

Extra Ordinary Meeting

Meeting Date: Tuesday, 20 September, 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. **Apologies / Leave of Absence**
2. **Declarations of Interest**
3. **Reports**

CEO

CL22.411 Policy - Social Media Policy1

City Performance

CL22.412 Policy - Local Preference Policy3

CL22.413 Policy - Risk Management Policy - Enterprise Risk Management Framework.....6

CL22.414	Policy - Induction and Ongoing Professional Development for Mayors and Councillors	8
CL22.415	Policy - Internal Reporting Policy.....	10
CL22.416	Policy - Tender Evaluation Policy	12
CL22.417	Policy - Liquidity Contingency Plan	13
CL22.418	Policy - Council Members – Payment of Expenses and Provision of Facilities Policy - Public Exhibition	14
CL22.419	Policy - Draft - Revenue - Debt Recovery and Hardship Policy	16
<u>City Futures</u>		
CL22.420	Policy - Town Street Tree Planting Strategy	19
CL22.421	Policy - Shoalhaven Heritage Strategy	20
<u>City Services</u>		
CL22.422	Policy - Acquisition of Land by Shoalhaven City Council	22
CL22.423	Policy - Occupation of Council Owned or Managed Land.....	24
CL22.424	Policy - Temporary Storage (Shipping) Container on Public Land.....	26
CL22.425	Policy - Development and/or Disposal of Council Lands	28
CL22.426	Policy - Council Waterways Infrastructure - Use for Commercial Purposes Policy	30
CL22.427	Policy - Drainage Easements - Maintenance of Open Drains Policy.....	31
CL22.428	Policy - Electric Vehicle (EV) Charging Stations on Public Land.....	32
CL22.429	Policy - Drainage Easements - Piping in Existing Subdivisions Policy	34
CL22.430	Policy - Kerb and Guttering - Charges Applicable Policy	35
CL22.431	Policy - Ratepayer Financing Policy for Kerb and Gutter Construction	36
CL22.432	Policy - Road Sealing Contributions Policy.....	37
CL22.433	Policy - Road Verge Improvements & Maintenance Policy	38
<u>City Development</u>		
CL22.434	Policy - Dealing with Development Applications Lodged by Council Staff, Councillors and Council	39
CL22.435	Policy - Council Compliance.....	44
CL22.436	Policy - Private Cemeteries	46
CL22.437	Policy - Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups	48
CL22.438	Policy - Companion Animals (Impacts on Native Fauna) - Conditions of Development Consent.....	50
CL22.439	Policies - Bushcare/Parkcare Policy and Terms of Reference - Natural Area Volunteers Group	52
CL22.440	Policy - Foreshore Reserves Policy.....	55
CL22.441	Policy - Tree Planting Program Events with Schools	61

City Lifestyles

CL22.442	Policy - Water Safety.....	63
CL22.443	Rescind Policy - Community Facilities - Use and Hire for Commercial Activities.....	65
CL22.444	Rescind Policies - Provision of Local Skate Parks, Provision of Local Area BMX Circuits and Park Management Policy.....	69

Shoalhaven Water

CL22.445	Policies - Shoalhaven Water Group - Round Seven.....	74
CL22.446	New Policy - Concessions For At-Home Dialysis	76

CL22.411 Policy - Social Media Policy

HPERM Ref: D22/313189

Department: Communication & Community Engagement
Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. NEW Social Media Policy - For Adoption (under separate cover)
2. OLD Social Media and Online Participation Policy (under separate cover)

Reason for Report

The Social Media policy is presented for adoption. The new Social Media Policy (attachment 1) is an Office of Local Government (OLG) Model Policy that will replace the current Shoalhaven City Council Social Media and Online Participation Policy (attachment 2 for your reference).

Recommendation

That Council adopt Social Media Policy (POL22/164).

Options

1. Adopt the new OLG model social media policy as written.

Implications: Section 6 includes an administrative framework for Councillors' social media platforms.

2. Not adopt the policy.

Implications: Council may request further details or suggest changes.

Background

The Office of Local Government (OLG) has recently finalised and released a Model Social Media Policy. The OLG policy was developed in response to some serious legal issues that a number of Local and State Government organisations faced as a result of social media malpractice, and to provide a consistent social media framework for all NSW Councils. The policy was developed following two rounds of consultation with the Local Government Sector and represent a 'best practice approach'.

The new model policy covers:

- Administrative framework for Council's social media platforms
- Administrative framework for Councillors' social media platforms
- Standards of conduct on social media
- Moderation of social media platforms
- Use of social media during emergencies
- Record keeping and privacy
- Private use of social media by employees
- Concerns or complaints

The new Social Media Policy will replace the current Shoalhaven City Council Social Media and Online Participation Policy, which is more than 12-years old and does not reflect current best practice.

Council's Media and Communications team has developed a set of best practice guidelines to help staff and social media authorised users implement the policy.

The new policy will be reviewed on an annual basis to ensure it continues to meet best practice.

Community Engagement

The Social Media Policy is for internal use only and community engagement is not required. The new policy and supporting guidelines will be communicated to Council staff using internal communication platforms, including the staff newsletter and the digital workplace.

Policy Implications

The new social media policy provides a robust framework for the administration and management of Council's social media platforms. It also sets standards of conduct for all Council officials who use social media in their official capacity.

Risk Implications

There is a brand and reputational risk resulting from the poor management of social media accounts. There are also significant legal risks and consequences for the improper moderation of public social media comments. However, adopting the proposed policy that reflects current best practice can mitigate this risk.

CL22.412 Policy - Local Preference Policy

HPERM Ref: D22/176085

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Draft- Local Preference Policy for Exhibition (under separate cover)
2. Local Preference Policy (POL16/265) (under separate cover)

Reason for Report

The *Revised Local Preference Policy* is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council

1. Publicly exhibit for a period of 28 days, its new Local Preference Policy with up to a 5% local preference weighting applied to the non-price criteria for all formal procurement activities over \$125,000.
2. Receive a further report should there be significant adverse comments received during the public exhibition period – noting that if no significant adverse comments are received that the Policy will be deemed adopted.
3. The effectiveness and the financial impact of the new Policy to be reassessed by Council in 12 months.

Options

1. Publicly exhibit for a period of 28 days its new Local Preference Policy with up to a 5% local preference weighting applied to the non-price criteria for all formal procurement activities over \$125,000.

Implications: The new Local Preference Policy will ensure that Council adheres to procurement best practices and receives the best value for tendered and quoted work, while supporting local businesses.

2. Not adopt the recommendations

Implications: Council can request further details, seek further community input, or make other changes

Background

The Local Preference Policy was adopted by Council on 25 August 2009 and reaffirmed on 26 July 2011 and 15 August 2017.

The purpose of the Local Preference Policy was to support the Shoalhaven Local Government Area's (LGA) economic development by giving preference to local suppliers and non-local suppliers using local suppliers, where possible, while ensuring that Council achieves the best overall value-for-money in its procurement of goods and services.

CL22.412

With this policy, Council assessed local supplier response as if their total net cost bid was reduced by 5% with the discount limited to a maximum of \$15,000.

At the Strategy and Assets Committee meeting on 11 February 2020, Council resolved to *immediately amend the Local Preference Policy providing up to 50% weighting preferences to businesses located in the Shoalhaven, for a period of 12 months, after which an evaluation would be undertaken*. The purpose of this temporary amendment was to provide economic stimulus to the businesses within the Shoalhaven LGA in response to the 2019/2020 bushfires and the COVID-19 pandemic.

At the Ordinary Council meeting held on 23 March 2021 it was resolved to extend the temporary policy to 30 of June 2021. It was further extended until 31 March 2022 at the Ordinary Council meeting held on 31 August 2021.

Impact of the Amended Local Preference Policy

The amended Local Preference Policy has resulted in an increase of project costs by approximately \$775K since the amended policy was adopted on 11 February 2020.

It has been also noted that over this period there was a reduction in the number of suppliers submitting tenders and an increase in the pricing. For example, some large tender packages received only 2 to 3 submissions, while previously we would expect 6 to 8 submissions.

Feedback was sought from Department Managers and Project Managers on how the amended Local Preference Policy has affected their procurement activities. The key stakeholders expressed similar concerns which are summarised below:

- the policy is too favourable to local suppliers and some non-local suppliers were electing not to tender for works and this is being reflected in lower tender submission numbers.
- there is an opportunity for local suppliers to inflate their prices and still win tenders.
- there is a difficulty in verifying a “local supplier” status and enforcing the policy once a tender is awarded. There are no guidelines/process to enforce or review compliance on those suppliers who have claimed local content discount in their tender submission. This concern is in relation to both, amended policy and the original Local Preference Policy.

Based on discussions held with the key stakeholders it is recommended to discontinue temporary amendments to the Local Preference Policy and to adopt a new policy that takes into consideration concerns raised by managers and the feedback received from Councillors in a recent briefing on the matter.

Review of Industry Practices

A review of the ISJO member councils revealed that only Kiama has a 5% price discount for local suppliers which is limited to a maximum of \$15,000 which is exactly the same as Shoalhaven City Council’s policy. The other two Councils do not apply a percentage price discount, but Wollongong Council has a 10% weighting in the non-price criteria for strengthening the local economy.

Review of some Sydney Councils stated no percentage price discount, and all referred to achieving value for money, while trying to support local suppliers where possible. No reference to any percentage weighting in the non-price criteria was noted from these Councils, except Blacktown City Council offering up to 5% weighting in the non-price evaluation criteria.

Proposed new Local Preference Policy

Feedback from senior managers and local preference policies of other Councils, it is proposed that Shoalhaven City Council adopt a Local Preference Policy with a 5% weighting applied to the non-price criteria for all formal procurement activities over \$125,000.

The weighting percentage to be applied to the non-price criteria:

Scores to be determined/guides by the following methodology	Weighting
Business Head Office located in the Shoalhaven LGA* and operates from Shoalhaven.	5%
A branch in the Shoalhaven LGA and operates in Shoalhaven LGA.	3%
No business office in Shoalhaven LGA but supplier employs staff who reside in Shoalhaven, and/or the majority of products and services sourced within Shoalhaven LGA.	1%
Not local. No factors will contribute to local economy, all products and services sourced from outside of the Shoalhaven LGA boundaries.	0%

* not just the registered address, physical business premises must be located in Shoalhaven LGA

The proposed policy gives a reasonable preference to the suppliers that support local economy without providing direct price discount while achieving the Council’s overall value-for-money objectives.

In addition, the new policy has clearly defined criteria for evaluation teams to determine a local supplier, the weighting advantage that they receive. The policy also has a simple and verifiable definition of a local supplier.

It is important to note that services below \$125,000 are sourced from panels of the local suppliers – example is the Trade Services and External Plant Hire panels.

The proposed Draft Local Preference Policy is attached to this report.

It is proposed for Council to assess the effectiveness and the financial impact of the Policy in 12 months.

CL22.412

CL22.413 Policy - Risk Management Policy - Enterprise Risk Management Framework

HPERM Ref: D22/323037

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

Attachments:

1. Risk Management Policy (under separate cover)
2. Enterprise Risk Management Framework (under separate cover)
3. Risk Assessment Procedure (under separate cover)
4. Risk Appetite Statement (councillors information folder)

Reason for Report

The purpose of this report is to provide the Risk Management Policy for adoption by the Council and to outline the Enterprise Risk Management Framework documentation and methodology.

Recommendation

That Council

1. Adopt the Risk Management Policy presented as **Attachment 1** to the report
2. Note the details of the Enterprise Risk Management Framework outlined in the report.

Options

1. Receive the report for information.
2. Receive the report for information, provide further comments and/or seek further information

Background

Risk Management Policy

The Risk Management Policy has the purpose of setting effectively manage risk across the organisation. It is a public policy stating the principles of our enterprise risk management framework, consistent with the current Australian Standard for risk management (AS ISO 31000:2018) and supports Council to optimise growth opportunities and mitigate against potential loss and damage.

The policy was thoroughly reviewed in 2021 and updated in accordance with AS ISO 31000:2018 Risk Management Guidelines and was endorsed in May 2021 by Council's Executive Management Team and the Audit Risk and Improvement Committee (ARIC). The policy was last adopted at the Strategy and Assets Committee on the 14 September 2021. The policy is provided as **Attachment 1** to this report for readoption.

Enterprise Risk Management Framework and risk management methodology documentation.

The ERM Framework is provided as **Attachment 2** to this report.

The purpose of the document is to outline our Enterprise Risk Management Framework and the key elements and activities, to ensure we have a consistent risk management approach with the Australian Standard for Risk Management Guidelines AS/ISO31000:2018.

The review included researching:

- the Australia Standard (AS ISO 31000:2018) Risk Management Guidelines
- Draft guidelines released by the OLG NSW, '[A new risk management and internal audit framework for local councils in NSW](#)'
- Risk Management Framework documentation from other organisations such as NSW Treasury, Commonwealth Bank, Atlassian, City of Sydney, Wollongong City Council, Victorian Managed Insurance Authority, and the Institute of Internal Auditors Australia.

Council's enterprise risk management framework includes the following key elements:

- Risk Management policy, processes, procedures, reporting and people
- Risk Appetite Statement
- Risk Management Planning (as part of the annual business plan)
- Strategic and Operational risk register
- Internal Audit Program
- Audit Risk and Improvement Committee (ARIC)

The overarching Enterprise Risk Management (ERM) Framework document has been endorsed by Council's Executive Management Team and the Audit Risk and Improvement Committee (ARIC). The Framework, and it's included Risk Assessment Procedure and Risk Appetite Statements are attached for information.

Risk Assessment Procedure

The Risk Assessment Procedure was reviewed and updated in accordance with AS ISO 31000:2018 Risk Management Guidelines and was endorsed on the 29 March 2022 by Council's Executive Management Team. The procedure aligns with the risk management guidance provided within the Standard. The procedure is provided as **Attachment 3** to this report

Risk Appetite Statement

In December 2021, council undertook three workshops with Department Managers and EMT to develop a Risk Appetite Statement (RAS), which is provided for Councillors view in the Councillors Information Folder.

