

## Ordinary Meeting

**Meeting Date:** Monday, 08 August, 2022

**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra

**Time:** 5.30pm

**Membership** (Quorum - 7)  
All Councillors

**Please note:** The proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Shoalhaven City Council live streams it's Ordinary Council Meetings and Extra Ordinary Meetings. These can be viewed at the following link

<https://www.shoalhaven.nsw.gov.au/Council/Meetings/Stream-a-Council-Meeting>.

### Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Shoalhaven City and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

## Agenda

1. **Acknowledgement of Country**
2. **Moment of Silence and Reflection**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
  - Ordinary Meeting - 25 July 2022
  - Extra Ordinary Meeting - 1 August 2022

6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**
9. **Deputations and Presentations**
10. **Call Over of the Business Paper**
11. **A Committee of the Whole (if necessary)**
12. **Committee Reports**

Nil

### 13. **Reports**

#### City Performance

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- CL22.344 Australian Regional Tourism Convention and SEGRA Conference ..... 3

#### City Futures

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### 14. **Notices of Motion / Questions on Notice**

#### Notices of Motion / Questions on Notice

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### 15. **Confidential Reports**

Nil

## CL22.343 Ongoing Register of Pecuniary Interest Returns - July 2022

HPERM Ref: D22/276871

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

### Reason for Report

To provide the Council with the Register of Pecuniary Interest Returns from newly designated persons lodged with the Chief Executive Officer for the period of 1 July to 31 July 2022 as required under Section 440AAB of the Local Government Act 1993 and Part 4.26 of the Model Code of Conduct.

### Recommendation

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 July to 31 July 2022 be received for information.

### Options

1. As Recommended.

Implications: The requirements of the new Code of Conduct will be adhered to.

2. The Chief Executive Officer take appropriate action in accordance with Council's Code of Conduct in respect of any Staff who are in contravention of the *Local Government Act 1993*.

Implications: Not known

### Background

Under Section 440AAB of the *Local Government Act 1993* and Part 4.26 of the Model Code of Conduct, newly designated persons are required to complete an Initial Pecuniary Interest Return within 3 months of becoming a designated person.

Section 440AAB (2) of *The Local Government Act 1993* states:

*Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged.*

Part 4.26 of the Model Code of Conduct states:

*Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.*

This report is one of a series of reports of this nature which will be provided throughout the year to align with the legislative requirements.

Those persons who have submitted a return within the period in accordance with their obligation to lodge an initial pecuniary interest return are listed below:

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Directorate	Name	Designated Position Start Date	Returned
City Services	Peter McQueen	02/05/2022	04/07/2022
City Development	Angela Bandulet	09/05/2022	04/07/2022
City Performance	Michelle Formosa	01/06/2022	04/07/2022
City Development	Matthew Barnes	06/06/2022	05/07/2022

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 listed and tabled. Electronic versions of the documents may be viewed upon request.

Electronic versions of the disclosure documents (with relevant redactions) are available on the Council website, in accordance with requirements under the *Government Information (Public Access) Act, 2009*.

### Risk Implications

A failure of meeting the obligations with respect to the Pecuniary Interest Returns by a designated officer leaves Council at risk of non-compliance with legislative requirements, conflicts of interest and limited transparency. Staff who do not complete a return may be in breach of the Council's Code of Conduct.

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## CL22.344 Australian Regional Tourism Convention and SEGRA Conference

HPERM Ref: D22/321261

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

### Reason for Report

To consider Councillor attendance at the following conferences:

- Sustainable Economic Growth for Regional Australia (SEGRA) Conference scheduled for 31 August to 2 September 2022 in Devonport, Tasmania
- Australian Regional Tourism Convention scheduled for 10-12 October 2022 in Ballarat, Victoria.

### Recommendation

That Council

1. Notes the details of the following conferences:
  - a. Sustainable Economic Growth for Regional Australia (SEGRA) Conference scheduled for 31 August to 2 September 2022 in Devonport, Tasmania
  - b. Australian Regional scheduled for 10-12 October 2022 in Ballarat, Victoria.
2. Authorises available Councillors to attend the conference/s 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/s 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 does not approve Councillor attendance at the Conference as Council Business.

### Background

The Sustainable Economic Growth for Regional Australia (SEGRA) Conference is considered relevant to local government. Information in relation to the conference can be found via the following link.

<https://segra.com.au/2022-conference-details/>

Costs associated with the conference are estimated as follows:

- registration: \$1,250.00 (full conference)

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\$795.00 Day 1 only

\$775.00 Day 2 only

- travel, accommodation and out of pocket expenses: not yet determined.

The Australian Regional Tourism Convention is considered relevant to Local Government. Information in relation to the conference can be found via the following link.

[Convention – ART \(regionaltourism.com.au\)](https://regionaltourism.com.au)

Costs associated with the conference are estimated as follows:

- registration: \$1,500.00
- 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. This option is presented having regard to the increase in Councillor expenses in recent years, so that Council may pro-actively control this area of expenses when appropriate.

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

- Nowra CBD Revitalisation Strategy Committee, Wednesday 31 August.
- Homelessness Taskforce Shoalhaven, Thursday 1 September.
- Councillor Briefing, Thursday 1 September.

The following Council Business is scheduled within the period of the Australian Regional Tourism Convention:

- Ordinary Meeting, Monday 10 October.
- Shoalhaven Traffic Committee, Tuesday 11 October.

### **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.

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## CL22.345 Draft Local Approvals Policy - Public Exhibition Outcomes and Proposed Finalisation

**HPERM Ref:** D22/249787

**Department:** Strategic Planning  
**Approver:** Carey McIntyre, Director - City Futures

**Attachments:** 1. Proposed Post Exhibition Local Approvals Policy for Finalisation (under separate cover)

### Reason for Report

- To consider the one submission received during the public exhibition of the draft Shoalhaven Local Approvals Policy (LAP).
- To consider the suggested post-exhibition amendments to the LAP; and
- Adopt the LAP and undertake the required steps to enable finalisation.

### Recommendation

That Council:

1. Adopt the Draft Shoalhaven Local Approvals Policy at **Attachment 1** with the noted changes.
2. Obtain approval of the Chief Executive of the NSW Office of Local Government for Part 1 of the Draft Shoalhaven Local Approvals Policy prior to finalisation.
3. Give public notice of the adoption of the Shoalhaven Local Approvals Policy as per legislative requirements, following finalisation.
4. Notify relevant stakeholders and submitter of this resolution and when the Shoalhaven Local Approvals Policy is finalised.

### Options

1. As recommended.

Implications: This is the preferred option as it will enable the draft LAP to proceed to finalisation. The draft LAP will enable Council to meet its obligations under the *Local Government Act 1993* (the *LG Act*) regarding approvals.

2. Adopt an alternative recommendation.

Implications: This will depend on the extent of any changes and could postpone the implementation of the LAP.

3. Not adopt the recommendation.

Implications: This could stop the implementation of the LAP. By not progressing the LAP, Council's obligations under the *LG Act* will not be met.

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## Background

Section 68 of the *LG Act* specifies that certain activities can only be carried out with the local approval of Council under the provisions of that Act, except in the case of local or legislative exemptions.

A local approval may be required in isolation (e.g., where a land use/activity is exempt or permitted without consent) or in addition to development consent. Activities requiring local approval include: activities on community land, installation of sewage management systems, footpath dining, temporary food stalls, installation of caravans/manufactured homes, mobile food vehicles, water supply, sewerage, stormwater drainage work and the like.

The Draft LAP was prepared under the provisions of the *LG Act* to assist Council in meeting its obligations relating to local approvals. The Draft LAP includes the following mandatory parts:

- Part 1: Exemptions – the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval of the Council.
- Part 2: Criteria – the criteria (if any) which the Council must take into consideration in determining whether to give or refuse an approval of a particular kind.
- Part 3: Other Matters – other matters relating to approvals.

Under Section 77 of the *LG Act*, Council is required to bring the relevant matter relating to local approvals to the notice of intending applicants. In accordance with Section 165 of the *LG Act*, all LAPs are automatically revoked 12 months after the declaration of the poll for a general election of the Council.

At Council's 26 April 2022 Ordinary Committee Meeting, it was resolved (MIN22.293) that Council:

1. *Endorse the draft Local Approvals Policy (LAP) at Attachment 1 for public exhibition.*
2. *Publicly exhibit the draft Local Approvals Policy for 28 days and receive comments for 42 days from the commencement of the exhibition period in accordance with Section 160 of the Local Government Act 1993.*
3. *Receive a further report following public exhibition to enable any submissions to be fully considered and any changes made prior to:*
  - a. *Council adoption; and*
  - b. *Subsequent process to obtain consent of the Chief Executive Officer (CEO) of NSW Office of Local Government for Part 1 of the Local Approvals Policy prior to finalisation.*
4. *Will not take compliance action against recipients of Resilience NSW's Pod Program if the 2022 LAP is not finalised prior to the end of the approved leases.*

## Community Engagement

Consistent with Council resolution (MIN22.293) and the requirements of the *LG Act*, the Draft LAP was exhibited for a period of 45 days from Wednesday 25 May until Friday 8 July 2022 (inclusive) on Council's website.

The exhibition material remains available on [Council's website](#) and includes the following:

- Draft Shoalhaven LAP 2022 document.
- Public Notice.
- Explanatory Statement – outlines the role and form of the draft LAP and a link to all policies and guidelines referred to within the draft LAP.

### Public exhibition of the draft LAP

One submission was received during the formal public exhibition of the Draft LAP. The content of the submission and staff comment is summarised in **Table 1** below.

**Table 1: Summary of submission received and staff comment**

Submission Summary	Comment
<p><b>Homelessness within the Shoalhaven.</b></p> <p>The policy revision is moving in the right direction, although should expand the provision of “emergency” accommodation to include those who are displaced and refugees.</p> <p>Notes the current market economy is resulting in the inability to provide affordable shelter.</p> <p>Proposes amendments to provisions in the LAP to enable the provision of accommodation to any person who has been displaced by a natural disaster, war, disaster impacts of changing climate or the failure of Australia’s “market economy” to provide adequate affordable housing. Recommends that the cost of leases to accommodate those who have been displaced, to be no more than 66% of the median long-term rental price in Shoalhaven for equivalent (number of bedrooms) permanent accommodation.</p>	<p><b>No change recommended.</b></p> <p><i>Comments are noted. Council is constrained with what can be included in the Local Approvals Policy, as it is prepared under the provisions of the Local Government Act 1993.</i></p> <p><i>However, it is noted that Council is currently undertaking a range of separate investigations into crisis-term, short-term, medium-term, and long-term strategic priorities in the homelessness space (MIN22.418).</i></p>

### Post-Exhibition Amendments to the draft LAP

Two amendments have been made to the Draft LAP following the conclusion of the public exhibition, in response to recent Council resolutions. These are detailed in **Table 2** below and are identified in **Attachment 1** (with proposed amendments highlighted green).

**Table 2: Post-exhibition amendments to the draft LAP**

Amendment	Explanation for Post-Exhibition Amendment
<p>Updates to Section <b>4.2 Other matters relating to approvals</b> of the LAP considering recent changes to how Council charges and monitors on-site sewage management systems.</p>	<p>Section 4.2 of the LAP has been amended following Council’s resolution at its 23 May 2022 Ordinary Meeting (MIN22.236), in part:</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>Approve the application of a charge for on-site sewage management to the Annual Rates Notice for affected properties, in a staged approach over five years, commencing from the beginning of the 2022/23 financial year.</i></li> <li><i>Approve the application of fees for additional inspections of high-risk on-site sewage management systems and re-inspections of non-compliant on-site sewage management systems.</i></li> <li><i>Amend the Shoalhaven Local Approvals Policy post exhibition to reflect the on-site sewage management charge being applied to the Annual Rates Notice.</i></li> </ol>
<p>Updates to the references of two Council Policies, as below:</p> <p><del>Rural</del> <del>Wastewater</del> <del>Connection</del> <del>Policy</del> <b>Non-Urban</b></p> <p><del>Rural</del> <del>Non-Urban</del> <del>Water</del> <del>Supply</del> <del>Connection</del> <del>Policy</del> <b>Water</b></p>	<p>The Policy titles were changed following Council’s resolution at its 9 May 2022 Ordinary Meeting (MIN22.332):</p> <p><i>That Council reaffirm the following policies with minor changes:</i></p> <ol style="list-style-type: none"> <li><i>Non-urban Wastewater Connection Policy</i></li> <li><i>Non-urban Water Supply Connection Policy</i></li> </ol>

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It is noted that these amendments are not considered to be substantial and therefore the Draft LAP can be adopted without further public exhibition as per Section 161 (2) of the LG Act.

### **Finalisation Process**

Under the provisions of the *LG Act*, a Council has no power to adopt any exemptions specified in Part 1 (Exemptions) of a LAP. As the LAP includes local exemptions under Part 1 (Exemptions), approval is required from the Chief Executive of the NSW Office of Local Government (OLG) for the adoption of that part following the adoption of the LAP by Council.

Any changes required by the NSW Office of Local Government will be reported back to Council accordingly. Should no changes be required, the LAP can be finalised.

### **Conclusion**

It is recommended that Council adopt the LAP at Attachment 1 (including the minor changes outlined above) and obtain approval from the OLG for the local exemptions in Part 1 (Exemptions). The LAP can then be finalised.

### **Financial Implications**

Finalisation of the LAP will continue to be resourced from the existing Strategic Planning budget.

### **Risk Implications**

Under Section 77 of the *LG Act*, Council is required to bring the relevant matter relating to local approvals to the notice of intending applicants. In accordance with Section 165 of the *LG Act*, all LAPs are automatically revoked 12 months after the declaration of the poll for a general election of the Council.

It would be in the best interest of Council to progress the finalisation of the LAP as recommended to ensure Council meets its obligations under the *LG Act*.

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## CL22.346 Appointment of Shoalhaven Economic Growth Advocacy (SEGA) Group Members - 2022

**HPERM Ref:** D22/300201

**Department:** Tourism

**Approver:** Carey McIntyre, Director - City Futures

**Attachments:** 1. DRAFT Terms of Reference - Shoalhaven Economic Growth & Advocacy Group [↓](#)

### Reason for Report

The reason for this report is to provide the Council with an update on the formation of the Shoalhaven Economic Growth Advocacy (SEGA) Group; formally appoint new members, two elected Councillors and adopt the Draft Terms of Reference (TOR) as a final document.

### Recommendation

That Council:

1. Receive and note this report as an update, as requested by Council in Item 3c of MIN22.295.
2. Appoint the following industry representatives (with their backgrounds shown) to the Shoalhaven Economic Growth Advocacy (SEG) Group
  - a. Anna Finch – Human Resources
  - b. Brenda Sambrook – Tourism
  - c. Holly Pastor – Education
  - d. Iain Chalmers – Human Resources and Small Business
  - e. John Lamont - Manufacturing
  - f. Kaye Morris – Education
  - g. Michelle Bishop – Tourism
  - h. Robert Crow - Tourism
  - i. Sandra Gray – Small Business Operator
3. Adopt Draft Terms of Reference for SEGA (Attachment 1 to this report).
4. Appoint two elected Councillors to the Advisory Group at the Core meeting of Council in September 2022.

### Options

1. As recommended

Implications: The new advisory group set up will be complete and meeting dates will be set

2. Do not accept the Draft Terms of Reference or appoint new members.

Implications: The new Advisory Group will not be formed. This will be outside the request of recruited industry members and may have reputational risk for Council

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## Background

At the Ordinary Meeting of Council on the 26 April 2022, Council resolved the following (MIN22.295):

### RESOLVED

*That Council:*

1. *Disestablish the:*
  - a. *Shoalhaven Tourism Advisory Group (STAG),*
  - b. *Business, Employment and Development Committee (BEDC)*
2. *Formally thank all existing members of the current committees for their volunteer service to Council.*
3. *Establish the “Shoalhaven Economic Growth and Advocacy (SEGA) Group”, and*
  - a. *Present the Draft Terms of Reference (see Attachment) to the new Committee*
  - b. *Request staff to*
    - i. *recruit for members of the newly established group, ensuring all retiring members of STAG and BEDC are given an opportunity to reapply for the new group.*
    - ii. *set up a schedule of meetings as per the Terms of Reference once new members are recruited.*
  - c. *Following formation, the SEGA Group be asked to provide their view as to the scope and range of work to be undertaken and a report be submitted to Council for information. Examples of matters to be considered include diversification of the local economy, supporting the establishment of new SMEs, and supporting full time job creation.*
4. *Meet with both the STAG and BEDC (together or separately) and brief them on the outcome of Council’s consideration of this report and the proposed Terms of Reference of the SEGA Group.*

## Update on Actions

**Table 1** provides an update on actions taken by staff in relation to the formation of SEGA and to report back to Council as part of item 3c in the above resolution.

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**Table 1 Update on actions taken by staff in relation to the formation of SEGA**

Resolution	Action to Date
<p>1. <i>Disestablish the:</i></p> <p>a. <i>Shoalhaven Tourism Advisory Group (STAG),</i></p> <p>b. <i>Business, Employment and Development Committee (BEDC)</i></p>	<p><b>Complete.</b></p> <p>Future meetings cancelled and members updated.</p>
<p>2. <i>Formally thank all existing members of the current committees for their volunteer service to Council.</i></p>	<p><b>Complete.</b></p> <p>Letters sent to all members</p>
<p>3. <i>Establish the “Shoalhaven Economic Growth and Advocacy (SEGA) Group”, and</i></p> <p>a. <i>Present the Draft Terms of Reference (see Attachment) to the new Committee</i></p>	<p><b>Complete,</b> see <b>Attachment 1</b> for Council consideration. This document has tracked changes that represent requests from members as summarised below.</p> <p>Members requested two changes for Council consideration:</p> <ul style="list-style-type: none"> <li>• To include an additional voting member position dedicated to the education sector.</li> <li>• After lengthy discussion, it was requested the new group do not have other advisory group permanent positions on SEGA, but to formally acknowledge that these groups played an important role and would be consulted with as opportunities arose.</li> </ul> <p>Additionally, the Sports Board Chair, David Goodman, requested a non-voting place on SEGA for the Sports Board, this was a direct request from the Chair, and not a formal request from the group.</p> <p>Members who participated in the workshops discussed having additional non-voting groups and it was generally agreed that the purpose of the group was business growth. Whilst it was acknowledged other Advisory Groups played an important role for Council and business, and all who participated agreed on the importance to consult and work with these groups as matters arose, it was the general wish of the group that this was on a case-by-case basis.</p> <p>As such, no changes in this regard were made to the TOR in this regard.</p>
<p>b. <i>Request staff to</i></p> <p>i. <i>recruit for members of the newly established group,</i></p>	<p><b>Complete.</b></p> <p>Advertisements for new positions end of May and early June, interviews held the last week of</p>

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<p><i>ensuring all retiring members of STAG and BEDC are given an opportunity to reapply for the new group.</i></p>	<p>June. Several existing members of disestablished committees applied as well as several new people, the interview panel have recommended 9 voting members for Council consideration.</p>
<p>ii. <i>set up a schedule of meetings as per the Terms of Reference once new members are recruited.</i></p>	<p><b>Not yet complete</b>, awaiting approval of Terms of Reference and appointed Councillors, this action has been added to the recommendation on this report.</p>
<p>c. <i>Following formation, the SEGA Group be asked to provide their view as to the scope and range of work to be undertaken and a report be submitted to Council for information. Examples of matters to be considered include diversification of the local economy, supporting the establishment of new SMEs, and supporting full time job creation.</i></p>	<p>A workshop will be held at the Shoalhaven Indoor Sports Centre on Wednesday 20 July 2022 at 5pm.</p> <p>All recommended voting and non-voting members were invited to attend as per the Draft Terms of Reference.</p> <p>This workshop was attended by:</p> <ul style="list-style-type: none"> <li>• Anna Finch – HR</li> <li>• Brenda Sambrook – Tourism</li> <li>• Holly Pastor – education</li> <li>• Iain Chalmers – HR and small business</li> <li>• Kaye Morris – education</li> <li>• Michelle Bishop – Tourism</li> <li>• Robert Crow - tourism</li> <li>• Sandra Gray – small business operator</li> <li>• Debra Murphy, Regional Development Australia Representative</li> <li>• Garth Ward, MP, Member for Kiama</li> <li>• Councillor Paul Ell</li> <li>• Councillor Mark Kitchener</li> <li>• Carey McIntyre – Director City Futures Shoalhaven City Council (SCC)</li> <li>• Coralie Bell – Tourism Manager SCC</li> </ul>

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	<ul style="list-style-type: none"> <li>Ashlea Seveque – Senior Administration Officer.</li> </ul> <p>Apologies were received by Mayor Amanda Finley, Cllr. John Wells, Cllr. Patricia White and John Lamont.</p> <p>Overall, the group agreed it was happy with the Draft Terms of Reference, noting tracked changes.</p> <p>General discussion reiterated the purpose of the group is in line with the purpose in the draft Terms of Reference</p> <ul style="list-style-type: none"> <li><i>Inform the development, implementation, and review of council economic growth strategies</i></li> <li><i>Providing advice and make recommendations to Council on matters relating to business and economic growth in the Shoalhaven.</i></li> <li><i>Provide advice and recommendations on key advocacy opportunities to support business growth in the region</i></li> </ul> <p>It was agreed the group will need to meet and grow organically in direction as opportunities present themselves, with contributing to Council's strategic documents considered a key function of the group.</p>
4. Meet with both the STAG and BEDC (together or separately) and brief them on the outcome of Council's consideration of this report and the proposed Terms of Reference of the SEGA Group.	<p><b>Complete.</b></p> <p>An informal teams meeting was held with both groups together on 18 May 2022.</p>

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### Community Engagement

SEGA will play an important role in the development of Economic Growth, strategic plans and activities and provides critical input through industry representatives in this process.

Roles were advertised via the Council website and via tourism business networks. This occurs on an annual basis when the two and one year terms of SEGA members come to an end.

### Policy Implications

The Draft Terms of Reference are shown in **Attachment 1**.

### Financial Implications

There are no direct financial implications as a result of this report.

## DRAFT Terms of Reference - Shoalhaven Economic Growth and Advocacy (SEGA) Group

Adoption Date:	
Amendment Date:	
Minute Number:	
Review Date:	1 December 2024
Directorate:	City Futures
Record Number:	POL22/157

CL22.346 - Attachment 1

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**DRAFT Terms of Reference – Shoalhaven Economic Growth and Advocacy (SEGA) Group**

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**1. Role and purpose of the Advisory Group**

- Inform the development, implementation, and review of council economic growth strategies
- Providing advice and make recommendations to Council on matters relating to business and economic growth in the Shoalhaven.
- Provide advice and recommendations on key advocacy opportunities to support business growth in the region

**2. Definitions**

- **Economic growth** – growth associated with all aspects of commerce in Shoalhaven City, including tourism, business, investment, entrepreneurial activities events, sponsorship and the like.
- **Advocacy** – support, reinforcement, promotion and sponsorship (financial or non-financial) provided by Shoalhaven City Council and the SCAGG to support tourism, business, investment, entrepreneurial activities events, sponsorship and the like.
- **Council** – Shoalhaven City Council.

**3. Relationship to Council**

The Shoalhaven Economic Growth and Advocacy (SEGA) Group an advisory group of Council.

