

Ordinary Meeting

Meeting Date: Monday, 24 June, 2024
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.

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<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 - 3 June 2024
 - Extra Ordinary Meeting - 11 June 2024
6. **Declaration of Interests**
7. **Presentation of Petitions**

8. Mayoral Minute

Mayoral Minute

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9. Deputations and Presentations

10. Call Over of the Business Paper

11. A Committee of the Whole (if necessary)

12. Committee Reports

Nil

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Notices of Motion / Questions on Notice

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15. Confidential Reports

Reports

CCL24.19	Tenders - Management & Operation Comerong Island Ferry Service <i>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.</i> <i>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.</i>	
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MM24.19 Mayoral Minute - Margie Sheedy Memorial

HPERM Ref: D24/199479

Recommendation

That Council:

1. Undertake the necessary steps for public consultation to re name the Ulladulla Sea Pool the “Margie Sheedy Sea Pool” in honour of Margie Sheedy.
2. Or if renaming of the pool is not supported by the community, that Council install a suitable memorial in the form of a plaque or a bench seat in honour of Margie at the pool.

Details

Earlier this year I had the pleasure of writing a Mayoral Minute to congratulate Margie on being awarded a Medal of the Order of Australia (OAM) for her outstanding fundraising achievements, dedication, and support for the Shoalhaven community.

Unfortunately, a short time later Margie passed away, and we acknowledged this in a subsequent Mayoral Minute.

Margie was a much loved, vibrant and colourful member of the Milton Ulladulla community, and great friend to many people. She spent her lifetime dedicated to fundraising and bringing a smile and absolute joy to so many.

Margie was a fierce supporter of the Ulladulla Sea Pool and played pivotal role in advocacy when Council once considered closing this asset. Margie would be seen daily at the sea pool and will be fondly remembered by many other swimmers if this was their only point of contact with her.

Margie was always complimentary and appreciative of Council staff, and befriended many of them as she frequented the pool so much, colloquially the pool is known to many locals as Margie’s Sea Pool.

Across the Shoalhaven there are very few recreational assets named after inspirational women, and Marg was definitely one.

In light of this, I feel it appropriate and befitting that Council consider renaming the Ulladulla Sea Pool after Margie Sheedy, a lasting memorial of such a well known and loved local character. Ahead of this minute Margie’s family have been contacted and have given their agreement to the public consultation going forward and understand that the consultation does not mean the pool will automatically be renamed.

MM24.19

MM24.20 Mayoral Minute - Condolence Motion - Franco Palmieri

HPERM Ref: D24/246408

Recommendation

That Council writes to Sue Palmieri expressing condolences with the passing of Franco Palmieri.

Details

Franco Palmieri was a highly respected Shoalhaven resident, an active member the Ulladulla SES and Ulladulla Men's Shed and had an extensive network of friends.

Franco had a long and successful career in the hospitality industry which saw him, and Sue move to Milton where Franco worked at the Mollymook Golf Club for a time and made many friends there.

He became a member of the Ulladulla SES and Milton Ulladulla Men's Shed and was always on-site day or night preparing meals making sure that the SES team were well fed, whether it was for monthly meetings, training sessions, call outs, fires or floods.

Franco was proud of the SES and was proud to wear their uniform, Sue and the family have been presented with Franco's helmet and an Australian Flag and I know the unit will miss him very much.

Members of the Ulladulla Men's Shed will also miss Franco, he was a great friend to many and a great support with many of their IT issues.

Franco was renowned for his hospitality, generosity and kindness, he leaves behind his much-loved wife Sue and their children Sara and Christian, and will be sadly missed by all who knew him.

Farewell to another great community member.

MM24.20

MM24.21 Mayoral Minute - Condolence Motion - Martin Gaffey

HPERM Ref: D24/246930

Recommendation

That Council notes the passing of Martin Gaffey, and writes to the Gaffey family to express Council's sincere condolences.

Details

It is with great sadness that we acknowledge the passing of Martin Gaffey, who passed away on 26 April 2024.

Martin Gaffey, a resident of Erowal Bay, made significant contributions both as a teacher and within the NSW Rural Fire Service (RFS) community. During his teaching tenure at St John's the Evangelist High School in Nowra, Martin positively influenced the lives of students with his dedication and passion for education.

Martin's commitment to community service led him to join the NSW RFS at the Erowal Bay Brigade, where he served as Deputy Captain before being promoted to Senior Deputy Captain. He later transferred to the Crossroads Brigade, renamed Vincentia Brigade, where he became a Life Member due to his outstanding contributions.

Throughout his RFS career, Martin held crucial leadership roles such as Deputy Group Officer and Group Captain for the Group 3 area. He played a pivotal role in the District's Senior Leadership Team, contributing to local strategies and serving on Incident Management Teams. Martin was also involved in the RFS Aviation Branch and volunteered on numerous deployments, demonstrating his unwavering commitment to public safety.

Martin's dedication to training and skills development was evident not only in his firefighting career but also in his role as an educator. His legacy of compassionate service, leadership, and kindness will be remembered by the Shoalhaven community and beyond.

On behalf of the Shoalhaven Community, Councillors, and Staff, we extend our heartfelt condolences to the Gaffey family during this difficult time. Martin's profound impact and lasting contributions will be cherished by all who had the privilege of knowing him.

MM24.21

MM24.22 Mayoral Minute - Condolence Motion - Alan Stephenson OAM

HPERM Ref: D24/247530

Recommendation

That Council notes the passing of Mr Alan Stephenson OAM and expresses our condolences to his wife Michelle and daughter Kim.

Details

Alan Stephenson was best known as Mr Orchid, there was not much Alan didn't know about these often elusive plants with his speciality being Australian natives.

He was awarded an OAM in 2019 for his contributions to the preservation and understanding of Australian orchids and, although not a trained botanist he was highly regarded and the experts often relied on his superior expertise and knowledge.

Alan's life work resulted in the conservation of many areas that would otherwise have been bulldozed and the rare and critically endangered species contained within these areas gone, extinct.

His book *Orchids of the Shoalhaven* is on the book shelves and in the backpack's of many people across the Shoalhaven, Alan took most of the photos in the book himself, and many of these photos also grace the walls of homes in the area.

Alan was recognised by the Australian Orchid Foundation and even has the Nowra found orchid, *Corunastylis stephensonii*, named after him.

Alan was a passionate man, who cared deeply for the environment, he was loved by many for his contributions and will be deeply missed, I was proud to call him a friend.

On behalf of Shoalhaven City Council Councillors and staff, we extend our condolences to Alan's wife Michelle and daughter Kim.

MM24.22

CL24.175 Financial Sustainability Productivity and Efficiency Report

HPERM Ref: D24/238496

Department: Financial Sustainability

Approver: Robyn Stevens, Chief Executive Officer

Reason for Report

The purpose of this report is to inform the Councillors and the community of the productivity and efficiency actions that have been taken to improve Council's financial sustainability from March to May 2024.

Recommendation

That Council:

1. Receive the productivity and efficiency report for the period from March to May 2024.
2. Note the actions taken during the quarter that have supported Council's financial sustainability.
3. Note that the organisation's top priority is to address the current financial sustainability challenges, and there is significant work in progress to realise recurrent savings in the next financial year.
4. Note that future productivity and efficiency reports will align to the Quarterly Budget Review timeline to enable reporting on achievements realised in the quarter.

Options

1. The productivity and efficiency report for the period from March to May 2024 be received for information.

Implications: Nil

2. Further information regarding action taken during the quarter to improve Council's financial sustainability be requested.

Implications: Any changes or additional matters can be added to future reports.

Background

The financial sustainability productivity and efficiency report provides a summary of actions taken to address Council's financial sustainability challenge in the last quarter.

In January 2024, Council resolved under MIN24.44 to apply financial efficiencies and savings in the organisation commencing immediately and ongoing over the next four years. A report is to be provided to the Council every quarter to outline efficiencies and savings, with a savings target of \$5 million per year.

The report also addresses the AEC report recommendation (CL23.420) to report to Council on a quarterly basis the progress in achieving efficiency and implement process to track the achievement of the productivity and efficiencies target.

CL24.175

To review detailed project activity, please refer to the monthly financial sustainability reports that have been presented to Council during the quarter:

- March 2024 (CL24.68)
- April 2024 (CL24.95)
- May 2024 (CL24.117)

Improved financial management – FY2024/25 budget process

A bottom-up budget process was adopted in building the FY2024/25 operational and capital budgets. This approach provides a realistic budget that is reflective of the cost incurred to deliver our current services at the current agreed service level. It also ensures all costs required to meet legislative requirements are adequately budgeted for. This results in a draft 2024/25 operating deficit which is larger than Council's previous budget, however, is in line with the historical actual results achieved by Council.

Council has reduced its reliance on borrowing, with no unrestricted general fund borrowings proposed to be drawn down for works in FY2024/25.

In preparing for the FY2024/25 budget, Council's enterprise Project Management Office (ePMO) ran an improved capital budget process, where all candidate projects were assessed on their readiness and criticality. The proposed total capital works program for FY2024/25 is \$126.9m, which is a \$61.3m reduction from the FY2023/24 capital program (\$188.2m) adopted in June 2023. The capital works program is reflective of Council's delivery capacity, taking into account financial and staffing resources. It is reflective of previous years capital spend and provides the community with a realistic expectation as to what capital projects will be delivered in FY2024/25.

CL24.175

Reducing costs – pausing capital projects

13 significant projects were paused during the quarter. The estimated total project cost to deliver the 13 capital projects was \$105 million. The majority of the projects did not have a funding source identified for the full cost of the project (unfunded totalled \$65 million across the 13 projects).

Pausing projects resulted in previously accepted grant monies being returned to their respective funding bodies, as well as a reduction in Council's budget FY2023/24 loan borrowings of \$2.5m, and further reductions in anticipated future year borrowings.

Reducing costs – staffing

Council resolved under MIN24.44 to consider placing a staffing freeze on all recruitment positions except where the Executive Management Team (EMT) determines whether the position is required or to be filled by internal recruitment to provide a career path for existing staff.

A process was established under the financial sustainability project, where the EMT review each vacancy and any new positions to determine if and when they're required to fulfill operational, regulatory or required service level.

As a result of this process, there is a notable decrease in the number of roles being advertised (1 Feb to 28 May 2023: 105 vacancies advertised, 1 Feb to 28 May 2024: 69 vacancies advertised). This represents a 34% reduction in recruitment in 2024 compared with the same period last year. EMT have declined or placed on hold 46 recruitments during this period, resulting in reduced staff costs.