The Statewide Board Initiative program for the 2021/22 financial year was utilised to assist council to develop the Risk Appetite Statement. A risk consultant was engaged to facilitate the workshops.

The RAS was provided to the Audit Risk and Improvement Committee (ARIC) for review and feedback at the Committee's meeting on 7 March 2022. ARIC members provided positive feedback and that no changes were required. The RAS was endorsed by the Executive Management Team on the 29 March 2022.

Council will continue to review and update the Risk Management Framework and its components in response to risks, standard and guidelines. Further review of the Framework will be prompted by the release of the Final Guidelines for Risk Management and Internal Audit for Local Councils in NSW.

CL22.414 Policy - Induction and Ongoing Professional Development for Mayors and Councillors

HPERM Ref: D22/339380

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Induction and Ongoing Professional Development for Mayors and Councillors (under separate cover)

Reason for Report

The Induction and Ongoing Professional Development for Mayors and Councillors policy is being presented for reaffirmation. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council reaffirm the Induction and Ongoing Professional Development for Mayors and Councillors Policy.

Options

1. Adopt the recommendation as written

Implications: No changes proposed

2. Not adopt the recommendation

Implications: Council can request further details, seek further community input, or make other changes

Background

The attached Policy based on the OLG Model Guidelines for Induction and Ongoing Professional Development for Mayors and Councillors was first adopted by Council on 29 June 2021, and formed the basis of the candidate sessions, councillor onboarding and induction, and professional development program which has been provided to date to the Council elected in December 2021. As the formal induction sessions are now complete, staff will now commence working with Councillors to identify personalised supplementary development programs outlined in this policy.

A thorough review of the Induction and Ongoing Professional Development for Mayors and Councillors Policy has been undertaken and no required changes have been identified since adoption. Therefore, the Policy is attached to this report for reaffirmation, with no changes proposed.

Requirements for an Induction and Ongoing Professional Development for Mayors and Councillors Policy.

In August 2016 amendments were made to the *Local Government Act 1993* to include, as part of the prescribed role of councillors under section 232, a responsibility “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor”.

CL22.414

In support of this, regulations were created requiring councils to provide induction training and ongoing professional development for mayors and councillors. As such, Regulation CI, 183 *Induction training courses for councillors* requires that:

- (1) The general manager must ensure that an induction training course is delivered to each councillor who has been elected to the council for the first time, within 6 months of the councillor's election.*
- (2) The induction training course required by subclause (1) must provide councillors with information about the functions and obligations of councils and councillors and the administrative procedures and operations of the council.*
- (3) The general manager must ensure that an induction refresher course is delivered to each councillor who is re-elected to the council, within 6 months of the councillor's re-election.*
- (4) The induction refresher course required by subclause (3) must provide councillors with updated information about the functions and obligations of councils and councillors and the administrative procedures and operations of the council.*
- (5) A councillor must make all reasonable efforts to participate in any induction training course or induction refresher course delivered to the councillor in accordance with a requirement under this clause.*

The OLG issued guidelines in December 2018 (incorporating a Model Councillor Induction and Professional Development Policy).

Community Engagement

There is no requirement for further public exhibition of this Policy given no changes have been identified. However, Council may choose to do so, should they consider any additional changes of significance.

Policy Implications

The Policy is proposed for reaffirmation without amendment, therefore there are no implications or deviation from current approved Policy.

Financial Implications

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

Risk Implications

Nil.

CL22.414

CL22.415 Policy - Internal Reporting Policy

HPERM Ref: D22/342395

Group: City Performance

Department: Business Assurance & Risk

Attachments: 1. Internal Reporting Policy - Public Interest Disclosure Act, 1994 (under separate cover)

Purpose / Summary

All Public Policies are to be submitted to Council within 12 months of the election of a new Council.

Recommendation

That Council:

1. Reaffirm the current Internal Reporting Policy (*Public Interest Disclosure Act, 1994*) without amendment as provided in **Attachment 1**
2. Receive a further report outlining a new Draft Internal Reporting Policy following the release of the proposed Model Policy for Internal Reporting by the NSW Ombudsman incorporating the provisions of the new *Public Interest Disclosure Act, 2022*.

Options

1. Adopts the recommendation as written

Implications: The current policy which meets current legislative provisions and guidelines of the NSW Ombudsman will be reaffirmed meeting the requirement of public policy review within 12 months of the commencement of the Council term. Once NSW Ombudsman releases their guidance documents and a new model policy, a new draft policy meeting the requirements of the new *Public Interest Disclosure Act, 2022* will be provided to the Council for adoption.

2. Make amendments to the current policy before adoption

Implications: Council can request further details, seek further community input, or make other changes. Changes must remain in line with the provisions of the *Public Interest Disclosure Act 1994*.

3. Not reaffirm the current policy at this time and await a new policy reflecting NSW Ombudsman released guidance and model policy meeting the requirements of the *Public Interest Disclosure Act, 2022*.

Implications: Council's current Policy will remain in place until such new policy is adopted, but Council may not meet the requirements of policy review within 12 months of commencement of a new Council term.

Background

In accordance with the Public Disclosures Act, 1994, all public authorities in NSW must have a public interest disclosure policy which, among other matters, sets out the agency's procedures regarding public interest disclosures, and identifies their nominated disclosure officers.

CL22.415

Council's current Public Interest Disclosure Policy was last reviewed in 2019. A further review has been conducted and no further changes at this time have been identified. Therefore, the Policy provided at **Attachment 1** for reaffirmation at this time does not include any amendments.

Although our current Policy is correct at this time, Council staff are aware that a new [Public Interest Disclosure Act, 2022](#) has been assented by parliament. The PID Act 2022 is not yet in place, and will commence either on 13 October 2023, being 18 months after the date of assent, or on an earlier day or days to be appointed by proclamation and will repeal the *Public Interest Disclosures Act 1994* (PID Act 1994). Until this new Act is commenced, Council must continue to comply the requirements of the PID Act 1994.

The PID Act 2022 introduces significant reforms to the ways that public interest disclosures are made, received, and dealt with in New South Wales and is intended to provide greater protection of persons who make public interest disclosures than that currently afforded under the PID Act 1994.

The requirements for the disclosure policy under the new act are significantly more prescriptive than under the PID Act 1994, and accordingly Council will need to ensure that our policy is updated to comply with the requirements of the new Act prior to the commencement date.

To assist agencies in the transition to the PID Act 2022, the NSW Ombudsman currently advises that *"in the coming months, we will communicate with agencies about our development of a package of resources to assist agencies to prepare. This will include new guidelines, fact sheets, e-learning modules and training packages for the new legislation"* It is understood that the new guidelines will include a new Model Internal Reporting Policy.

As it is not known when this information will become available, it is proposed in the recommendation of this report to re-affirm our current policy at this time and provide Council a new draft under the new Act, based on NSW Ombudsman guidance once that is available and prior to commencement of the PID Act 2022.

Community Engagement

Although this is a public policy of the Council, it is not envisaged that public consultation is required or will be undertaken for this review, as there are no changes proposed and content reflects the current Model Internal Reporting Policy produced by the NSW Ombudsman.

Policy Implications

The policy relates directly to the Code of Conduct and Fraud and Corruption Prevention Policy, however as there are no changes proposed to the Internal Reporting Policy no corresponding changes to other policy documents are required.

Risk Implications

The reaffirmation of the policy and management of disclosures are important fraud and corruption prevention measures for the Council.

CL22.416 Policy - Tender Evaluation Policy

HPERM Ref: D22/352448

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Draft - Tender Evaluation Policy - POL22/163 (under separate cover)

Reason for Report

The *Tender Evaluation Policy* is presented for adoption. All Council's public policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council reaffirm the Tender Evaluation Policy.

Options

1. Adopt the recommendation as written.

Implications: Updated Policies will be adopted within the 12-month timeframe of a new elected Council.

2. Not adopt the recommendation.

Implications: Council can request further details, seek further community input, or make other changes.

Background

The Tender Evaluation Policy was first adopted by Council on 25 August 2009 and reaffirmed on 23 April 2013.

The Policy is to provide a Tender evaluation process that ensures Council receives the best value for money for each Tender by selecting the most advantageous Tender in a consistent and transparent manner that meets legislative requirements and maintains a high level of probity and governance.

This Policy has been reviewed and is presented to Council with only minor changes to update the names of the responsible teams in line with the structure changes and the removal of the paragraph referencing the disbanded Strategy & Assets Committee.

Policy Implications

The Tender Evaluation Policy is proposed for reaffirmation as the nature of the changes are minor and therefore have no implications or deviation from the existing intent of the current approved Policies.

CL22.416

CL22.417 Policy - Liquidity Contingency Plan

HPERM Ref: D22/352462

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Liquidity Contingency Plan - POL22/176 (under separate cover)

Reason for Report

The *Liquidity Contingency Plan* is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council reaffirm the Liquidity Contingency Plan.

Options

1. Adopt the recommendation as written.

Implications: Updated Policies will be adopted within the 12-month timeframe of a new elected Council.

2. Not adopt the recommendation.

Implications: Council can request further details, seek further community input, or make other changes.

Background

The Liquidity Contingency Plan was adopted by Council on 2 November 2021 to establish a liquidity monitoring framework and to set out the steps to be taken in the event that Council experiences a significant reduction in its liquidity position due to abnormal or extraordinary circumstances that would limit Council's ability to pay for its day-to-day operations and maintain services to the community.

This Plan has been reviewed and concluded that the Plan remains current with no amendments required.

Policy Implications

This Policy is proposed for reaffirmation as there are no changes proposed and therefore no implications or deviation from the existing intent of the current approved Policy.

CL22.418 Policy - Council Members – Payment of Expenses and Provision of Facilities Policy - Public Exhibition

HPERM Ref: D22/358658

Department: Business Assurance & Risk
Approver: Kevin Voegt, Director - City Performance

Attachments:

1. Council Members – Payment of Expenses and Provision of Facilities Policy (under separate cover)
2. Current Provisions within OLG Suggested Template (Format Only) (under separate cover)

Reason for Report

To provide a Council Members – Payment of Expenses and Provision of Facilities Policy for public exhibition in accordance with legislative requirements.

Recommendation

That Council

1. Reaffirm the existing Council Members – Payment of Expenses and Provision of Facilities Policy.
2. Publicly exhibit the Council Members – Payment of Expenses and Provision of Facilities Policy for the required period of 28 days.
3. Receive a further report should there be significant adverse comments received during the public exhibition period – noting that if no significant adverse comments are received that the Policy will be deemed adopted.

Options

1. Endorse for public exhibition the existing Council Members– Payment of Expenses and Provision of Facilities Policy without the OLG template heading or formatting.

Implications: The existing policy in its current format will be put on public exhibition and if no submissions be received the amended Code be adopted at the close of the submission period. (Attachment 1).

2. Endorse for public exhibition the existing Council Members – Payment of Expenses and Provision of Facilities Policy in the new OLG template format which maintains all the provisions of the current policy reformatted under the OLG Template headings and formatting (Attachment 2).

Implications: The OLG Template version of the policy (Attachment 2) with existing provisions will be placed on public exhibition and if no submissions be received the amended Code be adopted at the close of the submission period.

3. Make further amendments to the Policy and undertake public consultation.

Implications: The policy will be put on public exhibition following any further amendments being made.

CL22.418

Background

Pursuant to Section 252 of the Local Government Act 1993, Council is required to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and the other Councillors in relation to discharging the functions of civic office within the first 12 months of each term of a council.

This Policy sets out the provision of facilities and expenses which may be claimed in relation to the discharging of duties while in civic office.

The current policy was first adopted in 1989 and last adopted in October 2015.

The [OLG Better Practice template](#) for the Policy was released in June 2017 for use by Councils as a suggested format for Council Expenses and Facilities Policies. At the time the OLG advised “*The Policy template has been designed to be amended to suit local needs and circumstances. It is recognised that the provisions in the Policy template will not all be appropriate for every council.*”

Following a review of the current policy by Council staff, a workshop was held with Councillors on Thursday 25 August 2022 to discuss the provisions of the existing Council Members – Payment of Expenses and Provision of Facilities Policy. Councillor feedback from the workshop was that Council should retain the current Council Members – Payment of Expenses and Provision of Facilities Policy at this time in order for the new Council to become more familiar with the existing provisions before considering any amendments.

Councillors also requested a version of the OLG Policy Template to be provided which replicates the current provisions of the Council Policy within the OLG’s template headings and formatting as an attachment to this report for their review (**Attachment 2**).

Community Engagement

Pursuant to Section 253 of the Local Government Act 1993,

(1) A council must give public notice of its intention to adopt or amend a policy for the *payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*

(2) *Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*

(5) *A council must comply with this section when proposing to adopt a policy in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy.*

Policy Implications

Pursuant to Section 252 of the Local Government Act 1993, Council is required to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor, and the other councillors in relation to discharging the functions of civic office within the first 12 months of each term of a council.

CL22.418

CL22.419 Policy - Draft - Revenue - Debt Recovery and Hardship Policy

HPERM Ref: D22/363629

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Attachments:

1. DRAFT - Revenue - Debt Recovery and Hardship Policy (under separate cover)
2. Revenue - Debt Recovery Policy (under separate cover)
3. Revenue - Hardship Policy (under separate cover)
4. Revenue - Pensioner Rates and Charges - Arrears and Interest (under separate cover)

Reason for Report

The *Revenue - Debt Recovery and Hardship Policy* is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council:

1. Adopt the Draft - Revenue - Debt Recovery and Hardship Policy
2. Rescind the Revenue – Debt Recovery Policy
3. Rescind the Revenue - Hardship Policy
4. Rescind the Revenue – Pensioner Rates and Charges – Arrears and Interest Policy

Options

1. Adopt the recommendations as written.

Implications: Updated Policies will be adopted within the 12-month timeframe of a new elected Council.

2. Not adopt the recommendation.

Implications: Council can request further details, seek further community input, or make other changes.