**4. Delegated Authorities**

SEGA

- Make recommendations on actions and priorities
- Provide feedback on economic growth key issues or growth opportunities
- Appoint suitable representatives to fill casual vacancies
- Research contemporary methodologies to achieve advocacy, business growth and economic development.
- Inform and recommend policy for business growth
- Partner and liaise with other Council Advisory Groups on key issues as required

**5. Membership**

The membership shall comprise of the following delegates:

**Voting Participants**

A maximum of nine skills-based industry representatives as follows

- Minimum of two positions to be held by representative/s from the tourism industry
- Maximum of six positions to be held by representatives from other industry growth areas
- Minimum of one position to be held by a representative from the education sector
- The Mayor
- Two Councillors voting (as delegated by Council)

**Non-Voting Participants**

Political representatives

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**DRAFT Terms of Reference – Shoalhaven Economic Growth and Advocacy (SEGA) Group**

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- *All non-delegated Councillors*
- *Member for Gilmore (or nominee)*
- *Member for Kiama (or nominee)*
- *Member for South Coast (or nominee)*

**Cross government and advocacy representatives**

- *A representative of National Parks & Wildlife Service*
- *A representative of Regional NSW*
- *A representative of Department of Industry*
- *A representative of AusIndustry*
- *A representative of Regional Development Australia*

**Business Associations and / or Chamber representatives**

- *President, Shoalhaven Business Chamber*
- *President, Sussex Inlet District Chamber*
- *President, Milton Ulladulla Business Chamber*
- *President, Huskisson Business Chamber*
- *President, Kangaroo Valley Chamber*
- *President, Shoalhaven Professional Business Association*
- *Chair, Shoalhaven Defence Industry Group (SDIG)*

**6. Election and Appointment****Industry Representatives**

- Appointment to the SEGA will occur every two years or thereabouts.
- Vacancies will be advertised locally via media, Council communication channels and industry networks
- Applications will be actively sought from appropriately skilled industry representatives
- Council will manage the application and appointment process.
- An interview panel will consist of the Tourism and Economic Development Manager, one internal staff member and a suitably qualified and independent representative/s (Minimum of 1 others) to assess the applications and make recommendations for appointments to Council

**Councillors**

Council will advise the Shoalhaven Economic Growth and Advocacy (SEGA) Group of its appointed representatives. Council at its discretion can replace representatives at any time.

**7. Casual Vacancies**

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**DRAFT Terms of Reference – Shoalhaven Economic Growth and Advocacy (SEGA) Group**

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Should there be a casual vacancy; the SEGA will seek applications by the means set out in **Part 6** to fill these vacancies.

**8. Term of Appointment**

- Appointments will be for a term of approximately two years
- 50% of the industry representatives will be required to stand for reappointment every two years

**9. Duties of SEGA Members**

- Represent whole of industry in sectors of expertise
- Actively participate in working groups as required
- SEGA members will undertake the prescribed Induction process
- Complete Pecuniary Interest Returns as required on appointment and annually as required by the Office of Local Government and Council

**10. Executive Positions**

The SEGA will appoint a Chairperson and Deputy Chairperson on an annual basis by a vote of members of the SEGA.

The role of Chairperson is:

- To chair the meeting and exercise functions, as determined by SEGA
- To be the spokesperson for the committee, as directed by SEGA.
- To advocate for SEGA and represent its decisions.
- To call extraordinary meetings of the SEGA
- The role of the Deputy Chairperson is to act as Chair when the Chair is not present at meetings.

**11. Working Groups**

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

The Group to co-opt individuals as and when required, to contribute to an expert panel or special reference group.

SEGA will actively work with other relevant Council Advisory Groups on key issues or opportunities and seek representation on relevant working groups.

**12. Advisory Group Meetings**

- Formal Advisory Group Meetings will be held no less than quarterly in a form and format as determined by SEGA
- Topics for the Agenda are to be forwarded to the Chairperson no later than 14 days prior to the meeting.

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**DRAFT Terms of Reference – Shoalhaven Economic Growth and Advocacy (SEGA) Group**

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- Agenda and minutes from previous meetings will be circulated to members at least 7 days prior to the meeting.
- Members must declare in writing, or during the meeting, any interest in any report tabled at the meeting in line with the Code of Conduct.
- Informal SEGA meetings or special meetings will be held as and when required or set by the SEGA.
- Costs associated with conducting meetings will be borne by Council on approval of the Tourism and Economic Development Manager.

**13. Quorum**

The Quorum is half the total of voting members total plus one, for example, if there are nine industry members, the quorum is 6 (4.5 (half) plus 1 = 5.5).

**14. Voting and Recommendations**

- Voting and Recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes
- Where a consensus cannot be reached at two consecutive meetings, then the majority of those present can adopt a recommendation
- Alternative views and general key discussion points are to be minuted
- Where staff deems an item requires SEGA guidance, an electronic vote via email will be conducted. Members will be required to vote within 72 hours of the vote request. Quorum rules apply in this instance. Results to be advised to the SEGA.

**15. Communication**

- Members of the SEGA are not permitted to speak to the media as representatives of the SEGA unless approved by the Chairperson
- Where approval has been given by the Chairperson, views and opinions expressed are those of the SEGA and not of Shoalhaven City Council
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.

**16. Parent to SEGA**

Ordinary Council.

**17. Code Of Conduct**

All members of the Committee are to abide by Council's Code of Conduct, including declaration and management of all conflicts of interest.

Members cannot obtain private benefit because of their involvement in decision making as a member of the Committee

**18. Record of Minutes**

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



**DRAFT Terms of Reference – Shoalhaven Economic Growth and Advocacy (SEGA) Group**

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**19. Staff Attendance**

Executive staff are normally required to attend the meetings of the SEGA. Other staff at the Directors' discretion or at the SEGA's request can attend meetings as required.

**20. Responsibility of Council**

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

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

**20. Review**

After each election of Council.

## CL22.347 Public Policy for Review - Public Information Signs

**HPERM Ref:** D22/178984

**Department:** Technical Services  
**Approver:** Paul Keech, Director - City Services

**Attachments:** 1. Public Information Signs Policy for Adoption [↓](#)

### Reason for Report

This policy review is presented to Council in accordance with the recommendations for all policies to be reviewed within the first 12 months of the new council.

Council consider the adoption of this existing public policy which deals with responsibilities within City Services.

### Recommendation

That Council adopts POL22/115 Public Information Signs Policy as an amendment to the existing POL16/159 Public Information Signs Policy.

### Options

1. Resolve as recommended.

Implications: The adopted policy will be updated to reflect current directorate titling.

2. Resolve to not adopt as recommended.

Implications: Adopted policy POL16/159 will remain, and public information signs will be assessed in accordance with the existing policy.

### Background

POL16/159 was first implemented on 22 March 2005 in accordance with MIN05.267. The Policy was amended on 18 December 2007, 29 January 2008, and 18 July 2017. The Public Information Signs Policy consolidated all previous policies relating to community requests for signage on Council road reserves.

The key changes are as follows:

1. Update references to Departments and Directorates - based on Council's current organisational structure and asset custodian responsibility.
2. Update references to current Australian Standards.
3. Strengthen the definition of tourist related businesses.

"For the purpose of this Policy, short term holiday rental properties are not considered tourist related businesses."

CL22.347

**Community Engagement**

None required. The proposed changes are administrative, housekeeping amendments to reflect current directorate titling.

**Policy Implications**

The policy is due for review within one year of the election of a new Council. No substantial policy changes will result from the recommended changes to the policy.

**Financial Implications**

The fees for public information signs are not proposed to be changed.

**Risk Implications**

The policy has been in place since 2004/2005 and there have been no issues identified from the application of this policy.

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# Public Information Signs Policy

<b>Adoption Date:</b>	22/03/2005
<b>Reaffirmed:</b>	8/09/2009, 21/05/2013
<b>Amendment Date:</b>	18/12/2007, 29/01/2008, 18/07/2017
<b>Minute Number:</b>	MIN05.267, MIN07.1788, MIN08.27, MIN09.1219, MIN13.492, MIN17.624
<b>Review Date:</b>	01/12/2020
<b>Directorate:</b>	City Services
<b>Record Number:</b>	POL22/115

New policy Policy

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## New policy Policy

### 1. Purpose

This policy document has been prepared for the purpose of drawing together all existing policies relating to community requests for signage on Council road reserves.

### 2. Statement

#### 2.1. Background

Parts 1 and 2 of Development Control Plan (DCP) No. 82 – “A Signage Strategy for the City of Shoalhaven” were adopted by Council in August 2001. The DCP has been reviewed and is now known as the Shoalhaven Development Control Plan 2014 (SDCP 2014) and was adopted by Council in August 2014. Chapter G22 – Advertising Signs and Structures addresses signs on road reserves, such as ‘A’ board signs, signs overhanging the road reserves and signs requiring development consent.

#### 2.2. Scope

The policies relating to public information signs apply to the whole of the City of Shoalhaven.

#### 2.3. Relationship to Other Documents

This policy statement should be read in conjunction with the relevant provisions of Chapter G22: Advertising Signs and Structures of the SDCP 2014.

#### 2.4. Disclaimer

In certain circumstances, Council reserves the right to make modifications to this document after its adoption without further consultation. Such circumstances are limited to modifications that will not alter the substance or intent or requirements of the adopted policy and may include correction of typographic errors, changes to internal procedures relating to the policy, changes to document formatting, alterations to appendices that do not form part of the actual policy, amendments resulting from changed or new legislation and so on.

The design examples shown in this document are indicative and may be subject to change without further consultation provided that any revised design remains within the design principle parameters expressed in Chapter G22 of the SDCP 2014.

### 3. Provisions

#### 3.1. Directional Signage – “Fingerboard Signs”

The following principles apply to fingerboard signage located within road reserves or other public land. For the purpose of this Policy, short term holiday rental properties are not considered tourist related businesses.;

- Directional signage to businesses shall only be allowed for tourist related businesses and medical centres. For the purpose of this Policy, short term holiday rental properties are not considered tourist related businesses.
- Directional signage to Council facilities shall only be for recreational centres, libraries, community centres, public halls, sportsgrounds, high use reserves and walking tracks, boating facilities, toilets;
- Directional signage to tourist related businesses and medical centres shall be at cost of applicant;
- The cost shall be as included in the annual Fees and Charges and shall include maintenance and/or replacement for a five-year period;
- A maximum of five signs only per intersection shall be allowed;
- A maximum of two signs per business / facility shall be allowed;

New policy Policy

- Tourism and Council Community facility fingerboards to ~~have white lettering on blue reflective background with minimum letter height of 100 mm in urban areas and 130mm where speed limit is greater than 60kph~~ be in accordance with AS 1742.5—1997:2017 and AS1742.6:2017;
- Any requests for fingerboard signs on the Princes Highway or Moss Vale Road are subject to the approval of Roads and Maritime Services.

**3.2. Directional Signage – “Multipanel” Signs**

- Panel signs catering for motorists at road intersections may be considered at intersections along main or arterial roads and local “feeder” roads. (Other locations may be considered on merit but signs will not be permitted on residential side roads)
- Commercial panels will not be permitted in relation to any business which has frontage to a main or arterial road or that has opportunities for permissible on-site signage that is visible from a main or arterial road.
- Panel Signs catering for pedestrians may be considered in strategic locations within commercial centres where a demand for such signage can be demonstrated.
- Panel signs will not be permitted in locations where motorist or pedestrian safety will be compromised.
- Industrial Estate Panel Signs will only be permitted at intersections adjacent to or within close proximity to the estate.
- A single panel sign directing motorists to an industrial estate will be permitted on main/arterial/local feeder roads that are not adjacent or in close proximity to the estate e.g. **FLINDERS INDUSTRIAL ESTATE**➔ on the Princes Hwy. Details of individual occupants may not be included on the estate directional sign.
- Dual multi-panel sign structures will only be permitted if an adjacent “pull off” bay is provided in association with the signs.
- Only one panel sign structure may be erected per intersection.
- Only one panel on a multi-panel sign will be permitted per business within the city.
- An existing blue and white “fingerboard” directional sign may be allowed to remain in addition to the panel sign for the term of its approval. New or replacement “fingerboards” will not be permitted in addition to a panel approved or applied for under this policy.
- Signs that include civic directional panels or five or more commercial panels will include the Shoalhaven City Council top panel.
- Where the panel sign caters for motorists, the top panel will include the road name (see example – Figure A) unless the structure contains only commercial panels (maximum 4 signs without road name – Figure B).
- Where the panel sign caters for pedestrians, the top panel may include a road name or a location name (eg “Broughton Court”)

#### New policy Policy

- No more than 12 individual standard width panels including the road name top panel will be permitted per multiple panel structure. (The maximum number of panels allowed will be reduced by one for every double width panel included on the structure)
- Structures that display only commercial panels (up to four) may also include a shaped top board panel, however the additional cost will be borne by the proponent (see “Charges” below). Top board panels must contain the adopted standard Council logo.
- Panel signs will not include the road name on the top board panel if located on intersection corners where an “Identilite” sign already exists (or is proposed to be approved under Council’s Identilite Sign Policy)
- Panel signs will have a standard dark grey face with white lettering.
- Standard (single width) panels shall not exceed a width of 150 millimetres and a length of 1200 millimetres.
- Lettering on standard panels shall be a maximum to comply with AS 1742 and AS 1743 and be in white “title case” in a standard font style. Full upper case font may only be used for significant public facilities where compliance with the Australian Standard is required e.g. **HOSPITAL➔**
- Double width panels may only be used for significant public facilities or significant tourism destinations, e.g. **AIRPORT➔** or **TALLOWA DAM PICNIC AREA➔**
- Panels must indicate the approximate distance from the sign location to the premises or facility (in kilometres or metres as appropriate) and may include recognised standard tourism symbols if the relevant premises is a tourist facility.
- Priority for installation of Multiple Panel Signs will be given where they will assist to reduce the incidence of existing discouraged or unauthorised signage. Installation will also be given priority where limitations on fingerboard signs have been reached or have been exceeded.

Priority for inclusion or positioning of individual panels will be given in the following order of category:

1. Street Name
  2. Council Facility
  3. Non-Government Community Facility
  4. Private Facility (Tourism) on a “first in, best dressed” basis
  5. Private Facility (other) on a “first in, best dressed” basis
- In relation to categories 4 and 5, the order of panel position will be determined by the distance from the sign to the establishment (nearest at the top below category 1, 2 and 3 signs)
  - For a structure that includes no civic directional panels (including road/street name) and up to four commercial panels, all costs associated with erecting the panel will be borne by the proponent(s).



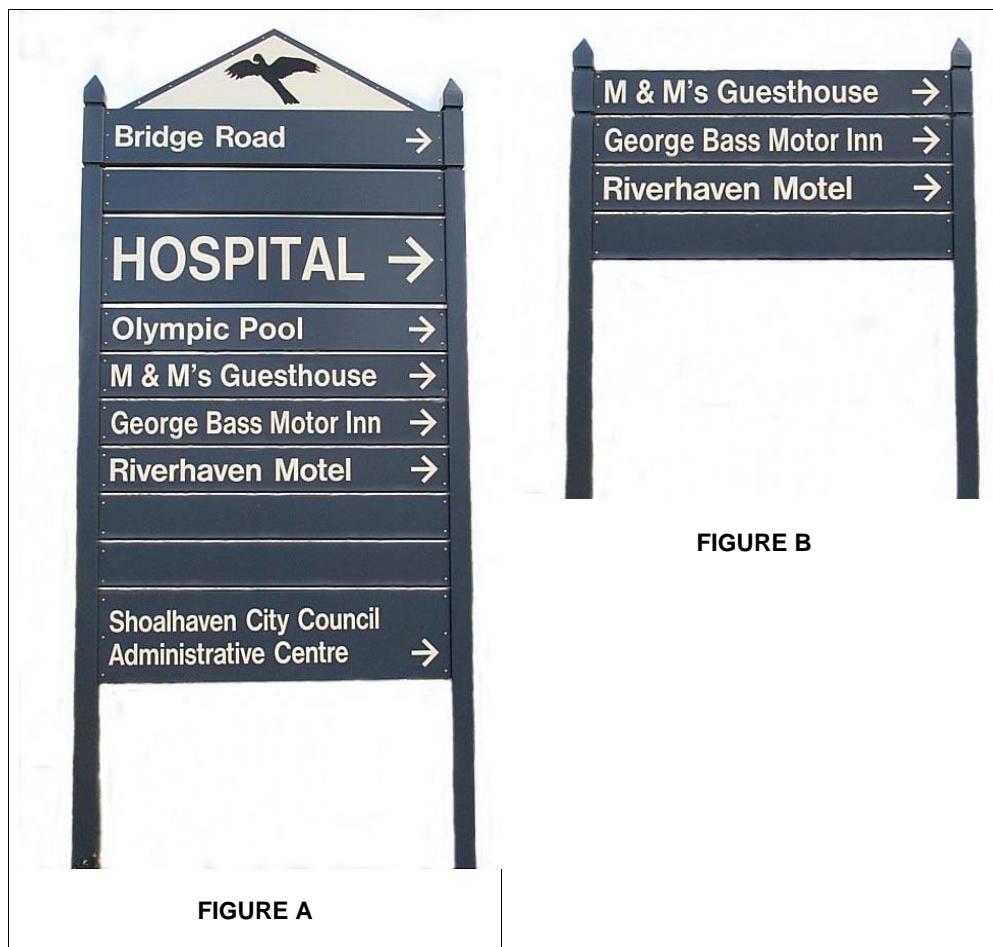
#### New policy Policy

- The proponents will negotiate cost sharing arrangements for multiple panels amongst themselves.
- A quote to manufacture and install the sign will be offered to the proponent(s) and once accepted in writing, a formal written request to undertake the work will be required together with payment of the quoted cost.
- Council may accept later requests for panels on the sign (once erected), the cost is as included in the annual fees and charges. The original proponents will not be entitled to proportional refunds if panels are added after erection of the sign.
- Where the sign contains civic directional signage or five or more commercial panels, a charge as included in Council's annual Fees and Charges per panel will apply. (The same fee will apply whether the panels include sign writing on one or both sides)

Terms of acceptance will be applied to any quote/formal request/approval etc that:

- The frame and any panel on the sign will remain the property of Council and will be administered and maintained by the Council for a period of five years.
- Any repairs, maintenance or replacement within five years of installation will be at Council's expense.
- Any repairs, maintenance or replacement after five years will be at the expense of the business.
- Where a "fingerboard sign" already exists for a business, no refund or discount will apply if a panel sign is proposed to replace the fingerboard (existing fingerboards may remain despite the panel sign approval).

New policy Policy



CL22.347 - Attachment 1

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**New policy Policy**

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**3.3. Directional Signage – Illuminated Signs**

The following provisions apply to provision of Illuminated Advertising Signs on Council managed road reserves.

**a) Sign Design**

- Is consistent with any design approved by resolution of Council from time to time.
- Complies with relevant Australian Standards.
- Complies with the deemed to satisfy provisions of the BCA.

Possible alternate sign designs are to:

- Be consistent with any design approved by resolution of Council from time to time.
- Will not be considered if the nominated site would be an appropriate location of installation of an illuminated advertising sign of the "Identilite" type.
- Must be used collectively to enhance, support and contribute to the common theme of a recognised precinct, arcade, industrial area, etc.
- Must satisfy all other requirements of this Policy.

**b) Sign Location**

- Must be erected on a road under the control of Council.
- Must be located at an intersection.
- Must be located on the opposite side of the road to any existing sign at an intersection.
- Must not be located in a rural zone.
- Must only be located on arterial roads.
- Must not be located at random and in isolated locations around the City.
- No signs will be permitted within Sussex Inlet.

**c) Heritage**

- Signs are not permitted to be located in Berry, Milton or Kangaroo Valley.
- Must not detract from the heritage significance of any adjoining or adjacent building or place.

**d) Number**

- A maximum of one sign at T-Intersections.
- A maximum of two signs at four-way intersections.

**e) Amenity**

- Relates well to and integrates with existing built and vegetated forms.
- Does not dominate the streetscape.
- Does not adversely affect the amenity of any nearby residence.

**f) Forward Advertising**

- The business premises being advertised on the sign panel must be:
  - within 5km of the sign.
  - on the same road as the sign, or be substantially visible from the same road as the sign.
  - in the Shoalhaven City Council area.
- The business name can be recognised at the premises.
- The distance to the premises or direction is displayed on the advertising sign.

New policy Policy

- The advertising panel shall not contain street names or other directions that conflict with street name finger boards elsewhere on the sign.
- g) Traffic
  - Does not adversely affect traffic safety, for example through:
    - Sign pole placement within road carriageway “clear zone”.
    - Obstruction of sight distances.
    - Use of symbols or colours on the advertising panel that could be confused with traffic regulatory signage.
- h) Community Messages
  - Community message are to be of public benefit at the nominated location.
- i) Statutory Approvals
  - Roads and Maritime Services concurrence has been issued under Section 138(2) of the *Roads Act, 1993*, for any signs on the Princes Highway or Moss Vale Road.

**3.4. Other Signage on Public Land**

**3.4.1. Banner Signs – Community Events Etc**

Council has endorsed the granting of approvals for the erection, on public land, of banners for the promotion of community messages and community events including local theatre groups.

Provided such signs meet the following “exemption criteria” (as detailed in Part 2 of the Signage Strategy), formal development consent is not required if the sign is a temporary sign for religious, cultural, political, social or recreational events.

The requirements are that the sign:

- does not include commercial advertising apart from name of event sponsor(s)
- is not displayed earlier than 28 days before an event and is removed within 7 days of the event
- does not exceed 6.0m<sup>2</sup>
- is not suspended across public roads
- must not be erected on public land (without the written approval of Council) or affixed to trees, lighting standards (other than on lighting standard specifically designed and approved for the purpose), guide posts or power poles in road reserves
- is erected by a religious or community group, sporting club or other community-based organisation recognised by Council

However, Council's written approval is required if the sign is to be erected or placed on public land.

**3.4.2. Service Club Information Boards**

The installation of Service Club information Boards are permitted on the main access road into a village or town.

Applications for the erection of new Information Boards will be processed under the requirements of Section 138 of the Roads Act 1993. For Classified Roads approval will also be required from the Roads and Maritime Services in the form of a Road Occupation Licence.

#### New policy Policy

It is a requirement that the Information Boards do not include commercial advertising apart from the location of meetings. Service Clubs recognised are Lions, Rotary, Apex, VIEW, Zonta International, Lantern Clubs, Probus and CWA.

#### 3.4.3. Use of Public Infrastructure (Bus Shelters, Street Furniture, Refuse Receptacles etc)

Council permits the use of bus shelters and street furniture for display of signage subject to the relevant contractual arrangements that apply from time to time.

#### 3.4.4. Other Commercial Signage

The use of public land for commercial advertising is addressed in SDCP 2014, Chapter 22: Advertising Signs and Structures. In general, opportunities are limited to approved and licensed "A" Board signs and certain real estate signs that comply with the relevant performance criteria of the strategy.

### **4. Implementation**

#### **4.1. Directional Signage – "Fingerboard Signs"**

The ~~Traffic and Transport Unit~~Roads Assets Team of the ~~Assets & Works Group~~City Services Directorate administer tourism and Council community facility "Fingerboard" signs and process applications and payment of fees by private business.

#### **4.2. Directional Signage – "Multipanel" Signs**

The ~~Traffic and Transport Unit~~Roads Assets Team of the ~~Assets & Works Group~~City Services Directorate administer "Multipanel" Signs and process applications and payment of fees by private businesses.

#### **4.3. Directional Signage – "Identilite" Signs**

The ~~Roads Asset Management Unit~~Roads Assets Team of the ~~Assets & Works Group~~City Services Directorate administer "Identilite" signs. However, advertiser enquiries should be referred to the current contract holder:

Claude Outdoor  
60 Pacific Hwy  
St Leonards NSW 2065

#### **4.4. Other Signage on Public Land**

##### 4.4.1. Banner Signs – Community Events

The ~~Works and Services Section~~Roads Assets Team of ~~Assets & Works Group~~the City Services Directorate administer banner signs within road reserves. ~~The Traffic and Transport Unit of Assets & Works Group~~ administer and signs on the Jane Street, Nowra overpass. The ~~Parks Operations Unit of Assets & Works Group~~Asset Custodian administer signs on parks and reserves.

##### 4.4.2. Use of Public Infrastructure (Bus Shelters, Street Furniture, Refuse Receptacles etc)

The ~~Roads Asset Management Unit~~Roads Assets Team of ~~Assets & Works Group~~the City Services Directorate administer signage on public infrastructure through contractual arrangements.

##### 4.4.3. Service Club Information Boards

#### New policy Policy

The ~~Traffic & Transport Unit~~Roads Assets Team of ~~Assets & Works Group~~the City Services Directorate administer requests and regulation of the Information Boards. Service Clubs will be responsible for installation and maintenance costs.