In consultation with Councillors, the CEO has commenced a review of staff costs to identify opportunities for efficiencies. The outcome of the review will be shared in a future quarterly report.

Reducing costs – increased cost controls

Under the financial sustainability project, increased cost control has been established to improve the financial position of Council. Since March 2024, all Managers were asked to do the following to contain costs within the FY2023/24 financial year, including:

- No new tenders
- No discretionary spending
- No consultants or contractors unless approved by Director
- No overtime or leave in lieu unless necessary (such as emergency response)
- Work with teams to reduce leave balances
- Manage budgets closely with no over-spends

Forecasting FY2024 year end results, the General Fund operating expenses are on track to be 0.46% below the adopted budget (\$232M actuals vs. \$233M budget, favourable). This is due to reduced spending on materials and services.

Reducing costs – other efficiency ideas

Throughout May, all department managers were tasked with identifying cost savings and revenue generating initiatives that will contribute to the savings target. As part of this ideas generation, staff submitted 284 ideas for consideration:

- 156 budget reduction ideas
- 85 revenue generation ideas
- 43 general business improvement ideas (may lead to efficiencies but no direct financial benefit identified)

These ideas have been triaged, and classified as:

- 119 progress immediately
- 114 business case or workplace change impact assessment needed
- 51 future considerations

As efficiency ideas are implemented, they will be reported in this report and adjustment made to Council's budget through the quarterly budget review process.

Reducing debt – land sales

Under Council's financial sustainability project, a review was undertaken of Council-owned property that could be sold to assist with the financial situation. As a result, investigations have been done across Council's land portfolio to identify land for immediate sale and those to be further investigated for potential sale or maintained for future strategic land use. Multiple sites that are operational and community land require further investigation, rezoning and reclassification.

The properties subject to the investigation are included on Council website under "Property Sales Program".

On 8 April 2024 Council resolved to sell nine properties of land immediately and proceed with the investigation of another 15 properties that could include rezoning or reclassification to enable their sale to assist with the current financial situation. All properties identified for potential sale are to be investigated for underuse or being surplus to the needs of the Council and community.

Land valuations will be done by professional Property Valuers and property sales will be managed by independent real estate agents who will engage in a competitive sales campaign to ensure the best sale price. Council has conservatively estimated the land sales proceeds to be \$15M, and this has been accounted for in the draft FY2024/25 budget. Council has budgeted to use these proceeds as follows:

- \$5.375M to fund capital works
- \$9.625M to repay existing debt

This strategy is discussed in CL24.118 Draft Delivery Program Operational Plan and Budget 2024-25 - Public Exhibition which was presented to, and endorsed by, Council on 6 May 2024.

\$7.2 million in revenue from land sales is expected to be received in June 2024, and this will be formally reported in the next quarterly productivity and efficiency report.

Financial Implications

Overview of reporting process

This report will track progress against the \$5 million per annum savings target, by recording the financial sustainability initiatives that have resulted in a reduction in Council’s operational expenditure or an increase in Council’s revenue. Savings realised will be tracked separately for recurring savings/income and one-off savings, as the one-off savings do not count towards the savings target.

Recurrent savings

Recurring savings will permanently reduce Council’s operating budget by the amount of savings found and will reduce Council’s structural deficit. New or increased income streams will increase Council’s total revenue expectation in the budget.

As operational savings are identified through the Financial Sustainability Review project, and these savings are resolved by Council and ready for implementation, the operating budget will be revised at each Quarterly Budget Review (QBR) process with the savings being quarantined with the expectation they are used to rebuild Council’s unrestricted cash position, assist in funding future capital works, or assist with the repayment of Council borrowings.

The recurrent savings performance will be reported as per the following example:

Initiative	Saving/Income	Reported	Amount
e.g.1 Reduced opening hours at a facility	Saving	FY25 QBR1	-\$40,000
e.g.2 A new fee for a service previously not charged	Income	FY25 QBR1	+\$25,000
Recurrent productivity and efficiency TOTAL			\$65,000

The recurrent savings report will be cumulative, with the newly realised efficiencies added each quarter.

One-off savings

One-off savings are identified efficiencies that can only be saved in the current year but will need funding for future years. One-off savings help to improve Council’s cash position by not spending the budget in the current year, however it doesn’t help to fix Council’s structural deficit.

CL24.175

The one-off savings will be reported as per the following example:

Initiative	Saving/Income	Realised	Amount
e.g.1 Land sales realised (MIN24.179)	Income	June FY24	+\$15,000,000
e.g.2 Reduced community donations FY25 only (MIN24.150)	Saving	FY25 QBR1	-\$20,000
One-off productivity and efficiency TOTAL			\$15,020,000

March 2024 – May 2024 report

Recurrent saving realised:

Many initiatives are underway that will realise recurrent savings in the next 12 months, however no recurring savings have been found in the current quarter March – May 2024. It is expected that the next quarterly report will report on savings that will be realised in the first quarterly budget review for financial year 2024-25. This report will be for the period June – August 2024, and will be reported to Council in November 2024 (after election caretaker period and in line with QBR1 reporting).

One-off savings:

Initiative	Saving/Income	Realised	Amount
Pause capital projects	Saving	FY24 QBR3	-\$90,000,000 (total project cost excluding grant funding)
Reduced department spending (no discretionary spending, holding vacancies)	Saving	FY24 QBR3	-\$1,700,000
One-off productivity and efficiency TOTAL			\$91,700,000

CL24.175

CL24.176 Shoalhaven Australia Day Awards Program - Moving Forward

HPERM Ref: D24/196524

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

Attachments: 1. Australia Day Awards 2024 - Nominations Form [↓](#)
2. Australia Day Awards - Guidelines and Criteria [↓](#)
3. Draft - Online Nomination Form [↓](#)

Reason for Report

For Council to provide direction on any changes to the Shoalhaven Australia Day Awards program following the briefing of Councillors held on 2 May 2024.

Recommendation

That Council provides direction on how to proceed with the future Shoalhaven Australia Day Awards and advise of any changes they wish to make to the Awards program.

Options

1. Adjust the Shoalhaven Australia Day Awards program for 2025 and future Award arrangements as the Council considers appropriate.

Implications: Council will need to provide direction within the resolution of any changes / amendments to be made. Corresponding amendments will be made to the Australia Day Awards – Guidelines and Criteria. Councillors indicated at the briefing in May that they would propose relevant changes when considering this report.

The following are possible aspects of the Awards program Council may wish to consider making to changes to:

- Award categories
- Name and date of the Awards
- The nomination form
- The Judging Panel
- Communications strategy

2. Continue with the Australia Day Awards in its current format for 2025 and the Australia Day Awards – Guidelines and Criteria be endorsed without amendment (**Attachment 3**).

Implications: Council will commence the application process and promote the Awards as done the previous year.

Background

On 2 May 2024 Council received a briefing in response to the below resolution (*MIN23.437*):

“That Council proceed with the 2024 Australia Day Awards as per the status quo with adjustments to the award categories to be determined at a future Councillor Briefing for the 2025 Australia Day Awards.”

This resolution related to the report to Council on 14 August 2023 ([Agenda - 14 August 2023](#)), which sought Council's direction on the future of the Shoalhaven Australia day Awards and any changes to the program.

At the briefing, Councillors were provided with information regarding the current Awards program, the outcomes of the 2024 Awards, feedback from other Councils on their Awards programs and potential ways forward. The following are the key aspects of the Awards program:

Awards Categories

In the 2019 Australia Day Awards the number of Award categories increased to 8, these categories included:

1. Citizen (25 and over)
2. Young Citizen (24 and under)
3. Sports Person (19 and over)
4. Junior Sports Person (18 and under)
5. Outstanding Contribution to Environment Award
6. Outstanding Contribution to an Inclusive Shoalhaven Award
7. Outstanding Contribution to Arts & Culture Award
8. Outstanding Emerging Artist

In 2018 only the first 6 of those categories were used and in 2017 only the first 4. The increase of categories was the result of an approach to combine separate award ceremonies and categories to achieve greater interest. Though the intention was to achieve greater interest, as the previous report and the Councillor briefing outlined, the number of nominations in general has decreased over recent years, as the following 7 year trend reflects:

- 2018 – 38 nominations
- 2019 – 37 nominations
- 2020 – 23 nominations
- 2021 – 17 nominations
- 2022 – 20 nominations
- 2023 – 28 nominations
- 2024 – 28 nominations

In addition to decreasing nominations, it should be noted by Councillors that some of the categories listed above have received little to no nominations over the past couple of years.

The following is a list of nominations for each category from 2018:

Category	2024	2023	2022	2021	2020	2019	2018
Citizen Award	9	12	2	6	6	11	17
Young Citizen	5	2	0	3	2	4	2
Outstanding Contribution to an Inclusive Shoalhaven Award	5	11	2	3	3	8	5
Outstanding Contribution to Environment Award	4	1	5	1	1	2	6
Outstanding Emerging Artist Award	0	1	3	0	1	2	N/A
Outstanding Contribution to Arts & Culture Award	2	2	1	2	3	10	N/A
Sports Person Award	2	0	2	0	0	1	3
Junior Sports Person	1	3	5	0	7	4	5

CL24.176

It is worth noting that in 2024, an incentive was provided to nominators to go in a draw to win a Holiday Haven gift Voucher valued at \$500 in order to increase nominations. Additional funds were spent to increase awareness in 2024 however, the numbers declined or remained the same for many categories.

Reducing the number of categories may increase the prestige of the Awards and make the criteria simpler for those nominating. Council could, for example, reduce the categories to the following five:

1. Citizen
2. Young Citizen
3. Sports Person
4. Outstanding Contribution to Environment Award
5. Outstanding Contribution to Arts & Culture Award

This option is also reflected by other NSW Councils, which have a lower number of categories:

Kiama (4 Categories): Citizen Award, Young Citizen (24 years or under), Senior Citizen (65 years or over), Community Group of the Year

Bega (3 Categories): Citizen Award, Young Citizen (24 years or under), Senior Citizen (65 years or over)

Newcastle (5 Categories): Citizen of the Year, Young Citizen (30 years or under), Senior Citizen (60 years or over), Community Group of the Year, Freeman of the City

Name & Date of Awards

The name and date of the Awards was another aspect of the program discussed with Councillors at the briefing on 2 May. Councillors were advised that in September 2023, neighbouring Council, Kiama decided to present the Awards in August as part of Local

Government Week and rename the program *Kiama Local Government Awards*. We are advised that rationale behind this decision is as follows:

“The suggestion to forgo the Australia Day Awards in 2024 and have Kiama Local Government Awards at another time is in a desire to foster a more inclusive and diverse celebration of our national identity. We acknowledge that January 26th is a date that has different meanings for different Australians. While it represents the establishment of British settlement in Australia for some, it is also a day of reflection and mourning for others, as it marks the beginning of significant hardships for Indigenous Australians. In response to this diversity of perspectives, it is important to create an inclusive Australia Day celebration that respects and acknowledges the full spectrum of our community's views. Therefore, we have decided to redirect our efforts toward community-led events and a citizenship ceremony to unite our community while fostering a spirit of inclusivity. We (as Council) are the arbiters of the awards, we felt that this valuable recognition would be better placed within Local Government Week, the first week of August.”

