause a severe case of happy fever, Sydney based brass band, Hot Potato Band, will perform during the Official Welcome Function.</p> | <p>Sponsored by:</p>  |
| 7.30pm – 9.30pm | <p>Satellite event: Professional Excellence in Housing Awards - Hosted by the Australasian Housing Institute <i>This is a separate event with separate registration fee. Register via www.housinginstitute.org/Awards.</i></p> | |

| Conference program – Thursday 30 November 2017 (Day two) | | |
|--|---|--|
| 7.30am – 5.00pm | Registration desk and Exhibition Precinct open | |
| 7.45am – 8.55am | <p>Sunrise session 1</p> <p>Innovative financing for affordable housing</p> <p><i>A voluntary tax on housing profits, shared equity schemes and partnerships between not-for-profit landowners and social impact investors are all exciting new ways of funding affordable housing explored in this session.</i></p> <p>Presenters: Alice Clark, Shelter SA John Oliver, HomeStart Finance Sally Hines, The Big Issue & Homes for Homes Jacob Edwards, Bank Australia</p> <p>Facilitator: Nicola Lemon, Hume Community Housing Association</p> <p><i>Limited capacity session, please register online</i></p> | <p>Sunrise session 2</p> <p>Energising social housing - Energy Innovation in Practice</p> <p><i>How can housing become more energy efficient, reducing spiralling energy costs for tenants, housing providers and lower income homeowners? Some community housing providers see environmentally sustainable housing as one way to mitigate risk and deliver reduced operational and maintenance costs.</i></p> <p>Presenters: Alex Houlston, Energy for the People & Tom Graham, Community Housing Ltd Andrew Brooks, SGCH (St George Community Housing) Keith Tarlo, NSW Office of Environment and Heritage Ralton Benn, Access Housing Australia</p> <p>Facilitator: Nina Bailey, NSW Office of Environment and Heritage</p> <p><i>Limited capacity session, please register online</i></p> |
| 9.00am | <p>PLE3: Keynote Plenary Address</p> <p>PERFORMANCE: Sydney Street Choir</p> <p>The Sydney based choir, a supportive musical community that aims to inspire and empower those who have experienced hardship or disadvantage in the community will perform their signature song.</p> <p>Flying the National Housing Finance and Investment Corporation</p> <p><i>Is the National Housing Finance and Investment Corporation (NHFC) the key to boosting affordable housing supply in Australia? As the Federal Government pushes to implement the NHFC, what can we learn from the architect of the UK equivalent, and key adviser to the Federal Treasury, Mr Piers Williamson. Join Mr Williamson, and a panel of experts to examine what conditions are required in Australian to optimise the success of the NHFC and what other layers of innovation are required to jump-start the supply of more affordable housing.</i></p> <p>Keynote address: Piers Williamson, Chief Executive Officer, The Housing Finance Corporation (UK)</p> <p>Panellists: Stephen Knight, Chairman of the Affordable Housing Implementation Task Force Alexandra West, Investment Manager, Innovation and Strategy, CBUS David Cant, Formerly Chief Executive Officer, BHC Ltd Stuart Penklis, Head of Residential, Mirvac</p> <p>Facilitator: Carrie Hamilton, Associate, Housing Action Network</p> <p style="text-align: right;">Sponsored by:</p>  | |

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| | | | |
|-------------------|--|--|--|
| 10.30am | Morning tea and Exhibition Precinct open | | Location: The Gallery |
| 11.00am – 12.30pm | MAJOR CONCURRENT SESSIONS For more information please click on the session title | | Think Tank |
| | <p>MAJ1: Homelessness in 2017: is early intervention and prevention working? <i>How well has Australia's homelessness system transformed from crisis response, to early intervention and prevention and how does Australia's system compare to the US?</i></p> <p>Presenter: Gail Gilman, Chief Executive Officer, Community Housing Partnership (USA)</p> <p>Panellists: Prof Guy Johnson, Professor, Urban Housing and Homelessness, RMIT University Jenny Smith, Chair, Homelessness Australia Sherri Bruinhout, Assistant Director, Homelessness and Accommodation Support, Department of Health and Human Services (VIC) Darren Young, State Director – QLD & NT, Mission Australia Ros Baxter, Group Manager – Families, Department of Social Services Maggie Pressnell, A/Director – Homelessness, NSW Department of Family and Community Services</p> <p>Facilitator: Adrian Pisarski, Executive Officer, National Shelter</p> <p><i>Presentation and panel discussion to be followed by audience Q&A</i></p> | <p>MAJ2: State(s) of housing policy and the new National Housing and Homelessness Agreement <i>In the context of the new National Housing and Homelessness Agreement (NHHA) how are the States and Territories responding to this new framework. This session presents a round-up of housing policy innovation from across the nation.</i></p> <p>Presenters: Philip Fagan-Schmidt, Executive Director, Housing SA, Department for Communities & Social Inclusion (SA) Nick Foa, Director of Housing, Department of Health and Human Services (VIC) Peter White, Chief Executive, Housing and Disability Reform (TAS) Louise Gilding, Executive Director, Housing and Community Services (ACT) Caryn Kakas, A/Executive Director, Strategic Policy, NSW Department of Family and Community Services Grahame Searle, Interim Director General, Department of Communities (WA) Jamie Chalker, Chief Executive Officer, Department of Housing and Community Development (NT) Christine Castley, Deputy Director-General, Department of Housing and Public Works (QLD) Paul McBride, Group Manager – Welfare & Housing Reform, Department of Social Services</p> <p>Facilitator: Meredith Sussex, Board Director, AHURI Ltd</p> <p><i>Presentation and panel discussion to be followed by audience Q&A</i></p> <p>Sponsored by:</p>  | <p>MAJ3: Ready for growth: Building Australia's affordable housing industry <i>As well as a secure financing model for affordable housing, what are the other conditions required to enable the sector to scale up to a thriving industry. This session will examine the strategies required for continued growth, including system regulation and private sector engagement.</i></p> <p>Presenter: Prof Hal Pawson, Associate Director, City Futures Research Centre, UNSW</p> <p>Panellists: Marty Robinson, Principal Adviser, Social Policy Division, Treasury Wendy Hayhurst, Chief Executive Officer, NSW Federation of Housing Associations Haleh Homaei, Chief Executive Officer, Port Phillip Housing Association Adrian Harrington, Head of Funds Management, Folkestone</p> <p><i>Presentation and panel discussion to be followed by audience Q&A</i></p> <p>Habitat or Home? Stacey Miers, Sydney University</p> <p>More than a house: Through a child's eyes Paul Pfeiffer, Junction Support Services</p> <p>The Rental Vulnerability Index Penny Carr, Tenants Queensland</p> <p>Intensive outreach and rapid rehousing - delivering housing assistance for people sleeping rough in the inner city of Sydney Paul Vevers, NSW Family and Community Services</p> |


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| | | | | | | | |
|-----------------|---|--|---|---|---|---|---|
| 12.30pm | Lunch and Exhibition Precinct open | | | | | | Location: The Gallery |
| 1.30pm – 3.00pm | MINOR CONCURRENT SESSIONS For more information please click on the session title | | | | | | Think Tank |
| | MIN1: Collaboration, culture and community: leading practice in homelessness Presenters: Paul Tommasini & Mark Davidson , Ipswich Independent Youth Service Paul Edginton , SYC Limited Kathy Binks , Uniting Communities & Suraya Naidoo , Housing SA Clare Townsend , Synapse Jenny Ranft , Wentworth Community Housing Facilitator: Pattie Chugg , Shelter Tasmania | MIN2: Practice, design and technology solutions for people with disabilities Presenters: Courtney Wright , Griffith University Joseph Connellan , MC Two Ply Ltd David Glazebrook , Melba Support Services Queenie Tran , Summer Foundation Facilitator: Mike Allen , Disability Housing Forum | MIN3: Digital technology for tenants and the homeless Presenters: Lance Carden , NSW FACS Geoff Slack & Anthony Pertl , Housing SA David Spriggs , Infoxchange Facilitator: Tony Benson , Access Housing Australia | MIN4: Australia vs England - tenant choice and voice Presenters: Oona Goldsworthy , United Communities (UK) Dr Tony Gilmour , Housing Action Network Facilitator: Michael Lennon , Housing Choices Australia & Community Housing Industry Association | MIN5: Re-imagining the private rental sector Presenter: Prof Kath Hulse , Swinburne University Panellists: Dr Joe Flood , Community Housing Limited James Kennedy , JLL | MIN6: Scalpels and Sledgehammers: breaking the tax deadlock Presenter: Prof Richard Eccleston , University of Tasmania Panellists: Dr John Hewson AM , Crawford School of Public Policy, ANU Brendan Coates , Grattan Institute | A place for Tiny Houses... Valerie Bares , ESC Consulting What Role Can Architects Play in Addressing Housing Affordability Alexandra McRobert , University of Sydney Stemming the tide: responding to the increase in older women's homelessness Debbie Georgiou , NSW Federation of Housing Associations Housing Profession Futures: Resilience on the Frontline Prof Jo Richardson , De Montfort University What is the impact of social housing on employment, education, health and incarceration? Dr David Prentice , Principal Economic Advisor |
| 3.00pm | Afternoon tea and Exhibition Precinct open | | | | | | Location: The Gallery |
| 3.30pm – 5.00pm | MINOR CONCURRENT SESSIONS For more information please click on the session title | | | | | | Think Tank |
| | MIN7: Contemporary estate renewal practices Presenters: Bernie Coates , University of NSW & Jennifer Rignold , Social Housing Tenant Greg South , Land and Housing Corporation, NSW Family and Community Services Fiona Williams , | MIN8: The age-old problems in housing Presenters: Caitlin McGee , University of Technology Sydney Jeff Fiedler , Housing for the Aged Action Group Inc. & Dr Debbie Faulkner , University of Adelaide James Brown , Common Equity | MIN9: Respecting Indigenous culture and voice in the provision of housing Presenters: Sally Kubiak , NSW Aboriginal Housing Office Barbara Shaw & Matthew Ryan , Aboriginal Housing NT | MIN10: Locally made: affordable housing and local government Panellists: Suzi Hayes , Eastern Affordable Housing Alliance | MIN11: Build to Rent Presenter: Adam Hirst , Mirvac Panellists: Richard Brice , EY Scott Langford , SGCH Facilitator: Ken Morrison , | MIN12: Social impact investment for housing and homelessness Presenter: Prof Kristy Muir , University of NSW Panellists: Jeanette Large , Women's Property Initiatives | The ACT's Land Rent Scheme - Wider Implications Clare Wall , SGS Economics and Planning Planning for housing: disaggregating to mitigate housing insecurity for older women Kate Clarke , La Trobe University House-it going? - A people-centred approach to housing Nidhi Nautiyal , University of Auckland |

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| | | | | | | | |
|------------------|---|--|--|---|--------------------------------------|---|---|
| | <p>Department of Health and Human Services – VIC <u>Simone Dyer</u>, Frasers Property</p> <p>Facilitator: <u>Christine Castley</u>, Department of Housing and Public Works (QLD)</p> | | <p><u>Kieran Wong</u>, Cox Architecture Facilitator: <u>Shane Hamilton</u>, Aboriginal Housing Office NSW</p> | <p><u>Terry Wilkinson</u>, Whitehorse City Council <u>Lindy Deitz</u>, Campbelltown City Council <u>Bill Pickering</u>, Housing Supply Association Facilitator: <u>Emeritus Prof Chris Paris</u>, Ulster University (UK)</p> | <p>Property Council of Australia</p> | <p><u>Min Seto</u>, Homes North Community Housing Company <u>Sally McCutchan</u>, Impact Investing Australia Facilitator: <u>Rebecca Thomas</u>, Social Ventures Australia</p> | <p>University students, housing crisis and socioeconomic disadvantage: Are affordable student housing co-operatives the answer? <u>Sarah King</u>, Stucco</p> <p>Housing SA's New Service Delivery Model Responds to Risk and Vulnerability and delivers targeted responses <u>Danielle Bament</u> & <u>Kitty McClean</u>, Housing SA</p> |
| 5.00pm | Day 2 concludes | | | | | | |
| 7.00pm – 11.00pm | <p>NHC 2017 Conference Dinner</p> <p><i>Join us at Doltone House Jones Bay Wharf to enjoy the company of old and new friends, eat fabulous food while taking in the views of Sydney's iconic Harbour bridge. The Official Conference Dinner will be a unique and special experience offering delegates an opportunity to informally chat to each other within a relaxed atmosphere. Numbers are limited, so book now to avoid missing out.</i></p> <p>Venue: Doltone House Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW</p> <p>Note: This is a separately ticketed event with limited capacity. Please book your ticket at: http://www.nhc.edu.au/sessions/official-conference-dinner/</p> <div style="text-align: right;"> <p>Sponsored by:</p>  </div> | | | | | | |