#### 5. Review

In accordance with S 165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

## CL22.348 100% LED Street Lighting Upgrade Proposal

**HPERM Ref:** D22/227652

**Approver:** Olena Tulubinska, Chief Financial Officer

**Attachments:** 1. Shoalhaven City Council Streetlight LED Presentation (under separate cover)

### Reason for Report

Council has committed to upgrade all street lighting to energy saving LEDs by 2025 under its adopted Sustainable Energy Policy. Endeavour Energy (Endeavour) is offering to replace Shoalhaven City Council's remaining 4,661 non-LED streetlights with energy efficient Light Emitting Diode (LED) lighting, under their own proposed funding scheme.

Alternatively, Council has the option to self-fund an accelerated street lighting upgrade program. This report proposes to reject the Endeavour-funded model on the grounds that it does not offer long-term value for money, and instead recommends a Council-funded model to replace all streetlights with energy-savings LEDs, delivering ongoing savings to Council both in terms of maintenance fees, greenhouse gas emissions and electricity charges.

### Recommendation

That Council:

1. Enter into an agreement with Endeavour Energy to implement a Council-funded accelerated street lighting program to change approximately 4,661 residential class streetlights to energy efficient LED technology at a capital cost to Council of up to \$2.45M.
2. Note that the recommended project will result in up to \$780,000 (market variable) of revenue back to Council from the sale of Energy Savings Certificates to offset the total cost of this project.
3. Delegate to the Chief Executive Officer the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
4. Authorise an internal loan of up to \$2.45M from Council's Water Communication Towers Reserve (internally restricted) to be repaid over ten (10) years for the implementation of this program.
5. Note that to ensure financial integrity of the Reserve, interest on this internal loan will be equal to the return-on-investment rate for each year of the ten (10) year term of the internal loan.

### Options

1. As recommended.
2. Pursue the Endeavour-funded option: Engage Endeavour Energy to replace lights under their own funded model. The business case analysis for this option, when compared to the preferred Council-funded model, will ultimately result in higher costs to Council over the long-term i.e. 21-year modelled lifespan of the LEDs.

Implications: The Endeavour-funded option has been modelled by Ironbark Sustainability and found to result in the following:

CL22.348

- Endeavour will recoup the capital costs of the upgrade over time through their higher TC3 tariff (which applies to Endeavour-funded upgrades), as opposed to the cheaper TC4 tariff (which applies to Council-funded upgrades);
- A total estimated savings of \$4.29M over 21 years compared to BAU, which is significantly less than the total estimated savings under the Council-funded model of \$9.31M over the 21 years. The Council-funded scenario has significantly better long-term savings given the lower ongoing tariff that will be charged for the new LED lights.

It is recommended that Council **not** proceed with this option if alternative Council capital funding is available.

3. Do Nothing: Continue with the current approach of spot replacement of failed streetlights with LEDs, accepting the higher ongoing tariff charges because Endeavour funds the capital cost of spot LED replacements.

Implications: This option results in a slower rollout of energy efficient lighting and will ultimately cost more in tariff charges compared to the preferred up-front Council-funded option.

## Background

### Street Lighting – Ownership, costs and current replacement strategy

Across the Shoalhaven LGA, there are currently around 11,286 streetlights installed for public lighting purposes. Although Shoalhaven Council is responsible for covering their operating costs, including around \$800,000 annually to an energy retailer for the light's electricity and network charges, the street lighting is actually owned and maintained by Endeavour Energy. These lights vary in type, age, intensity and energy efficiency, depending on the historical time of installation and the site location.

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

Endeavour Energy charges Council for these streetlights under two streams:

- Street Lighting Use of System (SLUoS) charge, which is the infrastructure/maintenance cost set by Australian Energy Regulator (AER); and
- Network Use of System (NUoS) charge, which represents the customer's usage of the distribution and transmission networks (paid through the energy retailer).

Over the last few years, Endeavour Energy has been slowly changing Shoalhaven's Class P residential lighting (mostly 50 and 80-watt Mercury Vapour lights) over to 17-watt LEDs as the faulty lights reach their end of life. In 2019/20, Shoalhaven Council spent \$1.03M towards the bulk upgrade of 3,641 streetlights to LEDs across the LGA, to accelerate the switch to this energy saving lighting. The project was part-funded by the NSW Government to the tune of \$362,456. All the streetlights upgraded had a payback period of around 5 years and increased lighting levels up to standard for added safety and security to residential areas. Of the total 11,286 residential streetlights in the Shoalhaven LGA, 6,625 (or 59%) now have existing LED luminaires with 4,661 (or 41%) remaining non-LEDs.

## Proposal

Endeavour Energy is proposing to accelerate and fund the replacement of the remaining non-LED streetlights across its network. Although Endeavour will capital-fund the project, these costs will be repaid by Council over time via a long-term increase in the Street Lighting Use of System (SLUoS) charges. In late 2021, Endeavour supplied Shoalhaven City Council



with a range of information and documents for their accelerated bulk upgrade of Shoalhaven's remaining 4,661 non-LED streetlights (Attachment 1). Shoalhaven Council engaged public lighting specialists, Ironbark Sustainability, to review Endeavour's LED Upgrade Project Offer and include a comparison with a Council-funded scenario as an alternative option. The key features of the Endeavour-funded model include:

- Council uses Energy Savings Certificates (ESC) sale revenue to pay for the TC5 residual charges for the lights upgraded;
- any excess ESC revenue is retained by Council; and
- Endeavour funds all remaining upfront capital costs for the upgrade and recoups these costs through higher maintenance/SLUOS charges over time.

An alternative Council-funded model has the following key features:

- Council funds the upfront capital costs in full (i.e. TC5 residual charges, installation and hardware costs);
- all ESC revenue is retained by Council (therefore available for reallocation to other projects); and
- a lower maintenance/SLUoS charge applies to the upgraded lights over time.

As Table 1 below demonstrates, the Endeavour-funded model has an immediate payback, total estimated savings of \$4.29M over 21 years, and no up-front capital costs. By comparison, the Council-funded model involves a payback of 5-7 years (*which will be much shorter now with expected skyrocketing power prices from 2023 onwards*) and an up-front capital cost to Council of approximately \$2.45M, but significantly higher total estimated savings of \$9.31M over 21 years.

The Council-funded scenario has significantly better long-term savings given the **lower ongoing SLUoS maintenance tariff applied** (i.e. Tariff Class 4 – TC4 which applies to Council capital funded LED upgrades), that will be charged to Council by Endeavour Energy for the new LED lights for the next 21 years. Under the alternative Endeavour-funded scenario, Council would be charged the higher TC3 tariff (which applies to Endeavour capital funded upgrades), that includes both the maintenance and capital charge costs for the LED lights, the latter being recovered by Endeavour over the life of the assets. This results in **higher ongoing annual costs** to Council for LED lights that are capital-funded by Endeavour.

Therefore, both models represent a viable option for Council, however, the Council-funded model is the most attractive given the higher estimated savings over time. The Endeavour-funded model may be preferred where Council cannot source the up-front capital, however, where up-front capital is available, the Council-funded model is preferred.

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**Table 1 - Total estimated project outcomes for Endeavour and Council-funded models**

	Endeavour-Funded Model	Council-Funded Model
Average Annual Costs (old technology, electricity and SLUoS)	\$1,670,000	\$1,670,000
Average Annual Costs (new LED, electricity and SLUoS)	\$1,470,000	\$1,230,000
Average Annual Savings (over 21 years)	\$200,000	\$443,000
First Year Savings	\$160,000	\$345,000
Total Savings (21 years)	\$4,290,000	\$9,310,000
Capital Cost <sup>4</sup>	-\$294,213	\$2,450,000
Capital Income (ESCs)	\$0.4m to \$0.78m	\$0.4m to \$0.78m
Net Capital Income	\$0.12m to \$0.48m	-\$2.04m to -\$1.67m
Payback	Immediate	5-7 years
Annual Greenhouse Savings (tCO <sub>2</sub> -e)	1,278 to 3,020	1,278 to 3,020

<sup>4</sup> For the Endeavour-funded model, Council capital costs consist only of TC5 charges. For the Council-funded model, Council capital costs include TC5 charges, new LED lights, installation costs, as well as Ironbark project management support costs. The estimates for the Council-funded model presented above do not take into account interest expenses payable on the internal loan which amount to an estimated \$310,000 over the life of the loan. Interest expenses will depend on the duration of the loan, interest rates and electricity prices and more accurate estimates will be available prior to commencement of the project.

**Note:** electricity prices for Street Lighting from 1 Jan 2023 are expected to be much higher than these modelled savings which were based on current electricity contract prices. This will mean that upgrades to energy efficient LED street lighting will result in greater electricity savings and shorter payback periods than those shown in Table 1, from 2023 onwards.

In follow-up discussions and correspondence with Endeavour, they have indicated a preference to prioritise LED upgrade scheduling for Councils pursuing the Endeavour-funded model. Endeavour indicated that they are unlikely to commence a *Council-funded option* until **after** their current regulatory control period, which extends until 30 June 2024. So that effectively pushes the instalment back by up to 2 years if Shoalhaven Council wishes to follow the Council-funded option.

Ironbark Sustainability have advised that it is still better value (more savings over the long-term) to stick with the Council-funded option, even with the delayed start date of mid-2024. There is also no guarantee that Endeavour will commence and/or complete their Endeavour-funded roll out within the next 2 years anyway, with existing lighting stock supply/model constraints and a further 125,000 non-LED streetlights in their network area requiring replacement.

Delaying the start date by 2 years may also actually allow Endeavour to update its lighting product list to include best practice products currently available and approved by other DNSPs (Distribution Network Service Providers – the ‘poles and wires’ companies). So rather than installing several thousand 17-watt LED streetlights (luminaires) which Endeavour currently do, they may approve and switch to more energy efficient, say 14-watt LEDs, in the coming years. With LEDs having a 21-year life span, this would add a significant additional electricity cost savings for Council over the long-term.

### Community Engagement

Council staff have been in contact with Endeavour Energy during the formulation of this program. The program is a one for one replacement of Council’s existing Class P lighting stock. Because of this, and the widespread nature of the replacement program, it is intended

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to undertake notification of this program to the Shoalhaven community via media announcements and social media. This was achieved during the first phase of the LED street lighting upgrade throughout 2020/21, with minimal disruption to the community.

### Policy Implications

This initiative would contribute to the delivery of Shoalhaven's Community Strategic Plan themes 'Build inclusive, safe and connected communities', which includes street lighting, as well as the 'Protect and showcase the natural environment' theme, by reducing carbon emissions by at least 1,278 tonnes of CO<sub>2</sub>-e per year.

Council's current Sustainable Energy Policy has a target to 'upgrade all street lighting to energy savings LEDs by 2025'. Even under the delayed Council-funded option this target would still be attainable.

### Financial Implications

Conversion of the remaining 4,661 non-LED streetlights to energy savings LEDs will save Council around \$212,000 per year on electricity costs alone (and much greater savings from 2023 because of higher electricity costs on a new retail supply agreement for street lighting due to the skyrocketing energy market).

The upgrade to energy savings LED luminaires is eligible for Energy Savings Certificates (ESCs) to be created and sold by Shoalhaven Council. The price of ESCs that are sold has a big impact on the overall business case for Council, as it relies upon the sale of ESCs to pay some or all of the residual value of the existing lighting assets (TC5 charges). Council cannot be certain of the price of ESCs until the project has been completed and the ESCs are sold. Ironbark Sustainability modelled the potential ESC income revenue for Council based on a low market spot price of \$21 and then a higher spot price at the time of writing of \$38 per ESC. This would result in a total ESC revenue for Council in the range of \$412,605 to \$781,778, respectively.

Under the recommended Council-funded model, the capital cost that Shoalhaven Council would need to pay Endeavour Energy for the new LED lighting stock, installation labour, plus the residual lighting TC5 charges, is around \$2.45M total.

It is proposed to fund this project by internal loan of up to \$2.45M from Council's internal reserve fund – Water Communications Towers Reserve. The purpose of the Water Communication Towers Reserve is to accumulate funds for renewals of communication towers and there is sufficient balance in the reserve to cater for \$2.45M internal loan and planned renewal works.

The loan is to be fully repaid over a maximum 10-year period using budget savings on electricity and proceeds from the sale of ESCs. To ensure financial integrity of the Reserve, interest on this internal loan will be paid. Annual interest on the loan will be equal to the return-on-investment rate for a given year. As such, this arrangement will be cost-neutral to the Communication Towers Reserve.

Due to uncertainty of the timing of the project and changes in electricity prices, the internal loan repayment schedule will be presented to Council upon commencement of the project.

### Risk Implications

The replacement of lights is undertaken by Endeavour Energy who are experienced in this type of work and have completed Stage 1 already. The program is assessed as low risk to Council.

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## CL22.349 Land Acquisition - Part Lot C DP 322973 Hawke Street, Huskisson

**HPERM Ref:** D22/268820

**Department:** Technical Services

**Approver:** Paul Keech, Director - City Services

### Reason for Report

To provide Council with an opportunity to consider the purchase of part Lot C DP 322973, known as 15 Hawke Street, Huskisson for the sum of Eighty-Five Thousand Dollars (\$85,000) plus GST if applicable for the purpose of road widening.

### Recommendation

That Council:

1. Purchase a strip of land 2m wide at the rear of 15 Hawke Street Huskisson (Lot C DP 322973) totalling approximately 26 sqm for road widening purposes.
  - a. The purchase price is \$85,000 (plus GST if applicable) for approximately 26 sqm (subject to final survey).
2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and that the Chief Executive Officer be authorised to sign any documents necessary to give effect to this resolution

### Options

Option 1: As recommended

1. Purchase approximately 26 sqm of 15 Hawke Street Huskisson (Lot C DP 322973) for road widening purposes.
  - a) The purchase price is \$85,000 (plus GST if applicable) for approximately 26 sqm (subject to final survey).
2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and that the Chief Executive Officer be authorised to sign any documents necessary to give effect to this resolution

#### Implications:

The land is acquired for road widening purposes as identified in the Shoalhaven Contributions Plan 2019.

Option 2: Not resolve as recommended and provide an alternative recommendation

#### Implications:

Acquisition of this portion of land by Council for road widening purposes is a requirement in approved DA18/2040 being for the 'Demolition of Existing Structures & Proposed Mixed Commercial & Residential Apartment Building' at 15 Hawke Street, Huskisson. The approved development may not be able to proceed without Council's acquisition of part of Lot C DP 322973 (15 Hawke Street).

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## Background

The acquisition of part of Lot C DP 322973 (15 Hawke Street) is a component of the 'Currumbene Street Service Lane, Huskisson' project as described in both the 2010 and 2019 Shoalhaven Contributions Plans.

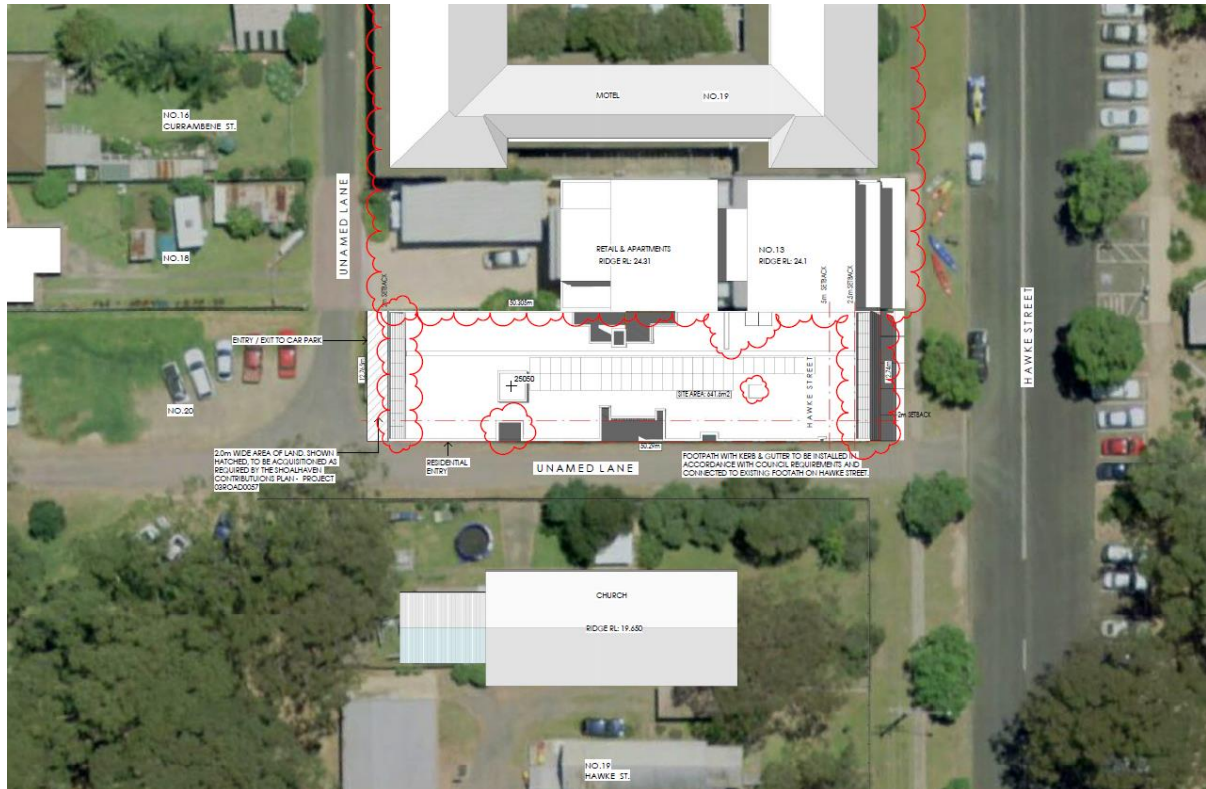
The Currumbene Street Service Lane project provides for the upgrade and extension of the existing land parallel to Hawke and Currumbene Streets with kerb and gutter, new surfacing and shared car-pedestrian zones. The unnamed lane, which intersects Currumbene Lane at right angles and runs towards Owen Street, will be upgraded to provide car parking, improved drainage, a loop linking to Currumbene Street at the north, and pedestrian access to Owen Street. This acquisition will create a 2m setback from the current property boundary, creating additional road reserve and aligning the rear boundary of 15 Hawke Street with the neighbouring property.



On 5 September 2018, Council received a Development Application for 15 Hawke Street, Huskisson, for the construction of a mixed used commercial and residential apartment building. In order to secure development consent the proponent was required to adjust their building plans to cater for the acquisition of approximately 26m<sup>2</sup> of the rear of the property in accordance with the Shoalhaven Contributions Plan. The following image is an extract of Council approved plans and show the area to be acquired located at the rear of 15 Hawke Street.

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Council has been asked to finalise the acquisition of part of Lot C DP 322973 so that the approved development of 15 Hawke Street can proceed. A resolution of Council is required to proceed with the acquisition.

### Community Engagement

Community engagement was undertaken as part of the process of the development and adoption of the 2010 and 2019 Shoalhaven Contributions Plan. Internal comments have been received.

### Policy Implications

The acquisition of this portion of land is an identified project in the Shoalhaven Contributions Plan.

### Financial Implications

A valuation has been undertaken by a Registered Valuer with market value determined to be \$85,000 (plus GST if applicable).

The proposed acquisition is identified in the Contributions Plan 2010 Project 03ROAD0057 (Currambene Street Service Lane). The sum of \$17,400 can be made available from this fund for the acquisition of part of Lot C DP 322973 (15 Hawke Street, Huskisson). The remaining funding will be provided through the Contribution Plan deleted funds and recouped in future years as contributions to the project are received over time.

## CL22.350 Proposed Licence - Council as Licensee from Wardens of the Anglican Parish of Ulladulla - Rescind MIN21.462 Part 1

**HPERM Ref:** D22/153450

**Department:** Technical Services

**Approver:** Paul Keech, Director - City Services

### Reason for Report

This report provides Council with an opportunity to consider new Licence terms to provide public carparking in Milton.

### Recommendation

That Council:

1. Rescind item 1 of the Resolution MIN21.462 of 27 April 2021 being:  
*“Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2021 to 14 February 2026 for an annual rent amount of \$3,000 + GST per annum; AND.....”*
2. Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2022 to 15 March 2027 for an annual rent amount of \$3,840.00 + GST per annum;
3. Authorise the rent to be paid from Finance Project 101771 Southern Local Roads;
4. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

### Options

1. Resolve as Recommended

Implications: This will provide public carparking for the township of Milton until such time as the Milton Carparking Strategy is finalised.

2. Not adopt Recommendation

Implications: Lack of public carparking in Milton may result in Council having to finalise the Milton Carparking Strategy and require additional costs in carparking construction for a new carpark.

### Background

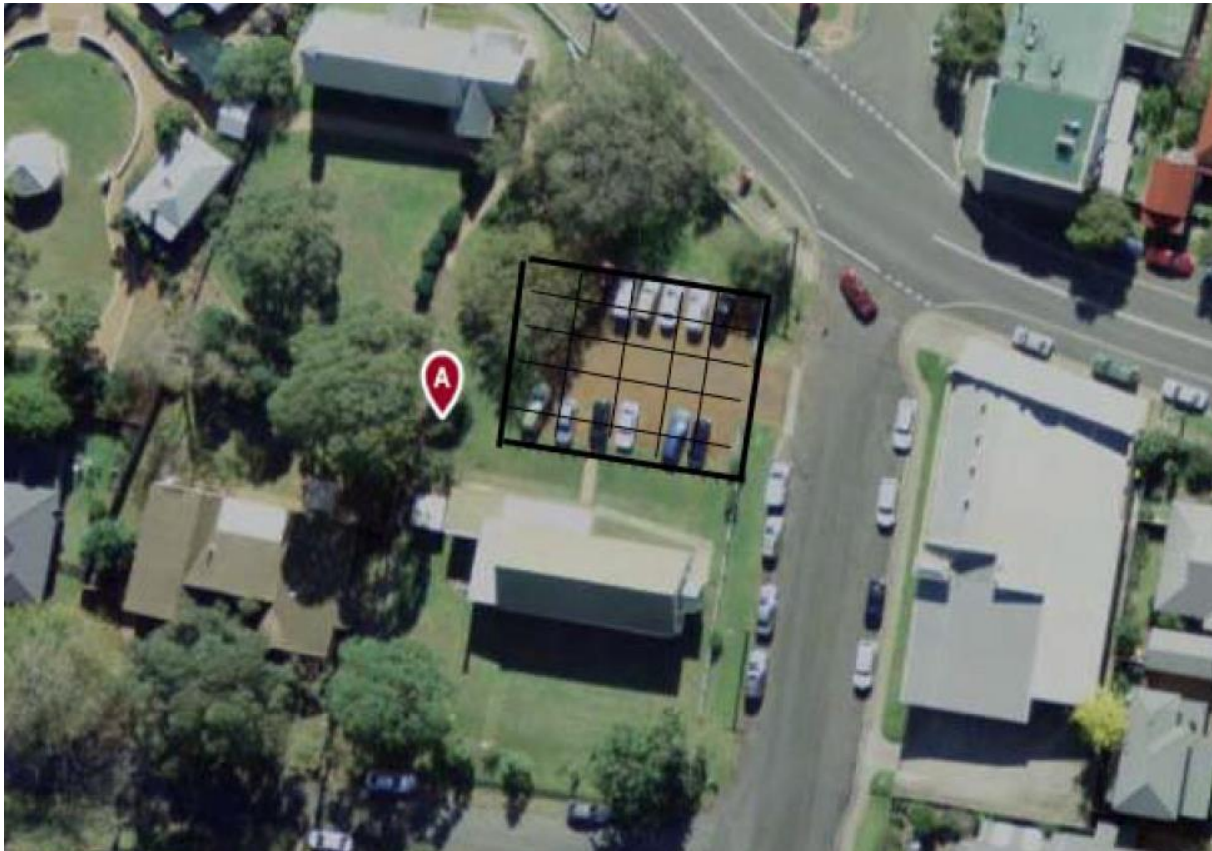
Council as Licensee initially entered into a licence agreement in 2005 with the Wardens of the Anglican Parish of Ulladulla over the carparking area of the Church grounds. This was to alleviate the lack of public parking in the township of Milton until the Parking Strategy for Milton was finalised.

A new license arrangement is now required and will commence on 16 March 2022 through to 15 March 2027. Any further term will require approval from the Church Ordinance.

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The diagram below shows the location of the carpark in black hatching on the corner of Princes Highway and Church St Milton.