An alternative to current award arrangement council includes rebranding to *The Shoalhaven Community Awards* and/or changing the timing of the awards so that they are held:

- During Volunteers week (May)
- Or during Local Government Week (first week in August)
- Continue to be held on a day close to Australia day.

Other NSW Councils that have amended their approach in this way and have advised that this reinvigorated their awards are:

- Byron Bay Shire
- Lake Macquarie Council
- Eurobodalla

Nomination Form

Feedback was received from Councillors that the nomination form could be more accessible and less onerous for members of the community to complete. A copy of the 2024 nomination form can be found at **Attachment 1**. The 2024 Nomination form was reduced from the 2023 Nomination form by:

- Removing the residential address field
- The postal address field was deemed as optional.
- The selection criteria were refined from 13 points down to 7 points.

If Councillors were to make any changes, it should be kept in mind that staff do require certain information to be provided to be able to deem an application eligible as do the Judging Panel to make an informed decision in the Awards process, such as:

- **Contact details of the nominee** – this allows staff to confirm the nominee accepts the nomination and consents to participate in the process (as a number of nominees have declined to accept the nomination) and to enable an invitation to the Awards ceremony to be sent.
- **Contact details of the nominator** – this allows staff to contact the nominator in cases where further/updated information is required or to notify them of a nominee declining to accept the nomination and to enable an invitation to the Awards ceremony to be sent.
- **Detailed nomination outlining the nominee's background, achievements, and contribution to community** – this allows the Judging Panel to make informed decision about the appropriate category and appropriately assess and compare nominations to identify those who have made the most significant impacts to the Shoalhaven.

Staff are currently working on a more accessible form to be provided in an online format and to allow users to save their progress as they go, leave the webpage, and return at a later time before submitting the completed form. This was an issue identified during the last submission process.

An example of the updated form and webpage are at **Attachment 3**. This webpage and online form are designed to minimise the fields required to be completed in the form by providing important information regarding eligibility and the process that will follow, ahead of seeking community members to complete the form.

The current information requested on the drafted form is considered essential to running the program and retaining a sense of prestige for nominations by calling our community to make meaningful nominations.

The Judging Panel

The current format and the role of the Judging Panel can be found in the Australia Day Awards Guidelines and Criteria (**Attachment 2**).

Panel members are appointed and/or reappointed each year in March by the elected Mayor of the Council during that term. The Australia Day Panel must be an odd number and not exceed 9 members.

The Judging Panel for the 2025 Awards is yet to be confirmed, as membership will be considered and confirmed by the newly elected Mayor in October 2024.

Policy Implications

The Australia Day Awards Guidelines and Criteria in their current format are attached to this report (**Attachment 2**). Any amendments that are made will be reflected in the Australia Day Awards Guidelines and Criteria prior to nominations opening.

Community Engagement

The process of promoting the Awards generally commences in September, after the information on the application forms is updated for the upcoming year.

This year's awards were promoted across social media platforms (paid advertising), Council's website, Council's networks (i.e. CCB's, sport groups, art groups and Council Committees), and via printed flyers/posters. It is worth noting that despite choosing not to advertise via newspapers and radio networks, which add a significant cost, we achieved the same number of nominations in 2024 and 2023, and more community engagement on our platforms. The results of the community engagement from the latest 2024 Australia Day Awards are as follows:

- Total Get Involved page visits: 1.21k
- Document downloads: 55
- FAQ visits: 117
- Nominations received through the Get Involved engagement platform: 23

Media contribution

- Social media: 42.9%
- Council newsletter: 19%
- Radio: 14.3%
- Website: 12.8%
- Electronic Direct Mail Marketing :9.5%

All incoming applications are acknowledged on receipt. Upon applications closing, a Judging Panel meeting is arranged for the review of the applications and subsequent determination of the winners.

Trophies, certificates and invitations are arranged for the event in addition to booking a facility and arranging catering. The event is held in January close to Australia Day each year with the location alternating each year between Nowra and Ulladulla.

Financial Implications

The promotion campaign for the 2024 Awards ran from 13September - 24 November 2023. The details and financial cost of the 2024 Awards campaign was as follows:

Platform	Audience	Exposure	Result	Cost*
Council website	Homepage banner Get Involved page	45,000/month 1,200 total visits	23 nominations via Get Involved	Nil
Print	A5 flyers Posters Printed nomination forms	Admin building Ulladulla Service Centre Libraries Indoor Sports Centre	5 nominations via the paper form	\$500
Social media	Facebook (26k followers) Instagram (4.5k followers) LinkedIn Community Facebook	2 paid FB posts 4 x Organic FB & IG posts	180 clicks to the website 25k reach	\$100
Digital	Community newsletter	3,699 subscribers	52.6% open rate 9% click rate 21 clicks on article	Nil
Email	CCBs, sport and art groups, advisory committees	100+	Undefined	Nil
Media release	Media and news outlets in the Shoalhaven	113 subscribers	Undefined	Nil
Internal comms	Staff newsletter (Sep edition)	1,500	Undefined	Nil
			Total cost:	\$600

*Cost does not include staff time

The total cost of the 2024 Awards Ceremony event was:

Item	Cost
Trophies	\$728.00
Venue hire	\$2660.00
Ambassador accommodation & gift	\$257.45
Catering	\$5126.00
Technical support	\$1098.00
Entertainment	\$200.00
Emcee & Elder	\$1505.00
Photographer	\$770.00
Frames, paper etc	\$100.00
Event staff	\$400.00
Total	\$12,844.45

CL24.176

Total spent for the 28 Nominees for the Australia Day Awards 2024 - **\$13,444.45**

It is worth noting that \$2,051.46 was saved on the total cost of the Australia Day 2024 Awards as compared to 2023. These savings were primarily made in the promotions campaign, as can be seen in comparison to last year's report:

The details and financial cost of the 2023 Awards campaign was as follows:

Platform	Audience	Exposure	Result	Cost
Print Media	South Coast Register Milton Ulladulla Times Shoalhaven and Nowra News	3 x 1/4 page adds 70,000+	Undefined	\$1,357.50
Digital marketing	South Coast Register Milton Ulladulla online	14,994 (No. of times add displayed)	7 clicks to the website	
Radio	Power FM, 2ST and 2UUU	50,000+	Undefined	\$5,921
Social media	Facebook Instagram Twitter LinkedIn Community Facebook	4 posts x 50,000+	89 clicks to the website	\$100
Digital	Community newsletter Website	3,560 35,000/ month	3.4% click rate	Nil
Email	CCBs, sport and art groups, advisory committees	100+	Undefined	Nil
Internal comms	Staff newsletter intranet and posters	1,500	Undefined	Nil
			Total cost:	\$7,078.50

CL24.176

The total cost of the 2023 2024 Awards Ceremony event was:

Item	Cost
Trophies	\$610.00
Venue hire	\$500.00
Catering	\$5,117.00
Technical support	\$250.00
Entertainment	\$700.00
Guest Speaker and Elder gifts	\$310.55
Photographer	\$600.00
Frames, paper etc	\$100.65
Event staff	\$231.46
Total	\$8,417.41

Total spent for the 28 Nominees for the Australia Day Awards 2023 - **\$15,495.91**

Shoalhaven
City Council

**SHOALHAVEN
AUSTRALIA DAY
AWARDS**

Celebrating Shoalhaven's Greatest

**SCAN FOR
ONLINE
FORM**

**JANUARY 26 2024
-NOMINATE NOW-**
For more information visit shoalhaven.nsw.gov.au

CL24.176 - Attachment 1



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

2024 Australia Day Awards

City Performance



Australia Day

Reflect. Respect. Celebrate.

As part of the Australia Day Celebrations for 2024, Shoalhaven City Council in conjunction with the Australia Day Council NSW will be presenting eight categories of awards to residents of the Shoalhaven City Area. These awards are about celebrating local people and the different ways they contribute to the community.

Eligibility

Please tick the following before starting your application:

- You are nominating someone other than yourself
- You are nominating an individual – clubs, associations and organisations cannot be nominated
- The person you are nominating is a resident of the Shoalhaven
- The person you are nominating has not received an Australia Day award previously

How to Enter

- Complete the entire nomination form, including providing any information or additional documentation that may support this nomination
- Provide details of two referees
- Provide at least one way to contact the nominee
- Sign the declaration that everything in this form is complete and accurate
- Forward the signed Nomination Form and any attachments to the:

**Governance Unit, Shoalhaven City Council,
PO Box 42, Nowra NSW 2541**

or via email to: council@shoalhaven.nsw.gov.au

Closing Date: Nominations must be received by
5.00 pm on Friday 24 November 2023

1. Your details

Mr Mrs Ms Other _____

First Name _____ Last Name _____

Email _____ Phone _____

Postal Address (optional)

Unit / Street No / PO Box _____

Street Name _____

Suburb / Town / Village / Locality _____

State _____ Postcode _____

2. Your signature

I hereby declare that the information contained in this nomination regarding the Nominee is, to my knowledge, true and accurate. The nominee has the right to access information and subsequent information provided as part of this nomination. Information provided within this nomination may be publicised in the media. The nominee may be called upon to respond to the media.