| Conference program – Friday 1 December 2017 (Day three) | | | | | | | |
|---|--|---|---|---|---|---|--|
| 8.00am – 3.00pm | Registration desk and Exhibition Precinct open | | | | | | |
| 9.00am – 10.30am | MINOR CONCURRENT SESSIONS For more information please click on the session title | | | | | | Think Tank |
| | MIN13: Leading practice in domestic and family violence prevention Panellists: Sue Cripps , SG Consulting Group Katherine McKernan , Homelessness NSW Kedy Kristal , Women's Council for Domestic & Family Violence Services Facilitator: Debbie Georgopoulos , Women's Housing Company | MIN14: Causes, preventions and solutions – housing for mental well-being Presenters: Beth Fogerty & Joshua Oates , Wellways Australia Ltd Catherine Yeomans , Mission Australia James O'Donnell , Australian National University Facilitator: Catherine Brown , Mental Health Commission | MIN15: As if social housing were infrastructure... Presenter: A/Prof Julie Lawson , RMIT University Panellists: James Waddell , National Australia Bank Dr Judy Kraatz , Griffith University Dr David Prentice , Infrastructure Victoria Facilitator: Adrian Harrington , AHURI Ltd | MIN16: The leading edge in Indigenous tenancy management Presenters: Dr Angela Spinney , Swinburne University Maria Kevin , NSW Aboriginal Housing Office Rachel Lattimore , Community Housing Ltd & Steve Bevington , Community Housing Ltd & Desley Gallagher , Nine Mile Aboriginal Corporation Facilitator: Christine Fitzgerald , Department of Housing and Community Development | MIN17: A stocktake on stock transfers Presenter: Dr Vivienne Milligan , University of NSW Panellists: Chris Bratchford , Mission Australia Leonie King , Evolve Housing Robert Macbeth , Maori Housing Network Facilitator: Peter White , Department of Health and Human Services (TAS) | MIN18: Land use planning, value capture and density – the keys to affordable housing supply Presenters: Kate Breen , Affordable Development Outcomes Stephanie Hall , PwC Australia Dr Shann Turnbull , New Garden Cities Alliance Janet Chappell , Landcom Facilitator: Nicola Foxworthy , Common Equity <div style="text-align: center;"> Sponsored by:  </div> | Identifying and supporting hidden carers in social housing Tenancy management Freya Saich , Carers NSW Leveraging partnerships to create mixed tenure communities Amy Brown , PwC Australia Moving Towards Housing as a Model of Healthcare Mental illness focus Emily Lyons , St Kilda Road Clinic Housing demand and preferences amongst people with disability Luke Bo'sher , Summer Foundation Bridge Housing's Hand Up Project – lifting tenants out of the debt cycle Rebecca Pinkstone , Bridge Housing |
| 10.30am | Morning tea and Exhibition Precinct open | | | | | | |

| | |
|------------------|--|
| 11am – 11.30am | <p>PLE4: Keynote Plenary Address Location: Pyrmont Theatre</p> <p>Australian Housing Policy: the latest from the Federal Government</p> <p>As we near the end of a busy year for the Federal Government in terms of national housing policy, Federal Assistant Minister to the Treasurer Michael Sukkar will outline what can be expected in 2018, and what role the Federal Government will continue to play in supporting Australians at all stages of the housing continuum.</p> <p>Keynote address: Hon Michael Sukkar MP, Assistant Minister to the Treasurer</p> <p>Facilitator: Dr Ian Winter, Executive Director, AHURI Limited</p> <p>PERFORMANCE: Chinese tenant choir</p> <p>We welcome the melodic stylings of the Chinese Tenant Choir – a musical group of elderly residents from the Riverwood housing community, created by SGCH.</p> |
| 11.30am – 1.00pm | <p>PLE5: Keynote Plenary Address Location: Pyrmont Theatre</p> <p>The safe house: the role of housing in domestic and family violence.</p> <p>Facilitated by Leigh Sales, Host of 7.30, ABC Television</p> <p><i>Following a period of significant policy reflection and reform on the issue of family and domestic violence, including the National Plan to Reduce Violence against Women and their Children as well as Victoria's Royal Commission into Family and Domestic Violence, this session aims to take stock of all current state/territory and federal initiatives. What more needs to be done to ensure safe and secure housing options for individuals and families vulnerable to, or experiencing domestic and family violence?</i></p> <p>Keynote address: Dr Heather Nancarrow, Chief Executive Officer, Australia's National Research Organisation for Women's Safety Limited</p> <p>Panellists: Hon Linda Burney MP, Shadow Minister for Human Services, Australian Government Hon Pru Goward MP, Minister for the Prevention of Domestic Violence and Sexual Assault, New South Wales Government</p> <p><i>This session has been fully designed. Stay tuned for more panellist announcements.</i></p> |
| 1.00pm | <p>Lunch and Exhibition Precinct open Location: The Gallery</p> |

| 1.45pm – 3.15pm | MAJOR CONCURRENT SESSIONS For more information please click on the session title | | | Think Tank |
|-----------------------|---|---|---|---|
| | <p>MAJ4: Closing the Indigenous housing gap <i>How do we create better housing choices for Indigenous Australians given many of the unique challenges such as remoteness of communities, culturally appropriate housing, overcrowding and the high rate of Indigenous homelessness? This session will examine different state and territory housing policies to provide better housing choice, and improve housing outcomes for Indigenous Australians.</i></p> <p>Panellists: Graham Searle, Director General, Department of Communities, WA Dianne Gipey, Chief Executive Officer, Alice Springs Women's Shelter Shane Hamilton, Chief Executive Officer, Aboriginal Housing Office - Department of Family and Community Services NSW Jamie Chalker, Chief Executive Officer, Department of Housing and Community Development</p> <p>Facilitator: Prof Larissa Behrendt, Professor of Law & Director of Research, Jumbunna Indigenous House of Learning, University of Technology Sydney</p> | <p>MAJ5: Delivering social outcomes Details to be announced soon</p> <p><i>This session has been fully designed. Stay tuned for speaker announcements.</i></p> | <p>MAJ6: What's the (City) Deal with affordable housing? Facilitated by Leigh Sales</p> <p><i>The Federal Government is actively pursuing a cities agenda through the establishment of City Deals. What role can these City Deals play in creating affordable housing in our established and emerging cities, and how can local, state and federal governments collaborate to create affordable and liveable cities?</i></p> <p>Panellists: Angus Taylor MP, Assistant Minister for Cities and Digital Transformation Senator the Hon Doug Cameron MP, Shadow Minister for Housing and Homelessness, Parliament of Australia Lord Mayor Clover Moore, City of Sydney Lucy Hughes Turnbull AO, Chief Commissioner, Greater Sydney Commission Prof Nicole Gurrin, Faculty of Architecture, Design and Planning, University of Sydney</p> | <p>Ending Chronic Homelessness in Australia: The Journey to Social Inclusion (J2SI) Project Anna Paris, Sacred Heart Mission</p> <p>First to Know, First to Act: Assisting homelessness service providers to identify and respond appropriately to family violence Famaz Zirakbash, Swinburne University of Technology</p> <p>Risk and resilience in the prevention of LGBTI homelessness A/Prof Ruth McNair, University of Melbourne</p> <p>Debt Set Unfair- the Social Housing debt system and people experiencing homelessness Chris Hartley, Homelessness NSW</p> <p>The role of housing supports in creating sustainable housing pathways for a disadvantaged population James O'Donnell, Australian National University</p> |
| 3.15pm | <p>TGIF – Official closing function <i>Immediately following the final conference sessions, join colleagues and friends for one final de-brief following three days of conferencing. Whether you're continuing your weekend in Sydney, or heading home to family and friends, join us for a drink and a nibble to celebrate the close of NHC 2017.</i></p> | | | |
| 4.30pm | <p>Conference concludes</p> | | | |

Keep an eye out for all program announcements by subscribing to our [NHC eNewsletter](#)!

CL17.288 Local Government NSW - Annual Conference 2017 - Voting Delegates

HPERM Ref: D17/339155

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

Purpose / Summary

To nominate voting delegates for the upcoming 2017 Local Government NSW Annual Conference to be held at the Hyatt Regency Hotel, Sydney from 4 to 6 December 2017.

Recommendation

That Council nominate voting delegates for the 2017 Local Government Annual Conference as follows:

1. Five (5) Voters to vote in Board Elections
2. Five (5) Voters to vote on Motions

Options

1. As outlined in the report.

Implications: Council would provide for the full voting opportunities for Council.

2. Nominate less than Five (5) Voters in each category

Implications: This would reduce the opportunity for representation by Shoalhaven City Council in the conference voting.

Background

Council has been advised that there will be two types of voting at the Local Government NSW Annual Conference 2017:

1. Election of Office Bearers & the Board (Board Election)
2. Voting on Motions

Council is entitled to nominate five (5) voters for each category. The formula for the number of voters has been calculated in accordance with the Association's rules.

Council may select the same or different Councillors for each category.

Local Government NSW must be advised by Wednesday 1 November 2017 of the names of Council's voting delegates.

Nominations received after the closing date will not be accepted, however a member Council may substitute the name(s) of its delegates as set out in the Association's rules.

Council previously adopted resolutions to include the Conference as Council Business on 19 September 2017 (MIN 17.790), and to submit motions 26 September 2017. (MIN17.877)

CL17.288

CL17.289 Donation Request - Restoration Works - Samuel Elyard Paintings - Shoalhaven Historical Society

HPERM Ref: D17/341292

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

Attachments: 1. Shoalhaven Historical Society - Donation Request - David Stein & Co - Restoration - Samuel Elyard Paintings [↓](#)

Purpose / Summary

To notify Council of a donation request received from the Shoalhaven Historical Society for a donation toward the conservation costs of three Samuel Elyard art works.

Recommendation

That Council consider a donation of \$2,000 to the Shoalhaven Historical Society as a contribution towards the conservation costs of three Samuel Elyard art works.

Options

1. As recommended - Donation of \$2,000

Implications: The unallocated donations budget balance will be \$6,758.00 00 (subject to grants of other donations to be considered by the Council at this meeting)

2. Council not provide a donation

Implications: The unallocated donations budget balance will remain \$8,758.00 (subject to grants of other donations to be considered by the Council at this meeting)

3. An Alternate recommendation

Implications: unknown

Background

At the Shoalhaven Arts Board meeting held on 7 September 2017, The Chairperson, Clr Wells advised the Board that a request had been received from the Shoalhaven Historical Society for a donation toward the conservation costs of three Samuel Elyard art works.

The request for a donation amount of \$2000 to \$2500, was forwarded to the members of the Shoalhaven Arts Board for their consideration and comments prior to a report being submitted for Council's consideration.

The Shoalhaven Historical Society has received a donation of 22 Elyard oils and two (2) Elyard watercolours.

All works are unframed and in need of varying amounts of cleaning and conservation.

CL17.289

David Stein & Co have quoted on the cost of conservation for the three (3) of the works (which were assessed as the highest priority to receive conservation).

The total quote for the conservation for the three art works is \$14,374.80 (Incl GST).

The Shoalhaven Historical Society has received a donation of a \$1,500 toward the restoration from a member.

Community Engagement

An email was sent to the Shoalhaven Arts Board 14 September 2017, requesting comments and feedback.

The following comments were made:

- The Historical Society has only provided one quote and it was suggested at least a second be sought.
- The Shoalhaven Arts Board should provide a deadline for consideration of all funding proposals and a framework for making funding decisions and then reconsider.

The Shoalhaven Arts Board members were generally in support of the donation, however, two members requested that a second quote be sought.

Financial Implications

The unallocated donations budget balance is currently \$8,758.00. (subject to grants of other donations to be considered by the Council at this meeting)

For Registration, consideration & report by SXL's staff - for Arts Board consideration



Shoalhaven Historical Society
PO Box 301
Nowra NSW
2541

museum@shoalhavenhistory.org.au

September 2, 2017

John Wells
Chair
Shoalhaven Arts Board
Shoalhaven City Council
Bridge Road
Nowra 2541

Shoalhaven City Council

Received

6 SEP 2017

File No. _____

Referred to: C. Milburn

Dear John

Shoalhaven Historical Society recently staged a Samuel Elyard exhibition to celebrate the bicentenary of the artist's birth. We were fortunate to be loaned a number of Elyard paintings from the Shoalhaven City Council collection and these were exhibited along with our own holdings of Elyard works. This exhibition, which was open for 3 months, was very well patronised and appreciated by locals, visitors and numerous members of the NSW National Trust who were visiting the Shoalhaven on the weekend of the launch.

At this time, we were fortunate enough to receive a generous donation of 22 Elyard oils and 2 Elyard watercolours depicting scenes of the Shoalhaven from a benefactor. We were thrilled by this addition to our collection. However, all these works are unframed and in need of varying amounts of cleaning and conservation.

Max Dingle has been good enough to visit the museum and to assess these artworks and to recommend a priority list for conservation work.

As a result, I contacted David Stein & Co and sent photographs of three of the works for which I received a preliminary quote. I then delivered the three works to the studio of David Stein & Co in Alexandria for detailed analyses and quotes which I have included.

We have received a donation of \$1500 towards this restoration project from a member and we are asking the Shoalhaven Arts Board if it could support Shoalhaven Historical Society to realise this project.

Shoalhaven Historical Society is a totally volunteer organisation which receives no external funding apart from successful grant applications. We support ourselves by writing and publishing books and in minor part by selling Nowra Museum merchandise.

We are passionate about collecting, conserving and protecting the Shoalhaven's heritage and history, of which the works of Samuel Elyard are a significant part. Without funding support, we will be unable to fulfil our role as custodians of this heritage as our finances are limited and we have a responsibility to maintain our heritage museum building.

Yours faithfully

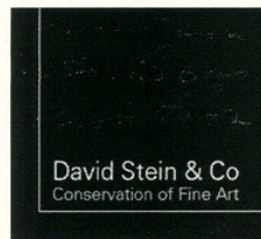


Lynne Allen
President
Shoalhaven Historical Society

68-70 Burrows Rd
Alexandria NSW 2015

www.artrestoration.com.au
studio@artrestoration.com.au

Ph +61 2 9565 2387
ABN 53 039 740 909



Shoalhaven Historical Society
Lynne Allen
PO Box 301
Nowra
NSW 2541

Estimate # 3549

Date 31/08/2017

Treatment Proposal

Artist Samuel Elyard
Title At head of Nowra Creek
Date
Medium Oil on canvas
Dimensions 56 x 66 cm

Estimated Cost

| | |
|----------------|------------|
| Treatment Cost | \$2,310.00 |
| Materials | \$231.00 |
| <hr/> | |
| SUB TOTAL | \$2,541.00 |
| GST | \$254.10 |

TOTAL \$2,795.10

Treatment Proposal

Condition of artwork - The painting has an undulating surface plane due to slackness in the canvas tension. There is a considerable build up of dirt and grime on the paint surface, and dust and debris has been trapped behind the lower stretcher bar on verso.

Brush vacuum - including removal of debris caught behind lower stretcher member
Encapsulate labels - in a Mylar envelope
Retention stretcher - including addition of extra wooden keys
Surface clean
Retouching - of residual stains and accretions not removed during cleaning
Varnish

Examined by Katherine Rosenthal
General Manager & Conservator, PMAICCM

Please Note: This is an estimate only.