**Plan of Licensed area in black hatching**



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On 27 April 2021 Council resolved, via MIN 21.462:

*That Council:*

1. *Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2021 to 14 February 2026 for an annual rent amount of \$3,000 + GST per annum;*
2. *Authorise the rent to be paid from Finance Project 101771 Southern Local Roads;*
3. *Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.*

After Council resolved MIN 21.462, and before Council could enter into a licence agreement, the Parish decided to increase the annual licence by \$840.00 per annum. Staff are confident that both parties have now reached a preferred position and seek that Council rescind Part 1 of MIN21.462 and instead resolve to:

1. Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2022 to 15 March 2027 for an annual rent amount of \$3,840.00 + GST per annum



The negotiated agreement, subject to Council approval, is based on the following:

<b>Licensor</b>	The Wardens o the Anglican Parish of Ulladulla (Church) ABN: 99 407 643 753
<b>Licensor's address</b>	PO Box 475 ULLADULLA NSW 2539
<b>Parish</b>	Anglican Parish of Ulladulla
<b>Church</b>	Church of St Peter & St Paul Milton
<b>Licensee</b>	Shoalhaven City Council ABN: 59 855 182 344
<b>Licensee's address</b>	The CEO PO Box 42 NOWRA NSW 2541
<b>Term</b>	Commencing Date: 16 March 2022 Termination Date: 15 March 2027
<b>Property</b>	Lot 11 DP 1225771 known as St Peter and St Pauls Anglican Church Milton (formally referred to as Lot 1 DP 780778)
<b>Premises</b>	As set out on the plan of licenced area in black hatching excluding the toilets on the church hall.
<b>Days and hours of licence</b>	There are no restrictions except as provided in Clause 21 Special Conditions.
<b>Licence Fee</b>	\$3,840.00 plus GST (three thousand dollars plus GST)
<b>Permitted Use</b>	Car parking - public
<b>Public Liability</b>	\$10 million
<b>Special Conditions</b>	<p><b>22 Special Conditions</b></p> <p>(a) The Licensee will be responsible for marking the car park and spaces and undertaking all required repairs at its own cost to keep the car park in good working condition provided that it must not undertake any works (including marking and repairs) without the prior written consent of the Licensee.</p> <p>(b) The Licensee may impose such parking restrictions as it sees fit up to 3 hours on the Premises provided that the Registered Proprietor and Churchwardens will have exclusive use of the Premises:</p> <p>(i) each Sunday for a period beginning 1 hour before and terminating 1 hour after a church service is carried out on the Property; and</p>

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	<p>(ii) on any other day when a church service is carried out on the Property and the Licensor and Churchwardens are not required to give notice of such a service.</p> <p>(c) The Licensee must inspect the Premises and the Access Way each Month and repair any hazard or defect as soon as reasonably possible at the expense of the Licensee.</p> <p>(d) The Licensee must install 2 litter bins on the Premises as soon as reasonably practicable after the commencement of this Licence and such bins must be serviced on at least a fortnightly basis by the Licensee.</p>
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### Community Engagement

The subject land is not owned by Council, therefore there is no requirement for any public notification resulting from this license proposal.

### Policy Implications

Not applicable

### Financial Implications

Rent of \$3,840.00 (plus GST) per annum has been negotiated for the carpark area and will draw from Finance Project 101771 - Southern Local Roads. This is an increase of \$840.00 per year or \$4,200 (plus GST) over the term of the licence compared to the previous resolution. There are sufficient financial resources available in Finance Project 101771 to cater for this increase.

Council will be responsible for line marking and maintenance to keep the carpark in good working condition.

### Risk Implications

There are no risks to Council in continuing to occupy the carpark premises.

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## CL22.351 C&R Property Investments Pty Ltd Lease to Council - Units 1 & 2 - 2 McIntyre Way Bomaderry

**HPERM Ref:** D22/52080

**Department:** Technical Services

**Approver:** Stephen Dunshea, Chief Executive Officer

### Reason for Report

This report provides Council with an opportunity to approve a lease agreement with C&R Property Investments Pty Ltd at Units 1 & 2, 2 McIntyre Way, Bomaderry currently occupied by Council's Building Maintenance Section and Natural Areas staff.

### Recommendation

That Council:

1. Enter into a lease agreement for Units 1 & 2, at 2 McIntyre Way, Bomaderry with C & R Property Pty Ltd, for the continued use and occupation by Council's Building Maintenance Section & Natural Areas for a term of three (3) years with a two (2) year option, with an initial annual rent of \$48,033.89 (GST inclusive) with annual CPI increases.
2. Fund all costs associated with the lease and legal preparation from the Works Depot McIntyre Way W&S funds Finance Project No. 101696 and Work Order No. M0008244.
3. Authorises the CEO to sign all documentation required to give effect to this resolution and to affix the Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

### Options

1. Adopt the recommendation.

Implications: Council's Building Maintenance Section & Natural Areas will continue to occupy the premises, whilst allowing Council time to determine its longer term requirements for the leased premises.

2. Not adopt the recommendation.

Implications: Council will be given three months' notice to vacate the premises and find alternative accommodation.

### Background

Council has leased Units 1 & 2, at 2 McIntyre Way, Bomaderry from a private owner for over 20 years, for use as a workshop and office. The lease was, and is, required due to the shortage of space for Council facilities and functions.

2 McIntyre Way is located in Bomaderry off of Meroo Road and consists of 3 units.

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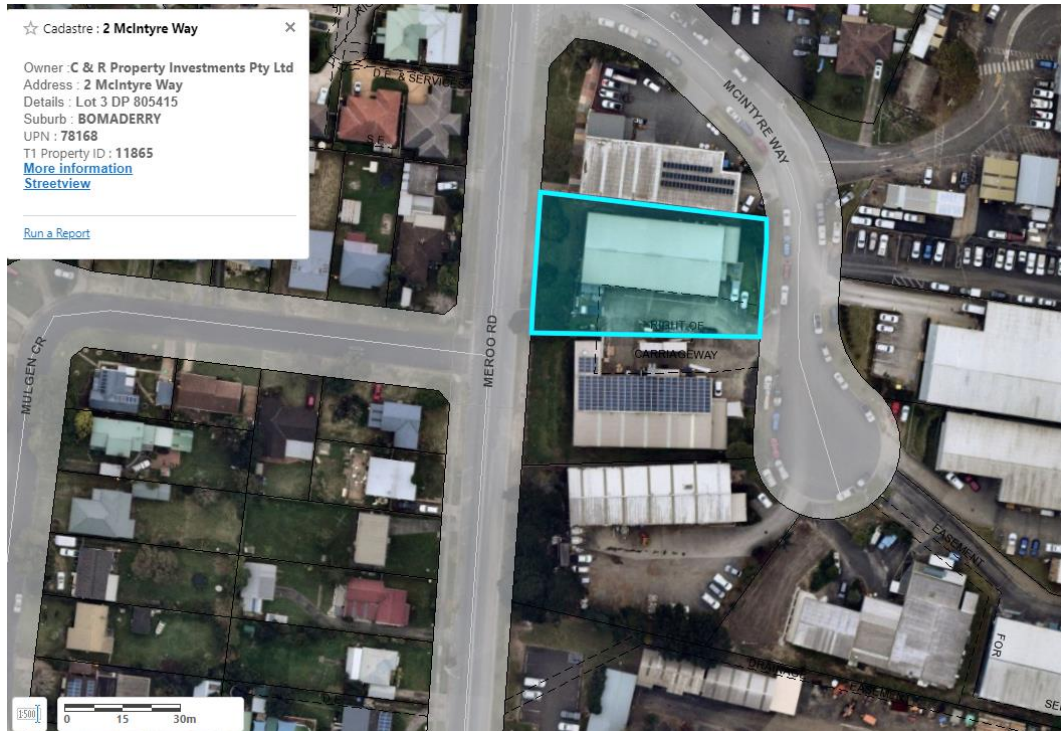
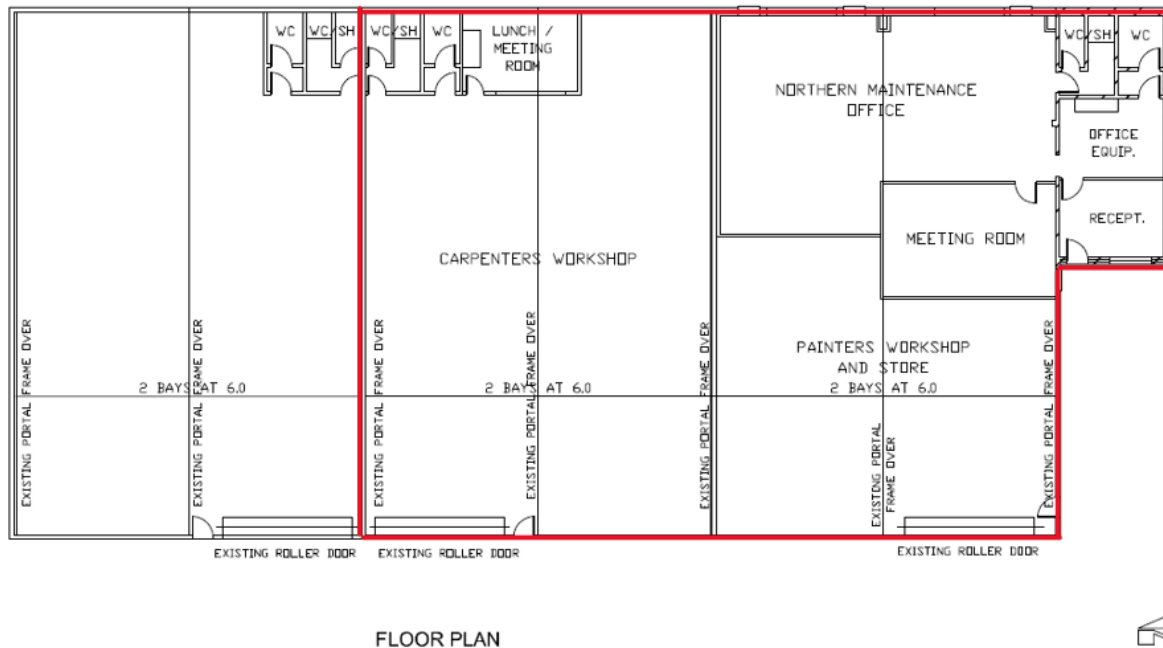


Figure 1: Location of 2 McIntyre Way, Bomaderry

Council currently rents Units 1 and 2, 2 McIntyre Way, Bomaderry (outlined in red below).



The lease is due for renewal and Council staff had negotiated a 5-year lease with two 5-year options. Recently, a strategic review of the medium to long term use of the building was undertaken. With the Shoalhaven Water building extension at South Nowra scheduled to be complete within this lease period, 1 & 2, 2 McIntyre Way Bomaderry may be surplus to Council's needs once the extension is complete (mid 2023).

A reduced lease term of 2 years with a 1-year option was sought. This was not acceptable to the landlord as C & R Property Investments Pty Ltd are seeking a long-term tenant. It is also important to note that alternative industrial space (consisting of workshop and office space) is

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very limited. It would be realistic to expect that no suitable, comparative rental space would be available.

C & R Property Investments Pty Ltd has stated that their minimum term is to be 3 years with a 2-year option. There are no other changes to existing conditions, although the rent did increase in line with CPI.

<b>Lessee</b>	Shoalhaven City Council
<b>Lessor</b>	C&R Property Investments Pty Ltd
<b>Premises</b>	2 McIntyre Way Bomaderry
<b>Lease Breakdown</b>	3yrs x 2yrs
<b>Area</b>	346 sqm
<b>Zoning</b>	General Industrial
<b>Permitted Use</b>	Depot
<b>Commencement</b>	1 September 2022
<b>Initial Term</b>	3 years
<b>Options</b>	2 years
<b>Rent</b>	\$48,033.89
<b>Increases</b>	CPI
<b>Market Review</b>	Annually
<b>Outgoings</b>	33.3%
<b>Operating Costs</b>	(a) Local Council rates and Charges (b) Water sewerage and drainage rates & usage charges (c) Lessee to pay their own electricity and phone charges
<b>Interest Rate</b>	12%
<b>Security Deposit / Bank Guarantee</b>	Nil
<b>Insurance</b>	Self-Insured - \$10,000,000.00

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### Community Engagement

The subject land is not owned by Council, therefore there is no requirement for any public notification resulting from this lease proposal.

### Financial Implications

The commencement rent is the former year's rental plus CPI and is considered reasonable in light of Council's long-term occupation of the premises.

The rent is to come from Finance Project No. 101696.

### Risk Implications

There is a small risk of continuing to occupy, in that the building may be surplus to Council's requirements by late 2024.

Not entering into the lease, would mean that Council will have three months to vacate the premises and finding alternative accommodation could be problematic and expensive.

## CL22.352 Mollymook Beach Reserve - Project Update and Way Forward

**HPERM Ref:** D22/217319

**Department:** Community Planning & Projects

**Approver:** Jane Lewis, Director - City Lifestyles

**Attachments:** 1. Stage 1 Design - Mollymook Beach Reserve [↓](#)  
2. Stage 2 Design - Mollymook Beach Reserve [↓](#)

### Reason for Report

To update Council on the background of upgrades to the Mollymook Beach Reserve and determine the way forward regarding future upgrades to the reserve.

### Recommendation

That Council;

1. Receive this report for information on the completed and upcoming works at Mollymook Beach Reserve, inclusive of the South Mollymook Coastal Protection Work project.
2. Once the South Mollymook Coastal Protection Work project has been undertaken, incorporate updated works into a new Master Plan of the site, in accordance with approved Prioritisation of Master Plans schedule.
3. Refrain from completion of detailed design and construction of Stage 2 of the Mollymook Beach Reserve foreshore upgrades until the Master Plan for the precinct has been completed.

### Options

1. Adopt the recommendation

Implications: This will allow Council to progress with the South Mollymook Coastal Protection Work project and provide strategic direction to the future delivery of upgrades at Mollymook Beach Reserve, in line with Council resolutions and the community's expectations.

2. Adopt the recommendation with amendment

Implications: As advised by Council.

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

Implications: This may impact on the strategic direction for Mollymook Beach Reserve and would not provide direction on this matter. This may not be aligned with Council resolutions or the community's expectations.

### Background

The Mollymook Beach Reserve is identified as a Destination Park within the Shoalhaven Local Government Area (Lot 7038 DP 1061116 – Figure 1). The Reserve receives very high visitation and usage, particularly in the warmer months.

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Figure 1 – Mollymook Beach Reserve

In 2005, a structural and civil engineer was engaged to prepare designs for the upgrades of Mollymook Beach Reserve. Stage 1 of the design has since been delivered, which included the foreshore area immediately to the south-east of the Mollymook Surf Lifesaving Club. Stage 2 includes the foreshore area immediately to north-east of the Surf Lifesaving Club, which has not yet been completed (Figure 2).

#### Stage 1

Works included the design of retaining walls, stairs/ramps to the beach, seating, bollards/handrails, and connecting pathways immediately to the south-east of the Mollymook Surf Lifesaving Club (Figure 2). This stage was completed in 2006. Plans for Stage 1 of Mollymook Beach Reserve can be viewed in Attachment 1.

It should be noted that the design of these works did not include coastal engineering. Hence, it has not been designed to perform under a significant storm event on the coastline and the

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risk of failure is likely given the coastal processes that operate at this location. Further details on the coastal protection works are included below in **Coastal Protection Work**.

### Stage 2

Works to be designed include retaining walls, stairs/ramps to the beach, seating, bollards/handrails, and connecting pathways immediately to north-east of the Mollymook Surf Lifesaving Club (Figure 2). This stage is yet to be funded and completed. Plans for Stage 2 of Mollymook Beach Reserve can be viewed in Attachment 2.

Upon review of the existing plans for the Stage 2 works, it was identified that these plans are no longer adequate for the needs of the site, and a design review needs to be undertaken, which can be incorporated into a consolidated Master Plan for the entire site.

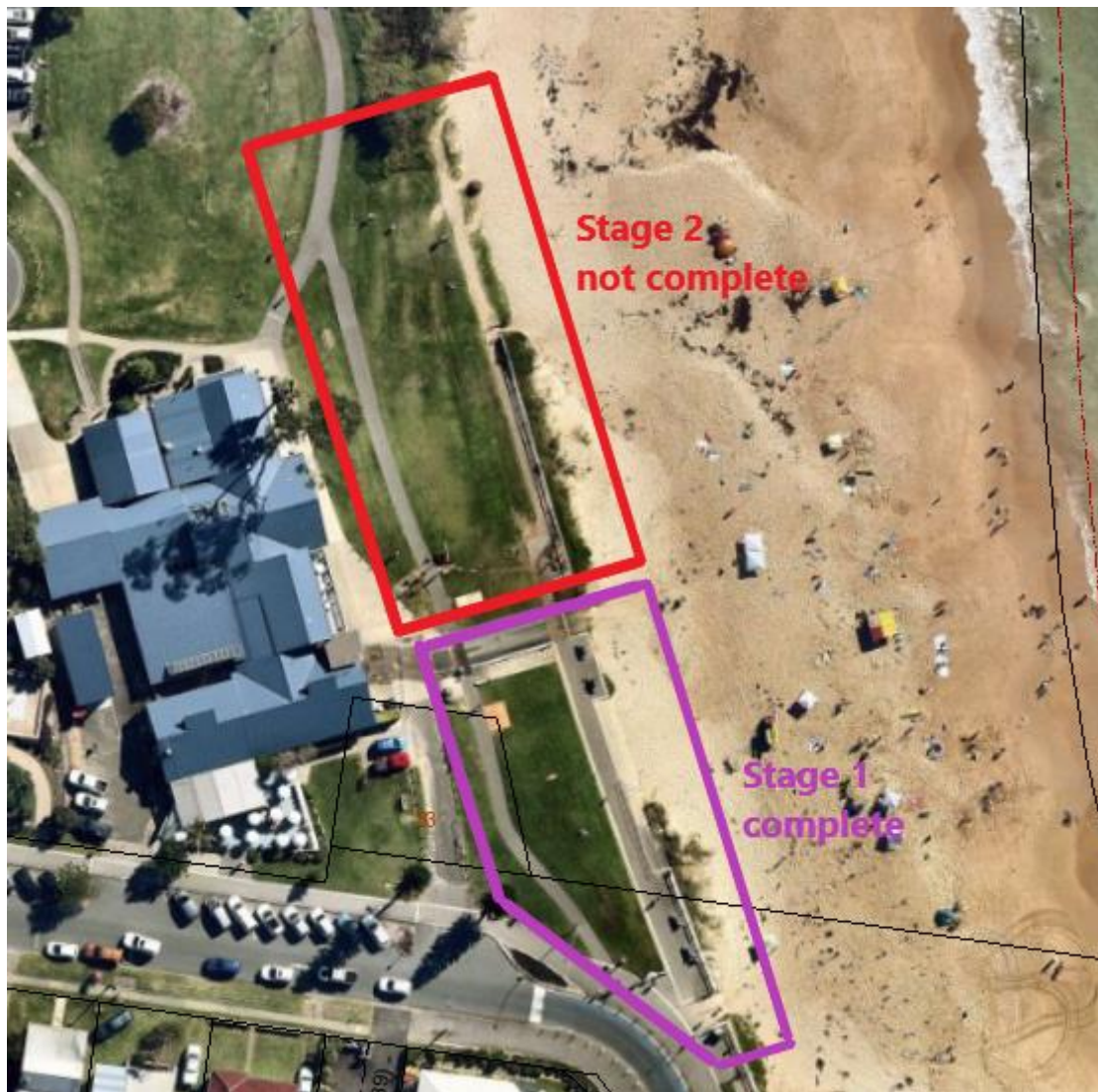


Figure 2 – Foreshore Upgrades Staging

### **Council Resolution on Existing Design Staging**

At the Ordinary Meeting of Council on 25 May 2021, a Notice of Motion was reported to Council regarding improvement and upgrades to Mollymook Beach Reserve. As a result of the meeting, it was resolved (MIN21.310):

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*That Council:*

1. *Make safe, and program the upgrade of the Mollymook Foreshore Reserve on the water's edge immediately east of the Mollymook Surf Lifesaving Club.*
2. *Seek grant funding to complete the project.*
3. *Give high priority to the completion of Stage 2.*

In accordance with part (1) of the above Council resolution, in July 2021 Council staff undertook works to make safe the existing timber handrail including the removal of some sections, which improved the safety and amenity to the area (refer images below).



## **Coastal Protection Work**

### *South Mollymook Coastal Protection Work project*

At the southern corner of Mollymook Beach, there is currently 300 meters of varied seawalls extending from the sewage pumping station south of the Mollymook Golf Club (MGC) building to the Surf Lifesaving Club (SLSC) boat ramp.

This coastal protection infrastructure has been previously impacted on by major storms and East Coast Low events such as those which occurred in 2015, 2016 and 2020, and is nearing the end of design life.

At the Strategy and Assets meeting of Council on 8 December 2020, a report was provided to Council advising of results of the final cost benefit analysis (CBA) and recommended to

progress with detailed design and environmental assessment for coastal protection works at South Mollymook. As a result of the meeting, it was resolved (MIN20.913):

*That Council:*

- 1. Acknowledge the South Mollymook Beach Cost Benefit & Distributional Analysis for Coastal Protection Works prepared by Origin Capital Group 2020; Seek grant funding to complete the project.*
- 2. Seek a NSW State Government coast & estuary grant for detailed design for Option 4 – Seawall Protection Plus Amenity Nourishment 50 year design life for South Mollymook Beach to understand the full budget implications and inform further community consultation and Council's future policy direction in relation to this matter;*
- 3. Investigate public private partnership opportunities for funding the construction of replacement and future maintenance of the coastal protection structures at South Mollymook Beach; and*
- 4. In the interim, Council continue to monitor and maintain the existing structures by implementing emergency action sub plan under the Coastal Zone Management Plan (CZMP) for the Shoalhaven Coastline 2018.*

The guidance for this project is outlined in Council's certified Coastal Zone Management Plan (2018) (action LA5.6) and is linked to Council's key integrated and sustainable management strategies for the Shoalhaven community.

Council determined that the replacement of existing seawalls is the preferred option to mitigate the risks of coastal hazards on essential public infrastructure, as well as the MGC. This will improve amenity and public safety, as well as ensuring protection from current and future coastal hazards.

In accordance with part (2) of the above Council resolution, in May 2021 Council were successful in receiving a Coastal and Estuary Planning Grant through the Department of Planning and Environment (then Department of Planning, Industry and Environment) for coastal protection design and environmental approvals. In January 2022, Council commissioned the consultancy team of Advisian Pty Ltd to commence the South Mollymook Coastal Protection Work project.

This engagement will address all pre-construction components of this project, including detailed design, associated agency approvals, environmental assessment, and community and stakeholder consultation. This engagement is anticipated to take approximately nine (9) months. Community and stakeholder engagement will be included to ensure support throughout design development is achieved.

In accordance with this report, and MIN21.310, this project is considering the structural adequacy of the current retaining wall structure (Stage 1) in terms of coastal erosion impacts. Additionally, the extension of the coastal protection structure to include part of the proposed works described (Stage 2) is being considered through the detailed design and community consultation phase of the South Mollymook Coastal Protection Work project.

It should be noted that whilst the scope of the South Mollymook Coastal Protection Work project may cover some of the proposed foreshore reserve upgrades, it will stop at the footpath and not include landscaping type works further landward.

Some components of these works will require approvals from relevant State Agencies. Liaison will be required on the final adopted plans, and the concurrence of relevant agencies (through permits, approvals or as otherwise needed) may be required and will be integrated into the environmental assessment components of the project prior to works commencing.

Any works completed as part of the South Mollymook Coastal Protection Work project are expected to precede the delivery of the Master Plan and can be incorporated into any future strategic plan for the site.

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## Community Engagement

External - Initial community engagement for the South Mollymook Coastal Protection Work project was completed in March/April 2022. This included an online survey that the community could respond to, as well as a drop-in session at the Mollymook Beach SLSC. The majority of this consultation was positive with overall good support for the project. Additional engagement will be undertaken once the detailed design solution has further progressed, including a public exhibition of the final design.

Extensive community engagement will be undertaken upon future master planning for the Mollymook Beach Reserve.