Background

All Council Revenue Policies have been reviewed under The Local Government Act and as a result of this process it is recommended to update and combine the three revenue policies into one new policy.

The proposed Policy will be known as the *Revenue - Debt Recovery and Hardship Policy* which will replace the following existing policies:

- i) Revenue – Debt Recovery Policy

Adopted by Council on 23 April 2008 and reaffirmed on 23 April 2013. This Policy is to ensure the Revenue Team has clearly documented guidelines for the efficient and consistent collection of all outstanding property rate and debtor accounts.

ii) Revenue – Hardship Policy

Adopted by Council on 1 May 2008 and reaffirmed on 23 April 2013. This Policy recognises that financial hardship can arise for some ratepayers and will consider application for financial relief in some instances, providing select criteria have been met.

iii) Revenue – Pensioner Rates and Charges – Arrears and Interest Policy

Adopted by Council on 6 May 2009 and reaffirmed on 23 November 2012. This Policy is to articulate Council's position in relation to the charging of interest and collection of arrears of pensions' rates and charges and ensure the Revenue Team has clearly documented guidelines.

Proposed Amendments

These proposed changes have been made to merge three policies (**Revenue – Debt Recovery Policy**; and **Revenue – Hardship Policy**; **Revenue – Pensioner Rates and Charges – Arrears and Interest Policy**) into one **Revenue - Debt Recovery and Hardship Policy**.

1. Revenue – Debt Recovery Policy

- a. Replaced references to 'outstanding' to 'overdue'.
- b. Increased the amount threshold from \$600 to \$800.
- c. Updated responsible officer titles as required.
- d. Added a clause permitting the extension of a pensioner concession if the occupation of the property remains unchanged if the eligible pensioner must leave the property.
- e. Removed the requirement for a report to be submitted to Council of overdue pensioners, prior to referral to Council's debt recovery agency. This is an operational matter and removal of this requirement will mean there will be no delay in progressing to the next stage of debt recovery action while having to wait for a Council decision. Any delays in commencing the referral may mean that another instalment will become overdue thus making it even more difficult for the pensioner to make an affordable payment arrangement.
- f. Provision has been made to allow charging of interest if Council decides to do so at a later time.
- g. In consultation with Holiday Haven, changes have been made to the debt recovery in relation to caravan park debtors.
- h. Debt recovery on Food shop debtors will be the same as all other debtors.

2. Revenue – Hardship Policy

- a. All relevant sections have been transferred to this merged policy.

3. Revenue – Pensioner Rates and Charges – Arrears and Interest Policy

- a. All relevant sections have been merged with the exception of the section dealing with 'rates outstanding as at 30 June 1989' which is no longer applicable.

Policy Implications

This new amalgamated Draft Policy is proposed for adoption by Council.

The three existing listed Policies have been incorporated into the new Policy and are therefore no longer required and need to be rescinded.

Financial Implications

This Policy provides clear guidelines for the Revenue Team to pursue the recovery of unpaid rates and charges which will enable Council to continue to effectively manage its outstanding revenue.

CL22.419

CL22.420 Policy - Town Street Tree Planting Strategy

HPERM Ref: D22/315333

Approver: Carey McIntyre, Director - City Futures

Attachments: 1. Town Street Tree Planting Strategy (under separate cover)

Reason for Report

The reason for this report is to seek a resolution from Council to retain the Town Street Tree Planting Strategy and adopt the proposed amendments shown in **Attachment 1**.

All Public Policies are to be submitted to Council within 12 months of the election of Council for consideration.

Recommendation

That Council retain the existing Town Street Tree Planting Strategy Policy with amendment in line with current report format and wording.

Options

1. As recommended

Implications: This Policy would replace previous now outdated strategy Min17.909

Background

The current Town Street Tree Planting Strategy (the Strategy) sets out a range of provisions and implementation strategies to manage the town and village entryway tree planting which provides an aesthetic and landscaped approach to the urban precincts throughout the City.

The Policy was first adopted in 2006 and has been reaffirmed through time and most recently in 2017.

Since the Town Street Tree Planting Strategy was first endorsed, tree planting has been implemented throughout the Shoalhaven on an annual basis. The beautification to town entryways has been seen as a success and a source of pride of our communities.

The priority listing for planting is intended to continue through to 2030 or when all towns have received entryway tree planting.

The Strategy has proven to be successful, but is in needs to be more contemporary. Proposed amendments to the Strategy are shown in the body of the document (**Attachment 1**) as red text.

Community Engagement

Community Consultative Bodies are engaged once a town is identified for planting.

Policy Implications

The content of the Policy is not anticipated to have further implications.

Financial Implications

An annual Operational Roads Tree Planting finance will be managed by City Services.

CL22.420

CL22.421 Policy - Shoalhaven Heritage Strategy

HPERM Ref: D22/337943

Department: Strategic Planning

Approver: Carey McIntyre, Director - City Futures

Attachments: 1. Proposed Shoalhaven Heritage Strategy 2022-2025 (under separate cover)

Reason for Report

The reason for this report is to enable a reconsideration of the Shoalhaven Heritage Strategy (POL21/11), noting that all Public Policies are to be submitted for consideration within 12 months of the election of Council.

Recommendation

That Council reaffirm the Shoalhaven Heritage Strategy (POL21/11), with the changes outlined in Attachment 1.

Options

1. As recommended.

Implications: This will see the reaffirmation of POL21/11 which is the preferred option as the content of the policy generally remains contemporary.

Further, this option allows Council to include consideration of Aboriginal cultural heritage and wartime heritage in the Strategy for the first time.

2. An alternative recommendation.

Implications: This will depend on the extent of any changes/approaches.

Background

The [Shoalhaven Heritage Strategy](#) (Policy POL21/11) was adopted by Council on 24 February 2009 and has been amended/reaffirmed multiple times since.

The Policy identifies a range of actions to be investigated/undertaken to promote conservation of heritage and general heritage awareness across the City.

The content of the Policy, particularly as it relates generally to European Heritage, is generally considered contemporary. As such, further policy adjustment relating to European Heritage is not considered necessary at this stage. However, minor changes are recommended to the Policy in this regard to:

- Reflect Council's recent commitment to investigate Shoalhaven's wartime heritage (MIN22.102).
- Clarify information and references that are available on Council's website.
- Reflect that Council's ongoing *Shoalhaven Local Heritage Assistance Fund* does not extend to sympathetic alterations/additions to heritage items or cyclical maintenance which is generally the responsibility of the landowner.

- Encourage and improve accessibility to/within Council owned and managed items of heritage significance.
- Note that future opportunities may arise for Council to investigate the provision of heritage focused local planning controls in certain character towns and villages.
- Reflect directorate changes following the most recent organisational restructure

This review also provides the opportunity for Council to include reference to Aboriginal Cultural Heritage for the first time, in recognition of the value and significance it holds within the Shoalhaven community and discussions with Aboriginal Land Councils and others in this regard.

All proposed additions and changes are outlined in **Attachment 1**.

Community Engagement

No community engagement is required as part of the reaffirmation process.

It is noted however that engagement and consultation will be undertaken as appropriate as part of projects etc. that emerge from the Policy

Financial Implications

The extent to which Council's free Heritage Advisory Service can operate is constrained by the current budget allocation.

It is noted that the review of the World War II artifacts and relics project, as well as the rural/semi-rural landscape characteristic review, is dependent on resourcing, budget allocation and/or grant funding opportunities.

CL22.422 Policy - Acquisition of Land by Shoalhaven City Council

HPERM Ref: D22/316456

Department: Technical Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Acquisition of Land by Shoalhaven City Council (under separate cover)

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 election of a new council.

This report summarises proposed updates to the Acquisition of Land by Shoalhaven City Council Policy.

Recommendation

That Council adopts the revised Acquisition of Land by Shoalhaven City Council Policy (POL22/120).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for the acquisition of land by Council.

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes.

Background

POL16/113 was first implemented on 21 March 2013 in accordance with MIN13.511. The Policy was amended on 15 August 2017.

The purpose of the Acquisition of Land by Shoalhaven City Council Policy is to provide sound and transparent criteria and procedures designed to minimise Council's exposure to risk and give due consideration to the community's best interests when acquiring land.

The Policy has been reviewed by Council's City Services Directorate with minimal changes to the existing policy. 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. Updated references to Contributions Plans.
3. Inclusion of reference to Council's Due Diligence for Land Transactions Procedure.
4. Deleted Section 5.2 "Assessment Criteria" on the basis that the Provisions detailed in Section 3 provide sufficient guidance, and the *Due Diligence for Land Transactions Procedure* provides guidance on assessment procedures.

Community Engagement

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

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.422

CL22.423 Policy - Occupation of Council Owned or Managed Land

HPERM Ref: D22/316624

Department: Technical Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Occupation of Council Owned or Managed Land (under separate cover)

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 election of a new council.

This report summarises proposed updates to the Occupation of Council Owned or Managed Land Policy.

Recommendation

That Council adopts the revised Occupation of Council Owned or Managed Land Policy (POL22/98).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for the occupation of Council owned or managed lands.

2. Resolve to not adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes.

Background

The Policy (POL19/40) was first implemented on 21 December 2009 in accordance with MIN09.1798 and was last amended on 28 January 2020.

The 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 documents.
3. Reflects the current scope of facilities under agreement by sinking fund Funding.
4. Incorporated delegated authority from previous minute MIN15.237.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

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.

CL22.423

CL22.424 Policy - Temporary Storage (Shipping) Container on Public Land

HPERM Ref: D22/284909

Department: Technical Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Draft - Temporary Storage (shipping) Container on Public Land (under separate cover)

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 election of a new council.

This report summarises proposed updates to the Temporary Storage (Shipping) Container on Public Land Policy.

Recommendation

That Council adopts the revised Temporary Storage (Shipping) Container on Public Land policy (POL22/65).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for the management of temporary storage (shipping) containers on public land.

2. Resolve to not adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes.

Background

In 2011 the Shoalhaven City Council Sports Board Committee recommended that Council give consideration to commencing a program of constructing storage rooms at sportsgrounds where storage is inadequate, and that Council staff investigate the possibility of using shipping containers as storage at sportsgrounds (MIN11.167). Staff investigated this matter and subsequently developed the original policy. Extensive community consultation was undertaken, and POL14/35 was adopted by Council via MIN15.87. The policy was again reviewed and amended creating POL16/218 and this was adopted via MIN17.301.

City Services have reviewed and updated the policy. The most significant change is an amended "Development Approval Pathways" section. This section has been expanded to provide greater clarity around various approval pathways and to distinguish between approvals required by Council and approvals required by others. The amendments result in a clear alignment between Council's policy and applicable development legislation.

Another key change is the inclusion of information pertaining to the National Construction Code and how the use of a shipping container for storage must meet these requirements.

CL22.424

Community Engagement

Internal comments have been sought and received. The draft Temporary Storage (Shipping) Container on Public Land policy has been updated accordingly.

The priority of this policy review has been to ensure adherence to relevant development and building requirements. There has been no community consultation as amendments to this policy have been shaped by existing legislation.

Policy Implications

The policy is due for review within one year of the election of a new Council. The amended policy now better aligns with current State and Federal legislation.

Financial Implications

Associated fees and charges have been adopted by Council. No additional resourcing is required.

Risk Implications

The updated policy better aligns with legislation and simplifies the development application process leading to improved implementation by Council staff and clearer direction for the community.

CL22.425 Policy - Development and/or Disposal of Council Lands

HPERM Ref: D22/322653

Department: Technical Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Draft - Development and/or Disposal of Council Lands Policy (under separate cover)

Reason for Report

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

This report summarises proposed updates to the Development and/or Disposal of Council Lands Policy.

Recommendation

That Council adopts the revised Development and/or Disposal of Council Lands Policy (POL22/47).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for the development and/or disposal of Council owned lands.

2. Resolve to not adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes.

Background

Council's Development and/or Disposal of Council Lands Policy (POL09/115) was first developed in 2009 and adopted via Council Minute MIN09.1486. The purpose of POL09/115 was to guide staff and Council in the decision-making process, to ensure transparency, community consultation, fairness and equity. The Policy ensured that "best value" and "public benefits" are achieved in any proposal to dispose of public land.

Councils' Development and/or Disposal of Council Lands Policy was amended in 2013 (MIN13.301) and 2016 (MIN16.1011).

The purpose of the draft Development and/or Disposal of Council Lands Policy (POL22/47) remains similar in intent being 'to provide sound, transparent criteria and procedures to minimise Council's exposure to risk and to give due consideration to the community's best interest at all times'.

The key changes are as follows:

1. The Purpose and Statement have been updated to better align with draft POL22/120 Acquisition of Land by Shoalhaven City Council

CL22.425

2. The Process section has been streamlined and now includes only higher order actions. This is because in 2016 Council developed a Due Diligence for Land Transactions Procedure which provides detailed and comprehensive guidance in land dealings.
3. The 'Checklist for undertaking direct negotiations' has been removed as updated information is available from ICAC and referenced in this policy and the Due Diligence for Land Transactions Procedure.
4. Updates references to the Departments and Directorates as based on Council's current organisational structure and asset custodian responsibility.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments to reflect current directorate titling and deletions in this policy are captured in Council's Due Diligence for Land Transactions Procedure.

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.

CL22.426 Policy - Council Waterways Infrastructure - Use for Commercial Purposes Policy

HPERM Ref: D22/339002

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Council Waterways Infrastructure - Use of for Commercial Purposes Policy (under separate cover)

Reason for Report

The Council Waterways Infrastructure - Use for Commercial Purposes Policy is presented for adoption. All Council public policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised *Waterways Infrastructure - Use for Commercial Purposes Policy* (POL22/102).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Council Waterways Infrastructure - Use for Commercial Purposes.

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes.

Background

The Policy (POL16/138) was first implemented on 22 April 2008 in accordance with MIN08.527. The Policy was last amended 21 February 2017.