Signed _____ Date _____



3. How did you hear about the Australia Day Awards?

- Social Media Radio Website Council Newsletter Word of Mouth
 Councillor/s _____ Other (please specify) _____

4. Details of the person you are nominating

Mr Mrs Ms Other _____

First Name _____ Last Name _____

Email _____ Phone _____

Postal Address (optional)
 Unit / Street No / PO Box _____
 Street Name _____
 Suburb / Town / Village / Locality _____
 State _____ Postcode _____
 Age at 26 January 2024 _____
 Relationship with person you are nominating e.g. Business, personal etc _____
 Referees/persons who can verify contributions or service of the nominee:
 Name _____ Phone _____
 Name _____ Phone _____

5. Entry details

Please select the category that you will be nominating in:
If a nomination is better suited to a different category the Panel may reassign to a more suitable category

Citizen (25 Years & Over) **Young Citizen (24 Years & Younger)**

Sports Person (19 Years & Over) **Junior Sports Person (18 Years & Younger)**

Outstanding Contribution to the Environment
Highlights nominees who have made an outstanding contribution to the environment within the Shoalhaven

Outstanding Emerging Artist
Open to artists of any age, practising any art form including writer, visual/digital artist, performer etc

Outstanding Contribution to Arts & Culture
Open to both artists and non-artists contributing to the arts in any capacity

Outstanding Contribution to an Inclusive Shoalhaven
Acknowledges nominees who have made an outstanding contribution to making the Shoalhaven a more inclusive community for people of all abilities, ages and/or cultures

5. Entry details continued

Your nomination form must contain no less than 250 words to be deemed an eligible nomination by the Judging panel. The information provided must also be relevant to an Australia Day Awards nomination category as listed on the form.

Outline the nominee’s background, achievements and contribution to community by addressing the selection criteria:

1. Contribution to the Shoalhaven community and/or economy
2. An inspirational role model for the community
3. Examples of leadership, innovation, or creativity in the region
4. Demonstrated excellence and contribution in their respective field
5. Personal, academic, and professional achievements and/or awards
6. Personal interests, community involvement and/or voluntary work
7. Nature and length of activity or service

If you would like to provide documentation that may support this nomination, please attach up to five documents.

Please be as specific as you can by providing examples which show how the person you are nominating has made an outstanding contribution. Generalised statements such as “the Nominee is community minded” or “the Nominee is willing to offer assistance whenever needed” may be true; however they do not provide enough relevant information. There is a 500 word limit.



**AUSTRALIA DAY
AWARDS**

GUIDELINES / CRITERIA



Each year the people of Shoalhaven City Council are invited to nominate fellow citizens for the NSW Local Government Australia Day Awards.

The purpose of the Australia Day Awards Program is to acknowledge outstanding individuals and groups who have made a valuable contribution to the City of Shoalhaven.

AWARD CATEGORIES – (Subject to amendment of the Mayor/Committee)

Citizen of the Year - A person who has made a noteworthy contribution during the current year and/or given outstanding service to the local community over a number of years.

Young Citizen of the Year - A person, who must be 24 years and younger, who has made a noteworthy contribution during the current year and/or given outstanding service to the local community over a number of years.

Sports Person of the Year - For contribution to Sport in the local area. The nominee's approach and efforts to advance in their chosen activity and their performance over the past year are considered. To be eligible, the person must be 19 years or older.

Junior Sports Person of the Year - For contribution to Sport in the local area. The nominee's approach and efforts to advance in their chosen activity and their performance over the past year are considered. To be eligible, the person must be 18 years or younger.

Outstanding Contribution to an Inclusive Shoalhaven - This category is for nominees who have made an outstanding contribution to making the Shoalhaven a more inclusive community for people of all abilities, ages and/or cultures.

Outstanding Contribution to the Environment – This category is for nominees who have made an outstanding contribution to making the Shoalhaven a more inclusive community for people of all abilities, ages and/or cultures.

Outstanding Emerging Artist – This category is open to artists of any age, practising any art form including writer, visual/ digital artist, performer etc

Outstanding Contribution to Arts and Culture – This category is open to both artists and non-artists contributing to the arts in any capacity

WHO IS ELIGIBLE?

- Residents who permanently live in the Shoalhaven. If residing out of the area, the service provided must largely contribute or significantly benefit the City of Shoalhaven Local Government Area.
- Persons who have previously been nominated but have not been awarded a Shoalhaven Medal or Australia Day Award (in the same category) are eligible to be nominated again.
- Individuals cannot nominate themselves.
- Individuals, associations or clubs may nominate a Candidate.
- Only individuals may be nominated.
- The nomination of a club or association or any other organisation will not be accepted.

CRITERIA INCLUDE BUT NOT LIMITED TO:

- Contribution to the community
- An inspirational role model for the community
- Demonstrated excellence in their field
- Personal, academic and professional achievements
- Contribution in the relevant field (how has the nominee 'put back' into their field to benefit others)
- Demonstrated leadership, innovation and creativity
- Personal interests and community involvement
- Contribution to development of regional community and/or economy
- Degree of difficulty of the achievement and sacrifices made
- Previous awards and recognition
- Voluntary work beyond paid employment
- Nature and length of activity or service
- Achievements as an individual or as part of a group or organisation

FORMAT OF JUDGING PANEL

- Panel members are appointed each year in March by the Mayor
- The meeting is in a 'round table discussion' format with each award category being discussed separately.
- The meeting will be convened by an elected member of the Panel. Staff will record votes and take notes as required for Council's record keeping purposes.
- At the close of the meeting, judges are to return their folder and all nomination forms.

The Judging Panel can:

- Only select one winning recipient per award category.
- Only select a recipient to receive one award or certificate per year.

The Judging Panel cannot:

Members of the judging panel should be free from conflict of interest and thereby:

- Not Nominate
- Not be a referee
- Not vote in relation to nominees to which they have a close association or relationship

PANEL MEMBERSHIP

Panel members are appointed and/or reappointed each year in March by the Mayor

The Australia Day Panel must be an odd number and not exceed 9 members. The membership will consist of the following:

5 Community Representatives

1 Aboriginal Community Representative

1 Sports Community Representative (Currently – Bernie Regan Representative)

2 (Maximum) Shoalhaven Arts Board Representatives

Panel members must comply with Council's Code of Conduct.

SELECTION AND JUDGING PROCESS


- The Selection Criteria/s are as stated above.
- Judges should make their own decisions prior to the meeting.
- All judges will be given the opportunity to discuss their opinions.
- Final decisions are made by majority consent.
- The decisions of the judges are final.

EXEMPTIONS

There is no obligation for the Judging Panel to allocate an award each year if it is the opinion of the panel that there is no nomination satisfactory to meet the criteria. The Judging Panel also has the right to:

- Award 'High Achievement' or 'Highly Commended' certificates for each category with exception to the Citizen of the Year Award. Certificates are not a requirement of each category and should only be utilised when there is an exemplary candidate to be recognised.
- Consider nomination in another category for additional consideration and/or alter a category for a nomination or combine a nominated category, if deemed relevant.

Shoalhaven Australia Day Awards - Nomination Form



My progress: 0%

Your Details

Title

Full name Required

Phone Required

Email Required

Address (Optional) or

Shoalhaven Australia Day Awards - Nomination Form

My progress: 20%

Details of the person you are nominating

Please note, though contact details are not a required field, we will contact you to obtain nominee details so we can confirm their acceptance of the nomination and for the nomination to be deemed eligible

Title

Full name Required

Age at 26 January 2024
If unknown, please provide estimation

Phone

Email


Address (Optional) or

The person I am nominating is a resident of the Shoalhaven Required

Yes
 Unsure
 Other

Other - I.e they volunteer in the Shoalhaven regularly:

Shoalhaven Australia Day Awards - Nomination Form



My progress: 40%


Your Signature

I hereby declare that the information contained in this nomination regarding the Nominee is, to my knowledge, true and accurate. The Nominee has the right to access information and subsequent information provided as part of this nomination. Information provided within this nomination may be publicised in the media. The Nominee may be called upon to respond to the media. Required

Draw signature below Upload photo of signature

[Back](#) [Save](#) [Continue](#)

Shoalhaven Australia Day Awards - Nomination Form



My progress: 60%

Nomination Category

Please select the category you will be nominating in Required

If a nomination is better suited to a different category the Panel may reassign to a more suitable category

- Citizen (25 Years & Over)
- Young Citizen (24 Years & Younger)
- Sports Person (19 Years & Over)
- Junior Sports Person (18 Years & Younger)
- Outstanding Contribution to the Environment
- Outstanding Emerging Artist
- Outstanding Contribution to Arts & Culture
- Outstanding Contribution to an Inclusive Shoalhaven

[Back](#) [Save](#) [Continue](#)

Shoalhaven Australia Day Awards - Nomination Form



My progress: 80%

Nomination Details

Outline the Nominee's background, achievements and contribution to community by using the selection criteria provided on Councils webpage as a guide - [Australia Day Awards Criteria Guide](#)

Required

Maximum 3000 characters (3000 remaining)

Supporting Documents (Optional)

Please upload up to 5 supporting documents for your application

Select file

Drop a file to upload it

Max file size: 50 MB
Max number of files: 5 files
Accepted file types: .pdf, .doc, .jpeg

Referees (Optional)

Please provide a name and phone number

Please complete the following:

I'm not a robot



Back

Save

Submit

CL24.176 - Attachment 3

CL24.177 Local Government Remuneration Tribunal - Determination of Councillor and Mayoral Fees 2024/2025

HPERM Ref: D24/202291

Department: Business Assurance & Risk

Approver: Kerrie Hamilton, Director City Performance

Attachments: 1. Local Government Remuneration Tribunal - Annual Determination 2024
2025 (under separate cover) [⇒](#)
2. Councillor & Mayoral Fees Options [↓](#)

Reason for Report

The reason for this report is to enable elected Councillors to note and consider the attached determination from the Local Government Remuneration Tribunal, and to adopt the fees payable to the Mayor and Councillors for the 2024/2025 financial year.

Recommendation

That Council:

1. Note the Local Government Remuneration Tribunal's Annual Report and Determination dated 29 April 2024.
2. Adjust the Councillor Fee payable to Councillors from 1 July 2024 to 30 June 2025 to an amount between **\$20,500 (minimum) and \$33,810 (maximum)** and for the Mayoral Additional Fee between **\$43,530 (minimum) and \$98,510 (maximum)**.
3. Determine that the additional Mayoral fee (in full, or in part), not be paid directly to the Deputy Mayor when the Deputy Mayor is required to act in the position of Mayor during periods of approved leave.

Options

1. As Recommended

Implications: This will adjust the Fees for Councillors and Additional Mayoral Fee to an amount proposed by the elected Council which is within the permissible range determined by the remuneration tribunal for the 2024/2025 financial year and retain the provision of superannuation to Councillors. This allows the Council to adopt an amount considered appropriate given the current financial position of the Council.

2. As recommended with amendment to Part 3 of the Recommendation which allows the payment of a full or part of the Mayoral Fee to the Deputy Mayor.