Internal – This project involves teams from across Council. To date a range of internal stakeholders have had input to advance work to the current stage collaborating on the scope of work, input into the future master plan update and coordinating the external stakeholder engagement. Staff from the Environmental Services Team in City Development and from the Community Planning and Projects Team and Shoalhaven Swim Sport and Fitness Team in City Lifestyles have been central to this.

## Policy Implications

The Community Infrastructure Strategic Plan (CISP) makes the following recommendation for Mollymook Beach Reserve: “Finalise master plan and commence staged development”.

The Mollymook Beach Reserve is identified as a Destination Park, in accordance with MIN20.405. The definition of a Destination Park under the upcoming revision of the CISP is as follows:

*“The Destination Park offers a unique experience reflecting its geographic location. It is inclusive and open every day of the year. It offers multiple passive and active recreational uses, open spaces, BBQ amenities, inclusive footpaths, inclusive amenities and wayfinding signage. The location offers a great selection of cafes, restaurants, accommodation, shopping and entertainment for both local and traveller. The Destination Park has sufficient space, amenities and parking for events and celebrations.”*

## Financial Implications

Council was successful in receiving a Coastal and Estuary Planning Grant through the Department of Planning and Environment (then Department of Planning, Industry and Environment) for coastal protection design and environmental approvals. This is required to partially fund the South Mollymook Coastal Protection Work project.

Currently, there is no budget for the detailed design and completion of Stage 2 foreshore upgrades to Mollymook Beach Reserve. Although some of the foreshore works will be designed and constructed through the South Mollymook Coastal Protection Work project, works further landward will not be funded.

In line with Council’s endorsed priority list of upcoming Master Plans (MIN22.443), Mollymook Beach Reserve is not scheduled to have a Master Plan completed in the 2022/23 or 2023/24 financial years and will be subject to further consideration by Council once the identified Master Plans have been completed

## Next Steps

As the Mollymook Beach Reserve is classified as a Destination Park within the Shoalhaven LGA, a Master Plan should be completed to determine strategic direction of planned

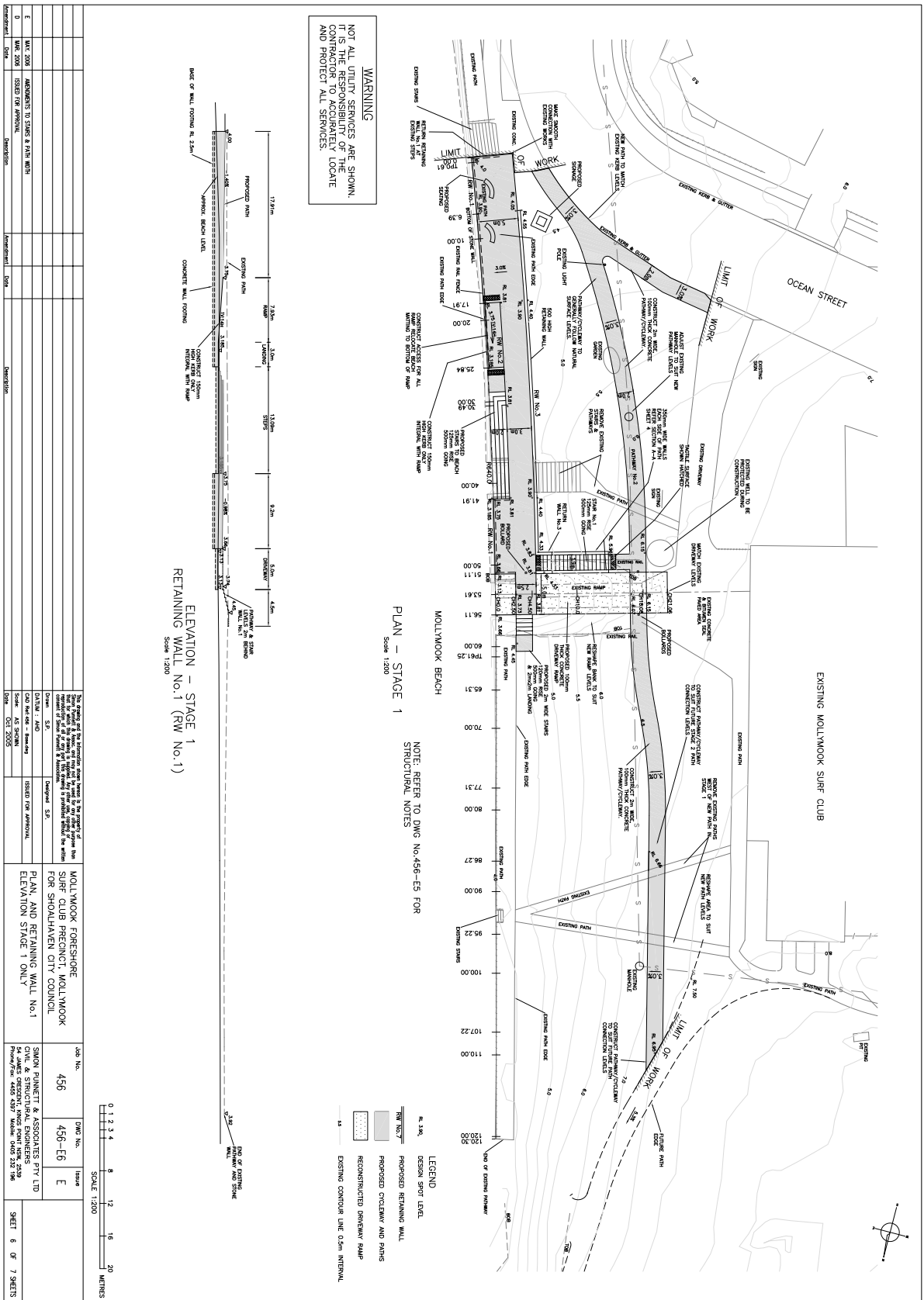
infrastructure and use of the site. It is therefore recommended that major works and upgrades to this location not completed in the absence of a Master Plan.

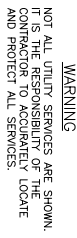
As the Master Plan for Mollymook Beach Reserve is not currently scheduled to be completed, to address part (3) of MIN21.310 the proposed way forward is to allow for the completion of the South Mollymook Coastal Protection Work project and incorporate the upgrades into a future Master Plan.

During the design of the future Master Plan, the existing Stage 2 designs will be re-assessed to determine adjustments required due to the South Mollymook Coastal Protection Work project, current community requirements, and overall alignment with the Master Plan.

Once funding is allocated for the Master Planning process to be completed for Stage 2, further embellishment works can be programmed and undertaken. Having an updated Master Plan will also enable grant funding opportunities to be sought.

## CL22.352 - Attachment 1







## CL22.353 Response to Notice of Motion - Community Safety in Nowra CBD

**HPERM Ref:** D22/247317

**Department:** Community Connections  
**Approver:** Jane Lewis, Director - City Lifestyles

**Attachments:** 1. BOCSAR Crime Statistics - Nowra and Bomaderry [↓](#)  
2. CCTV and Street Lighting Mapping - Nowra and Bomaderry [↓](#)  
3. Glossary of Terms [↓](#)

### Reason for Report

To respond to MIN22.392 - *"Notice of Motion – Community Safety in Nowra CBD – Crime Statistics – Audit CCTV Cameras & Lighting Carparks / CBD – Additional Security Infrastructure – Funding Options – Report Request"*.

This report offers evidence-based recommendations for future Council investment to improve perceptions of community safety and crime prevention strategies in the Nowra/Bomaderry area.

### Recommendation

That Council:

1. Receive this report for information; and
2. Progress the work within this report through the establishment and development of the Shoalhaven City Council Community Safety Plan.
3. Thank Acting Superintendent Ray Stynes of South Coast Police District for his assistance in preparing this report.

### Options

1. That Council adopt the above recommendations.

#### Implications:

That Council:

- Notes work on the Shoalhaven City Council Community Safety Plan is not included in the current Council work program; and
- Prioritises and funds the delivery of the Community Safety Plan; and
- Staff apply for funding to implement community safety strategies as recommended after the Community Safety Plan is adopted by Council.

2. That Council do not adopt the above recommendations.

#### Implications:

- Staff continue to seek funding for the development of Community Safety Plan and that Council prioritise the delivery of the Community Safety Plan; and
- Council continues with work in Nowra CBD in isolation, noting no body of research, precluding an evidence-based approach.

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## Background

At its meeting of 6 July 2022, a Notice of Motion was presented:

*Community Safety in Nowra CBD - Crime Statistics - Audit CCTV cameras & lighting  
Carparks / CBD - Additional security infrastructure - Funding options - Report request*

Through this NOM, it was resolved that Council: (MIN22.392):

1. *Acknowledges ongoing community concern surrounding safety in car parks and also other areas of Nowra/Bomaderry.*
2. *Researches crime statistics, and seeks input of NSW Police, in order to create an evidence base of the location, frequency and severity of crime in the Nowra/Bomaderry area to fully inform any future Council investment in mitigation and crime prevention measures.*
3. *Directs the CEO to investigate and audit the coverage of CCTV cameras and lighting in Council owned car parks in and around the Nowra CBD and prepare a report for Councillors outlining the findings of the audit.*
4. *Directs the CEO to include in his report recommendations for any additional security infrastructure or other measures needed to improve community safety particularly in the Council owned car parks servicing the Nowra CBD.*
5. *Instructs the CEO to include information about potential funding options open to Council from the state and federal governments to achieve the objectives outlined in point 4.*
6. *Instructs the CEO to write to Superintendent Greg Moore from the NSW Police as part of preparing the report inviting him to share any suggestions or provide any other comments regarding this matter.*

Recent anecdotal community concern surrounding safety in car parks and other areas of Nowra and Bomaderry has prompted investigation into the perception of crime in Nowra and Bomaderry.

A desktop audit of Council's coverage of Closed-Circuit Television Cameras (CCTV) has been undertaken to identify the suitability of CCTV as a strategy to improve the perception of community safety, particularly in Council-owned car parks servicing the Nowra CBD area.

Additionally, statistical analysis of crime in the Nowra and Bomaderry suburbs is informed by the NSW Bureau of Crime Statistics and Research (BOCSAR) database of crimes reported to police. The BOCSAR database helps identify areas of high reported crime rates and which offences are increasing in frequency, by capturing details such as the type of offence and when and where it was committed.

Input from Acting Superintendent Ray Stynes of South Coast Police District informs this report, which includes suggestions and comments on community safety, reported criminal activity and community safety initiatives.

**Part (2) – *Researches crime statistics, and seeks input of NSW Police, in order to create an evidence base of the location, frequency and severity of crime in the Nowra/Bomaderry area to fully inform any future Council investment in mitigation and crime prevention measures***

Overall consideration of BOCSAR data indicates that while Nowra and Bomaderry experience a comparatively higher rate of crime than the NSW state average, the general trend across crime types over a ten (10) and two (2) year period up to March 2022 is either stable or falling.

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Incidents of malicious damage to property in carparks and retail/wholesale premises in Nowra and Bomaderry suburbs specifically is comparatively higher than the NSW state average, however local community concerns surrounding crime and safety is not reflected in the available data.

Anecdotal accounts from NSW Police - South Coast Police District indicate that while there has been a perceived increase to the rate of crime in Nowra and Bomaderry post COVID-19, rates have not returned to pre COVID-19 rates.

#### Crime Profile - Nowra

Most reported offences in the Nowra area occur in a residential setting. While the overall rates of different crime types reported in Nowra are higher than the NSW state average, the majority of crime in Nowra is either stable or showing a downward trend across a two (2) and ten (10) year period.

In the Nowra suburb, there is a notable downward trend over the ten (10) year period to March 2022 in reported theft related offences (break and enter dwelling, break and enter non-dwelling, motor vehicle theft, steal from motor vehicle, steal from retail store, steal from dwelling and steal from person). Most theft related offences in Nowra occur in a residential setting (Attachment 1 - Table 1).

Theft – Fraud is an area of particular concern, sustaining upward trends of 102.7% per year over the two-year period to March 2022, indicating further investigation into fraud-related offences in the Shoalhaven is required (Attachment 1 - Table 2). It is important to note, that when considering rates of fraud in the area, that this reflects victims of fraud making police reports within Nowra and does not reflect the perpetration of fraud.

Over the two (2) year period to March 2022, rates of theft have remained stable in Nowra, with the exception of theft – steal from dwelling which has increased at a rate of 41.5% per year over the past two (2) years. However, when considering the data trend over a ten (10) year period, rate of Theft – steal from dwelling in Nowra, has reduced by 3.8% per year (Attachment 1 - Table 2).

Theft – Steal from a retail store has significantly decreased over the past two (2) years to March 2022 at a rate of 35.1% per year, indicating that community safety strategies have been highly successful in addressing retail theft (Attachment 1 - Table 2).

Other crime types, including intimidation stalking and harassment is experiencing a more recent upward trend of 24.4% in the two-year period to March 2022, however rates remain stable over the ten (10) year period to March 2022. Many of these offences occur in residential premises (Attachment 1 - Table 2).

Drug related offences in Nowra show a significant downward trend of 2.9% per year across a ten (10) year period and more significantly 44.2% reduction per year in the two years to March 2022, many of which occur on roads/street/footpaths (Attachment 1 - Table 1).

#### Crime Profile – Bomaderry

Similarly to Nowra, the majority of reported offences in the Bomaderry area occur in a residential setting (Attachment 1 - Table 1). While the overall rates of different crime types reported in Bomaderry are higher than the NSW state average, the majority of reported crime is either stable or showing a downward trend across both a two (2) and ten (10) year period (Attachment 1 - Table 2).

Of note is the rate of Theft – Steal from a motor vehicle in Bomaderry, showing a downward trend of 9.8% per year over the ten (10) year period to March 2022. Reported theft has also reduced at a rate of 5.6% per year over the ten (10) year period to March 2022 in Bomaderry (Attachment 1 - Table 2).

Similarly, to Nowra, of particular significance is the rate of Theft-Fraud in Bomaderry, which has increased at a rate of 77.1% per year over the two (2) years to March 2022 (Attachment

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1 - Table 2). Again, it is important to note, that when considering rates of fraud in the area, that this reflects victims of fraud making police reports within Bomaderry and does not reflect the perpetration of fraud.

#### Malicious Damage to Property – Nowra and Bomaderry

BOCSAR data indicates that over the 12-month period between January 2021 to December 2021 (Attachment 1 - Image 1) Nowra and Bomaderry have an identified varying rate for incidents of malicious damage to property in the Shoalhaven (Attachment 1 - Image 1). This is calculated by dividing the number of recorded incidents/victims/offenders by the residential population for each area (BOCSAR 2020). *"Hotspots are not adjusted for the number of people residing in or visiting the region and so do not necessarily reflect areas where people have a higher-than-average risk of victimisation"* and rates should be treated cautiously for areas with high visitor numbers relative to the residential population, such as in CBD locations (BOCSAR 2020).

Over the ten (10) year period from January 2012 to December 2021, the rate of incidents of malicious damage to property in Nowra is higher than the NSW state average. However, the rate of reported incidents of malicious damage to property over the same ten (10) year period in Bomaderry is similar to the NSW state average. The rate of malicious damage to property in both Nowra and Bomaderry has experienced an overall downward trend of 3.8% per year over the last 10 years (Attachment 1 - Table 3). Over the five (5) year period between January 2017 to December 2021, the rate of malicious damage to property in both Bomaderry and Nowra has remained stable (Attachment 1 - Table 4).

Malicious damage to property in retail/wholesale and carpark premises in the Nowra and Bomaderry suburbs is significantly less than rates of malicious damage to residential premises.

The rate of damage to property in retail/wholesale (5.1%) and carpark (9.2%) premises in Nowra is comparatively lower than that to residential property (65.4%) between April 2021 and March 2022 (BOCSAR 2022) (Attachment 1 - Graph 1).

This trend carries over to the Bomaderry suburb where malicious damage to property to residential property represents 69% of all malicious damage to property reports in the area between April 2021 to March 2022 (Attachment 1 - Graph 2).

#### Conclusions

When considering the premises targeted by offenders maliciously damaging property in the suburb of Nowra and Bomaderry, the rate of damage to property to retail/wholesale and carpark premise is comparatively low. BOCSAR data indicates that efforts should focus to a greater degree on crime prevention strategies and improved community safety in the residential space and on other types of offences. These actions should involve a whole of community approach and does not justify significant investment in safety infrastructure, such as CCTV in Council owned carparks.

Review of recorded crime statistics available through the BOCSAR database highlights consideration for classifications of offences other than malicious damage is required, such as Theft – Steal from dwelling and Fraud and More offences – Intimidation, stalking and harassment. Both of which are more likely to occur in the residential space, indicating that a whole of community approach would be more successful in improving community safety in Nowra and Bomaderry.

**Part (3) - Directs the CEO to investigate and audit the coverage of CCTV cameras and lighting in Council owned car parks in and around the Nowra CBD and prepare a report for Councillors outlining the findings of the audit.**

A desktop review was undertaken of the following Council owned carparks in the Nowra CBD, which included the following sites:

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- Bridge Road Carpark (Attachment 2 - Image 2)
- Collins Way and Berry Street Carpark (Attachment 2 - Image 3)
- Egan's Lane Carpark (Attachment 2 - Image 4)
- Lawrence Avenue/Kinghorne Street (Attachment 2 - Image 5)
- Stewart Place Carpark (Attachment 2 - Image 6)
- Worrigee Street Carpark (Attachment 2 - Image 7)
- Osbourne Street Carpark (Attachment 2 - Image 8)
- Graham Street Carpark (Attachment 2 - Image 9)

The above Council owned carpark have existing lighting in place as per mapping in Attachment 2. There are currently no CCTV cameras located in these Council owned car parks.

However, several cameras are located in the Nowra CBD at present, primarily located on Junction Street, Nowra (Attachment 2 - Image 10) with others being located in Jelly Bean Park, Nowra and on Egan's Lane, Nowra.

***Part (4) - Directs the CEO to include in his report recommendations for any additional security infrastructure or other measures needed to improve community safety particularly in the Council owned car parks servicing the Nowra CBD.***

A review of BOCSAR data does not support investment in CCTV or other security infrastructure in Council owned carparks. Matters of community safety in the Shoalhaven, including in Council owned carparks servicing the Nowra CBD will continue to be monitored through the Shoalhaven Safety Liaison Meeting. The rate of damage to property to retail/wholesale and carpark premises is comparatively low in the suburbs of Nowra and Bomaderry, indicating that most reported offences are taking place outside of Council owned carparks servicing the Nowra CBD.

Available data calls for consideration of classifications of offences other than malicious damage, particularly those offences occurring in the residential space. A whole of community approach to community safety and crime prevention would be more successful in improving community safety in Nowra and Bomaderry, for example through strategic community partnerships and the proposed Shoalhaven Community Safety Plan.

**Shoalhaven Safety Liaison Meeting**

Shoalhaven Council hosts the quarterly Shoalhaven Safety Liaison Meeting, which involves representatives from the following:

- NSW Police Force – South Coast Police District
- Shoalhaven Business Chamber
- Southern Cross Housing
- NSW Health - Shoalhaven Hospital
- Shoalhaven City Council:
  - Chief Executive Officer and / or representative
  - Directors
  - Manager Community Connections
  - Lead – Ranger Services
  - Other staff as required.

The Shoalhaven Safety Liaison Meeting is a forum to discuss operational opportunities requiring greater collaboration on any safety matters in the Shoalhaven. It provides a

platform for community safety with a focus on crime prevention, acknowledging the importance of connected communities to decrease crime and anti-social behaviour.

Council staff and NSW Police - South Coast Police District have undertaken training in Crime Prevention through Environmental Design (CPTED) principles, frequently partnering in implementing this strategy which focuses on the planning, design and structure of cities and neighbourhoods.

By completing CPTED assessments in identified areas and making recommendations on crime prevention strategies Council Staff and NSW Police - South Coast Police District reduce the opportunity for crime by using design and place management principles that reduce the likelihood of essential crime ingredients.

The combination of frequent engagement with the community, particularly Nowra CBD and in Jelly Bean Park by NSW Police – South Coast Police District, a strong working relationship between NSW Police - South Coast Police District and Council Rangers and educating local business on target hardening strategies all support improving community safety in Nowra and Bomaderry.

#### Shoalhaven Community Safety Plan - Building Better Regions Fund – Community Investments Stream Grant Funding Application

Shoalhaven City Council staff continue to identify potential funding opportunities to develop strategies that consider a wider range of community safety issues, including the Building Better Regions Fund – Community Investments Stream – Round 6 and the Safer Communities Fund – Early Intervention Grants for the development of a Community Safety Plan. This will replace the current Crime Prevention Plan.

Shoalhaven City Council applied for grant funding (Building Better Regions Fund - Community Investments Stream - Round 6) to develop a broader Community Safety Plan, which considers a wide range of community safety issues.

The grant application is supported by the following stakeholders offering letters of support, indicating strong stakeholder investment in the Shoalhaven Community Safety Plan:

- Fiona Phillips MP, Member for Gilmore
- Shelley Hancock MP, Member for South Coast
- South Coast Police District
- Regional Development Australia - Far South Coast
- Southern Cross Housing (local community housing provider)
- Salt Care (local community service organisation providing homelessness support)
- SAHSSI (Supported Accommodation and Homelessness Services Shoalhaven Illawarra)
- Shoalhaven Business Chamber
- Milton Ulladulla Business Chamber

The grant application is supported by a 50% funding contribution from Council. The outcome of this grant application is unknown at the time of writing this report.

The Shoalhaven Community Safety Plan will be a strategic plan identifying community safety priorities and will outline actions that Council will undertake to address the priorities. It will support Council and the community to work together strategically to improve community safety. The project will work to improve community understanding and civic engagement with the process of collaboratively building community safety, empowering local residents and businesses to play a positive role in contributing to community safety in partnership with other stakeholders.

The project will use community engagement to seek input from residents, service providers, community groups, visitors, businesses, institutions and other stakeholders, to improve

understanding of the impacts of community safety issues on local business, residents and visitors. Disadvantaged and difficult-to-engage cohorts in the community will be considered, including people with disability, children and young people, older people, Aboriginal and Torres Strait Islander people, and people experiencing homelessness or domestic violence.

The input from engagement with residents, visitors and businesses will be used to identify community safety priorities and will inform the development of actions to address these priorities. These priorities and actions will form the Shoalhaven Community Safety Plan, a strategic document that will support Council and the community to work together strategically to improve community safety and reduce the impact of community safety issues on local businesses, visitors, and residents. By improving community safety, we will improve the community's ability to use public spaces to live active lifestyles, get around locally, make social connections, and participate in the community. Staff will continue to seek out and apply for funding to implement community safety strategies as recommended after the Community Safety Plan is adopted by Council.

***Part (5) - Instructs the CEO to include information about potential funding options open to Council from the state and federal governments to achieve the objectives outlined in point 4.***

Council staff continue to work to identify appropriate opportunities to fund evidence-based investment in safety infrastructure and other initiatives to improve community safety for the Shoalhaven.

It is highly recommended that the decision to apply for grant funding for the investment in community safety infrastructure and measures in the Shoalhaven be guided by the recommendations formed in the proposed Shoalhaven Community Safety Plan.

Currently an application has been lodged under the Building Better Regions Fund – Community Investments Stream Grant Funding Application for a Shoalhaven Community Safety Plan. The outcome is pending.

***Part (6) - Instructs the CEO to write to Superintendent Greg Moore from the NSW Police as part of preparing the report inviting him to share any suggestions or provide any other comments regarding this matter.***

Council continues to work with NSW Police - South Coast Police District and other Government organisations to advocate for community safety measures and identify opportunities to work together to improve safety in the broader community. Input from Acting Superintendent Ray Stynes of South Coast Police District supports this report, which includes suggestions and comments on perceived community safety, reported criminal activity and crime prevention recommendations. NSW Police – South Coast Police District have accepted an invitation to attend and present at the Councillor Briefing scheduled for 27 July 2022.

Shoalhaven City Council also hosts the quarterly Shoalhaven Safety Liaison Meeting, which involves representatives from the NSW Police Force – South Coast Police District along with other appropriate stakeholders as noted under part (4), which provide a formal avenue for matters to be tabled and considered.

## **Community Engagement**

Council staff have collaborated with Acting Superintendent Ray Stynes of South Coast Police District and cross-departmentally within Council to develop this report.

