

Ordinary Meeting

Meeting Date: Monday, 11 December, 2023
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, recorded and made available on Council's website, 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 its Ordinary Council Meetings and Extra Ordinary Meetings. These can be viewed at the following link

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

Statement of Ethical Obligations

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

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

Agenda

1. Acknowledgement of Country
2. Moment of Silence and Reflection
3. Australian National Anthem
4. Apologies / Leave of Absence
5. Confirmation of Minutes
 - Ordinary Meeting - 4 December 2023
6. Declaration of Interests
7. Presentation of Petitions
8. Mayoral Minute
9. Deputations and Presentations
10. Call Over of the Business Paper
11. A Committee of the Whole (if necessary)

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Notices of Motion / Questions on Notice

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Reports

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Steel, Nursery & Garden Supplies

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL23.32 Tenders - Road Pavement Restoration - South Round 1

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL23.33 39a Berry Street, Nowra - Consideration

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CL23.448 Report of the Aboriginal Advisory Committee - 21 November 2023

HPERM Ref: D23/488474

**AA23.29 Aboriginal Advisory Committee - Appointment of
Community Members**

**HPERM Ref:
D23/404201**

Recommendation

That Council as recommended by the Aboriginal Advisory Committee:

1. Endorse and accept the appointment of David Blakeney as a member of the Aboriginal Advisory Committee.
2. Endorse and accept the appointment of Belinda Little as a member of the Aboriginal Advisory Committee.
3. Provide an unsuccessful outcome letter to the other applicants and thank them for their application, with encouragement to apply to the next EOI for the Aboriginal Advisory Committee.

CL23.448

CL23.449 Report of the Southern Floodplain Risk Management Committee - 22 November 2023

HPERM Ref: D23/495036

SFM23.4 Election of Chairperson

**HPERM Ref:
D23/419432**

Recommendation

That Council as recommended by the Southern Floodplain Risk Management Committee endorse the election of Cllr Patricia White as Chairperson for the period to September 2024.

CL23.449

CL23.450 Community Donations Policy - Update

HPERM Ref: D23/477210

Department: Business Assurance & Risk
Approver: Kerrie Hamilton, Director City Performance

Attachments: 1. Community Donations Policy - Draft Amendments [↓](#)

Reason for Report

To provide a draft amended Community Donations Policy for consideration and adoption of the Council.

Recommendation

That Council adopts the Draft Community Donations Policy provided as an attachment to this report.

Options

1. As recommended.

Implications: The updated Community Donations Policy will achieve greater transparency and clearer marking guidelines for the Donations Assessment Panel when assessing applications, in alignment with Councils *Community Wellbeing Strategy*. This Policy will be implemented immediately to allow determination by Council for the new financial year.

2. The Draft Community Donations Policy is adopted with further amendments, or not adopted at this time.

Implications: Not known

Background

Council established the Current Community Donations Policy in 2022. The processing of the Donations Program in both 2022/23 and 2023/24 have highlighted changes which may be made to improve the functionality of the program for both applicants and internal processing.

The proposed amendments to the Community Donations Policy are a result of the findings and feedback from staff members involved in the 2023 – 2024 Community Donations program. These amendments aim to improve the overall process of how donations are assessed.

The proposed amendments are as follows:

2.2 Categories

A fourth category (Environment) has been created to reflect how applications are assessed by the donations panel.

The previous inclusion of 'Environmental' in the "General Donation" category caused confusion for applicants and created difficulty in assessment as specific information about environmental aspects were needed to assess applications. This change does not impact on funding allocations across projects.

2.3 Guidelines and Procedures for Applicants

Under this section of the policy, the main amendment is updating the eligibility criteria alignment to sit with the *Community Wellbeing Strategy* rather than the *Community Strategic Plan*. After consultation with the Community Connections team, it was decided that the *Community Wellbeing Strategy* is more closely aligned with the intent and purpose of the Community Donations program. This will make the completion of the applications easier and allow greater consideration of overall wellbeing considerations when applying the marking criteria.

7 Review

It is also proposed that the policy be reviewed each new Council term to ensure that it reflects the intention of the then elected Council.

The revised Draft Community Donations Policy with track changes is provided as **Attachment 1** to this report.

Internal Consultations

Internal consultation has been undertaken with the Donations Assessment Panel consisting of the Manager Community Connections, Manager Arts & Culture, Manager Environmental Services, Tourism Investments & Events Specialist, and the Governance Coordinator in relation to the marking criteria.

Consultation was also undertaken with Community Connections in relation to the marking criteria and alignment with the *Community Wellbeing Strategy*.

External Consultations

No public consultation has occurred with respect to the Draft Community Donations Policy, as these are minor amendments and will not have a significant impact how future applications are made or received and are considered enhancements to the program.

Policy Implications

The Draft Community Donations Policy is framed to re-work the current policy and make minor amendments to the eligibility criteria and the marking guidelines.

Community Donations Policy

Adoption Date:	26/03/2002
Reaffirmed:	28/09/2004
Amendment Date:	27/04/2010, 28/06/2011, 21/06/2013, 10/03/2020, 27/06/2022
Minute Number:	MIN02.282, MIN04.1165, MIN10.450, MIN11.609, MIN13.589, MIN20.172, MIN22.422
Review Date:	01/12/2024
Directorate:	City Performance
Record Number:	POL22/76

Community Donations Policy

1. Objectives

The objectives of the policy are:

- To detail the principles whereby Council provides financial assistance (donations, sponsorships and subsidies) in a consistent, equitable and transparent manner that meets the requirements of the Local Government Act, 1993 and other legislative provisions;
- To consider financial assistance by way of donation, sponsorship and subsidies to local service, cultural, sporting, charitable or non-profit organisations who
 - operate within or provide benefit to the residents of the Shoalhaven or
 - conduct quality cultural, sporting and community service programs and activities in the Shoalhaven
 - and who cannot attract sufficient funds from other sources;
- To address priorities within the ~~Community Strategic Plan~~ Community Wellbeing Strategy;
- To consider funding to encourage and enable broad community participation in cultural, sporting and community service activities;
- To establish an application process including guidelines and procedures for use by organisations in applying for donations, sponsorships or subsidies (including 'in kind' support).

2. Statement

Subject to budget allocations each year, Council is committed to provide funding annually to meet the objectives of this policy.

2.1. Scope

This policy applies to applications for financial assistance and 'in kind' support by way of donations, sponsorships and subsidies granted by Council to organisations. It does not deal with Fee Waivers that are dealt with under the Fee Waivers, Subsidies and Support Policy and the Fees – Waiving of Development Application and other Fees by Charitable Organisations and Community Groups Policy.

2.2. Categories

Applications should be submitted within one of the categories nominated below.

A) GENERAL DONATIONS (CULTURE, & COMMUNITY & ENVIRONMENT)

These may include:

- community development projects that meet an identified community need, have been developed in consultation with the community and encourage community participation in the development of the project.

Community Donations Policy

~~• heritage / environment projects.~~

- community development, training, education and awareness activities.
- co-funding for large or new cultural and community projects.

B) SPONSORSHIP OF LOCAL EVENTS

These may include festivals and special activities which enhance community spirit.

C) SUBSIDISED RENTAL, RATES AND USE OF COUNCIL FACILITIES

Rent subsidies or Council rates relief may be available for:

- community, charity and not for profit activities on public open space/reserves.
- community, charity and not for profit organisations' use of Council owned and controlled facilities.

D) ENVIRONMENT

These may include heritage / environment projects.

2.3. Criteria Guidelines and Procedures for Applicants

~~This policy must be read in conjunction with Council's adopted Guidelines and Application Form and the Assessment Panel Guidelines which set out the full eligibility criteria. Council's Application Form and Council's Donations webpage set out the full eligibility criteria.~~

Applications will be sought annually through advertising and on Council's website. Applications are to be made on the relevant form, and address all criteria outlined ~~on the Application Form and Council's Donations webpage. in the Guidelines.~~ All organisations are required to provide financial statements as part of the application process.

The Application for Financial Assistance Form with required supporting information should be submitted to Council by 5.00pm on the advertised closing date for consideration within Council's Annual Donations Program. An application will only be considered as lodged once all required information has been submitted.

Applications to be considered under this Policy will be assessed by a Donations Assessment Panel against the criteria and with reference to the annual Donations budget. The Donations Assessment Panel comprises representatives from Council and will be convened by Council's CEO or their delegate. Staff representatives will be selected from the appropriate functional areas of Council to reflect the applications received. All individuals involved in assessment and decision making must meet the requirements of Council's Code of Conduct, including the declaring of any interests at the commencement of each meeting to consider applications.

Panel members will score applications against the criteria set out in the accompanying Assessment Panel- Marking Criteria Guidelines, and the cumulative scores will be considered at a meeting of the Panel. Informal Minutes will be taken of the Panel's reasoning for its decisions. The Panel will recommend to Council those applications to receive financial assistance based on alignment with the ~~Community Strategic Plan~~ Community Wellbeing

Community Donations Policy

Strategy Key Priorities, and on compliance with the documentation and acquittal requirements of this Policy.

The elected Council will determine the funding to be provided from the Application process.

The following criteria apply to all donation categories:

- What Community Strategic Plan Community Wellbeing Strategy foundations Key Priorities does the project meet?
- Who and how many benefit from the project/event (target group)?
- To what degree is the group/or project self-financing?
- Has the need for the project/event been demonstrated?
- Has the need for funding or subsidy been demonstrated?
- Is the organisation able to make a contribution either in monetary funds or in kind, eg labour, materials, etc?
- What efforts have been made to seek funds from other sources?
- Does the application have a broad community focus?
- If the project/event has a regional focus what benefit will occur for Shoalhaven residents?

Projects/Events NOT Eligible for Funding:

- where benefit is primarily to an individual
- ~~duplication of service or project already existing within the Shoalhaven Local Government Area~~
- projects occurring outside the Shoalhaven Local Government Area
- projects that are retrospective
- projects which do not align with Council's Community Strategic Plan Community Wellbeing Strategy
- where applicants are in a position to self-fund the project
- where a more applicable funding source is available
- where applicants are government departments or agencies
- where application is for capital funds (e.g. building and building maintenance costs)
- where a project will financially benefit a profit-making organisation, individual or a government department
- projects and facilities or services controlled through Council appointed Management Committees (where these projects, facilities or services are not under Council's direct care and control)
- where the proceeds or entry fee from a project or event are being donated to another organisation
- where there is no direct benefit to Shoalhaven City residents

[Community Donations Policy](#)

3. Provisions

The granting of all donations, sponsorships and subsidies is made pursuant to [Section 356](#) of the Local Government Act, 1993 subject to the constraints outlined in [Section 377](#) of the Act.

The granting of all financial assistance will be subject to a fresh written application being lodged with Council for each donation period.

- Applications should be submitted in one of the categories nominated above; however, Council may at its discretion determine to assess an application under a more appropriate category.
- Applications which do not meet the [eligibility](#) criteria ~~in the Guidelines~~ shall be advised that the request is not eligible for consideration under this policy.
- Council reserves the right to assess any application (not fitting the criteria for assessment) on its merits according to Council's Policies and Procedures and Community Service Outcomes.
- Applications for financial assistance will generally not be considered where the application also meets the criteria for other grants/donations provided by Council through the Shoalhaven Arts Board, the Shoalhaven Tourism Advisory Group, the Shoalhaven Sports Board and/or Council's Community Development Grant Program. In these cases, applications will be sent directly to the appropriate area for consideration.
- It is a condition of funding that a detailed acquittal of any prior funding allocated under this policy is provided to Council before any further request is considered.
- Donations will be limited to funding from the Annual Budget directed by the Council.
- Recipients must provide an acquittal and/or evaluation report, where specified in the applicable category, by the end of the financial year in which the funding was provided (30 June). If acquittals/reports have not been received by the end of the financial year, the Council may choose not to consider applications submitted by that applicant in the next round of funding.

4. Delegation

In accordance with Section 377 of the Local Government Act, 1993 the Chief Executive Officer may authorise payment of a donation, sponsorship or subsidy voted by Council, other than where it is a decision under Section 356(2) to contribute money or otherwise grant financial assistance to an individual. Payment to an individual must be authorised by a Council resolution and following a 28 day public exhibition period, if applicable.

The Chief Executive Officer (Director, City Performance) has delegated authority to approve any out of policy requests for donations of up to \$1000 in exceptional circumstances/requests which align with Council's strategic objectives and do not require a resolution under Section 356(2) of the Local Government Act.

[Community Donations Policy](#)

5. Events Policy

All community events funded under this policy will be required to comply with Council's Events Policy.

6. Implementation

Council's Donations Assessment Panel will receive and assess applications for funding and report to Council. Council's City Performance Directorate will respond to written requests for financial assistance.

Details of the Policy will be available via Council's website at all times and an additional advertising will be undertaken in advance of the annual application

7. Review

This policy will be reviewed within ~~one year of the election of every~~ each new Council term, and other times when required.

8. Application of ESD Principles

None Applicable.

CL23.451 Ongoing Register of Pecuniary Interest Returns - November 2023

HPERM Ref: D23/481037

Department: Business Assurance & Risk

Approver: Kerrie Hamilton, Director City Performance

Reason for Report

To provide the Council with the Register of Pecuniary Interest Returns from newly designated persons lodged with the Chief Executive Officer for the period of 1 November to 30 November 2023 as required under Section 440AAB of the Local Government Act 1993 and Part 4.26 of the Code of Conduct.

Recommendation

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 November to 30 November 2023 be received for information.

Background

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

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

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

Part 4.26 of the Model Code of Conduct states:

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

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

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

Directorate	Name	Designated Position Start Date	Returned
City Services	Darrell Merange	1/11/2023	24/11/2023

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

Risk Implications

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

CL23.451

CL23.452 Draft Financial Statements for the year ended 30 June 2023

HPERM Ref: D23/498209

Department: Finance

Approver: Kerrie Hamilton, Director City Performance

Attachments: 1. Draft Financial Statements (councillors information folder) [⇒](#)

Reason for Report

Under Sections 413 and 418 of the Local Government Act 1993, Council is required to formally refer the draft Financial Statements to audit, sign statements on the preparation of the statements, and set the date for the presentation of the audited Financial Statements to the public.

Recommendation

That:

1. Council receives and notes the draft Financial Statements for the year ended 30 June 2023.
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer sign the statements (included in Attachment 1) on the preparation of the Financial Statements for the year ended 30 June 2023 in accordance with Section 413(2)(c) of the Local Government Act 1993 and requirements under the Local Government Code of Accounting Practice and Financial Reporting 2022-23.
3. The draft Financial Statements for the year ended 30 June 2023 be formally referred to Council's External Auditor, Audit Office of New South Wales, in accordance with Section 413 of the Local Government Act 1993.
4. Council, in anticipation of receiving the Auditor's Report, set the Council Meeting to be held on 22 January 2023 as the meeting at which the audited Financial Statements for the year ended 30 June 2023 and Audit Report be presented to the public in accordance with Section 418 of the Local Government Act 1993.

Options

1. Adopt the recommendation

Implications: Council will proceed in submitting the Financial Statements for the year ended 30 June 2023 to the Office of Local Government in line with the requirements of the Local Government Act.

2. Adopt part of the recommendation and make an alternative resolution

Implications: Council will not meet the required timeframes for the submission of the Financial Statements for the year ended 30 June 2023.

CL23.452

Background

Council's Financial Statements for the year ended 30 June 2023 have been prepared and informally referred for audit.

In accordance with Section 413 of the Local Government Act 1993, Council must now formally refer these statements for audit. Prior to the completion of the audit, Council is required to provide its statement on the Financial Statements.

Section 413(2)(c) of the Local Government Act 1993 and the Local Government Code of Accounting Practice and Financial Reporting requires the Mayor, one other Councillor, the Chief Executive Officer and Responsible Accounting Officer to certify the following:

1. The General Purpose Financial Statements have been prepared in accordance with:
 - Local Government Act 1993 (as amended) and Regulations made thereunder
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
 - Local Government Code of Accounting Practice and Financial Reporting

And that to the best of Council's knowledge and belief that the statements:

- Present fairly the Council's operating result and financial position for the year; and
- Accord with Council's accounting and other records

2. The Special Purpose Financial Statements have been prepared in accordance with:
 - NSW Government Policy Statement *Application of National Competition Policy to Local Government*
 - Division of Local Government Guidelines *Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality*
 - The Local Government Code of Accounting Practice and Financial Reporting
 - The NSW Office of Water *Best-Practice Management of Water and Sewerage Guidelines*

And that to the best of Council's knowledge and belief, the statements:

- Present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- Accord with Council's accounting and other records
- Present overhead reallocation charges to the water and sewerage businesses as fair and reasonable

The General Purpose Financial Statements and Special Purpose Financial Statements have been prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting and applicable Accounting Standards (draft confidential copies are included in Councillors' Information Folder).

The General Purpose Financial Statements are prepared on a consolidated basis. The information presented reflects all of Council's activities including the General Fund, Water Fund, Sewer Fund and Southern Water Services Pty Ltd, a wholly owned subsidiary. It should be noted that all internal transactions are eliminated, including expenses relating to Council rates, water usage charges, waste management charges, etc. levied on Council activities.

The Special Purpose Financial Statements relate to activities that Council has declared as business activities under the National Competition Guidelines. Declared activities are further

classified as either a Category 1 or Category 2 business depending on whether the annual turnover is above or below \$2 million.

In preparing the Special Purpose Financial Statements, certain taxes and charges Council is not normally liable to pay must be calculated. These “notional” taxes include company income tax, land tax and payroll tax. These amounts are included in the Special Purpose Financial Statements but only as notional amounts.

It is important to note that the Office of Local Government have granted Shoalhaven City Council an extension to the submission date for the Financial Statements for the year ended 30 June 2023 to 21 December 2023.

Statement by Management

To assist Councillors with their decision in respect of the recommendations to this report, the following statement by the Chief Executive Officer, Director - City Performance and Chief Financial Officer (Responsible Accounting Officer) is provided:

We acknowledge our responsibility for the preparation of the General Purpose and Special Purpose Financial Statements and we confirm, to the best of our knowledge and belief, the following:

- The Financial Statements have been prepared in accordance with the Local Government Act 1993 (NSW) (as amended) and Regulations made thereunder, Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board and the Local Government Code of Accounting Practice and Financial Reporting so as to present fairly Council’s operating result and financial position for the year.
- Further, the Special Purpose Financial Statements have been prepared in accordance with NSW Government Policy Statement ‘Application of National Competition Policy to Local Government’ the Division of Local Government Guidelines ‘Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality’ and the NSW Office of Water ‘Best-Practice Management of Water and Sewerage Guidelines’ and present fairly the operating result and financial position of the activities and present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.
- There have been no irregularities involving management or employees who have a significant role in the accounting and internal control systems or that could have a material effect on the Financial Statements.
- We have made available to the auditors all books of account and supporting documents and all minutes of meetings of Council.
- The financial statements are free of material misstatements, including omissions.
- The Council has complied with all aspects of contractual arrangements that could have a material effect on the Financial Statements in the event of non-compliance.
- There has been no non-compliance with requirements of regulatory authorities that could have a material effect on the Financial Statements in the event of non-compliance.
- We have recorded or disclosed, as appropriate, all liabilities, both actual and contingent, and have disclosed any guarantees that we have given to third parties.
- All material claims have been properly accrued in the Financial Statements. No other material claims in connection with litigation have been or are expected to be received.
- There are no formal or informal set-off arrangements with any of our cash and investment accounts. Except as disclosed in the financial statements, we have no overdraft arrangements.

CL23.452

Accordingly, we believe that it is in order for Council to adopt its statements of certification in relation to the Financial Statements which is as per Recommendation 2 to this report.

Review by the Audit, Risk & Improvement Committee

A meeting of the Audit, Risk and Improvement Committee (ARIC) was held on 6 December 2023 to review the draft Financial Statements presented to Council in this report. The Engagement Closing Report was presented by the NSW Audit Office and received by the ARIC.

Next Steps

The draft Financial Statements have been informally referred for audit and the audit is almost complete. As noted above, ARIC reviewed the draft Statements at a meeting held on 6 December. Council's auditors attended the meeting and provided an update on the progress of the audit and answered questions from the Committee.

When the audit is completed, the auditors will meet with Management at an Audit Clearance meeting. Upon receipt of the Audit Reports, Council will be able to lodge its Financial Statements with the Office of Local Government.

Community Engagement

When the audit is finalised, the audited Financial Statements and Audit Report are to be presented to the public at a meeting of Council in accordance with Section 418 of the Local Government Act 1993. It is proposed that the Financial Statements and Audit Report be presented to the public at the Ordinary Meeting of Council to be held on 22 January 2023. Achieving this is dependent on the completion of the audit and receipt of the Audit Reports. Public notice of this meeting will be made as required by legislation and the Financial Statements made available for inspection at Council's offices and on the website accordingly.

CL23.452

CL23.453 Supplier Panel - Provision of Hardware, Paint, Electrical, Plumbing, Steel, Nursery & Garden Supplies

HPERM Ref: D23/430231

Department: Finance

Approver: Kerrie Hamilton, Director City Performance

Reason for Report

To inform the Council of the tender process to establish a Preferred Supplier Panel for the Provision of Hardware, Paint, Electrical, Plumbing, Steel, Nursery and Garden Supplies.

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

Recommendation

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

Options

1. Accept the recommendation

Implications: Consider a separate confidential report on the matter

2. Council make a different resolution

Implications: This is not recommended as an extensive evaluation process has been undertaken by the tender evaluation team in accordance with the tender evaluation plan

Background

Project Description

Council is seeking to establish a Panel of Suppliers to provide Hardware, Paint, Electrical, Plumbing, Steel, Nursery and Garden Supplies. Preferred suppliers will have the capacity to supply a range of products/volumes across the Council area.

The Panel is to be established for an initial term of three (3) years with options for a further 2 x 12-month period – a total of five (5) years (3 + 1 + 1).

Suppliers will have the option to submit price increases to Council for consideration annually based on applicable CPI data.

CL23.453

Tendering

The Council called tenders for the Provision – Panel of Suppliers for Hardware, Paint, Electrical, Plumbing, Steel, Nursery & Garden on 5 September 2023, with submissions closing at 10:00 am on 5 October 2023. Tenders were received from fifteen (15) suppliers. These suppliers are listed below in Table 1.

Table 1 : Tender Submissions Received

Tenderer	ABN
Andreasens Green (NSW) Pty Ltd	23164350494
Bishops Seed and Produce	81065798567
Bunnings Group Ltd	26008672179
BVN Landscape and Steel Supplies	23858434548
CNW	48009669836
Force Industrial Supplies	92159574240
Gordon Macdonald Electrical	36000307246
Hendo's Power Tools	37127112373
Independent Steel Nowra Pty Ltd	57120794943
Ison & Co Pty Ltd	75000274206
Project Lighting Pty Ltd	36008505726
Rexel Holdings Australia Pty Ltd	17081022068
Swan Hardware & Staff Pty Ltd	80597079103
Terara Shoalhaven Sand	79164768781
TLE Nowra	13003762641

CL23.453

Details relating to the evaluation of the tenders are contained in the confidential report.

Policy Implications

Nil. The tender process has followed the requirements under the provisions of the Local Government Act 1993.

Financial Implications:

Engagements/procurements of suppliers under the Panel Contract – Suppliers - Hardware, Paint, Electrical, Plumbing, Steel, Nursery & Garden Supplies will be funded from organisational-wide adopted operational budgets. Process efficiencies will be achieved through the use of a supplier panel, as purchasing of these resources would not require Council staff to follow procurement procedures including formal quotations, tenders, and assessments.

Risk Implications:

Nil for this report.

CL23.454 DPOP 2023-24 - Quarterly Performance and Budget Report (July - September)

HPERM Ref: D23/437826

Department: Corporate Performance & Reporting
Approver: Kerrie Hamilton, Director City Performance

Attachments:

1. Delivery Program Operational Plan - Quarterly Performance Report 2023/24 - July to September (under separate cover) [⇒](#)
2. Quarterly Budget Review Report - September 2023 (under separate cover) [⇒](#)
3. Capital Projects Status Update September 2023 (under separate cover) [⇒](#)
4. Proposed Revised Capital Listing FY2023-24 (under separate cover) [⇒](#)
5. Uncompleted Notice of Motion / Mayoral Minute report (councillors information folder) [⇒](#)
6. Completed Notice of Motion / Mayoral Minute report (councillors information folder) [⇒](#)

Reason for Report

This report outlines Quarter 1 performance (July to September 2023) against actions and targets set in Council's 2023-24 Delivery Program and Operational Plan (DPOP). Also, in accordance with Regulation 203 (1) of the Local Government (General) Regulation (2021), the responsible accounting officer must prepare and submit to Council, a Budget Review Statement after the end of each quarter. This has been carried out for the first quarter of the 2023/24 financial year.

Recommendation

That Council:

1. Receive the September Quarterly Performance Report on the 2022-2026 Delivery Program and 2023-2024 Operational Plan and publish on Council's website.
2. Receive the September 2023 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the September 2023 Quarterly Budget Report Document.

Options

1. Adopt the recommendation

Implications: Nil.

2. Adopt an alternative recommendation

Implications: Staff will be required to rework the quarterly performance and budget report in accordance with the alternative resolution.

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Background

Section 404 of the Local Government Act 1993 requires the General Manager (Chief Executive Officer) to provide progress reports to the Council with respect to the principal activities detailed in the Delivery Program (Operational Plan) at least every 6 months. Furthermore, all Councils must continue to consider a Quarterly Budget Review report.

Clause 203 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer (Chief Financial Officer) to prepare and submit to the Council, a Quarterly Budget Review Statement that shows, by reference, the estimates of income and expenditure set out in the Operational Plan and a revised estimate of the income and expenditure for the full financial year.

The Responsible Accounting Officer is also required to report as to whether they believe the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

The September 2023 Quarterly Budget Review Statement (QBRs) includes an analysis of the year-to-date result and the reasons for the major variances from the previously adopted Budget, by fund and for each Directorate. Any proposed changes to the budget are included in the attached September Quarterly Budget Review Statement.

Summary of Delivery Program Operational Plan 2023-24 Performance

Table 1 below provides breakdown of performance as at 30 September 2023 across each of the key themes outlined in the Community Strategic Plan - Shoalhaven 2032.

Table 1: Action performance as at 30 September 2023 by Community Strategic Plan 2032 Theme area

CSP Theme	Progress snapshot
Resilient, safe, accessible and inclusive communities	98% actions on track or completed
Sustainable, liveable environments	82% actions on track or completed
Thriving local economies that meet community needs	93% actions on track or completed
Effective, responsible and authentic leadership	88% actions on track or completed

Of the 151 DPOP actions, one action has been rated as ‘Completed’ (4.1.01.02 – Implement a ‘voice of the customer program’) and 136 items rated as ‘On Track’.

Key Highlights

Council has consistently delivered a range of services, projects and activities which work towards achieving the 11 key priorities outlined in Council’s Delivery Program 2022-26. Performance comments are provided in the report against each of the 151 actions and related targets in Council’s 2023-24 Operational Plan.

The complete DPOP Quarterly Performance Report (July - September) is included as **Attachment 1**.

Significant achievements between July and September 2023 include:

- Celebrating the Shoalhaven's Aboriginal culture through initiatives such as NAIDOC Week including Regional Awards 2023, Family Funday and Flag Raising, Year 12 Graduation, Riverfront Activation community consultation and Aboriginal TAFE Art exhibition.

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- Shoalhaven Libraries held 166 events which were attended by more than 1,650 people of all ages and backgrounds.
- Shoalhaven Water supply asset risk review completed and is programmed to be reviewed annually.
- 60 Natural Area reserve sites worked on by Bushcare volunteers, 12 by contractors and 25 worked on by Council's Aboriginal Bush Regenerators.
- Flood mitigation review complete, ongoing work scheduled for 2023/2024.
- The Nowra CBD Place Manager has been hosting monthly Eats and Beats Farmers Markets. A Halloween event was planned, planning continues for the Christmas event.
- Conclusion of the Autumn Wellness Tourism Campaign successfully reaching 5 million people with 210,000 engagements.
- Key Council staff commenced participation in the Illawarra Shoalhaven Joint Organisation (ISJO) facilitated development of the Regional Economic Development Strategy Vision and Blueprint. Further work is being undertaken on the Disaster Risk Reduction project.
- Family Day Care Service annual inspections were completed on schedule with no compliance issues recorded.
- Strategic WHS Plan initiatives implemented tracking according to plan, with highlights including Mental Health Movement, psychosocial risk assessments and presentations and the volunteer management review.

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Requires Attention

Table 2 below outlines the four Action items that have been reported as 'requires attention' at 30 September 2023. Full performance comments are in the attached report and remedial actions have been reported to senior management.

Table 2: DPOP Actions rated as 'requires attention' as at 30 September 2023.

Ref.	Action	Quarter 1 Comment (summary) Full comments in attached report
2.2.02.01	Assess and determine development applications within legislative timeframes and community expectations	Council continues to work towards improving processing times through recruitment, continual review of the DA assessment process, processing of older applications from the system and working with the Department of Planning and Environment to ensure agency referrals are received in a timely fashion.
2.3.03.05	Prepare new, or review existing Bushcare Group Action Plans in consultation with community	The Bannisters Road and Mahogany Creek Bushcare group action plans have been revised after reviewing second drafts. Another two have had a first draft prepared (Fishermans Paradise, Kean Ave - Sanctuary Point). Council's Bushcare Coordinator has recently resigned, and a vacancy still exists for the central Bushcare Field Officer, so there is a shortfall in resources currently.
4.1.04.01	Ensure minimal returns of adopted animals to the Shoalhaven Animal	The Shelter has been at or over capacity for the majority of this quarter. A call out to the public to find foster carers for adult dogs resulted in 6 dogs going into foster care which has eased the pressure slightly

Ref.	Action	Quarter 1 Comment (summary) Full comments in attached report
	Shelter	at the shelter. Adoptions have decreased dramatically, potentially due to both the current financial and rental crisis and is being felt by pounds/shelters/rescues throughout Australia.
4.2.01.03	Process application requests for access to public information	The number of applications received has continued to increase in this reporting period, in particular the number of Formal applications. Additional staffing has ensured processing time targets are being met and reduced the wait time for informal applications however, this is only a fixed term appointment and to continue to operate at this level more permanent solutions will be required.

On Hold

Table 3 below, outlines the ten Action items that have been reported as ‘on hold’ as at 30 September 2023. Full performance comments are in the attached report and remedial actions have been reported to senior management.

Table 3: DPOP Actions rated as ‘on hold’ as at 30 September 2023.

Ref.	Action	Quarter 1 Comment (summary) Full comments in attached report
1.2.03.04	Design and deliver the Boongaree reconciliation garden to provide a place for education and healing for the indigenous communities of the Shoalhaven	50% complete (total project), commenced in previous FY. Concept plans 80% complete. Stakeholder engagement 50% complete. Detailed design 0% complete. Delivery 0% complete. Further engagement with Aboriginal stakeholders required. Engagement planning on hold while budget is under review. Concept design work on hold pending outcome of budget review and outcomes of engagement with key Aboriginal stakeholders.
2.1.03.01	Complete the Pathways Program as listed in the 2023-24 adopted capital works program	Awaiting funding confirmation. This includes the \$5M pre-election funding commitment from the NSW Government.
2.1.04.02	Identify projects to be delivered in the following financial year and plan and resource the delivery of designs and specifications where required	This year the 10-year capital plan did not form part of the DPOP this FY. With reduction in capital work funding available opportunity to advance shovel ready projects is limited.
2.1.06.01	Maximise water reuse to reduce demand on drinking water supplies	REMS 2.0 project is on hold subject to attaining grant funding and the development of biodiversity offset credits.
2.1.06.07	Construction of new water pipeline connection of Jervis Bay Territory to	Design and tender documents have been finalised and are with the client for review. Approval to proceed is with the Department of Infrastructure as the project is fully funded by the Federal Government.