David Stein & Co Pty Ltd does NOT insure customers' goods. Please advise if insurance is required.

To accept this treatment proposal, please indicate below and return to David Stein & Co Pty Ltd. Work will not commence until receipt of this accepted form. The estimate is valid for 90 days from the date of examination. By accepting this proposal the client agrees to the terms of this proposal and the attached terms and conditions.

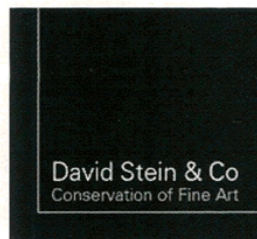
☐ Accept Estimate and Terms & Conditions

☐ Insurance Required

68-70 Burrows Rd
Alexandria NSW 2015

www.artrestoration.com.au
studio@artrestoration.com.au

Ph +61 2 9565 2387
ABN 53 039 740 909



Shoalhaven Historical Society
Lynne Allen
PO Box 301
Nowra
NSW 2541

Estimate # 3550
Date 31/08/2017

Treatment Proposal

| | |
|----------------|--------------------|
| Artist | Samuel Elyard |
| Title | Low on Nowra Creek |
| Date | |
| Medium | Oil on panel |
| Dimensions | 64 x 42 cm |
| Estimated Cost | |
| Treatment Cost | \$2,970.00 |
| Materials | \$297.00 |
| ----- | |
| SUB TOTAL | \$3,267.00 |
| GST | \$326.70 |
| | |
| TOTAL | \$3,593.70 |

Treatment Proposal

Condition of artwork - The painting is structurally in sound condition. There is a vertical split (approximately 10cm in length) in the panel at the bottom edge. The painting has a considerable build up of dirt and grime on the paint surface with anomalous vertical staining throughout.

Encapsulate labels - in a Mylar envelope.
Consolidation - to split in wood panel.
Surface clean
Retouching
Varnish

Examined by Katherine Rosenthal
General Manager & Conservator, PMAICCM

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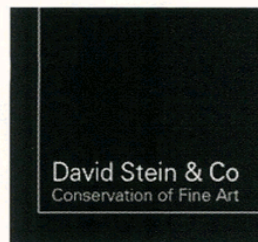
☐ Accept Estimate and Terms & Conditions

☐ Insurance Required

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www.artrestoration.com.au
studio@artrestoration.com.au

Ph +61 2 9565 2387
ABN 53 039 740 909



Shoalhaven Historical Society
Lynne Allen
PO Box 301
Nowra
NSW 2541

Estimate # 3551
Date 31/08/2017

Treatment Proposal

| | |
|----------------|---|
| Artist | Samuel Elyard |
| Title | Untitled (Aboriginals around Camp Fire) |
| Date | |
| Medium | Oil on canvas |
| Dimensions | 40 x 56 cm |
| Estimated Cost | |
| Treatment Cost | \$6,600.00 |
| Materials | \$660.00 |
| ----- | |
| SUB TOTAL | \$7,260.00 |
| GST | \$726.00 |
| | |
| TOTAL | \$7,986.00 |

Treatment Proposal

Condition of artwork - The painting has no tacking margins and is loosely attached to it's current strainer. There are a number of small tears, significant creases and associated paint loss. The paint surface is very dirty and there is a slightly discoloured varnish layer beneath this.

Remove canvas from stretcher
Flatten canvas deformations - In preparation for lining.
Lining preparation
Lining
Re-stretching - Onto a new custom made stretcher.
Surface clean
Varnish Removal
Fills
Retouching
Varnish

Examined by Katherine Rosenthal
General Manager & Conservator, PMAICCM

Please Note: This is an estimate only.

David Stein & Co Pty Ltd does NOT insure customers' goods. Please advise if insurance is required.

To accept this treatment proposal, please indicate below and return to David Stein & Co Pty Ltd. Work will not commence until receipt of this accepted form. The estimate is valid for 90 days from the date of examination. By accepting this proposal the client agrees to the terms of this proposal and the attached terms and conditions.

☐ Accept Estimate and Terms & Conditions

☐ Insurance Required

CL17.290 Donation Request - Fellowship of Australian Writers second and Third Prizes - Shoalhaven Literary Award

HPERM Ref: D17/341630

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

Attachments: 1. Request for Donation - Prize Money - \$400 - Second and Third [↓](#)

Purpose / Summary

To notify Council of an additional donation request from Fellowship of Australian Writers to cover the second and third prizes of the Shoalhaven Literary Award.

Recommendation

That Council consider an additional donation of \$400 from the unallocated donations budget to Fellowship of Australian Writers to cover the second and third prizes of the 2018 Shoalhaven Literary Award.

Options

1. As recommended

Implications: An additional payment of \$400 would be made for the 2018 Literary Awards, reducing the unallocated donations budget to \$6,555.55.

2. That Council increase the annual donation for the Shoalhaven Literary Awards from \$1500 to \$1900 for the 2018 Literary Awards onwards.

Implications: This would reduce the 2017/2018 available unallocated donations budget to \$6,555.55 and commit funds of \$1900 for following years

3. Council not donate \$400 from the unallocated donations budget

Implications: the unallocated donations budget would remain \$6,955.55.

4. An alternative recommendation

Implications: unknown.

Background

Council donates \$1,500 annually to the Fellowship of Australian Writers Shoalhaven Literary Award which covers first prize for the award.

The Shoalhaven Arts Board received the request dated 9 September 2017 from the Fellowship of Australian Writers seeking an additional \$400 to cover the second and third prizes for the Shoalhaven Literary Award.

The Shoalhaven Literary Awards for 2017 were awarded in early September 2017. As outlined in the attached request; the 2017 winners of the first and second prizes were

CL17.290

awarded to writers from outside the Shoalhaven and Mr Craig Vaughan of Berry was awarded the “Geoff Bolton Award” for local writers which is understood to attract a prize of \$200.

The request outlines that the awards are now subject to additional costs relating to the Geoff Bolton Award, judges fees and registration services.

Policy Implications

Councils’s adopted Donations Policy POL12/299 provides:

Projects/Events NOT Eligible for Funding:

- *Projects that are retrospective*
- *Where there is no direct benefit to Shoalhaven City Residents*

Council receives many requests for financial assistance from various individuals, community and sporting groups and unfortunately has a very limited budget to satisfy these requests.

In order to deal with this matter fairly, Council has adopted a policy, which applies to all requests for donations for individuals, community or sporting groups.

“That in view of its inability to provide significant financial assistance to individuals or groups and in view of the significant number of individuals participating in an extensive range of activities that no financial assistance be provided on an individual basis but Council maximise funding allocations to provide and maintain sporting, community and cultural facilities for the use of the whole Shoalhaven community.”

In considering this request, the Council should consider the direct benefit to Shoalhaven City Residents arising from the literary awards.

Community Engagement

At the request of the Chairperson of the Arts Board, Councillor Wells, an email was forwarded to the Shoalhaven Arts Board seeking their comments and feedback Monday 18 September 2017.

The Arts Board did not reach a consensus on this matter, as 2 responses to the proposal were received from members, each advising that they were undecided, and one of whom raised concerns regarding the dependancy on Shoalhaven City Council’s funding.

Financial Implications

The unallocated donations budget is currently \$6,955.55.

Fellowship of Australian Writers
Shoalhaven Branch
PO Box 154
Nowra 2541
9/9/2017



To The Arts board
Shoalhaven Council

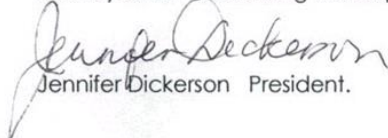
In reference to my recent request for additional funding for the Shoalhaven Literary Award.


I appreciate that the Shoalhaven Council gives us \$1500 annually to cover the first prize which we have just awarded for 2017. I have already submitted an invoice for that amount for 2018.

However I would like to request an additional \$400 to cover the second and third prizes.

Our organisation is covering additional costs including a special prize (\$200) for a local writer and we pay judge's fees and fees for the registration services so that the prize is judged completely at arm's length from our members.

Thank you for considering this request,


Jennifer Dickerson President.

Pls register & give to Mrs Lewis for report to SAB
Jane Lewis


Shoalhaven City Council

Received

14 SEP 2017

File No.

Referred to:

JXL

**2017 Shoalhaven Literary Award
Judged by Dr Laurie Steed**

Winner: #162 – ‘In the Deep’
Cassie Hamer, Queen’s Park, Sydney

2nd Prize: #94 – ‘My Father’s Gun’
Andy Murdoch, Preston, Vic

3rd Prize: #22 – ‘Palya’
Susanna Freymark, Federal, NSW

Geoff Bolton Award: #87 – ‘The Clarinet’
Craig Vaughan, Berry

2017 Shoalhaven Literary Award – Judges Report

Dr. Laurie Steed

This year's selection of entries to the 2017 Shoalhaven Literary Award was an eclectic, rewarding, and only occasionally challenging journey into the worlds, stories, and characters of Australian fiction.

I say 'challenging' because I expect a lot from a story, and because the freshness of an idea is very different to its execution in narrative. I say rewarding because I'm now greatly encouraged by the state of the Australian short story if those stories selected for awards and commendation are any indication.

What stopped stories from being selected? As always, a variety of factors, including but not limited to:

- Memoir masquerading as short fiction.
- Underdeveloped or stereotypical characters or plots.
- Drama for the sake of drama (for if a writer is keen to up the stakes with death, betrayal or dismemberment then there had better be a damn good reason for doing so.)
- The simplistic treatment of an inherently complex subject.
- Overly descriptive or declarative endings (in short fiction, your only requirement is that your story ends, and not that you've explained its meaning or intention.)
- Clever ideas without the necessary narrative grounding to make them work (again, it's always important to ask why a story should be told from a certain point-of-view, or in a particular style,) and finally, and most importantly,
- The incomplete execution of the story of hand.

This year's winner of the Geoff Bolton Award, for an entry from a Shoalhaven resident, **'The Clarinet'** was a simple story but one well told. In this story, death is by no means proud ('Someone from the fruit shop found him. He was in the gutter,' we learn of the death of our protagonist's father) but memory transcends, and, in the case, the sounds of the clarinet

permeate this piece and lift it towards the memorable. Similarly, there's a matter-of-factness to the way things happen, good and bad, in the story, that's both heartening and heartbreaking, a sense that we leave marks on this earth not by doing, but by *living*.

The 3rd prize winner in this years' Shoalhaven Literary Award, '**Palya**,' was selected primarily on the strength of its voice. Its opening line, 'Doggy Jimmy sleeps under a tree near the story while Moses paces quiet tracks seeking forgotten hiding places for petrol,' setting tone, time, and character all in one exquisite sentence. While 'Palya' is a challenging read regarding its linguistics, this says more about the non-indigenous Australian citizen than it does about Australian culture, which, historically, has held a 'come-as-we-are' attitude to storytelling. As readers, writers, and indeed competition judges, our job, I think, is as much to open our minds as it is to have our realities reflected.

The 2nd Prize Winner was '**My Father's Gun**,' which, despite its title is less about guns and more about the mental and emotional landscape of our protagonist. Here, the story of a boy and a rifle echoes out into not only societal and cultural responsibility, but towards identity and self-contentment, not as defined by labels, but by a greater, more inclusive exploration of sexuality and masculinity. Its final reveal is impressive, its ending even more so, having the courage to end at the start (so to speak), as Chekhov did in his famous story, 'The Lady with the Dog.'

The winner of the 2017 Shoalhaven Literary Award was '**In the Deep**,' the most fully-formed story out of all the entries, and a deeply fulfilling read. In Trinh, the author captures a troubled but deeply likable character and one that we're rooting for from the moment she adjusts her swimming goggles. While it's not unusual to read a 'swimming' story in competition entries, it's the first time said protagonist so definitively despises the water. Indeed, there's something magical and at the same time comically endearing about the hate-filled whispers that land so early on, from Trinh to the ocean, and vice-versa.

Metaphorically speaking, there's also more going on in this story than just a swimmer in the ocean and in that respect, it's a clever, timely meditation on those submerged aspects of greater Australian culture without ever becoming didactic or heavy-handed. Despite its greater context, it's first and foremost about Trinh, who's much more than ribbons, pronunciations, or a product of cultural preconceptions.

It was difficult to reduce 164 entries to these four prize-winning stories, and, on another day, with another judge, the selection of stories (and indeed the order in which they placed) may well have been different. As it stands, however, I was grateful to find and award such remarkable work as was present in the stories above. I'm also indebted to the Shoalhaven Regional branch of the Fellowship of Australian Writers, who ran (and who continue to run) this competition so efficiently, and whose support enabled me the time and energy to effectively conduct the judging process.

In a previous piece, I wrote that it's easy to love short stories once you've read the right ones. I've now realised that, given the right conditions, I'm still often surprised by the depth of many a story; by all that one can accomplish when the writer is brave, patient, and committed to telling their tale in their own imitable way.

Laurie Steed

August 4th, 2017

CL17.291 Development Application – 23 Seasongood Road, Woollamia – Lot 113A DP 15266

DA. No: DA16/1433/4

HPERM Ref: D17/293702

Group: Planning Environment & Development Group
Section: Development Services

Attachments:

1. Revised Site Plan - Proposed Building Envelope - 23 Seasongood Road, Woollamia [↓](#)
2. s79C assessment report (under separate cover) [⇨](#)
3. Statement of Environmental Effects [↓](#)
4. Original Bushfire Risk Assessment (under separate cover) [⇨](#)
5. Bushfire Assessment Report by SET Consultants (BPAD level 3) - August 2017 (under separate cover) [⇨](#)
6. Rural Fire Service Referral Response - September 2017 [↓](#)
7. Draft Deferred Commencement Conditions (under separate cover) [⇨](#)
8. Draft Operational Consent [↓](#)

Description of Development: Demolition of an existing dwelling house and the construction of a replacement dwelling house in two stages. Stage 1 of the proposal, the subject of the development application, involves the demolition of the existing dwelling house, detached garage and swimming pool and the nomination of a 'building envelope' for the construction of a future dwelling house (stage 2 of the proposal).