Wording for the resolution to bring this into effect may be worded as follows:

" 3. Pay [Insert relevant percentage] of the Additional Mayoral Fee to the Deputy Mayor when the Deputy Mayor is required to act in the position of Mayor during periods of approved leave of a duration of 28 days or more."

CL24.177

Implications: During extended periods of absence, the Deputy Mayor will be paid the amount set by the resolution and payments to the Mayor would be reduced by the equivalent amount.

3. An alternative recommendation

Implications: Not known. Any decision of the Council would be required to reflect the requirements outlined in the Local Government Act and Regulations and be within the range of payable payments outlined by the Local Government Remuneration Tribunal.

Background

The Local Government Remuneration Tribunal has determined an increase of 3.75% to Mayoral and Councillor fees for the 2024/2025 financial year, with effect from 1 July 2024.

Councillors' Fees

Section 241 of the *Local Government Act 1993* (the Act) requires the Tribunal to determine each year the maximum and minimum amounts of annual fees payable during the following year to Mayors and Councillors. Section 248 and 249 of the Act require Councils to fix and pay an annual fee based on the Tribunal's determination.

The relevant provisions of the Act are outlined below:

248 Fixing and payment of annual fees for councillors

- (1) *A council must pay each councillor an annual fee.*
- (2) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (3) *The annual fee so fixed must be the same for each councillor.*
- (4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*

249 Fixing and payment of annual fees for the mayor

- (1) *A council must pay the mayor an annual fee.*
- (2) *The annual fee must be paid in addition to the fee paid to the mayor as a councillor.*
- (3) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*
- (5) *A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee."*

Councils are to fix Councillor and Mayoral fees for financial year based on the Tribunal's Determination. The level of fees paid will depend on the category which is applied to the Council. If a Council does not fix a fee, the Council must pay the minimum fee determined by the Tribunal.

The Determination of the Tribunal is that Councils in the Regional Strategic Area Category may fix the 2024/2025 annual fee for Councillors between \$20,500 (minimum) and \$33,810 (maximum). The Mayoral Additional Fee has been set at between \$43,530 (minimum) and \$98,510 (maximum). The Council may set any figure for the fees within this range.

CL24.177

The Councillor and Mayoral fee adoption is distinct and separate to the payment of expenses and provision of facilities to Councillors. The Mayoral Fee is an amount paid to the Mayor in addition to the Councillor Fee.

The Councillor and Mayoral Fees overtime have increased significantly since financial year 2015/2016 up until the current financial year. The historical fee allowances are shown below.

2015/16	\$18,380 Councillors \$40,090 Mayoral Additional Fee
2016/17	\$18,840 Councillors \$41,090 Mayoral Additional Fee
2017/18	\$19,310 Councillors \$42,120 Mayoral Additional Fee
2018/19	\$19,790 Councillors \$43,170 Mayoral Additional Fee
2019/2	\$20,280 Councillors \$44,250 Mayoral Additional Fee
2021/22	\$24,320 Councillors \$53,250 Mayoral Additional Fee
2022/23	\$25,310 Councillors \$62,510 Mayoral Additional Fee
2023/24	\$32,590 Councillors \$94,950 Mayoral Additional Fee

The setting of an appropriate level of fees within the permissible range is a matter for the Council to consider and determine.

Payment for the Deputy Mayor

Section 249(5) of the Act allows Council to elect to pay the Deputy Mayor a fee when acting in the office of the Mayor. The amount of the fee must be deducted from the Mayor's annual fee.

The matter of the Deputy Mayoral Fee is one for consideration and determination by the Council. Suggested wording is provided as option 2 in this report should it be considered that such determination is required. It is recommended that such payment should be a matter that the Council would consider at a time when an extended absence of the Mayor is approved.

Superannuation for Councillors

On 16 May 2021, legislation was passed in the NSW Parliament to introduce superannuation payments for Councillors in NSW. The [Local Government Amendment Act 2021](#) addressed a longstanding inequity in Local Government by providing Councils with the option to make superannuation payments to Mayors and Councillors in addition to their annual fees from July 2022. This decision was made after a lengthy campaign to acknowledge the contribution of Councillors.

CL24.177

The relevant amendment to the Act states:

Section 254B Insert after section 254A—

254B Payment for superannuation contributions for councillors

- 1) *A Council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a Councillor, starting from the financial year commencing 1 July 2022.*
- 2) *The amount of a superannuation contribution payment is the amount the Council would have been required to contribute under the Commonwealth Superannuation Legislation as superannuation if the Councillor were an employee of the Council.*
- 3) *A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the Councillor.*
- 4) *A Council is not permitted to make a superannuation contribution payment—*
 - a) *unless the Council has previously passed a resolution at an open meeting to make superannuation contribution payments to its Councillors, or*
 - b) *if the Councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or*
 - c) *to the extent the Councillor has agreed in writing to forgo or reduce the payment.*
- 5) *The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a Mayor or other Councillor.*
- 6) *A person is not, for the purposes of any Act, taken to be an employee of a Council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.*
- 7) *A superannuation contribution payment does not constitute salary for the purposes of any Act.*
- 8) *Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.*
- 9) *In this section—*
 - *Commonwealth superannuation legislation means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.*
 - *Superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth Superannuation Legislation applies.*

The wording of the legislation sets out that the Council may elect to either provide a Superannuation Payment at the rate set out in the Superannuation Guarantee or not provide a superannuation payment. The superannuation payment is calculated on the Fees paid to Councillors (and for the Mayor the additional Mayoral Fee in addition to the Councillor Fee). Any amounts reimbursed to Councillors in the form of expense payments under the Council Members Payment of Expenses and Provision of Facilities Policy are not related to the superannuation calculation.

Council resolved at its Ordinary Meeting of 7 February 2022 (MIN22.270) to provide a Superannuation Payment to Councillors.

In accordance with the Superannuation Guarantee the rate of superannuation for the 2024/2025 Financial year will be 11.5%. It is considered that it is appropriate for Council to

maintain a Superannuation arrangement for Councillors, however the Council may resolve to not make superannuation contributions at any time.

Community Engagement

Council is not required to undertake community consultation in relation to the adoption of the fee amendment determination process, as it is based on a published report and the process undertaken by the Tribunal.

Financial Implications

Current fees (2023/2024 FY) paid to Shoalhaven City Councillors and Mayor

CATEGORY	Councillor Annual Fee	Mayor Additional Fee*
Regional Strategic Area	\$ 32,590	\$ 94,950

Proposed fees to Shoalhaven City Councillors and Mayor 2024/2025 financial year:

2024/2025 Determination - Pursuant to Section 241 of Fees for Councillors and Mayors.

CATEGORY	Councillor Annual Fee		Mayor Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Regional Strategic Area	\$20,500	\$33,810	\$43,530	\$98,510

*This fee must be paid in addition to the fee paid to the Mayor as a Councillor/Member (s429 (2)).

Any additional costs to the Council arising from the resolution of this matter will be identified and funded at each of the quarterly budget reviews in the 2024/2025 financial year.

A range of options for the Council are costed in Attachment 2.

CL24.177

	Total Cost of Annual Current allowance paid (23/24 FY) - \$32,590 per Clr	Current (23/24 FY) Super' Contribution of 11% (\$3'584.90 per Clr)	Total Allowance and Superannuation costs 23/24 FY	24/25 Allowance options for Consideration	Total 24/25 Allowance Cost for this option	2/25 Superannuation Costs for this option	Total Allowance and Superannuation costs 24/25 FY	Difference from 23/24 Expenditure
Councillor Allowance - paid to all 13 Councillors	\$ 423,670.00	\$ 46,603.70	\$ 470,273.70	Minimum Allowance Rate (\$20,500 per Clr)	\$ 266,500.00	\$ 30,647.50	\$ 297,147.50	\$ 203,773.70
				Middle of Permissible Allowance Range (\$27,155 per Clr)	\$ 325,860.00	\$ 37,473.90	\$ 363,333.90	\$ 106,939.80
				Maximum Allowance Rate (\$33,810 per Clr)	\$ 439,530.00	\$ 50,545.95	\$ 490,075.95	-\$ 19,802.25
				Increase of 3.5% from 23/24 Rate (\$33,730.65 per Clr)	\$ 438,498.45	\$ 50,427.32	\$ 488,925.77	-\$ 18,652.07
Mayoral Additional Allowance	\$ 94,950.00	\$ 10,444.50	\$ 105,394.50	Minimum Allowance Rate	\$ 43,530.00	\$ 5,005.95	\$ 48,535.95	\$ 56,858.55
				Middle of Permissible Allowance Range	\$ 71,020.00	\$ 8,167.30	\$ 79,187.30	\$ 26,207.20
				Maximum Permissible Range	\$ 98,510.00	\$ 11,328.65	\$ 109,838.65	-\$ 4,444.15
				Increase of 3.5% from 23/24 Rate	\$ 98,273.00	\$ 11,301.40	\$ 109,574.40	-\$ 4,179.90

CL24.178 Investment Report - May 2024

HPERM Ref: D24/236897

Department: Finance

Approver: Kerrie Hamilton, Director City Performance

Attachments: 1. Shoalhaven Monthly Investment Report - May 2024 (under separate cover) [⇒](#)

Reason for Report

The reason for this report is to inform the Councillors and the Community on Council's investment returns. The report also ensures compliance with Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2021, that requires a written report is provided to Council setting out the details of all funds it has invested.

Recommendation

That Council:

1. Receive the Record of Investments for the period to 31 May 2024.
2. Note that Council's total Investment Portfolio returned 5.06% per annum for the month of May 2024, outperforming the benchmark AusBond Bank Bill Index (4.50% pa) by fifty-six basis points (0.56%).

Options

1. The report on the Record of Investments for the period to 31 May 2024 be received for information.

Implications: Nil

2. Further information regarding the Record of Investments for the period to 31 May 2024 be requested.

Implications: Nil

3. The report of the record of Investments for the period to 31 May 2024 be received for information, with any changes requested for the Record of Investments to be reflected in the report for the period to 30 June 2024.

Implications: Nil

Background

Please refer to the attached monthly reports provided by Council's Independent Investment Advisor, Arlo Advisory Pty Ltd (formally Imperium Markets Pty Ltd).

Portfolio Return

The investment returns were a stable 5.06% p.a. in May 2024, outperforming the benchmark AusBond Bank Bill Index (4.50% p.a.) by fifty-six basis points (0.56%).