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Ref.	Action	Quarter 1 Comment (summary) Full comments in attached report
	Shoalhaven systems	
2.3.03.08	Progress planning and scoping for an Urban Greening Strategy	Council is still awaiting the NSW Department of Planning and Environment to provide the grant agreement.
3.1.01.02	Review and update Council's Employment Land Strategy	A desktop review of Council's employment land strategy and industrial land holdings is complete. This project has budget confirmed and will be actioned in the first quarter of 2024.
4.1.01.05	Work collaboratively with Management Committees to expand the Bookable system to include facilities operated by Management Committees	The phase 3 project to bring Management Committees into Bookable is on hold until funding is available. As part of business as usual, Customer Experience will continue to work with Management Committees on the Bookable transition, as prioritised by the relevant Facility Officer. In Q1, Huskisson, Errol Bay and Kioloa Tennis Courts transitioned to Bookable.
4.2.08.02	Create a strategy with measurable actions for Council's strategic property assets, including investigation into alternate revenue streams	Preliminary work has commenced and a cross directorate working group has been established to progress this project.
4.3.01.05	Commence an independent review of Council's Community Consultative Body model to ensure equitable reach and representation	The progression of this project is funding dependent. Staff will continue to investigate/monitor for further funding opportunities.

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Additional Operational Plan Actions arising from Notices of Motions (NoM's)

Between 1 July 2023 and 30 September 2023, Council has endorsed 24 Notices of Motion (NoMs) which can be categorised as follows:

- 17 NoM's relate to information, donations / community support, maintenance / traffic requests, advocacy or Development Application call-ins and covered in business-as-usual operations.
- 7 NoM's relate to projects that required additional resources being added to the Operational Plan 2023-24. These Actions can be further categorised into the following areas:
 - Infrastructure / Service Upgrades (3)
 - Forward Planning (4)

In addition, there are 10 NoM's resolved prior to 1 July 2023 which are currently categorised as 'in progress'.

The full report of Uncompleted and Completed Notices of Motion's have been attached as **Attachment 5** and **Attachment 6**, respectively. The Completed report indicates the NoM's finalised between 6 September and 28 November. Prior to that date, completed actions were reported at the 9 October Ordinary Council Meeting.

September 2023 Quarterly Budget Results Overview

The main focus during the September 2023 quarter has been the completion of Council's Financial Sustainability Review (FSR) project. This project was commissioned in response to a Council resolution passed at the 26 June 2023 Ordinary Council Meeting. The results of this review were reported to Council at an Extraordinary Meeting on 20 November 2023.

In conjunction with the FSR project, Council reviewed the committed capital works program (adopted as part of the Delivery Plan and Operation Plan on 26 June 2023) and the list of incomplete FY 2022/23 capital works projects and have created a revised FY 2023/24 capital works program. This took considerable effort from a number of staff across the organisation. Projects were prioritised and selected for completion this year, and the remaining projects are to be reallocated into the FY2024/25 program. This report seeks endorsement of the projects selected for carry forward from FY2023/24 into FY2024/25.

As Councillors are aware, Council has limited unrestricted funds. This is a matter for concern and is addressed in the FSR report. Management of Council's cash position continues to require considerable effort from the Finance and Disaster Recovery Teams to ensure that Council's restricted cash reserves are not breached – given the significant on-going expenditure on disaster recovery works and the resulting processing and receipt of recovery and other grant funding acquittals.

At 30 September 2023, Council has spent \$13.8M of General Fund cash in advance for grant funded projects whereby the grant monies have not yet been receipted, with \$4M of this relating to Natural Disaster projects. This resulted in a preliminary negative unrestricted cash position of \$7.9M. As explained later in the report, internally restricted funds have again been temporarily reallocated in accordance with Council's Liquidity Policy to ensure that external restriction remain protected. This \$7.9M adjustments is a significant improvement on the \$35M grants spent in advance reported at 30 June 2023.

Further, throughout October conversations continued with Transport for NSW and Reconstruction Authority regarding Natural Disaster funding. This resulted in Council receiving a further \$15.5m advance payment for Natural Disaster projects in November 2023.

It is imperative that Council remains cash flow positive when delivering these significant works. Failure to do so will place pressure on Council's unrestricted cash position and could result in projects being temporarily suspended until cash is made available.

Preliminary General Fund Year End Results and Quarterly Review Movements

General Fund

General Fund operating income before capital grants and contributions was higher than the forecast by 1.8% (\$156.9M actuals vs \$154.1M budget, favourable). This was mainly attributed to additional domestic waste charges income, additional user fees & charges income in Tourist Parks, Swim Sport & Fitness and additional DA application income. Both operating and capital grant income tracked ahead of year-to-date budget due to FY2022/23 deferred grant funded projects not being adopted at Quarter 4 FY2022/23 and being re-included in the FY 2023/24 budget at this Quarterly Review.

The General Fund operating expenses are 1.6% below the adopted budget (\$73.6M actuals vs. \$74.8M budget, favourable). Year-to-date actual to budget has been impacted by the non-recognition of carry forwards at Quarter 4 FY2022/23 which has resulted in expenses being incurred for FY2022/23 carry forward projects, however, budget has only been

readopted as part of this September Quarterly Review. Councils actual operating expenses are behind budget due to under expenditure on materials and services (\$3.6M) which was budgeted to be incurred however will now be incurred later in the financial year. This Quarter 1 savings has been partially offset by additional employee costs (which are offset by grant funding), and additional depreciation charges (\$556K) due to comprehensive asset revelations performed as part of the 30 June 2023 external audit.

Finance is closely monitoring actual expenditure across Council. It has been identified that the adopted budget does not sufficiently provide for anticipated expenditure in legal costs, staff training and development, and annual building insurance premiums. In this quarterly review, a budget adjustment is proposed for \$378K to fund the known shortfall in the annual insurance premiums which were paid in July. Diligence will continue to be applied and where it is identified the annual budget will be unavoidably exceeded, intervention measures will be considered in consultation with Council’s established Budget Review Committee, with funding potentially being reallocated from FY2023/24 funded capital projects to cover any confirmed operating shortfalls.

The following table presents a high-level summary of the budget and movements for the General Fund for Quarter 1 2023/24:

Table 4: General Fund budget movements for Quarter 1 2023/24

(\$'000) Favourable / (Unfavourable)	Current Adopted Budget	September QR Adjustments	September QR Revised Budget	YTD Adopted Budget	YTD Actuals
Net Operating Result	21,421	112,928	134,349	85,793	115,334
Net Operating Result before Capital Grants & Contributions	(22,070)	7,581	(14,488)	79,320	83,329
Net Cash & Investments Movement	(56,397)	27,964	(28,432)	(7,291)	31,927
Unrestricted Cash Movement	3	67	70	(22,032)	(13,155)

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The net operating result before capital grants and contributions of the General Fund as at 30 September 2023 Quarterly Budget Review, was a surplus of \$83.3M, a \$4M unfavourable variance to the forecasted \$79.3M surplus.

Council incurred unbudgeted expenditure of \$500k in unrestricted cash during the quarter. This related to payment of legal costs and increased insurance premiums, and Council was forecasting a reduction in unrestricted cash of \$486k as a result. Council took action to correct this forecast position and have proposed changes as part of this quarterly budget review that reduced Council’s forecasted unrestricted cash expenditure by \$553K. These proposed adjustments result in a net increase to unrestricted cash of \$67k (\$553k - \$486).

Most notably of these changes are funding contributions from the Water, Sewer and Waste Funds totalling \$288k towards roadworks at the entrance to Council’s Ulladulla depot which were previously proposed to be fully funded from general funded loans. **Attachment 4** provides details of all proposed amendments to the adopted FY2023/24 capital works program.

Working Capital

Working Capital is term used to define the uncommitted component of Council’s net current assets position, or in other words, the balance of uncommitted funds available for discretionary purposes. The working capital position is calculated in accordance with the formula as outlined in Council’s Liquidity Contingency Plan.

As previously referenced, as at 30 September 2023, Council has spent \$13.8M of General Fund cash in advance for grant funded projects whereby the grant monies have not yet been received. This resulted in a preliminary negative unrestricted cash of \$7.9M.

To restore unrestricted cash back to NIL, the Financial Assistance Grants internal restriction was utilised. The reserve had a balance of \$11.2M at 30 September 2023, it was reduced to \$3.3M in order to fund the grants in advance. However, the restored value of internal reserve balances have been used when calculating the working capital position.

During October conversations continued with Transport for NSW and Reconstruction Authority regarding Natural Disaster funding. It is imperative that Council remains cash flow positive when delivering these significant works. Failure to do so will place pressure on Council's unrestricted cash position and could result in projects being temporarily suspended until cash is made available.

Table 5: General Fund working capital position at 30 September 2023

Description		(\$'000)
Add	Current Asset	189,356
Less	Current Liabilities	107,728
Calc	Net Current Asset	81,628
Less	External restrictions	87,223
Less	Internal restrictions	30,598
Add	Provisions (Liabilities not expected to settle in 12 months)	19,786
Add	Current liabilities that are covered by externally restricted assets	30,327
Add	Current liabilities that are covered by internally restricted assets	11,568
Calc	Available working capital	25,485
Calc	Working Capital as a % of Current Liabilities	23.66%

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Council working capital is 23.66% at 30 September 2023 exceed the benchmark set in the adopted Liquidity Contingency Plan of 5%.

In assessing this working capital position, it is important to recognise that it is calculated at a point in time and as at 30 September Council's annual rates and charges are levied in full during July of each year. Once levied, a receivable is raised (current asset) to recognise the total cash Council is entitled to. This results in a large current asset being recognised at each September quarter, and a high available working capital position. Working capital will be at its lowest in the June quarter - as the year progresses, the available working capital will decrease with payments being made for operational and capital expenditure, but no further rates and charges being levied for the remainder of the year.

Management continues to monitor the working capital position of the Council and continues to report on the key liquidity indicators to the Council on a monthly basis.

Cash and Investments

Council held \$176M in cash and investments at 30 September 2023. This is split between amounts externally restricted, internally restricted, and amounts unrestricted. Council's cash and investments are reported in **Attachment 2 – Quarterly Budget Review Report - September 2023**.

The funding, and ongoing management, of the grants spent in advance has placed significant pressure on the management of Council's cash resources, and it will continue to

be a challenge until Council's unrestricted cash levels are reinstated to the pre COVID amounts.

Preliminary Water Fund Year End Results and Quarterly Review Movements

The revenue for Water fund is above the budget forecast by 12.8% (\$8.3M actuals vs \$7.4M forecast, favourable). The operating expenses for Water Fund was in line with budget with slight overspend in employee costs (\$144K), offsetting by reduced depreciation (\$142K).

The net cash movement of the Water Fund is a \$12.1M deficit when compared to the original forecasted deficit of \$4.3M due to additional capital works being carried forward from FY2022/23 (\$7.8M).

There was no major adjustment in Quarter 1 that affects the proposed net operating results and net cash movement of Water Fund for FY2023/24.

Table 6: Water Fund budget movements for 2023/24

(\$'000) Favourable / (Unfavourable)	Current Adopted Budget	September QR Adjustments	September QR Revised Budget	YTD Adopted Budget	YTD Actuals
Net Operating Result	(2,327)	140	(2,187)	(1,848)	(850)
Net Operating Result before Capital Grants & Contributions	(4,654)	(58)	(4,712)	(2,122)	(1,489)
Net Cash Movement	(12,051)	(2)	(12,054)	(6,658)	(5,504)

Preliminary Sewer Fund Year End Results and Quarterly Review Movements

The revenues for the Sewer fund exceed the budget forecast by 3% (\$15.8M actuals vs \$15.3M forecast, favourable) due to additional access and usage charges. The operating expenses for the Sewer was slightly under budget forecast by 2% (\$12.5M actuals vs \$12.8M forecast, favourable) mainly due to savings in employee costs of \$360K offsetting an increase in material and contract costs of \$205K.

The net operating result before capital revenue of the Sewer Fund is a surplus of \$2.9M when compared to the forecasted surplus of \$2.4M.

The estimated dividend payment to General Fund in the 2023/24 budget remains unchanged.

The net cash and investment movement has declined by \$46K compared to the forecasted budget.

Table 7: Sewer Fund budget movements for 2023/24

(\$'000) Favourable / (Unfavourable)	Current Adopted Budget	September QR Adjustments	September QR Revised Budget	YTD Adopted Budget	YTD Actuals
Net Operating Result	10,611	(46)	10,565	2,591	3,303
Net Operating Result before Capital Grants & Contributions	7,538	(46)	7,492	2,366	2,892
Net Cash Movement	(10,813)	(46)	(10,859)	(1,403)	(210)

Capital Projects Progress Overview

Attachment 3 provides a detailed update as at 27 October 2023 on the progress of 126 major capital projects with an annual budget allocation of over \$400K for each project (total budget of \$231M) which represents 80% of the adjusted annual capital budget of \$288M.

As at 27 October 2023, 100 projects remain on track, 2 completed, 2 are asset in use, 3 are under close monitoring and 19 were flagged as on hold due to timing with other works in conjunction, delays in design and other external factors.

FY 2022/23 Carry Forwards and Revotes to be adopted

A carry forward is a capital project which commenced in FY 2022/23 but was not completed by 30 June 2023. A revote is a capital project that was budgeted for commencement in FY2022/23 and did not commence (no expenditure incurred).

As noted in the June 2023 quarterly budget review, Council did not formally adopt 2023 carry forward and revote requests due to insufficient unrestricted cash. Carry forward and revotes were to be considered, and budgets adjusted, at the September 2023 quarterly budget review (QBR1).

Council has reviewed the adopted FY2023/204 capital works program and considered the following:

- Inclusion of carry forwards from the FY 2022-2023 (FY 2023) capital works program into the FY 2024 program
- Consideration of revotes from the FY 2023 capital works program into either the FY 2024 program or outer years
- Partial or complete rephasing (moving the timing) of adopted FY 2024 projects into FY 2025 or even later

Attachment 4 provides details on the proposed amendments to the adopted FY2023/24 capital works program. A summary of the program is as follows:

- The program total is \$218.9M. Shoalhaven Water and Waste projects constitute \$73.3M of this total.
- Natural Disaster projects are not included in **Attachment 4**
- Sanctuary Point Library and Bob Proudfoot Pavilion include a combined budget of \$12.8M.
- The general fund portion (unrestricted cash) of the program is \$13M representing only 6% of the total program
- Of this \$13M, \$7.6M is tied to grant funding

There are minimal projects that are 100% funded through general funds (unrestricted cash) with the majority of projects having multiple funding sources. To defer/cancel these projects has implications (especially if grant funded).

Council will continue to refine the FY 2023/24 capital works projects throughout the December 2023 quarter, as preparation for the FY2024/25 budget commence.

Conclusion

Not dissimilar to many other NSW rural councils, Council has experienced in recent years a growing gap between operating revenue and operating expenditure. The growth in the cost base of current services provided has exceeded the growth in revenue.

This financial year will be extremely challenging. As detailed in the Financial Sustainability Report presented to Council on 20 November 2023, Council's financial position is

deteriorating. The current lack of available cash and the intervention that Council is taking in the 2023/24 financial year to avoid using restricted cash puts Council at considerable risk.

Council should also expect that natural disasters will continue to occur placing more pressure on its finite resources.

While improvements to the efficiency and productivity of service delivery will assist in closing the gap between revenue and costs these options take time to implement. There is a need for Council to significantly increase the revenue generated from operations to provide sufficient funding to maintain service delivery and to provide contingency funds to enable Council to respond to future disaster events.

Internal Consultations

Council staff from across the organisation have provided information to compile the report.

External Consultations

Nil.

Community Consultations

The community is consulted via public exhibition as part of the development of the DPOP and Budget each year.

Subject to Council's endorsement, the Quarterly Performance report will be made available on Council's website. A range of other communication methods may also be used to communicate the outcomes of the report including performance highlights across Council's social media platforms.

CL23.455 Proposed Voluntary Planning Agreement - Dedication of Land - Suncrest Avenue, Sussex Inlet

HPERM Ref: D23/465759

Department: Strategic Planning

Approver: Coralie Bell, Acting Director - City Futures

Reason for Report

The purpose of this report is to seek a resolution from Council to exhibit and enter into a Voluntary Planning Agreement (VPA) with the developer (Remara Capital) relating to the dedication of land (drainage reserve) at Lot 22 DP 1270620; Suncrest Avenue, Sussex Inlet.

Recommendation

That Council delegate authority to Council's Chief Executive Officer, or his delegate, to:

1. Provide 'in-principle' support to enter into a Voluntary Planning Agreement (VPA) for the dedication of part of Lot 22 DP 1270620; Suncrest Avenue, Sussex Inlet for the purpose of a drainage reserve.
2. Prepare the draft VPA and associated Explanatory Note and proceed to public notification for a minimum period of 28 days as required by legislation.
3. Following public notification, enter into the VPA consistent with the terms in this report, except where objections or substantial issues relating to the content and merit of the proposed VPA are raised as a result of public notification, in which case the VPA is to be reported to Council before it is entered into.

Options

1. As recommended.

Implications: The proposed VPA will result in a positive public benefit through the dedication of land that is required to manage stormwater and maintain water quality from the proposed residential subdivision in perpetuity.

2. Adopt an alternative recommendation.

Implications: An alternative recommendation may have implications for the ongoing management of the residential subdivision and the water treatment device which could have environmental impacts on surrounding properties.

Background

On 10 January 2022, Council accepted a development application from Allen Price and Scarratts (the Applicant) for a staged residential subdivision and associated works over Lot 22 DP 1270620 (the site) and associated land. The application has not yet been determined.

The proposal is for a forty-five lot Torrens Title subdivision which includes forty-two residential lots, two super lots (lots 44 & 45), one drainage reserve (lot 43), and associated work.

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The Applicant has made an offer to enter into a VPA with Council for the dedication of land for drainage reserve purposes, which if accepted, will be conditioned in the development consent. The land dedication will facilitate the management of stormwater to a level required to meet the demands of the proposed residential subdivision. As such, this report deals with the specific approach re a VPA and not the development as a whole.

Figure 1 shows the subject land and **Figure 2** shows the approved development layout and proposed land dedication area.



Figure 1: Lot 22 DP 1270620 (the Site)

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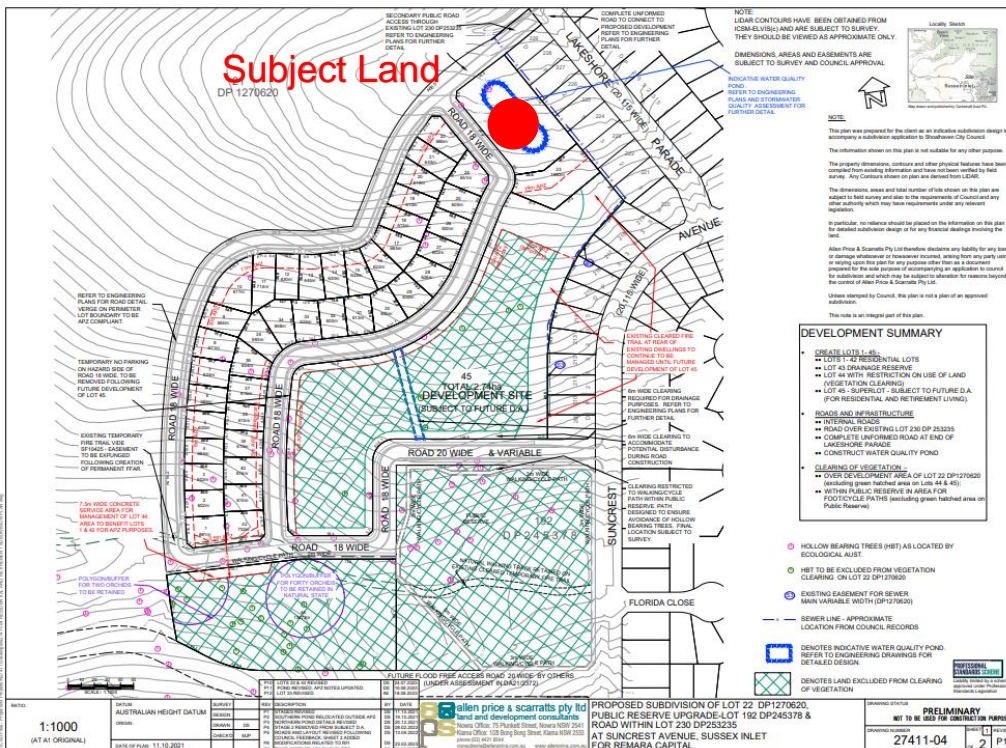


Figure 2: Proposed Subdivision Plan – land to be dedicated indicated with red circle. (adapted from plan by Allen Price and Scarratts – Revision 12)

Discussion and Recommendation

A rigorous merit-based assessment has been undertaken by Council staff in the assessment of the development proposal, including the most effective method of managing stormwater from the proposed residential subdivision. Through the assessment process, the design of the water treatment device has been refined to change the primary stormwater treatment to a trash rack and sediment forebay (rather than gross pollutant trap), which is Council's preferred option for ongoing maintenance.

The General Terms of Approval provided by the NSW Rural Fire Service do not require Lot 43 (drainage reserve) to be managed as an Asset Protection Zone (APZ), resulting in a less rigorous maintenance regime and more efficiencies in whole of lifecycle costings. Council does not preference dedication of land burdened by APZs.

In the context of this proposal, it is in the public interest that the ongoing management of drainage infrastructure be the responsibility of Council, and there is merit in facilitating the dedication the land for a drainage reserve proposed in this VPA. As such, it is recommended that Council proceed to prepare the draft VPA (at the developer's cost) and publicly notify the draft VPA for review and comment.

Delegation Opportunities

In accordance with Council's [Planning Agreement Policy](#), Council may resolve to delegate authority to Council's Chief Executive Officer, or their delegate, to prepare, publicly notify, enter into and register the Planning Agreement. It is recommended in this case that Council extend delegation for the above functions, unless there are objections or substantial issues raised as a result of public notification, in which case Council will receive a further report prior to finalisation.

Internal Consultations

Consultation was undertaken with staff in Council's City Development and City Services Directorates, specifically Environmental Services (floodplain/stormwater), Development Services (assessment and engineering) and Works & Services. General consensus was that following the device redesign works, the land and device is suitable for dedication to a general maintenance standard.

Community Consultations

The *Environmental Planning and Assessment Regulation 2000* requires that the draft VPA be publicly notified for a minimum period of 28 days. The community will have an opportunity to provide feedback on the proposal through this process.

It is recommended that Council receive another report post exhibition only if objections or substantial issues are raised as a result of public notification that directly relate to the scope/merits of the proposed VPA.

Financial Implications

In accordance with Council's [Planning Agreement Policy](#), the Developer will cover Council's costs (direct and incidental) relating to the preparation and entering into the agreement (including associated legal costs) and enforcing the agreement. In this instance, it is recommended that Council manage the VPA drafting process, and not the developer.

CL23.456 Update Report - Nowra CBD Planning Controls Review and Related Regional Planning Work

HPERM Ref: D23/472280

Department: Strategic Planning

Approver: Coralie McCarthy, Acting Director - City Futures

Reason for Report

To update Council on the review of planning controls in the Nowra CBD / commercial core area, as resolved by Council on 11 May 2021, and related regional planning work being undertaken by the NSW Government that commenced after the resolution.

Recommendation

That Council:

1. Await the outcomes of the NSW Government's Nowra City Centre Strategic Roadmap process before implementing the previously resolved review of planning controls for Nowra CBD (MIN21.249).
2. Request a briefing from the NSW Government in early 2024 to provide an urgent update on the recommendations and insights from Nowra City Centre Strategic Roadmap and discuss the importance of the Nowra CBD.
3. Receive a further report back after the briefing outlining next steps and any recommended planning amendments for Nowra CBD.

Options

1. As recommended.

Implications: the outcomes of the Nowra City Centre Strategic Roadmap process will be considered before taking action to advance any changes to planning controls for Nowra CBD. This will ensure that any Council planning amendments are consistent and complementary to the Strategic Roadmap and do not result in duplication or unnecessary effort.

2. Adopt an alternative recommendation.

Implications: Council has the option to re-commence its review of planning controls for Nowra CBD sooner, without considering the outcomes of the Strategic Roadmap process, however, this may result in duplication and inconsistency. The Strategic Roadmap may ultimately include planning amendments that negate the need for any Council initiated changes. As such this is not the recommended option

Background

Council resolved on 11 May 2021 as follows:

MIN21.249

1. Commence a review of relevant planning controls in the Nowra CBD / commercial core area, including the relevant technical studies (urban design / visual impact assessment, economic feasibility analysis and infrastructure/servicing assessment)

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and community consultation to identify potential key locations where controls should be revised to encourage positive opportunities that contribute to the revitalisation of the centre.

2. *Receive a further report on the outcomes of the review, to consider the detail, prior to proceeding with any Planning Proposal to amend relevant controls in Shoalhaven Local Environmental Plan 2014.*

The report to Council can be viewed [here](#) (item DE21.38).

Partnership with NSW Department of Planning and Environment (DPE)

The NSW Department of Planning and Environment (DPE) subsequently began the process of preparing a Nowra City Centre Strategic Roadmap (the Roadmap), an action identified in the Illawarra-Shoalhaven Regional Plan 2041, working collaboratively with Council.

Stage 1 of the Roadmap (now complete, but not publicly available at the time of writing this report) analysed the feasibility, planning controls and market factors that are influencing development and investment in Nowra CBD. The analysis was prepared for DPE by a specialist consultant (Astrolab) and was informed by targeted engagement with local landholders, developers, industry bodies, government agencies, institutional investors, local businesses, and the Nowra CBD Revitalisation Strategy Committee.

Key findings and recommendations from the Stage 1 analysis are summarised below:

- Commercial floor space supply currently meets demand.
- Returns on infill development are below industry requirements, even when the cost of acquiring land is discounted.
- There is market resistance to delivering new/different housing products.
- Changes to Planning controls in isolation of other interventions will not significantly improve development feasibility.
- Perceived lack of amenity and loss of services from Nowra City Centre is impacting its attractiveness for investment.
- Car-dependent culture increases development costs and hinders higher densities.

It is also important to note that the recommendations in Stage 1 highlight the importance of a strategic and integrated approach to encourage revitalisation and growth in the Nowra City Centre in addition to any changes to planning controls alone. This includes:

- Broker government and institutional commitment and investment.
- Employ a strategic approach to increasing services and improving amenity.
- Reduce car-dependency through integrated land use and transport planning.

The findings and recommendations from the Stage 1 will now inform the development of the Roadmap (Stage 2), which aims to further investigate tangible actions to enable development, investment and activation in the CBD. This could, for example, result in a new planning pathway for developments and/or recommended changes to planning controls. The proposed scope for Stage 2 is currently being considered by DPE, with input from Council staff.

Consultation

Councillors and the Nowra CBD Revitalisation Strategy Committee were briefed on the collaborative work from DPE, including Stage 1 findings and future Stage 2 work, in June 2023.

DPE has provided the Stage 1 report confidentially to key stakeholders but has not formally released it publicly.

A future briefing for Councillors and the CBD Committee on the full Stage 1 report, and proposed Stage 2 approach, is considered important in early 2024. This forms part of the recommendation of this report.

Council Work Update

Given the overlap with DPE, and the desire for a coordinated, and outcomes driven, approach, Council's review work was paused to be recommenced when the Roadmap was further progressed.

This remains the recommended approach, noting that initial findings in the Stage 1 Roadmap suggests that changes to planning controls alone will not significantly improve development feasibility, reinforcing the need for a collaborative whole of government solution. It is recommended in this report that Council continue to support and advocate for Nowra as Shoalhaven's principle regional centre via the DPE Roadmap process.

Council has the option of recommencing its review of planning controls sooner, however, this will result in duplicated effort and potential inconsistency. The Roadmap outcomes may ultimately include recommended planning amendments or changes in development pathways. It is considered important to prioritise a cross government approach for Nowra, and as result, this option is not recommended.

Policy Implications

Council's and DPE's respective projects aim to help deliver upon identified goals and objectives relevant to Nowra CBD, established within the Illawarra Shoalhaven Regional Plan 2041, Shoalhaven Local Strategic Planning Statement and Nowra CBD Revitalisation Strategy, including:

- Removing existing planning barriers to increased residential development
- Providing more affordable housing options and mixed densities, e.g. apartments, townhouses, within walking distance of work, shops, services and facilities.
- Activating street frontages and public spaces
- Supporting the growth of Nowra CBD as Shoalhaven's key regional centre

Financial Implications

The Nowra City Centre Strategic Roadmap process is funded by DPE with no direct financial contribution required from Council.

If Council was to re-commence work on its review of planning controls, a budget would need to be allocated to undertake supporting planning investigations.

CL23.457 Proposed Policy Rescission - Payment of Development Contributions and Section 64 Headworks – Charges by Deferment or Instalments (under special circumstances)

HPERM Ref: D23/476626

Department: Strategic Planning

Approver: Coralie McCarthy, Acting Director - City Futures

Reason for Report

The purpose of this report is to receive direction from Council regarding the proposed rescission of the [Payment of Development Contributions and Section 64 Headworks – Charges by Deferment or Instalments \(under special circumstances\) Policy](#).

Recommendation

That Council rescind the Payment of Development Contributions and Section 64 Headworks – Charges by Deferment or Instalments (under special circumstances) Policy (POL22/39).

Options

1. As recommended.

Implications: This would see the Policy in question rescinded, recognising the associated resourcing, the minimal support for received applications and the financial implications relating to deferred or instalment payments.

2. An alternative recommendation.

Implications: This will depend on the extent of any changes/approaches and could include retention of the Policy, which would potentially result in continued resourcing and financial uncertainty.

Background

Through the Shoalhaven Contributions Plan 2019, Council is able to levy monetary contributions (Development contributions under Section 7.11 of the *Environmental Planning and Assessment Act 1979*) for new development which results in a demand for new or upgraded community infrastructure (e.g., roads, open space, drainage). Similarly, Council also levies monetary contributions (Headworks charges Under Section 64 of the *Local Government Act 1993*) to fund water and sewer infrastructure headworks that are directly related to a development/s (e.g., treatment plants, pumping stations, reservoirs, trunk mains).

The [Policy](#) that is the subject of this report seeks to enable the payment of the two charges by deferment or instalments and allows for the following deferment/instalment timeframes:

- Up to 2 years for deferment of contributions that do not relate to residential subdivisions.
- The settlement of sale of the subdivided lots for deferment of contributions that relate to residential subdivisions.
- Payment by instalment over 5 years for tenants or businesses operating in the Shoalhaven.

Council requires an applicant to demonstrate a unique special circumstance for the request, including generally “the financial circumstances of the applicant, the amount of the contribution, the works that the contribution is applied to and its location and for tenants, the nature and duration of the tenancy”.

Should an application be considered favourably, a bank guarantee and formal deed is generally required, as well as administration/interest charges. For residential subdivisions, a caveat and priority agreement with the mortgagees will also be required.