Nature of Changes

Inclusion of Greenwell Point Public Wharf, due to the disbandment of the committee. Other proposed changes are administrative, housekeeping amendments.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.427 Policy - Drainage Easements - Maintenance of Open Drains Policy

HPERM Ref: D22/339449

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Drainage Easements - Maintenance of Open Drains Policy (under separate cover)

Reason for Report

The Drainage Easements - Maintenance of Open Drains Policy is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Policy, *Drainage Easements - Maintenance of Open Drains Policy* (POL22/104).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Drainage Easements - Maintenance of Open Drains Policy

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/142](#) was first implemented on 11 April 1983 in accordance with MIN83.608. The Policy was last amended 21 February 2017.

Amendments are administrative only.

Community Engagement

None required as amendments are administrative.

Policy Implications

No substantial changes are proposed within the recommended changes to the policy.

CL22.427

CL22.428 Policy - Electric Vehicle (EV) Charging Stations on Public Land

HPERM Ref: D22/279909

Department: Technical Services

Approver: Paul Keech, Director - City Services

Attachments: 1. Draft - Electric Vehicle Charging Stations on Public Land Policy (under separate cover)

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 election of a new council.

This report summarises proposed updates to the Electric Vehicle (EV) Charging Stations on Public Land Policy.

Recommendation

That Council:

1. Note that the Policy has been updated to clarify the purpose and objectives of the policy and that a supporting operational EV charging infrastructure design and specification procedure will be developed to address the detailed design requirements of EV charging stations.
2. Adopts the revised Electric Vehicle (EV) Charging Stations on Public Land Policy (POL22/34).

Options

1. As recommended.

Implications: Council will retain a contemporary policy for the consideration of EV charging stations on public land and a supporting EV charging infrastructure design and specification procedure will be developed to ensure EV charging stations on public land are compliant with the objectives of this Policy and best practice design requirements and standards.

2. An alternative recommendation.

Implications: Council can request further details, seek further community input, or make other changes.

Background

The [Electric Vehicle \(EV\) Charging Stations on Public Land Policy](#) was adopted by Council on 7 May 2019. The Policy provides criteria for the provision, installation, management, maintenance, and removal of Electric Vehicle charging stations on public land across the City.

The Policy has been reviewed by Council's City Services Directorate with minor changes to the existing policy.

CL22.428

The key changes are as follows:

1. Additional context provided on current state of EV charging market.
2. Update references to Departments and Directorates – based on Council’s current organisational structure and asset custodian responsibility.
3. Deleted significant parts of Section 6.1 “Visibility and Identification” and Section 6.3 “Charging Technology” on the basis that the content was operational in nature and typically comprised technical detail subject to legislation and industry standards that are frequently changing. Instead, those details will be documented and maintained in a supporting EV charging infrastructure design and specification procedure.
4. Section 4 “Fair and Equitable Selection of Providers” now includes the following statement *“Council, unless in exceptional circumstances or for the purpose of charging vehicles in Council’s fleet, will not be the owner or manager of EV charging station infrastructure.”*

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.428

CL22.429 Policy - Drainage Easements - Piping in Existing Subdivisions Policy

HPERM Ref: D22/339628

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Drainage Easements - Piping in Existing Subdivisions Policy (under separate cover)

Reason for Report

The Drainage Easements - Piping in Existing Subdivisions Policy is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Policy, *Drainage Easements - Piping in Existing Subdivisions Policy* (POL22/105).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Drainage Easements - Piping in Existing Subdivisions Policy

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/143](#) original date of adoption is unknown. It was reaffirmed on 22 February 2005 in accordance with MIN05.138. The Policy was last amended 21 February 2017.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.430 Policy - Kerb and Guttering - Charges Applicable Policy

HPERM Ref: D22/339719

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Report - Policy for Review - Kerb and Guttering - Charges Applicable Policy (under separate cover)

Reason for Report

The Kerb and Guttering - Charges Applicable Policy is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Policy, *Kerb and Guttering - Charges Applicable Policy* (POL22/109).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Kerb and Guttering - Charges Applicable Policy

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/148](#) was first implemented on the 14 July 1969 in accordance with MIN69.1559. The Policy was last amended 21 February 2017.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.431 Policy - Ratepayer Financing Policy for Kerb and Gutter Construction

HPERM Ref: D22/339784

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Ratepayer Financing Policy for Kerb and Gutter Construction (under separate cover)

Reason for Report

The Ratepayer Financing Policy for Kerb and Gutter Construction is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Ratepayer Financing Policy for Kerb and Gutter Construction (POL22/111).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for the Ratepayer Financing Policy for Kerb and Gutter Construction

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/155](#) was first implemented on 29 June 2009 in accordance with MIN04.740. The Policy was last amended 21 February 2017.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.432 Policy - Road Sealing Contributions Policy

HPERM Ref: D22/339809

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Road Sealing Contributions (under separate cover)

Reason for Report

The Road Sealing Contributions Policy is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Policy, *Road Sealing Contributions Policy (POL22/112)*.

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Road Sealing Contributions Policy

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/156](#) was first implemented on 16 December 1997 in accordance with MIN97.2296. The Policy was last amended 12/12/2017.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.433 Policy - Road Verge Improvements & Maintenance Policy

HPERM Ref: D22/339857

Department: Works & Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. DRAFT - Road Verge Improvements and Maintenance Policy (under separate cover)

Reason for Report

The Road Verge Improvements & Maintenance Policy is presented for adoption. The Local Government Act requires that all Council policies should be reviewed within 12 months of an election of a new Council.

Recommendation

That Council adopts the revised Policy, *Road Verge Improvements & Maintenance Policy* (POL22/113).

Options

1. Resolve as recommended.

Implications: Council will retain a contemporary policy for Road Verge Improvements & Maintenance Policy

2. Resolve not to adopt as recommended.

Implications: Council can request further details, seek further community input, or make other changes

Background

[POL16/157](#) was first implemented on 15 March 2016 in accordance with MIN16.204. The Policy was reaffirmed 21 March 2017.

Nature of Changes

Inclusion of electrical assets that fall under the changes in relation to the Asset Custodian Model.

Community Engagement

None required. The proposed changes are administrative, housekeeping amendments.

Policy Implications

No substantial policy changes are proposed within the recommended changes to the policy.

CL22.433

CL22.434 Policy - Dealing with Development Applications Lodged by Council Staff, Councillors and Council

HPERM Ref: D22/50580

Department: Development Services

Approver: James Ruprai, Director - City Development

Attachments:

1. (New Policy) Conflict of Interest - Dealing with Development Applications Lodged by Council Staff, Councillors and Council (under separate cover)
2. Assessment of Council's own Development Applications (POL16/226) (under separate cover)
3. Dealing with Development Applications Lodged by Council Staff or Councillors (POL16/235) (under separate cover)
4. Managing council-related development - frequently asked questions (Dept of Planning & Environment) (under separate cover)

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.

As a result of forthcoming changes to the *Environmental Planning and Assessment Regulation 2021*, Council has been advised that it will be mandatory (within 6 months after introduction) for all Councils in NSW to implement the Regulation. To implement the Regulation, it will be necessary for Council to have an adopted Policy and for Council to have regard to the Policy in determining development applications.

Council's Policy must clearly state how potential conflicts of interest are to be managed.

Recommendation

That Council:

1. Resolve to revoke Policies POL16/226 (Assessment of Council's own Development Applications) and POL16/235 (Dealing with Development Applications Lodged by Council Staff or Councillors), instead replacing them with one new Policy covering staff, Councillor and Council's interest in the assessment and determination of Development Applications.
2. Exhibit the Policy for a period of not less than 28 days and if no significant adverse comment is received, that the Policy be deemed adopted made available on Council's website.

Options

1. Resolve as recommended.

Implications: The adopted Policy will reflect current legislation, directorate titling and current assessment procedures. The confirmation and update of the Policy will ensure that the recommendations put forward by Council staff in the assessment of staff, Councillor's and Council's Own Development Applications are free from conflicts of interest, are undertaken in an impartial manner and are in line with the forthcoming changes to the *Environmental Planning and Assessment Regulation 2021*.

CL22.434

Whilst the legislation was not made at the time of preparing this report and the revising the Policies, the changes are considered positive and provide a layer of transparency which is in the public interest. In the event that the legislation if and when made has additional requirements or other changes, the Policy can be revisited accordingly.

2. Resolve to not adopt as recommended.

Implications: Adopted policy POL16/226 and POL16/235 will remain, and applications will be assessed in accordance with the existing policies. This would result in outdated documentation and potential inconsistencies with the proposed *Environmental Planning and Assessment Regulation 2021*. This could leave Council open to potential legal challenges, given that the Regulation may not be complied with.

3. Resolve an alternative recommendation and give further instruction to staff.

Implications: Council will need to advise of additional changes to the policy.

Background

Managing Council-related development

New requirements under the Environmental Planning and Assessment Regulation 2021

Councils are development regulators. They can be developer, landowner or hold a commercial interest in the land they regulate. Where Councils have this dual role, an inherent conflict can arise between their interest in the development and their duty as regulator.

New requirements will be introduced into the *Environmental Planning and Assessment Regulation 2021* for councils to prepare and publicise a Policy that sets out how they proposed to manage potential conflicts of interest. In addition, council will have to publicly communicate via the NSW Planning Portal and / or DA tracking the management approaches they propose to implement. Advice from the Department was:

The management statement must be published with the DA material either on the Planning Portal or your own system (whatever you use).

The Department of Planning and Environment advises:

Any policy prepared and adopted by a council must:

- *establish **management controls and/or a management strategy** to address potential conflicts of interest at the different phases of the development process for the types of council-related development that it could be involved in*
- *outline the process through which potential conflicts of interest will be identified, the risks assessed, and appropriate management controls determined*
- *outline the process that will be followed to publicly communicate the management approaches for each development subject to the policy.*

In some circumstances, council may determine the risks are sufficiently low and no specific controls are warranted. Where this is the case, council should still publicly communicate that fact through the NSW Planning Portal to ensure transparency.

Where a council determines for a particular class of development that the risks of a conflict of interest are very low, it may decide not to have any management controls for a specified type

of development unless there is some direct involvement of a councillor or a council staff member in their private capacity..... In those circumstances, the council's policy could outline that its management strategy for this class of development does not apply additional controls for conflicts of interest.

While the proposed regulation changes do not mandate the use of the framework once a development consent is issued, The Department also advises that *"it is best practice when developing their policies for councils to also address conflicts that may occur after it has granted development consent."*

This could be as simple as stating in the policy that the council will enter into a shared services arrangement with a neighbouring council or alternatively Council could engage an independent contractor e.g., a certifier of compliance specialist depending on the matter at hand.

What triggered the changes to the Regulation 2021?

In late 2019, the NSW Ombudsman finalised an investigation into allegations that Broken Hill City had breached the *Environmental Planning and Assessment Act 1979* by allowing its own unfinished Civic Centre to be used for large public functions, despite not having the necessary certification that it was safe to do so. As a result of an investigation, an examination was made as to how widespread the problem may be. It was found that some councils adopted arrangements to try and manage conflicts but there was little consistency and measures taken were of varying effectiveness.

As a result, the NSW Ombudsman concluded that the dual role of councils created potential conflicts of interest and it is a systemic issue that needs to be addressed. Accordingly, changes to the Regulation will require councils to:

- Have a formal policy.
- Consider the policy before determining any development applications that are council related.
- Publicly communicate any management approaches that the council will implement for each development. A management strategy must be published on the NSW Planning Portal together with the development application when it is exhibited.

Council's Policies and the Proposed Amendments

POL16/226 was first implemented on 16 December 2008 in accordance with MIN08.1691. The Policy has been amended on 4 August 2009, 24 November 2011 and 11 April 2017 and reaffirmed on 26 February 2013.

POL16/235 was first implemented on 10 March 2009 in accordance with MIN09.271. The was reaffirmed on 26 February 2013 and amended on 21 March 2017.

The Department has provided a draft Policy intended to capture the relevant provisions of the new Regulation 2021. The Policy has been used as a template for Council's 'new' Policy.

The main changes to Council's policies incorporating the provisions of the *Environmental Planning and Assessment Regulation 2021* are as follows:

1. The two Council policies have been incorporated into a single document based on the sample Policy for managing conflicts of interest for council-related development.

2. The Policy updates of the provisions (for assessing Council's DAs) relating to Minor DAs to reflect current protocols within Development Assessment for all determinations under delegated authority to be peer reviewed.
3. Update to identify that section 4.55(2) Modification Applications (for assessing Council's DAs) are also subject to the Policy where it is considered the amendments will result in more than a minor impact.
4. Items 2 and 3 above being captured in the proposed "Management Controls and Strategies" in the new policy. (Item 2 is required by the proposed Regulation.)
5. Update the Policy to reflect the role of *State Environmental Planning Policy (Planning Systems) 2021* (*State Environmental Planning Policy (State and Regional Development) 2011* was repealed) and the Regional Planning Panel in the determination of Regional Development Applications including Council applications with a Capital Investment Value (CIV) of more than \$5 million and that all these applications are independently assessed, for Council's DAs.
6. Acknowledge the peer review process.
7. Update references to changed and new legislation.
8. Update references to Departments and Directorates - based on council's current organisational structure.
9. The management statement (required by the Regulation) is to be published. Noting that the community is familiar with the DA tracking website, the statement will be uploaded onto DA tracking. In the event that the Department mandates use of the Portal, the documentation can also be uploaded onto the Portal site.

Specific regulatory changes are foreshadowed to be as follows:

1. Council related DAs must be exhibited for a minimum of 28 days. This is to be reflected in the Community Consultation Policy.
2. A statement specifying how Council will manage conflicts (or a statement indicating there is no management strategy) must be provided for each council related development application.
3. Council must adopt the conflict of interest Policy.
4. Council must have regard to the Policy in determining development applications.
5. A Register must be kept of Council related development applications with conflicts of interest, potential conflicts and management measures recorded.

Community Engagement

The proposed changes are administrative and housekeeping - to reflect current directorate titling. The revised Policy also captures the proposed legislative requirements.

The recommended amendments seek to improve and strengthen Council's Policy in relation to the assessment of Council's Development Applications and manage potential conflicts of interest.