Owner: Gregory & Robyn Watson

Applicant: Lee Carmichael Town Planning

Notification Dates: 21st April to 6th May 2016

No. of Submissions: Nil in objection
Nil in support

Purpose / Reason for consideration by Council

In accordance with Council's adopted policy for *Dealing with Development Applications Lodged by Council Staff or Councillors* (POL16/235), where the applicant or land owner in respect of a development application (DA) is a Council staff member or Councillor and where the development application seeks a substantive variation to any performance-based Development Control Plan (DCP) or Council Policy, the DA is to be reported to Council for determination.

Additionally, this report is in response to the Committee's resolution of 8 August 2017 which was to defer the matter until the:

"...Ordinary meeting to be held on 22 August 2017 to allow a report on an alternative solution from an appropriately accredited (BPAD – Level 3) consultant and further deliberation by the Rural Fire Service."

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Recommendation (Item to be determined under delegated authority)

That Council resolve to approve Development Application DA16/1433 for the Staged Construction of a Replacement Dwelling House – Stage 1 Nomination of Building Envelope and Demolition of Existing Dwelling House at Lot 113A DP 15266 No.23 Seasongood Road, Woollamia by way of deferred commencement consent and subject to the conditions attached to this report (Attachment 7).

Options

1. As recommended, issue a deferred commencement consent pursuant to sub-section 80(3) of the Environmental Planning and Assessment Act, 1979 requiring the applicant to amend the development proposal to be consistent with the provisions of the adopted Planning Proposal and supporting Shoalhaven Development Control Plan 2014 (SDCP 2014) Chapter N16 *Falls Creek / Woollamia Rural Residential Areas*. Draft conditions are provided in Attachment 7.

Further detail is provided later in this report concerning the status of these documents.

Implications: The applicant would need to redesign the development proposal and submit the revised plan to Council for review before an operative development consent could be issued.

If dissatisfied with the decision, the applicant would be entitled to appeal to the Land and Environment Court or pursue a section 82A review.

2. Resolve to support the proposal as currently presented in the DA, accepting the new bushfire report prepared by Mr David Cannon (a BPAD level 3 accredited practitioner) of SET Consultants and determine the DA granting consent subject to the conditions set out in Attachment 8.

Implications: The development as currently proposed is not consistent with Planning Proposal and supporting Shoalhaven Development Control Plan 2014 –Chapter N16 *Falls Creek / Woollamia Rural Residential Areas*, and has received opposition from the Rural Fire Service on the basis that it is inconsistent with the provisions of *Planning for Bushfire Protection 2006* (PBP).

Accordingly, Council would need to provide reasons to justify this determination. Draft conditions of consent are provided for Council's consideration in the event that this option is pursued. Refer to Attachment 8.

It could be argued that Councillor's protection from liability under Section 733 of Local Government Act may be compromised where a decision is not considered to be 'in good faith' if it is not consistent with Planning for Bushfire Protection 2006 as set out in Sections 733 (4) & (5).

However, since consideration of the matter at the Development Committee meeting of 8 August 2017, the applicant commissioned a further report by a 'BPAD level 3' accredited practitioner. This report supports the performance solution to PBP put forward by the applicant. Council would be reliant on this report should it support this option. The RFS are still not supportive however do acknowledge the Performance Criteria in 4.3.5 of Planning for Bushfire were satisfied.

3. Decline to support the proposal as currently presented in the DA and refuse the DA for the reasons as detailed in the report of 8 August 2017. In summary, the reasons were that the proposed building envelope is not consistent with the provisions of Planning for

Bushfire Protection 2006 and that the NSW Rural Fire Service does not support the building envelope in its proposed location and inconsistencies with the Planning proposal and Development Control Plan.

Implications: This decision would be a consistent with Council resolutions in relation to Planning Proposal LP406 and provisions of Shoalhaven Development Control Plan 2014 – Chapter N16 Falls Creek / Woollamia Rural Residential Areas. The applicant would be entitled to appeal against Council's refusal in the Land and Environment Court.

- 4 Adopt an alternative recommendation and provide direction to staff.

Location Map

Figure 1 – Location Map – No. 23 Seasongood Rd, Woollamia



Background

Proposed Development

Development consent is being sought under the provisions of s80(4) of the Environmental Planning and Assessment Act 1979 (EP&A Act), for the carrying out of a development involving the demolition of an existing dwelling house and the construction of a replacement dwelling house in two stages.

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Stage 1 of the proposal, the subject of the development application, involves the demolition of the existing dwelling house, detached garage and swimming pool and the nomination of a 'building envelope' for the construction of a future dwelling house (Stage 2 of the proposal).

The proposed building envelope measures 40m x 20m (800m²) and is located 43m from the southern property boundary, 43m from the eastern boundary and 43m from the western boundary. The building envelope sits within an existing clearing, on very gently sloping land, and is located some 165m from the nearest neighbouring dwelling house at No.21 Seasongood Road as shown in Attachment 1.

Access to the proposed building envelope will be maintained from the existing access point off Seasongood Road, with the internal site access driveway to follow the route of an existing track. This track will need to be upgraded to provide access to the future dwelling house, with such works including upgrading to a minimum width of 4m and the provision of passing bays at 200m intervals along the route.

Full details of the proposal are provided in the Statement of Environmental Effects (Attachment 3).

Subject Land

The subject site is identified as Lot 113A in DP 15266. The subject site consists of a roughly rectangular-shaped allotment of land, situated on the southern side of Seasongood Road (see Figure 1).

The site is an elongated property, some 607m to 622m deep and 105m wide, with an area of 6.51 hectares. The site currently contains a single storey rendered masonry dwelling house and detached garage together with a metal shed at its northern end, adjacent to Seasongood Road.

An intermittent watercourse and associated riparian vegetation passes through the property to the south of the existing buildings and links with established areas of vegetation located on the neighbouring properties to the west and east. The watercourse is subject to flooding. The southern portion of the site consists of approximately 3.7 hectares of cleared land with scattered, individual trees.

Figure 2 – Site Context



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Site & Context

The subject site is located within a rural-residential area currently zoned R5 Large Lot Residential under the provisions of Shoalhaven Local Environmental Plan 2014.

Surrounding allotments on the southern side of Seasongood Road are similar in configuration to the subject site (narrow and elongated), whilst allotments on the northern side of Seasongood Road are of similar width but shorter.

The land in the locality is largely vegetated, with some properties supporting larger cleared areas than others. Dwelling houses in the locality are located within cleared areas and tend to be positioned closer to Seasongood Road.

Strategic Context

Council prepared and publicly exhibited a draft amendment to Shoalhaven Local Environmental Plan 2014 (SLEP 2014) and a draft amendment to Shoalhaven Development Control Plan 2014 (SDCP 2014).

The Falls Creek / Woollamia Deferred Areas Planning Proposal (PP) and DCP Chapter N16 (Amendment No. 17 to SDCP 2014) were adopted by Council 22 August 2017.

Commencement was delayed to enable the financial aspects (the resolution is reproduced later in this report) of Council's resolution (MIN17.739) to be resolved. Chapter N16 of the DCP will become effective on 24 November 2017, and the LEP amendment is expected to be notified on, or soon after this date.

The amendment (not yet notified) to Shoalhaven Local Environmental Plan 2014 (LP406) applies to certain lands at Falls Creek and Woollamia (including the subject site) and seeks to enable the further subdivision of the lands to create up to an additional 16 allotments. In respect of the subject site, the amendment seeks to amend the Lot Size Map to create a minimum allotment size of 1 hectare over the northern part of the subject site (taking in the existing dwelling house and outbuildings) and a minimum lot size of 5 hectares over the balance of the site.

The effect of the amendment to SLEP 2014 would be to enable the subject site to be subdivided into two (2) allotments, effectively enabling a new dwelling to potentially be approved on the rear lot, while retaining the existing dwelling on the front lot. The amendment will also amend the Terrestrial Biodiversity Map to include the riparian zone vegetation passing through the subject site and a small patch of vegetation in the south-western corner of the site as *Biodiversity – significant vegetation*.

The amendment to SDCP 2014 will insert a new chapter – Chapter N16 – into the DCP. The purpose of Chapter N16 is to incorporate more detailed planning controls to ensure that the objectives of the amendment to SLEP 2014 are achieved in relation to bushfire risk management, biodiversity, stormwater management and on-site effluent management for rural residential subdivision and development. Having regard to these objectives, a subdivision and development outcomes plan has been prepared and is illustrated in Figure 3.

Further detail can be obtained in the related report concerning the Planning Proposal (LP406) considered by Development Committee on 8 August 2017.

Development Committee & Ordinary Council Meetings of 8 and 22 August Respectively

Following consideration of the DA at the meeting of 8 August, the Committee resolved:

“That the matter be deferred until the Ordinary meeting to be held on 22 August 2017 to allow a report on an alternative solution from an appropriately accredited (BPAD – Level 3) consultant and further deliberation by the Rural Fire Service.”

It was understood at the meeting that it would take some time to commission a report and refer it to the RFS. This report, responds to above resolution.

As mentioned earlier, the Falls Creek / Woollamia Deferred Areas Planning Proposal (PP) and DCP Chapter N16 (Amendment No. 17 to SDCP 2014) were adopted by Council 22 August 2017. Commencement was delayed to enable the financial aspects of Council's resolution (MIN17.739) to be resolved as detailed below:

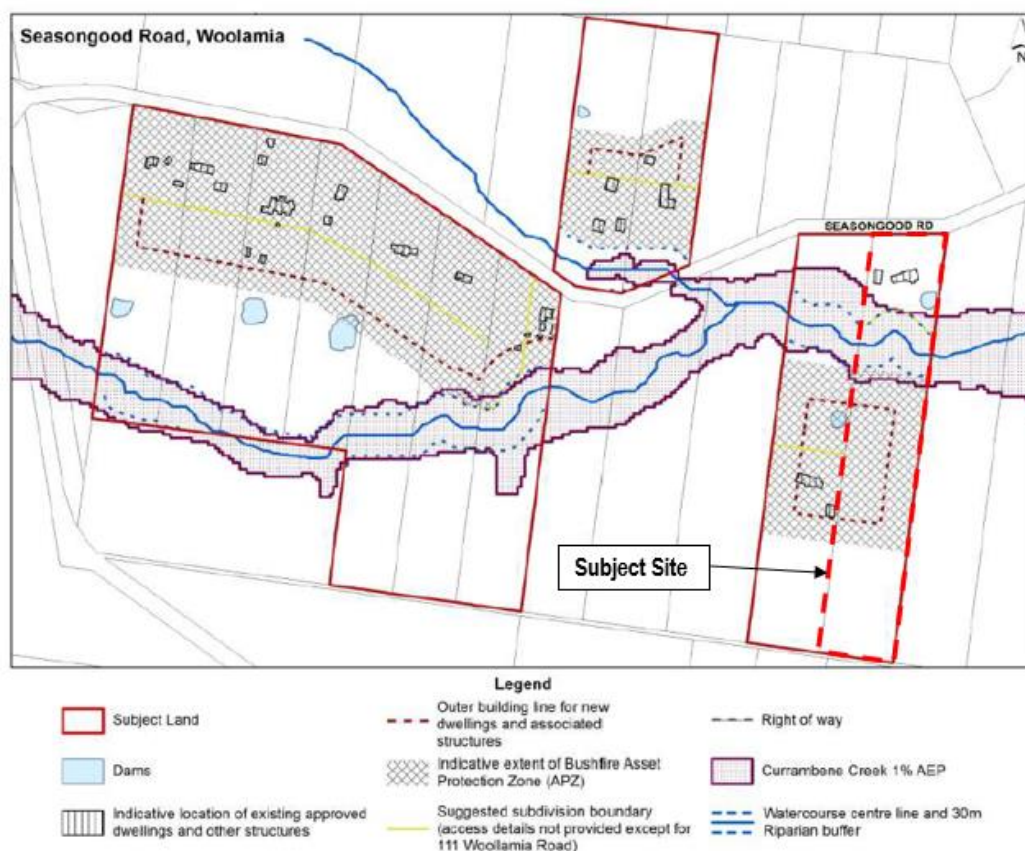
1. Council adopt the Falls Creek / Woollamia Deferred Areas Planning Proposal (LP406) as exhibited, with the minor changes outlined in this report and issue the second (and final) invoice to landowners, subject to confirmation that:
 - a. Enable a maximum two lot subdivision at No. 111 Woollamia Road via the planning proposal by changing the exhibited 1 ha. minimum lot size to 2 ha.
 - b. Revise the DCP as follows:

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- i. Amend the suggested subdivision boundary consistent with the revised lot size*
 - ii. Remove the property access road and vegetation screening details from the supporting map*
 - iii. Replace acceptable solution A3.5 with a general requirement that access roads be sealed and/or screened as appropriate to mitigate impacts on adjoining residences.*
 - c. The two invoices issued to landowners to recoup costs incurred by Council in preparing the planning proposal have been paid in full.*
- 2. If part 1c is not fully resolved within 60 days of issuing the second invoice, remove the relevant properties from the LEP amendment and the draft Chapter N16 - Shoalhaven Development Control Plan (DCP) 2014 and refund any monies paid by the owner(s).*
- 3. Subject to the outcome of parts 1 and 2:*
 - a. Liaise with the NSW Department of Planning and Environment regarding the finalisation of the required amendment to the Shoalhaven Local Environmental Plan 2014.*
 - b. Adopt the attached version of Chapter N16 of the Shoalhaven Development Control Plan 2014 and give public notice in the appropriate local newspaper/s to enable it to become effective upon commencement of the LEP amendment.*
- 4. Ensure that funding improvements at the Jervis Bay Road / Seasongood Road intersection are considered in the FY18/19 budget.*

Chapter N16 of the DCP is a duly adopted Plan that has an activation date of 24 November 2017, based on the LEP amendment which is expected to be notified on, or soon after this date.

Figure 3 – Subdivision & Development Outcomes Woollamia



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Issues

There are two issues, which Council is being asked to consider with respect to this application.

Strategic Context

The development proposal remains inconsistent with the provisions of the recently adopted SDCP 2014, in that the proposed location of the building envelope is outside of the nominated building area shown on the map in Figure 3.