This financial year, Council has received a number of informal and formal requests for deferred or instalment payments relating to both development contributions and headworks charges. At the time of writing this report, none have been formally supported. The resourcing required to consider these requests can be significant, especially considering the minimal benefit that Council receives from these agreements.

The act of deferring payments means that Council is not in receipt of relevant funds when anticipated which affects cashflow, may impact the ability to deliver infrastructure works in a timely fashion and is likely to frustrate review and planning processes. This is immediately relevant considering Council’s current financial position and the fact that Council has recently endorsed the preparation of a new Contributions Plan for Shoalhaven (MIN23.621). Reliability of contributions income and resourcing efficiencies is critical at this time.

Further, Council engaged a consultant to review Council’s existing infrastructure contributions resourcing and framework. The report recommended that Council discontinue allowing deferred and periodic payments. The Policy was considered to be overly complex with limited benefit. This recommendation is consistent with a range of councils that have excluded provisions for deferred and periodic payments as they transitioned to new contributions plans/frameworks (e.g., City of Sydney, Inner West and City of Parramatta). Council’s Executive Management Team have endorsed the recommendations in the report, including the rescission of the Policy. As such this matter is not now reported to Council for consideration.

Internal Consultations

Consultation has occurred with Shoalhaven Water, Council’s General Counsel, the Chief Financial Officer and the Executive Management Team on the benefit and future of the Policy.

All were in agreement that there was limited benefit in maintaining the current Policy into the future.

External or Community Consultations

No community consultation is required or has been undertaken in relation to the proposal.

Policy Implications

Considering the recent influx of requests (majority not demonstrating any special circumstances) and the financial and resourcing implications discussed within this report, it is timely that the Policy be considered for rescission. The Policy does not appear to have overly assisted in supporting development and presents longer-term difficulties for Council in terms of access to funds.

Section 4.7 of the Shoalhaven Contributions Plan 2019 includes reference to deferred or periodic contribution payments and refers to the Policy. There are no direct policy implications in retaining reference to the policy in the Plan in the short term, as Section 4.7 also specifies that “Council is not legally obliged to defer contributions payments or take periodic payments”.

The review of the Contributions Plan will look at future opportunities for deferred/instalment payments in the context of the new contributions scheme and Council's financial position at the time.

Financial Implications

Deferring contribution payments or taking periodic payments provides a benefit to the developer, however this opportunity also results in resourcing and financial implications for Council. The process is labour intensive, requiring consideration by staff in the first instance, then Council's Contributions Panel, often Executive Management and Council's General Counsel if supported. The low numbers of favourable determinations is not considered to justify the time/resources expended considering the applications.

Further, the act of deferring the payment of the contributions means that Council's ability to provide community infrastructure in a timely manner can be compromised. In considering Council's current financial climate, the ability to levy and receive contributions in a timely manner is essential.

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CL23.458 Report Back - Question on Notice - Bushfire Preparedness at Shoalhaven Council

HPERM Ref: D23/465019

Approver: Carey McIntyre, Director - City Services

Attachments: 1. Shoalhaven Water Plan & Prepare Flyer [↓](#)

Reason for Report

Questions on notice were brought to Council on 30 October 2023 requesting a detailed report on the Bushfire Preparedness at Shoalhaven Council.

Recommendation

That Council

1. Receives the detailed report on the Bushfire Preparedness at Shoalhaven City Council in response to the question on notice from the 30 October 2023 Ordinary Council Meeting.
2. That Council thank the staff at Shoalhaven City Council for their effort in relation to Bushfire Preparedness.

Options

1. Adopt the Recommendation.

Implications: Councillors and the Community will be informed of the preparedness of Shoalhaven City Council (Council) ahead of the 2023/24 Summer season.

2. Not adopt the Recommendation and seek additional information.

Implications: A further report to the Council will need to be prepared by staff in response to the information sought.

Background

Question on Notice

Following on from the recent natural disasters particularly the fires of 2019/2020

1. *What actions have been completed within each Directorate to better prepare our community and Council for the possible threat of bushfires in the Spring / Summer of 2023 and beyond with reference to the changing climate (including the expansion on resilience measures that Council has implemented i.e. clearing of Asset Protection Zones)?*
2. *How is each Directorate planning for future events like the fires and floods?*
3. *What are the steps taken by Council during and after, such as natural disasters for example fires and floods?*

The responses of each of the Directorates in the organisation are provided as follows:

City Services

This section of the report outlines the comprehensive efforts and progress made in managing and maintaining Bushfire Preparedness within the Shoalhaven. Key achievements and ongoing initiatives are summarised below:

Fire Trails

- **Identification of Fire Trails:** A total of 45 fire trails have been identified, comprising a combination of Council and multi-tenure trails, covering both Rural Fire Service (RFS) recognised trails and others.
- **Inclusion in Council Asset Register:** All identified fire trails have been meticulously catalogued in the Council Asset Register, with our sections clearly mapped for efficient management and oversight.
- **Inspections and Accessibility:** RFS recognised fire trails have undergone thorough inspections for accessibility by Districts, ensuring suitability for emergency access. Various roadworks and vegetation management initiatives have been implemented across the fire trail network to enhance accessibility.
- **Prioritisation of Works:** Works across fire trails have been prioritised based on the available budget, focusing on achieving a basic minimum standard to facilitate accessibility for medium to large vehicles.
- **Enhancement Efforts:** Ongoing investigations are in progress to determine the requirements and associated costs to elevate RFS identified fire trails to the requisite standard, thereby ensuring improved safety and functionality.
- **Collaborative Partnerships:** Collaborative efforts with Bush Fire Mitigation Team (BFMT) and new Bushfire Mitigation Officers (BMOs) have been instrumental in streamlining processes, including future inspections, identifying maintenance needs, budget estimations, and grant applications.
- **Stakeholder Engagement:** Close collaboration with various entities such as RFS, National Parks and Wildlife Services (NPWS), Crown Lands, and Forestry has been established to achieve the best outcomes for the entire community and Council. This involves both leveraging existing Bushfire Management Plans (BFMP) and development of the new BFMP.
- **Successful Grant Submissions:** Noteworthy success has been achieved in securing grants for Asset Protection Zone works and upgrades to Strategic Fire Trails managed by Council, contributing significantly to the improvement of fire safety infrastructure.

Asset Protection Zones (APZ)

- **Identification of APZs:** A total of 226 Asset Protection Zones have been identified and catalogued within the Council Asset Register.
- **Vegetation Maintenance Contracts:** Two separate contracts have been established specifically for vegetation maintenance and management within these designated APZs, ensuring proactive measures for fire risk mitigation.
- **Resource Allocation and Inspections:** Two dedicated Bushfire Mitigation Officers have been allocated resources to conduct inspections and reports in compliance with the regulatory framework outlined by the RFS. Rectification works for encroachments on Council-owned APZs are actively underway.

- **APZ Maintenance Schedule:** Three rounds of APZ maintenance are scheduled for the 2023-2024 financial year. The first round was successfully completed in October 2023, with the second round currently ongoing (November & December 2023). The third round is scheduled for completion in March/April 2024, ensuring consistent upkeep and safety measures.
- **Collaboration and Planning:** Collaborative efforts with the BFMT and BMOs are in progress to establish a new contract effective from July 2024. This initiative aims to streamline processes related to inspections, maintenance, budget allocation, and grant applications for continued APZ management.
- **Stakeholder Engagement:** Close coordination with various stakeholders including RFS, NPWS, Crown Lands, and Forestry remains a priority. This collaboration ensures that the management of APZs aligns with the best interests of the entire community and Council. Existing BFMP are being enhanced while new strategies are being developed where necessary.

Bushfire Management Committee

- **Chairmanship:** The Bushfire Management Committee is chaired by Councillor Evan Christen, who provides leadership and guidance in steering discussions and decisions within the committee.
- **Meeting Representation:** Council is represented at quarterly meetings, ensuring active participation and contribution to discussions regarding bushfire management strategies and plans.
- **Diverse Agency Representation:** The committee comprises representatives from various agencies including the RFS, NPWS, Crown Lands, Forestry, and Utility Companies. This diverse representation facilitates comprehensive discussions and collaboration on bushfire management.
- **Current Focus Areas:** The current emphasis of the committee is directed towards reviewing the existing BFMP and formulating a new plan. This involves raising community awareness, seeking community input through consultations, engaging in inter-agency discussions, and leveraging the Bushfire Information Portal (BIP) to pool knowledge and resources effectively.
- **Engagement in Fire Access & Fire Trails (FAFT) Meetings:** The committee actively participates as an attendance and voting member at the FAFT gatherings. These multi-agency meetings serve as platforms to deliberate on various aspects crucial to fire access and trails. Discussions span areas such as location identification, necessity assessment, usage evaluation, maintenance planning, considerations of tenure/ownership, and addressing current and future challenges. Furthermore, opportunities for resource-sharing among agencies are explored during these meetings.

Local Emergency Management Officer (LEMO)

The Local Emergency Management Officer (LEMO) serves a crucial role in coordinating and managing various aspects of emergency preparedness and response. The following outlines the core responsibilities and functions of the LEMO:

- **Coordinating Committee Meetings:** The primary responsibility involves coordinating meetings of the Local Emergency Management Committee (LEMC). These meetings serve as essential platforms for discussing and strategizing local emergency management plans, ensuring collaboration among relevant stakeholders. With his

pending retirement, Council's CEO has delegated the role of Chair of the LEMC to Director City Services, Carey McIntyre.

- **Representation at Regional Level:** The LEMO represents the Council at the Regional Emergency Management Committee (REMC). This involvement enables the sharing of insights, information, and coordination of efforts with regional partners in emergency planning and response.
- **Maintenance of Emergency Plans:** One of the key duties of the LEMO is to maintain the Local Emergency Management Plan (EMPLAN). This involves regularly updating and reviewing the plan to ensure its relevance and effectiveness in managing potential emergencies within the local area.
- **Assistance in Establishing Emergency Operations Centre (EOC):** The LEMO plays a pivotal role in the establishment and functioning of an Emergency Operations Centre (EOC). This includes setting up the infrastructure, defining protocols, and ensuring the EOC is equipped to efficiently manage emergency response activities.
- **Ensuring Council Compliance:** The LEMO ensures that the Council fulfills its obligations concerning Emergency Management Planning. This involves adhering to regulatory requirements, implementing best practices, and maintaining the necessary standards for emergency preparedness and response.
- **Collaboration and Liaison:** The LEMO facilitates collaboration among different departments within the Council, fostering a cohesive approach to emergency management. Additionally, they engage with external agencies, fostering partnerships, and facilitating information exchange to enhance emergency response capabilities.

The LEMO's multifaceted role involves not only internal coordination and planning but also extends to external collaboration and representation at regional levels. Their efforts are essential in ensuring effective emergency management strategies, preparedness, and response measures are in place to safeguard the community and uphold Council's responsibilities in times of crisis.

Shoalhaven Emergency Operations Centre (EOC)

The EOC is situated in Nowra, ensuring a strategic location for coordinated emergency response within the region. Additionally, the EOC has an alternative physical space available, ready to be used in case the primary building becomes inaccessible due to an incident. This shared facility operates in conjunction with the Rural Fire Service (RFS) and State Emergency Service (SES), enhancing collaborative efforts among various emergency response entities.

At the heart of its functionality lies the operational space, where stakeholders from multiple agencies and services converge to orchestrate a unified and coordinated response to incidents. Within this space, operations are meticulously documented, allowing for thorough review and reporting purposes, ensuring accountability and learning from past responses. The EOC serves as a hub for the facilitation of information sharing and the pooling of resources, raising the efficiency and effectiveness of emergency responses.

Adaptability is a key feature of the EOC, offering a dynamic space that can be tailored to meet diverse needs arising from different types of emergencies. Equipped with dedicated resources such as maps, printing facilities, internet access, and communication tools like phones, the EOC stands ready to pivot and support response efforts as required, ensuring a versatile and responsive environment to address emergent challenges effectively.

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EOC Levels of Activation

The authority to activate is vested in the Emergency Operations Controller and may be activated for an actual, imminent, or potential emergency situation.	
Level	Status
WHITE	MONITOR – Normal use of facility, including for such activities as conference room, training, etc
YELLOW	ALERT – Heightened state of readiness, preparedness activities undertaken
RED	OPERATIONAL – Commitment of EOC staff and resources to monitor, support or control emergency activities
GREEN	STAND DOWN – Process to return the centre to normal business (transition to White)

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City Futures

Strategic Land Use Planning

General Planning Activities - ongoing

Business as usual planning activities ensure that bushfire, flood and other related provisions are contained within Councils key land use plans (Local Environmental Plans (LEP) and Development Control Plan (DCP)) as required, with housekeeping updates ongoing to align with relevant and updated information.

This involves:

- updating the LEP as new information becomes available (e.g. updated data, new flood planning provisions, coastal hazard information etc.),
- ensuring that climate change and natural hazards are considered in detail in Planning Proposals and other detailed land use plans,
- ensuring that the Shoalhaven Bushfire Prone Land Map is maintained and updated as required, and
- Council staff ensure comments are provided on relevant planning reforms related to management of hazards.

Planning for Future Events

Priority will be given to ensuring that Councils key land use plans (LEP and DCP) contain required information and provisions consistent with legislation and relevant information that may become available.

Council staff are participating in range of NSW Government led working groups that are considering future resilience responses, these include;

- the ISJO Disaster Risk Reduction Project,
- the Illawarra Shoalhaven Adaptive Pathways Planning Project, and
- Council Working Group assisting NSW Department of Planning with the response to Recommendation 27 of the 2020 Bushfire Inquiry that commits the NSW Government to shift to a strategic approach to land use planning for bushfire and the development of a new NSW Bushfire Policy.

Strategic Traffic

- Resilience has been incorporated as one of the key objectives of the Princes Highway Upgrade program, of which there are numerous individual projects in development or delivery across the Shoalhaven.
- City Futures staff have been liaising with TfNSW throughout the development stages of each component of the program to ensure resilience objectives are being met and that Council and the community's interests are being considered.

Economic Development and Visitor Economy

Visitor Economy Marketing

- Conscious traveller key messaging across all platforms with aim to raise awareness of visitors the need to stay informed, advertising in print media, radio and targeted social media. (see samples at end).
- Sharing approved resilience and preparedness campaigns via owned channels.
- Council teams worked together across directorates to create and distribute (both hard copy and digital) an 'All Hazards Guide' designed to be distributed to accommodation providers to assist in educating visitors on what to do in an emergency. You can see [a copy online](#) and copies can be provided via the Visitors Centre.
- Summer Dispersal campaign annually to combat overcrowding and assist in mitigating risk in small towns and villages, the '[100 Beach Challenge](#)' with an aim to disperse crowds away from highly trafficked areas to lesser populated areas. (see samples at end)

Grants Team

- Proactively search and link resilience and capacity building funding opportunities for council and community groups.

- Advocacy to funding bodies to ensure grant opportunities in natural disasters meet the needs of Councils.

Events Team

- Review and update event permit procedures with consideration of natural disasters and emergencies
- ensure event organisers are informed and consider risk of proposed events to be held within bushfire prone areas. (making sure emergency plans are documented)
- Flagging relevant events with Local Emergency Management Office (LEMO) and active engagement with relevant emergency services as part of the event permit process.

Economic Development

- Sharing of relevant information to business networks, including distribution of business preparedness information from the NSW Government <https://www.smallbusiness.nsw.gov.au/23-24-bushfire-season>
- Population Data sharing to external stakeholders, including utilisation and circulation of Localis mobility and Accommodation data to share with agencies if necessary to see forward bookings for planning or actual numbers in retrospect via mobile device counting. This data is available and has been requested by Paramedic and Waste services for future planning purposes.

City Lifestyles

Actions Completed – Prepare for Possible Threats – Resilience Measures

Social Recovery Initiatives

Council has facilitated increased collaboration between combat agencies, community service organisations, community organisations and all levels of government, promoting the importance of social recovery and supporting the community to become more prepared and resilient.

Shoalhaven City Council has been acknowledged by the NSW Reconstruction Authority as a positive model of how the community can be supported in the best possible way, as Council's Community Recovery Officer now works closely with the LEMC and LEMO. The Community Recovery Officer:

- Is an observer at the Local Emergency Management Committee (LEMC).
- Is a member of the Storms & Floods Natural Disaster Recovery Committee – which is still meeting.
- Works with the Natural Disasters Roads Project team to assist and support community recovery as required.
- Facilitates Council participation in, and support of, the Rural Fire Service Get Ready Weekend.
- Facilitates a 'Introduction and Get to Know You' workshop between the Shoalhaven Interagency Support group, the Local Emergency Management Officer (LEMO), Recovery Outreach Team and combat agencies. This is an opportunity to get to know each other, establish relationships and networks and identify ways to work together to support community in preparedness.

Leading political scientist Daniel Aldrich has emphasised the important of strong relationship in building community resilience in the face of climate disasters, here:

<https://www.sydney.edu.au/sydney-environment-institute/news/2023/05/02/climate-change-and-social-capital--professor-daniel-aldrich-visi.html>

Networks & Relationships in Recovery

The Shoalhaven Bushfire Health & Wellbeing Network was established in early 2020 to deliver social recovery support and programs to the community – this network remains connected and ready to stand up to support the community (with 60 + members including NGO's as well as State and Federal agencies).

Shoalhaven Recovery Interagency Group continues to meet weekly and provide social recovery support and programs.

Two Disaster Recovery Specialist Clinicians

Shoalhaven Mental Health (ISLHD) continue to provide support to community – this has been in place since early 2020 to support community healing following COVID-19 isolation measures. These clinicians work closely with Council's Recovery team.

Council continues to support community with the following recovery team activities:

- Outreach calls to community to check in, someone calling to ask how you are going can make the world of difference.
- Being available for advice, referrals or just someone to listen – dedicated number (02) 4429 5888 Monday to Friday.
- Participate in and support community and Council events to be on hand to support social recovery and preparedness.
- Recovery HUB at Ulladulla – continues two days per week Thursday and Friday – available for connection, referral and support.
- Regular health and wellbeing, resilience workshops with incidental support provided by Health Clinicians.
- During the 2022 three natural disaster storm events the Recovery Team coordinated over 30 local pop ups to provide advice, support and referral for those who had been affected, particularly noting the landslip isolated communities.
- The Community Recovery Officer prepares newsletters, now at Edition 37, to support social recovery with features on health and wellbeing, preparedness, support and referrals, workshops, events and Pop-Ups.
- Emergency Preparedness for Older Adults project was delivered across the Shoalhaven throughout 2022. Community Connections, Social Recovery, LEMO and Red Cross worked together to deliver this project to support Shoalhaven's older adult community to prepared, physically, emotionally and psychologically for emergencies and natural disasters.

Community Recovery Support – Conjola

Council's Recreation Projects – Planning & Delivery team has provided ongoing support to the Conjola community, assisting the Conjola Community Association and Conjola Community Recovery Association to plan for the expenditure of funds that were donated consequent to the Black Summer Bushfires.

The team has facilitated community consultation and engagement toward the delivery of a community-led Master Plan, and supported a new Conjola Inter-Agency group, to deliver:

- A community facilitator to support community healing.
- Community initiatives and exploration of opportunities.
- Assistance of a governance and compliance expert.
- A short list of infrastructure projects.

These activities have assisted the community to progress to an agreement with Council for the delivery of new infrastructure for the Conjola community.

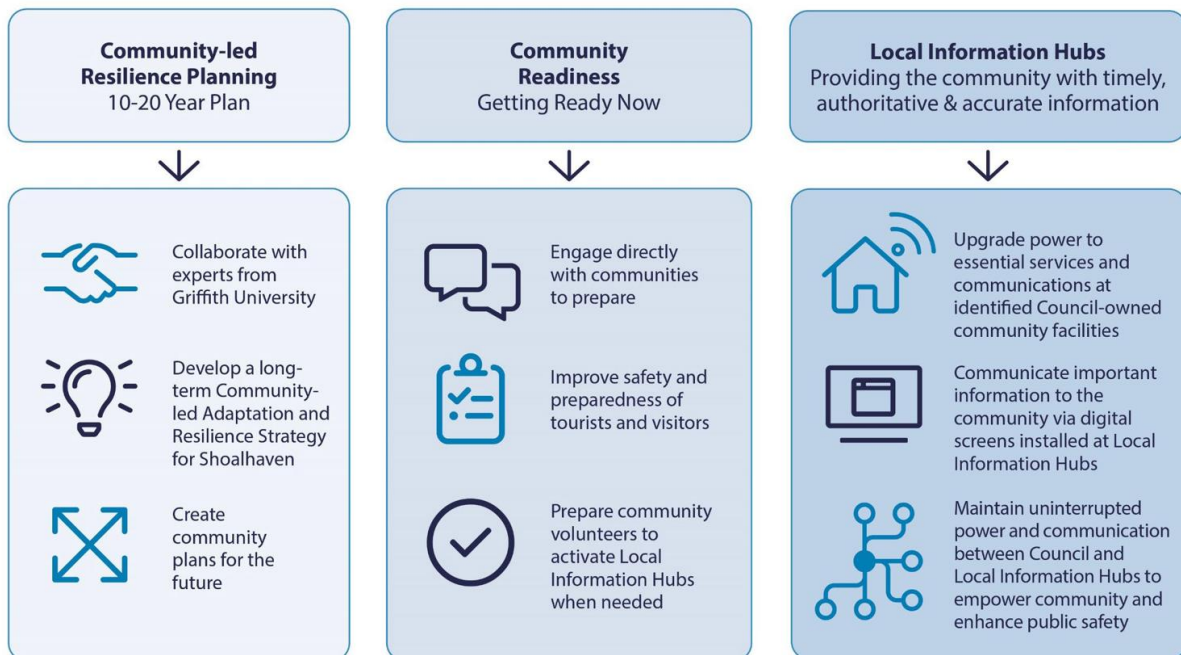
The Shoalhaven Swim Sport Fitness team has supported recovery, resilience and preparedness events with full waiver of fees for Rural Fire Service events at community facilities, as well as full/partial waiver of bushfire and flood recovery events and community resilience projects throughout 2020 and 2021.

Communications and Community Resilience

Recovery Into Resilience Project

Council has obtained \$2 million project funding from the NSW and Commonwealth Governments for the Recovery Into Resilience Project (RRP), initiating a coordinated approach to improving the resilience of the Shoalhaven Community, via three programs involving short and long-term approaches. The project developed a unique model of cooperation between all levels of government, the local community, emergency response agencies and the Local Emergency Management Committee.

Figure – Recovery Into Resilience Project, ‘Plan on a Page’



The Community-led Resilience Planning component has been led by Council’s City Development directorate.

Community Readiness

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The Community Readiness component comprises short-term actions to enhance the availability of emergency planning information. Council has engaged directly with communities to provide education on emergency preparedness and enhance the community's understanding of emergency messaging. Information has also been distributed in rates notices and distributed in local print media and letterbox drops, that included the Are you prepared for an Emergency factsheet:

<https://doc.shoalhaven.nsw.gov.au/DisplayDoc.aspx?record=D21/554402>

An Evacuation Checklist and an All Hazards Information Guide was produced and distributed to Tourism providers across the LGA:

<https://getinvolved.shoalhaven.nsw.gov.au/66147/widgets/326907/documents/229665>

<https://getinvolved.shoalhaven.nsw.gov.au/66147/widgets/326907/documents/229667>

Local Community Information Hubs

The Hubs support residents and visitors to prepare for emergencies, and obtain access to timely, authoritative and accurate emergency information during the lead up to an emergency which will assist community in making informed decisions and enacting their own preparedness plans.

The Community Information Hubs are solar panel and battery powered and can send / receive information via satellite telephone and internet, ensuring continuity of service during blackouts and in the case of communications congestion or failure. It is important to note that the Community Information Hubs are not Evacuation Centres.

Council has installed information hubs at 17 community halls/facilities, four Showgrounds, four Holiday Haven tourist parks and Booderee National Park, Jervis Bay Territory. Full details of the locations are available on Council's website:

<https://www.shoalhaven.nsw.gov.au/Emergencies/Find-a-community-information-hub>

The Booderee screen alone will be visible to an estimated 450,000 cars per year. During non-emergency times the hub screens display information provided by a broad range of organisations and groups, that support tourism and socioeconomic resilience in communities.

Consultation throughout, and on completion of the project, with local Community Consultative Bodies, Management Committees and community members is now ongoing. Community information sessions have been held in collaboration with Council's Communications & Media team to familiarise residents with the ongoing operations of the hubs. The locations of all Community Information Hubs, together with a walk-through video produced at the pilot site of Callala Bay, was recently promoted in Council's Plan, Prepare, Respond and Recover Newsletter distributed on 8 November 2023.

WiFi Satellite Internet

Council has obtained a NSW Resilience and NBN STAND2 funding grant for three years from March 2022 – February 2025 for free satellite WiFi internet access at four Showgrounds, Ulladulla Civic Centre, Shoalhaven Indoor Sports Centre and three of our more isolated community centres.

Infrastructure Improvements

The last three years have provided unprecedented grant funding opportunities in support of social and economic resilience in the Shoalhaven. Council has capitalised on these opportunities and delivered significant infrastructure improvements, with planning for further works also in progress.

Council's City Lifestyles Directorate oversees community facilities that form an integral part of the Shoalhaven's response in emergencies. These include:

- Operations at the Ulladulla Civic Centre and Shoalhaven Indoor Sports Centre, which are used for primary and secondary evacuation centres.
- Berry, Nowra and Milton Showgrounds, used for large animal evacuations.
- Two community halls and nine open space areas used for Neighbourhood Safer Places.
- Kangaroo Valley Showground and 14 community halls / large meeting rooms used in isolated communities.

The following infrastructure improvements have been delivered since the 2019 / 20 fires:

- *Ulladulla Civic Centre (UCC) - Installation of generator at UCC (2021)* – UCC is the designated emergency evacuation centre in the south of the region. This installation ensures continuous electricity supply during black outs.
- *Improvements – Four Showgrounds* – NSW Resilience Showground Stimulus Funding grant funding of \$1,462,230 was obtained to deliver 29 showground infrastructure upgrade projects, including solar power, batteries, generator plugs, fencing, flooring, air conditioning, painting and repairs. One project, replacement of the Berry Showground Animal Nursery shed, with delivery scheduled for 2024.
- *Fire Services Upgrades – Showground Campgrounds* – Council has upgraded fire services at Nowra and Milton Showgrounds campgrounds to improve facilities for large animal evacuations. Berry Showground fire services works are currently in progress. The total Council funding allocation is \$1,071,807.
- *Milton Showground Road Upgrade* – Council obtained Local Roads & Community Infrastructure Phase 2 grant funding of \$1,754,867 to upgrade the carpark, seal, curb and gutter Milton Showground roads.
- *Nowra Showground External Paint and Landscaping* – Local Roads & Community Infrastructure Phase 2 grant funding of \$320,000.
- *Upgrade - Lake Conjola Hall, Neighbourhood Safer Place hall* – Council has allocated \$82,240 to deliver internal and external repainting, resurfacing of flooring and deck, new kitchen appliances, acoustic ceiling panels and new door hardware at the hall.
- *Artie Smith* – New regional level AFL field and clubhouse, croquet fields, parking Shoalhaven socio-economic recovery has been supported by Bushfire Local Economic Recovery Package funding of \$8,000,000, with additional Council funding of \$2,130,000 and loan \$9,730,000.

Asset Preparedness – Community Facilities

Facility asset inspections, conducted with community representatives have been undertaken to identify and deliver required maintenance works, ensuring all community facilities are optimally ready to respond to future needs.

All managers and staffed assets maintain 2-way radios for emergency communications.

Planning for Future Events

Improve Resilience of Four Showgrounds in the Shoalhaven

Council is planning for the delivery of additional improvements to support both socio-economic resilience and response to future emergency events at our four showgrounds, with the assistance of a Bushfire Local Economic Recovery Package grant of \$3,835,367 to provide improved camping and large animal handling facilities.

Council has committed \$3,700,000 to the project which will provide modern, adaptable, multipurpose facilities to support community response to local emergencies, as well as generate ongoing tourist, community recreation and business activities, supporting economic recovery and community resilience into the future.

Improved facilities will ensure that we can adequately cater for large animals and their handlers evacuating during natural disasters, as well as emergency services and volunteers, to be housed on site for indefinite periods, comfortably and safely.

The project will deliver new bathroom and laundry facilities, camp kitchens, office spaces for Local Land Services, solar power, stock holding yards and stables and improved safety with ambient lighting throughout the showgrounds.

Yulunga Reserve Hall, Manyana – extension - Neighbourhood Safer Place Hall

The Red Head Villages Association has obtained \$1,092,000 Black Summer Bushfire Recovery Grant funding to extend the Yulunga Reserve Hall, improving facilities for the communities of the five villages in the Red Head Villages area.

Council's Recreation Projects – Planning & Delivery team has provided consultation and planning advice to assist the Red Head Villages in development of plans and a Development Application.

Kangaroo Valley Community Centre and Resilience Hub – Planning

Council is supporting planning for a Community Centre and Resilience Hub for Kangaroo Valley in liaison with Kangaroo Valley Community Groups.

Council's Recreation Projects – Planning & Delivery team are supporting the project stakeholders to coordinate broad community and RFS consultation, and to develop a business and governance plan for the facility.

Developing a clear statement of purpose for the facility could lead to the development of a concept design and detailed design suitable for Development Application and subsequent grant applications. This planning phase is scheduled for completion by June 2024.

Business as Usual – Plan and Prepare

Pre-event Recovery Plan

Council's Community Connections team is working with other City Lifestyles' teams to develop pre-event plans for community support and response. These activities will support Council's cooperation with the NSW Reconstruction Authority, developing multi-hazard Pre-event Recovery Plans for LGAs across the Illawarra and South East region.

Local Emergency Management Liaison

City Lifestyles liaise closely with the Local Emergency Management Officer (LEMO) and Deputy LEMO, ensuring that procedures are in place and lines of communication open and ready for activation of all facilities in the event of emergency.

Facility audits have been undertaken in October and November 2023 with the LEMO, Deputy LEMO and response agency representatives, at all potential evacuation facilities to review the assets and potential service provision.

The Ulladulla Civic Centre hosted a quarterly Emergency Preparedness Meeting in 2023, with Regional Emergency Management Officer and LEMO in attendance.

Meetings with local community support agencies and response organisations are ongoing, ensuring good relationships and smooth communications in event of an emergency.

Asset Management:

Facilities are regularly inspected, and maintenance activities undertaken in efficient and timely manner, in liaison with user and community groups.

Council maintains community consultation and infrastructure improvements to improve service provision for the Community Information Hubs in liaison with Council's Community Connections and Communications & Media teams, external support agencies, Management Committees, Community Consultative Bodies, local clubs and community organisations.

Social Preparedness Activities

Throughout 2023, Council's Community Connections and Libraries teams have established the following ongoing initiatives:

- Red Cross Redi Plan (prepare yourself psychologically) workshops held at Council's Nowra Library, Ulladulla Recovery HUB and planned ongoing with the Library.
- Dedicated Red Cross Redi Plan to be delivered by Red Cross at Sussex Inlet and Conjola.
- Recovery Outreach Officers have attended at invitation Probus Club events and held discussions and had conversations on preparedness with Club members. This will continue.
- During the Ulladulla Recovery HUB workshops at Ulladulla and Outreach phone conversations, community preparedness is a topic. Outreach Officers are having the conversations and providing support and guidance.
- Shoalhaven Libraries have created new processes to deal with the loss of library resources through fire damage, with a 'no questions asked' response to items lost due to fires.