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**Policy Implications**

The pending development of the Community Safety Plan will incorporate and supersede the information within Council's current Crime Prevention Plan.

**Financial Implications**

Council has identified matched funding of \$40,000 to support any future successful grant funding application for the development of a Community Safety Plan. There is currently no additional budget identified for the actioning of recommendations in the impending Plan.

Future budgetary considerations will need to be given to the delivery of recommended actions within the Community Safety Plan once developed and will be included as part of future budget planning cycles.

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**Table 1 – Main Location/s of crime - Nowra and Bomaderry.**

Crime	Nowra			Bomaderry		
	Trend 10yr to March 2022	Year to March 2022 - Count	Main location/s	Trend 10yr to March 2022	Year to March 2022 - Count	Main location/s
Assault	Stable	316	52% Residential, 15% Road/Street/Footpath, 7% Retail/Wholesale	Stable	95	56% Residential, 14% Road/Street/Footpath
Assault - Domestic	Stable	121	74% Residential	Stable	46	72% Residential
Assault - Non-domestic	Down 0.8% per year	176	34% Residential, 19% Road/Street/Footpath	Stable	47	34% Residential, 22% Road/Street/Footpath
Robbery	n.c.	17	36% Road/Street/Footpath, remaining mixed	n.c.	3	(no main location)
Sexual offences	Up 13.4% per year	86	66% Residential	n.c.	17	45% Residential, remaining mixed
Theft	Down 5.8% per year	643	42% Residential, 36% Retail/Wholesale	Down 5.6% per year	181	47% Residential, 21% Retail/Wholesale
Theft - Break and enter dwelling	Down 7.9% per year	88	100% Residential	n.c.	17	100% Residential
Theft - Break and enter non-dwelling	Down 12.3% per year	27	31% Retail/Wholesale, remaining mixed	n.c.	7	(no main location)
Theft - Motor vehicle theft	Down 6.7% per year	32	54% Residential, 17% Road/Street/Footpath	n.c.	16	64% Residential
Theft - Steal from motor vehicle	Down 9.7% per year	67	51% Residential, 15% Road/Street/Footpath, 13% Carpark	Down 9.8% per year	20	30% Residential, 17% Road/Street/Footpath, remaining mixed
Theft - Steal from retail store	Down 6.1% per year	131	89% Retail/Wholesale	n.c.	13	69% Retail/Wholesale
Theft - Steal from dwelling	Down 3.8% per year	58	100% Residential	n.c.	13	100% Residential
Theft - Steal from person	n.c.	4	(no main location)	n.c.	0	n/a
Theft - Fraud	Up 7.2% per year	148	46% Retail/Wholesale, 33% Residential	Stable	62	52% Residential, 36% Retail/Wholesale
Malicious damage to property	Down 4.1% per year	274	66% Residential, 9% Carpark	Down 2.9% per year	89	69% Residential
Against justice procedures (escape custody, breach AVO, bre	Up 2.1% per year	523	47% Law Enforcement, 37% Residential	Stable	75	75% Residential
Disorderly conduct (trespass, offensive conduct, offensive	Stable	73	42% Residential, 19% Retail/Wholesale, 10% Road/Street/Footpath	n.c.	16	26% Residential, remaining mixed
Drug offences	Down 2.9% per year	149	56% Road/Street/Footpath, 18% Residential, 6% Law Enforcement	n.c.	50	47% Residential, 31% Road/Street/Footpath
More offences - Arson	n.c.	22	41% Residential, 17% Park/Bushland/Garden	n.c.	0	n/a
More offences - Intimidation, stalking and harassment	Stable	194	62% Residential, 7% Retail/Wholesale, 7% Road/Street/Footpath	Stable	66	64% Residential

Data source: NSW Bureau of Crime Statistics and Research

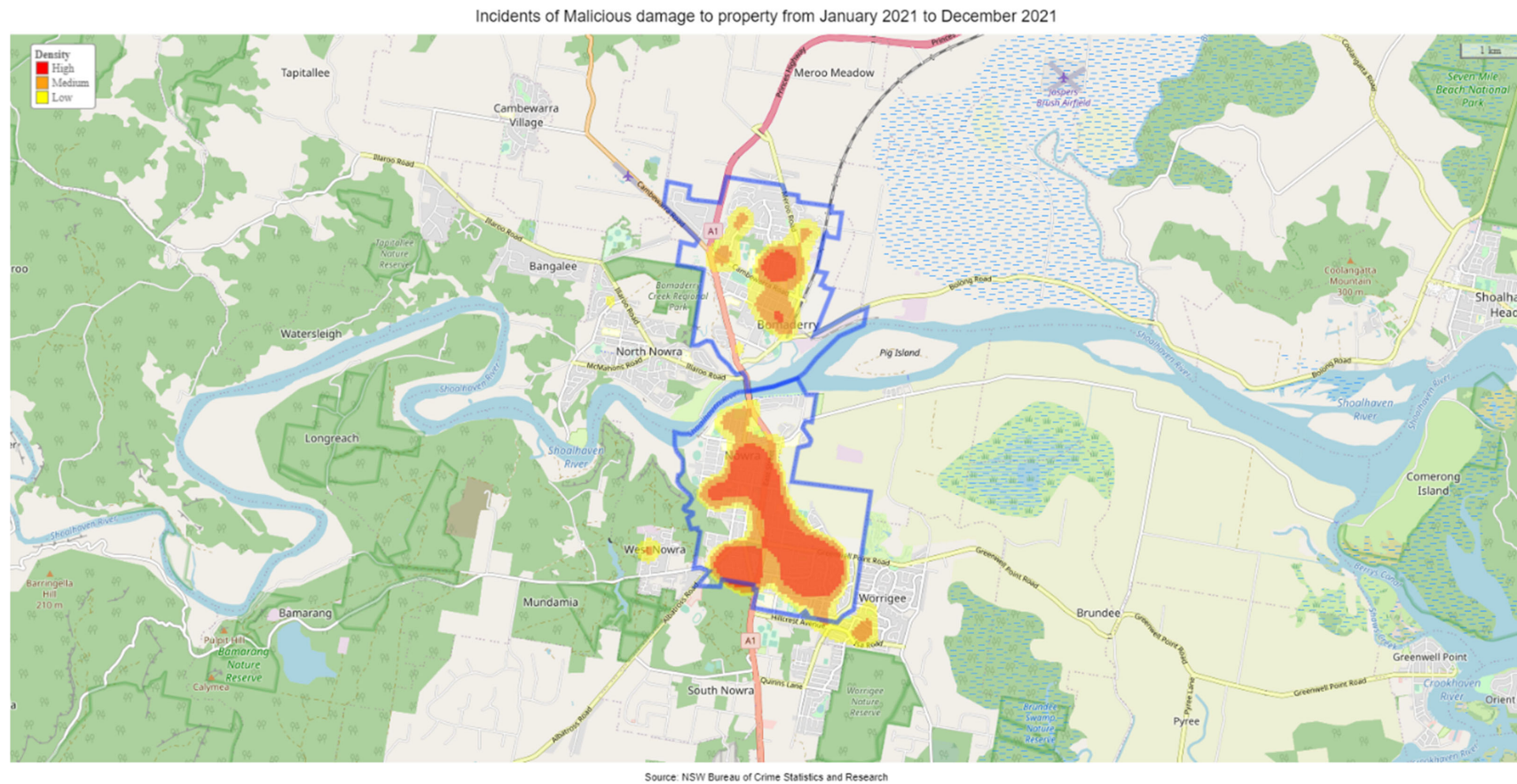
**Table 2 - Rate of crime over a ten- and two-year period - Comparison Nowra and Bomaderry.**

Crime	Nowra				Bomaderry				NSW
	Trend 10yr to March 2022	Trend 2yr to March 2022	Year to March 2022 - Count	Year to March 2022 - Rate per 100,000 population	Trend 10yr to March 2022	Trend 2yr to March 2022	Year to March 2022 - Count	Year to March 2022 - Rate per 100,000 population	Year to March 2022 - Rate per 100,000 population
Assault	Stable	Stable	316	3149	Stable	Stable	95	1382.8	767.5
Assault - Domestic	Stable	Stable	121	1205.8	Stable	Stable	46	669.6	394.1
Assault - Non-domestic	Down 0.8% per year	Stable	176	1753.9	Stable	Stable	47	684.1	341
Robbery	n.c.	n.c.	17	169.4	n.c.	n.c.	3	43.7	20.9
Sexual offences	Up 13.4% per year	Stable	86	857	n.c.	n.c.	17	247.5	172.2
Theft	Down 5.8% per year	Stable	643	6407.6	Down 5.6% per year	Stable	181	2634.6	2041.1
Theft - Break and enter dwelling	Down 7.9% per year	Stable	88	876.9	n.c.	n.c.	17	247.5	212.8
Theft - Break and enter non-dwelling	Down 12.3% per year	Stable	27	269.1	n.c.	n.c.	7	101.9	88.5
Theft - Motor vehicle theft	Down 6.7% per year	Stable	32	318.9	n.c.	n.c.	16	232.9	129.2
Theft - Steal from motor vehicle	Down 9.7% per year	Stable	67	667.7	Down 9.8% per year	Down 4.8% per year	20	291.1	336
Theft - Steal from retail store	Down 6.1% per year	Down 35.1% per year	131	1305.4	n.c.	n.c.	13	189.2	214.6
Theft - Steal from dwelling	Down 3.8% per year	Up 41.5% per year	58	578	n.c.	n.c.	13	189.2	196.8
Theft - Steal from person	n.c.	n.c.	4	39.9	n.c.	n.c.	0	0	20.8
Theft - Fraud	Up 7.2% per year	Up 102.7% per year	148	1474.8	Stable	Up 77.1% per year	62	902.5	543.3
Malicious damage to property	Down 4.1% per year	Stable	274	2730.4	Down 2.9% per year	Stable	89	1295.5	590.8
Against justice procedures (escape custody, breach AVO, bre	Up 2.1% per year	Stable	523	5211.8	Stable	Stable	75	1091.7	996.5
Disorderly conduct (trespass, offensive conduct, offensive	Stable	Stable	73	727.5	n.c.	n.c.	16	232.9	208.1
Drug offences	Down 2.9% per year	Down 44.2% per year	149	1484.8	n.c.	Stable	50	727.8	564.1
More offences - Arson	n.c.	n.c.	22	219.2	n.c.	n.c.	0	0	44.2
More offences - Intimidation, stalking and harassment	Stable	Up 24.4% per year	194	1933.2	Stable	Stable	66	960.7	501.8

Data source: NSW Bureau of Crime Statistics and Research



**Image 1 - Incidents of Malicious damage to property from January 2021 to December 2021, Nowra and Bomaderry Suburbs (BOCSAR 2022).**



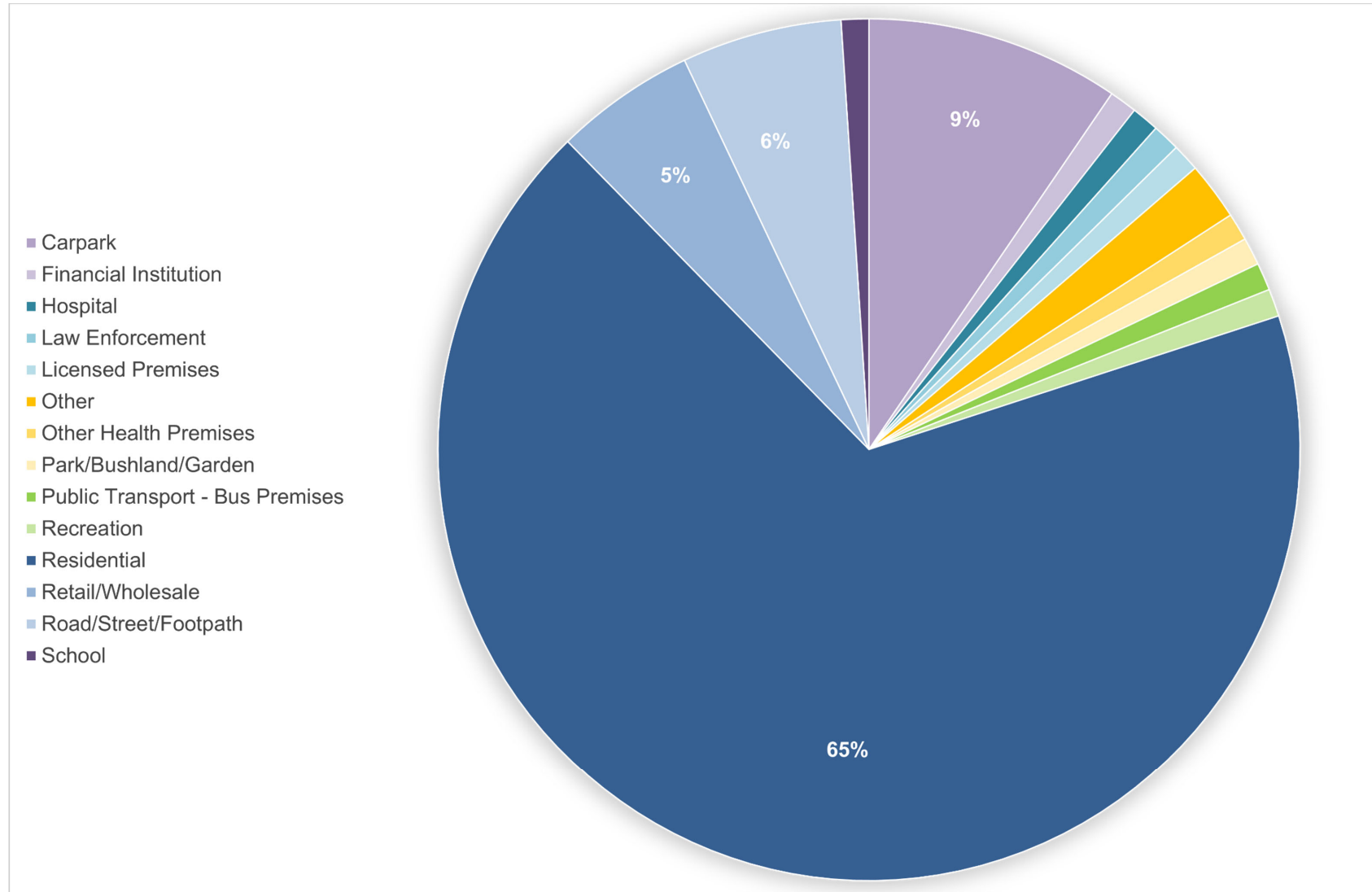
**Table 3 - Incidents of Malicious damage to property from January 2012 to December 2021.**

	To December 2021	Year to December 2012		Year to December 2021	
Suburb	Trend: 10 year	Count	Rate	Count	Rate
New South Wales	Down 6.8% per year	82743	1132.8	49255	603.1
Bomaderry	Down 3.8% per year	121	1813.8	88	1280.9
Nowra	Down 3.8% per year	362	3839.6	271	2700.5

**Table 4 – Incidents of Malicious damage to property from April 2017 to March 2022.**

	To March 2022	Year to March 2018		Year to March 2022	
Suburb	Trend: 5 year	Count	Rate	Count	Rate
New South Wales	Down 6.3% per year	60470	765.8	48253	590.8
Bomaderry	Stable	59	859.8	89	1295.5
Nowra	Stable	276	2882.4	274	2730.4

**Graph 1 – Incidents of Malicious damage to property in Nowra Suburb, April 2021 to March 2022 by Premises.**



**Graph 2 – Incidents of Malicious damage to property in Bomaderry suburb, April 2021 to March 2022 by Premises (BOCSAR 2022).**

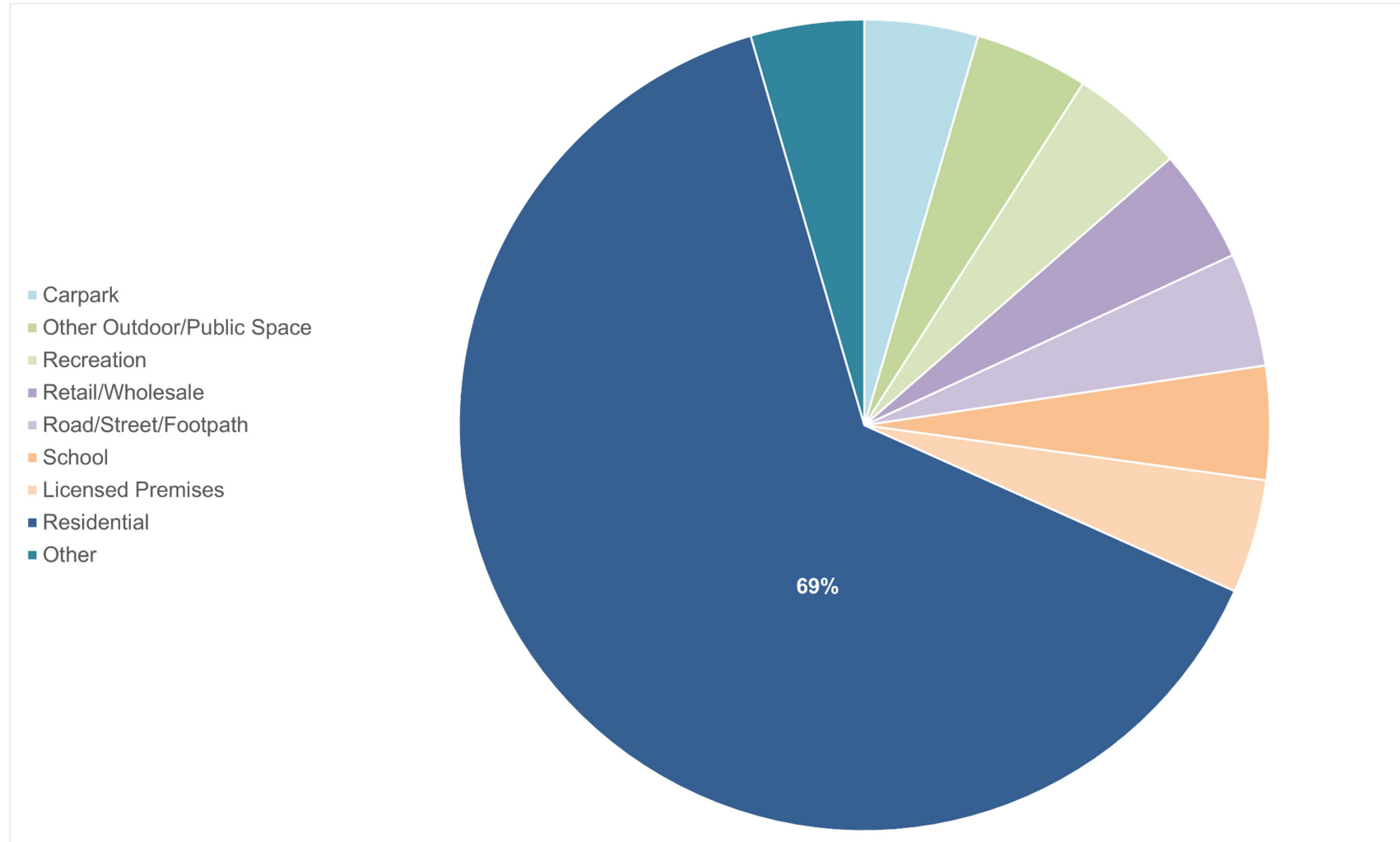




Image 2 – Bridge Road Carpark – Streetlight Locations.

### Bridge Road Carpark - Streetlight Locations



Image 3 – Collins Way & Berry Street Carpark – Streetlight Locations.

Collins Way & Berry Street Carpark - Streetlight Locations





Image 4 – Egans Lane Carpark – Streetlight Locations.

### Egans Lane Carpark - Streetlight Locations





Image 5 – Lawrence Avenue / Kinghorne Street Carpark – Streetlight Locations.

Lawrence Av / Kinghorne St Carpark - Streetlight Locations



Image 6 – Stewart Place Carpark – Streetlight Locations.

### Stewart Place Carpark - Streetlight Locations

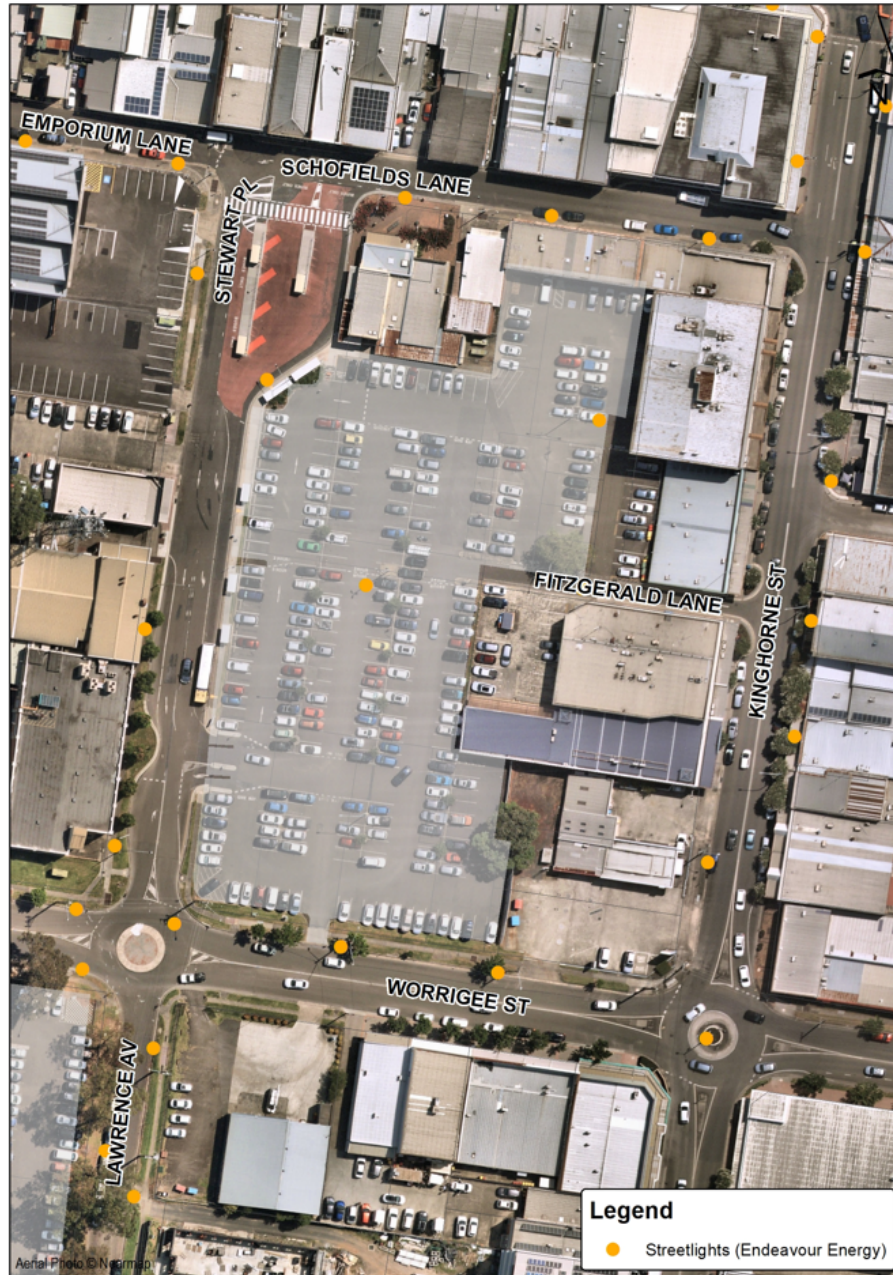




Image 7– Worrigee Street Carpark – Streetlight Locations.

### Worrigee Street Carpark - Streetlight Locations



Image 8 – Osbourne Street Carpark – Streetlight Locations.