Bushfire Safety

The NSW Rural Fire Service (RFS) remains opposed to the proposed building envelope location, due to its inconsistency with *Planning for Bushfire Protection 2006*, and has recommended that the building envelope be relocated to a position within the nominated building area shown in Figure 3 and adopted in Councils DCP.

Figure 2 shows the location of the proposed building envelope which is at the rear of the property.

In considering this development proposal, Council will need to make a decision as to whether the advice of the RFS is to be accepted (Attachment 6) or otherwise, having regard to the strategic context.

Planning Assessment

The Development Application has been assessed under s79C of the EP&A Act. A copy of the Section 79C assessment report is attached. As a result of that assessment, two issues

remain unresolved – the development proposal being inconsistent with the adopted SDCP 2014 – Amendment No.17 and the RFS' objection to the proposed building envelope location.

Policy Implications

Shoalhaven DCP 2014 – Amendment No.17

The major policy implication arising as a result of this matter is the development proposal's inconsistency with the provisions of SDCP 2014 – Amendment No.17, which has been based upon strategic investigations undertaken to inform the enabling amendment to SLEP 2014.

Applicant's Submission

As the provisions of the exhibited draft amendments to SLEP 2014 and SDCP 2014 were a matter for consideration in the assessment of the development application, a submission was made in support of the development application seeking a variation to the provisions of (which was a draft document at the time) SDCP 2014 – Amendment No.17, for the following reasons:

In their letter, the RFS say, "to ensure building are sighted and designed to minimise the risk of bushfire attack, and to ensure firefighters and evacuating residents are not required to travel long distances through forested areas, the following conditions shall apply".

If this is the basis of their recommended conditions the whole premise of the conditions is flawed because the property at both the RFS preferred location and our preferred site is totally cleared and is managed pasture, our preferred location is just over 100 meters past the line on the map referred to in the letter and provides for a minimum APZ 43m on three sides and 350m on the fourth, this complies with the verbal advice given to me by Ms Amanda Moylan last year.

Just to demonstrate how over the top some of the conditions are under General 2 for example:

"The development for the purpose of the proposed new dwelling should not commence until the demolition/decommissioning of the existing dwelling is complete". So in other words we have to pitch a tent or arrange for other accommodation at significant cost while the building is being constructed....

....When the application was lodged the provisions of the draft DCP were unknown and in my opinion it is a strange coincidence the RFS did not make their recommendations until the draft DCP to be placed on exhibition then referencing the map in the draft DCP in their advice.

It is my understanding the draft DCP is a performance based document and the dotted line referred to in the map can be varied on a submission, it is our opinion the submission by our consultants ticks all the boxes and exceeds normal RFS requirements.....

Another major issue with the RFS's preferred location coincides with a very large spring which remains continually wet for months after heavy rain and has an area of about 5000sqm and when the wet area is combined with a cut of about 1mour preferred site is flat and has no seepage issues.

The final is one of privacy and amenity we do not see why should be force to live in our next door residents pockets....”

Comments

Several points in the applicant’s submission require comment and/or clarification:-

- The development application proposes the demolition of the existing dwelling house and identification of a building envelope for a future dwelling house. This is evident from the description of the development proposal in the statement of environmental effects:

Consent is sought from Council for the establishment of a building envelope on the property (otherwise known as ‘in-principle dwelling approval’). Further to this, consent is also sought for the demolition of the existing residential development located on the land.

It would be expected that a separate development application would be submitted for the construction of a specific dwelling house within the approved building envelope. Given that sub-clause 4.2D(5) only allows the construction of a new dwelling house on the subject site “if there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house”, there will need to be a mechanism incorporated into any consent issued which will ensure that the existing dwelling house is demolished.

This could include a condition to the effect that an Occupation Certificate for the new dwelling house is not issued until the existing dwelling house has been demolished.

This would enable the existing house to be occupied during construction and demolition at the completion of the development. This is reflected in the suite of conditions provided as an attachment to this report, should Council be inclined to consent to the development.

- With regard to the location of a nearby spring and damp ground, it is considered that a dwelling house could be designed and constructed taking into account site characteristics and advice sought from geotechnical engineers if warranted. On sloping sites, a number of design solutions are typically used to deal with stormwater, overland stormwater flows and geotechnical considerations. The site nominated in the SDCP 2014 has already had a degree of assessment to ensure suitability for a dwelling. and there are no attributes that would prevent the erection of a dwelling in this location subject to suitable design. Further, no documentation has been provided by the applicant to support the claim that the identified building area in the DCP is unsuitable due to the existence of a spring or other geotechnical issues.
- Whilst the provisions of SDCP 2014 are performance-based, with regard to development of bushfire prone land, Council cannot grant consent to development unless that development is consistent with the provisions of *Planning for Bushfire Protection* 2006, or the RFS has been consulted.

In this case, the RFS has not agreed to the applicant’s proposed ‘alternate solution’ but has agreed to the ‘alternate solution’ proposed by Chapter N16. *Planning for Bushfire Protection* 2006 sets the distance at 200metres from the road. This is exceeded and the RFS has agreed to an alternative building envelope in the adopted SDCP 2014. The proposal extends the distance yet again so it is a further ‘alternative solution’.

Having regard to the expertise of the RFS, it is generally considered imprudent to make a decision, which is contrary to their advice albeit there is scope to consent to development (see later in this report) pursuant to section 79BA.

The referral result, recommends repositioning of the building envelope. However, the RFS did advise in its email of 6 September 2017:

*It should be noted that whilst the bush fire report submitted in support of application **demonstrates that the proposal can meet the performance criteria set out under clause 4.3.5 of Planning for Bush Fire Protection (2006)** with regard to infill development, the **RFS remains concerned that;***

- a) *the location of the proposed dwelling is not consistent with draft Shoalhaven DCP Amendment No. 17, in particular the "building lines" identified in the draft DCP which minimised the distance emergency services personal and residents would need to travel to access/egress the site before, during and after a bush fire emergency; and b) the location of the proposed dwelling does not provide an improved bush fire outcome for future residents and owners of the site, when compared to the location of the current (proposed to be demolished) dwelling.*
- c) *[sic] future subdivision of the site (presuming the rezoning and DCP progress) may result in a further dwelling located on the site at a distance greater than 200m from a public through road, which would result in an inferior bush fire outcome for additional future owners and residents.*

It is also important to note the highlighted text above that the proposal meets the performance criteria for Planning for Bushfire Protection 2006 and that the subject site is essentially maintained and managed land and the threat of bushfire is significantly less.

- As outlined in the s79C assessment report (Attachment 2) the development proposal was considered to be **satisfactory** with regard to a range of planning and environmental matters. This includes the ability for the site to be adequately accessed and serviced; the suitability of the site for on-site wastewater management; the absence of any detrimental impacts on native vegetation; and, the favourable aspect of the site (which promotes excellent solar access).

The only issues of concern with the proposed envelope are the related matters of the proposal's inconsistency with Planning for Bushfire Protection 2006, its inconsistency with Chapter N16, and the RFS' unresolved objection to the proposed building envelope. It may be that if an alternate building envelope (compliant with Chapter N16 and the recommendations of the RFS) were proposed, the assessment of planning issues would result in the same overall acceptability of the site with the added benefit of RFS support.

Environmental Planning and Assessment Act, 1979

Section 79BA Consultation and development consent – certain bush fire prone land states:

- (1) *Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone **land unless the consent authority:***
 - (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that*

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document) that are relevant to the development (the relevant specifications and requirements), or

- (b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

(1A) If the consent authority is satisfied that the development does not conform to the relevant specifications and requirements, the consent authority may, despite subsection (1), grant consent to the carrying out of the development but only if it has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.

In relation to the development application, the proposed building envelope is located in a position which does not meet the relevant property access specifications of 4.1.3(2) of *Planning for Bushfire Protection 2006*, as it is located more than 200m from Seasongood Road and has not been provided with an alternate access route.

As the proposal does not conform to the specifications and requirements of *Planning for Bushfire Protection 2006*, s79BA requires Council to consult with the RFS in relation to the development proposal.

The applicant has submitted a new bushfire report prepared by Mr David Cannon of SET Consultants. Mr Cannon is a BPAD level 3 accredited practitioner and he is therefore qualified to prepare alternative solution reports.

The report highlights the following to offset the extended travel distances:

- a) Building construction: the proposed new site would result in the dwelling needing to achieve a BAL-19 rating. The proposed new dwelling would be constructed to BAL-29 (a higher construction level). This would also allow for the dwelling to be an onsite refuge.
- b) Water supply: ordinarily the static water supply for fire fighting purposes on an allotment of this size would be 20,000 litres. It is proposed that 30,000 litres be provided.
- c) Electricity and gas supply: electricity and gas supply will comply with the requirements of *Planning for Bushfire Protection* and these can be assessed when the plans for the dwelling are submitted.
- d) Access from Seasongood Road: the proposed dwelling envelope is 526 metres from Seasongood Road but most of the access way is on managed land (approximately 400 metres) and the remainder is considered riparian which is a lower threat. A new creek crossing will be provided over the creek, an all weather access way will be constructed together with passing bays every 200 metres.
- e) Bushfire plan: A bushfire response and evacuation plan will be prepared and maintained for the life of the development.

The RFS accepts that the performance criteria in *Planning for Bushfire Protection 2006* can be met but retains its position and is of the opinion that the envelope is better repositioned as detailed in the SDGP 2014, Chapter N16.

Refer to the full SET report and RFS referral response found in Attachments 5 and 6 to this report.

Although the building area in the SDCP 2014 is located more than 200m from Seasongood Road, it has been identified in consultation with the RFS as an appropriate 'alternate solution' having regard to the need *"to protect persons, property and the environment from danger that may arise from a bush fire"* [sub-section 79BA(1A)]. In the *Falls Creek / Woollamia Rural Residential Deferred Areas Planning Proposal (LP406)* report this 'concession' was made however:

"In respect of 21 and 23 Seasongood Road, the new dwelling sites be positioned no further from the road than the existing dwelling at 21 Seasongood Road"

Having regard to the provisions of s79BA of the EP&A Act, the proposed development's inconsistency with the relevant provisions of *Planning for Bushfire Protection 2006*, and the RFS' objection to the proposed building envelope, Council has the following options:

- a) Confirm the RFS advice and not grant consent unless the building envelope is relocated to a position consistent with Chapter N16 of SDCP 2014; or
- b) Support the proposal new location based on the bushfire report from Mr David Cannon in his report dated 18 August 2017.

Consultation and Community Engagement:

Rural Fire Service

As the subject site is mapped as bushfire prone land, in accordance with the provisions of s79BA of the EP&A Act, the development application was referred to the RFS.

The initial referral to the RFS was sent on 22nd April 2016. The RFS responded by letter dated 16th September 2016, advising that as:

"the proposed building envelope will result in a greater risk to both fire fighters and occupants entering and leaving the site without alternative access being available, and that there are other options for the siting of the dwelling, it is recommended that the applicant either relocate the future dwelling site to within 200 metres of Seasongood Road or provide alternative access, in a different direction to the primary access, to ensure consistency with the provisions of Planning for Bushfire Protection 2006."

The applicant was advised of the RFS' comments and responded with a submission prepared by the applicant's bushfire consultant, Bushfire Building Solutions. This submission was (re)referred to the RFS on 6th October 2016. The referral response from the RFS (dated 30th November 2016) reiterated its previous advice of 16th September 2016.

The applicant was again afforded an opportunity to respond to the RFS' concerns. Additional information was provided by the applicant, and consisted of an amended site plan (which increased the setbacks to the side and rear boundaries and reduced the area of the building envelope) and a submission from the applicant's bushfire consultant. This information was again referred to the RFS on 1st March 2017.

In a reply dated 20th June 2017 the RFS recommended the issuing of a deferred commencement consent (pursuant to sub-section 80(3) of the EP&A Act) which requires the proposed building envelope to be relocated to a position within the building area identified in the (then draft) SDCP 2014 – Amendment No.17 as a pre-requisite to the issuing of an operative consent.

As mentioned above, the matter was again referred to the RFS with a response received on 6 September 2017 reaffirming its conclusion. However the RFS did acknowledge the Performance Criteria in 4.3.5 of Planning for Bushfire were satisfied.

For convenience, the criteria are reproduced in the table below:

Table 1 – Performance Criteria from Planning for Bushfire 2006, page 43

| Performance Criteria | Acceptable solutions |
|---|---|
| The intent may be achieved where: | |
| in relation to Asset Protection Zones: <ul style="list-style-type: none"> a defensible space is provided onsite. an asset protection zone is provided and maintained for the life of the development. | <ul style="list-style-type: none"> APZ determined in accordance with Appendix 2. |
| in relation to siting and design: <ul style="list-style-type: none"> buildings are sited and designed to minimise the risk of bush fire attack. | <ul style="list-style-type: none"> buildings are designed and sited in accordance with the siting and design principles in this section (see also figure 4.7). |
| in relation to construction standards: <ul style="list-style-type: none"> it is demonstrated that the proposed building can withstand bush fire attack in the form of wind, smoke, embers, radiant heat and flame contact. | <ul style="list-style-type: none"> construction determined in accordance with Appendix 3 and the <i>Requirements for attached garages and others structures</i> in this section. <p><i>Note: provisions in relation to Class 10a buildings may also apply.</i></p> |
| in relation to access requirements: <ul style="list-style-type: none"> safe, operational access is provided (and maintained) for emergency services personnel in suppressing a bush fire while residents are seeking to relocate, in advance of a bush fire, (satisfying the intent and performance criteria for access roads in sections 4.1.3 and 4.2.7). | <ul style="list-style-type: none"> compliance with section 4.1.3 for property access roads. compliance with section 4.2.7 for access standards for internal roads. |
| in relation to water and utility services: <ul style="list-style-type: none"> adequate water and electricity services are provided for firefighting operations gas and electricity services are located so as not to contribute to the risk of fire to a building. | <ul style="list-style-type: none"> compliance with section 4.1.3 for services - water, electricity and gas. |
| in relation to landscaping: <ul style="list-style-type: none"> it is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind driven embers to cause ignitions. | <ul style="list-style-type: none"> compliance with Appendix 5. |

Note: the above specifications and requirements only apply in relation to infill developments and not "other" developments referred to in section 4.3.6. However, the above specifications and requirements may be used to guide in the development of bush fire protection measures for "other" developments.