Business as Usual – Respond and Recover

Emergency Evacuation Centres

Shoalhaven Swim Sport Fitness and Libraries teams provide staffing and business continuity to operate the Ulladulla Civic Centre and Shoalhaven Indoor Sports Centre 24 hours, 7 days per week in the event of activation of an evacuation centre.

During activation of Large Animal Evacuation Centres at the Berry, Nowra and Milton Showgrounds, Local Land Services assume management of the site and Shoalhaven Swim

Sport Fitness provides precinct and customer service staff to assist in operational requirements.

Support Staff

Council's Shoalhaven Swim Sport Fitness team provides support staff for emergency management at Council's community facilities, including Neighbourhood Safer Places and local community halls and facilities. Grounds management staff also assists for after-event clean-ups throughout LGA.

Shoalhaven Libraries

Shoalhaven Libraries offers a range of resources to the community that provides support in the event, or following emergency events, such as free Wi-Fi, public computers, television, toilet facilities and free local newspapers.

The Nowra Library is open until 7pm Monday-Friday providing a safe-haven space for people that may be in need due to road closures or other events. The Libraries may be made available for extended hours when required.

Event Support

Where appropriate, Council may provide support for community recovery and resilience by waiver/partial waiver of event hire fees.

Asset Management

Shoalhaven Swim Sport Fitness maintain close liaison with a broad range of community groups. Facility infrastructure assessments with community representatives are business-as-usual and staff are made available to commission and manage rectification works in a timely manner following emergency events.

Financial Implications

Capital Expenditure

All capital improvements noted in this report have been grant funded, excluding:

- *Upgrade – Lake Conjola Hall* – Council allocated \$82,240 Precinct Buildings Capital Works.
- *Fire Services Upgrades – Showground Campgrounds* – Council has upgraded fire services at Nowra and Milton Showgrounds campgrounds to improve facilities for large animal evacuations. Berry Showground fire services works are currently in progress. The total Council funding allocation is \$1,071,807.
- *Artie Smith* – New regional level AFL and cricket oval and clubhouse, croquet fields, parking
Shoalhaven socio-economic recovery has been supported by Bushfire Local Economic Recovery Package funding of \$8,000,000, with additional Council funding of \$2,130,000 and loan \$9,730,000.
- *Four Showgrounds - Bushfire Local Economic Recovery Package* – Grant of \$3,835,367 to provide improved camping and large animal handling facilities. Council has committed \$3,700,000.

Ongoing Expenses

Social Recovery

Current social recovery initiatives are funded through federal funding which will run out in June 2024. To continue specialised Social Recovery activities with trained and experienced staff, alternative sources of funding will need to be identified.

Community Information Hubs

Maintenance, renewal and replacement costs of infrastructure at Community Information Hubs will be managed within Council's operational budgets. Solar infrastructure at the hubs will deliver cost savings to support future expenditure. Council's City Performance Directorate will oversee operational costs for communications technology.

NBN Stand2

All infrastructure and service delivery costs are met by NBN.

Asset Maintenance and Support Staff

Asset maintenance and staffing are allocated to Council's long term financial Plan. New infrastructure is planned and designed to improve economic resilience for Council and in the region, including increasing camping and event hire income, and reducing electricity costs.

Shoalhaven Water

Shoalhaven Water have completed a number of resilience related projects since the devastating 2019/20 bushfires. Immediately following the fires, we undertook several "lessons learned" workshops, and then developed water and sewerage resilience related works programs. The following summarises the works completed.

- We have improved the resilience of our communications towers which are vital for the remote monitoring of our water supply and sewerage schemes across the Shoalhaven. This includes a deluge system and on-site generator at a several critical communications sites throughout the Shoalhaven Region. Overhead power lines have also been relocated underground at Fisherman's Paradise tower following damage from the 2019/20 fires.
- Alterations have been made to the Conjola Pressure Zone to increase water pressure in high elevation areas of Conjola Park.
- Installation of a backup generators at a number of critical water pumping station sites throughout Shoalhaven to help mitigate risk of water supply loss during power outages. Work is also under way to install a water deluge system to protect these pumping stations from fire.
- Changes to the water infrastructure at Pointer Road and Havilland St, Conjola Park along with the installation of remote access telemetry to provide additional controls at these locations to operate the scheme.
- Asset Protection Zones have been formalised and maintained around critical water and sewerage infrastructure.
- A further 10 generators have been purchased (bringing the total fleet to 27) so they can be strategically placed for emergencies.

- Shoalhaven Water worked with the Rural Fire Service to locate and install two additional water storage tanks at Kangaroo Valley, e.g., Hampden Bridge.
- Various changes have been made to the Shoalhaven Water network to reduce the impact of power outages on our schemes.
- A sewage pumping station destroyed by the fire near Fishermans Paradise has been rebuilt in a lower risk location and to a higher standard to reduce the risk from fire and storms with concrete roofs and steel frames.
- A larger water reservoir is being built at Kangaroo Valley to reduce the risk of running out of water.
- Shoalhaven Water has been working on the Drought Management and Operational Plans to improve the overall water security for the Shoalhaven.

Whilst we have undertaken numerous projects to improve the resilience of our domestic water supply schemes, it is still imperative that the community understands that these schemes have been designed and built to provide domestic water services to the communities of the Shoalhaven. They can be impacted by uncontrolled high volume water usage, extended power outages and dangerous conditions outside the control of Shoalhaven Water, as we experienced in the bushfires. It is for these reasons we recommend that property owners undertake their own risk assessments and develop management plans to best mitigate their specific risks.

The attached communication flyer will be distributed throughout Council's facilities, and will be promoted on Council's Community Information Hubs, social media channels and the Shoalhaven Water website. The flyer highlights ways to prepare for bushfire events and the limitations of town water supplies.

City Development

Fortis House

'Fortis House' is a community led project which was established from the results of the 2019-2020 bushfires. This project was created with the intention to design a home with bushfire resilience. This has been achieved with four different designs created for the Shoalhaven. The project leaders have now been through an extensive list of 2500 possible sites within the Shoalhaven with 16 of those sites now deemed suitable for the project.

Staff are working through these locations that are Council owned with a report to be presented back to Council for consideration and final approval once the preferred site is chosen. This report will also include a recommendation by staff on the design brief and final plan details to be completed in consultation with the Resilient Building Council (<https://rbccouncil.org>) and Council. Once the final design is approved by Council a Development Application and Construction Certificate application will be prepared and submitted to Council for determination.

An informative YouTube clip of the FORTIS project can be found at the link below.

[The FORTIS House Story - YouTube.](#)

Environmental Services

Flood Mitigation

Shoalhaven City Council is committed to sound floodplain management as outlined in the NSW Floodplain Risk Management Manual (2023) by developing flood studies and Floodplain Risk Management Studies and Plans (FRM Studies and FRM Plans). This is done by actively managing flood prone lands to reduce potential impacts and protect our community.

Councils are primarily responsible for the determination of appropriate planning and development controls to manage flood risk relating to development and redevelopment to an acceptable level based on social, economic and ecological, as well as flooding considerations. Furthermore, the role of local councils in implementing this policy involves:

- establishing effective FRM governance and consultation arrangements, such as local Flood Risk Management (FRM) committees and community engagement, to enable local community groups and individuals to provide input into the FRM process by effectively communicating their aspirations around the management of flooding
- determining development standards and implementation arrangements in line with higher level strategies, plans and directions (i.e. state, regional and district).

A flood study aims to define flood behaviour in sufficient detail to support the understanding and management of flood risk. The proactive nature of this technical study improves Council's understanding of flood behaviour and impacts on the community, and to better inform management of flood risk across the full range of potential flood events from frequent to extreme. It also involves consideration of the local flood history, available collected flood data, and the development and calibration of hydrologic and hydraulic models utilising updated data and current best practice methodologies.

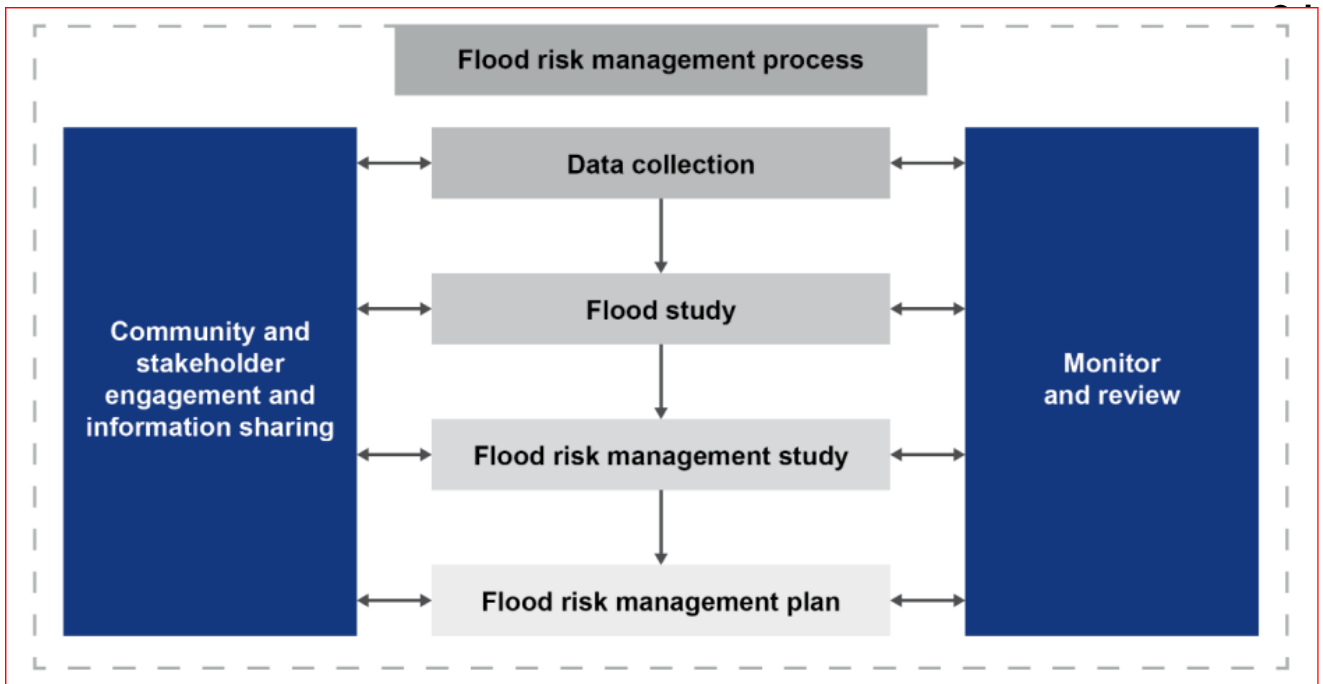
A FRM study investigates what can be done to reduce or manage the effects of flooding in a catchment and recommends a mix of strategies to manage the risks of flooding. It may describe how particular areas of flood prone land are to be used and managed to achieve defined objectives.

The FRM plans outline how councils intend to manage flood risk to the existing community and to new or modified developments.

The Flood Risk management framework is included below.



The flood risk management process is included below.



Shoalhaven City Council has the following investigations in progress:

Broughton Creek Flood Study

Willinga Lake Flood Study and Floodplain Risk Management Study and Plan

Clyde River Flood Study and Floodplain Risk Management Study and Plan

Intermittently Closed and Open Lake and Lagoon (ICOLL) Catchments Flash Flood Warning System Scoping Study

3.458

Previous flood studies, FRM Studies and FRM Plans have been undertaken by Council for the following areas:

- Bomaderry Creek
- Broughton Creek
- Burrill Lake
- Lake Conjola
- Currumbene and Moona Moona Creek
- Kangaroo Valley
- Lake Wollumboola
- Lower Shoalhaven River
- Millards Creek
- Nowra and Browns Creek
- Riverview Road
- St Georges Basin
- Tabourie Lake
- Terara Village

Community Led Adaptation and Resilience Strategy

The Community-led Adaptation and Resilience Strategy for Shoalhaven (CLARSS) is the outcome of twelve months of collaborative planning effort by members of a Shoalhaven-wide Working Group.

The Strategy was developed through a rigorous planning process that was facilitated by a research team from the Griffith University's School of Environment and Science. The strategy identifies key policies and actions that will support and enhance the area's capacity to better prepare, withstand, and recover from future disruptive events and change.

The CLARSS is underpinned by the following long-term Vision for an Adaptive and Resilient Shoalhaven Region that was derived by the Working Group:

Our community will be informed, well-connected, engaged, diverse, inclusive, and safe, promoting self-sufficiency and care for all people. We will use our local grassroots networks and community skills, partnering with appropriate services to enable our people and environment to better withstand, adapt and recover from disruptive events.

The principles, policies and actions detailed in the CLARSS will guide the Shoalhaven community towards achieving this Vision as well as providing mechanisms for the community to engage in the various planning processes of local, state, and federal governments and non-government agencies.

The CLARSS identifies seven key policies issues under the following themes:

1. Community Development and Empowerment
2. Land Use Planning for Resilient Communities
3. Climate Change Adaptation
4. Protecting Shoalhaven's Special Attributes (Assets)
5. A Sustainable Local Economy
6. Communications
7. Implementation and Governance.

Each policy issue is supported by several enabling actions which stipulate responsibilities, required resources, timings, and priorities for implementation.

The final component of the CLARSS is an implementation plan for its first twelve months which has been designed as a partnership arrangement between the community-based group taking this strategy forward and the Shoalhaven City Council.

In addition to this Strategy, several complementary sub-strategies have been developed for three specific communities within the Shoalhaven to address more localised issues.

Development Services

City Development established a priority system for DAs relating to bushfire rebuilds. Additionally, concessions were made with respect to associated fees and charges.

With respect to any future events, a similar regime of prioritising DAs and / or establishing a dedicated team would be implemented.

Institution of a Developments Projects function will allow an agile approach to respond to development assessment needs if there is future disasters that warrant such attention. Other assistance mechanisms will be looked at on an as needs basis.

City Performance

Business Assurance & Risk

Council has a suite of Business Continuity Plans and related documents which are implemented to assist the organisation manage risks and the operation in the case of emergency which may affect our operations and services.

Finance

A review of Council's financial sustainability has been performed with the result reported to the 20 November 2023 Extra Ordinary Council meeting. This report included information pertaining to Council's ability to financially respond to further natural disaster, without accessing Council's externally restricted cash.

This review highlights that Council is not financially resourced to respond should a disaster event occur. To ensure Council could respond, it was recommended that an unrestricted cash reserve of \$15m be established and maintained. The reserve currently sits at approximately \$2M.

Council is considering a range of options to increase its unrestricted cash reserve, including consultation with the community on a proposed special rate variation, service level reviews, and rationalisation of land and building assets.

Information Services

Council has delivered 26 x Information Hubs connected via satellite across the Local Government Area over the last 18 months which can be used to provide members of the community and visitors with better access to accurate, timely and authoritative information in times of crisis. Council is in the process of completing maintenance checks for each site ahead of the commencement of summer. IJED (Contractor) is currently undertaking maintenance checks at each site on the meter box, solar system, battery, backup circuits, screens, data cabinet and connections to ensure each site is in working order.

Council has undertaken a desktop walkthrough of its IT Disaster Recover (DR) Plan on 22 November 2023. Council's IT DR plan was updated and endorsed by the Executive earlier in the year and as part of the walkthrough undertaken a scenario around a natural disaster (fire) and Council's response was discussed with respective stakeholders across Council and actions documented.

Customer Experience

Customer Experience is currently working with the Local Emergency Management Officer to determine the role of the Contact Centre and Customer Experience Manager in a bushfire emergency. As part of this, we will document the flow of information required between the EOC and Contact Centre to ensure the community is updated when they call Council during an emergency.

Media and Communications

Council's Media and Communications Manager attends the Local Emergency Management Committee meetings and the Shoalhaven Recovery Working Group to provide information, support and resourcing as required, ready to respond to communicate with communities with information as necessary.

A focus of the Communications Team has been the implementation of the Community Information Hubs, establishing their use and uploading content that promotes emergency preparedness and advice from the LEOCON in times of emergency.

The team continue to develop, share and promote emergency preparedness information across all media platforms and have recently developed the We Know campaign to speak directly to the experiences of the Shoalhaven community and encourage them to prepare for the bushfire season. The campaign brings together information from emergency authorities and council recovery teams to the one place on Council's website.

Conclusion

In response to a Question on Notice from 30 October 2023, Council Directors have prepared a comprehensive report on what measures have been taken to ensure the City is prepared as it can be ahead of the 2023-24 Summer season. Significant work has been undertaken by many of the staff at the Council in order to provide as much protection as possible to the City, its Community and its assets.

In particular, Council has been working very close with the Local Emergency Management Officer, who serves a crucial role in coordinating and managing various aspects of emergency preparedness and response. Local Emergency Management Officer's multifaceted role involves not only internal coordination and planning but also extends to external collaboration and representation at regional levels.

Their efforts are essential in ensuring effective emergency management strategies, preparedness, and response measures are in place to safeguard the community and uphold Council's responsibilities in times of crisis.

The Council is extremely cognoscente of the immense suffering of its Community during and after the 2019/2020 bushfires. This suffering continues to this day and Council wants to do all it can to try to avoid such a disaster befalling the City again.



Plan and prepare
for the bushfire season

Prepare your home:

- trim overhanging trees and branches
- remove dead and dry vegetation
- clean out gutters and down-pipes
- secure or put away loose items
- check the roof is in good repair
- complete a home safety check.

Prepare yourself and your family. Decide:

- When to leave and where to go?
- What to take?
- What to do with your pets and animals?
- What about your business?
- How will you contact family and friends?

Stay connected

- Find where your nearest community hub location is.
- Keep a list of emergency contacts
- Check fire danger rates for our area

For more information from Council and our partners go to the We Know page.




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Key information from Shoalhaven Water to help you plan and prepare for the bushfire season.

-  Shoalhaven Water's priority is to supply fresh, clean water to households and businesses for drinking and domestic use.
-  During a major fire, the demand on the drinking water supply may exceed the capacity of the supply system.
-  This means the supply of drinking water may be interrupted or a loss of water pressure experienced during a major fire.
-  We encourage residents to be prepared and consider an alternate water supply as part of your bushfire readiness plan, especially if you are in a high risk area.
-  Your individual fire plan should identify reliable alternative water sources such as a large dam, irrigation channel, or creek.
-  If you have water tanks that need filling, we strongly advise you make this a priority.


We continue to improve resilience and invest in infrastructure for the Shoalhaven community.









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We continue to improve resilience and invest in infrastructure for the Shoalhaven community.

CL23.459 Lease Renewal - Moeyan Hill Communications Site - 370 Agars Lane, Berry

HPERM Ref: D23/424490

Department: Building Services

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. Proposed Lease Terms [↓](#)

Reason for Report

Proposed Lease renewal to Shoalhaven City Council, 370 Agars Lane Berry, Part Lot 1 DP 1284536.

Recommendation

That Council enter a new Lease for the strategic purpose of security of tenure for the telecommunications tower and to ensure that access will be allowed to the site.

Options

Council enters into a new Lease of twenty (20) years with a ten (10) year option between Shoalhaven City Council and Owen Leslie Crawford.

The purpose of the Lease is for maintaining and operating a telecommunications facility to eliminate a blackspot in the area. Further, any new Lease will need to allow for ingress and egress to the Leased area. The Lease will commence 1 January 2024 at a rental rate of \$1,885.65 per annum + 25% of any income received by Council. This is the current rental being paid for the Leased area.

Implications

If Council decides not to enter into a new lease, Council could be given Notice to Vacate, leaving communications links for Shoalhaven Water unavailable to some sewerage treatment plants, and a blackspot for Council communications including 2-way radios in the Northern area and Shoalhaven Community radio. Council could also be prevented from accessing the site.

Background

The purpose of the Lease is for operating a telecommunications facility to eliminate a blackspot in the area for radio and communications. The Lease for the communications tower on this property has expired and the current Lease does not allow for ingress and egress to the site. Therefore, a new Lease would allow security of tenure and access. The private property is a 59.92-hectare farm, of which Shoalhaven City Council currently leases 74.58m² towards the rear corner of the property.

The communications tower was originally commissioned on 8 December 2004 to assist with Berry's television and communications blackspots and still assists with the issue of a blackspot for radio and communications.

Over the last 20+ years various entities have used the site including the Rural Fire Service, various telephone companies, radio stations and television stations, each paying their own rental to Shoalhaven City Council.

CL23.459

Shoalhaven Water is currently paying for a repeater. Shoalhaven City Council has a Microwave link and Shoalhaven Community Radio are paying for their transmitter and link.

The Proposed Lease Terms are shown in **Attachment 1**.

Internal Consultation

Discussions with Shoalhaven Water have occurred as they require the security of a new Lease for their assets.

Financial Implications

- i. Annual rent of \$1885.65 per annum;
- ii. Fixed rent will increase annually by 5%;
- iii. The sub-letting is expected to continue to raise an income of approximately \$22,000 per annum, 25% of which will be paid to the Lessor and 75% is kept by Council;
- iv. Ongoing expenses will need to be met. These include structural analysis, insurance, electricity and annual inspections by Ladsafe.

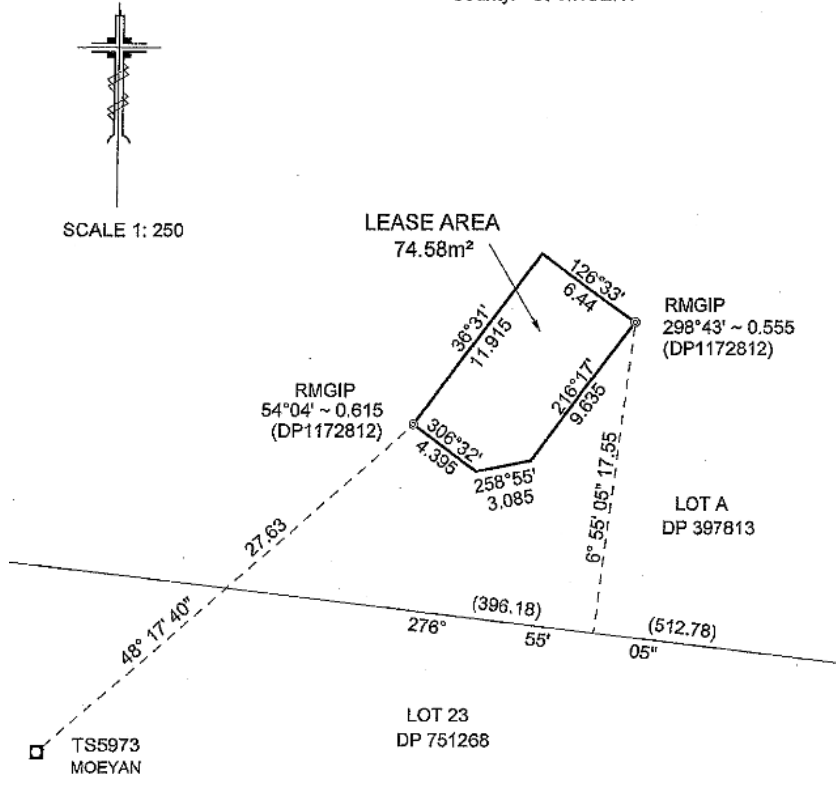
Aerials of the site



CL23.459

Plan of the site currently Leased

LGA: SHOALHAVEN
Locality: FAR MEADOW
Parish: COOLANGATTA
County: St VINCENT



CL23.459

ATTACHMENT 1 - PROPOSED LEASE TERMS

Item 1	Premises	370 Agars Lane, Berry Part Lot 1, DP1284536 Operation of telecommunications facility
Item 2	Lessor	Owen Leslie Crawford 370 Agars Lane Berry
Item 3	Lessee	Shoalhaven City Council 42 Bridge Road, Nowra, NSW, 2541 Property Officer, Building Services Tel: 02 4429 5473 Email Council@shoalhaven.nsw.gov.au
Item 4	Permitted Use	Constructing, installing, maintaining and operating a telecommunications facility
Item 5	Term	20 years
Item 6	Commencement Date	1 January 2024
Item 7	Termination Date	31 December 2043
Item 8	Option	Ten years
Item 9	Rent	\$1,885.65 plus GST per annum + 25% of any rent, licence fee or reward received from sublets or licences
Item 10	Rent Reviews	Annual 5% increases on the base rent
Item 11	Outgoings	All costs in relation to fire equipment testing, insurance, additional cleaning, and pest control in relation to the Premises.
Item 12	Lessors Improvements	Nil
Item 13	Lessees Improvements	The Lessee owns the telecommunications facility currently in situ.
Item 14	Lessors Maintenance	Not applicable
Item 15	Lessees Maintenance	The Lessee is responsible for all repairs, maintenance and safety checks
Item 16	Redecoration	Removal of the structure at the end of the tenancy.
Item 17	Makegood	Upon Lease expiry or vacation, the Lessee will vacate the Premises and hand back the Property to the Lessor in good condition.
Item 18	Public Risk Insurance	Twenty million dollars (\$20,000,000) Lessor to be noted as interested party on the policy
Item 19	Bank Guarantee/Guarantor	Nil

Item 20	Documentation and preparation costs	Lease preparation costs to be paid by Lessee
Item 21	Interest	11% per annum
Item 22	Land Zoning	RU1- Primary production RU2- Rural landscape
Item 23	Other	A clause should be added to the lease to cover ingress and egress to the tower to ensure the Lessee can always maintain the facility. Any costs related to additional keys/access keys to the building/Premises will be payable by the Lessee.

CL23.460 Tenders - Road Pavement Restoration - South Round 1

HPERM Ref: D23/481354

Department: Works & Services

Approver: Carey McIntyre, Director - City Services

Reason for Report

To inform Council of the tender process for Road Pavement Restoration – South Round 1 Contract.

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

Recommendation

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

Options

1. Accept the recommendation.

Implications: Consider a separated confidential report on the matter.

2. Council makes a different resolution.

Implications: This is not recommended as an extensive evaluation process has been undertaken by the tender evaluation team in accordance with the tender evaluation plan.

Details

Project Description

This package of works involves the restoration of various sections of five main roads located between Nowra and Ulladulla, damaged in the major storm events in 2022. The roads are Sussex Inlet Rd, Bendalong Rd and Inyadda Dr, Lake Conjola Entrance Rd, Fisherman's Paradise Rd, Alma Ave, Woodstock Rd, and Woodburn Rd.

The works to be delivered include the following elements:

- Site establishment and disestablishment, including preliminaries, Dial Before You Dig investigations (DBYD) and works programming,
- Quality management including testing and compliance with the specifications provided,
- Erosion and sediment control,
- Traffic management,

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- Inspection of existing service is required.
- Supply, place, and compact pavement materials as detailed in the specifications for each road,
- In-situ stabilisation of pavements (200mm 3% 50:50 cement/fly-ash) as detailed in the specifications for each road,
- Supply and place double/double 14/7 seal,
- If required:
 - Earthworks including disposal and haulage of excess material to a designated stockpile location.
 - Excavated Material to be tested and classified. Treatment of unsuitable material if needed.
 - Unsuitable material will be disposed to an approved disposal facility.
 - Verge and table drain restoration as required.
 - Replacement of guideposts and line-marking
- Works as Executed (WAE) survey.
- Provision of pavement conformance pack, showing demonstrated compliance to all relevant specifications.

Tendering

Council called tenders for Road Pavement Restoration – South Round 1 on 30 October 2023 which closed at 10:00 am on 21 November 2023. Six tenders were received at the time of closing. The tender assessment is summarised in the Table below.

Tenderer	Location
Roadworx Surfacing Pty Ltd	Unanderra NSW 2526
Stefanutti Construction Pty Ltd	Unanderra NSW 2526
Cleary Bros (Bombo) Pty Ltd	Port Kembla NSW 2505
Fulton Hogan Pty Ltd	Richmond Vic 3121
Stabilised Pavements Pty Ltd	Somersby NSW 2250
Symal Infrastructure	Spotswood Vic 3015

Details relating to the evaluation of the tenders are contained in the confidential report.

Financial Implications:

Details relating to the Financial Implications are contained in the confidential report.

Risk Implications

Details relating to the Risk Implications are contained in the confidential report.

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CL23.461 The Shoalhaven Community Adaptation and Resilience Strategy

HPERM Ref: D23/468410

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Attachments:

1. The Shoalhaven Community Led Adaptation and Resilience Strategy (under separate cover) [⇒](#)
2. Community Led Adaptation and Resilience Strategy - Kangaroo Valley Sub Strategy (under separate cover) [⇒](#)
3. Community Led Adaptation and Resilience Strategy - Bay & Basin Sub Strategy (under separate cover) [⇒](#)
4. Community Led Adaptation and Resilience Strategy - Sussex Inlet Sub Strategy (under separate cover) [⇒](#)

Reason for Report

To present the Shoalhaven Community Led Adaptation and Resilience Strategy for information.

Recommendation

That Council:

1. Receive the Shoalhaven Community Led Adaptation and Resilience Strategy for information.
2. Thank the Shoalhaven Community, Staff and Griffith University for their significant contribution in the preparation of this innovative strategic document.
3. Acknowledge the launch of the Shoalhaven Community Led Adaptation and Resilience Strategy with the assistance of Council's Media & Communications.

Options

1. Adopt the recommendations as presented.

Implications: Councils acknowledges the preparation of this work and the guiding principles within.

2. Propose an alternative recommendation.

Implications: unknown.

Background

Shoalhaven City Council initiated the Recovery Into Resilience Project (RIRP) following the 2019/20 bushfire season, which affected over 80% of the Shoalhaven local government area (LGA) land area.

The project aimed to benefit the Shoalhaven community by helping residents and visitors become better prepared for emergencies, be more adaptive and resilient to future disruptive events, and have better access to accurate, timely and authoritative information in times of crisis.

The RIRP provides a coordinated approach to improving the resilience of the Shoalhaven Community, via three programs which involve short and long-term approaches, as summarised in Figure 1.

Recovery Into Resilience Project



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Figure 1: Overview of The Recovery Into Resilience Project Streams.

Stream #1: Community Led Resilience Planning Partnering with Griffith University.

Unlike conventional government-driven engagement, this Community Led Resilience Planning empowers residents to become active stakeholders in shaping their community's future. Through the collaboration of Council, academia, emergency response agencies, and community members, the overarching aim was to develop a Long-Term Community-led Adaptation and Resilience Strategy for Shoalhaven.

The 2011 National Strategy for Disaster Resilience promotes greater community involvement in planning for disaster resilience and call government to support “community empowerment” and embrace the notion of shared responsibility in disaster resilience planning. This sentiment is also documented in the National Principles for Disaster Recovery (2021) and the findings from the Royal Commission into Natural Disasters Arrangements Report (2020) that recommend the adoption of a community- centred approach to disaster resilience and call for a flexible, adaptable, and locally relevant disaster response.

Shoalhaven City Council has recognised the value of community-led response to disaster management and actively supported the initiation of the community-led resilience planning process as part of a broader “Recovery into Resilience Project”. The resulting Community-led Adaptation and Resilience Strategy (CLARS) presents an opportunity to foster a more holistic planning approach to disaster management and resilience.

The Community-led Resilience Planning approach, combined with scenario planning, back casting, and adaptive pathways planning, stands as visionary thinking in resilience building. It helps demonstrate a future where communities are at the forefront of shaping their own destinies, driving innovation, and adapting to future challenges with creativity and tenacity.