Whilst the legislative amendments apply to 'Development Applications', the Policy also references Modification Applications, to ensure that the same levels of probity apply to those applications, notably the more substantial modifications which are considered to be other than minor or a misdescription or error.

Exhibition of the Policy is recommended for a period of not less than 28 days. If the exhibition does not raise any significant concerns or issue, it is recommended that the Policy be deemed adopted at the completion of the exhibition period. If there are submissions which warrant reporting, a separate report will be prepared for Council's consideration.

Financial Implications

Financial implications could include additional costs if independent planning consultants or consultants are used in the assessment of applications or post approval phase.

Risk Implications

The policies have been in place since 2008/2009 and there have been no issues identified from their application to development.

However, in light of the proposed changes to the *Environmental Planning and Assessment Regulation 2021*, it is recommended that the new Policy be adopted to ensure compliance and best practice.

The absence of a Policy poses a risk to Council in the assessment and determination of applications by not being procedurally robust or providing adequate probity.

CL22.435 Policy - Council Compliance

HPERM Ref: D22/239660

Department: Certification & Compliance

Approver: James Ruprai, Director - City Development

Attachments: 1. Compliance & Enforcement Policy (DRAFT) (under separate cover)

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.

The report has been prepared to assist Council to consider the adoption of these existing public policies which deal with the responsibilities within City Development.

Recommendation

That Council place the revised Compliance and Enforcement Policy (as attached) on Public Exhibition for 28 days and if no significant adverse comment is received, that the policy be deemed adopted made available on Council's website.

Options

1. Adopt the recommendation

Implications: The policy review will assist in maintaining the Compliance and Enforcement program and provide staff with clear guidelines on how to action matters.

2. Not adopt the recommendation

Implications: Council will need to give further instruction to staff.

Background

[Council's Compliance and Enforcement Policy](#) was last adopted by Council in 2018 (POL18/68). 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 has an obligation to the community to undertake various regulatory investigations and inspections to monitor, abate and/or rectify activity within its area. These activities are generally brought to Council's attention via the lodgement of an application or an internal or external customer service request.

Staff across the organisation undertake their regulatory duties in a fair, transparent and consistent manner in line with the relevant legislative requirements and Council's adopted Codes and Policies.

In December 2015 the NSW Ombudsman released a Model Compliance and Enforcement Policy. The Ombudsman's Policy was designed to harmonise the different approaches taken by Council's to their regulatory duties and to minimise inconsistency and the potential for corruption related issues. Council adopted some of the Ombudsman's recommendations during the last review in 2018.

With the above in mind, Council's Compliance Policy has been amended to better reflect the Ombudsman's Policy including recent legislative and internal changes to the document. The changes include a table of contents and the following inclusions:

- a) Anonymous reports,
- b) Unreasonable complaint conduct,
- c) Deciding whether or not to take enforcement action,
- d) Options for dealing with confirmed cases of unlawful activity,
- e) Taking legal action,
- f) Shared enforcement responsibility,
- g) Role of council where there is a private certifier,
- h) Principal certifiers directions notices – (council or private),
- i) Building information certificates,
- j) Role of councillors in enforcement,
- k) Reviews of penalty notices for building, development, environmental & animal offences.

The above inclusions clarify the processes behind Councils regulatory functions and provide staff with a more robust document to follow when considering an appropriate course of regulatory action.

The changes better align with other NSW Local Council Compliance & Enforcement Policies.

Community Engagement

These policies support Council's commitment to ecologically sustainable development principles and support good governance practice.

If approved by Council in principle or by amendment, the policies will be advertised to the community for a period 28 days prior to endorsement.

CL22.436 Policy - Private Cemeteries

HPERM Ref: D22/245871

Department: Development Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Private Cemeteries (under separate cover)

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.

The report has been prepared to assist Council to consider the adoption of these existing public policies which deal with the responsibilities within City Development.

Recommendation

That Council adopt the Private Cemeteries Policy (attached).

Options

1. Resolve as recommended.

Implications: The confirmation and update of this Policy will ensure that the Policy will reflect current legislation, Directorate titling and Corporate formatting.

2. Not adopt the recommendation.

Implications: Council will need to give further instruction to staff.

Background

This Policy provides guidance with respect to private cemeteries.

This Policy applies to all land where a cemetery is permissible with consent in the relevant Local Environmental Plan in the Shoalhaven Local Government Area (LGA). Council will not consent to private cemeteries on private land where that land is identified for potential urban use under an adopted structure plan or strategy.

History of POL

POL22/7 was first adopted by Council 15/04/1997. Since that date it has been reaffirmed on 21/12/2004, 14/04/2009, 21/05/2013 and 11/04/2017 in accordance with Minutes MIN97.450, MIN04.1598, MIN09.429, MIN13.473 and MIN17.290.

The Policy has been in place since 1997. Since 2017, the Policy refers to 'private cemeteries', replacing the terminology of 'private burial grounds'.

Summary of Provisions

The provisions of the Policy address who can be buried on private land, public health regulations, site requirements, restrictions on land title, access construction, fencing, graves, burial records, permanent markers, development application, and interment of remains.

CL22.436

Nature of Changes

No changes are proposed at this time to the substance of the Policy. The Policy has been reformatted in consistency with the new corporate format.

References to relevant legislation and Council Directorates have been updated.

Future considerations

At this time, the *Cemeteries and Crematoria Amendment Regulation 2022* (licensing requirements) is currently on exhibition until 31 July 2022. It is not known how quickly this legislation will proceed. Ongoing care and perpetual maintenance issues are not included in the exhibited draft.

For further information: [Proposed Interment Industry Scheme | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

If applicable, future changes to state legislation would then take precedence over Council Policy. At this time, the full extent of changes and/or timing of such changes is unknown.

Community Engagement

No engagement is required as there are no substantial changes proposed. This Policy assists with the assessment of Development Applications.

CL22.436

CL22.437 Policy - Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups

HPERM Ref: D22/246055

Department: Development Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups (under separate cover)

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.

The report has been prepared to assist Council to consider the adoption of these existing public policies which deal with the responsibilities within City Development.

Recommendation

That Council adopt the Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups Policy.

Options

1. Resolve as recommended.

Implications: The Policy for the *Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups* will continue to apply. The Policy will assist organisations and groups financially by waiving fees.

The Policy will continue to be reviewed annually by City Development as part of the overall annual review of Council's Delivery Program and Operational Plan as provided within Section 4 of the Policy.

2. Not adopt the recommendation.

Implications: Council will need to give further instruction to staff.

Background

Implementation History of POL22/18

POL22/18 was first adopted on 18 February 1997 in accordance with MIN97.72. The Policy was reaffirmed on 21 December 2004 in accordance with MIN04.1598.

POL22/18 was subsequently amended on the following dates:

- Amended 24/07/2007 (MIN07.1041), amended 14/04/2009 (MIN09.429), amended 20/07/2011, amended 23/11/2012 (MIN12.1280), amended 19/09/2014, amended 19/09/2017 (MIN17.796), amended 15/05/2018 (MIN18.353), amended 12/11/2019 (MIN19.842), and amended 25/02/2020 (MIN20.135).

Summary of Provisions

The Policy exempts certain applicants/ organisations from the payment of some fees such as: Development Applications (DAs) and applications under Section 68 of the *Local Government (LG) Act 1993* (including sewerage management facility, temporary/ mobile food and street stall approvals), subject to certain exemption criteria.

The exemption criteria includes:

- (a) The applicant must be a non-profit organisation, such as:
- a registered charity and evidence of registration as a charity has been provided to Council; or
 - a local community or sporting group; or
 - a Council project of a “community” nature.
- (b) The applicant must also not have and any ongoing commercial or business type venture involvement such as an event, nursing home, childcare centre, educational establishment, registered club, etc.

The waiver applies when the sum of all DA fees does not exceed \$1,500. This excludes prescribed advertising, notification and archive fees which must be paid.

In circumstances when the threshold is exceeded, applicants / organisations who meet the exemption are required to pay upfront however may apply in writing, for reimbursement of the amount paid. Council will consider this request, via a report to Council.

Applicants / organisations who do not meet the exemption criteria must pay the scheduled fees upon lodgement of an application.

Waivers may also be sought for certain applications under Section 68 of the *Local Government Act 1993* including:

- Sewage management facility applications, and
- Temporary / mobile food and street stall applications. Fees do not have to be paid at the time of lodging these applications.

Nature of changes proposed to be made to Policy

No changes are proposed to the substance of the Policy. The Policy has been reformatted consistent with the new corporate format.

The reference to the Strategy and Assets Committee is also removed, as the Committee no longer operates. A reference to the “ESD” has been removed as this is not relevant to the waiving of fees.

Community Engagement

No engagement is required as there are no substantial changes proposed.

This Policy is considered to benefit the broader community by providing fee relief for charitable and community groups.

CL22.437

CL22.438 Policy - Companion Animals (Impacts on Native Fauna) - Conditions of Development Consent

HPERM Ref: D22/262981

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Companion Animals (Impacts on Native Fauna) - Conditions of Development Consent (under separate cover)

Reason for Report

The *Companion Animals (Impacts on Native Fauna) – Conditions of Development Consent* policy is presented to Council for adoption. All Public Policies are to be submitted to Council within 12 months of the election of Council.

Recommendation

That Council adopt the revised Companion Animals (Impacts on Native Fauna) – Conditions of Development Consent policy.

Options

1. Adopt the recommendation as written

Implications: The revised policies will maintain a policy position on applying development controls in relation to companion animals for the protection of native fauna, where appropriate.

2. Not adopt the recommendation

Implications: Council can request further details, seek further community input, or make other changes.

Background

The policy 'Companion Animals (Impacts on Native Fauna) – Conditions of Development Consent' was established in 2005 to document Council's position that conditions relating to the keeping of pets (companion animals) can be imposed for developments that are adjacent to environmentally sensitive areas.

Conditions pertaining to the keeping of companion animals are included within the Development Consent for proposed developments that are located adjacent to environmentally sensitive areas. Such conditions are enforceable by Council and are vital in the Shoalhaven given the extent of environmentally sensitive areas.

Proposed Changes to Policy

The following minor administrative changes are proposed in response to legislative updates:

- Section 3 – Provisions:
 - The term 'environmentally sensitive areas' has been defined as being that as described by section 3.3 of the *Shoalhaven Local Environment Plan (2014)*.

These are:

- (a) the coastal waters of the State,
- (b) a coastal lake,
- (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the [Coastal Management Act 2016](#)),
- (d) land reserved as an aquatic reserve under the [Fisheries Management Act 1994](#) or as a marine park under the [Marine Parks Act 1997](#),
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
- (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved under the [National Parks and Wildlife Act 1974](#) or land acquired under Part 11 of that Act,
- (i) land reserved or dedicated under the [Crown Land Management Act 2016](#) for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land that is a declared area of outstanding biodiversity value under the [Biodiversity Conservation Act 2016](#) or declared critical habitat under Part 7A of the [Fisheries Management Act 1994](#),
 - a. land identified as riparian land by clause 7.6(2)(a) (of the Shoalhaven Local Environment Plan 2014. See: Riparian Lands and Watercourses Map),
 - b. land identified as “Excluded Land” on the Terrestrial Biodiversity Map.

These areas have a high likelihood of occurrence for threatened biodiversity and provide important retention habitat for native wildlife preservation.

- Additional wording has been included to define the locations for which this policy applies, with the intention that those areas adjacent to environmentally sensitive areas are included.
- The document has also been updated to new nomenclature relating to the recent restructure within Council, and in response to the introduction of the *Biodiversity Conservation Act 2016* (NSW), which replaced the repealed *Threatened Species Conservation Act 1995* (NSW).

Due to minor administrative nature of the changes, that are not materially impacting on the intent or outcomes of the policy, community consultation is deemed to be not warranted.

CL22.439 Policies - Bushcare/Parkcare Policy and Terms of Reference - Natural Area Volunteers Group

HPERM Ref: D22/291489

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Bushcare/Parkcare Policy (under separate cover)
2. Natural Area Volunteers Group - Terms of Reference (under separate cover)

Reason for Report

The *Bushcare/Parkcare Policy* and *Natural Area Volunteers Group – Terms of Reference* are presented to Council for adoption. All Public Policies are required to be submitted to Council within 12 months of the election of Council.

Recommendation

That Council:

1. Adopt the revised Bushcare/Parkcare Policy
2. Adopt the revised Natural Area Volunteers Group - Terms of Reference

Options

1. Adopt the recommendation as written

Implications: The revised policies will ensure that Council maintains an appropriate level of governance of Bushcare and Parkcare volunteer programs

2. Not adopt the recommendation

Implications: Council can request further details, seek further community input, or make other changes.

Background

The Bushcare and Parkcare programs have been operated by Shoalhaven City Council for about two decades. Over that time, volunteers have contributed an enormous amount of effort to the maintenance and improvement of Natural Areas and parks.

The Bushcare/Parkcare Policy was first adopted by Council in August 2009.

A Bushcare Representative Group was established in 2011 following a resolution of Council in December 2010 (MIN10.1461).

There was a major review of the Bushcare/Parkcare Policy completed in 2018 resulting from substantial consultation with Bushcare and Parkcare groups, the Bushcare Representative Group and Councillors.

In September 2019, the Bushcare Representative Group was renamed to the Natural Areas Volunteer Group (MIN19.674) to reflect the volunteer groups working across a variety of environments, such as bushland and dune systems.

CL22.439

Following the recommendation from the then Bushcare Representative Group (BR19.1) and Council (MIN19.588), Terms of Reference were developed for the renamed Natural Area Volunteers Group.