Effectively, the RFS has indicated that the development application can be approved – in their view, if the building envelope is repositioned consistent with Chapter N16 of SDCP 2014. The applicant is aware of this, but does not wish to relocate the building envelope and is seeking to have the development application determined in its current form

Neighbour Notification

Notification was carried out in accordance with Council's Community Consultation Policy with letters sent to the owners of the adjoining and adjacent properties. The notification was for a 14 day period.

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No submissions were received during the notification period.

Financial Implications:

There may be financial implications for Council if the matter is challenged via an appeal in the Land and Environment Court of NSW.

Legal Implications

If the application is refused, or if the applicant is dissatisfied with Council's determination in the event of a deferred commencement consent, the applicant is entitled to appeal to the Land and Environment Court.

Under limited circumstances, third parties may have a right to appeal Council's decision to the Land and Environment Court.

Summary and Conclusion

The development application seeks Council's consent for the 'staged' construction of a replacement dwelling house, involving the nomination of a building envelope and demolition of the existing dwelling house. The proposed building envelope measures 40m x 20m and is positioned towards the southern end of the subject site, 43m from each of the side and rear property boundaries.

Whilst staging is sought, the applicant has expressed concern about demolishing the existing dwelling until a new one is built. Accordingly, to overcome this, Council can impose conditions with respect to the timing of the demolition. However, the dwelling will need to be demolished as the application being put to Council is for a replacement dwelling. Both draft consents have appropriate conditions of consent to address this.

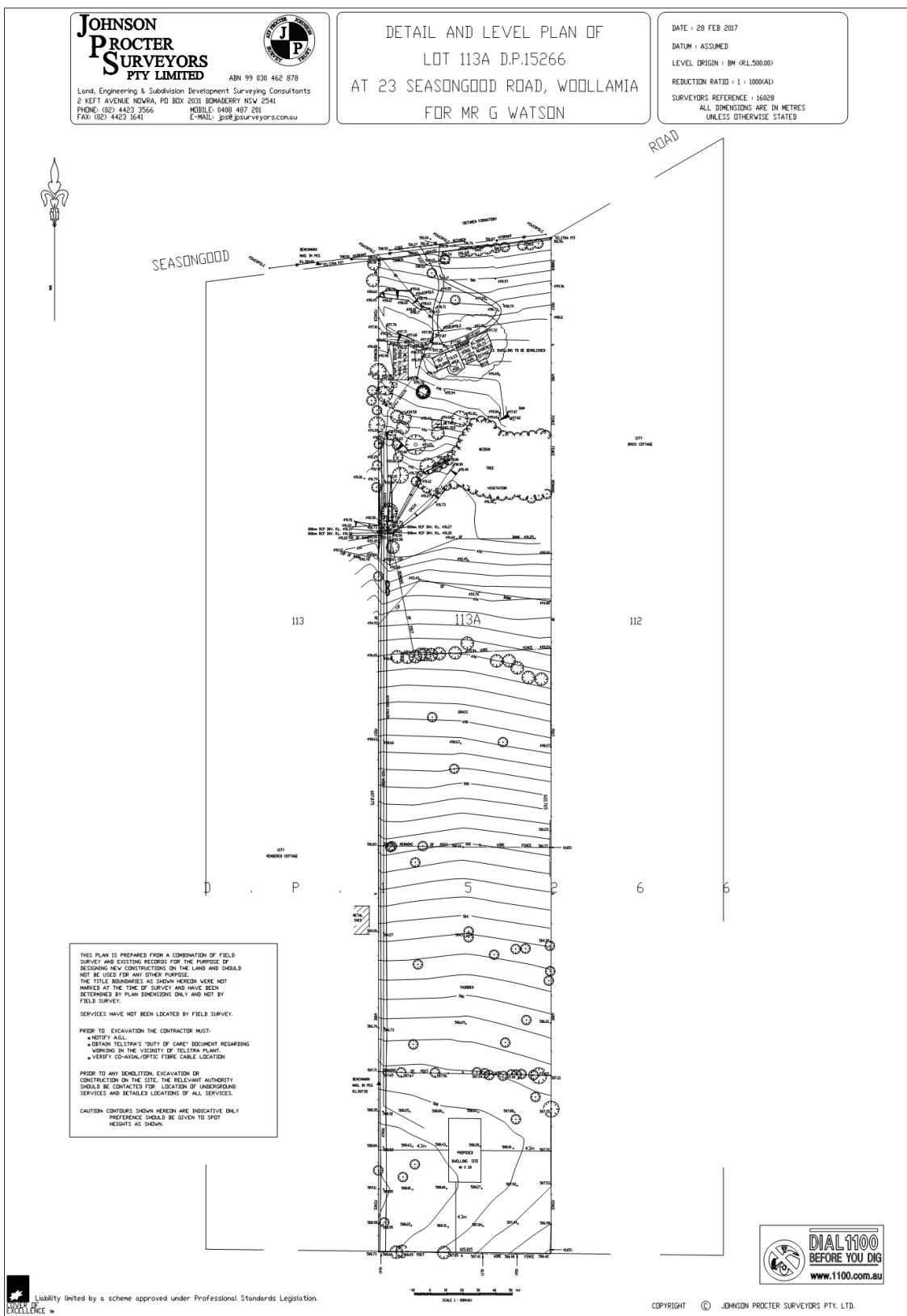
Separate to this DA, Council has prepared and publicly exhibited an amendment to SLEP 2014 and associated supporting Chapter N16 to be inserted into SDCP 2014.

The effect of these adopted amendments is to enable the subdivision of the subject site into two (2) allotments – one (1) with a minimum area of 1 hectare and taking in the northern portion of the site surrounding the existing dwelling house, and the other with a minimum area of 5 hectares taking in the balance of the subject site.

An acceptable designated building area has been identified in Chapter N16 of SDCP 2014 in an area adjacent to the existing dwelling house on the neighbouring property at No.21 Seasongood Road. The location of this building area was in largely in response to the consultation with the RFS in relation to the planning proposal.

The proposed building envelope is located further south of the identified designated building area and does not strictly satisfy the provisions of *Planning for Bushfire Protection 2006*. In response to Council's consultation (undertaken in accordance with s79BA of the EP&A Act) the RFS has objected to the position of the proposed building envelope and recommended that it be relocated to a position consistent with the requirements of Chapter N16.

It is acknowledged however that the performance criteria contained in 4.3.5 of *Planning for Bushfire Protection 2006* have however been satisfied. Accordingly, Council does have the option of supporting the proposal. The deferred commencement consent is being recommended to uphold the integrity of the strategic planning framework acknowledging the expertise of the RFS noting that there has been considerable work and consultation undertaken as part of the preparation of these plans.



DA16/1433.



**STATEMENT
OF
ENVIRONMENTAL
EFFECTS**

**STAGED DEVELOPMENT
PROPOSED BUILDING ENVELOPE & DEMOLITION
OF EXISTING DWELLING
23 SEASONGOOD ROAD
WOOLLAMIA**

APRIL 2016

CL17.291 - Attachment 3



STAGED DEVELOPMENT APPLICATION FOR ESTABLISHMENT OF PROPOSED BUILDING
ENVELOPE AND DEMOLITION OF EXISTING DWELLING
AT 23 SEASONGOOD ROAD, WOOLLAMIA
PREPARED BY LEE CARMICHAEL TOWN PLANNING

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STAGED DEVELOPMENT APPLICATION FOR ESTABLISHMENT OF PROPOSED BUILDING
ENVELOPE AND DEMOLITION OF EXISTING DWELLING
AT 23 SEASONGOOD ROAD, WOOLLAMIA

PREPARED BY LEE CARMICHAEL TOWN PLANNING

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Introduction

A staged development application has been submitted to Shoalhaven City Council relating to Lot 113a DP15266, 23 Seasongood Road, Woollamia.

The application seeks Council's staged development consent for the future erection of a dwelling on the land within a proposed building envelope. Further, consent is also required for the demolition of the existing dwelling located on the property.

This development application is accompanied by the following documents:

- 1) This Statement of Environmental Effects;
- 2) Site plan;
- 3) Effluent disposal report;
- 4) Bushfire assessment report;

This Statement of Environmental Effects addresses those matters considered to be of relevance to this proposal under Section 79C of the Environmental Planning and Assessment Act. The report details the statutory requirements considered to have relevance to this proposal, along with the general merits and impacts of the proposal.

Site and Locality

The subject land is located on the southern side of Seasongood Road, Woollamia at number 23.

The total area of the property is 6.5HA.

The site is zoned for rural purposes. It contains an existing lawful dwelling and associated structures.

Development nearby to the site includes rural / rural residential properties.

The site is not connected to a public sewerage system and as such effluent is treated on site.

The property contains landscaping and areas of natural vegetation.

A watercourse passes through the property in an east west direction and this occurs approximately 150m south of Seasongood Road.

Vehicular access to the site is available directly off Seasongood Road and continues south to provide access to the existing dwelling. Beyond this, there is a roadway located adjacent to the western property boundary which provides access to the southern reaches of the property.

The site is mapped as being bushfire prone.



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Above: Locality Map



Above: Aerial Photo of site

Proposal

The consent of Shoalhaven City Council is sought to this development application pursuant to Section 80(4) of the Environmental Planning and Assessment Act 1979 (as amended).

Section 80(4) of the EPA Act allows for a Consent Authority to issue a total or partial (staged) consent for development proposals. In this regard, a development consent may be granted:



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- (a) for the development for which the consent is sought, or
- (b) for that development, except for a specified part or aspect of that development, or
- (c) for a specified part or aspect of that development.

Consent is therefore sought from Council for the establishment of a building envelope on the property (otherwise known as 'in-principle dwelling approval'). Further to this, consent is also sought for the demolition of the existing residential development located on the land.

A further development application will be submitted to the Council for the construction of a new dwelling within the proposed envelope should the Council approve this first application (i.e. creation of the building envelope).

The new dwelling envelope will measure 50x50m is proposed to be setback 32m from the rear property boundary, and 32m from the eastern side boundary and 23m from the western side boundary.

The new dwelling will be serviced by an on-site effluent disposal system and readers are directed to the report prepared by Harris Environmental which accompanies the development application in this regard.

Vehicular access to the nominated site for the proposed dwelling envelope is existing and should not require significant upgrading in order to meet Council's minimum access requirements.

Legislation and Policy

NSW Environmental Planning and Assessment Act 1979

In the State of New South Wales, planning and development is carried out under the Environmental Planning and Assessment Act 1979 (the EPA Act) and Environmental Planning and Assessment Regulation 2000.

The EPA Act contains the following objectives of relevance to this proposal:

- *The promotion and co-ordination of the orderly and economic use and development of land.*
- *Ecologically sustainable development.*
- *The provision and maintenance of affordable housing.*

Under the provisions of the EPA Act, the proposal represents development that requires consent pursuant to the provisions of section 76 of the Act. The development proposed is not exempt development nor is it complying development, thus it is necessary to submit a development application in order for the proposal to proceed lawfully.

The Council is required to assess this development application pursuant to the provisions of Section 79c of the Act.

Bushfire – Section 79BA

The subject land is mapped as being bushfire prone. Section 79BA of the EPA Act relates to development applications over land that is mapped as being bushfire prone and it states:



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- 1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:
 - a. is satisfied that the development conforms to the specifications and requirements of the document entitled *Planning for Bush Fire Protection*, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (**the relevant specifications and requirements**), or
 - b. has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

1a) If the consent authority is satisfied that the development does not conform to the relevant specifications and requirements, the consent authority may, despite subsection (1), grant consent to the carrying out of the development but only if it has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.

1b) This section does not apply to State significant development.

2) In this section:

special fire protection purpose has the same meaning as it has in section 100B of the [Rural Fires Act 1997](#).

The subject proposal relating to land mapped as being bushfire prone is required, by virtue of Section 79BA of the Act, required to comply with the provisions of *Planning for Bushfire Protection*.

To demonstrate to the Council that the proposal is acceptable with respect to the level of bushfire risk and with respect to compliance with *Planning for Bushfire Protection*, a bushfire report has been prepared by a suitable qualified professional and submitted to Council with this development application.

Threatened Species Conservation Act 1995

The NSW Threatened Species Conservation Act 1995 commenced on 1 January 1996.

The main objectives of the TSC Act are to:

- conserve biological diversity and promote sustainable development
- prevent the extinction of native plants and animals
- protect habitat that is critical to the survival of endangered species
- eliminate or manage threats to biodiversity
- properly assess the impact of development on threatened species
- encourage cooperative management in the conservation of threatened species

For the assessment of development applications, the Act requires threatened species considerations to be incorporated with the established development assessment systems of the EPA Act. For



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developments likely to have a significant effect on threatened species, the TSC Act requires proponents to have a species impact statement (SIS) prepared.

In this case, it is considered that the development may proceed without the need for detailed studies or reports on threatened species.

The proposal involves only minimal site disturbances with respect to removal of vegetation. The nominated dwelling site will occur on a cleared section of the property and with respect to the property access driveway, this passes through cleared sections of the site also. The creek area does contain any important stands of vegetation in the vicinity of the existing access driveway and it is envisaged that this will largely remain intact.

On the basis of the above, it is considered that the proposal will have no unacceptable impacts on threatened species.