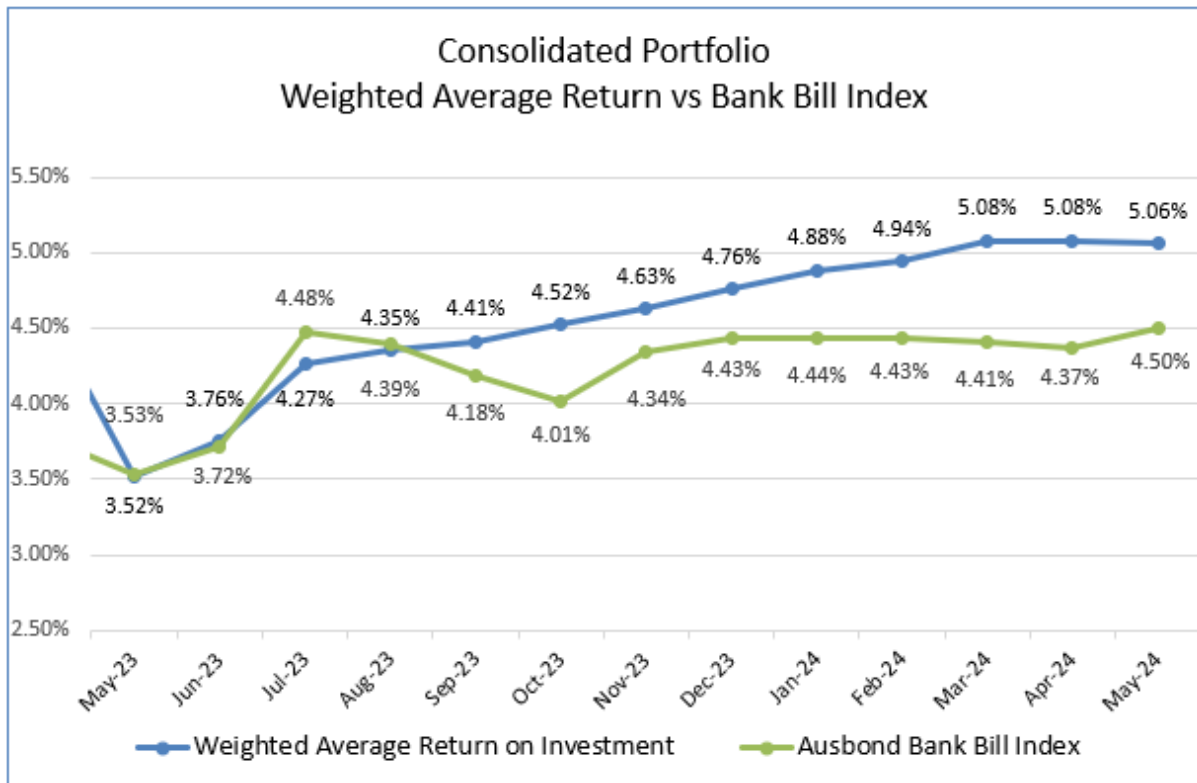
CL24.178

The Reserve Bank of Australia left interest rates unchanged at 4.35% at its May meeting.

Investments

Graph 1 below, shows the performance of Council's Investment Portfolio against the benchmark on a rolling 12-month basis.

Graph 1 - Performance of Council's Investment Portfolio against the benchmark on a rolling 12 month basis



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Investment Interest Earned – May 2024

Table 1 below, shows the interest earned for the month of May 2024.

Table 1- Interest Earned for the Month of May 2024

Fund	Monthly Revised Budget \$	Actual Earned \$	Difference \$
General	281,333	303,005	21,672
Water	87,989	164,792	76,803
Sewer	56,904	63,790	6,886
Total	426,226	531,587	105,362

The interest earned for the month of May, was \$531,587 compared to the monthly revised budget of \$426,226.

Investment Interest Earned - Year to Date

Table 2 below, demonstrates how the actual amount of interest earned year to date has performed against the total budget.

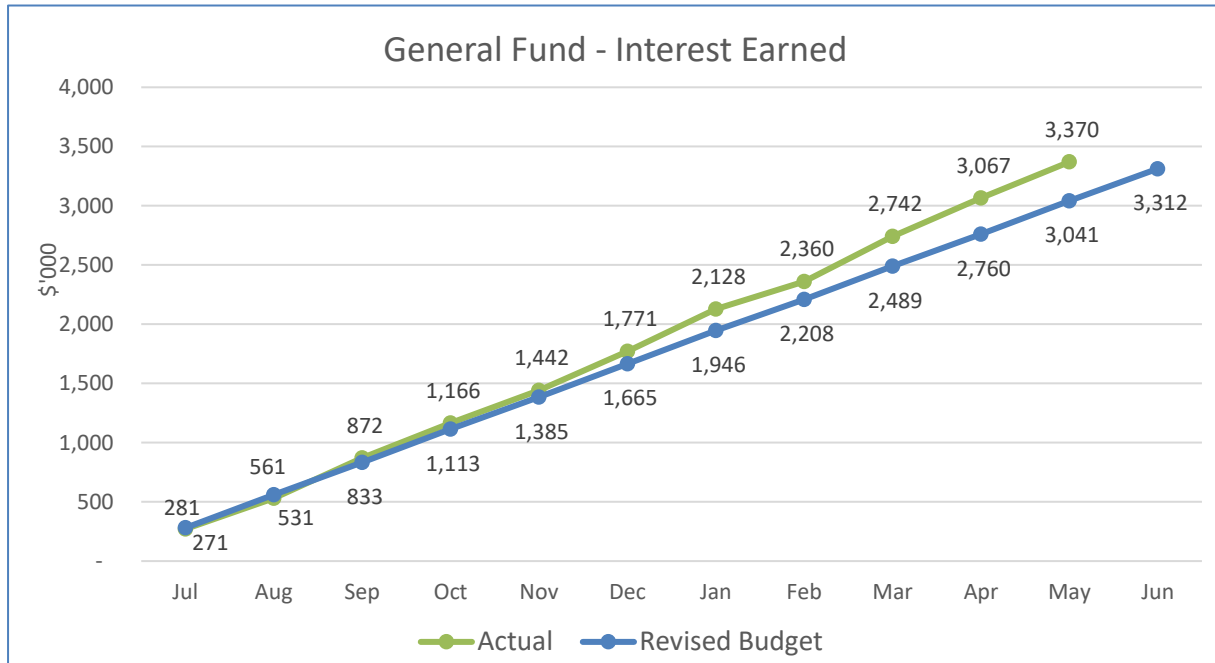
Table 2 - Amount of interest earned year to date, against the total budget.

Fund	Revised Total Annual Budget \$	Actual YTD \$	% Achieved
General	3,312,464	3,369,705	101.73%
Water	1,036,000	1,832,647	176.90%
Sewer	670,000	709,412	105.88%
Total	5,018,464	5,911,763	117.80%

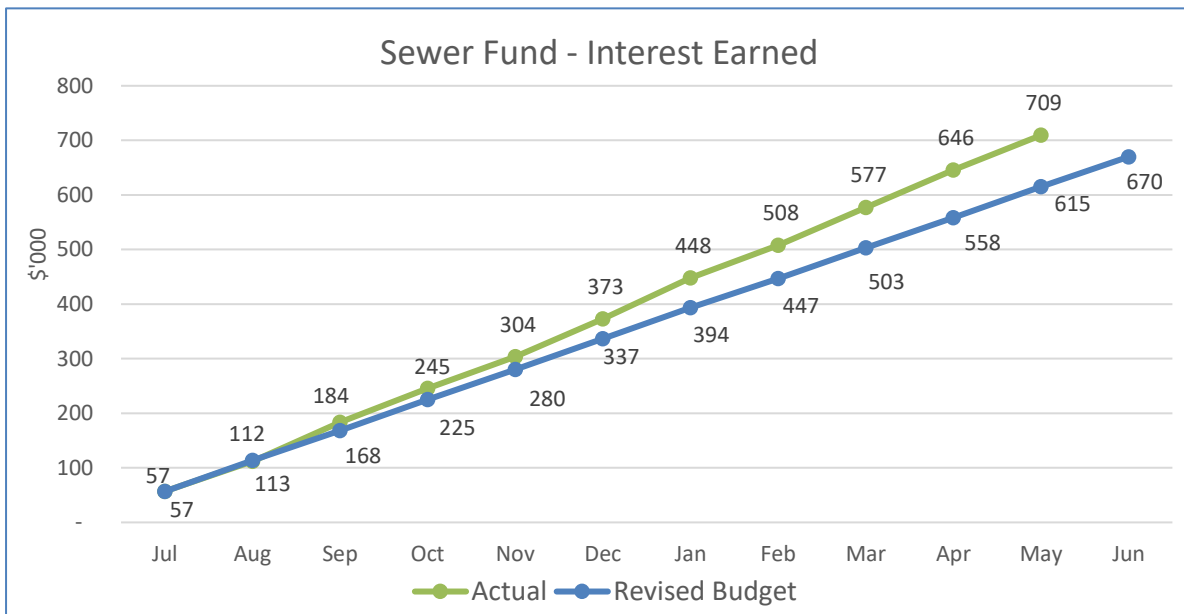
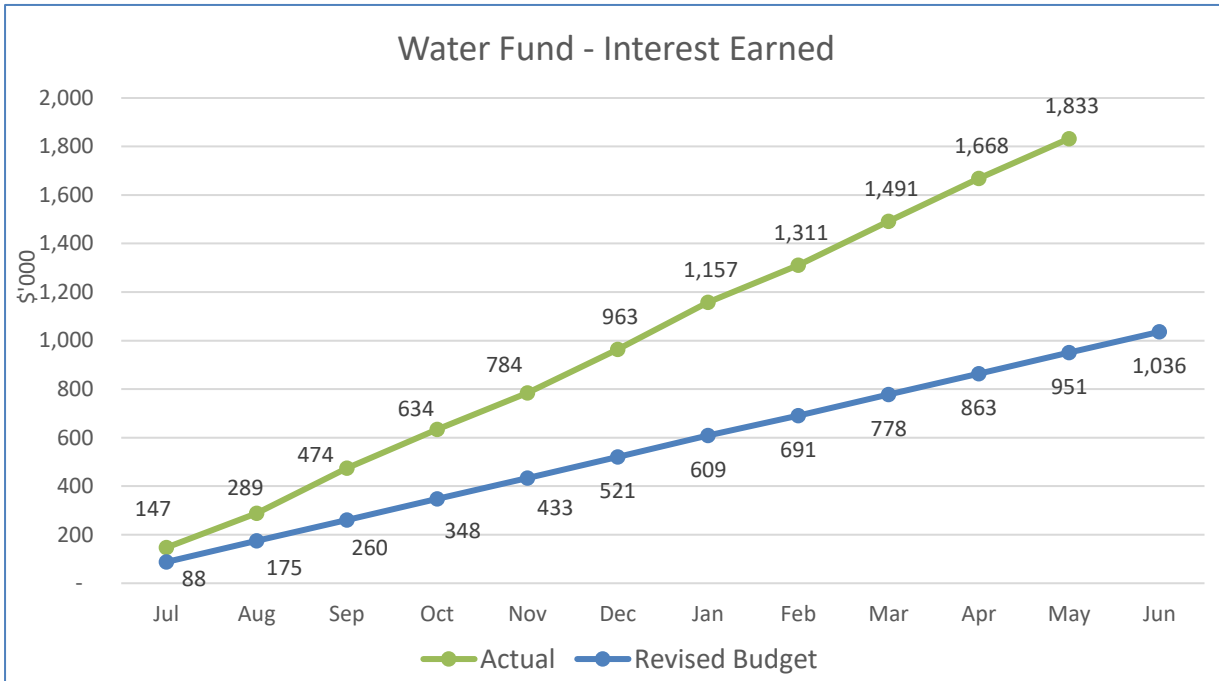
The cumulative interest earned for the year (July to May) was \$5,911,763 which is 117.80% of the current full year revised budget.