Proposed Changes to the Bushcare/Parkcare Policy

The following changes have been made to the Bushcare/Parkcare Policy:

- General:
 - The Policy has been reviewed to be consistent with the standard format and content of other Council policies.
 - Renaming of Bushcare Representative Group to Natural Area Volunteers Group.
 - Minor grammatical corrections and revised nomenclature.
 - Policy made more succinct and better tailored to target audience without losing intent.
- Section 2 – Statement:
 - Revised text around the number of reserves
 - Updated text to the relevant themes in the current Community Strategic Plan
 - Reduction in the volume of background text through the removal of duplicated text.
- Section 3 – renamed to 'Provisions' (as per the existing policy template):
 - Re-named section for consistency
 - Description of Bushcare and Parkcare plans
 - Bushcare Group Action Plans may be reviewed by the Natural Area Volunteers Group rather than being a mandatory requirement. This change is required as the Bushcare/Parkcare Procedures set out the required community engagement based on the level of potential impact of the actions proposed in each plan.
- Section 4 – Implementation:
 - Roles and responsibilities included within this section and made more concise without losing intent.
- Section on Ecologically Sustainable Development:
 - Removed as no longer a requirement.

Proposed Changes to the Natural Area Volunteers Group - Terms of Reference

The following changes have been made to the Terms of Reference for the Natural Area Volunteers Group:

- General:
 - The Terms of Reference have been reviewed to be consistent with the format and content of other Terms of Reference e.g. Coastal Management Plan Advisory Committee.
- Section 1 – Purpose:
 - Policy and Program changed to 'Bushcare'.

CL22.439

- Section 2 – Interpretation:
 - New section added for consistency.
- Section 3 – Status:
 - New section added for consistency.
- Section 4 – Role:
 - A description of Natural Area volunteer groups and relationship to Council's Bushcare Program has been added. Program changed to 'Bushcare'.
- Section 5 – Delegations:
 - New section added for consistency.
- Section 6 – Membership:
 - Membership by representatives from NSW Local Land Services and NSW Department of Planning and Environment is proposed to be optional for those agencies.
 - Addition of chair, CEO (or nominee) and 'other relevant government agencies'
 - Minor changes to the terms relating to appointments for consistency.
 - Appointments apply for a term of three years (previously undefined)
 - Changes to the selection panel made to increase independence
 - Wording updated for consistency
- Section 7 – Natural Area Volunteers Group Meetings:
 - No substantial changes – updated for consistency.
- Section 8 – Code of Conduct:
 - Updated for consistency.
- Section 9 – Document Control:
 - New section added for consistency.

Due to minor administrative nature of the changes, that are not materially impacting on the intent or outcomes of the policy, community consultation is deemed to be not warranted.

CL22.440 Policy - Foreshore Reserves Policy

HPERM Ref: D22/347714

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Foreshore Reserves Policy (under separate cover)

Reason for Report

All public policies are to be submitted to Council within 12 months of the election of Council. This report provides a detailed summary of the changes that have been made to the Foreshore Reserves Policy.

Recommendation

That Council:

1. Exhibit the revised Foreshore Reserves Policy for a period of two (2) weeks to allow public consultation and comment; and
2. If no significant comments are received through public exhibition, adopt the policy without further resolution.

Options

1. Adopt the recommendation:

Implications: The revised policy will ensure that Council continues to implement appropriate and contemporary management of foreshore reserves consistent with current legislation.

2. Not adopt the recommendation:

Implications: Council can request detail, seek further community input, or make other changes. Implications will depend on the resolution(s) of Council.

Background

The Shoalhaven Foreshore Reserves Policy was first adopted by Council in 2004 (MIN04.782)

A workshop was convened with relevant staff from City Development (Environmental Services, Compliance and Certification), City Services (Works and Services) and City Lifestyles (Community Planning) to undertake a review of the policy. This multi-disciplinary approach was undertaken ensure that all aspects pertaining to the management of foreshore reserves were appropriately addressed.

The revised policy includes the changes as outlined in the following table.

Section	Notes on changes
Overall length and level of detail within the policy	Re-formatting and re-titling of sections to conform with the standard policy template. Repetition has been removed. Procedural and operational matters have been removed from the draft policy, including most of the Appendices. This was done to enable easier dissemination of the key aspects of the policy to the community.
1. Purpose	Re-wording to describe a more succinct policy purpose. Inclusion of statement to outline that the management of foreshore reserves is subject to the provisions of State and Commonwealth legislation. Applicable legislation was updated to reflect currency as detailed in Appendix 1.
2. Statement	Removed repetition, previous statement now addressed in <i>1. Purpose</i> .
2.1 – 2.6	Previous Sections 2.1 – 2.6 updated and compiled into <i>2.1 Scope</i> and <i>2.2 Background</i> (including sub sections) as below.
2.1 Scope	Previous Section <i>2.1 What are foreshore reserves?</i> updated to <i>2.1 Scope</i> . Updated description of foreshore reserves definition provided to more clearly reflect the applicable land to which the policy applies. Scope of policy has remained unchanged.
2.2 Background	Divided into sub sections to simplify and more appropriately present statements for, public use and values, cultural and environmental significance, collaborative management, and legislative framework.
2.2.1 Community use and values of foreshore reserves	Simplified and reduced to provide a more concise and clear statement. Changes include reduction of the examples of public use (previously too many examples, not considered necessary), and removal of general information not considered specific to foreshore reserves.
2.2.2 Cultural significance of foreshore reserves	Simplified to provide a more concise and clear statement. Changes include removal of nonspecific or general statements not considered highly applicable to foreshore reserves. Removed statement referencing development consent pathways regarding heritage impacts. The previous information was too general and did not provide clarity. Information on Aboriginal places and objects included. Removed unnecessary reference to legislation. Detail on the applicable legislation is now available in Appendix 1. Inclusion of statement to acknowledge Native title rights which may exist over foreshore reserves that are Crown Lands under the <i>Native Title Act 1993 (Cth)</i> .
2.2.3 Environmental significance of foreshore reserves	Simplified to provide a more concise and clear statement. Rewording of sections to avoid misinterpretation of the significance and scope of associated environmental factors. Inclusion of statement to indicate the importance of environmental protection and enhancement. Removed unnecessary reference to legislation, inclusion of reference to international conventions protecting Migratory Shorebirds which is considered highly applicable. Detail on applicable legislation is available in Appendix 1.
2.2.4 Collaborative management	Simplified to provide more concise clear statement. Rewording of sections to avoid misinterpretation of collaborative management and the community's expectations of Council. Specific reference to <i>“residents”</i> amended to <i>“community”</i> to reflect broader community interest. Inclusion of statement to include Government departmental stakeholders, as the collaborative management includes other stakeholders, and not solely Council and the Community, as the policy previously alluded to. Removed repetitive statement referencing policy aims which are already included

CL22.440

Section	Notes on changes
	<p>under 1. Purpose.</p> <p>Removed superfluous information not considered specifically applicable, and removal of statements where items have been previously addressed under 2.2 Background.</p> <p>Removed unnecessary reference to legislation. Detail on applicable legislation is available in Appendix 1.</p> <p>Changed previous statement indicating Community collaborative management did not require direct involvement to one of Councils Care programs, to now indicate voluntary management action requires participation though Council's Bushcare/Parkcare programs in accordance with the Bushcare/Parkcare Policy. Purpose of this change is to enable appropriate management strategy and allow for better protection of environmentally sensitive areas, which are currently being impacted on by voluntary actions (specifically mowing).</p>
2.2.5 Legislative & policy framework	<p>Removed previously listed legislation and policy within this section to reduce repetition. Update of legislation and policy to reflect currency (2022) (list and detail) is available in Appendix 1.</p>
3. Provisions	<p>Inclusion of high-level statement to outline applicable activities.</p> <p>Minor wording changes and re-ordering to provide more concise clear information.</p> <p>Inclusion of provisions related to coastal protection works; infrastructure and nature based coastal protection activities.</p> <p>Previous individual sub sections 3.1 – 3.19 formatted into a table to enable more simple navigation and to provide succinct, clear presentation, and easier interpretation of information. Any general statements not considered applicable, or where previously referenced within the policy were removed from the content.</p> <p>Detailed notes on the consolidations, amendments, and removals of previous provisions, provided in table below.</p>
4. Implementation	<p>Minor additions/amendments to reflect current Council structure.</p>
5. Review	<p>Minor additions/amendments to reflect current Council structure.</p>
Appendix 1	<p>Updated to reference current legislation and policy. Previous Appendix 1 & 2 were combined and formatted into a table to enable simple navigation and to provide succinct and clear presentation of information.</p>
Appendix 2	<p>Removed – Content updated to reflect current policies and consolidated into Appendix 1.</p>
Appendix 3	<p>Removed – Previous table considered superfluous information, not considered necessary to retain. Definition of scope and applicable reserves covered in updated definition within 2.1 Scope.</p>
Appendix 4	<p>Removed – Not specific to foreshore reserves – covered within Vegetation Vandalism Prevention Policy.</p>
Appendix 5	<p>Removed – Not specific to foreshore reserves.</p>

CL22.440

Detailed notes on the consolidations, amendments, and removals of previous provisions within Section 3 are provided in table below.

Previous policy provision and subsection ref.	Retained / removed / amended	Changes
3.1 Community Involvement	<u>Content retained</u> – simplified and consolidated into ‘Community Engagements (collaborative management)’ section of Table 1 in the policy.	N/A
3.2 Community Education	<u>Content retained</u> - Simplified and consolidated into ‘Community Engagements (education)’ section of Table 1 in the policy.	N/A
3.3 Protection (Buffer) Zones	<u>Content retained</u> – simplified and consolidated into ‘Environmental Values (environmental management)’ section of Table 1 in the policy.	N/A
3.4 Vegetation Removal	<u>Content amended</u> – simplified and consolidated into ‘Environmental Values (environmental management)’ section of Table 1 in the policy.	Reference made to the Vegetation Vandalism Prevention Policy and Tree Management Policy, further details not considered applicable, removed further direct reference of vegetation removal from the provisions.
3.5 Public Enjoyment & Aesthetic Qualities	<u>Content retained</u> – simplified and consolidated into ‘Public Use (recreational and social use)’ section of Table 1 in the policy.	N/A
3.6 Views	<u>Content amended</u> – simplified and consolidated into ‘Public Use’ section of Table 1 in the policy.	<p>Specific reference to views removed, not considered required. Previous evident repetition removed. Applicable policy statements are covered in Tree Management Policy, Vegetation Vandalism Prevention Policy, and the environmental considerations sections of Table 1.</p> <p>Amendment of previous statement indicating revegetation works would align with a view to preserve amenity, to now indicate revegetation works will be in accordance with best practice industry standards for sustainable management utilising locally endemic vegetation.</p> <p>Statements made in the previous policy do not reflect best practice and sets a standard which may not be applicable to all areas.</p>
3.7 Pedestrian & Vehicle Access	<u>Content retained</u> – simplified and consolidated into ‘Public Use (recreational and social use)’ section of Table 1 in the policy.	N/A
3.8 Boating	<u>Content amended</u> – simplified and consolidated into ‘Public Use (boating)’ section of Table 1 in the policy.	Removed previous reference that Council will endeavour to construct boat storage or formalise launching sites (to avoid setting a standard or expectation where resources are unknown). Amended reference to the identified environmental impacts from boats to include allowable storage parameters, and the controls

CL22.440

Previous policy provision and subsection ref.	Retained / removed / amended	Changes
		– removal processes by Council for derelict, abandoned / unused or unauthorised watercraft in accordance with the <i>Impounding Act 1993</i> (NSW).
3.9 Unauthorised encroachments	<u>Content amended</u> – simplified and consolidated into ‘Environmental Values (Illegal activities)’ section of Table 1 in the policy.	Removed previous reference indicating a pathway for the retention of unauthorised encroachments. Previous statement was not consistent with Council practice and exposed Council to adoption of unknown assets and unknown risk.
3.10 Bushfire mitigation measures	<u>Content removed</u> from provisions as not specific to foreshore reserves.	Retained reference to the applicable legislation and policy in Appendix 1.
3.11 Stormwater	<u>Content retained</u> – simplified and consolidated into ‘Infrastructure (Council Assets)’ section of Table 1 in the policy.	N/A
3.12 Illegal dumping	<u>Content retained</u> – simplified and consolidated into ‘Environmental Values (illegal activities)’ section of Table 1 in the policy.	N/A
3.13 Mowing	<u>Content amended</u> – simplified and consolidated into ‘Community Engagements (collaborative management)’ section of Table 1 in the policy.	Inclusion of statement to indicate approval pathway for Voluntary mowing of grass on Council managed land, and inclusion of statement indicating that voluntary mowing is not permitted on Community Land categorised as ‘Natural Area’ as defined by the <i>Local Government Act 1993</i> (NSW) and determined by Council land register. This was included to reduce incidents of mowing practices impacting on Threatened Ecological Communities (TECs) and riparian vegetation.
3.14 Pets & Feral animals	<u>Content amended</u> – statements simplified and consolidated into ‘Public Use (companion animals)’ section of Table 1 in the policy.	General reference to domestic dogs as companion animals is addressed in Access Areas for Dogs Policy.
3.15 Seaweed and/or deposits of natural materials	<u>Content amended</u> – simplified and consolidated into ‘Environmental Values’ section of Table 1 in the policy.	Amended statement indicating arbitrary parameters permitting public removal of Seaweed and/or other deposits of natural materials. Previously stated limits/parameters were dependent on Marine Park zoning which is not consistent across all foreshore reserves.
3.16 Wharves & Jetties Policy	<u>Content removed</u>	Previous Council Wharves & Jetties Policy rescinded. Items addressed as infrastructure and captured within specific Development Control Plan for wharves and jetties.
3.17 Aboriginal cultural	<u>Content retained</u> – simplified and consolidated into ‘Environmental	N/A

CL22.440

Previous policy provision and subsection ref.	Retained / removed / amended	Changes
heritage	Values (cultural heritage)' section of Table 1 in the policy.	
3.18 Shorebirds	<u>Content retained</u> – simplified and consolidated into 'Environmental Values (environmental management)' section of Table 1 in the policy.	N/A
3.19 Provisions summary	<u>Content removed</u>	Summary section considered repetitious and unnecessary. Table 1 in the policy provides adequate summary and detail; this previous summary provides only for repetition and was removed.

Community Engagement

This policy supports Council's commitment to ecologically sustainable development principles and support solid and transparent governance practice.