### Osbourne Street Carpark - Streetlight Locations





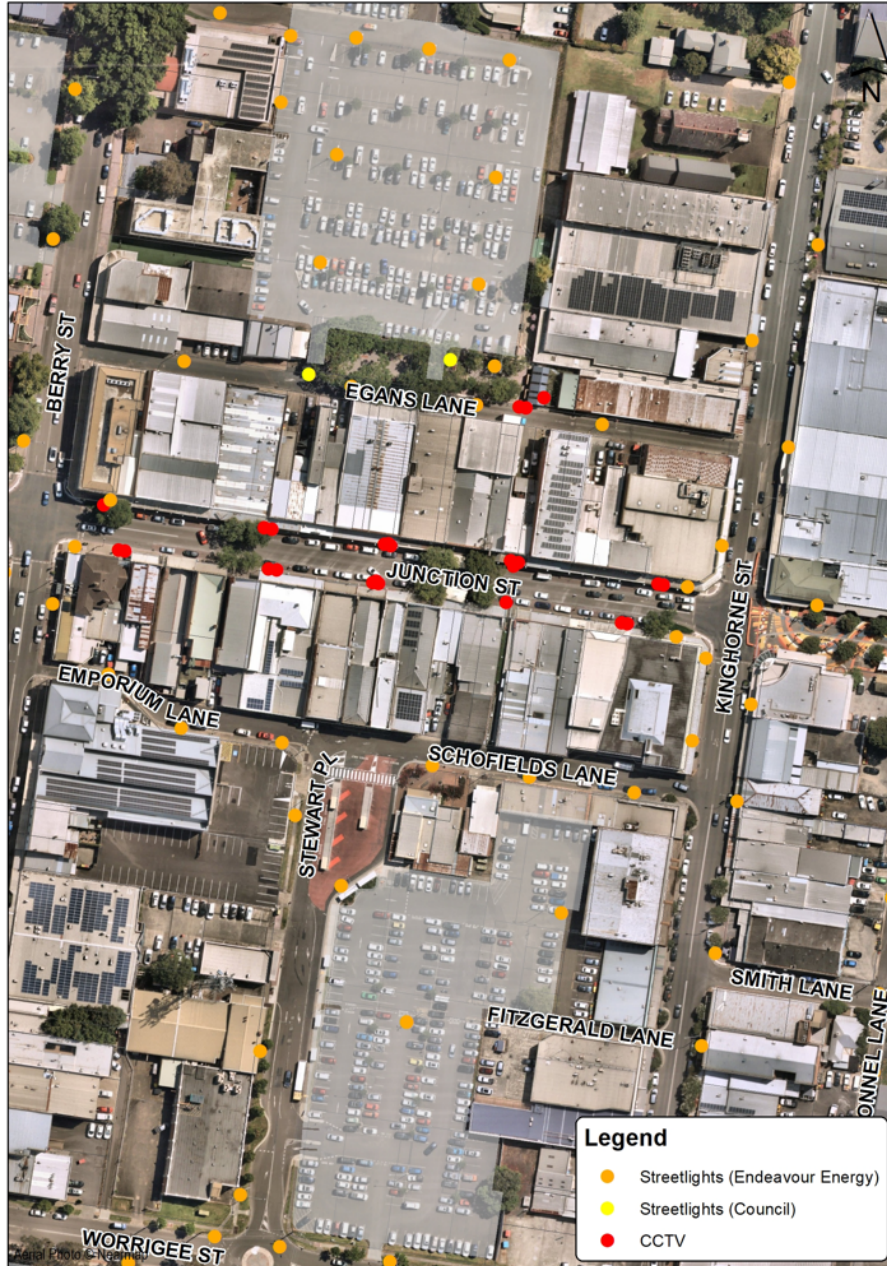
Image 9 – Graham Street Carpark – Streetlight Locations.

### Graham Street Carpark - Streetlight Locations



Image 10 – Junction Street – CCTV & Streetlight Locations.

### Junction Street - CCTV & Streetlight Locations





#### Attachment 17 - Glossary of Terms

**Malicious damage** is considered the “wilful and unlawful destruction, damage or defacement of public or private property or the pollution of property or a definable entity held in common by the community [and] “includes the police incident categories of graffiti, malicious damage to property, public place - damage fountain/wall etc and public place - damage shrine/monument.” (BOCSAR 2020, Australian and New Zealand Standard Offence Classification 2011).

**Rate per 100,000 population** - Rates are calculated using population data provided by the Australian Bureau of Statistics (ABS). If no population estimates are available for the latest year when the report/data file was published, rates for the latest year are calculated using previous years population estimates.

Within the Crime Mapping Tool rates on the maps, tables and column and pie graphs are for 12 monthly periods. Rates on the trend graph and for trend tests are for monthly periods. Monthly rates are calculated by applying the corresponding ABS population to the monthly count and then multiplying the result by 100,000. Rates for 12 monthly periods are calculated by adding together the rates for each month in the 12-month period of interest (eg the 12 month rate for April 2006 to March 2007 is calculated by adding together the monthly rates for April 2006, May 2006, June 2006 up to March 2007).

The ABS has population data for council areas (Local Government Areas) and postal areas (similar to postcodes) for all years from January 1996 for existing areas and from 2012 for new/merged areas, which is available in the Crime Mapping Tool. Population data for suburbs is only available from 2012 onward. As such, no rates can be provided for suburbs prior to 2012, or for new or merged postcodes or LGAs. Due to changes in ABS boundaries some postcodes do not have comparable population data prior to 2012. For these postcodes crime rates are only calculated for 2012 onwards.

For Local Government Areas with populations less than 3000, suburbs/postcodes less than 2000, and for any regions with no population data available, the rate per 100,000 population is not computed (n.c. appears in the data table). This is because in areas with a small population a small number of offences can have a large effect on the rate of crime. Where the population of a region for a 12-month period spans across two calendar years, the earliest calendar year is used to determine whether to suppress the rate.

When advanced queries are run (eg juvenile males in X suburb), the population used to calculate the rate is the relevant population (ie the population of juvenile males in X suburb). If that specific population is less than 2000 for suburbs/postcodes or less than 3000 for Local Government Areas, the rate is suppressed (ie showing as n.c. in the data table).

**Fraud** - Inducing a course of action, by deceit or other dishonest conduct, with the intent to obtain money or other benefit or to evade a liability. The making, use or possession of a forged financial instrument with an intention to obtain an advantage (ANZSOC, 2011). Includes over 15 police incident categories some of which are deception, possess false instrument, fail to pay, embezzlement, computer crime, and corrupt payment (receive/pay).

## CL22.354 Boongaree Stage 6 - Dog Fenced Off-Leash Area - Update to Council and Progress to Public Exhibition

**HPERM Ref:** D22/205359

**Department:** Community Planning & Projects  
**Approver:** Jane Lewis, Director - City Lifestyles

**Attachments:** 1. On-Site Workshop - Activities and Record of Feedback Received - 12 February 2022 (under separate cover)  
2. Concept Plan - Boongaree Dog FOLA [↓](#)

### Reason for Report

This report requests Council's endorsement to proceed to public exhibition of the Concept Plan for the Boongaree Stage 6 Dog Fenced Off-Leash Area.

### Recommendation

That Council:

1. Receive this Report as an update on consultation associated with the development of the draft Concept Plan of the Boongaree Dog Fenced Off-Leash Area.
2. Proceed to Public Exhibition of the draft Concept Plan for the Boongaree Dog Fenced Off-Leash Area for 28 days;
  - a. If no significant adverse feedback is received as part of the exhibition, the Draft Concept be finalised and deemed adopted; or
  - b. If significant adverse feedback is received a further report on the outcomes of the public exhibition of the Draft Concept will be submitted to Council with any proposed changes.
3. Acknowledge and commend the involvement and interest of the community and their role in the development of the Concept Plan for the Boongaree Dog Fenced Off-Leash Area.

### Options

1. Adopt the recommendation.

Implications: This option will enable the draft Concept Plan of the Boongaree Dog Fenced Off-Leash Area to be placed on public exhibition and will give the community an opportunity to comment. This is in line with community expectations, which will allow progression to detail design and delivery.

2. Adopt an alternate recommendation.

Implications: Depending on the significance of the recommendation, this may affect the progression of the project, resulting in delay in finalising concept plans for the Boongaree Dog Fenced Off-Leash Area. This may impact the overall timeframe to progress to detailed design and delivery.

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## Background

Boongaree, (previously Berry District Park) provides a unique opportunity to reinvigorate the northern edge of the township of Berry following the introduction of the Berry bypass road. Council endorsed the original Master Plan for the site in December 2018, with 7 stages identified for delivery, see Staging Plan provided as [Figure 1](#).

The Boongaree Dog Fenced Off-Leash Area (FOLA), being Stage 6 is shaded in blue.



Figure 1 Boongaree Staging Plan

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### Project Control Group

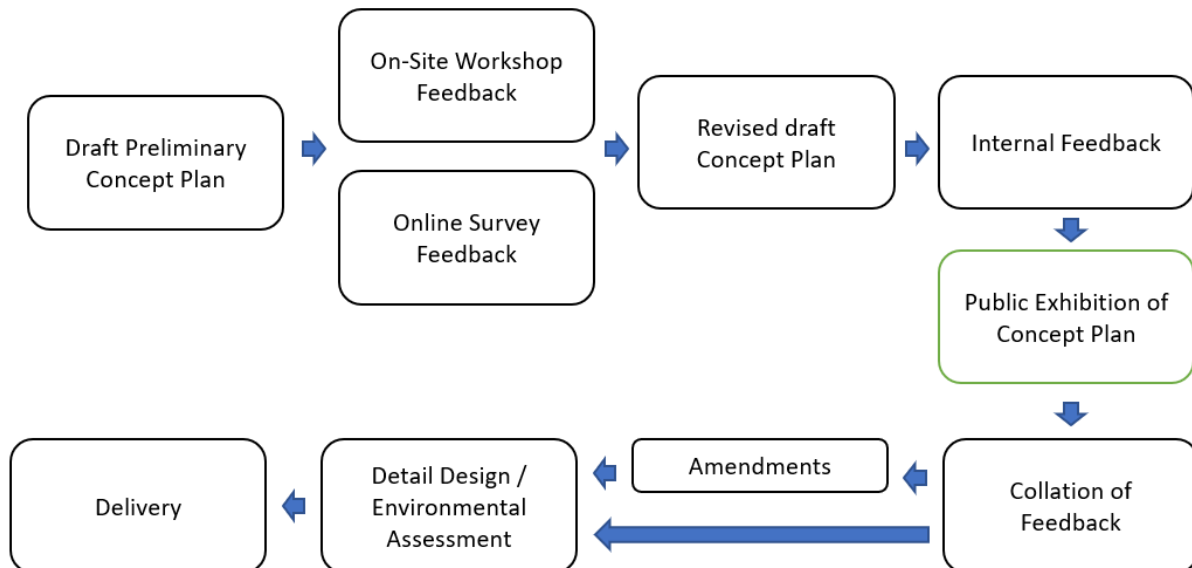
An Internal Project Control Group (PCG) was established to ensure key considerations were identified and potential risks were mitigated at project inception. Members of the PCG are comprised of key internal stakeholders which include representatives from:

- Community Planning and Projects
- Shoalhaven Swim Sport Fitness
- Environmental Services
- Design Services / Projects & Technical Services
- Ranger Services
- Tourism

The PCG meet on an as needed basis to discuss key decisions in relation to the project, with other subject matter experts consulted on when required. This coordinated internal approach echoes the collaboration which is sought through the community consultation for the project.

### Methodology

The methodology shown in *Figure 2* has been developed to guide the process to ensure the project has clear steps and opportunity for amendment if required. Multiple feedback opportunities are available



*Figure 2 Anticipated Process for Dog FOLA Project Delivery*

The above methodology was utilised to prepare the draft Concept Plan for the Boongaree Dog Fenced Off-Leash Area.

### **Community Engagement**

A webpage was established on Council's Get Involved platform to inform the community of the project and provide updates.

Key points from the online engagement so far includes:

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- 480 visits to the project page
- 74 visitors clicked around the page but didn't provide a response
- 47 provided a survey response or submitted an expression of interest
- 18 visitors downloaded a document from the Document Library

### Online Survey

An online survey was made available through the Get Involved page for the project from 12 January until 21 February 2022, which received a total of 35 responses. A summary of feedback is provided below:

- 94% of respondents self-identified as residents
- 54% of respondents were 59 years or less
- 94% are / were dog owners
- 74% would use the proposed dog FOLA at Boongaree
- 57% are happy with the concept
- 77% provided valuable further comments which included:
  - Separate enclosures for large/small dogs
  - Drinking fountain at all entrances
  - Provision of dog waste bags and dispensers
  - Fencing needs to be secure and ensure safety of dogs

### On-site Workshop

An on-site workshop was held with members of the community on Saturday 12 February 2022 from 8am to 10am at the proposed dog FOLA site (western portion of Boongaree).

Expressions of Interest were sought through the Get Involved page from 23 December 2021 to 28 January 2022. A total number of 15 submissions were received, with 7 of those attending on the day. An additional 2 community members were registered on the day, with a total of 9 participants in the workshop.

The purpose of the workshop was to seek feedback on the draft Preliminary Concept Plan (see [Figure 3](#)) and promote discussion on what the Dog FOLA should consider and include or exclude. A copy of the activities undertaken, and feedback received is provided as [Attachment 1](#).





Figure 3 draft Preliminary Concept Plan prepared for survey and workshop discussion purposes

## Draft Concept and Next Steps - Boongaree Dog Fenced Off-Leash Area

The draft Concept Plan, for which this Report seeks endorsement to publicly exhibit, is based on feedback received on the draft Preliminary Concept Plan which was presented for discussion and comment through the online survey and on-site workshop. Proposed improvements and amendments received from the online survey and workshop were discussed by the PCG and guided the revising of the draft Preliminary Concept Plan to result in the draft Concept Plan included at [Attachment 2](#).

Should Council endorse the draft Concept Plan for public exhibition, the document will be publicly available under a 28-day exhibition process, where the public will be able to provide submissions and feedback on the Draft Concept Plan.

If there is no significant adverse feedback, it is intended that the feedback received throughout the public exhibition period will be analysed and discussed by the PCG for potential amendments as appropriate and the Plan deemed adopted. Following this, the next stage the Concept Plan, Detail Design and environmental assessment will commence to progress to delivery.

Should there be significant adverse comment received these will be reviewed by the PCG and reported back to Council with a revised Concept Plan for consideration and adoption. If the Concept Plan were to change substantially this may require a further period of public exhibition.

## Policy Implications

### Access Areas for Dogs Policy

Council's Access Areas for Dogs Policy and associated Dog Off-leash Guide provides dog owners with public domain conduct guidelines as well as defining dog off-leash, on-leash and

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prohibited areas within the ownership, management, care, and control of Council. On completion, the future Boongaree Dog FOLA will need to be incorporated into the Policy and Guide.

**Financial Implications**

Council has committed \$11m for the development of Boongaree, which includes stages 2-7 of the precinct. From that, a budget of \$10,000 for design, and \$60,000 for delivery has been allocated to the Boongaree Dog Fenced Off-Leash Area.

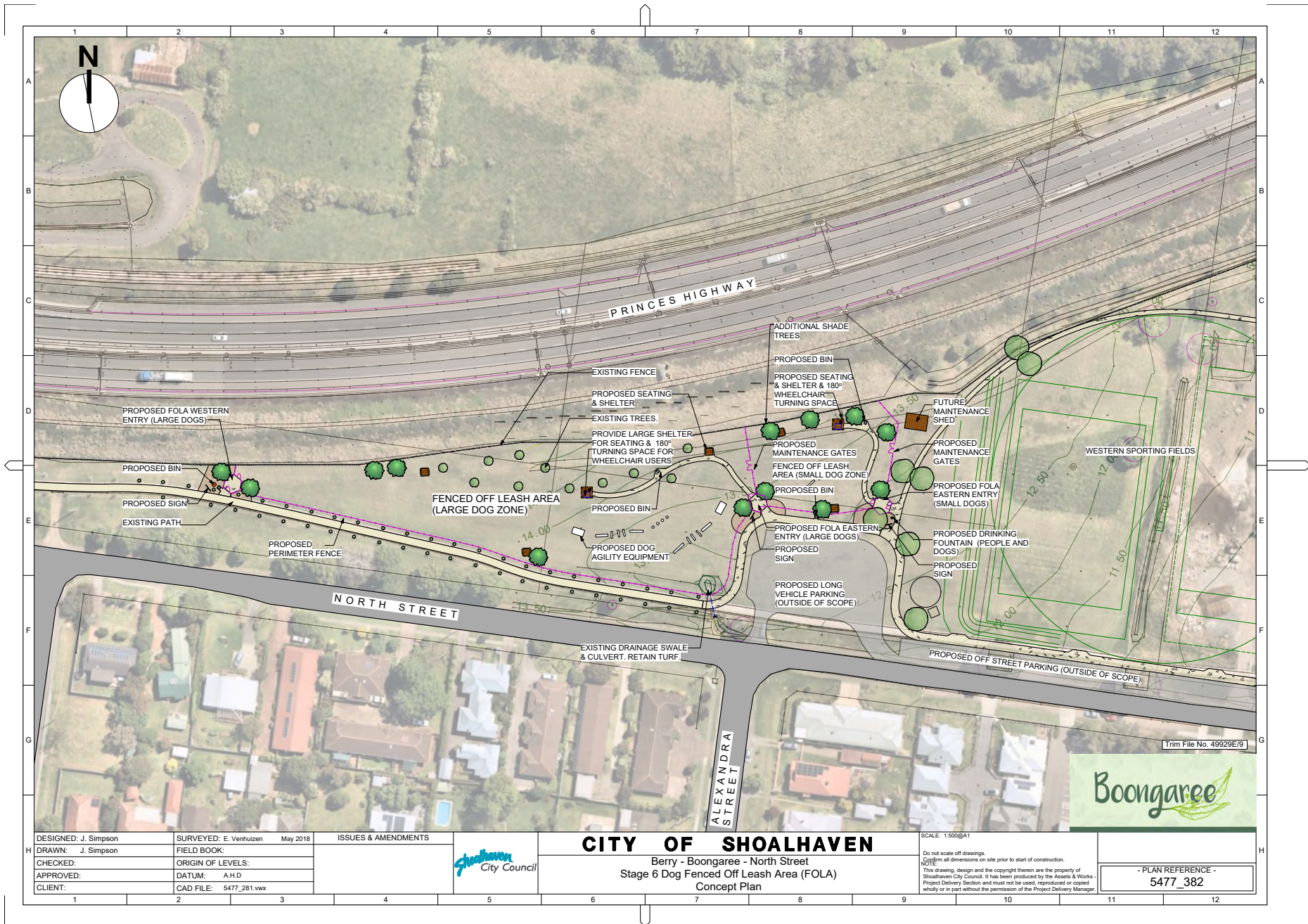
**Risk Implications**

Appropriate environmental due diligence is to be undertaken to ensure that the impacts of the dog FOLA are of minimal impact, and any potential adverse impacts can be appropriately mitigated.



















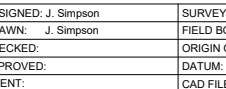


Signage and supporting infrastructure will need to be erected to ensure community awareness, and compliance with the NSW Companion Animals Act 1998 and Council's Access Areas for Dogs Policy

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	1	2	3	4	5	6	7	8	9	10	11	12	
A			Seating Product: Mail DDA seat from Street Furniture Australia Code: CMM706 Finish: Slats: powdercoat 'Sable Corten' legs and arms: powdercoat 'Sable Bass' Legs: Tee wide leg. Mounting: Surface Mount.				Bins Product: 240L 'Frame Bin enclosure with angled roof. Code: Frame finish: powdercoat 'Sable Bass' Slat finish: powdercoat 'Sable Corten'				Planting: Lomandra 'Katie Belles' 200mm pot size Spacing: max 1 plant per m² Refer planting plan for details		A
B			Shelter Type 1 Product: 'Sherbrooke K03' 2.2m x 2.2m from Landmark. Finish: Timber posts and frame: KoppersArch Tanacoat or equal. Colorbond roof: 'Surfmist'. Installation: Per manufacturers instruction.				signage TBC				Planting: Lomandra 'Tanika' 140mm pot size Spacing: 4 plants per m² Refer planting plan for details		B
C			Shelter Type 2 Product: 'Sherbrooke K04' 3.6m x 3.5m from Landmark. Finish: Timber posts and frame: KoppersArch Tanacoat or equal. Colorbond roof: 'Surfmist'. Installation: Per manufacturers instruction. This shelter provides space for 180° wheelchair turning, space for seating and space for wheelchair users to sit.				Trees: To be selected in consultation with bushcare and landscape considerations - Shade, neighbor's views, toxicity & hardness in the environment Suggestions: Metaleuca linanfolia 'Snow in Summer' height to 8m. Callistemon viminalis 'Dawson river weeper' height to 6m.				Planting: Callistemon 'Better John' 200mm pot size Spacing - 3 plants per m²		C
D			Fencing: 1.8m high mesh fencing. Posts, top and bottom rails: powdercoat black. Mesh: steel with black plastic coating. Public gates and maintenance gates to match. Pedestrian entry gates to be single not double gates, with sufficient width for wheelchair entry and with gate controls at a height suitable for people in wheelchairs.				Hard surface Finishes Location: under shelters and seating. To entry areas. Material: Concrete with full depth oxide. Oxide colour: 'Boulder' by CCS. Honed to R10 non slip finish. Exposed 20mm river pebble aggregate				Planting: Westringia fruticosa 'Mundi' 200mm pot size Spacing - 3 plants per m2		D
E			Garden edging: Location: to perimeter of mulched area inside the F.O.L.A. Product: Concrete edging				Agility equipment: Items from Replas Dog agility range. Installation to consider maintenance cost and user comfort. Concrete slabs under for maintenance ease				Mulch: 'Forest fines' from Australian Native Landscapes. Spread mulch to a depth of 75mm. Mulching to garden areas only at entries.		E
F			Drinking Fountain Product: Argus fountain with dog bubbler from Street Furniture Australia Finish: powdercoat 'Sable bass'.				Boongaree				Boongaree		F
G			Boongaree				Boongaree				Boongaree		G
H	DESIGNED: J. Simpson		SURVEYED: E. Venhuizen May 2018		ISSUES & AMENDMENTS		CITY OF SHOALHAVEN		SCALE: 1:500@A1		Do not scale off drawings. Confirm all dimensions on site prior to start of construction. NOTE: This drawing, design and the copyright therein are the property of Shoalhaven City Council. It has been produced by the Assets & Works - Project Delivery Section and must not be used, reproduced or copied wholly or in part without the permission of the Project Delivery Manager.		H
	DRAWN: J. Simpson		FIELD BOOK:				Berry - Boongaree - North Street				- PLAN REFERENCE -		
	CHECKED:		ORIGIN OF LEVELS:				Stage 6 Dog Fenced Off Leash Area (FOLA)				5477_383		
	APPROVED:		DATUM: A.H.D				Selections						
	CLIENT:		CAD FILE: 5477_281.vwx										
	1	2	3	4	5	6	7	8	9	10	11	12	



Entry Gate at Long Vehicle parking area



Entry Gate at Long Vehicle parking area




Sheltered seating



Dog agility equipment

Trim File No. 49929E/9

DESIGNED: J. Simpson	SURVEYED: E. Venhuizen	May 2018	ISSUES & AMENDMENTS		<b>CITY OF SHOALHAVEN</b> Berry - Boongaree - North Street Stage 4b Reconciliation Garden Imagery Board 2	SCALE: 1:500@A1	<div>Do not scale off drawings. Confirm all dimensions on site prior to start of construction.</div> <div>NOTE: This drawing, design and the copyright therein are the property of Shoalhaven City Council. It has been produced by the Assets &amp; Works - Project Delivery Section and must not be used, reproduced or copied wholly or in part without the permission of the Project Delivery Manager.</div>	<div>- PLAN REFERENCE -</div> <div>5477_383</div>			
DRAWN: J. Simpson	FIELD BOOK:										
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- PLAN REFERENCE -  
5477\_383



## CL22.355 National Cultural Policy - Submission from Shoalhaven City Council

**HPERM Ref:** D22/323004

**Department:** Arts & Culture

**Approver:** Michael Paine, Manager - Community Connections

**Attachments:** 1. Submission - National Cultural Policy - Office of the Arts - Shoalhaven Arts Board [↓](#)

### Reason for Report

To advise Council of the submission that has been developed in response to the request from the Office for the Arts for those engaged in the arts, entertainment and cultural sector to have their say.