Shoalhaven Local Environmental Plan 2014

The subject land is zoned R5 (Large Lot Residential) under the Shoalhaven Local Environmental Plan 2014 (as amended) (SLEP). Residential development (in particular dwelling houses are not prohibited within this zone subject to achieving compliance with Clause 4.2D *Erection of Dwelling Houses on land in certain rural, residential and environment protection zones* of the SLEP 2015. Clause 4.2D reads as follows:

4.2D Erection of dwelling houses on land in certain rural, residential and environment protection zones

- (1) The objectives of this clause are as follows:
 - (a) to minimise unplanned rural residential development,
 - (b) to enable the replacement of lawfully erected dwelling houses in certain rural, residential and environment protection zones,
 - (c) to control rural residential density affected by historical subdivision patterns in Zone R5 Large Lot Residential.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone R5 Large Lot Residential,
 - (e) Zone E2 Environmental Conservation,
 - (f) Zone E3 Environmental Management,
 - (g) Zone E4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies unless the land:
 - (a) is a lot that has at least the minimum lot size shown on the Lot Size Map in relation to that land, or
 - (b) is a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
 - (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or
 - (d) would have been a lot or a holding referred to in paragraph (a), (b) or (c) had it not been affected by:
 - i. a minor realignment of its boundaries that did not create an additional lot, or
 - ii. a subdivision creating or widening a public road or public reserve or for another public purpose, or
 - iii. a consolidation with an adjoining public road or public reserve or for another public purpose.



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Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.

- (4) Development consent must not be granted under subclause (3) unless:
- (a) no dwelling house has been erected on the land, and
 - (b) if a development application has been made for development for the purpose of a dwelling house on the land—the application has been refused or it was withdrawn before it was determined, and
 - (c) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed.
- (5) Development consent may be granted for the erection of a dwelling house on land to which this clause applies if there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house.
- (6) In considering whether to grant consent for the erection of a dwelling house in accordance with this clause on land to which clause 7.3 applies the consent authority must:
- (a) consider whether the land is predominantly prime crop and pasture land, and
 - (b) be satisfied that the dwelling house is essential for the proper and efficient use of the land for agriculture (including turf farming).
- (7) In this clause:
holding means all adjoining land, even if separated by a road or railway, held by the same person or persons.

Of relevance to this development application is Part 5 of Clause 4.2D. In this regard, the existing dwelling located on the property is proposed to be wholly replaced by the newly proposed dwelling. The existing dwelling is lawful.

All other provisions of the SLEP 2014 have been examined and the proposal is not in contravention of any set development standards outlined within the plan.

Shoalhaven Development Control Plan 2014

The Shoalhaven Development Control Plan has been reviewed, of particular relevance is chapters G8 – On site effluent disposal and Chapter G12 – Single Dwellings. The provisions each chapter will now be addressed.

The provisions of **Chapter G8** of the DCP have been addressed by Harris Environmental (refer to submitted report).

The report demonstrates that effluent disposal will occur on site as required and be sufficiently sized to cater for expected demands. The submitted site plan shows where the effluent disposal areas are to be sited.

In relation to **Chapter G12**, whilst this development application does not seek operational consent for the construction of a dwelling on the land, it seeks concept approval for this to occur. No plans have been prepared for the construction of a dwelling at this time.

A plan has been prepared however nominating an area of the site (i.e. building envelope) where a future dwelling may be located. Any future DA lodged for the construction of a dwelling on the land will need to comply with Chapter G12.



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Other Matters for Consideration

Amenity

This application if approved will enable the construction of residential development within the locality. This will be entirely consistent with the rural residential uses occurring and expected on nearby lands and it is therefore unlikely that this development will interfere with the expected levels of amenity.

Stormwater Drainage

Stormwater for any future dwelling will be as per Council's requirements and these are expected to be detailed on any consent that the Council may issue for the construction of a future dwelling on the land.

Traffic

The development is of no concern with respect to traffic. Access to the site will be provided off Seasongood Road which is a public road.

No additional traffic will be generated as a result of this proposal.

Heritage

There are no known items of either European or Aboriginal Heritage located within the subject land.

Natural Hazards

The site is affected by bushfire. This issue has been addressed within the submitted bushfire assessment report.

Technological Hazards

To our knowledge the site is not identified as potentially contaminated land. There is no history of activity on site that is likely to lead to the conclusion that it has the potential to be contaminated.

Conclusion

The proposal as described within this report is consistent with all relevant planning legislation and Shoalhaven City Council's adopted codes and policies. The proposal will not have any unacceptable effects on either the built or natural environment and is considered to be within the public interest.

The proposal is considered favourable and recommended to be supported by Council.

LEE CARMICHAEL TOWN PLANNING – April 2016

All communications to be addressed to:

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Telephone: 1300 679 737
e-mail: PES@rfs.nsw.gov.au

Batemans Bay
Customer Service Centre
NSW Rural Fire Service
Unit 2, 63 Cranbrook Road
BATEMANS BAY NSW 2536

Facsimile: (02) 4472 0690



The General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your Ref: DA16/1433

Our Ref: D16/1282

5 September 2017

Attention: Cathy Bern - Section Manager - Development

Dear Madam,

Land Use Application: "In Principle" construction of dwelling and demolition of existing dwelling

Site: 23 Seasongood Road, Woollamia (Lot 113A DP15266)

I refer to your letter received by the NSW Rural Fire Service on 21 August 2017 seeking a review of advice, in accordance with section 79BA of the *Environmental Planning and Assessment Act 1979* and clause 55 of the *Environmental Planning and Assessment Regulation 1979*.

The NSW RFS has previously provided advice to Council in relation to development on the above site, and also regarding the preparation and exhibition of the *Falls Creek/Woollamia Deferred Areas Planning Proposal (LP406)* and *Draft Chapter N16 of the Shoalhaven Development Control Plan 2017*. Throughout this process, it has been the recommendation of the NSW RFS that, in lieu of secondary access at No's 21 and 23 Seasongood Rd, new dwellings on these sites be located as indicated on "Supporting Map 2" to the draft Shoalhaven DCP – Amendment No.17. The current application is not consistent with the locations identified in the draft DCP, or with previous advice provided by the NSW RFS with regard to future residential development on this site.

It is the preference of the NSW Rural Fire Service that, prior to the issue of an operational consent, the following matters be addressed;

Recommended Conditions - Prior to the issue of an operational consent

To ensure buildings are sited and designed to minimise the risk of bush fire attack, and to ensure fire fighters and evacuating residents are not required to travel long distances through forested areas, the following conditions shall apply:

◆ Rural Fire Service Advisory Council

◆ Bush Fire Co-ordinating Committee

1. Prior to the issue of an operational consent, amended plans will be submitted to Council demonstrating ;
 - re-location of the proposed dwelling to a location;
 - consistent with the "Outer Building Line" identified on "Supporting Map 2 - Seasongood Rd - Development Control Plan 2014 Amendment No. 17 Chapter N16 - Falls Creek Woollamia Rural Residential Areas".
 - provides for APZs within the site to the north, south, east and west of the proposed dwelling which ensure radiant heat exceeding 19kw/m2 is achieved on all elevations.
 - provides for BAL 29 construction standards in accordance with AS3959-2009 and *Planning for Bush Fire Protection 2006* - Addendum: Appendix 3 (2010).

Note: Should Council resolve to approve the application in its current form, the NSW RFS would additionally recommend that a suitable legal mechanism be established to ensure adequate APZ's adjacent to the internal road access (specifically where revegetation adjacent to the internal access may occur).

Recommended Conditions - Operational Consent

General

2. The development for the purpose of the proposed new dwelling should not commence until the demolition/decommissioning of the existing dwelling is completed.

Asset Protection Zones

Intent: The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply

3. A the commencement of building works and in perpetuity, the following Asset Protection Zones shall be created which ensure 19kw/m2 can be achieved to all elevations of the proposed dwelling.

APZ's will be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
4. To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the building.

Water and utilities

The intent of measures is to provide adequate service of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity

so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

5. Water, electricity and gas are to comply with the requirements of section 4.1.3 of 'Planning for Bush Fire Protection 2006' except that 30,000l dedicated water supply shall be provided for fire fighting purposes.

Design and Construction

Intent: The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply

6. New construction shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Access

Intent: The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply

7. Property access roads shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006', except that alternative property access is not required.

Landscaping

8. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Amanda Moylan on 02 4472 0600.

Yours sincerely



Jeff Lucas
Director - Planning and Environment Services

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT
S80(4) STAGED
Environmental Planning and Assessment Act, 1979
DA16/1433**

TO: Lee Carmichael Town Planning
76 Berry Street
NOWRA NSW 2541

being the applicant(s) for DA16/1433 relating to:
Lot 113A DP 15266 (No.23) Seasongood Road, WOOLLAMIA

APPROVED USE AND OR DEVELOPMENT:

Staged Construction of a Replacement Dwelling House – Stage 1 Nomination of Building Envelope and Demolition of Existing Dwelling House

DETERMINATION DATE:

2017

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

2017

CONSENT TO LAPSE ON:

2022

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS

The conditions of consent and reasons for such conditions are set out as follows:

PART A

CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

General

1. This consent relates to **staged construction of a replacement dwelling house – Stage 1 nomination of building envelope and demolition of existing dwelling house** as illustrated on the plans (referenced in the table below), specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

| DOCUMENT | REF/SHEET NO. | PREPARED BY | DATED |
|---|---------------|------------------------------|------------|
| Partial Site Plan showing structures to be demolished | Watson | Lee Carmichael Town Planning | - |
| Site Plan | 16028 | Johnson Procter Surveys | 28.02.17 |
| Bushfire Risk Assessment Report | S019665 | SET Consultants | 15.8.17 |
| On-Site Wastewater Assessment | 1770ww | Harris Environmental | 18.3.16 |
| Statement of Environmental Effects | - | Lee Carmichael Town Planning | April 2016 |

Notes:

- Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, shall be carried out without the prior approval of Council.
- Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.

Development Consent - Page 3 of 10 - DA16/1433

2. The **staged construction of a replacement dwelling house – Stage 1 nomination of building envelope and demolition of existing dwelling house** shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

Nature of this Consent

3. This is a staged consent granted under section 80(4) of the Environmental Planning and Assessment Act 1979. This consent authorises the carrying out of the first stage of the development, described as Stage 1 – Building Envelope and demolition of the existing dwelling house.

Staging of the Development

4. Prior to the issuing of the development consent or Complying Development Certificate for the construction of the Stage 2 dwelling house, a Restriction as to User shall be created under the relevant section of the Conveyancing Act 1919 burdening Lot 113A DP 15266. The Restriction shall prohibit the erection of a dwelling house on the subject site other than within a designated building envelope which confirms with the position and dimensions of the building envelope shown on the approved site plan prepared by Johnson Procter Surveys (ref.16028 dated 28th February 2017).

Shoalhaven City Council shall be nominated as the authority empowered to release, vary or modify the Restriction.

Evidence of the registration of the Restriction as to User and associated building envelope shall be submitted to Council (prior to the issuing of the development consent) or the Certifying Authority (prior to the issuing of a Complying Development Certificate).

5. Stage 2, being the construction of a replacement dwelling house within the designated building envelope on the subject land, shall be the subject of a subsequent Development Application for consent (or Complying Development Certificate).
6. Stage 2 of the development shall not commence until:-
 - a) a Restriction as to User and associated building envelope has been created on Lot 113A DP 15266, in accordance with the requirements of Condition 4, and registered with NSW Land and Property Information; and
 - b) development consent and a Construction Certificate for the construction of the dwelling house has been issued, or a Complying Development Certificate for the construction of the dwelling house has been issued.
7. The existing dwelling house, outbuilding and swimming pool shall demolished in accordance with the terms of this development consent prior to the issuing of an Occupation Certificate (including an Interim Occupation Certificate) for the Stage 2 dwelling house.

Matters to be Addressed in the Stage 2 Development Application

8. The matters to be addressed in the Stage 2 Development Application shall include, but shall not be limited to, the following:-
 - a) Detailed dwelling house design, including:

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- i. Siting, height, architectural design, floor plan layout, and construction materials of the proposed dwelling house;
- ii. Details of exterior building materials and an external colour scheme; and
- b) A BASIX Certificate in accordance with the requirements of State Environmental Planning Policy (BASIX) 2004;
- c) Details of the location and standard of construction of vehicular access to the dwelling house, including any access upgrading works required to satisfy the requirements of the Rural Fire Service, and road drainage works;
- d) Details of the provision of utility services to the proposed dwelling house, including electricity services and connection to the reticulated water supply system;
- e) Details of the proposed on-site wastewater management system demonstrating compliance with the recommendations of the *On-Site Wastewater Assessment for Proposed Residential Dwelling on 23 Seasongood Road, Woollamia, NSW* (ref. 1770ww) prepared by Harris Environmental Consulting and dated 18th March 2016 and Chapter N16 of *Shoalhaven Development Control Plan 2014*;
- f) Details of soil and water management strategies to be implemented during and following construction (including proposed access roadworks);
- g) A Waste Minimisation and Management Plan (WMMP) to be submitted addressing construction of the proposed dwelling house, particularly builder's waste; and
- h) A landscape plan aimed at reducing the potential visual impact of the proposed dwelling house consistent with *Planning for Bushfire Protection 2006*.

PART B

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE – STAGE 1

Notice of Commencement

- 9. Notice must be given to Council **at least two (2) days prior to the commencement of demolition work**. (The attached form '*Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority*' is to be completed and returned to Council).

Builders' Toilet

- 10. Before commencing demolition operations, a builder's water closet accommodation must be provided to Council's satisfaction.

A chemical toilet may be used on the site or alternatively the site may be provided with temporary closet accommodation connected to Council's sewer where sewer is available and operational.

Under no circumstances will pit toilets or similar be accepted by Council.

Development Consent - Page 5 of 10 - DA16/1433**Asbestos – Statement**

11. No later than seven (7) days prior to the demolition of any building or structure, a written statement must be provided to Council indicating whether the building or structure contains asbestos or material containing asbestos and, if so, the following must be provided:
- a) A hazardous substances audit report prepared by a competent and appropriately qualified person in compliance with AS2601-2001; and
 - b) A hazardous substances management plan prepared by a competent and appropriately qualified person in compliance with AS2601-2001.

Asbestos – Licensed Contractors

12. Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Demolition Licence or a current WorkCover Class 2 (Restricted) Asbestos Licence.

Asbestos – Notification of Neighbours

13. Fourteen (14) days prior to the commencement of any demolition works involving asbestos, all immediate neighbours shall be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and provided to Council.