Graph 2 (3 separate graphs) below, illustrates the cumulative interest earned for the year for each fund (General, Water and Sewer) against budget:

Graph 2 - Cumulative interest earned for the year for each fund against budget.



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Cash and Restricted Assets, Restricted Asset Movements and Liquidity Indicators

As at 30 June 2023, Council had spent \$35M in grants spent in advance. In accordance with Council's adopted Liquidity Contingency Plan, internal restrictions were utilised to fund the grants spent in advance.

Since 30 June 2023 and up to 31 May 2024, Council received \$26M of the outstanding grants spent in advance balance.

Statement by Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulations 2021 and Council's Investments Policy.

K Buckman

Katie Buckman

Date: 24 June 2024

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CL24.179 Delivery Program Operational Plan, Budget 2024/25 - Exhibition Outcomes

HPERM Ref: D24/210280

Department: Corporate Performance & Reporting
Approver: Robyn Stevens, Chief Executive Officer

Attachments:

1. Draft Delivery Program Operational Plan and Budget 2024-25 - Post Exhibition (under separate cover) [↗](#)
2. Draft Fees and Charges 2024-25 - Part 1 - Post Exhibition (under separate cover) [↗](#)
3. Draft Fees and Charges 2024-25 - Part 2 - Post Exhibition (under separate cover) [↗](#)

Reason for Report

The purpose of this report is to seek Council's adoption of the 2024/25 Delivery Program and Operational Plan, Budget and Fees & Charges.

The report provides a summary and comments related to the outcomes of the public exhibition process undertaken from 8 May to 10 June 2024.

Recommendation

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2024/25 including Budget, Capital Works Program and Fees and Charges, Council:

1. Adopt the 2024/25 Delivery Program and Operational Plan and Budget inclusive of the following changes:
 - a. Updates to DPOP Actions and KPIs as outlined in this report
 - b. Revision of the capital works listing as outlined in Attachment 1.
 - c. Note that the budget reflects Council's current service offerings, service levels and organisational structure. As savings are identified, endorsed, and implemented, they can be reliably measured. Once reliably measured, adjustments will be made to the budget at each quarter budget review to recognise the recurrent, and/or one off savings achieved.
2. Adopt the 2024/25 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Added new interment services levy as announced by Cemeteries and Crematoria NSW (CCNSW)
 - b. Amended regulated Development Application fees as announced by the Department of Planning, Housing and Infrastructure
 - c. Rectified Holiday Haven Van Occupancy Annual Fee with an additional line 'All Other Parks' - \$7,907 (incl. GST)
 - d. Rectified Effluent Removal Charges for Properties with Bi-Weekly service
3. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993, inclusive of a 4.50% rate-peg increase as per and Section 506 of the Local Government Act 1993:
 - a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.09923c for each dollar

of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, under Section 537 of the Local Government Act 1993, on all rateable land categorised as “Residential”, in accordance with Section 516, for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “RESIDENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “RESIDENTIAL” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL” rate in accordance with Section 537(b) [base amount percentage is 49.94%].

- b. Make an Ordinary Rate, consisting of an ad valorem rate of 0.09923c for each dollar of rateable land value in addition to a base amount of fifty dollars (\$50.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land which is zoned so as not to permit any building (i.e.; Small Lot Rural Subdivisions) and categorised as “Residential”, in accordance with Section 516, sub category “NON-URBAN”, in accordance with Section 529(2)(b), for the period 1 July 2024 to 30 June 2025, and in accordance with Section 543(1), this rate be named “RESIDENTIAL NON-URBAN”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of fifty dollars (\$50.00) per rateable assessment for the “RESIDENTIAL NON-URBAN” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL NON-URBAN” rate in accordance with Section 537(b) [base amount percentage is 37.92%]

- c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.19932c for each dollar of rateable land value, in accordance with Section 518 of the Local Government Act 1993: “Land is to be categorised as ‘business’ if it cannot be categorised as farmland, residential or mining”. Excepting all rateable land in the subcategories of Commercial/Industrial, Nowra, and Major Retail Centres, an ordinary rate be now made for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS”.

- d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.51600c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, subcategory “NOWRA”, in accordance with Section 529(2)(d), for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS - NOWRA” subcategory will not produce more than 50% of the total amount payable by the levying of the “BUSINESS - NOWRA” rate in accordance with Section 537(b) [base amount percentage is 16.75%].

- e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.17380c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land used or zoned for professional/commercial trade or industrial purposes, determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub category “COMMERCIAL/INDUSTRIAL”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1),

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this rate be named “BUSINESS - COMMERCIAL/INDUSTRIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – COMMERCIAL/INDUSTRIAL” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – COMMERCIAL/INDUSTRIAL” rate in accordance with Section 537(b) [base amount percentage is 31.33%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.72930c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 2 DP 874730 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - NOWRA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - NOWRA” rate in accordance with Section 537(b) [base amount percentage is 0.96%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.35130c for each dollar of rateable land value in addition to a base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on rateable land Lot 1 DP 1182358 determined to be a major retail centre and categorised as “Business”, in accordance with Section 518, sub category “MAJOR RETAIL CENTRE - VINCENTIA”, in accordance with Section 529(2)(d), for the period of 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “BUSINESS - MAJOR RETAIL CENTRE - VINCENTIA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of seven hundred and sixty dollars (\$760.00) per rateable assessment for the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – MAJOR RETAIL CENTRE - VINCENTIA” rate in accordance with Section 537(b) [base amount percentage is 1.85%]

- h. Make an Ordinary Rate, consisting of an ad valorem rate of 0.07520c for each dollar of rateable land value in addition to a base amount of one thousand and twelve dollars (\$1,012.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland”, in accordance with Section 515, for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “FARMLAND”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand and twelve dollars (\$1,012.00) per rateable assessment for the “FARMLAND” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND” rate in accordance with Section 537 (b) [base amount percentage is 32.99%].

- i. Make an Ordinary Rate, consisting of an ad valorem rate of 0.03970c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-four dollars (\$1,144.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as

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“Farmland”, in accordance with Section 515, sub category “DAIRY FARMERS”, in accordance with Section 529(2)(a), for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(1), this rate be named “FARMLAND - DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and forty-four dollars (\$1,144.00) per rateable assessment for the “FARMLAND – DAIRY FARMERS” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537(b) [base amount percentage is 49.96%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.38260c for each dollar of rateable land value in addition to a base amount of two thousand six hundred and seventy-four dollars (\$2,674.00), for the cost of road upgrades required to enable property owners to develop their allotments in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties with building entitlement within the Verons Estate which, in the opinion of Council, derive special benefit and are subject to this rate, in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two thousand six hundred and seventy-four dollars (\$2,674.00) per rateable assessment for the “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 49.98%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.07093c for each dollar of rateable land value in addition to a base amount of two hundred and ninety-seven dollars (\$297.00), for the cost of the road upgrades in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Verons Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and ninety-seven dollars (\$297.00) per rateable assessment for the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 49.83%].

- l. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06743c for each dollar of rateable land value in addition to a base amount of one hundred and nineteen dollars (\$119.00) for the cost associated with the Nebraska road construction project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Nebraska Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this

rate be named “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and nineteen dollars (\$119.00) per rateable assessment for the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.62%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.20371c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and forty-two dollars (\$1,142.00) for the cost associated with the Jerberra road infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and forty-two dollars (\$1,142.00) per rateable assessment for the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” in accordance with Section 53 (b) [base amount percentage is 49.98%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.06870c for each dollar of rateable land value in addition to a base amount of three hundred and eighty-five dollars (\$385.00) per rateable assessment for the cost associated with the Jerberra electricity infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and eighty-five dollars (\$385.00) per rateable assessment for the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.97%].

- o. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.36653c for each dollar of rateable land value in addition to a base amount of two hundred and fifty-seven dollars (\$257.00) per rateable assessment for the cost associated with the Jerberra Road E2 infrastructure project. In accordance with Section 495(1) the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD E2 SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and fifty-seven dollars (\$257.00) per rateable assessment for the “JERBERRA ROAD E2 SPECIAL RATE” will not

produce more than 50% of the total amount payable by the levying of the “JERRERA ROAD E2 SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.85%].

- p. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.02175c for each dollar of rateable land value categorised as Business – Commercial / Industrial to meet the costs of business promotions for the Sussex Inlet area and surrounds, in accordance with Section 495(1), which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2024 to 30 June 2025 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- q. Make an Annual Charge for Water Usage and Water Availability, in accordance with Section 502 and 552(1) (a) and (b), for the period 1 July 2024 to 30 June 2025, comprising a Water Usage Charge of \$2.50 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Water Availability Charge based on water meter size:

Size of Water Meter Service Connection	Charge 2024/25
20 mm	\$145
25 mm	\$243
32mm	\$391
40mm	\$614
50mm	\$964
80mm	\$2,455
100mm	\$3,840
150mm	\$8,630
200mm	\$15,347

Properties with multiple water meter service connections will be levied an availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.