Given significant nature of this policy, and to seek constructive feedback from our community, it is recommended that the draft revised policy be placed on exhibition for a two (2) week period to allow public comment. If no comments are received, it is recommended the policy be adopted without further resolution.

CL22.440

CL22.441 Policy - Tree Planting Program Events with Schools

HPERM Ref: D22/350472

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Attachments: 1. Tree Planting Program Events with Schools (under separate cover)

Reason for Report

The Tree Planting Program Events with Schools policy, formerly named Tree Planting with Schools, is presented to Council for adoption. All Public Policies are to be submitted to Council within 12 months of the election of Council.

Recommendation

That Council adopt the revised and renamed Tree Planting Program Events with Schools Policy

Options

1. Adopt the recommendation as written

Implications: The revised policy will provide clear guidance for engaging with schools to encourage participation in tree planting program events and activities, including the National Tree Day program.

2. Not adopt the recommendation

Implications: Council can request further details, seek further community input, or make other changes.

Background

Council's policy was established to encourage the participation of local schools in tree planting program events and has evolved from the following Council Minutes:

- MIN86.1694 - Tree Planting in School Grounds, and
- MIN93.2719 - Request for Assistance - St Mary's School

Tree planting program events, including the National Tree Day, are acknowledged to permit the community to have direct input into the revegetation and restoration of the local area. Established in 1996, the National Tree Day is Australia's largest community tree planting event. Currently, each year around 300,000 people volunteer their time to engage in National Tree Day activities. Accordingly, National Tree Day seeks to motivate, educate and engage Australians to enthusiastically care for our unique land and create future generations of committed environmental custodians.

The last Friday in July is dedicated to Schools Tree Day. Each year, more than 3,000 schools participate nationwide in activities under the program.

The last Sunday in July is National Tree Day for the general public.

Proposed Changes to Policy

The following changes to the policy, last reaffirmed in 2016, are proposed:

- Title
 - Renamed to reflect the change in approach from assisting schools with tree planting within school grounds to assisting schools to participate in tree planting program events on Council managed land.
- Section 2 – Statement:
 - A new statement is provided as to how the purpose of the policy can best be achieved. As tree planting opportunities within many school grounds can be limited, and as there can be potentially significant risks associated with planting trees within school grounds, it is considered that planting on suitable Council managed land is a better option. This would generally be within Community Land classified as Natural Area or as Park. This approach will provide greater opportunity as a broader range of schools can be involved and as highly suitable areas can be targeted. These factors have the potential to provide a better hands-on and educational experiences for children, and enhanced biodiversity and community outcomes.
- Section 3 – Provisions:
 - These have been changed and expanded to detail how Council will engage with schools to increase the mutual benefits associated with tree planting program events.
- Section 4 – Implementation:
 - It is proposed to deliver this work as part of existing environmental awareness programs delivered by the Environmental Services Department of the City Development Directorate, in collaboration with other relevant asset custodians of Council.

CL22.441

CL22.442 Policy - Water Safety

HPERM Ref: D22/334444

Department: Shoalhaven Swim Sport Fitness

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Draft Water Safety Policy (under separate cover)

Reason for Report

All Council public policies should be reviewed within 12 months of an election of a new Council. This report seeks Council approval for the changes to the Water Safety Policy.

Recommendation

That Council adopts the reviewed Water Safety Policy (POL22/66).

Options

1. As recommended

Implications: Will simplify, streamline and update the Policy, including changes to reflect Council's new custodial structure.

2. Adopt an alternative recommendation

Implications: Delay may impact Council's ability to meet the requirement for review of policies within twelve (12) months of the election of a new Council.

Background

The purpose of the Policy is to define Council's water safety management of:

- Shoalhaven Swim Sport Fitness supervised and unsupervised aquatic facilities
- Holiday Haven Tourist Parks aquatic facilities
- Council-managed beach access ways and foreshore reserves adjacent to beaches and waterways, where swimming is encouraged
- Professional seasonal beach patrol services

There are no significant changes recommended in the draft Policy, which includes the following amendments:

- Updates to reflect changes brought about in Council's May 2021 custodial restructure
- Clarification and formatting of the Report's text
- Unsupervised Holiday Haven Aquatic Facilities have moved up the page to sit next to Shoalhaven Swim Sport Fitness Unsupervised Aquatic Facilities
- Addition of "where swimming is encouraged" to clarify that the scope and purpose of the Policy is to apply to intentional swimming assets, but does not apply to all bodies of water that may be hazardous.

Community Engagement

In August 2022 the draft Policy was circulated for comment to the following stakeholders:

- Shoalhaven Swim Sport Fitness staff, Shoalhaven City Council
- Commercial Services staff, Shoalhaven City Council
- Building Services staff, Shoalhaven City Council
- Works and Services staff, Shoalhaven City Council
- Community Planning & Projects staff, Shoalhaven City Council

Staff have reviewed the draft Policy and there were no recommended changes from the consultation.

Policy Implications

The draft Policy has been updated to reference current industry guidelines.

All Council public policies are to be reviewed within twelve (12) months of the election of a new Council.

Financial Implications

The Policy is implemented within the existing operational budgets of the asset custodians, as outlined in the Policy. The recommended changes will not affect Council budget expenditure.

Risk Implications

The updated Policy reduces the risk of water safety hazards by outlining and clarifying the responsibilities of Council's asset custodians.

CL22.443 Rescind Policy - Community Facilities - Use and Hire for Commercial Activities

HPERM Ref: D22/357155

Department: Shoalhaven Swim Sport Fitness

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Community Facilities - Use and Hire for Commercial Activities (under separate cover)

Reason for Report

To rescind the Community Facilities - Use and Hire for Commercial Activities Policy (POL16/77).

Recommendation

That Council rescind the Community Facilities - Use and Hire for Commercial Activities Policy (POL16/77).

Options

1. As recommended.

Implications:

- Will streamline Council's management of community facilities, ensuring that Council enacts legislation efficiently and accurately.
- Council will comply with the Local Government Act requirement that all Council policies should be reviewed within twelve (12) months of the election of a new Council.

2. Council not accept the recommendation and provide alternative direction.

Implications:

- Delay may impact Council's ability to meet the requirement for review of policies within twelve (12) months of the election of a new Council.
- Changes may affect Council's efficient management of community facilities within legislated guidelines.

Background

All Council's public policies should be reviewed within twelve (12) months of the election of a new Council.

The Use and Hire for Commercial Activities Policy provides guidance on the process and approvals required for Council's community facilities to be used for commercial and retailing activities.

The Policy was previously important because the zoning for Council managed public land prohibited commercial events or required Development Applications for those events. Amendments to the Shoalhaven Local Environment Plan 2014 (SLEP) were notified on 27 September 2019. These included the clarification that temporary events (including commercial) are 'exempt development' (under the SLEP) when they take place on land

owned by the Council or for which the Council has care, control and management (including Crown land) or a public road for which the Council is the roads authority under the Roads Act 1993.

These amendments and associated provisions are outlined in *Schedule 2 Exempt development of the SLEP* and are outlined in the table below. This change in legislation has been incorporated into Council internal procedures.

All the effective content of the Use and Hire for Commercial Activities Policy is now formalised within government legislation, Council policy and procedures as identified in the table below, and it is recommended that this Policy now be rescinded.

Items included in the Policy to be Rescinded	Current Legislation, Policy or Procedure
<p>Item 2</p> <p>Typically, Council community facilities (buildings and reserves) do not have approval for conducting commercial and retailing activities.</p> <p>Commercial and retailing are prohibited under the current zoning.</p> <p>Council may grant consent for temporary use of the land for up to 28 days in any one year (these days do not have to be consecutive)</p>	<ul style="list-style-type: none"> • Shoalhaven Local Environment Plan 2014 (SLEP), Schedule 2 Exempt development, includes the following Clauses: <ul style="list-style-type: none"> Temporary events on public land and public roads and associated temporary structures 1. For the purposes of development specified for this clause – event means any event (including, without limitation, a market, exhibition, ceremony, meeting, concert, sporting event or fete) that would, but for this clause, require development consent. 2. Must take place on land owned by the Council or for which the Council has care, control and management (including Crown land) or a public road for which the Council is the roads authority under the Roads Act 1993. 5. Must not be conducted for more than 52 days (whether or not consecutive) in any period of 12 months. • It is recommended that Council approve commercial hire agreements to the full extent of the SLEP, for up to 52 days (whether or not consecutive) in any period of 12 months. This will: <ul style="list-style-type: none"> ○ improve the activation of local facilities which are currently often under-utilised ○ support service provision by local businesses in local communities <p>Should Council resolve in accordance with the previous point, reference to this legislation will be included in Council’s Terms and Conditions of Hire/Use (D21/330433), with advice that commercial events over 52 days duration in any period of 12 months will require a Development Application to be lodged.</p>

CL22.443

	<ul style="list-style-type: none"> • The Terms and Conditions of Hire / Use are implemented by: <ul style="list-style-type: none"> ○ S355 Management Committees ○ Customer Experience and Tourism Teams, and Council's asset custodian Teams
<p>Item 2</p> <p>Conditions for temporary use:</p> <ul style="list-style-type: none"> • There is protection of the environment and the amenity of the locality during and immediately after the carrying out of the proposed use • Appropriate arrangements are made for the provision of utility services, vehicular and pedestrian access, parking and restoration of the site to the condition prevailing immediately before the carrying out of the proposed use • The period for the carrying out of the proposed use is reasonable in the circumstances or whether a lesser period would be more appropriate 	<ul style="list-style-type: none"> • These conditions are included and expanded in: <ul style="list-style-type: none"> ○ Council's Events Policy for events over 200 people, in line with the Terms and Conditions of Hire/Use ○ Council's Terms and Conditions of Hire / Use for events under 200 people • Council's Events Policy is implemented by the Tourism Team. <p>The Terms and Conditions of Hire/Use are implemented by:</p> <ul style="list-style-type: none"> ○ S355 Management Committees ○ Customer Experience and Tourism Teams
<p>Item 2</p> <p>The lodging of a Development Application and supporting information can be considered by Council as Clause 39C of the Shoalhaven Local Environment Protection Act (SLEP) allows for and provides Council with the ability to undertake and conduct an assessment of the activity.</p>	<ul style="list-style-type: none"> • There is no Clause 39C of the SLEP. • These provisions are included in the Environmental Planning and Assessment Act 1979 (EP&A Act), 4.15 Evaluation, which directs Council's assessment of Development Applications.
<p>Items 3.1 and 3.2</p> <p>Provisions regarding processing of Development Applications</p>	<p>Provisions are included in the EP&A Act.</p>
<p>Items 3.3 to 3.7</p> <p>Provision regarding insurance, fees, fee waivers, bonds and licences</p>	<p>These provisions are now directed by the following Council guidelines:</p> <ul style="list-style-type: none"> • Council's Events Policy for events over 200 people, in line with the Terms and Conditions of Hire/Use

CL22.443

	<ul style="list-style-type: none"> • Council’s Terms and Conditions of Hire/Use for events under 200 people • Development Program Operation Plan - Fees and Charges • Fee Waivers, Subsidies and Support Policy
--	--

Community Engagement

Consultation was undertaken throughout July and August 2022 with the following stakeholders:

- Development Services staff, Shoalhaven City Council
- Business Assurance & Risk staff, Shoalhaven City Council
- Tourism staff, Shoalhaven City Council
- Shoalhaven Swim Sport Fitness staff, Shoalhaven City Council
- Customer Experience staff, Shoalhaven City Council
- Building Services staff, Shoalhaven City Council
- Property staff, Shoalhaven City Council

All submissions were in agreement to rescind the Policy.

Policy Implications

Rescinding this Policy will streamline Council’s policies and procedures for management of community facilities in line with government legislation. The following policy and procedure documents are overseen by:

City Futures:

- Events Policy (POL17/75)

City Lifestyles:

- Terms and Conditions of Hire / Use (D21/330433)
- Management Committees Policy (POL22/72)
- Fee Waivers, Subsidies and Support Policy (POL18/30)

Risk Implications

All elements of the Policy are managed by state legislation or Council policies and procedures. There is no identified risk in rescinding the Use and Hire for Commercial Activities Policy (POL16/77).

CL22.443

CL22.444 Rescind Policies - Provision of Local Skate Parks, Provision of Local Area BMX Circuits and Park Management Policy

HPERM Ref: D22/342481

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

Attachments:

1. Provision of Local Skate Parks Policy (under separate cover)
2. Provision of Local Area BMX Circuits Policy (under separate cover)
3. Park Management Policy (under separate cover)

Reason for Report

To advise that the following policies have been reviewed and are now considered redundant as the requirements are considered in alternate Council documents that have been developed since the last review, and to seek Council's endorsement to rescind these Policies as follows:

- POL16/213 - Provision of Local Skate Parks Policy
- POL16/109 - Provision of Local Area BMX Circuits Policy
- POL20/63 - Park Management Policy

Recommendation

That Council rescind the following policies:

1. Provision of Local Skate Parks Policy (POL16/213)
2. Provision of Local Area BMX Circuits Policy (POL16/109)
3. Park Management Policy (POL20/63)

Options

1. As recommended

Implications:

- Council will comply with the Local Government Act requirement that all Council policies should be reviewed within twelve (12) months of the election of a new Council.
- Will streamline Council's management of community facilities by rescinding these redundant policies.
- The Community Infrastructure Strategic Plan and Community Infrastructure Guidelines will continue to guide new social infrastructure planning and delivery.
- The Road and Place Naming Policy will guide the naming of new Parks and other social infrastructure.

2. Council does not accept the recommendation and provide alternative direction.

Implications:

- Delay may impact Council's ability to meet the requirement for review of policies within twelve (12) months of the election of a new Council.

CL22.444

- Changes may affect the efficient running of Council's community facilities and planning for future use by the community.

Background

All Council public policies should be reviewed within twelve (12) months of the election of a new Council.