The Shoalhaven region's journey presents a model for success and presents an innovative path to building resilience, not only for its own community but also for others grappling with an uncertain and rapidly changing world.

This report acknowledges the communities' significant investment in time, attending 10 day-long workshops and various webinars over a 12-month period.

Internal Consultations

Council's Executive Management Team decided that the Resilience Into Recovery Project draw upon specific staff across each of Council Directorates to participate in the Community Led resilience Planning Project. The contribution of staff time, expertise and ongoing support was integral in providing a well-rounded strategy.

Professor Darryl Low Choy, of Griffith University presented the Community Led Adaptation and Resilience Strategy to:

- the Mayor on the 6 June 2023
- a Councillor Briefing on the 7 September 2023, and
- conducted a staff workshop on the 8 September 2023.

External Consultations

A presentation was also given to Heidi Stratford, the Director of Illawarra, and South East Regional Delivery Preparedness & Recovery Group of the Reconstruction Authority to amplify the Community Led Adaptation and Resilience Strategy across State Government.

Community Consultations

The recruitment approach for this project was developed in collaboration with Shoalhaven City Council's Media & Communication, Community Engagement, and Council's Social Planning sections, and exemplified a cross-organisational strategy. This approach sought to reach a wide cross-section of the Shoalhaven population, encompassing youth, indigenous representatives, individuals with disabilities, and people from various socio-economic backgrounds. The open invitation, coupled with personalised outreach efforts to community groups, showcased a genuine commitment to inclusivity.

Online community surveys further reinforced the project's engagement by tapping into the community's firsthand experiences and perspectives. The participation of 260 individuals in the "adult survey" and 42 participants in the "youth survey" underscored the relevance of the project to various age groups. The survey's integration into subsequent workshops ensured that community voices remained central to the development of the strategy.

Webinars enhanced the project's engagement by facilitating transparent information sharing and fostering active participation. The webinars served as platforms for presenting findings from the surveys, allowing participants to directly contribute to the project's direction. The provision of webinar recordings and presentations on Council's website extended the project's reach and accessibility, demonstrating a commitment to wider community involvement.

The stakeholder engagements were delivered via planning workshops, through both online and face-to-face formats. These workshops integrated a blend of scenario planning, back casting, and adaptation pathways planning methodologies, ensuring a comprehensive and adaptable framework. By involving the Working Group, which included community members, Council staff, and other stakeholders, the workshops effectively harnessed collective intelligence and expertise. This approach reflected the diverse perspectives that contribute to a well-rounded strategy.

Policy Implications

The Community Led Adaptation and Resilience Strategy comprises seven policy issues with 77 enabling actions. Responsibilities have been formulated for these actions and many align with Council's core business. Outside of these actions, the responsibility falls back to the Shoalhaven Community Network (a committee formed initially from workshop participants to drive and recruit members from the Shoalhaven Community) to drive change.

It should be noted that many of the actions within the Strategy do not align directly with Council's IP&R framework, and have not been agreed to by Council at this stage. The Strategy, by virtue of being community led, is owned by the community and not Shoalhaven City Council.

Financial Implications

The RIRP was funded by a \$2 million grant from Federal and State Governments and was fully endorsed by Shoalhaven City Council. With the preparation of the Strategy now completed, there is no further budget allocated to continue the work that is outside of Council's core business.

Opportunistic grant funding will be required to progress any of the actions that require additional resourcing or budget allocation beyond what is Council's core business.

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CL23.462 Berry Showground Master Plan - Outcome of Engagement Activity

HPERM Ref: D23/402745

Department: Recreation Projects - Planning & Delivery

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Draft - Berry Showground Master Plan - For Public Exhibition - May 2023 (under separate cover) [⇒](#)

Reason for Report

The purpose of this interim report is to provide an update to the Council about the outcomes of a recent engagement activity concerning the Draft Berry Showground Master Plan. This interim report also outlines proposed amendments to the Draft Master Plan and associated Master Plan Report, in accordance with feedback received during the engagement activity.

Recommendation

That Council:

1. Accept the *Draft Berry Showground Master Plan – Outcome of Engagement Activity* report as an interim report about feedback received during public exhibition of the Draft Berry Showground Master Plan.
2. Endorse proposed amendments to the draft Master Plan as outlined in *Table 2: Recommended Amendments* in the *Draft Berry Showground Master Plan – Outcome of Engagement Activity* report.
3. Direct the CEO (Director - City Lifestyles) to submit a revised master plan to the Council at a future Ordinary Council Meeting for consideration and final adoption of the Berry Showground Master Plan.

Options

1. Adopt the recommendations as proposed.

Implications: Council staff will make amendments to the draft Berry Showground Master Plan and Master Plan Report as outlined in *Table 2: Recommended Amendments*, in line with community and key stakeholder feedback. A final draft of the Master Plan will be submitted to a future Ordinary Council Meeting for consideration.

2. Adopt a revised recommendation, removing Part 2 (of the proposed recommendation).

Implications: Council staff would submit the draft Berry Showground Master Plan (as exhibited) to the Council for adoption at a future Ordinary Council Meeting. Providing a final endorsement in this way, without making changes to the Master Plan and Master Plan Report in line with feedback received during the exhibition period may undermine confidence in the Council's ability to make decisions in line with community feedback and in accordance with the *Shoalhaven 2032 Community Strategic Plan* and Shoalhaven City Council's *Community Engagement Strategy 2022 – 2026*.

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3. Adopt an alternative recommendation.

Implications: To be determined, depending on the contents of the amended motion. The Council would need to provide direction to the CEO regarding any alternative recommendation.

Background

Berry Showground (also known as ‘Hazel Berry Park’) occupies a strategically important location within Berry; between the village’s main street and its railway station. It has been the venue for local agricultural shows since 1888 and is highly-valued by the local community. It is considered an important historic, social, and recreation asset that is enjoyed by residents of Berry and visitors from beyond the village.

The Berry Showground is located on Alexandra Street, Berry. The Showground is a mixture of Council-owned and Crown Land (for which Shoalhaven City Council is Trust Manager).

David Berry Memorial Park adjoins the Showground to the south-east. David Berry Memorial Park is a Council-owned landscaped area separate from the main Showground space and is used mainly for passive leisure activities. Both areas are included in the Draft Master Plan.



Figure 1: Context Plan, showing extents of subject site in relation to the township of Berry

The Showground is located approximately 250m to 500m from the main business hub of Berry (Queen Street), making it a popular destination for a range of community activities, including: events; markets; sports; along with a popular camping ground / caravan park.

The Showground is comprised of the following distinct spaces (areas):

- Oval (or arena, or show ring) and ring road, along with the grandstand and adjacent toilets/changerooms;
- Pavilion (‘Agricultural Pavilion’), Rural Youth Hall and nearby toilets in the north-west corner;
- Berry Village Pool, a separate area on Albany Street fenced from the remainder of the Showground;
- Northern grass (and road) open area;
- Playground area, rotunda, and nearby toilets in the north-east corner;
- Former Council Chambers building and Alexandra Street entrance;

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- Campground area, and horse stables, in the south;
- Woodchop arena and surrounding facilities/buildings in the south-east;
- Livestock yards of the site’s south-west corner; and
- Cattle lawn (animal judging area) and nearby animal shelters/pavilions west of the campground.

Internal Consultations

Shoalhaven Swim, Sport & Fitness (SSSF) is the nominated Asset Custodian under Shoalhaven City Council’s Asset Custodian Model. SSSF is therefore considered a key internal stakeholder.

SSSF was invited by the project team to prioritise projects identified in the Master Plan, giving consideration to feedback received during the public exhibition period. The outcome of this exercise is a list of priority projects that will be used to inform future funding allocation and capital works planning processes.

Priorities have been determined based on asset management matters, asset significance, and potential impact on the overall user experience.

Priority	Master Plan Reference	Description
1 (Top Priority)	F12:	New campground amenities block. Male & female toilets, showers, camp laundry, and storage space.
	F13:	New campground kitchen, part open and part covered. Single-story with adjacent picnic tables and BBQ. For possible use during shows and major events.
	F15:	New multipurpose shed. Single-storey, low-profile, flexible configuration with a range of functions. Partial removal of horse stables (pending heritage advice).
2	F14:	New campground office.
3	F11:	Remove all horse stables and extend the campground to the southern area via possible short loop road.
4	F02:	New sports facilities building - 2 unisex changerooms, umpires’ room and gym or storage. Public male & female accessible toilets available to the public when the building is not being used for sport. Setback from Pavilion’s eastern facade with planted screening. Remove existing toilet block and cricket nets.
5	F06:	New refreshments kiosk. BBQ and bar with seating/dining areas adjacent north of woodchop arena. Remove existing buildings.
6	F03, F22, F21, F23:	Renovate 2x existing change rooms for unisex use. Retain male & female public toilets and accessible toilet. Retain pool machinery and operations space.
7	All others	The remaining projects are considered to be of a low priority.

Table 1: Shoalhaven Swim, Sport & Fitness Priority Projects

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External Consultations

As part of a broader engagement activity that included consultation with key stakeholders and the general public, email invitations were sent on 17 July 2023, to seek input on the Draft Berry Showground Master Plan from key stakeholders that represent a diverse range of perspectives.

Key stakeholders included a community consultative body, school, community groups, sporting groups, organisations, and elected representatives. This approach aimed to collect comprehensive feedback that considers the varied needs and expectations of the community. Recipients included:

- Berry Forum
- Rotary Club of Berry
- Berry Chamber of Commerce
- Berry Landcare
- Berry Alliance
- Berry Showground Management Committee
- Berry Show Society
- Berry Spinners & Weavers
- Australian Caravan Club
- Berry Farmers Market
- Berry Markets
- Rotary Celtic Festival
- National Motoring Heritage Day
- Rotary Small Farm Field Days
- Big Country Festival
- Fairgrounds Festival
- Berry Triathlon/Duathlon
- Berry Shoalhaven Rugby League
- Berry Shoalhaven Cricket Club
- Berry Public School
- Jerrinja Local Aboriginal Land Council
- Jerrinja Tribal Council
- Illawarra Local Aboriginal Land Council
- Fiona Phillips - Member for Gilmore
- Liza Butler - Member for South Coast
- Gareth Ward - Member for Kiama
- All Councillors

Feedback received is summarised below.

Berry Chamber of Commerce & Tourism

Theme: Consultation Shortcomings:

- The 2020 consultation process was outdated and primarily involved existing users, overlooking a broader range of stakeholders.
- The recent feedback period in 2023 lacked sufficient visibility and outreach measures.
- Lack of engagement with businesses, tourism entities, and essential elements like electric vehicle infrastructure and sustainability.

Theme: Actual Uses & Future Vision:

- The draft master plan seems more focused on maintaining existing infrastructure for current users.
- Lack of a comprehensive audit of existing and potential future uses, along with a robust business plan.
- Consider greater connectivity, including road and rail systems, broader representation, and engaging future users.
- Encouraging investments for multiple-use cases, sustainability, and integration with other community facilities.

Theme: Stakeholder Engagement & Management Guidelines:

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- Calling for an updated comprehensive master plan for Berry that envisions the future.
- Advocating for inclusive consultation with new, potential users and stakeholders.
- Emphasising the need for multi-use facilities and accountability in utilisation.
- Prioritising enhanced accessibility, including disability compliance and clear signage.
- Recommending the establishment of clear parameters and mechanisms for ongoing monitoring and evaluation.

Berry Forum

Theme: Community Engagement:

- The Forum emphasises the importance of ongoing community engagement and flexibility in accommodating changing community needs and expectations.
- Suggest including the Berry Forum, Berry and District Historical Society, and residents of 2 Gillam Street in future stakeholder consultations.
- They recommend incorporating the outcomes of Management Committee workshops and Council stakeholder workshops into the Community Engagement Report (CER).

Theme: Analysis of Community Feedback:

- The Forum calls for an amended Community Engagement Report with an executive summary, summarisation of findings with comments and recommendations, interpretation of findings, and their application to the Master Plan.

Theme: Existing Site Plan:

- The Forum raises concerns about the accuracy of the Existing Site Plan, especially in representing the entire Showground reserve.
- Shading of 2 Gillam Street, which is not part of the Showground reserve.

Theme: Landscaping and Trees:

- The Forum supports the Berry and District Historical Society's submission on landscape and trees.
- They recommend specific actions related to tree management, a Landscape Concept/Master Plan for the entire Showground site and revisiting the landscape plan for the north-eastern corner.

Theme: Showground Management Process:

- The Forum suggests that discussions on Showground management process are more appropriate for the PoM.

Theme: Heritage Significance:

- The Forum recommends introducing the Heritage Significance section with a statement about the social and historic importance of the Showground.
- Call for the review of constraints and opportunities identified in Conservation Management Plans and propose an interpretation plan for the Showground's historic uses.

Theme: Precinct Identification Plan:

- The Forum requests more detailed information and in-depth principles and actions for each precinct in the Precinct Identification Plan.

Theme: Master Plan Editing:

- They recommend standardising formatting, including an executive summary, and rephrasing the Master Plan's purpose to make it a guiding document for Showground use.
- They suggest the inclusion of additional elements like a site analysis, vision statement, prioritisation of projects, a review mechanism, and climate change impact management.

Berry & District Historical Society (BDHS)

Theme: Master Plan and Heritage Significance:

- BDHS calls for the Master Plan to be a guiding document that considers the heritage significance of the site.
- They recommend the inclusion of a vision statement supported by value statements, aims, and objectives that reflect respect for the historical significance of the showground.
- BDHS underscores the importance of considering the showground's setting in the Heritage Conservation Area (HCA) and its relationship with adjacent developments.

Theme: Conservation Management Plans:

- BDHS notes the presence of two Conservation Management Plans (CMPs) related to Berry Showground and recommends citing both in the Master Plan.
- They recommend the review of CMPs, inclusion of outstanding requirements from CMPs in the Master Plan for implementation, regular reviews of CMPs, and inclusion of the review program in the master planning.

Theme: Landscaping and Trees:

- BDHS highlights the integral role of landscaping and trees in the showground's heritage significance.
- They call for a Landscape Master Plan for the entire site and suggest specific tree management actions to be integrated into the Master Plan.
- BDHS recommends protection of tree root zones, development of a species list for future plantings, and identification of areas for further plantings.
- They address concerns about the clutter in the north-east corner, suggesting revisiting and updating an earlier landscape plan.

Theme: Heritage Promotion:

- BDHS stresses the importance of linking the past with the present through heritage interpretation.
- They recommend an interpretation plan for the entire showground, including large historic information boards, signs/plaques, historic photos, digital plaques with QR access, and integration with broader local heritage tourism strategies.

Theme: General Considerations:

- BDHS critiques the draft Master Plan as a list of projects and activities and calls for the establishment of a vision, goals, objectives, and a mechanism for managing changing conditions.
- They emphasise the need for prioritisation of projects and a time frame for implementation and/or review.
- BDHS calls for improved formatting and editing of the Master Plan.

Berry Rotary

Theme: Custodianship of the Rotary BBQ and Grill:

- The Rotary Club of Berry has served as custodians of the 'kiosk' facility near the woodchop area for over 15 years.
- Invested in and maintained the facility, equipping it with restaurant-quality equipment, including a commercial barista coffee machine, commercial oven, fridges, BBQs, and more.
- The Rotary BBQ and Grill is used extensively for fundraising purposes, catering for events like the Berry Show, Australia Day breakfast, music festivals, and monthly Berry 'Walk and Talk' morning teas.

Theme: Concerns about Proposed Demolition:

- Berry Rotary notes the Draft Master Plan's proposal to demolish the current Rotary BBQ and Grill building, along with the adjacent "Bar" building, to be replaced with a new "Refreshment Kiosk."

Theme: Request for Consultation:

- Berry Rotary seeks assurance that their interests and concerns will be considered and consulted in the future design and usage of the proposed upgrade of the Rotary BBQ and Grill.
- Acknowledge that the Berry Show Society may have similar concerns regarding the future of the Bar building.

Gillam Street Residents

All points raised are in reference to F07 in the Draft Master Plan, which indicates the proposed location of a public toilet adjacent to the privately owned property at 2 Gillam Street.

Theme: Concerns and Objections:

- Proximity to Residence: Concerns were raised about the proposed new male and female toilet facility (F07 west), which is located within seven metres of their residence. This proximity is considered unacceptable due to potential visual impact, odours, health concerns, and anticipated anti-social behaviour around the facilities.
- Prevailing Winds: The orientation of the proposed toilet block is such that prevailing winds, especially during autumn and winter months, would likely blow public toilet odours directly into their home.
- View Obstruction: The placement of the facility would obstruct views from Gillam Street residents while also becoming the primary feature seen when entering the street.
- Event Impact: During events held at the Showground, Gillam Street residents are required to stay home to prevent trespassing. The proposed toilet facility's proximity could further complicate this situation.
- Ineffective Placement: The proposed toilet block's location does not significantly improve convenience for the wood-chopping arena, as it is only eight meters from the existing male-only facility and 28 meters from the arena it's intended to serve.

Theme: Proposed Solutions:

- Reconstruction of Existing Facility: A suggestion is to reconstruct the existing male only facility to incorporate female infrastructure while retaining the existing footprint.

- Relocation of New Block: They propose moving the new block to an area near items F08 and F09 on the site plan, providing more convenient toilet facilities for arena patrons and campers at the Showground.

Berry Resident

Theme: Request for Fenced Off-leash Dog Exercise Area:

- The resident suggests there should be a fenced area where dogs can run and play safely in Berry. They do not support the proposed FOLA at Boongaree due to the noise from the highway.
- It was suggested to add a water spray area for hot days and more shade near the playground.

Community Consultations

The community consultation for the Draft Berry Showground Master Plan spanned four weeks, from 16 July to 14 August 2023. Key stakeholders were asked for written submissions, as detailed in the External Consultations chapter of this report.

The public was invited to provide feedback through an online survey. A media release was issued on 17 July 2023, along with social media and Get Involved posts, to spread awareness and encourage participation in the survey.

The survey's objective was to gauge community support for the Draft Berry Showground Master Plan. The survey included qualitative and quantitative questions. Qualitative questions allow respondents to provide detailed feedback, while quantitative questions allow for an understanding of demographics and utilisation.

The survey questions were:

1. *What is your age group?*
2. *Please tell us your gender.*
3. *Do you live in Berry?*
4. *Do you live within a 5 to 10 minute drive of Berry?*
5. *How often do you visit the Berry area?*
6. *How often do you visit the Berry Showground?*
7. *In general, do you support the proposed draft Berry Showground Master Plan?*
8. *Please provide details.*

In total, 50 survey responses were submitted. Survey results, including key themes, are summarised below.

Quantitative Data

Age: Responders aged from 35 to 69 made up 74% of the total responses. 12% of responders were aged 12 to 34 and the remaining 14% were aged 70 to 84. The responders ages reflected the age breakdown that was identified for the Berry community in the 2021 census data. Therefore, this data is considered representative of known community profile for Berry.

Gender: 28% of responders were Male and 70% were Female. Accordingly, Males were underrepresented in the data.

Residence: 70% of responders live in Berry and 22% live within a 5 to 10 minute drive of Berry. Therefore, visitors represented 8% of responses.

Showground Visitation: 44% of responders visit the Berry Showground about once per week, 20% visit once per month, 28% visit a few times per year and 6% visit every

day. Among the 30% of responders who do not live in Berry, the majority visit the Berry area at least once per week. This data suggests that most responders can be considered regular users of the Showground.

Master Plan Support: 60% of responders support the Master Plan in general and 30% support the Master Plan with changes. 10% do not support the proposed Master Plan. These results indicate a high level of support (90%) for the Master Plan.

Qualitative Data

The responses from the 15 individuals who selected "Yes, with changes" regarding their support for the proposed Draft Berry Showground Master Plan can be summarised as follows:

Infrastructure Improvements: A respondent expressed a need for various infrastructure enhancements, including the installation of solar panels and an electric vehicle (EV) charging station, tanks on major buildings, and chilled, filtered water stations.

Environmental Concerns: A respondent raised concerns about specific plant species such as Camphor Laurels, Privet, Wild Tobacco, and Fireweed and advocated for their removal.

Facilities and Amenities: Suggestions included the provision of secure bike parking, upgrading the children's park, and creating a designated dog off-leash exercise area.

Traffic and Parking: A respondent questioned the impact of the plan on traffic flow and parking, particularly concerning the proposed caravan parking area and long vehicle parking bays.

Sporting Facilities: There was a call for a greater emphasis on sporting facility amenities that could also serve purposes such as markets, fairs, and shows. Upgrading sports change rooms to accommodate for larger crowds during events.

Heritage: Concerns were raised about the damage to the Hay Memorial and a desire for its conservation. Additionally, some respondents mentioned the importance of preserving green spaces and views, particularly concerning the construction of a new amenity block.

Recreation and Pool Upgrades: Suggestions included the addition of drinking fountains, better seating, toilet upgrades, and improvements to the pool facilities, such as making it larger and more inviting to the local community.

General Amenities: Respondents called for additional amenities like BBQ facilities, an undercover area, and an upgrade to the playground, including the provision of exercise equipment.

The responses from individuals who selected "No" regarding their support for the proposed Draft Berry Showground Master Plan can be summarised as follows:

Equity Concerns: A respondent expressed concerns about the allocation of resources and attention between Berry and Nowra. They believe that Nowra Showground and its surroundings also deserve restoration and improvement and that continued upgrades in Berry may exacerbate economic and social divides between these regions. This respondent emphasised the need for equitable decision-making that considers the well-being of both communities.

Existing Management: One respondent voiced support for the existing management committee at Berry Showground, citing its successful track record and connection to the local community. This individual opposes any change to the current management structure.

Structural and Communication Issues: Another respondent criticised the structure and clarity of the proposed Master Plan, deeming it poorly written. This suggests

concerns about the plan's transparency, organisation, and communication with the community.

Summary of Key Themes & Staff Response

Responses to each of the key themes are summarised below at **Table 2**, alongside proposed amendments to the Master Plan designed to address feedback received.

No.	Community Feedback	Staff Comment	Proposed Amendment
1	Request for Inclusion of a Vision Statement.	Supported	Integrate a concise vision statement into the Master Plan Report, outlining the Master Plan's overarching goals and objectives.
2	Identification of Priority Projects.	Supported. Swim, Sport & Fitness have provided a priority list of projects.	Priority list to be identified & described in the amended Master Plan Report.
3	Heritage Studies/Utilising a Heritage Consultant.	Acknowledged, undergoing review	Engage a heritage consultant to conduct a review of the proposed Draft Berry Showground Master Plan and Heritage Conservation Management Plans in place over the subject site.
4	Removal of Toilet Block at F07.	Supported	Remove the F07 toilet block and refurbish existing male-only amenities.
5	Addition of contextual information to the Precinct Identification Plan.	Acknowledged, undergoing review	Include detailed contextual information in the Precinct Identification Plan and Master Plan Report, offering a comprehensive understanding of each precinct's functional context.
6	General Master Plan Editing.	Acknowledged, undergoing review	Implement language and text improvements to improve the overall readability and clarity of the Master Plan and Master Plan Report.
7	Shading Adjustment for 2 Gillam Street.	Supported	Adjust the shading on the Master Plan to accurately represent the Showground boundary, ensuring the 2 Gillam Street property is not included.
8	Amend Community Engagement Report.	Acknowledged, considered outside of scope	Not applicable.
9	Landscape Plan Concerns - Identification of Tree Species	Acknowledged, undergoing review	Identify and label tree planting by genus and species in a Tree Planting Plan.

Table 2: Recommended Amendments

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Policy Implications & Strategic Alignment

The Draft Berry Showground Master Plan has been developed in accordance with:

- Shoalhaven City Council's *Community Infrastructure Strategic Plan 2017 – 2036*
- The Berry Forum's *Berry Community Strategic Plan* (2016)

Community Strategic Plan

The *Shoalhaven 2023 Community Strategic Plan* identifies 11 key priorities, categorised into four themes:

1. *Resilient, Safe, Accessible & Inclusive Communities*
2. *Sustainable, Liveable Environments*
3. *Thriving local economies that meet community needs*
4. *Effective, Responsible & Authentic Leadership*

The Berry Showground Master Plan project aligns with the following Key Priorities:

- 1.1: *Support inclusive, safe and connected communities*
- 1.2: *Preserve, support and develop cultural and creative vitality across our communities;*
- 1.3: *Support community wellbeing through fostering active and healthy communities*
- 4.3: *Inform and engage with the community about the decisions that affect their lives*

Community Wellbeing Strategy

Shoalhaven City Council's *Community Wellbeing Strategy* cites foundational values which are relevant to this project:

- *Foundation 1: Vibrant communities where everyone can participate and connect*
- *Foundation 3: Safe and prepared communities*
- *Foundation 4: Healthy and active communities*
- *Foundation 4: Transport connections to access our community's opportunities*

Financial Implications

The preparation of the Berry Showground Master Plan (and associated Plan of Management) will continue to be resourced from existing operational budgets (City Lifestyles directorate).

The delivery of discrete projects identified in the Berry Showground Master Plan (project) is currently not identified in Council's *Delivery Program Operation Plan & Budget 2023/24*. There is subsequently no funding allocated for design or construction for any of the projects identified within the Master Plan.

Sufficient funding will need to be identified, either through future capital works budgets and / or via external funding bodies, to fund:

- design delivery;
- construction;
- ongoing management and operational costs;
- asset maintenance, and;
- depreciation.

Future project funding applications will be required (through Council's Enterprise Project Management (ePMO) for inclusion in the 10 Year Capital Works Program) for the delivery of discrete projects identified in the Berry Showground Master Plan. Grant funding opportunities

may be explored to allow for the delivery of some (or all) of these works, which are funding dependent.

It is estimated costs associated with procuring the services of an external heritage consultant to complete investigations as described at part 3 of Table 2 are likely range between \$5,000 and \$10,000. It is proposed that this activity be funded using an existing City Lifestyles budget:

- Forward Design: Delivery Program Operational Plan & Budget 2023/24

Risk Implications

A decision not to adopt the recommendations as proposed in this report (Option 1) and ongoing delays to the finalisation and implementation of a revised Berry Showground Master Plan constitutes a reputational risk to Council.

Reputation

- Failure to act on the feedback received for the draft Berry Showground Master Plan may result in a lack of confidence in Council processes and a loss of community trust in Council's capacity to deliver in line with community feedback.

CL23.463 Access Areas for Dogs Policy Review - Final Draft Policy and Implementation Plan

HPERM Ref: D23/427842

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

- Attachments:**
1. Draft Access Areas for Dogs Policy (November 2023) (under separate cover) [⇒](#)
 2. Access Areas for Dogs Policy Implementation Plan (November 2023) [↓](#)
 3. Access Areas for Dogs Policy Charter of Roles and Responsibilities (November 2023) [↓](#)
 4. List of existing off-leash and prohibited areas (to be carried forward) (November 2023) [↓](#)
 5. Report - Draft Access Areas for Dogs Policy - Community Engagement Summary and Proposed Revisions to Draft Policy - Ordinary Meeting 9 October 2023 (under separate cover) [⇒](#)
 6. Report - Policy - Access Areas For Dogs Policy Review - Project Update and Progression to Public Exhibition - Ordinary Meeting 13 February 2023 (under separate cover) [⇒](#)

Reason for Report

The purpose of this report is to provide Council with a final draft of the *Access Areas for Dogs Policy* for proposed endorsement and a draft *Access Areas for Dogs Policy Implementation Plan*, as directed by Council at the 9 October 2023 Ordinary Council Meeting [MIN23.603].

Recommendation

That Council:

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1. Adopt the final draft of the *Access Areas for Dogs Policy*, provided at **Attachment 1: Access Areas for Dogs Policy**.
2. Endorse the draft *Access Areas for Dogs Policy Implementation Plan*, provided at **Attachment 2: Access Areas for Dogs Policy Implementation Plan**.
3. Note the draft *Access Areas for Dogs Policy Charter of Roles & Responsibilities*, provided at **Attachment 3: Access Areas for Dogs Policy Charter of Roles & Responsibilities**.
4. Adopt the list of site-specific dog access areas (off-leash and prohibited) provided at **Attachment 4: List of existing off-leash and prohibited areas (to be carried forward)**, as an interim measure under the *Companion Animals Act 1998* to carry forward existing designated dog access areas unchanged while work continues to complete relevant environmental due diligence assessments in accordance with the *Environmental Planning and Assessment Act 1979*.
5. Direct the CEO (Director – City Lifestyles & Director – City Development) to prepare and submit a report(s) to a future Ordinary Council Meeting(s) for consideration regarding long-term designations for all dog access areas (off-leash and prohibited) in Shoalhaven in accordance with the findings of relevant environmental due diligence assessments (under the *Environmental Planning and Assessment Act 1979*) and community expectations (as determined through community consultation activities).
6. Direct the CEO (Director - City Lifestyles & Director - City Development) to prepare and submit a report(s) to a future Ordinary Council Meeting(s) for consideration, as outlined in the draft *Access Areas for Dogs Policy Implementation Plan*, in relation to:
 - a. Access Areas for Dogs Policy - Signage Plan (addendum to the Open Space Signage Guidelines, and including associated graphics)
 - b. Access Areas for Dogs Policy - Education & Communications Plan
 - c. Access Areas for Dogs Policy - Enforcement Plan
 - d. Access Areas for Dogs Policy - Monitoring & Evaluation Plan
 - e. Access Areas for Dogs Policy - Implementation Funding Plan
7. Delegate to the CEO (Director - City Lifestyles & Director - City Development) relevant powers under the *Companion Animals Act 1998* (NSW) and the *Local Government Act 1993* (NSW) to make temporary changes to dog-controlled areas under an adaptive management approach, noting that under s3.8 of the final *Access Areas for Dogs Policy*:
 - a. A report(s) shall be placed on the agenda of an Ordinary Council Meeting in relation to any occurrence where temporary changes to existing designated dog off-leash or dog-prohibited areas are enacted in a consistent manner across a period of at least 36 months and where these changes can reasonably be expected to be continued for a further 24 months and/or indefinitely.

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Options

1. Adopt the recommendations as proposed.

Implications: Adoption of the final *Access Areas for Dogs Policy* will provide certainty for the community and establish clear guidelines for the designation and management of dog-controlled areas in the Shoalhaven in line with community, environmental and legislative requirements. Adoption of the policy represents an opportunity for Council to build on the broad community and key stakeholder support for the final *Access Areas for Dogs Policy*. The existing Access Areas for Dogs Policy would be superseded by the proposed revised Policy (if adopted).

2. Adopt the final *Access Areas for Dogs Policy* and withhold endorsement of the *Access Areas for Dogs Policy Implementation Plan*.

Implications: Council staff will suspend work on the implementation of the new *Access Areas for Dogs Policy*. Development and installation of new signage, and the preparation and enactment of an education and communications plan; enforcement plan; and monitoring and evaluation plan will not proceed. This option constitutes a reputational risk to Council. New signage was identified as a priority by the community and key stakeholders during the community engagement activity undertaken for the public exhibition of the draft *Access Areas for Dogs Policy*, 30 April to 12 June 2023. Improved education, communications, and enforcement were also identified as priorities by the public via the 2023 engagement activity.

3. Adopt an alternative recommendation.

Implications: To be determined, depending on the contents of the amended motion. Please refer to reputational, environmental, and legal risks of not proceeding with Option 1 outlined at the end of this report under the heading *Risk Implications*.