### Recommendation

That the submission as drafted is submitted to the Office of the Arts, ensuring Shoalhaven City Council have input into the new National Cultural Policy.

### Options

1. Adopt the Recommendation

Implications: The submission shall be finalised and submitted prior to the cut-off date of the 22 August 2022.

2. Amend the Recommendation

Implications: The submission may not meet the requirements and be submitted in time.

3. Reject the Recommendation

Implications: Shoalhaven City Council will not participate in the request for public submissions to help shape the National Cultural Policy.

### Background

The Office for the Arts is currently seeking feedback from individuals and organisations involved in the arts, entertainment and cultural sectors to assist in the development of a new National Cultural Policy. The last National Cultural Policy was delivered under the Gillard Government in 2013. This policy is being used as the starting point for the development of a new policy, and submissions are being requested that respond to the five goals of the Creative Australia 2013 policy.

Members of Shoalhaven Arts Board, Councillors and Council staff met on 21 July to discuss the goals, the opportunities and challenges for Arts in the Shoalhaven, and what they would like to see in a new National Cultural Policy. The viewpoints of individual artists, organisations, community groups and Council were represented by those in attendance at the workshop.

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From that discussion a submission was drafted. The draft was reviewed by those in attendance and the attached document is the final draft that is recommended for submission to the Office for the Arts.

### **Community Engagement**

Community members of the Shoalhaven Arts Board were instrumental in developing the submission, bringing their knowledge and experience of arts in the community and the challenges for individual artists and community groups to the discussion.

### **Policy Implications**

A National Cultural Policy will support and guide the ongoing development of the arts in the Shoalhaven and may be reflected in policies such as the Public Art Policy, the Cultural Gifts Program Procedure, the Community Strategic Plan, Shoalhaven Entertainment Sponsorship Policy and others as appropriate.

### **Financial Implications**

There are no financial implications to making a submission to the new National Cultural Policy. The new Policy may provide increased opportunity for grants and arts related funding to the Shoalhaven.

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Address all correspondence to: The Chief Executive Officer,  
PO Box 42, Nowra NSW 2541 Australia  
[shoalhaven.nsw.gov.au/contact](http://shoalhaven.nsw.gov.au/contact) | 1300 293 111

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

Council Reference: 2123E (D22/322905)  
Your Reference:

02/08/2022

Hon Tony Burke MP  
Minister for the Arts  
Department of Infrastructure, Transport, Regional Development,  
Communications and the Arts  
GPO Box 594  
CANBERRA ACT 2601

Submitted via website

To the Hon. Tony Burke MP,

### **National Cultural Policy Submission – Shoalhaven City Council**

The following information has been collated by Shoalhaven City Council in consultation with members of the Shoalhaven Arts Board and staff from Arts and Culture related departments, in response to the call for submissions on the new National Cultural Policy.

Shoalhaven City Council is a Local Government Authority which owns and manages one Regional Gallery with a collection of almost 900 works; one performing arts venue with two state of the art theatres with the capacity for over 1,000 patrons; and a library service that includes four buildings and two mobile library services. The Shoalhaven has a population of 105,000 residents and receives over 3 million visitors each year.

The information below outlines our responses to the five pillars proposed, the challenges, opportunities and importance of these pillars for our region.

#### **First Nations**

The Shoalhaven has a high proportion of residents who identify as Aboriginal and / or Torres Strait Islander people with 5.5% of residents (national average 2.8%). With communities with long cultural connections – including the Wreck Bay and Jerrinja communities, as well as people displaced from their own Country and now connected to the Shoalhaven through the Bomaderry Aboriginal Children's Homes (Stolen Generation) - the stories of our First Nations people are of significant importance to this place. We believe that this pillar needs to clearly state the need for projects to be First Nations led, and that the policy needs to clearly promote the right for self-determination of projects and needs within communities.

Supporting the development of sustainable, professional careers in the arts for First Nations artists is critical to the growth and success of the sector. This support should include the opportunity for artists to develop their practices on Country.

National and Regional touring arts activities (performing arts and visual arts) are excellent, but need to be balanced with opportunities from national companies to spend time in regional locations, working with emerging artists and elders and developing programs that are specific to that place.

We have experienced the challenges of presenting shows from other parts of Australia which have no real significance to our First Nations community, and even use language that is not understood or has a vastly different meaning.

A Federal Policy that supports a thriving and self-determined First Nations creative sector with capacity for artists to live and work in regional areas would only be of significant benefit to all in the Shoalhaven.

### **A Place for Every Story**

This pillar has real significance for Regional and Rural areas of Australia. We firmly believe that it should be refocused to instead be called **Every Story has its Place**. Our stories need to reflect the diversity of our places, we need to value the contribution of all, and we also need to recognise the right of all Australians to have access to cultural experiences of quality that reflect their lived experiences and realities. It is important that local stories are told in local venues and that there is opportunity for the importance of these activities to be recognised and funded through federal avenues.

It is well recognised that arts have a central role to play in community resilience and recovery post disaster, and also the broader role arts have in health and wellbeing factors for individuals and communities. Access to arts is critical for a wide range of health and wellbeing outcomes in communities. The right to access quality programs, locally relevant and produced needs to be central to the development of the National Cultural Policy.

### **The Centrality of the Artist**

We encourage the Federal Government to deeply consider the ways in which artists can be supported as workers and be provided with meaningful support that recognises the different stages of an artist's career.

Across state and federal funded programs the perception is that there is an emphasis on 'excellence' for achieving grant funding. This is often phrased as quality of work and is assessed by public response to previous work and the significance of the work for the individual's practice and / or community. We would encourage a greater focus on development of sustainable careers and support for artists that enhances their ability to grow and develop.

In working with, speaking to, and collaborating with artists across the Shoalhaven, we would strongly encourage a National Cultural policy that supports artists through:

- Funding to restart arts and cultural industry across regional areas devastated by COVID shutdowns and multiple natural disasters. The national Cultural Policy and associated funding programs need to acknowledge the impact of the past few years on arts production and development and the associated loss of continuity for artists and arts organisations.
- National roll out of Training programs that support artists to develop their transferable skills and encourages organisations to employ people trained as artists.

- The reinstatement of Creative Fellowships that provide 2-4 year taxable grants paying the average annual wage for Australia, allowing artists time to develop themselves through their mid-career period and grow into well established and recognised artists.
- A National Agreement on artist fees and commissioning agreements. Providing clarity and certainty for artists and organisations on the costs needed when commissioning an artist and ensuring that funding opportunities are sufficient to support these costs.

### **Strong Institutions**

The 2019 report by A New Approach titled *The Big Picture: Public Expenditure on Artistic, Cultural and Creative Activity in Australia*, noted the increasing role of local government in the provision of cultural infrastructure and support for artists. A census run by Museums and Galleries NSW in 2018 showed that the majority of public galleries in NSW were reliant on local government as their primary funders. This research finding is in clear evidence in the Shoalhaven with Shoalhaven City Council covering all operational costs for the Entertainment Centre and Gallery that are not able to be met through ticket sales and associated revenue. State and Federal funding is project based and does not cover core staffing or essential operational costs.

Strong institutions require a harmonisation of funding across local, state and federal levels. There needs to be a recognition that at present local governments are carrying the majority of the risk in the arts, and are the primary driver for artistic and cultural endeavours outside of the major cities. This is at the same time as local governments are facing increasing costs across all areas of operations, but particularly in infrastructure and disaster response.

Shoalhaven City Council continues to be highly supportive of the Arts and seeks grants from public and private funds to support innovation and development of programs that bring new opportunities to the region, but grants are increasingly difficult to achieve and when future programs are dependent on that funding, the level of service to our audiences is inconsistent.

For local government arts and cultural organisations, programming and community engagement are both of critical importance, and cannot happen in silos. Deep engagement with our community requires time, resourcing and flexibility. It requires consistency of programming and certainty that the large companies / artists will have the ability to spend time supporting that engagement strategy. We encourage funding programs and outcomes to move away from quantitative data of audience numbers and revenue and move to qualitative outcomes of engagement, connection, development and opportunity.

### **Reaching the Audience**

As noted in **A place for Every Story** we believe that the national Cultural Policy should clearly state the right for all Australians to have the ability to access cultural experiences of quality. The past few years have highlighted the role arts play in everyday lives, but also the challenges posed by the digital divide – digital literacy and access to high-speed internet is critical to supporting artists to reach audiences both within and external to Australia.

As previously noted, to reach audiences the stories must be relevant and told locally. We encourage funding and KPI's for major performing arts companies that support them to work in regional areas, developing content alongside regional artists, organisations and knowledge holders and presenting that work in the community that holds the story. Shoalhaven City Council is currently working with nationally recognised playwright Alanna Valentine to develop a local story on a national platform. Local stories often have national significance, and with the right support can be a powerful platform for engagement.

Reaching the Audience also needs to address the delivery of arts and culture in schools. Shoalhaven City Council and the Shoalhaven Arts Board have supported a community driven initiative that delivered an Artist in Residence in Schools program with artists from the visual, literary and performing arts working with schools across a period of time. The results of this are still to be collated, but anecdotal feedback shows a significant increase in confidence and engagement with all arts by the students involved. Audience growth and development needs to be supported across all ages and stages of life, and schools are a key audience that need to be supported with meaningful, sustained and sustainable connection to artists and the arts.

**Other things that you would like to see in a National Cultural Policy**

Intellectual, moral and cultural rights are a critical issue for artists and organisations that needs clear guidance and legislation at a federal level. The National Cultural Policy needs to support changes to relevant legislation to ensure artists' rights are protected and organisations have clarity around their requirements.

Local Government arts and cultural organisations regularly have staff working across multiple areas of operations without the ability to specialise, and this can cause difficulty and confusion when working with and commissioning artists. It is also a challenge for emerging and mid-career artists to advocate for themselves and know what their rights are.

We look forward to the development of the National Cultural Policy and the opportunities for Local Governments and the arts and cultural programs delivered by Shoalhaven City Council to continue to grow and develop while also supporting artists across the breadth of their careers.

If you need further information about this matter, please contact Bronwyn Coulston, Manager – Arts and Culture, City Lifestyles on (02) 4429 5441. Please quote Council's reference 2123E (D22/322905).

Yours faithfully

**Stephen Dunshea**  
Chief Executive Officer

## CL22.356 Acquisition - Sewer and Electricity Easements - 12 Flood Avenue Sussex Inlet

**HPERM Ref:** D22/200970

**Department:** Technical Services

**Approver:** Robert Horner, Executive Manager Shoalhaven Water

**Attachments:** 1. DP1277770 Marked [↓](#)  
2. MIN21.555 - Acquisition of Sewer and Electrical Easements - 12 Flood Ave Sussex Inlet [↓](#)

### Reason for Report

To seek Council approval to acquire an amended Easement for Sewer Main 2.4 metres & 4 metres wide and an Easement for Electrical Purposes 2.4 metres & 4 metres wide over Lot 7 DP731147, No 12 Flood Avenue Sussex Inlet from DT & KS Van Ovost and NCFPVO Pty Ltd.

The sewer easement is highlighted yellow & marked 'S' and the electrical easement is marked 'E' on the attached copy of the registered survey plan.

### Recommendation

That:

1. Council rescind resolution MIN21.555 due to operational changes and reduction in easement requirements for the electricity easement of 64.8 sqm.
2. Council acquire the following easements over Lot 7 DP731147, No 12 Flood Avenue Sussex Inlet:
  - a) An Easement for Sewer Main 2.4 metres & 4 metres wide highlighted yellow & marked 'S' on the attached registered survey plan, and
  - b) An Easement for Electrical Purposes 2.4 metres & 4 metres wide highlights yellow & marked 'E' on the attached registered survey plan,
3. Council pay compensation of \$5,000, plus GST if applicable, make minor adjustments for area if required, and pay reasonable legal costs associated with the acquisitions in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

### Options

1. Resolve as Recommended

Implications: Acquisition of the easement is required for the connection of sewer to the property and supply of electricity for the sewer system.

2. Not resolve as recommended and provide further directions to staff.

CL22.356

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**Background**

Shoalhaven Water has installed a pressure sewer unit, associated rising main and electrical service to provide sewerage connection to various industrial properties within Flood Avenue, Sussex Inlet. The installed system requires the acquisition of easements for both the rising main and electrical service.

A valuation undertaken on behalf of Council by Walsh & Monaghan Pty Ltd assessed compensation for the easements at \$6,000 previously, excluding GST. A conditional offer was made at that amount, plus payment of reasonable costs associated with the acquisition and approved in MIN21.555.

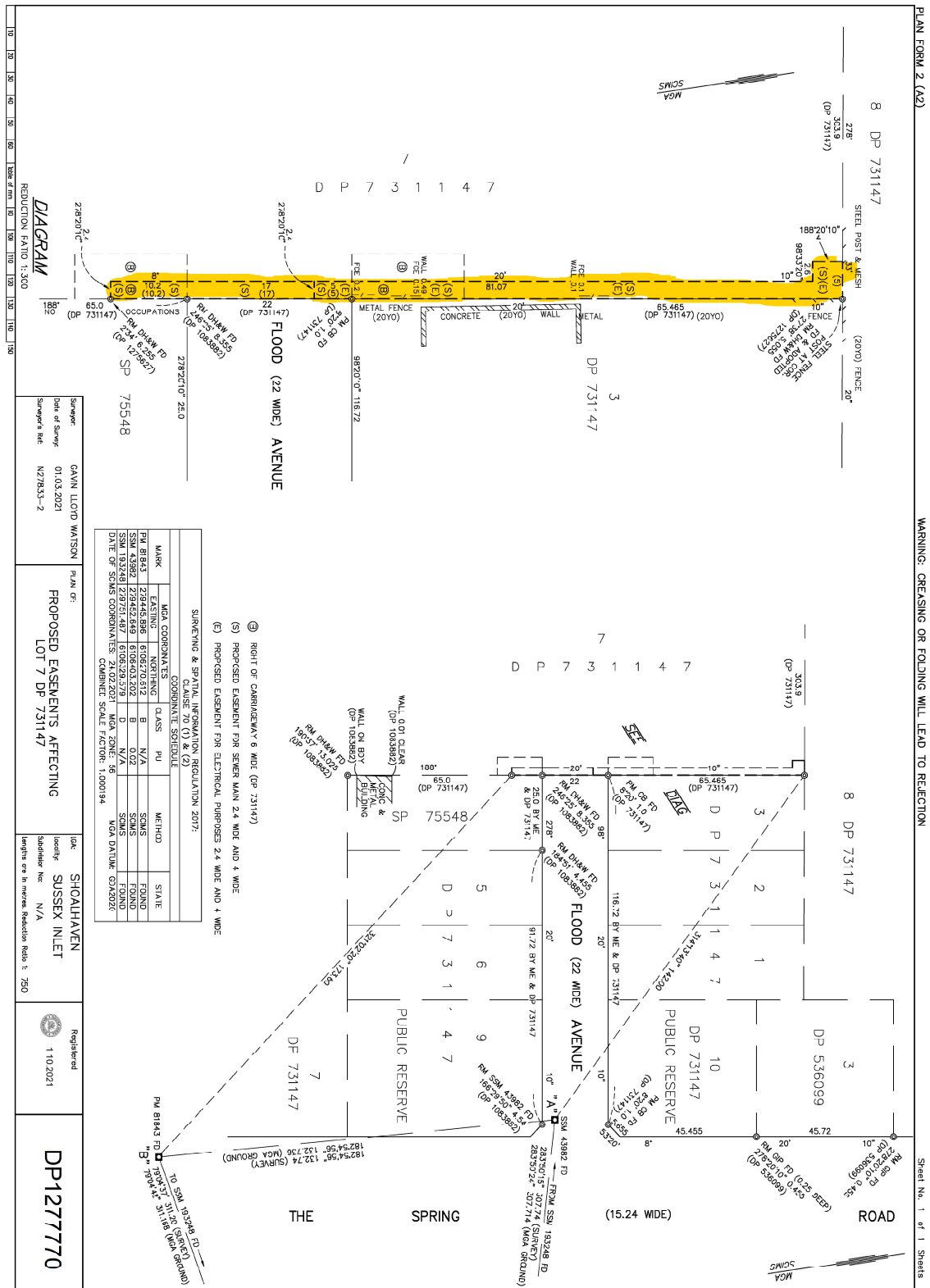
Subsequently, as a result of operational requirements a new Deposited Plan (see attached) has been registered with a reduction in the area required for the electrical easement. This requires a new resolution which includes a compensation amount adjustment.

**Risk Implications**

Acquisition of the easements are necessary to secure Shoalhaven Water's legal rights to operation and maintenance of essential public infrastructure. The proposed action is administrative and has no environmental impact.

CL22.356







Reg:R654893 /Doc:DP 1277770 P /Rev:01-Oct-2021 /NSW LRS /Prt:06-Oct-2  
© Office of the Registrar-General /Src:INFOTRACK /Ref:N27833 GW

PLAN FORM 6 (2020)

**WARNING: Creasing or folding will lead to rejection**

DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 1 Sheet(s)
Office Use Only		Office Use Only
Registered:  1.10.2021 Title System: TORRENS	<b>DP1277770</b>	
PLAN OF <b>PROPOSED EASEMENTS AFFECTING LOT 7 DP 731147</b>	LGA: SHOALHAVEN Locality: SUSSEX INLET Parish: FARNHAM County: ST VINCENT	
Survey Certificate I, <b>GAVIN LLOYD WATSON</b> of <b>ALLEN PRICE AND SCARRATTS PTY LTD</b> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: <del>*(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on</del> , or *(b) The part of the land shown in the plan (*being/*excluding** <b>THE EASEMENTS AND CONNECTIONS ONLY</b> ) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part surveyed is accurate and the survey was completed on <b>01.03.2021</b> the part not surveyed was compiled in accordance with that Regulation, or <del>*(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2017.</del> Datum Line: <b>"A" – "B"</b> Type: <del>*Urban/*Rural</del> The terrain is <del>*Level-Undulating / *Steep-Mountainous</del> . Signature:  Dated: <b>14.09.2021</b> Surveyor Identification No.: <b>8763</b> Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>  * Strike out inappropriate words ** Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.	Crown Lands NSW/Western Lands Office Approval I, _____ (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.  Signature: Date: File Number: Office:  <b>Subdivision Certificate</b> I, _____ *Authorised Person/*General Manager/*Registered Certifier, certify that the provisions of s.6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.  Signature: Registration number: Consent Authority: Date of endorsement: Subdivision Certificate number: File number:  * Strike through if inapplicable	
Plans used in the preparation of survey/compilation  DP 536099 DP 731149 DP 1083882 DP 1275627	Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.	
Surveyor's Reference: <b>N27833–2</b>	Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A	

CL22.356 - Attachment 1

## FOR ACTION

### ORDINARY MEETING

27/07/2021

TO: Contractor (Kenny, Gerard)

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**Subject:** Acquisition of sewer and electrical easements - 12 Flood St Sussex Inlet  
**Target Date:** 26/08/2021  
**Notes:**  
**HPERM Reference** 66381E  
**Related Report** D21/239538  
**Item Number** SA21.172

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

MIN21.555

That:

1. Council acquire the following easements over Lot 7 DP731147, No 12 Flood Avenue Sussex Inlet:
  - a. An Easement for Sewer Main 2.4 metres & 4 metres wide highlighted yellow & marked 'S' on the attached draft survey plan, and
  - b. An Easement for Electrical Purposes 2.4 metres & 4 metres wide edged red & marked 'E' on the attached draft survey plan,
2. Council pay compensation of \$6,000, plus GST if applicable, and reasonable legal costs associated with the acquisitions in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

[Open Item in Minutes](#)

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**'For Action' action sheets** must have notes added and be completed in Infocouncil, go to the Action Menu in Infocouncil (Word).


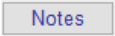


**Actions**

**'Information only' action sheets** are completed automatically in Infocouncil & Trim.

[Instructions for viewing/completing an action](#)

1. Open Word
2. Click on Actions Menu on the Infocouncil toolbar

3. View your actions (to view 'Information only action sheets' tick 'Information only' & 'Completed/Acknowledged')
4. Click the  to complete an action (you will be required to enter a note).
5. To add extra notes Double click on the required action or highlight the action and click 

CL22.356 - Attachment 2

## CL22.357 Notice of Motion - Signage to protect wildlife on our roads

**HPERM Ref:** D22/311478

**Submitted by:** Cllr Paul Ell

**Attachments:** 1. Letter from Wildlife Rescue South Coast [↓](#)

### Purpose / Summary

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

### Recommendation

That Council

1. Notes that our native wildlife face significant danger from motor vehicles on the Princes Highway and other busy roads throughout the Shoalhaven.
2. Directs the CEO to prepare a report concerning the erection of an additional sign to be located below or close to the '100 Beaches Challenge' billboard stating: "Please drive carefully our wildlife is precious" and including the contact number for Wildlife Rescue South Coast.
3. Instructs the CEO to consult with relevant parties including the Tourism team within Council on the cost, design, dimensions and location of the sign - such information to be detailed in the report back to Councillors.

### Background

Councillors will be aware that Wildlife Rescue South Coast has been engaging with Council staff on the inclusion of a prominent sign to co-exist alongside the '100 Beaches Challenge' billboard - to date this request has not progressed.

The intent of such a sign is to encourage motorists, particularly those visiting our area, to be mindful of endangered species who might be at risk of being killed or seriously injured on our roads. It is hoped that the sign will also include the phone number for Wildlife Rescue South Coast so that they can be contacted to assist an injured animal.

The motion is asking for a report back to Council following appropriate consultation and investigation of this matter by the CEO. A copy of the correspondence sent to all Councillors is enclosed for your further information

CL22.357

## WILDLIFE RESCUE SOUTH COAST INCORPORATED

ABN: 49 616 307 526 | NPWS LICENCE NO: MWL000100253

PO Box 666, NOWRA NSW 2541 | [www.wildlife-rescue.org.au](http://www.wildlife-rescue.org.au) | [info@wildlife-rescue.org.au](mailto:info@wildlife-rescue.org.au)



21<sup>st</sup> June 2022

Dear Councillor

Re: Wildlife Safety Shoalhaven

I am writing to you on behalf of Wildlife Rescue South Coast. At a meeting of our organisation, earlier this year, it was decided to approach Shoalhaven Council to have a banner attached below The 100 Beach Challenge billboard. We envisaged the banner to read along the lines of "Please drive carefully our wildlife is precious", or showing WRSC and the rescue phone number. As a local resident, yourself, I'm sure you would agree our wildlife is precious. Also I'm sure, you would have witnessed the damage done to our beautiful creatures by car strike.

Therefore, it was disappointing & quite baffling when we received a response from Shoalhaven Tourism which categorically declined our overture. Disappointing for obvious reasons and baffling as no real explanation was given for their refusal.

Recently I attended a Teams meeting with two council representatives ( [REDACTED] ) to participate in an online delivery by Oscar Jones on Vehicle Strikes in Shoalhaven region. A number of key issues were raised. Again there was discussion around signage and again the suggestion of a main banner reminding drivers to be wildlife aware was raised. Unfortunately, council representatives were unable to provide any further information as to why Shoalhaven Tourism is so reluctant to support this endeavour.

Tourists come to our area for a range of reasons: natural beauty, water sports, bushwalks and to experience encounters with our varied and amazing wildlife. Following the catastrophic bushfires of 2019 – 2020 awareness has been heightened regarding the impact of such events on our wildlife. Every endeavour needs to be done to protect our wildlife. Whilst, signage is only one initiative, it should not be dismissed. A banner supporting protection of our wildlife, attached to the 100 Beach Challenge demonstrates clearly, to everyone, that Shoalhaven Council values our wildlife. It would be a positive statement and a timely reminder to all those visiting and residing in our area.

I would appreciate your investigation into this matter and ask that Shoalhaven Tourism explain the reasons for declining WRSC's request and to reconsider WRSC's request. I look forward to your reply.

Kind regards,



Anne Cherry



OUR NATIVE FAUNA DEPENDS ON YOU - PLEASE CARE  
24 HOUR RESCUE: **0418 427 214**

CL22.357 - Attachment 1



CL22.357 - Attachment 1



OUR NATIVE FAUNA DEPENDS ON YOU - PLEASE CARE  
24 HOUR RESCUE: **0418 427 214**

## LOCAL GOVERNMENT ACT 1993

### 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.