The three social infrastructure planning policies herein recommended to be rescinded have previously guided planning, design and funding of new infrastructure for local skate parks, local BMX circuits and parks. The policies have been reviewed and are recommended to be rescinded, as they have since been superseded by:

- Community Infrastructure Strategic Plan (D17/291168)
- Community Infrastructure Guidelines (D17/95636)
- Road and Place Naming Policy (POL22/91)

Community Infrastructure Strategic Plan

Council's management of social infrastructure planning is guided by the Community Infrastructure Strategic Plan (CISP) which was adopted by Council in 2017. The CISP makes recommendations for the future provision, priorities and funding of social infrastructure at local, district and regional levels.

Council has received funding in the 2022/23 financial year to undertake a review of the current CISP. The review will update the document to provide a current snapshot of social infrastructure in the Shoalhaven, including clear guidelines and servicing requirements for provision of social infrastructure across the Shoalhaven region in a standardised and equitable manner. The review of the CISP will not remove information that supersedes the policies to be rescinded.

Community Infrastructure Guidelines

The CISP is supported by the Community Infrastructure Guidelines (CIG) which provide a user-friendly introduction to Council's framework for planning and delivery of new infrastructure in collaboration with the community. The CIG includes an application form which provides a template for the community to identify relevant planning information to be considered for proposed new infrastructure projects.

The planning, design and funding of skate parks, BMX circuits and parks is undertaken in consultation with design specialists. Some guiding principles for planning and infrastructure standards are outlined in the CISP and CIG, however it is recommended that Council's guidelines be of a general nature to support the delivery of best practice designs tailored to the planning needs for each new facility.

All the effective content of these three policies is now formalised within the CISP, CIG and Road and Place Naming Policy as identified in the tables below, and it is recommended that these policies now be rescinded.

1. Provision of Local Skate Parks Policy

This Policy defines Council's commitment to the provision of local skate parks. For each requirement in this policy, Council has identified a similar requirement in existing CISP and CIG documents.

Policy Clause	How it is addressed in the CISP and CIG
<p><u>1. Purpose</u></p> <p>Local skate parks will be partially funded by Council, and where possible other grant programs.</p>	<p>CISP 11.0 Delivery options</p> <p>The CISP identifies a range of funding models that may be utilised for the funding of new skate parks. It is recommended that Council policy does not commit to funding contributions from Council.</p>
<p><u>1. Purpose</u></p> <p>Requests by the community for skate parks will require community involvement and commitment.</p> <p><u>3. Provisions</u></p> <p>Local skate parks will be approved by Council after extensive community engagement and commitment.</p>	<p>CISP 5.4 Future direction</p> <ul style="list-style-type: none"> • Council should encourage local community and sporting clubs to partner with service clubs or commercial partnerships and assist in sponsorship opportunities. • the way in which one uses community infrastructure is influenced by age, gender and locality. Council needs to ensure they design or upgrade their open space in consultation with the surrounding community to make it desirable, usable and valued by the local residents
<p><u>3. Provisions</u></p> <p>The design of all facilities will cater for all abilities, i.e. beginners to advanced users. The design of local skate parks should primarily meet beginner needs and where possible provide for more advanced users.</p> <p>Requests by the community for skate parks will be considered as local skate parks.</p>	<p>CISP Appendix E - Open space typologies, design elements and costings</p> <p>This appendix includes guidelines for planning and design of open space, including items such as:</p> <ul style="list-style-type: none"> • design should reflect a broad range of needs (i.e. something for all ages and abilities) • skate parks are included in design for district and regional parks
<p><u>3.1 Eligibility</u></p> <p>This section covers the criteria for a community to be eligible for a skate park.</p>	<p>These requirements are revised and included in the CIG, excepting 'site selection criteria' which considerations are included in the CISP and CISP Appendix E.</p> <p>Activation and evaluation of new infrastructure will be discussed with community groups in development of the CIG application and project planning, in line with CISP recommendations.</p>
<p><u>3.2 Site Criteria</u></p> <p>This section covers the site criteria for the construction of a skate park.</p>	<p>These requirements are revised and included in the CISP, CISP Appendix E and CIG. Additional design considerations may be identified in the development of the project with specialist designers.</p>
<p><u>3.3 Funding</u></p> <ul style="list-style-type: none"> • Pre-project discussion with Council • Council will contribute a maximum of 50% of the cost of a local skate park construction up to a maximum contribution of 	<p>These requirements are revised and included in the CISP, CISP Appendix E and CIG.</p> <p>CISP 11.0 Delivery options</p> <p>The CISP identifies a range of funding models that may be utilised for the funding of new skate parks. It is recommended that Council policy does not commit to funding contributions from Council.</p>

CL22.444

<p>\$50,000 subject to availability of funds</p> <ul style="list-style-type: none"> • Discussion of different funding models/community contributions 	
---	--

2. Provision of Local Area BMX Circuits Policy

This Policy defines Council’s requirements for the provision of a Local Area BMX Circuit. For each requirement in this policy, Council has identified a similar requirement in existing CISP and CIG documents.

Policy Clause	How it is addressed in the CISP and CIG
<p><u>2. Statement</u></p> <p>General statements regarding:</p> <ul style="list-style-type: none"> • community consultation • needs assessment • benefits of BMX circuits to the community • site identification • design 	<p>CISP 11.0 Delivery options</p> <p>The CISP identifies a range of funding models that may be utilised for the funding of new skate parks. It is recommended that Council policy does not commit to funding contributions from Council.</p>
<p><u>2.2 Developing a Local BMX Circuit</u></p> <p>Signage will encourage appropriate use and safety gear to be worn by BMX Circuit users.</p>	<p>Signage is developed in liaison with specialist designers to meet current best practice standards.</p>
<p><u>3.1 Eligibility</u></p> <p>This section covers the criteria for a community to be eligible for a BMX circuit.</p>	<p>These requirements are revised and included in the CIG, excepting ‘site selection criteria’ which considerations are included in the CISP and CISP Appendix E.</p> <p>Activation and evaluation of new infrastructure will be discussed with community groups in development of the CIG application and project planning, in line with CISP recommendations.</p>
<p><u>3.2 Site Selection Criteria</u></p> <p>This section covers the site criteria for the construction of a BMX circuit.</p>	<p>These requirements are revised and included in the CISP, CISP Appendix E and CIG.</p> <p>Additional design considerations may be identified in the development of the project with specialist designers.</p>
<p><u>3.3 Construction Guidelines</u></p> <ul style="list-style-type: none"> • Specifications for circuit design • Maximum Council contribution of up to \$7,000. 	<p>These requirements are revised and included in the CISP, CISP Appendix E and CIG.</p> <p>Design specifications are identified during the development of the project with specialist designers to meet current legislation and best practice standards.</p> <p>CISP 11.0 Delivery options</p> <p>The CISP identifies a range of funding models that may be utilised for the funding of new skate parks. It is recommended that Council policy does not commit to funding contributions from Council.</p>

CL22.444

3. Park Management Policy

This Policy provides policy guidance for the management of Council’s parks network. For each requirement in this policy, Council has identified a similar requirement in existing CISP and CIG documents.

Policy Clause	How it is addressed in the CISP and CIG
<p><u>3.1 Assisting funding of park infrastructure</u> Community funding is at least \$1,000 of the park infrastructure provision</p>	<p>These requirements are revised and included in the CISP 11.0 Delivery options, CISP Appendix E and CIG:</p> <ul style="list-style-type: none"> • The CISP identifies a range of funding models that may be utilised for the funding of new skate parks. • CIG Funding Priority Criteria Projects should have matching funding available
<p><u>3.2 Naming of Parks</u> Outlines the provisions for naming parks, sportsgrounds and reserves</p>	<p>These requirements are updated in Council’s Road and Place Naming Policy in line with the Geographical Names Board Policy July 2019</p>
<p><u>3.3 Park Appointment</u> Identifies the level of infrastructure appointment within district and local parks which do not have a dedicated master plan to guide provision of infrastructure.</p>	<p>These requirements are revised and included in the CISP Appendix E - Open space typologies, design elements and costings</p> <p>This appendix includes guidelines for planning and design of open space for local, district and regional parks, including items such as:</p> <ul style="list-style-type: none"> • intent • design considerations • description of appropriate infrastructure embellishments at each park category

CL22.444

Community Engagement

The Community Infrastructure Strategic Plan was adopted by Council in 2017 after broad community consultation, with the intention that the document coordinate social infrastructure planning, design, prioritisation and funding of community infrastructure at local, district and regional levels.

Consultation for the review of the Provision of Local Skate Parks, Local Area BMX Circuits, and Park Management Policies has been undertaken throughout July and August 2022 with the following stakeholders:

- Community Planning & Projects staff, Shoalhaven City Council
- Works and Services staff, Shoalhaven City Council
- Shoalhaven Swim Sport Fitness staff, Shoalhaven City Council
- Building Services staff, Shoalhaven City Council
- Information Services staff, Shoalhaven City Council

All submissions were in agreement to rescind the policies.

Policy Implications

Rescinding the Policies will streamline Council’s management of recreation planning for community facilities.

CL22.445 Policies - Shoalhaven Water Group - Round Seven

HPERM Ref: D22/322634

Department: Water Business Services

Approver: Robert Horner, Executive Manager Shoalhaven Water

Attachments:

1. Determining Residential and Commercial Properties (under separate cover)
2. Water Hydrant Standpipe Extraction Policy (under separate cover)
3. Water Meter Services - Downsize, Disconnect or Nominal Sizing (under separate cover)

Reason for Report

All Public and Local Approval Policies are to be submitted to Council within 12 months of the election of a new Council. This is the seventh round of policies proposed for reaffirmation with respect to Shoalhaven Water responsibilities.

Recommendation

That Council reaffirm the following policies with minor changes:

1. Determining Residential and Commercial Properties for the Purpose of Levying Water and Sewer Charges
2. Water Hydrant Standpipe Extraction Policy
3. Water Meter Services - Downsize, Disconnect or Nominal Sizing

Options

1. Adopt the recommendation as written.

Implications: Minor changes will assist for currency and clarity. Specific details of changes are outlined within the Report.

2. Not adopt the recommendation.

Implications: Council can request further details, seek community input, or make other changes.

Background

Minor changes (tracked) have been made to the following policies, as shown in the Attachments to this Report. A summary of these changes is outlined below.

1. **Determining Residential and Commercial Properties for the Purpose of Levying Water and Sewer Charges**

- Minor renaming of Policy to 'Determining Customer Categories for the Purpose of Levying Water and Sewer Charges', which reflects how all customer categories are determined.

- No process or assessment change being introduced.
- Extensive rewording of document to provide clarity and inclusion of reference to legislative basis for the process used to determine categories, noting that the intent of the policy has not changed.
- Improved definitions table.
- Inclusion of reference tables for greater transparency; Category Description and Land Use, Guidance Values for Sewer Discharge Factors.
- Minor edits throughout the document to reflect current naming conventions and the current organisation structure.

2. **Water Hydrant Standpipe Extraction Policy**

- Minor renaming of Policy to 'Metered Standpipe and Bulk Water Filling Station Policy' to include process of managing bulk water filling stations
- No process or regulatory change being introduced.
- Minor edits throughout the document for improved layout and to reflect current naming conventions and current organisation structure

3. **Water Meter Services - Downsize, Disconnect or Nominal Sizing**

- Minor edits throughout the document for improved layout and to reflect current naming conventions and current organisation structure.
- No process or assessment change being introduced.

Community Engagement

There is no statutory requirement to publicly exhibit any of the policies contained in this Report. Council may choose to do so should they consider any proposed changes as significant.

Policy Implications

All policies included in this Report are proposed for reaffirmation as the nature of the changes are considered to enhance delivery and clarity and have no implications or deviation from the existing intent of the current approved policies.

Financial Implications

Changes proposed to the policies will have no financial implications to current approved budgets.

Risk Implications

No risks identified from the changes proposed for the attached policies.

CL22.445

CL22.446 New Policy - Concessions For At-Home Dialysis

HPERM Ref: D22/326441

Department: Water Business Services

Approver: Robert Horner, Executive Manager Shoalhaven Water

Attachments: 1. Concessions for At-Home Dialysis Policy - Shoalhaven Water and City Services (under separate cover)

Reason for Report

This report outlines the details of a proposed new policy that supports residents who are reliant on at-home dialysis. The policy proposes financial concessions to residents undergoing treatment, by recognising the additional water used and waste generated as a direct result of their treatment.

Recommendation

That Council:

1. Exhibit the new policy for a period of two (2) weeks to allow for public submissions.
2. If no significant comments are received through the public exhibition period, adopt the policy without further resolution.

Options

1. Adopt the recommendations as written.

Implications: Public exhibition of the policy will seek further community input, if no significant comments are received the policy will be adopted.

2. Not adopt the recommendation.

Implications: Council can request further details or make other changes.

Background

Shoalhaven Water and City Services have been working together to develop a Public Policy that outlines the means by which financial support can be given to those undertaking at-home dialysis. The financial assistance acknowledges the increased general waste and water usage directly resulting from the dialysis process.

Shoalhaven Water have historically provided concessional water usage fees as outlined in the annual Fees and Charges through the DPOP. The current rate of concession is 50% on water usage charges.

City Services, through the Waste Services team, have historically provided a complimentary size upgrade of red lid bins to at-home dialysis customers. This has typically been taken up by customers as an upgrade from the 120L to 240L bin.

This proposed policy identifies a process change for Waste Services; at-home dialysis customers will now select the bin size to manage their household waste and receive an

CL22.446

additional (complimentary) 80L red lid bin. No change to current arrangements will occur until after the proposed policy has been adopted

The introduction of this policy provides clarity to customers about the process and concessions Council propose to provide.

Community Engagement

If the recommendations are adopted a public exhibition of the policy will be undertaken to allow for community input on the proposed policy.

Policy Implications

The proposed policy will formalise the concessions that are currently provided to at home dialysis patients.

Financial Implications

Changes proposed to the policies will have no financial implications to current approved budgets, the concessions offered to patients have been included in the current adopted Fees and Charges and accounted for in the budget.

Risk Implications

No risks identified from this proposed policy.

CL22.446

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.