Background

Access Areas for Dogs Policy Review

The final draft *Access Areas for Dogs Policy* (the Policy, **Attachment 1**), *Access Areas for Dogs Policy Implementation Plan* (Implementation Plan, **Attachment 2**) and *Access Areas for Dogs Policy Charter of Roles & Responsibilities* (Charter, **Attachment 3**) are key culminating outputs of the Access Areas for Dogs Policy Review project.

The purpose of the Review is to improve management outcomes for dog access areas in Shoalhaven in line with best practice approaches, community expectations, environmental considerations, and relevant legislation.

The existing *Access Areas for Dogs Policy* will remain in place until a final version of the new policy is approved by the Council. All existing off-leash and prohibited areas remain unchanged until the Council makes a new determination in relation to site-specific dog access areas.

Accordingly, it is proposed that existing off-leash and prohibited areas be carried forward under the *Companion Animals Act 1998* (CA Act) as an interim measure once a new Policy has been adopted. This will allow environmental due diligence investigations to be completed in accordance with the *Environmental Planning & Assessment Act 1979* (EP&A Act).

A list of existing off-leash and prohibited areas is provided at **Attachment 4: List of existing off-leash and prohibited areas (to be carried forward)**.

Environmental Due Diligence

The Policy Review project team is working to complete environmental assessments known as Reviews of Environmental Factors (REFs). REFs assist Council to fully understand conditions at dog off-leash areas in accordance with Part 5 of the EP&A Act. Three REFs have been prepared to date for Huskisson Beach; Nelsons Beach - Vincentia, and; Bill Andriske (Mollymook) Oval.

Council staff will notify and consult with communities affected by proposed changes to any existing site-specific dog off-leash and/or dog-prohibited area that may arise due to REF findings and other investigations. The results of these consultation activities, REF findings,

recommendations, and any other relevant matters, will be referred to the Council for final determination.

This will require the Council to give consideration to the findings of each REF investigation and the outcomes of community consultation in accordance with its obligations under legislation (including the CA Act and EP&A Act) and in line with the new Policy (if adopted).

Community Consultation

The Access Areas for Dogs Policy Review has included two rounds of community consultation.

The first round of consultation was undertaken in 2021. Almost 1,400 responses were submitted to an online survey, and over 100 written submissions received. The 2021 engagement activity will be referred to in this report as Engagement Activity 1 (EA1).

A revised draft *Access Areas for Dogs Policy* was developed based on the community consultation undertaken in EA1 and further investigations undertaken by the policy review team. The policy review team undertook a thorough evaluation of the existing policy, considered ways it could be improved, and looked at the policies of other councils across New South Wales.

City Lifestyles' staff (Open Space & Recreation Planning team) presented to Councillors at a councillor briefing held on 17 November 2022. The purpose of this briefing was to provide an update to the Council about the Policy Review project, including background information; governance and environmental assessments; proposed changes to the draft Policy based on feedback received during EA1; changes to the Policy Review timeline and; risks.

A report was subsequently provided to the Council at the Ordinary Council Meeting held on 13 February 2023 (**Attachment 6**) to provide an update on the progress of the *Access Areas for Dogs Policy* review and seek Council's approval to proceed to public exhibition of the draft Policy. The Council's decision is recorded in MIN23.61:

That:

1. *Council receive this report for information as an update on the review of the Access Areas for Dogs Policy.*
2. *Council receive this report for information on the status of environmental assessments prepared to designate 'dog off-leash' and 'dog prohibited' areas to ensure compliance with relevant state and federal environmental legislation.*
3. *Council approve the release of the draft Access Areas for Dogs Policy and the completed Review of Environmental Factors (REF) for public exhibition for a period of 42 days (6weeks), during which submissions may be made to Council.*
4. *Council receive a future report at the conclusion of the public exhibition period, summarising feedback received, with a recommendation to adopt the proposed Access Areas for Dogs Policy OR a revised version of the Policy in response to feedback received during the public exhibition period whilst ensuring compliance with relevant state and federal environmental legislation.*
5. *Council receive a future report at the conclusion of the public exhibition period, summarising feedback received, with a recommendation to adopt the completed REF's OR be briefed as to the content of both the REFs and community consultation whilst ensuring compliance with relevant State and Federal environmental legislation.*
6. *Once completed, further REFs be placed on Public Exhibition for community consultation and a report be provided on submissions received.*

The revised draft *Access Areas for Dogs Policy* was released for public exhibition from 30 April to 12 June 2023. The 2023 engagement activity will be referred to throughout this report as Engagement Activity 2 (EA2).

Communications channels for this second round of engagement included an online survey; written submissions; social media posts; and the distribution of posters and flyers at Council’s community service centres and libraries. The level of community engagement for EA2 included a total of 505 formal individual submissions.

Changes from the existing draft *Access Areas for Dogs Policy*

The draft *Access Areas for Dogs Policy* exhibited during EA2 sets a framework necessary to achieve compliance with legislation, including the CA Act and EP&A Act. Revisions to the policy were based on the community consultation undertaken in EA1 and further investigations undertaken by the policy review team.

Key points to note in relation to the draft *Access Areas for Dogs Policy*, which was released for public exhibition 30 April to 12 June 2023, are as follows:

- To minimise confusion, terminology used within the proposed policy has been brought into line with terminology used in other relevant legislation.
- The existing policy includes a ‘static’ list of all off-leash and dog-prohibited areas defined by Council. This means new off-leash sites can only be considered during policy reviews (typically every four years), or through a separate minute of Council outside of the cycle period.
- The list of off-leash and dog-prohibited sites has been removed and replaced with a set of provisions defining how Council will designate off-leash and dog-prohibited areas (s3.7 & s3.8 of the draft policy). Note: A list of off-leash and dog-prohibited sites will be maintained and made publicly available via Council’s website, guideline materials, and other channels.
- The proposed Policy will enable Council to manage issues that may arise in off-leash or dog-prohibited areas, such as shorebird nesting, biodiversity loss, and social and cultural matters (including Indigenous heritage or conflicts arising from high usage levels). This approach is known as ‘adaptive management’ and will allow Council to be responsive to changes in conditions as they arise.
- Off-leash and dog-prohibited areas will be determined in accordance with the proposed Policy (including s3.8, which outlines what steps will be taken to facilitate public scrutiny and transparency).
- The proposed Policy includes a clear policy statement and objectives to provide clarity to all stakeholders about the outcomes Council is seeking to achieve under the policy. The Policy statement and objectives have been carefully calibrated in accordance with relevant legislation.
- A classification system has been established to clearly define three types of dog access areas in public places. The system is based on easily recognised conventions used in traffic lights (red, orange, and green).
- Signage and guidelines will be developed using the ‘traffic light’ system; RED for dog-prohibited areas, ORANGE for dog on-leash areas, and GREEN for off-leash areas.

External & Community Engagement – EA2 - Key Themes

Community and key stakeholder feedback from the public exhibition of the draft *Access Areas for Dogs Policy* (EA2) was collated and analysed. The key findings/themes were comprehensively summarised in a *Draft Access Areas for Dogs Policy – Community Engagement Summary and Proposed Revisions to Draft Policy* report (Community Engagement Summary report – 9 October 2023) provided to the 9 October Ordinary Council Meeting (**Attachment 5**).

The major themes from EA2 were as follows:

1. Data from EA2 confirms there is widespread support for the proposed draft *Access Areas for Dogs Policy*, with over 80% of survey respondents stating that they either support the policy or support it with changes.
2. Only 16.7% of survey respondents indicated that they do not support the draft Policy. Most of these respondents (26 respondents) stated that this was because they would like to see dogs banned from all beaches.
3. Written submissions from NSW government stakeholders, Community Consultative Bodies (CCBs) and private individuals were also largely supportive of the draft policy.

Resolution of Council on 9 October 2023 [MIN23.603]

At the Ordinary Council Meeting held on 9 October 2023, Council noted the Community Engagement Summary report (**Attachment 5**) as a summary of the outcomes of the draft *Access Areas for Dogs Policy* public exhibition, 30 April to 12 June 2023.

This report (**Attachment 5**) made recommendations for proposed revisions to the policy, as well as proposed inclusions for an implementation plan in line with community and key stakeholder feedback. These proposals were listed in a table titled: *Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan*.

Council endorsed the proposed revisions to the policy and proposed inclusions for the implementation plan as outlined in *Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan* in **Attachment 5** [MIN23.603].

MIN23.603 reads:

That Council:

1. *Note the Draft Access Areas for Dogs Policy (Community Engagement Summary and Proposed Revisions to Draft Policy) report as a summary of the outcomes of the draft Access Areas for Dogs Policy public exhibition, 30 April to 12 June 2023.*
2. *Acknowledge that the draft Access Areas for Dogs Policy enjoys broad community support.*
3. *Endorse the proposed revisions to the policy as outlined in Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan and in line with community and key stakeholder feedback.*
4. *Endorse the proposed inclusions for the implementation plan as outlined in Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan and in line with community and key stakeholder feedback.*
5. *Direct the CEO (Director City Lifestyles) to submit a revised draft in accordance with Part 3 (above) of the Access Areas for Dogs Policy to a future Ordinary Council Meeting for consideration.*
6. *Direct the CEO (Director City Lifestyles) to prepare and submit an implementation plan to accompany final Access Areas for Dogs Policy, including a signage strategy and other actions in accordance with Point 4 (above) to a future Ordinary Council Meeting for consideration.*
7. *Direct the CEO (Director City Lifestyles) to deliver a future report examining the adequacy of dog-prohibited areas in Shoalhaven (pending outcomes at Point 5 above).*

Final Draft Policy and Implementation Plan

The Open Space and Recreation Planning team (City Lifestyles Directorate), in collaboration with Environmental Services and Certification & Compliance (Ranger Services) in the City Development Directorate, have actioned parts 3 through to 6 of MIN23.603.

The project team have prepared and provided the attached:

- Final draft *Access Areas for Dogs Policy* (**Attachment 1**) incorporating feedback received during EA2 and as outlined in *Table 3* in **Attachment 5**.
- *Access Areas for Dogs Policy Implementation Plan* incorporating feedback received during EA2 and as outlined in *Table 3* in **Attachment 5**).

Incorporation of community and key stakeholder feedback from EA2

Revisions to the final draft policy and preparation of the implementation plan have been guided by proposals made in *Table 3* in **Attachment 5** as endorsed by the Council [MIN23.603].

A summary of how these proposals have been incorporated into the policy and implementation plan are outlined below in:

- *Table 1: Incorporation of community and key stakeholder feedback - Access Areas for Dogs Policy*
- *Table 2: Incorporation of community and key stakeholder feedback – Access Areas for Dogs Implementation Plan*

Implementation Plan - Methodology

The proposed Implementation Plan provides a high-level overview of activities required to successfully communicate, enforce, monitor, evaluate, and fund the implementation of the Policy. It outlines the aims, deliverables, tasks, resources, timing, funding, and status for the following sub-projects/activities:

- Access Areas for Dogs Policy - Signage Plan (addendum to the Open Space Signage Guidelines, and including associated graphics)
- Access Areas for Dogs Policy - Education & Communications Plan
- Access Areas for Dogs Policy - Enforcement Plan
- Access Areas for Dogs Policy - Monitoring & Evaluation Plan
- Access Areas for Dogs Policy - Implementation Funding Plan

Further reports will be provided to Council on the sub-projects/activities listed above. The implementation plan forecasts an anticipated timeline for these reports as follows:

- Report - Access Areas for Dogs Policy - Implementation Funding Plan (Anticipated: April 2024)
- Report - Access Areas for Dogs Policy - Signage Plan, Education & Communications Plan, Enforcement Plan, Monitoring & Evaluation Plan (Anticipated: June 2024)

A future report examining the adequacy of dog-prohibited areas in Shoalhaven (pending adoption of the Policy) will also be provided to a future Ordinary Council meeting as per Part 7 of MIN23.603.

Charter of Roles & Responsibilities Methodology

The Charter defines responsibilities for the administration, implementation, and enforcement of the policy, and responsibility for the maintenance of associated infrastructure.

The Charter has been prepared in consultation with key internal stakeholders including:

- City Lifestyles - Open Space & Recreation Planning;
- City Development - Land Management; Biodiversity; Natural Areas; Certification & Compliance; Ranger Services;
- Media & Communications - Marketing & Community Engagement.

The Charter will be reviewed in conjunction with Shoalhaven City Council policy reviews. Policy reviews typically take place within 12 months of the election of a new council, or when a change of legislation affects a policy.

Table 1: Incorporation of community and key stakeholder feedback - Access Areas for Dogs Policy.

No.	Theme	Proposed Amendments to Policy	Actual Amendments to Policy
1	General support for the policy.	That Council staff make minor amendments to the draft policy only, in line with the overwhelming community support for the draft policy that went on public exhibition 30 April to 12 June 2023.	a) Minor amendments made only, in line with the overwhelming community support for the draft policy that went on public exhibition 30 April to 12 June 2023.
2	Large number of out-of-scope responses including: <ul style="list-style-type: none"> • More off-leash beaches and/or increased time limits for off-leash beaches and/or more FOLAs. • All beaches dog prohibited. • Improved compliance and enforcement. 	That Council staff further clarify in the body of the policy: <ul style="list-style-type: none"> • Processes for making community requests for off-leash and dog-prohibited areas. • Where off-leash and dog-prohibited areas are to be listed. • The purpose and function of the policy in relation to the <i>Companion Animals Act 1998</i>. 	a) Addition of sub-heading under s3.8: “ <u>Proposals to designate dog-controlled areas</u> ” with information provided below. b) Addition under s2.2: “This policy does not include a list of off-leash and dog-prohibited areas. A list of off-leash and dog-prohibited sites will be maintained and made publicly available via Council’s website and guideline materials.” c) Addition under s3: “This policy provides further detail about dog access arrangements in the Shoalhaven in line with the Act and other relevant legislation.”
3	In-scope suggested amendments to the policy relating to: <ul style="list-style-type: none"> • Signage, including <i>in situ</i> signage. • Retaining elements of the existing policy. • Shorebird/environmental protection • Legislative framework and partner agencies 	That Council staff: <ul style="list-style-type: none"> • Further clarify in the body of the policy how the proposed traffic light system will function with timed beach access. • That Council staff make minor amendments to the draft policy only, in line with the overwhelming community support for the draft that went on public exhibition 30 April to 12 June 2023. • Further clarify in the body of the policy how shorebird/environmental protection will be 	a) Addition under s3.4: “Dog off-leash access areas can be either time-restricted or 24-hour off-leash. Mapping and signage for both types will be indicated by a green colour but with clear graphic differences for time-restricted and 24-hour off-leash areas.” b) Minor amendments made only, in line with the overwhelming community support for the draft policy that went on public exhibition 30 April to 12 June 2023. c) Existing wording maintained under s3.7 and 3.8 pertaining to adaptive management (including arrangements to protect shorebird habitat in established off-leash or on-leash zones), and under s3.9 pertaining to communication. d) Addition under s3.9: “Council will collaborate with other public land

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No.	Theme	Proposed Amendments to Policy	Actual Amendments to Policy
		<p>managed including through:</p> <ul style="list-style-type: none"> ○ The proposed adaptive management model, including: <ul style="list-style-type: none"> ▪ How these changes will be communicated to the public ▪ Arrangements to protect shorebird habitat in established off-leash or on-leash zones. ○ Preparation of Reviews of Environmental Factors [REFs] for all existing and proposed off-leash areas. • Provide further detail on legislative framework and how Council will work with partner agencies, including in the designation of off-leash areas. • Add inclusions in s3.1 of the draft policy that it is the responsibility of the dog owner/competent person to be aware of dog-prohibited areas, including from online information provided by Council. 	<p>managers towards providing ‘cross-tenure’ mapping of dog access areas for the Shoalhaven local government area.”</p> <ul style="list-style-type: none"> e) Existing wording under s3.8 maintained pertaining to REFs. f) Addition under s3.8d): “Communities affected by proposed changes to any existing dog off-leash areas that arise due to REF findings and other investigations will be notified and consulted. The results of the consultation activities, REF findings, recommendations, and any other relevant matters, will be referred to Council for final determination.” g) Further detail on the legislative framework provided under s3, s3.6 and s4.1. h) Further detail on how Council will work with partner agencies provided under s2, s3.7 and s3.9. For example, additions under 3.7b) state: “Council will engage with other key agencies as partners in relation to managing dog access in public areas. Key agencies include but are not limited to: National Parks and Wildlife Service; NSW Department of Primary Industries (DPI) Fisheries; Department of Regional NSW Jervis Bay Marine Park; and Crown Lands.” i) Addition under s3.1: “It is the responsibility of the dog owner/competent person to be aware of dog control zonings as determined from on-line information, signage and other forms of communication provided by Council and described in section 3.9.”
4	<p>General satisfaction with the number and type of off-leash areas, noting:</p> <ul style="list-style-type: none"> • 295 responses reiterated a desire for more off-leash beaches/ extended times at off-leash 	<p>That Council staff further clarify in the body of the policy:</p> <ul style="list-style-type: none"> • Processes for making community requests for off-leash and dog-prohibited areas. • Steps taken to facilitate public scrutiny and transparency. 	<ul style="list-style-type: none"> a) Addition of sub-heading under s3.8: “<u>Proposals to designate dog-controlled areas</u>” with information provided below. b) Existing wording under s3.8 maintained including: “All recommendations relating to proposals to designate dog-controlled areas in the Shoalhaven arising from Notices of Motion, community requests, strategic initiatives, and capital works planning, and subsequent implementation works shall be subject to a decision of

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No.	Theme	Proposed Amendments to Policy	Actual Amendments to Policy
	<p>beaches/ more FOLAs/ more off-leash areas in general.</p> <p><i>NB. In cases where a single respondent has made multiple suggestions, each of these suggestions has been counted to calculate the total.</i></p>	<ul style="list-style-type: none"> Where off-leash and dog-prohibited areas are to be listed. 	<p>the elected Council to aid in facilitating public scrutiny and transparency.”</p> <p>c) Addition under s2.2: “This policy does not include a list of off-leash and dog-prohibited areas. A list of off-leash and dog-prohibited sites will be maintained and made publicly available via Council’s website and guideline materials.”</p>
5	<p>Minor suggested changes to the policy including definitions of ‘habitat’, ‘beach’ and ‘dog ownership’.</p>	<p>That Council staff make suggested adjustments as required.</p>	<p>a) Minor changes to definitions including to ‘habitat’ and ‘dog ownership’ have been made under s1.1. The definition of ‘beach’ is not required and has been removed.</p>

(Cont.) Table 1: Incorporation of community and key stakeholder feedback - Access Areas for Dogs Policy.

Table 2: Incorporation of community and key stakeholder feedback - Access Areas for Dogs Policy Implementation Plan.

No.	Theme	Proposed Amendments to Implementation Plan	Actual Inclusions for Implementation Plan
1	General support for the policy.	Nil	Nil
2	<p>Large number of out-of-scope responses including:</p> <ul style="list-style-type: none"> • More off-leash beaches and/or increased time limits for off-leash beaches and/or more FOLAs. • All beaches dog prohibited. • Improved compliance and enforcement. 	<p>That Council staff develop a communications package as part of the implementation plan for the draft policy including explanatory information on:</p> <ul style="list-style-type: none"> • Processes for making community requests for off-leash and dog-prohibited areas. • Steps taken to facilitate public scrutiny and transparency. • Where off-leash and dog-prohibited areas are to be listed. • Where further information on enforcement and compliance matters can be found. 	<p>Implementation Plan includes:</p> <ul style="list-style-type: none"> • Education & Communications Plan • Enforcement Plan (including Community Education) <p>Further reports will be provided to Council on the sub-projects/activities listed above. The implementation plan forecasts an anticipated timeline for these reports as follows:</p> <ul style="list-style-type: none"> • Report - Access Areas for Dogs Policy - Implementation Funding Plan (Anticipated: April 2024) • Report - Access Areas for Dogs Policy - Signage Plan, Education & Communications Plan, Enforcement Plan, Monitoring & Evaluation Plan (Anticipated: June 2024) <p>A future report examining the adequacy of dog-prohibited areas in Shoalhaven (pending adoption of the Policy) will also be provided to a future Ordinary Council meeting as per Part 7 of MIN23.603.</p>
3	<p>In-scope suggested amendments to the policy relating to:</p> <ul style="list-style-type: none"> • Signage, including <i>in situ</i> signage. • Retaining elements of the existing policy. • Shorebird/environmental protection • Legislative framework and partner agencies 	<p>That Council staff develop a signage strategy as part of the implementation plan for the draft policy to be submitted to a future Ordinary meeting of Council for decision including:</p> <ul style="list-style-type: none"> • The placement of <i>in situ</i> signage to improve zone recognition/transition and compliance with adaptive management measures. • New signage at locations affected by Reviews of Environmental Factors (REFs) to reflect outcomes of this environmental due diligence 	<p>Implementation Plan includes:</p> <ul style="list-style-type: none"> • Access Areas for Dogs Policy – Signage Plan (including associated graphics) • Education & Communications Plan <p>Further reports will be provided to Council on the sub-projects/activities listed above. The implementation plan forecasts an anticipated timeline for these reports as follows:</p> <ul style="list-style-type: none"> • Report - Access Areas for Dogs Policy - Implementation Funding Plan (Anticipated: April 2024) • Report - Access Areas for Dogs Policy - Signage Plan,

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No.	Theme	Proposed Amendments to Implementation Plan	Actual Inclusions for Implementation Plan
		<p>process.</p> <p>Consultation and communications about REFs and any subsequent changes to dog off-leash areas, including updates about transitioning, signage and education on Council’s web page.</p>	<p>Education & Communications Plan, Enforcement Plan, Monitoring & Evaluation Plan (Anticipated: June 2024)</p>
4	<p>General satisfaction with the number and type of off-leash areas, noting:</p> <ul style="list-style-type: none"> 295 responses reiterated a desire for more off-leash beaches/ extended times at off-leash beaches/ more FOLAs/ more off-leash areas in general. <p><i>NB. In cases where a single respondent has made multiple suggestions, each of these suggestions has been counted to calculate the total.</i></p>	<p>That Council staff develop a communications package as part of the implementation plan for the draft policy including explanatory information on:</p> <ul style="list-style-type: none"> Processes for making community requests for off-leash and dog-prohibited areas. Steps taken to facilitate public scrutiny and transparency. Where off-leash and dog-prohibited areas are to be listed. 	<p>Implementation Plan includes:</p> <ul style="list-style-type: none"> Education & Communications Plan <p>Further reports will be provided to Council on the sub-projects/activities listed above. The implementation plan forecasts an anticipated timeline for these reports as follows:</p> <ul style="list-style-type: none"> Report - Access Areas for Dogs Policy - Implementation Funding Plan (Anticipated: April 2024) Report - Access Areas for Dogs Policy - Signage Plan, Education & Communications Plan, Enforcement Plan, Monitoring & Evaluation Plan (Anticipated: June 2024) <p>A future report examining the adequacy of dog-prohibited areas in Shoalhaven (pending adoption of the Policy) will also be provided to a future Ordinary Council meeting as per Part 7 of MIN23.603.</p>
5	<p>Minor suggested changes to the policy including definitions of ‘habitat’, ‘beach’ and ‘dog ownership’.</p>	<p>Nil.</p>	<p>Nil.</p>

(Cont.) Table 2: Incorporation of community and key stakeholder feedback - Access Areas for Dogs Policy & Implementation Plan.

Internal Consultation

The Access Areas for Dogs Policy Review project is being led by City Lifestyles directorate with staff from the Open Space and Recreation Planning team, in collaboration with Environmental Services and Certification & Compliance (Ranger Services) in the City Development directorate.

This report and final draft Policy, Implementation Plan, and Charter have been prepared under the auspices of the Access Areas for Dogs Policy Review *Project Control Group* (PCG) including representatives from:

- City Lifestyles - Open Space & Recreation Planning (project coordination);
- City Development - Land Management; Biodiversity; Natural Areas; Certification & Compliance; Ranger Services;
- Media & Communications - Marketing & Community Engagement;

City Futures: Tourism Services are also considered a key internal stakeholder.

External Consultation

Feedback from key external stakeholders for EA2 have been incorporated into the draft Policy, and Implementation Plan, as outlined in *Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan* (in **Attachment 5**) and endorsed by Council [MIN23.603].

External stakeholders were invited to review the draft policy and provide a detailed written submission to Council at the commencement of the public exhibition period in April 2023. These stakeholders included the NSW government agencies listed below, and all 23 registered Community Consultative Bodies (CCBs).

A total of 3 submissions were received from NSW government agencies and 3 submissions were received from CCBs.

Key stakeholders for EA2 – NSW government agencies

- National Parks & Wildlife Service
- Department of Primary Industries (Jervis Bay Marine Park, Fisheries)
- Department of Planning & Environment
- Saving Our Species (DP&E)
- NSW Environmental Protection Authority
- Crown Land
- Destination NSW
- Destination Sydney Surrounds South
- Office of Local Government

Key stakeholders for EA2 – Community Organisations

- All Community Consultative Bodies (x23)
- Local veterinary clinics
- Bill Andriske Oval Management Committee
- Paws 4 Shoalhaven

- RSPCA (Shoalhaven Branch)
- Animal Welfare League NSW (Shoalhaven branch)
- BirdLife Shoalhaven
- Shoalhaven Landcare Association (SLA)
- Narrawallee Beach Environmental Group Inc.
- Our Future Shoalhaven
- Lake Wollumboola Protection Association

A comprehensive summary of EA2 was provided to the Council in the Community Engagement Summary report - 9 October 2023 (**Attachment 5**).

A summary of key themes emerging from external and community consultations for EA2 is provided in *Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan* (in **Attachment 5**)

Community Consultation

The proposed draft *Access Areas for Dogs Policy* was released for public exhibition from 30 April to 12 June 2023, building on the community engagement activities undertaken in 2021 (EA1).

A report was provided to the Council at the Ordinary Council Meeting held on 13 February 2023 (**Attachment 6**) to provide an update on the progress of the *Access Areas for Dogs Policy* review and seek Council's approval to proceed to public exhibition of the draft Policy (ref. MIN23.61).

Communications channels for EA2 included an online survey; written submissions; social media posts, and the distribution of posters and flyers at Council's community service centres and libraries.

The level of community participation during EA2 was high, with a total of 505 properly made individual submissions received through the online survey, written submissions, and one phone call.

1,119 social media engagements were also registered, whilst these are not considered as formal submissions, the data does give an indication of the level of interest on social media platforms surrounding EA2.

A comprehensive summary of EA2 was provided in the Community Engagement Summary Report - 9 October 2023 (**Attachment 5**).

A summary of key themes emerging from external and community consultations for EA2 is provided in *Table 3: Recommendations – Access Areas for Dogs Policy and Implementation Plan* (in **Attachment 5**).

Policy Implications

Dog Access Arrangements

The existing *Access Areas for Dogs Policy* will remain in place until a final version of the new Policy is approved by the Council. All existing off-leash and prohibited areas remain unchanged during this period. It is proposed that existing off-leash and prohibited areas be carried forward with the new policy if adopted (in accordance with Part 4 of the Recommendation in this report). Accordingly, the existing *Access Areas for Dogs Policy* would be superseded by the new Policy.

A list of existing off-leash and prohibited areas is provided at **Attachment 4: List of existing off-leash and prohibited areas (to be carried forward)**.

The Policy Review project team is also working to complete environmental assessments known as Reviews of Environmental Factors (REFs). Further details on REFs is provided below under *Policy Implications – Protecting Environmental Values*.

A future report examining the adequacy of dog-prohibited areas in Shoalhaven (pending adoption of the Policy) will be provided to a future Ordinary Council meeting as per Part 7 of MIN23.603.

Protecting Environmental Values

Council is preparing an environmental assessment, also known as a Review of Environmental Factors (REF), for each dog off-leash area within the Shoalhaven. The aim of these assessments is to evaluate the impact each dog off-leash area has on the community and the environment.

- REFs are undertaken in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).
- REFs are informed by investigations that consider factors outlined under Section 171 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).
- REFs are being published progressively, for information only, in accordance with Section 171 (4) of the *EP&A Regulation*, as a matter of public interest, and in accordance with part 6 of MIN23.61.
- REFs are being undertaken to help inform decision-making processes, including identifying mitigation measures for further consideration by Council.

Council staff will notify and consult with communities affected by proposed changes to any existing dog off-leash areas that arise due to REF findings and other investigations. The results of the consultation activities, REF findings, recommendations, and any other relevant matters, will be referred to the Council for final determination. This will require Council to consider the findings of each REF investigation and the outcomes of community consultation in accordance with its obligations under the CA Act and EP&A Act and in line with the new Policy (if adopted).

Enforcement

Ranger Services has grown from 9 staff in 2018 to 14 staff in 2022. With staff working seven days a week (from 7am to 5pm during April to September and 6am to 6pm October to March) there has been considerable coverage across the Shoalhaven LGA, including a minimum of 6 staff on every day, including weekends and public holidays.

With the increase to staffing, combined with better rostering and resourcing strategies of Ranger Services staff, and the introduction and reinforcement of a more consistent approach to appropriately escalating penalties for identified offences, there has been a reduction of 'roaming / stray dogs' within the Shoalhaven LGA from 1306 in 2016/17 to 842 in 2021/22.

This indicates that there is not only a greater presence within the community of our Ranger Services unit, but also the approach of providing education, Formal Warnings and Penalty Notices for offences detected is helping to reduce issues the community faces in relation to stray and roaming dogs.

Financial Implications

The Access Areas for Dogs Policy Review is funded in Council's *Delivery Program Operational Plan 2023/24* (DPOP) as adopted in the Ordinary Meeting of Council on 26 June 2023. The Capital Works Program 2023/24 identifies the following line items relevant to the policy review project and implementation actions:

- Line 233 – Dog Off-leash Areas – Various Areas - \$130,000
- Line 234 – Dog Policy Review – Implementation - \$150,000.

Work in relation to 233 and 234 has not commenced, while the 2023/24 Capital Works Program is under review.

A future report to Council will identify funding required, including funding sources, to progress actions identified in the draft Implementation Plan.

Risk Implications

A decision not to adopt the final *Access Areas for Dogs Policy* (the Policy) constitutes reputational, environmental, and legal risks to Council.

Reputation

- Failure to act on the broad support for the final *Access Areas for Dogs Policy* may result in a lack of confidence in Council processes and a loss of community trust in Council's capacity to deliver in line with community expectations and Shoalhaven City Council's *Community Engagement Strategy 2022 - 2026*.
- Delays to the finalisation and implementation of the final *Access Areas for Dogs Policy* may result in undesirable community and key stakeholder attention on the policy arising from community concerns around interim dog access arrangements at Narrawallee Beach (adopted by Council on 6 November 2023 [MIN23.661]). Such attention carries the risk of derailing the Access Areas for Dogs Policy Review project at a crucial stage and after having confirmed that the policy enjoys broad community and key stakeholder support.
- Delays to the finalisation and implementation of the final *Access Areas for Dogs Policy* may result in a Council decision on the policy coinciding with the community consultation period for long-term dog access arrangements at Narrawallee Beach, anticipated to occur in the first few months of 2024. This carries the risk that the policy is confused in the public mind with matters specific to Narrawallee Beach.

Environmental

- A decision by the Council to not adopt the adaptive management model proposed in the final draft *Access Areas for Dogs Policy* will inhibit Council's ability to manage issues that may arise in off-leash areas in accordance with the EP&A Act and *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*, such as shorebird nesting and biodiversity loss.