Damage to Public Assets

14. The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

PART C**CONDITIONS RELATING TO THE APPROVED DEMOLITION WORK – STAGE 1****Erection of Signs**

15. A sign must be erected in a prominent position on any site which building work or demolition work is being carried out:
- a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours.
 - b) Stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

Soil and Water Management

16. All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

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In particular, a silt fence or equivalent must be provided downhill from the disturbed area. The fence must be regularly inspected and cleaned out and/or repaired as necessary and all collected silt must be disposed of at a licensed waste disposal facility.

Unnecessary disturbance of the site (eg excessive vehicular access) must not occur.

All disturbed areas must be stabilised or revegetated as soon as possible after the completion of site earthworks.

Work Hours

17. To limit the impact of the development on adjoining owners, *all* work shall be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 3.00pm Saturdays. No work shall take place on Sundays or Public Holidays.

Waste Minimisation and Management

18. All waste must be contained within the site during demolition and then be recycled in accordance with the approved Waste Minimisation and Management Plan (WMMP) or removed to an authorised waste disposal facility. No waste shall be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site.

Compliance with the WMMP shall be demonstrated by the retention of relevant receipts. These must be submitted to Council, upon request.

Demolition Works

19. Demolition work shall be carried out in accordance with Australian Standard AS2601-2001: *The Demolition of Structures*.
20. Suitable measures shall be taken to ensure that there is no adverse effect to occupants of adjoining buildings and the public by the generation of dust and/or noise during demolition.
21. Protection shall be afforded to users of any adjoining public places by the provision of suitable hoardings.
22. Precautions shall be taken in accordance with the requirements of the SafeWork NSW in respect of:
 - a) Protection of site workers and the public; and
 - b) Asbestos handling and disposal where applicable.

Asbestos – Tip Receipts

23. Documentary evidence in the form of tip receipts from an approved Waste Management Facility shall be obtained demonstrating the appropriate disposal of the asbestos waste. Tip receipts shall be provided to Council at the completion of demolition works and prior to any further works on the site.

Asbestos – Clearance Certificate

24. Following the removal of all friable asbestos and **prior to further works being carried out on the site**, a clearance certificate from an independent competent person in

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accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos is to be obtained and submitted to Council.

Note: This relates to friable asbestos only.

Decommissioning of Services

25. Internal water lines on the property are to be disconnected from the existing 20mm water meter currently servicing the lot, **prior to the commencement of demolition work.**
26. Arrangements are to be made for the disconnected water lines to be inspected by Shoalhaven Water's Water and Sewerage Inspector at the developers cost. A minimum 48 hours' notice is to be given.

PART D**RURAL FIRE SERVICE CONDITIONS RELATING TO THE APPROVED
DEVELOPMENT AND SITE MANAGEMENT – STAGE 2****Asset Protection Zones**

27. At the commencement of building works and in perpetuity, the Asset Protection Zones (APZs) shall be created to ensure 19kw/m² can be achieved to all elevations of the Stage 2 dwelling house.
28. APZs shall be managed as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection* (2006) and the NSW Rural Fire Service's document *Standards for asset protection zones*.
29. To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the Stage 2 dwelling house.

Water and Utilities

30. Water, electricity and gas services are to comply with the requirements of section 4.1.3 of *Planning for Bush Fire Protection* (2006), except that a 30,000 litre dedicated water supply shall be provided for fire fighting purposes.

Design and Construction

31. New construction shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 to *Planning for Bush Fire Protection* (2006).

Access

32. Property access roads shall comply with section 4.1.3(2) of *Planning for Bush Fire Protection* (2006).

Landscaping

33. Landscaping of the site is to comply with the principles of Appendix 5 of *Planning for Bush Fire Protection* (2006).

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PART E**REASONS FOR CONDITIONS*****Conditions of consent have been imposed to:***

1. Ensure the proposed development:
 - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
6. Ensure that all traffic, car parking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

PART F**ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL*****Development Determination under Environmental Planning and Assessment Act, 1979***

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a Complying Development Certificate, Designated Development or Integrated Development. The request must be made **within six (6) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

*Section 97 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within six (6) months** after receipt of this notice.*

PART G**GENERAL ADVICE TO APPLICANT*****Privacy Notification***

Personal information contained on this Development Consent and any associated documents will be published on Council's website as required by the *Government Information (Public Access) (GIPA) Act 2009*.

Trees Located on Public Land

Please note that any works carried out on the subject property or within the road reserve, such as construction of a driveway, that damages or otherwise detrimentally impacts on the health or safety of any tree located on public land may result in the applicant incurring the costs of any remedial action or removal of the tree(s). If you are proposing to carry out any works that may impact on any tree on public land, it is recommended that you contact Council for advice before carrying out those works.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on

- a) A matter of national environmental significance (NES) matter; or
- b) Commonwealth land

without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application.

The Commonwealth Act may have application and you should obtain advice about this matter.

There are severe penalties for non-compliance with the Commonwealth legislation.

Disclaimer – s88B Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of Shoalhaven Local Environmental Plan 2014 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

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Inspections

If Council is the appointed PCA for this project, a minimum twenty-four (24) hours notice must be given to Council to make an inspection of the work.

DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

NSW Native Vegetation Act 2003

The Native Vegetation Act 2003 requires consent for the clearing of remnant native vegetation or protected regrowth from the Southern Rivers Catchment Management Authority. In the Shoalhaven City Council area, this requirement generally applies to land that is zone Rural (Zone 1), Special Use (Zone 5), Open Space (Zone 6), Environment Protection (Zone 7) and Natural Hazards (Zone 9). If your development consent relates to land in such a zone then you may need to get a further separate approval from the Southern Rivers Catchment Management Authority for the clearing of remnant native vegetation or "protected" regrowth.

This development application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this development application has **not** involved any assessment of the proposed development in regard to the NSW Native Vegetation Act 2003.

It is the proponent's responsibility to consult the Southern Rivers Catchment Management Authority to determine the need or otherwise for their approval and you should not construe the granting of this development consent as notification to you that the NSW Native Vegetation Act does not apply. The NSW Native Vegetation Act 2003 may have direct application to your proposal and you should obtain advice about this matter directly from the Southern Rivers Catchment Management Authority. You can contact them on 4429 4446 or by email southern@cma.nsw.gov.au.

There are severe penalties for non-compliance with the Native Vegetation Act 2003.

SIGNED on behalf of Shoalhaven City Council:

Signature

Name

**Section Manager – Development
Planning & Development Services Group**

CL17.292 Shoalhaven Contributions Plan 2010 Review - Update

HPERM Ref: D17/325254

Group: Planning Environment & Development Group
Section: Strategic Planning

Attachments: 1. Contributions Plan Review (under separate cover) [⇒](#)
2. Previous Report - Overview Update (under separate cover) [⇒](#)

Purpose / Summary

Obtain Council endorsement to proceed and continue with the review of Shoalhaven Contributions Plan (CP) 2010 as detailed in **Attachment 1**.

Recommendation

That Council

1. Endorse the continuation of the review of the Shoalhaven Contribution Plan 2010 based on the outline set out in Attachment 1.
2. Be briefed on the detail of the draft review of the Shoalhaven Contribution Plan 2010 prior to reporting to Council for adoption to enable it to proceed to public exhibition.

Options

1. Endorse the proposed review of the Shoalhaven CP 2010 based on the outline set out in **Attachment 1**.

Implications: This is the preferred option as it will enable the review of the Shoalhaven CP to continue with the aim to simplify the plan, and to provide a mechanism for community infrastructure projects to be completed sooner.

2. Endorse the proposed review of the Shoalhaven Contribution Plan 2010 based on a revised outline.

Implications: This option is not preferred as it may not address all the issues that have been identified with the current CP.

3. Not endorse a review of Shoalhaven Contribution Plan 2010.

Implications: This option is not recommended as the Shoalhaven CP has become overly complicated and has areas that require updating or clarifying.

Background

Over recent years, Council has considered a number of reports regarding this matter and most recently during March 2017 considered an overview/update report on the Contributions Plan Review (**Attachment 2**). As a result of this report the Strategy & Assets Committee resolved that:

CL17.292

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

Section 94 of the Environmental Planning and Assessment Act 1979 (EP&A Act) enables Council to levy contributions on development for the provision of community infrastructure, which is required as a consequence of that development. This is done through a Contributions Plan. Council’s existing Contributions Plan, Shoalhaven Contributions Plan (CP) 2010 was prepared to replace Shoalhaven CP 1993 and utilises web-based delivery to provide a document that is publicly accessible all the time. The majority of the projects and contribution rates in the Shoalhaven Contributions Plan 1993 were transferred into the current CP, with limited review.

The current value of all the active projects in the CP is \$290,180,573. These require, to varying degrees a contribution from Council in order to be commenced and completed. This contribution from Council amounts to \$118,357,986, with the remaining \$171,822,587 to be made up from development contributions paid when, and if, development occurs.

Reason for the Review

Over time the CP has become overly complicated with 178 active projects and a large number of deleted and superseded projects that are still required to be maintained.

This review aims to simplify the plan, and to provide a mechanism for community infrastructure projects to be completed in a more timely manner.

This will be done in two ways:

1. Reviewing and updating the CP where required to clarify areas of uncertainty and make the CP easier to use, including updating the website to make it more user friendly and be consistent with the look and feel to the existing Local Environmental Plan (LEP) and Development Control Plan (DCP) websites; and
2. Consolidating the number of projects in the plan to enable Council to deliver achievable projects in a timelier manner. This will allow Council to deliver priority infrastructure projects in line with the needs of the growing community.

Recreation projects – New Approach

The recreation projects, including active and passive recreation and community facilities have been rationalised and will be represented in the new CP in line with the outcomes of the Community Infrastructure Strategic Plan that was adopted by Council in 2016. This new approach will allow projects to be rationalised, prioritised and completed in a timelier manner.

Road projects - Rationalisation

It is proposed to rationalise the road projects contained in the existing CP in order to remove projects with a low project total cost, a low apportionment to development, and catchments with a low development potential.

Many of these are legacy projects that were included in the previous Shoalhaven CP 1993 and would be better removed from the CP and simply included in Council’s works program or

achieved if possible through other funding means. The low apportionment and lack of development potential of the catchment areas mean that Council is responsible for funding the majority of the projects.

Amended projects

Council is currently working on proposed changes to existing CP projects including:

- South Nowra Internal Service Road 01ROAD3104 and 01ROAD3105 – Changes to road realignment and updated costings. The detail of this will be presented to Council in due course.
- Currambene Street Service Lane (03ROAD0057) – currently undergoing design works and costings update.
- Morton Street Service Lane (03ROAD0058) – currently undergoing design works and costings update.

These projects will form part of this review if completed in time for public exhibition, or will undergo a separate public exhibition process.

Clarification of the refund process

Under the legislation, Council is not required to provide refunds of contributions paid, however, Council provides refunds where an error has occurred when calculating contributions applicable to a development, or when it has been requested along with a consent being surrendered.

The wording in the CP needs to be amended to make it clear that if a contributions project has no money available in it due to the project being commenced or completed, or if the money in a project has been reallocated to another, then a refund will not be possible.

It is proposed that the Contributions Management and Administration project rate will not be refundable, nor any payment fees that may have been incurred. This is to reflect administration costs with accepting and refunding contributions payments as well as costs that have been already realised in relation to the Contributions Management and Administration project.

The Review Process

The CP will continue to be reviewed as outlined in **Attachment 1**. This details the proposed changes to the plan, and the projects to be removed or amended. It should be noted that the content of the review may be adjusted or revised through the review process but the actual revised draft CP will be reported to Council for adoption prior to public exhibition. Council will also be given a detailed briefing on the revised draft CP at the appropriate point.

The proposed changes are essentially summarised as follows:

- A new system for funding and delivering priority contributions projects.
- Update population forecasts.
- Changes to clarify the wording of the CP and make it more easily interpreted.
- Changing the list of projects included in the CP including active and passive recreation, community facilities, and road projects to enable their rationalisation.
- Clarification and minor changes to how refunds are handled.
- Inclusion of new land use terms, as well as refinement of contribution rates charged for certain land uses.
- Updates to references and broken links through the CP.

- Old subdivision properties to be charged contributions at the subdivision stage where appropriate (currently only charged when a dwelling is constructed).
- Website to be updated and made more user friendly.

The draft CP will be presented in the form of a new Shoalhaven CP website, which will operate in tandem with the existing website (excluding the calculator to avoid confusion). Once the new CP is adopted, the existing website will be removed.

Recent legislative changes

Section 94 contributions for residential development are currently capped at \$20,000 per dwelling and \$30,000 in greenfield areas. There is no cap for non-residential development.

In July 2017, the NSW Minister for Planning announced the removal of the cap on development contributions for residential lots where an Independent Pricing & Regulatory Tribunal (IPART) reviewed contributions plan, which is approved by the Minister and adopted by the Council, sets a higher rate. This may be relevant for future contribution plans being prepared for new urban release areas.

The CP currently contains some contributions that are exempt from the cap by the NSW Minister for Planning which will continue to be exempt.

Community Engagement

No community engagement is proposed at this stage. Should Council endorse the proposed review, the draft Shoalhaven CP will be reported to Council in due course to be adopted for public exhibition. Any public exhibition will need to meet the minimum requirements set out in the EP&A Regulations which sets out a minimum of period of 28 days.

Policy Implications

There are no other policy implications directly arising from this review at this point. Reviews of Council's Planning Agreement and Works In Kind policies will take place in the near future, but there are no implications with the review of the CP as these policies, whilst related, sit outside and are separate to the Plan.

Financial Implications

There will be some potential loss of revenue from the deletion of smaller road projects, however, these are relatively small amounts collected over a long period of time as the rate of development in these project catchment areas is very slow. This will, however, allow Council to free up funds from these projects and enable them to be spent as seed funding for priority projects as well as using these funds toward Council's contributions to projects as agreed to at the Strategy & Assets Committee meeting held on 21/03/2017 (MIN17.197). Any such allocation of funds will need to be in accordance with adopted practice, i.e. re-allocation must be for a similar purpose and location as proposed in the original plan.

Risk Implications

This review will help ensure that the Shoalhaven CP is operating within the legislative framework.

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.