Legal

- Delays to the finalisation and implementation of the draft *Access Areas for Dogs Policy* may have a bearing on potential legal proceedings subsequent to the Class 4 action brought by Narrawallee Beach Environmental Group Inc. concerning dogs off leash at Narrawallee Beach and other areas brought before the Land and Environment Court (in relation to dog access areas) in May 2023.

Funding

- Funding will be required to enable the implementation of the *Access Areas for Dogs Policy* (once adopted) and actions identified in the Implementation Plan. These financial implications will be addressed in an Access Areas for Dogs Policy - Implementation Funding Plan which will be reported to Council, anticipated April 2024, and developed having regard to Council's future directions decision on the current Financial Sustainability Review. This will assist in a range of compliance, enforcement, and educational outcomes.

Access Areas for Dogs Policy Draft Implementation Plan (November 2023)

Access Areas for Dogs Policy Draft Implementation Plan								
Sub-projects	Aims	Deliverables	Tasks	Resources	Start	Deliver	Funding	Status
1. Charter of Roles & Responsibilities	To provide clarity for internal stakeholders regarding roles & responsibilities for administration, implementation and enforcement, including key points of contact.	a) Charter of roles & responsibilities	i) Write charter of roles and responsibilities	OS&RP - NK	Nov-23	Dec-23	Operational	Ongoing
			ii) Liaise with line areas to draft Charter: Ranger Services, Media & Communications, Tourism, Business Assurance & Risk, Asset Custodians, Environmental Services	OS&RP - NK	Nov-23	Dec-23	Operational	Ongoing
		b) Report 1 (Dec 2023): Report to Council - final draft Access Areas for Dogs Policy and Implementation Plan	Write Report, with Charter of Roles & Responsibilities attached	OS&RP - NK	Nov-23	Dec-23	Operational	Ongoing
2. Access Areas for Dogs Policy - Signage Plan	To develop a framework for on-site dog access signage for the Shoalhaven, to be included as an addendum to the SCC Open Space Signage Guidelines and including associated graphics.	a) Preliminary Project Plan	Prepare project brief & scope of works, including precedent research	OS&RP - CW	Jan-24	Jan-24	TBC - through future reports to Council or quarterly budget reviews	Not commenced
		b) Signage audit	Conduct dog access sign audit including sign categories, specifications, locations, condition, and noting any issues, e.g. visibility	OS&RP - CW	Jan-24	Mar-24	TBC - as above	Not commenced
		c) Signage gap analysis	Conduct gap analysis including: locations requiring signage (new), locations requiring permanent removal of signage	OS&RP - CW	Jan-24	Mar-24	TBC - as above	Not commenced
		d) Signage installation plan	Mapping of proposed installation locations & signage type, plus locations for permanent removal of signs	OS&RP - CW, Media & Comms	Feb-24	Mar-24	TBC - as above	Not commenced
		e) Updated Project Plan and Brief	Update project plan and finalise brief	OS&RP - CW	Feb-24	Mar-24	TBC - as above	Not commenced
		f) Graphic designs for multiple formats	Create designs for dog access signage for multiple formats, in line with installation plan	Media & Comms via AG	Mar-24	May-24	TBC - as above	Not commenced
		g) Access Areas for Dogs Signage Guidelines endorsed by EMT	Finalise Guidelines including for the placement of in situ signage to improve zone recognition/transition and compliance with adaptive management measures; new signage for locations affected by Reviews of Environmental Factors (REFs).	OS&RP - CW, Media & Comms	May-24	Jun-24	TBC - as above	Not commenced
		h) Access Areas for Dogs Signage Guidelines (addendum to SCC Open Space Signage Guidelines)	Write Guidelines including for the placement of in situ signage to improve zone recognition/transition and compliance with adaptive management measures; new signage for locations affected by Reviews of Environmental Factors (REFs).	OS&RP - CW, Media & Comms	Mar-24	Jun-24	TBC - as above	Not commenced
		i) Report 3 (June 2024): Report to Council, with Signage Guidelines attached	Write Report, with Guidelines attached	OS&RP - CW & PD	May-24	Jun-24	Operational	Not commenced
		j) Fabrication files	Create fabrication files	OS&RP - CW	Jul-24	Jul-24	TBC - as above	Not commenced
k) Signs fabricated	Order fabrication , staged, TBD	OS&RP - CW	Jul-24	Aug-24	TBC - as above	Not commenced		
l) Signs installed	Install signs, staged approach, TBD	Works & Services	Aug-24	Oct-24	TBC - as above	Not commenced		

Access Areas for Dogs Policy Draft Implementation Plan (November 2023)

Sub-projects	Aims	Deliverables	Tasks	Resources	Start	Deliver	Funding	Status
3. Education & Communications Campaign	To develop an education & communications campaign to promote responsible dog ownership, and to explain the roll-out of new signage and the purpose of the Access Areas for Dogs Policy.	a) Project Plan	Prepare project plan, brief/s & scope of works	OS&RP - TBD	Jan-24	Mar-24	TBC - through future reports to Council or quarterly budget reviews	Not commenced
		b) Online resources/ app	i) Sub-project plan and brief, including identification and allocation of funding for app creation	OS&RP, GIS, IT, Comms & Media	Feb-24	Mar-24	TBC - as above	Not commenced
			ii) Coordinate external consultant for app design, including procurement and project management	OS&RP, GIS, IT, Comms & Media	Mar-24	Jun-24	TBC - as above	Not commenced
		c) Education & Communications Plan	Write communications plan including key messages, audience/s, channels, communications implementation plan	Media & Comms via AG	Mar-24	Jun-24	TBC - as above	Not commenced
		d) Report 3 (June 2024): Report to Council, with Education & Communications Plan attached	Write Report, with Communications Plan attached	OS&RP - TBD & PD	May-24	Jun-24	Operational	Not commenced
		e) Media releases	i) Prepare media releases	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			ii) Deliver media releases (staged approach TBD)	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
		f) Schedule social media	i) Prepare social media paid ads	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			Deliver social media paid ads	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
		g) Advertising	i) Prepare advertising	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			ii) Deliver advertising (staged approach TBD)	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
		h) Posters	i) Prepare posters for Council community service centres, libraries, Swim Sport Fitness facilities, etc.	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			ii) Posters distributed (staged approach TBD)	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
		i) Flyers	i) Prepare flyers about the Access Areas for Dogs Policy, including for service providers (commercial & non-commercial)	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			ii) Flyers distributed (staged approach TBD)	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
		j) Radio	i) Planning & scripting	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
			ii) Radio interviews (staged approach TBD)	Media & Comms, OS&RP	Jun-24	Oct-24	TBC - as above	Not commenced
k) Get Involved updates	Update Get Involved and notify subscribers	Media & Comms, OS&RP	Ongoing	Ongoing	Operational	Ongoing		
l) Dog Off-Leash Guide updated	Update Dog Off-Leash Guide	Media & Comms, OS&RP	Ongoing	Ongoing	Operational	Ongoing		

Access Areas for Dogs Policy Draft Implementation Plan (November 2023)

Sub-projects	Aims	Deliverables	Tasks	Resources	Start	Deliver	Funding	Status
4. Enforcement	To improve community self enforcement outcomes to reduce the need for Ranger Services patrols and the number of dog-related incidents in public places	a) Project Plan	Prepare project plan, brief & scope of works	Ranger Services	Jan-24	Mar-24	TBC - through future reports to Council or quarterly budget reviews	Not commenced
		b) Enforcement plan	Prepare enforcement plan, including phased approach - education, warnings, penalties - and associated timelines	Ranger Services	Mar-24	Jun-24	TBC - as above	Not commenced
		c) Education materials	Prepare education materials - flyers, online updates, brochures	Media & Comms, OS&RP	May-24	Jun-24	TBC - as above	Not commenced
		e) Report 3 (June 2024): Report to Council, with Enforcement Plan attached	Write Report, with Enforcement Plan attached	OS&RP - TBD & PD	May-24	Jun-24	Operational	Not commenced
		d) Pop-up education events	Hold pop-up education events (staged approach TBD)	Media & Comms, Ranger Services	Jul-24	Oct-24	TBC - as above	Not commenced
		e) Enforcement activities	Implement enforcement activities	Ranger Services	Oct-24	Ongoing	TBC - as above	Not commenced
5. Monitoring & Evaluation Plan	To develop a framework for monitoring and reporting outcomes of the Access Areas for Dogs Policy and associated outputs, and to provide a basis for future policy reviews	a) Project Plan	i) Prepare project plan, brief & scope of works	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
			ii) Establish roles & responsibilities for monitoring & evaluation, including for: signs, compliance & enforcement, community engagement	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
		c) Monitoring & Evaluation Plan	i) Establish framework for monitoring & evaluating new signage, including reporting gaps and replacement of signage where required	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
			ii) Establish framework for utilising Ranger Services data including attendance, complaints, attacks	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
			iii) Establish framework for monitoring & evaluating community engagement, including: clicks, downloads, app utilisation	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
			iv) Establish framework for monitoring & evaluating community requests relating to dog access, including for additional signs	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
			v) Write monitoring & evaluation plan	OS&RP - TBD	Dec-23	Jan-24	Operational	Not commenced
d) Report 3 (June 2024): Report to Council, with Monitoring & Evaluation Plan attached	Write Report, with Monitoring & Evaluation Plan attached	OS&RP - TBD	May-24	Jun-24	Operational	Not commenced		
6. Implementation Funding Plan	To identify funding required, funding sources, and phasing to enable completion of all deliverables identified in the Implementation Plan and to be used as a basis for future financial processes	a) Draft Implementation Funding Plan	i) Generate cost estimates	OS&RP - TBD	Dec-24	Jan-24	Operational	Not commenced
			ii) Liaise with Financial Business Partner	OS&RP - TBD	Dec-24	Jan-24	Operational	Not commenced
			iii) Liaise with internal stakeholders	OS&RP - TBD	Dec-24	Jan-24	Operational	Not commenced
			iv) Write draft implementation funding plan	OS&RP - TBD	Jan-24	Feb-24	Operational	Not commenced
		b) Capital Budget Requests	Submit Capital Budget Requests to EMT for DPOP & Budget 24/25, including bids for each deliverable - Capital Works & Operational	TBD	Mar-24	Apr-24	Operational	Not commenced
c) Report 2 (May 2024): Report to Council, with Capital Budget Requests	Write Report, with Capital Budget Requests	TBD	Apr-24	Apr-24	Operational	Not commenced		



Charter of Roles & Responsibilities – Access Areas for Dogs Policy

Adoption Date:	[TBD]
Amendment Date:	
Minute Number:	[TBD]
Review Date:	Every four years or within 12 months of the election of a new council.
Directorate:	City Lifestyles
Record Number:	D23/453072

Charter of Roles & Responsibilities – Access Areas for Dogs Policy

1. Purpose

The purpose of the *Charter of Roles & Responsibilities – Access Areas for Dogs Policy* (the Charter) is to clearly define responsibilities for the administration, implementation, and enforcement of the *Access Areas for Dogs Policy* (the Policy), and responsibility for the maintenance of associated infrastructure.

The Charter is to be read in conjunction with the Policy.

2. Administration

The Policy will be administered by the Open Space & Recreation Planning section, City Lifestyles. Administration includes monitoring and evaluation of the Policy, and future reviews. The Director - City Lifestyles is accountable for the administration of the Policy.

3. Implementation

Responsibility for the implementation of the Policy will be shared between City Lifestyles (Open Space & Recreation Planning) and City Development (Environmental Services, Ranger Services). The Director - City Lifestyles, and the Director - City Development share joint accountability for the implementation of the Policy.

4. Enforcement

Responsibility for the enforcement of the Policy lies with Ranger Services, City Development. The Director - City Development is accountable for the enforcement of the Policy.

5. Maintenance of Infrastructure

Responsibility for the maintenance of infrastructure associated with the Policy lies with the nominated Asset Custodian for any given location. This includes maintenance of new and existing regulatory signs for dog access, and replacement of signs that have been damaged or vandalised.

Under the Asset Custodian Model (in place as at 11 December 2023), the Asset Custodians are Shoalhaven Swim Sport Fitness Managers – North, Central and South; and District Engineers – North, Central, Basin, and South.

6. Review

This Charter will be reviewed in conjunction with Shoalhaven City Council policy reviews. Policy reviews typically take place within 12 months of the election of a new council, or when a change of legislation affects this policy.

Attachment 4 – List of existing off-leash and prohibited areas (to be carried forward)

**List of existing off-leash and prohibited areas
(to be carried forward)**

1.1. Dog Prohibited Areas – Site Specific

In addition, to the generic prohibited areas as defined above, Council has zoned designated site specific areas of managed land or land within the care and control of Council to be enforced as dog prohibited (24 hours). The prohibited zoning of the below listed areas were influenced by either the natural or social environment.

To define the applicable boundary, dogs are prohibited at the greatest distance set by either the Companion Animals Act or Council site specific boundary.

Bendalong

- Flat Rock Beach

Berrara

- Berrara Beach

Callala Beach

- Callala Beach between Parkes Crescent and Centre Street.
- Southern end of Callala Beach south of the Beach Street car park at Myola.

Culburra

- Lake Wollumboola Foreshore Reserve - southern end of The Lake Circuit to Kiah Lane.

Huskisson

- Huskisson sand / rock foreshore area between Currumbene Creek and Nowra Street.
- Moona Moona Creek sand/rock foreshore area between Jervis Street and northern end of Ilfracombe Avenue.
- Council managed land which forms Currumbene Creek Mudflats Sanctuary Zone.

Lake Conjola

- Lake Conjola Spit

Lake Tabourie

- Within the reserve north of Lake Tabourie entrance – foreshore adjacent to Lake Tabourie Tourist Park.

Mollymook

- Mollymook Beach - North and South ends

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Attachment 4 – List of existing off-leash and prohibited areas (to be carried forward)

Narrawallee

- Narrawallee Beach and reserve from Narrawallee Creek to the unnamed island (in line with the intersection of Parkinson Street and Matron Porter Drive).
- Narrawallee Beach and reserve from the Matron Porter Drive beach access track to Surfers Avenue steps.

Sanctuary Point

- Palm Beach and Red Head Reserve to the headland stairs and the southern end of John Williams Reserve

Shoalhaven Heads

- Shoalhaven River entrance sand spit at the southern end of Seven Mile Beach south-east of the River Road car park.

Vincentia

- Within Blenheim Beach Reserve - Fredrick Street to Elizabeth Drive.
- Vincentia foreshore and reserve from northern end of Ilfracombe Avenue to the boat ramp at the end of Holden Street, Vincentia, including Collingwood Beach and foreshore excluding the Collingwood cycleway which is an on-leash area.

1.2. Off-leash Areas for Dogs

Off-leash areas for each of the sites listed below are subject to time variations and may be altered on the application of reserves, beaches and open space hire / lease bookings made through Council.

Basin View

- Basin View foreshore reserve west of boat ramp, bordered by Basin View Parade
- *off-leash 24 hours*

Bawley Point

- Cormorant Beach
- *off-leash 24 hours*

Bendalong

- Washerwomans Beach
- *off-leash 24 hours*

Berry

- Camp Quality Park
- *off-leash 24 hours*

Bomaderry

- Cricket oval immediately adjacent to the Bomaderry Aquatic Centre
- *off-leash 24 hours when no used by user groups*

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Attachment 4 – List of existing off-leash and prohibited areas (to be carried forward)

Burrill Lake

- Public reserve east of Princes Highway, bounded by Racecourse Creek & opposite Kings Point Drive
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am

Callala Beach

- Callala Beach foreshore reserve between Callala Creek and Currumbene Creek
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am

Culburra

- Culburra Beach and foreshore reserve between Gateway Caravan Park & Tilbury Cove
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am

Currarong

- Currarong Beach and foreshore reserve from Currarong Creek extending westwards to Peel Street.
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am

Huskisson

- Huskisson Beach and foreshore reserve between Nowra Street & Tapalla Avenue.
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am

Milton

- Milton Showground
 - off-leash 24 hours except during scheduled events

Mollymook

- Public reserve adjacent to Mitchell Parade and south east of buildings and playing fields off (north of Donlan Road).
 - 1 October to 30 April – off-leash from 4pm to 8.00am
 - 1 May to 30 September – off leash from 3pm to 10am
- Collers Beach
 - off-leash 24 hours

Narrawallee

- Narrawallee Beach between the unnamed island (in line with the intersection of Parkinson Street and Matron Porter Drive) and the Matron Porter Drive beach access track during the following times:
 - Australian Eastern Daylight Savings Time – off leash from 4pm – 8am
 - Australian Eastern Standard Time - off leash from 3pm – 10am

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Attachment 4 – List of existing off-leash and prohibited areas (to be carried forward)

Nowra

- Area north of Worrige Street at the Nowra Showground.
 - *off-leash 24 hours*

Sanctuary Point

- Clifton Park
 - *off-leash 24 hours*

Shoalhaven Heads

- Jerry Bailey Reserve cricket oval (within fenced area)
 - *off-leash 24 hours when not used by sporting groups*
- Shoalhaven Head Beach 200m north of the Surf Club building to the public access way through the Shoalhaven Heads Golf Course.
 - *off-leash 24 hours*
- River Road Reserve adjacent to the river edge - from the boat ramp in the east to the wharf at the end of Jerry Bailey Road.
 - *off-leash 24 hours*

Swan Lake

- Swan Lake foreshore reserve between northern boat ramp (end of Yaroma Avenue) and SLWSC boat ramp.
 - *1 October to 30 April – off-leash from 4pm to 8.00am*
 - *1 May to 30 September – off leash from 3pm to 10am*

Ulladulla

- Beach north of the Northern Breakwater in Ulladulla Harbour
 - *off-leash 24 hours*

Vincentia

- Nelson Beach and foreshore reserve
 - *1 October to 30 April – off-leash from 4pm to 8.00am*
 - *1 May to 30 September – off leash from 3pm to 10am*

Worrige

- Ratcliff Park cricket field.
 - *1 October to 30 April – off-leash from 4pm to 8.00am*
 - *1 May to 30 September – off leash from 3pm to 10am*

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CL23.464 Men's Shed, Kangaroo Valley: in-principle endorsement of preferred site

HPERM Ref: D23/436604

Department: Recreation Projects - Planning & Delivery

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Open Space and Rec Planning - Review of Potential Sites - Consultation with Kangaroo Valley Mens Shed - Version 2 (under separate cover) [⇒](#)

Reason for Report

The purpose of this report is to provide Council with:

1. Notification that Kangaroo Valley Men's Shed Inc. (herein: Kangaroo Valley Men's Shed) has requested a location to build a purpose-specific premises on Council land in Kangaroo Valley, and;
2. Background information about the Kangaroo Valley Men's Shed's request and work undertaken to date by City Lifestyles staff;
3. An opportunity to provide in-principle endorsement for a preferred site for a purpose built Men's Shed facility in Kangaroo Valley.

Recommendation

That Council:

1. Accept the *Men's Shed, Kangaroo Valley: in-principle endorsement of preferred site* report for information in relation to options for a purpose built Men's Shed facility in Kangaroo Valley.
2. Provide in-principle endorsement for Lot 7 DP 264336 (West Moss Vale Road Reserve) as the preferred site for a purpose built Men's Shed facility in Kangaroo Valley subject to the outcome of community engagement.
3. Direct the CEO (Director - City Lifestyles) to:
 - a. Undertake community engagement to seek community views about the planned future use of this site;
 - b. Provide a future report to Council outlining the outcome of engagement activities and proposed next steps.
4. Note that the project is not identified in Council's Delivery Program Operation Plan & Budget 2023 / 24, nor in the draft Resourcing Strategy currently on public exhibition as part of Council's Financial Sustainability Review, and subsequently has no funding allocated for design or construction.

Options

1. Accept the recommendations as proposed.

Implications: Council staff will proceed to commence engagement planning and undertake community engagement about a purpose-built Men's Shed at Lot 7 DP 264336 (West Moss Vale Road Reserve).

2. Adopt an alternative recommendation, identifying an alternative site.

Implications: Additional time and staff resources will be required to assess the viability of any alternative site. Consultation will need to be postponed until after a subsequent report can be brought to Council for endorsement.

3. Reject the recommendations as proposed and adopt an alternative recommendation.

Implications: Further implications to be determined, depending on the contents of the amended motion. Please refer to reputational, environmental, and legal risks of not proceeding with Option 1 outlined at the end of this report under the heading *Risk Implications*.

Background

Kangaroo Valley Men's Shed (KVMS) was formed in June 2022 and currently has 35 members. KVMS is now a fully incorporated association with NSW Fair Trading and has registered with the Australian Men's Shed Association. KVMS meet in a range of residential homes and are seeking a purpose-built facility:

Our Men's Shed will provide a safe haven where our men can be productive, connect with friends, maintain an active body and mind. Our focus is on ensuring the well-being of the men of Kangaroo Valley, as many men are reluctant to discuss their emotions or ask for help. This results in men taking more lifestyle risks and suffering from isolation, loneliness, and feelings of depression. We aim to alleviate these issues by providing a space where men can be together and give back. With your continued support throughout this process, we believe we can achieve great things together for our community.

Director of Planning, KVMS

Representations have been received requesting the investigation of a suitable site for a Men's Shed facility in Kangaroo Valley, via Member for Kiama MP Gareth Ward in June 2022 and Ward 1 Councillors in September 2022. An initial investigation was conducted by City Lifestyles staff during 2022 into the viability of the Pony Club shed at Kangaroo Valley Showground (Osbourne Park) as a base for the KVMS. These investigations found that the site was not suitable.

KVMS wrote to Council's CEO on 31 July 2023 requesting:

- Council staff support to support preliminary planning and all processes to progress through a DA process, and to meet with KVMS representatives to provide updates;
- Council funding for planning requirement costs and for costs such as the development of water, sewer and utility works necessary for the site.

Men's Shed representatives contacted City Lifestyles staff in May 2023. They presented a list of 12 sites in Kangaroo Valley and requested that these sites be further investigated. The Open Space & Recreation Planning team actioned the KVMS's request, undertaking further investigations to:

- Identify the ownership of each suggested site.
- Assess the land classification and suitability for a Men's Shed facility at each site.
- Check for any planning stipulations, such as if the land is flood or bushfire-prone, or if the site may contain a habitat corridor.
- Identify if the site requirements needed for a Men's Shed are available, including:

- Access to electricity (three-phase) in order to operate woodworking machinery, as well as for general operational needs like lights and kitchen uses.
- Running water for kitchenette and bathroom use, plus as part of workshop tasks.
- A sewage line so bathrooms can be installed.
- Space for a small building.
- Space to park cars.

Identify any relevant strategic alignments relating to the provision of a future Men's Shed facility, including:

- Ensuring that a Men's Shed meets the *Community Wellbeing Strategy* and *Disability Inclusion Action Plan* goals – see Policy section below under Strategic Alignment, and;
- Investigating the adaptability of the space for use by multiple users – could a generic meeting room be added to the building so the kitchenette, bathroom and car parking can assist other groups.

Shoalhaven Local Environment Plan 2014

The proposed Men's Shed facility has been defined under the Shoalhaven Local Environmental Plan 2014 (SLEP2014) as a 'Community Facility':

Community facility means a building or place -

(a) owned or controlled by a public authority or non-profit community organisation,
and

(b) used for the physical, social, cultural, or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

Desktop Analysis

An initial desktop analysis of the 12 proposed sites was completed, plus an additional site identified by staff (ref. Attachment 1). Most of the 12 proposed sites were on Council or Crown land, however two were on private property. Findings were that:

- The sites on private property are outside Council's jurisdiction. Use of these properties could be negotiated directly between the Men's Shed representative and the title holder and hence, do not form part of the investigations undertaken. Therefore, these sites have not been considered in the desktop analysis and are not included in Attachment 1.
- Properties on Crown Land would require further investigation and negotiation with NSW Crown Lands.
- Of the sites located on Council-owned land, three were considered suitable for future consideration and investigation:
 - Lot 7 DP 264336, West Moss Vale Road Reserve, two properties south of 32 Moss Vale Road.
 - Lot 105 DP 264466, Jenanter Drive (between numbers 12 and 14).
 - Lot 1 DP 377859, 1 Quirk Street (opposite Murray Street).

Outcome: An Investigation Report was sent to Kangaroo Valley Men’s Shed for their consideration (ref. **Attachment 1**). Men’s Shed representatives have informed Council Staff that they prefer option 2b, Lot 7 DP 264336, West Moss Vale Reserve.

Subject site: Lot 7 DP 264336, West Moss Vale Road Reserve, Kangaroo Valley

West Moss Vale Road Reserve is close to Kangaroo Valley village and is in a convenient position for Men’s Shed participants. It is a Council-owned site of approximately 14,820m².

The site is situated on the western side of Moss Vale Road, two properties south of the petrol station at 32 Moss Vale Road. The site is 1.3km north-west of Kangaroo Valley village centre, with an estimated time to walk to the village centre of 15 to 20 minutes. Initial investigations have shown that the land is classified as **Community Land / Park**. The proposed land use (a Men’s Shed, ‘community facility’) may be permissible subject to development consent and is considered worthy of further investigation.

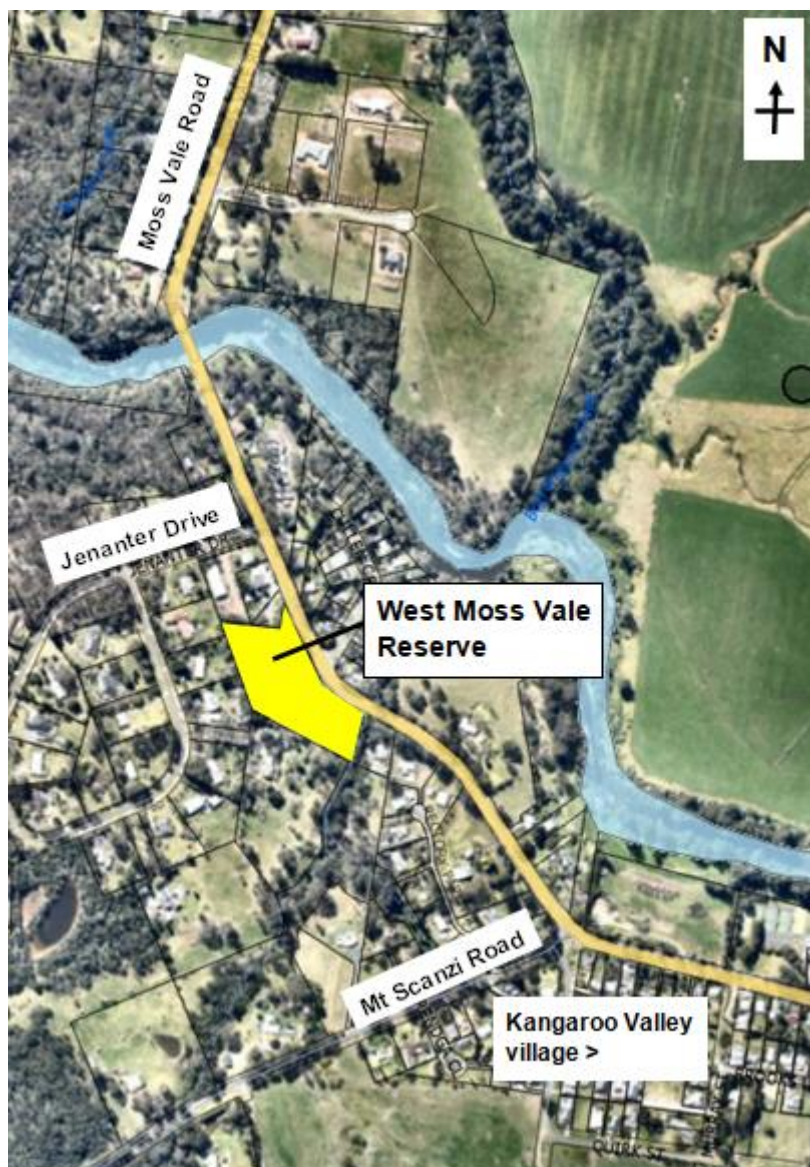


Figure 1: Location of Lot 7 DP 264336 (West Moss Vale Road Reserve) within Kangaroo Valley

Opportunities: Being on Moss Vale Road, the site can be conveniently accessed by regular users, incidental users, and passers-by can find the site easily. The site is of generous size, allowing for flexibility in relation to placement of building envelope, building design and configuration of car parking facilities.

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The site is able to be connected to services. Some sections of the existing park do include cleared land with paths, so there is potential for a building footprint which has minimal impact on existing tree cover and bushland habitat.

Constraints: The site is flood and bushfire prone land and contains threatened flora and fauna. There are no current entitlements to sewer or water however services are available nearby. There are electricity poles and wires currently in place along Moss Vale Road, however, the site itself currently has no electricity provision.

The site is subject to a Parkcare agreement.

On-street parking amenity and safety is to be further investigated as the site is on a curve in the road. The road shoulder on Moss Vale Road is of variable width near the site, with some narrow sections and some areas with enough space for kerbside parking. Dense vegetation grows along the property edge, which would require clearing in order to create pedestrian access.

Permissibility: The site is zoned RE1 Public Recreation under SLEP14. As a result, a 'community facility' is permitted with consent (requiring a development application). The site is categorised as Community Land / Park under the Local Government Act. As a result, a 'community facility' is permitted subject to development consent.

Landscape characteristics: The reserve has a core of dense bushland and tree cover, sloping downhill from north to south (ref. **Images 1-4**). A mown grass path traverses the circumference of the space, and there is a wider mown clearing at the northern end of the park. A smaller clearing in the centre contains trees and shrubs. A variety of birds and frogs are noted to be present on-site.

The reserve is accessible from Moss Vale Road via one mown access path across from the intersection with Cullen Crescent. A strip of dense bushland protects the reserve from passing traffic on Moss Vale Road. The best potential site for a Men's Shed is at the northern end, which has the highest ground, and a cleared, flat area of approximately 2,100m². This end of the property also has a possible location for a driveway onto Moss Vale Road.

There is space for kerbside parking, however, as the reserve is adjacent to a bend and dip in the road, sight distances will need to be further considered.

The mown path passes within sight of neighbouring properties to the south, west and north. Some properties have a basic wire fence, three properties have no fence to the reserve, and one has an aluminium fence.

The property has a total of six neighbouring privately owned residential and/ or semi-rural properties to the north, west and south, with Moss Vale Road covering the eastern property border. Neighbouring buildings in most cases are well away from the common property boundary. Four private residential properties overlook the subject site from across Moss Vale Road.

Further information about the subject site is presented below, in **Figure 2** and **Image 1** through **4**.



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Figure 2: Map of Lot 7 DP 264336 (West Moss Vale Reserve) and neighbouring properties



Image 1: Path towards the south



Image 2: Path towards the southwest



Image 3: Northwest site corner view



Image 4: View of cleared area

Precedent Research

There are currently 14 Men’s Sheds in Shoalhaven. Further details about these facilities, including funding and operating arrangements, is listed below in **Table 1**.

Table 2 provides an overview of Men’s Sheds in neighbouring municipalities, including a breakdown of facilities by population.

Table 1 – Overview of Men’s Shed Facilities in the Shoalhaven.

	Men's Shed Title	Leased from Council	Funding of infrastructure	Source
1	Nowra Men's Shed	Yes	Nowra Men's Shed leases the Caretakers Cottage at Nowra Showground. Grants have been secured and fundraising undertaken to complete small building upgrades such as building a dust extractor shed and a retaining wall.	Council records
2	Veterans & Community Men's Shed (West Nowra)	No	Operates independently.	Men's Shed Australia
3	Berry Men's Shed	No	The Berry Men's Shed operates from a purpose-built facility hosted by Berry Uniting Church.	Council records
4	Shoalhaven Heads Men's Shed	Yes	Shoalhaven Heads Men's Shed leases an existing Council building. They secured grants for building upgrades: Insulation, air-conditioning, lights, concrete floor, installing a shipping container for storage. Council paid for sewage connection.	Council records
5	Culburra Beach & Districts Men's Shed	Yes	The Culburra Beach & District Men's Shed is in Culburra Community Centre precinct. Culburra Beach Progress Association raised \$160,000 to build a Shed on Council land.	Council records
6	Culburra Beach Orient Point Men's Shed	Yes	Culburra Beach Orient Point Men's Shed leases an existing building, a former Scout Hall, from Council. They have used grants and fundraising towards upgrades such as solar panels, lighting and two shipping containers for storage.	Council records

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7	Sussex Inlet Men's Shed	Yes	Sussex Inlet Men's Shed leases an existing building on Crown Land, managed by Council. Modifications were funded by private sponsors, including an extension, a new concrete floor, new roof, hothouse, shade house, fence and retaining walls.	Council records
8	Sanctuary Point Men's Shed	Yes	Council granted use of Community Land to build and operate a Men's Shed. It is a specifically constructed building, community funded, which took 6 years to complete.	Council records
9	Greenwell Point Men's Shed	Yes	Council granted use of Community Land to build and operate a Men's Shed. It is a specifically constructed building, community funded, and has recently requested approval for solar panels to be installed.	Council records
10	Murramarang Men's Shed	Yes	Council granted use of Community Land to build and operate a Men's Shed. It is a specifically constructed building.	Council records
11	Jervis Bay Men's Shed	No	Operates independently.	Men's Shed Australia
12	Ulladulla Men's Shed	No	Operates independently.	Men's Shed Australia
13	Milton Ulladulla Men's Shed	Yes	Council granted use of Community Land to build and operate a Men's Shed. It is a specifically constructed building. It has been constructed by the Men's Shed on former Ulladulla Sewage Treatment Works site.	Council records
14	Bay & Basin Men's Shed	No	Operates independently.	Men's Shed Australia

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Table 2 – Overview of Men's Shed Facilities in Neighbouring Municipalities

Local Government Area	Population	Number of Men's Sheds	1x Men's Shed / people
Shoalhaven LGA	109,611	14	7,800
Eurobodalla LGA	40,755	6	6,800
Bega Valley LGA	35,988	10	3,600
Kiama LGA	21, 464	2	10,700
Shellharbour LGA	78,332	2	39,200
Average (all LGAs)	57,230	7	8,200

Internal Consultation

The Men's Shed site assessment is being led by City Lifestyles directorate, with staff from the Open Space and Recreation Planning team. Stakeholders include:

- The Asset Custodian, Northern District Engineer.
- Environmental Services.

Internal consultation conducted in relation to the proposed use of West Moss Vale Reserve as a site for a Men's Shed should give consideration to the following:

- Community-driven initiatives should be considered a primary factor in decision-making.
- A Men's Shed meets community wellbeing criteria.

Any further work undertaken by Council staff in relation to the Men's Shed proposal will be undertaken in consultation with the stakeholders listed above.

External Consultation

It is proposed that Council direct the CEO (Director – City Lifestyles) to undertake consultation regarding the development of a purpose-built Men's Shed facility within West Moss Vale Road Reserve. Stakeholders to be consulted include:

- Directly affected residents.
- Men's Shed representatives.
- Kangaroo Valley Forum, Council's CCB in Kangaroo Valley.
- Other local community organisations.

A survey will be opened to seek local opinion in relation to:

1. Use of Lot 7 DP 264336 (West Moss Vale Road Reserve) for a purpose-built Men's Shed facility.
2. Support for adding an additional room(s) to improve functionality of any proposed building as a multi-use facility, and to find out how a Men's Shed will help residents of Kangaroo Valley, and users of the Men's Shed facilities, feel more connected.

A Get Involved page will be created to launch the survey, to be published during February 2024.

Next Steps

Subject to the adoption of the proposed recommendations, Council staff will engage directly with the Men's Shed representatives to further investigate the proposed site and conduct a community engagement activity in Kangaroo Valley. A further report will come to Council to present the results of this engagement activity and to seek endorsement for any further work proposed in relation to the KVMS's request.

Council staff or KVMS would then be best placed to apply for grant opportunities to fund the proposed project. The KVMS would then be able to initiate a DA process.

Strategic Alignment

Community Strategic Plan

The *Shoalhaven 2023 Community Strategic Plan* identifies 11 key priorities, categorised into four themes:

1. *Resilient, Safe, Accessible & Inclusive Communities.*

2. *Sustainable, Liveable Environments.*
3. *Thriving local economies that meet community needs.*
4. *Effective, Responsible & Authentic Leadership.*

The KVMS proposal aligns with the following Key Priorities:

- 1.1: *Support inclusive, safe and connected communities.*
- 1.2: *Preserve, support and develop cultural and creative vitality across our communities.*
- 1.3: *Support community wellbeing through fostering active and healthy communities.*
- 4.3: *Inform and engage with the community about the decisions that affect their lives.*

Community Wellbeing Strategy

Shoalhaven City Council's *Community Wellbeing Strategy* cites foundational values which are relevant to this project:

- *Foundation 1: Vibrant communities where everyone can participate and connect.*
- *Foundation 2: Lifelong learning and helping each other.*
- *Foundation 3: Safe and prepared communities.*

The *Community Wellbeing Strategy* further recognises:

Participation in local activities is vital for forming social connections that develop a sense of belonging and connection to the community... This contributes to a vibrant community life that supports individual wellbeing and resilience... For the community to come together, they need inclusive community gathering spaces... Contemporary practice for community facilities is moving towards providing spaces that can support a range of community uses.

(p. 22, *Community Wellbeing Strategy*)

People are more likely to use public spaces they feel safe in, and more likely to linger and spend time there.

(p. 50, *Community Wellbeing Strategy*)

Disability Inclusion Action Plan

Shoalhaven City Council's *Disability Inclusion Action Plan 2022-2026* cites two goals which are relevant to this project:

1. *Create positive attitudes and behaviours within community.*
2. *Create accessible and liveable communities.*

The KVMS's proposal to establish a purpose-built Men's Shed facility in Kangaroo Valley aligns with Council's *Community Strategic Plan*, *Community Wellbeing Strategy* and *Disability Inclusion Action Plan*.

Financial Implications

Finance and Asset Depreciation

The KVMS's request (project) currently not identified in Council's *Delivery Program Operation Plan & Budget 2023 / 24* and subsequently has no funding allocated for design or construction.

Sufficient funding will need to be identified, either through future capital works budgets and / or via external funding bodies, to fund:

- Design and delivery (construction).
- Asset maintenance.

- Depreciation.

This project would need to be subject to future grant funding applications (submitted by the Men's Shed representatives and / or by Council staff) to progress the project in the 2023 / 24 financial year and any subsequent year where there is no commitment made by Council in the *Delivery Program Operation Plan & Budget*.

The desk top investigation works, time for site visits and liaison with KVMS to date has been funded through the Recreation Projects, Planning and Delivery staffing budget. Should Council have an appetite to progress this, the scope of work to be undertaken would need to be defined and funding identified and allocated to enable further works to progress.

Risk Implications

Financial Risk: This proposal is currently unfunded for any aspect of the work that is required. There is a risk that expectations in the community may be raised beyond Council's reasonable ability to support the initiative. As the Men's Shed has specific requirements, such as the permanent installation of power tools and the need to secure access to these tools to suitably trained persons, it may be challenging to offer multi-purpose community access to a Men's Shed property.

Reputational Risk: Failure to act on community support for the proposal may result in a lack of confidence in Council processes within the Kangaroo Valley community and a loss of community trust in Council's capacity to deliver.

Reputational Risk: In the case that the proposed site is endorsed without undertaking community engagement, the views of Kangaroo Valley residents regarding the proposal will remain unknown, resulting in a possible disconnect between Council actions and community sentiment.

Viability Risk: It is possible that directly affected residents may not be prepared to support the proposal and may raise concerns.

CL23.465 Archer Memorial Statue - Way Forward

HPERM Ref: D23/500168

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Letter from Shoalhaven City Turf Club (Paul Weekes & Ian Whitby) dated 01/12/23 [↓](#)

Reason for Report

To seek Council's direction on the way forward for the Archer Memorial Statue following discussions between Council and the Shoalhaven City Turf Club.

Recommendation

That Council:

1. Provide In Principle support for the transfer of \$30,355.25 of funds held in Trust by Shoalhaven City Council to the Shoalhaven City Turf Club to be used towards the installation of a Memorial Statue to racehorse Archer:
2. Support the installation of the Archer Memorial Statue in the grounds of the Shoalhaven City Turf Club Grounds.
3. Provide endorsement for the appropriate legal instrument and/or governance arrangement being put in place to give effect to the resolution.

Options

1. Council provide in principle support for the release and transfer of funding to the Shoalhaven City Turf Club to be used towards the installation of the Archer Memorial Statue (recommended).

Implications: The appropriate legal and governance arrangements will be put in place to give effect the release and transfer of funding to the Shoalhaven City Turf Club who will progress the project for an Archer Memorial Statue.

2. Council decline to release and transfer the funds and contact the donors to return monies raised.

Implications: The project will cease and an Archer Memorial Statue will not progress with the funding held in trust by Council being returned to donors.

Background

There has been a long-standing aspiration from some in the community and through the endeavours of the Shoalhaven City Turf Club to erect a statue to commemorate and celebrate the life of the racehorse Archer (1856 – 1872). Archer won the first and second Melbourne Cups in 1861 and 1862. His trainer was Etienne de Mestre, and John Cutts was his jockey on both of these winning occasions. Archer was trained by Etienne de Mestre on his farm at Terara, east of Nowra.

Council staff have been liaising with the Shoalhaven City Turf Club (the Turf Club) and following recent discussions the Turf Club have written to Council to confirm their commitment to progressing this project and indicated their intent to install the statue within

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the Turf Club's grounds. This land is under the care, control and management of Council, currently managed through a lease to the Turf Club.

Some years ago funds were collected towards this project and have been held in trust by Council. The funds held in trust amount to \$30,355.25 (the trust funds).

In-principle agreement is sought from Council to endorse the release of the trust funds to the Turf Club with the appropriate legal and governance requirements in place. The Turf Club will take then take carriage of the delivery of this project. This would be a good step forward to see this aspiration for a memorial statue of Archer to progress.

A copy of the correspondence from the Turf Club is at Attachment 1.

Internal Consultations

The Finance Team have confirmed the funds held in trust by Council and advice has been sought from previous staff who have knowledge about this project.

External Consultations

Staff have liaised with representatives from the Turf Club and received written advice following the most recent meeting of the Turf Club Committee.

Financial Implications

The funds held by Council in trust will be released and transferred to the Turf Club through an appropriate legal and governance arrangement. There is no further expectation of funding being provide by Council towards the erection of the Memorial Statue.

Risk Implications

Should the funds not be released and transferred to the Turf Club there is a risk that the project will not proceed, funding may need to be returned to the donors and the aspirations and expectations of the community not realised.

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1st December 2023

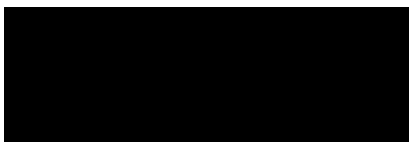
Bridget Macleod
Director, Shoalhaven Regional Gallery
c/- Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Dear Bridget,

Re: Archer Memorial Statue

I refer to your letter of 27th November 2023 and various other correspondence in relation to the above matter and response as follows:

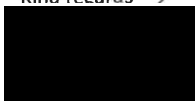
1. The Shoalhaven City Turf Club is committed to the Archer memorial Statue project. As you are aware fundraising efforts have been ongoing. We now believe that there is sufficient funds (comprising what SCC currently holds plus pledges made) to complete the project.
2. Noting the above response, we believe that there are now sufficient funds to proceed with the project, albeit on a somewhat smaller scale than was initially envisage.
3. The Shoalhaven City Turf Club is committed t installing the statue within our grounds.
4. Yes – the Shoalhaven City Turf Club does have the capacity and wherewithal to cover project management including commissioning and installation of the statue. This will be undertaken jointly between myself and SCTC Board member, Ian Whitby (who has long been a driving force to get this done).
5. Yes- the Shoalhaven City Turf Club is amenable to taking responsibility for the funds currently raised and for following up and collecting funds from pledges. In this regard as a matter of priority can you please forward to us all funds currently held by SCC (which I understand is approximate \$30K). Please note our bank account details as follows:



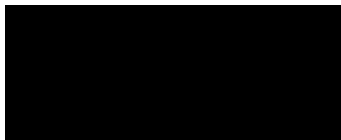
In addition, it is understood that SCC is also currently in possession of approx. 12 maquettes. Board member Ian Whitby would like to collect these and we would be grateful if you could confirm a date and time for collection.

The Shoalhaven City Turf Club is excited to be able to bring about the finalisation of this project and we believe that once completed the Archer Memorial Statue will be of great benefit not only to our Club but to the wider local community.

Kind regards



Paul Weekes
CEO



Ian Whitby
SCTC Board Member

CL23.466 Exemption from Tendering - Management of Biosolids Land Application

HPERM Ref: D23/480400

Department: Water Operations & Maintenance

Approver: Matthew Kidd, Acting Executive Manager - Shoalhaven Water

Attachments: 1. MIN23.503C - CCL23.26 - Tenders – Management of Biosolids Land Application - Loop Organics Pty Ltd [↓](#)

Reason for Report

To allow Council to consider an exemption from the Procurement Policy to negotiate directly with an alternative provider following the cancellation of the contract with Loop Organics Pty Ltd for the provision of Biosolids Land Application Management.

Recommendation

That Council,

1. Approves an exemption from tendering in accordance with Section 55(3)(i) of the Local Government Act 1993, to identify and negotiate directly with an alternative provider to establish an arrangement for the beneficial reuse of biosolids.

The following extenuating circumstances have contributed to this situation:

- a. Following the recent tender process and subsequent awarding of the tender to Loop Organics Pty Ltd, the services are unable to be provided in accordance with the contract specifications and the contract has been withdrawn.
 - b. Uncertainty surrounding the review of the NSW Biosolids Guidelines with regard to allowable contaminant levels in biosolids, has at present, effectively ruled out the reuse of the material in local agriculture. Material is currently being sent to landfill.
2. Authorises the CEO (Executive Manager, Shoalhaven Water) to approve purchase orders for the appropriate suppliers for the transport and spreading of biosolids.

Options

1. Resolve to adopt the recommendation.

Implications: Market research has indicated that there is currently a viable option for the reuse of biosolid material in the forestry sector that is not only more sustainable but more cost-effective than sending the material to landfill.

2. Council chooses not to accept the recommendation and resolves to undertake a full open tender process.

Implications: Ongoing disposal to the local landfill at a significant cost to Council and decreasing the site life. A full open tender process was recently completed with only a single respondent. With the current uncertainty and limitations, it is unlikely that another tender would attract further interest.

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Background

Shoalhaven Water produces over 8,000 wet tonnes per year of biosolids as a by-product of the sewage treatment process. Historically, this material has been applied to dairy farms in the region as it is nutrient rich and found to enhance soil properties. However, ongoing investigations into the presence of potentially harmful trace chemicals that accumulate in sewage sludge have prompted the NSW EPA to review regulations around biosolids application to land. While these reviews are still in the consultation phase, the adoption of stricter contaminant level limitations is a likely outcome, particularly where there is a high risk to human health as is expected through dairy farming. Consequently, Loop Organics has paused biosolid spreading operations to allow time to understand the legal ramifications of tightening regulations.

Management of biosolids is a significant cost to Council, as indicated by the value of the contract in question. Given that biosolids are produced on a continual basis, any extended delays in the removal of the material can have major ramifications on viability of the sewage treatment process. As a stop-gap measure, disposal to the local landfill site has commenced allowing short-term relief. However, this option is extremely costly and detrimental to the landfill life. Consequently, alternate end-users of biosolids outside the region have been contacted with an offer being made by Bettergrow (Borg) for the application of the material to forestry. Despite being based in the Bathurst & Oberon regional area, this option offers a cost saving of over \$1M to Council compared with landfill disposal notwithstanding operational, environmental & social benefits.

Overall, biosolids management across NSW is in a state of disarray in light of the NSW EPA review. Uncertainty around trace and emerging contaminants is discouraging the application of the material particularly to dairy farms which has a direct impact on the sewage treatment in the Shoalhaven region. Moving into the future, alternatives such as a change to the sludge handling process (incineration, drying etc.) are being considered. However, this would require significant investment and is unviable in the short-term. It is clear that the exigent sludge accumulation on treatment plant hardstands necessitates immediate action. While not ideal, engaging Bettergrow to collect Shoalhaven biosolids addresses the situation at hand with the added benefits of diverting material away from landfill.

Policy Implications

Requires an exemption from Council's Procurement Policy as allowed under the Procedure (Sec.5.6) and in accordance with s55(3) of the Local Government Act 1993.

Financial Implications

Funding has been allocated in the Operating Budgets for each of the Wastewater Treatment Plants for the current, and future years to cover the removal and disposal of biosolids material which is estimated to be ~\$2,640,000 per annum. With the failure of the proposed contract, biosolids are currently being taken to landfill at a cost of \$469.00 per tonne (\$3,752,000 per annum). Approval to directly negotiate with Bettergrow will provide a saving to Council of ~\$1.1M.

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ORDINARY MEETING

11/09/2023

RESOLVED

MIN23.503C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from Loop Organics Pty Ltd for Management of Biosolids Land Application for a total cost of \$1,062,673.95 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with *Local Government (General) Regulation 2021 (section 165)* by the CEO (Executive Manager, Shoalhaven Water).

CARRIED

CL23.466 - Attachment 1

CL23.467 Joint National Coast to Coast and NSW Coastal Conference 2023

HPERM Ref: D23/493916

Submitted by: Clr Patricia White
Clr John Wells

Attachments: 1. Joint National Coast to Coast and NSW Coastal Conference 2023 Report [↓](#)

Reason for Report

To provide a report (Attachment 1) from Clr Patricia White and Clr John Wells on the Joint National Coast to Coast and NSW Coastal Conference 2023 held in Newcastle NSW on 30 October – 3 November 2023 in accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provision of Facilities Policy.

Recommendation

That Council

1. Receive the report from Clr Patricia White and Clr John Wells on the Joint National Coast to Coast and NSW Coastal Conference 2023 for information.
2. Receive a further report when the Conference presentations are available as these were very valuable and informative.

Options

1. Receive the report for information.
2. Request further information on the conference.

CL23.467

Conference Report

The National Coast to Coast and the NSW Coastal Conference was held in Newcastle from the 30th of October to the 3rd of November 2023. The Conference Committee developed a comprehensive program covering a number of current issues regarding coastal management. There was over 100 interactive sessions, keynote speakers, poster competitions and field day tours. These included excellent presentations from Shoalhaven City Council Staff.

Over 80% of Australia’s population is living within 50kms of the Coastline. There is intense usage of and pressure on the coastal zone environments. Coastal communities are acutely aware of the changes happening around them and want to be part of the solution. Meeting people on their level, in their own backyards, helps to build community support for action.

Whilst the many technical sessions were delivered with great professionalism and insight into coastal processes, perhaps a more important perspective on the conference for Council’s and councillors is the emerging developments in the Coastal Management Planning space from a policy and implementation perspective.

It became evident from a range of sessions that the number of Coastal Management Plans (CMP’s) that need to be developed to address the whole NSW coastline will probably exceed 60 plans. Staff advise that for the Shoalhaven alone, with its unique combination of major river estuaries, a huge embayment in the form of Jervis Bay, many lakes some of which are ICOLLS, will probably require a dozen or so Coastal Management Plans.

We learned that some Councils (most notably from a local point of view, Eurobodalla, Wollongong, and Shellharbour) had already completed Coastal Management Plans, had submitted them and had them certified. In fact, nine Councils had completed CMP’s for all or part of their coast, these being (see below also).

Coffs Harbour	Eurobodalla	Ballina
Wollongong	Shellharbour	Mid-Coast
Nambucca	Newcastle	Tweed.

The City of Shoalhaven has reached Stage Four of its CMP for the Open Coast, meaning that it has a draft released for public exhibition and, following final review following the exhibition process, it has a plan that can be forwarded to the Minister for certification and implementation. That is expected in early 2024.

In establishing the CMP process following adoption of the Coastal Management Act, the government provided a sum of \$80 million dollars for CMP planning and implementation. However, the planning process statewide and funds allocated to the ten CMP’s prepared by the Council’s listed above, have already absorbed over \$48 million of available funds. This means that without substantial additional funding

allocations, residual funding at this point in time suggests around \$35 million is available for the fifty or so CMP's which are yet to be completed and certified. There are certain conclusions which may be drawn from this situation which we'll touch upon below, but there is another issue which emerged at conference which is impacting the Coastal planning/management space.

The issue arises from the expiry of the term of office of all the membership of the NSW Coastal Council - This occurred the week before the Conference. The Coastal Council was conceived by the Carr Labor government and has been the pre-eminent policy advisor to a succession of Governments on coastal matters. At this point in time, it no longer exists. Private conversations with a former member of the Coastal council also revealed that the current government had not referred any matters to the Coastal Council for review or advice for over six months.

So, we conclude that a scenario may be emerging that perhaps there's been a realisation at senior government level that the roll-out of the coastal planning framework is producing an enormous body of work the implementation of which could cost multiple times more than had been anticipated and that resourcing CMP implementation going forward could be problematical. The whole program could run into the hundreds, not tens of, millions of dollars.

For those Councils that got -in early, it could be a case of 'the early bird catches the worm'.

This scenario, if correct, does not augur well for Shoalhaven Council or indeed all Councils who over the past three years have been working closely with communities scoping, identifying issues, considering options, developing management and infrastructure plans to protect and preserve a sustainable Coast.

Who'll be to blame if the CMPs are not fully resourced?

Who will be called on to provide the much-needed funding?

The process promised a lot- what will it be able to deliver?

Is more cost shifting heading our way?

We cannot recall any Government announcements regarding additional spend for the coast, though the sheer weight of CMP's which are soon to emerge from coastal Council's, including us, will necessarily require a response from Government. However, given the current economic stringencies facing all levels of Government we would not be surprised if there is a shift to expectations management or timing restraints being placed on the behemoth of a program which managing a dynamic and volatile coastline is.

Link to the Department of Planning Coastal Management Program for updates on CMP's and grants to date: -

<https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/programs/certified-coastal-management-programs>

<https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/programs/coastal-management-program-progress>

A further report will be provided to Councillors when the presentations are made available in the next few weeks, as these were very valuable and informative about the Coastal Management Plans and processes for NSW Coastal Councils.

Clr John Wells

Clr Patricia White

CL23.467 - Attachment 1

CL23.435 Notice of Motion - Proposed Lease - 39a Berry Street Nowra - Shoalhaven U3A

HPERM Ref: D23/473508

Submitted by: Cllr Paul Ell

Note: This item was deferred from the Ordinary Meeting 27 November 2023.

Purpose / Summary

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

Recommendation

That Council:

1. Acknowledges that Shoalhaven U3A, consisting of some 400 members are presently looking for new premises within the Nowra area.
2. Notes that the Shoalhaven District Senior Citizens Association currently occupy premises at 39a Berry St, Nowra but that they will cease their operations at the end of January 2024.
3. Notes that Shoalhaven U3A provide a vital service and substantial support to Shoalhaven seniors.
4. Approves the request for Shoalhaven U3A to take over occupation of the 39a Berry Street, Nowra premises under similar terms and conditions previously offered to the Shoalhaven District Senior Citizens Association.
5. Delegates to the CEO to finalise arrangements required for the lease over 39a Berry St, Nowra to be transferred to Shoalhaven U3A.

Note by the CEO

The Agenda for this Ordinary Meeting includes a confidential report from staff on options for Council to consider in relation to this property.

CL23.435

CL23.468 Notice of Motion - Vincentia High School - Youth Voice Presentation - BMX Pitch and Presentation

HPERM Ref: D23/495573

Submitted by: Cllr Patricia White
Cllr John Kotlash

Purpose / Summary

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

Recommendation

That Council:

1. Organise a briefing/workshop with Students and organizers from Vincentia High School on the Youth Voice presentations.
2. Provide ongoing assistance from Council staff/resources on progressing the BMX pitch presentation on the BMX Track at Basin View for Students to understand Council processes on projects and to improve the infrastructure.
3. Support in principle grant/funding opportunities for the BMX pitch to be realized from external Councils sources.

Background

In late October, Councillors Christian, Kotlash, Boyd and White attended Vincentia High School for the student pitch party, which was the youth voice on several projects across the Shoalhaven and Bay and Basin area.

An important pitch was on Council's BMX Track in Basin View which has also been the subject of recent Notices of Motion this year from the Community.

The students' presentation was excellent, especially from a youth viewpoint and Councillors who attended believe it is important to receive a briefing/workshop and allow students to present their ideas to both Councillors and Staff.

Ongoing support from the Council will allow students to understand the Council processes for community projects and provide excellent educational opportunities for the students.

We seek support from all Councillors for the briefing/workshop to hear from the youth of Bay & Basin.

CL23.468

YOUTH VOICE

YOU'RE INVITED

HEAR ABOUT INSPIRING YOUTH-LED PROJECTS

THE STORY SO FAR ...

THE YOUTH VOICE PROJECT HAS BEEN WORKING WITH STUDENTS FROM VINCENTIA HIGH SCHOOL TO DEVELOP PROJECT IDEAS BASED ON INSIGHTS RESEARCHED FROM THE SCHOOL COMMUNITY.

THIS PROJECT LOOKS AT INNOVATIVE WAYS TO ENGAGE YOUNG PEOPLE IN DECISION-MAKING & SEEKING OPPORTUNITIES TO CO-DESIGN THESE PROJECTS WITH COMMUNITY, SERVICES & ORGANISATIONS.

PITCH PARTY

WE ARE EXCITED TO INVITE YOUR GROUP, SERVICE OR ORGANISATION TO THIS EVENT. TO SHOWCASE THE HARD WORK, INNOVATIVE & CREATIVE IDEAS OF OUR LOCAL YOUNG PEOPLE.

THESE PROJECTS AIM TO ADDRESS REAL-WORLD CHALLENGES FOR YOUNG PEOPLE IN THE BAY AND BASIN & HIGHLIGHT THE PASSION OF THE STUDENTS IN WANTING TO MAKE A DIFFERENCE.

FOR MORE INFORMATION ON THE YOUTH VOICE PROJECT HEAD TO WWW.FIREFLYBAYANDBASIN.COM/PROJECT/YOUTHVOICE

SHARK TANK STYLE





COME ALONG TO LISTEN TO THE STUDENT'S PROJECT PITCHES & POTENTIALLY LEAVE WITH AN OPPORTUNITY TO CO-DESIGN A COMMUNITY PROJECT WITH THESE INSPIRING YOUNG PEOPLE.

2023
OCTOBER

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

19TH OCTOBER
2:30 - 4:00 PM
PERFORMANCE SPACE
VINCENTIA HIGH SCHOOL

ALREADY KNOW YOU CAN ATTEND?
SEND YOUR RSVP TO YOUTHVOICE@FIREFLYBAYANDBASIN.COM

CL23.469 Notice of Motion - Lake Conjola Flooding – November 2023

HPERM Ref: D23/496554

Submitted by: Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council

1. Organise a briefing/workshop, as soon as possible, with CCA and residents of Lake Conjola to understand the effects of the flood on 23 November and impacts on the residents and properties.
2. As a matter of urgency work with
 - a. Member for South Coast Liza Butler MP
 - b. Premier Minns
 - c. NSW Ministers for Local Government, Crown Lands, Environmentwith the view to review the current 5-year Crown Land License to allow for early intervention works when forecasted rain/flood events are predicted, the lake is closed, and trigger levels have not been met.
3. Review any maintenance works from 2020 on the Lake Conjola entrance management and provide a report back to Council on any improvements.
4. Continue to work on the CMP to allow a review of the Entrance Management Plan.

Background

Council is aware of the severe weather that has impacted the Shoalhaven especially Lake Conjola during late November early December, with the heavy rainfall and flash flooding. Heavy rainfall in parts of Lake Conjola has resulted in flood rescues.

The highest rainfall recorded was at Lake Conjola, which residents said rose by more than one metre after 351 millimetres fell between 9am Tuesday and 9am Wednesday. 40 homes at Lake Conjola had been impacted by water inundation.

Melanie Guise CCA Chairperson, advised Conjola Lake was at 0.59 metres when she went to bed and that it had risen to 1.8m when she woke up on Wednesday morning. Residents were alerted to the flood situation at 4am and by 5.15am the water was lapping residents' doorsteps. The rise of the water was very fast.

In October 2021 Council and State Government reviewed the triggers following the 2020 floods and a long period of lake closure and granted a 5-year Licence for interventions outside the Entrance Management Plan. See Link

[Agenda of Ordinary Meeting - 26 October 2021 \(infocouncil.biz\)](https://www.infocouncil.biz/Agenda-of-Ordinary-Meeting-26-October-2021)

[Attachments of Ordinary Meeting - 26 October 2021 \(infocouncil.biz\)](https://www.infocouncil.biz/Attachments-of-Ordinary-Meeting-26-October-2021)

CL23.469

Summary

22 OCT 2021

Subsequent to our Sep 2021 communique, Council has successfully gained a [Licence under the Crown Land Management Act 2016 - Section 2.18](#) for a 5 year period. Importantly, many of the shortcomings of the previous Licence Conditions have been redressed with the following improvements...

1. An expanded area to undertake clearance operations;202110_licence_to_open_entrance_oct_2021.pdf
2. New benchmarks allowing Council to plan openings...
3. After 3 consecutive months of prolonged low-level inundation at or above 0.8m AHD and/or 10 day-mean water level is reached or exceeded and maintained at or above 0.8m AHD for more than 3 consecutive months.
4. In the event of possible flooding due to high lake water levels and heavy rain of more than 150mm in 24 hours, or more than 300mm over 3 days is forecast and likely to impact the Lake Conjola catchment or which has been received in the catchment;
5. When there is evidence of water quality risks and hazards reaching red alert levels per NHMRC 2008 and concurrence from DPI Fisheries and Crown Lands has been received.
6. New trigger levels allowing Council to...
7. *Get Ready* when lake water level reaches 0.7m AHD (was 0.8m AHD)
8. *Prepare Pilot Channel* at 0.8m AHD (was 0.9m AHD)
9. *Planned Opening* at 1.0m AHD (no change)
10. Council are to maintain records of water level and water quality and submit these to Crown Lands, NSW Fisheries and EES Group in line with new benchmarks at 2.

Subject to Council Meeting 26th October 2021, the above will become the adopted standards for the next 5 years, or until such time a new CMP is in place. Live streaming of the Council Meeting is available on the [Shoalhaven Council website](#).

This is the first flood following the changes in 2021 and with the CMP not completed to date, it is timely again to work with the State Government on assisting residents with intervention with the lake when severe weather conditions are forecast, and the lake is closed.

Majority of residents at Lake Conjola are unable to obtain insurance for flooding as it is no longer offered by insurance companies, as properties are uninsurable.

As in 2020/21 we need to work with the residents to ensure the best opportunities in times of natural disasters.

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.