The charges be named “WATER USAGE CHARGE” and “WATER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- r. Make an Annual Charge for Sewer Usage and Sewer Availability, in accordance with Section 502 and 552(3) (a) and (b), for the period 1 July 2024 to 30 June 2025, comprising a Sewer Usage Charge of \$2.26 per kilolitre for all applicable, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge for all residential, commercial and applicable Community Service Obligation categorised properties based on water meter size:

Size of Water Meter Service Connection	Charge 2024/25
20 mm	\$1,028
25 mm	\$1,432
32mm	\$2,188
40mm	\$2,901
50mm	\$4,103
80mm	\$8,465

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100mm	\$12,136
150mm	\$20,912
200mm	\$32,445

Properties with multiple water meter service connections will be levied a sewer availability charge for each connection. In accordance with Section 552 of the Local Government Act 1993, any vacant land where the service is available will be levied an availability charge.

The charges be named “SEWER USAGE CHARGE” and “SEWER AVAILABILITY CHARGE”, in accordance with Section 543(3).

- s. Make Annual Charges for the availability of a Domestic Waste Management Service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, on all rateable properties categorised as residential for rating purposes and comprising of a building which is deemed to be a dwelling and located within the defined (urban) waste collection area.

The amount for the standard residential domestic waste management service be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named “DOMESTIC WASTE CHARGE” and “ADDITIONAL RECYCLING BIN CHARGE”.

- t. Make Annual Charges for a rural Domestic Waste collection service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, on rateable properties comprising of a building which is deemed to be a dwelling and located outside of the defined (urban) waste collection area and opt for the rural domestic waste collection service.

The amount for the rural domestic waste collection service be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for each 240-litre MGB recycling bin service additional to that included in the rural domestic waste management service, is \$103.

In accordance with Section 543(3), the charge be named “DOMESTIC WASTE CHARGE” and “ADDITIONAL RECYCLING BIN CHARGE”

- u. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection, in the collection area.

The amount for the wheel out wheel in service is \$270 per bin service.

In accordance with Section 543(3), the charge be named “WHEEL OUT WHEEL IN OTHER CHARGE”.

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- v. Make an Annual Charge for a Wheel Out Wheel In special on property collection service, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties that are the residence of the elderly or the sick, where assistance is required to present bins to the kerbside for collection and a medical certificate is provided.

The amount for the wheel out wheel in service is \$16 per bin service.

In accordance with Section 543(3), the charge be named "WHEEL OUT WHEEL IN INFIRM CHARGE".

- w. Make Annual Charges for commercial and business use of the Domestic Waste Management Service pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for participating properties categorised as Business located within the collection area.

The amounts for the extended domestic waste management service for Business properties be \$505 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling bin is collected fortnightly other than for a 6-week period from the last Monday that is before Christmas Day during which it is collected weekly. For a higher annual charge of \$871, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$383, the 120-litre landfill bin may be substituted for an 80-litre landfill bin. The amount for Business properties opting for a recycling only service is \$155 for the first 240-litre MGB for recycling. The amount for each 240-litre MGB recycling service additional to either that included in the extended domestic waste management service or the first recycling only bin service, is \$103.

Tiered charging applies for multiple 240-litre services; \$871 for one service, \$891 for two services, and \$1,124 for each additional 240-litre service.

In accordance with Section 543(3), the charges be named "COMMERCIAL WASTE CHARGE", "COMMERCIAL RECYCLING BIN CHARGE" and "ADDITIONAL COMMERCIAL RECYCLING BIN CHARGE".

- x. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, of \$109 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any properties categorised as Residential which have any boundary adjacent to a road receiving an urban domestic waste management service and
 - i. Does not have a dwelling situated thereon, or
 - ii. The closest point of the dwelling is 100 metres or more from the boundary of the road and the ratepayer chooses not to receive a domestic waste management service.

In accordance with Section 543(3), the charge be named "VACANT LAND SERVICE AVAILABILITY CHARGE".

- y. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, of \$25.00 per eligible residential or business rate assessment and \$12.50 per strata assessment. In accordance with Section 543(3), the charge be named "STORMWATER MANAGEMENT SERVICE CHARGE".
- z. Make Annual Charges for Onsite Sewer Management Services, pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025,

contributing to the costs associated with the ongoing inspection and approval to operate requirements for an onsite sewer management (OSSM) system/s, based on number of systems, located on residential and commercial properties, reduced for eligible pensioners:

Number of systems	Service Charge 2024/25
1-2 systems - Residential	\$69.88
1-2 systems – Residential pensioner	\$54.82
3-5 systems – Residential	\$116.10
3-5 systems – Residential pensioner	\$100.51
More than 5 systems - Residential	\$140.29
More than 5 systems – Residential pensioner	\$124.70
1-3 systems - Commercial	\$125.24
More than 3 systems – Commercial	\$166.62
Single pump-out or private pump station inspection	\$85.46
High Risk Large system – Commercial	\$478.38

In accordance with Section 543(3), the charges be named “ONSITE SEWER MANAGEMENT CHARGE”.

- aa. Make Annual Charges for Effluent Removal pursuant to Section 501 of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025, for both residential and commercial properties, where the first 2,500 litres is levied within the service charge, based on the following service frequencies:

Frequency	Service Charge 2024/25
Bi-weekly	\$8,606.00
Weekly	\$4,303.00
2-weekly	\$2,151.50
3-weekly	\$1,406.75
4-weekly	\$1,075.75
5-weekly	\$827.50
6-weekly	\$662.00
7-weekly	\$579.25
8-weekly	\$496.50

In accordance with Section 543(3), the charges be named “EFFLUENT REMOVAL CHARGE”.

- bb. Grant a further \$10 annual rebate in addition to the existing statutory maximum \$250 pensioner concession included on a Rate Notice for the period 1 July 2024 to 30 June 2025, for eligible pensioners.
- cc. Grant a further \$20 annual rebate in addition to the existing statutory maximum \$175 pensioner concession included on a Water Account, applied evenly across Water and Sewer charges for the period 1 July 2024 to 30 June 2025, for eligible pensioners, split \$10 for Water charges where water charges apply, and \$10 for Sewer charges, where sewer charges apply.

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- dd. Make an Interest Rate of 10.50% per annum, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2024 to 30 June 2025 (inclusive), not exceeding the maximum permissible interest rate chargeable on overdue rates and charges, calculated daily, on a simple interest basis.
- 4. The Chief Executive Officer be delegated to make administrative and/or minor changes if required.
- 5. Thank the community for providing their submissions as part of the exhibition process and provide a response to each submission, outlining the outcome and actions undertaken relating to the issues raised.

Options

1. To endorse the 2024/25 Delivery Program, Operational Plan and Budget and the proposed recommendations for the making of ordinary and special rates and annual charges.

Implications: Delivery Program, Operational Plan and Budget and rates and charges will be adopted as required by legislation.

2. Not endorse the recommendations and resolve to make changes to the 2024/25 Delivery Program, Operational Plan and Budget or to make rates and annual charges using different values.

Implications: Council would need to provide direction to staff in relation to necessary budget adjustments to accommodate changes to the 2024/25 Delivery Program, Operational Plan and Budget or the recommended alternate rates and charges.

Background

Each year Council is required to outline the activities, programs, services and budget that are proposed for the following financial year. This process is undertaken to ensure that Council is clearly identifying how it will continue to meet the needs and aspirations of the community as specified within the Community Strategic Plan. This forms part of the Integrated Planning and Reporting (IP&R) Framework which is a legislative requirement of the Local Government Act 1993.

A report was provided to Council at the Ordinary Meeting on 6 May 2024 to seek to place the 2024/25 Draft Delivery Program, Budget and Fees and Charges on exhibition. The suite of documents was endorsed for public exhibition for 28 days.

This report outlines recommended changes and presents the final suite of planning documents to be endorsed.

Public Exhibition

In accordance with the resolution of Council, the 2024/25 Draft Delivery Program and Operational Plan (DPOP), Budget and Fees and Charges were placed on public exhibition from 8 May until 10 June 2024.

The engagement was set at the level of inform and consult within the IAP2 framework. The focus of the engagement was to inform the community and ask for feedback on the draft documents. Submissions could be made to Council either via the online Get Involved page, email, letter to Council or over the phone.

Communication & Engagement Activities included:

- Email invitations to provide feedback sent to:
 - Community Consultative Bodies (CCB) Executive Committee members
 - Council Advisory Committee members
- Overview presentation provided at CCB Executive Meeting 30 May 2024
- “Get Involved” website including online submissions (1,300 total visits)
- Social Media posts and campaigns (3,783 total reach)
- 1 Media release with media mentions/articles
- Details in Council’s monthly e-news, website news items
- Radio advertisements on Shoalhaven Water Fees increases
- Promotional posters, copies of documents at Council Admin and Library facilities

The overall purpose of the community engagement activities were to raise awareness that the draft documents were on exhibition and to encourage submissions.

Summary of Submissions

A total of 65 individual submissions were received during the exhibition period on the DPOP, Budget or Capital Works program. Within these submissions there were several items, requests and suggestions.

Many of the individual submissions also included requests for new projects or items for funding. Some submissions contained multiple issues, items or requests. A summary of each submission is included in Table 1 and are accompanied with a staff comment, recommendation or proposed action in response.

All submitters will receive an email response following adoption of the final documents with additional staff comments alongside the summary provided in Table 1. The table also indicates if the submission was received from a Community Consultative Body (CCB).

Table 1 - Submission items, staff comment and recommended action

Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
D001	Community/ Resident	Shoalhaven Water Fees - in support	Support of fee increase noted.
D002, D013, D034, D035, D039, D040, D044, D045, D046, D047, D052, D053, D054, D057, D063, D064	Community/ Resident	Holiday Haven Annual Fees	The fee for Holiday Van Owners incorrectly published the maximum price charged at Holiday Haven White Sands only (\$9,461) and not representative of the fee charged at other Parks (\$7,907). Both fees are increasing by 5.5% inclusive of GST. Any submissions relating to this item have been advised the correct fees via email.

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
D003, D004, D005,	Community/ Resident	Shoalhaven Water Fees - objection	Fee increase objection noted. See response D007.
D006	Community/ Resident	Shoalhaven Water - suggestion for higher fees for private caravan parks due to water truck road damage	Shoalhaven Water does not supply water to the Bawley Point area, these properties are provided water through private arrangements. It is agreed that all residents and businesses should adopt water saving and conservation practices.
D007, D008, D010, D025, D028, D032, D033,	Community/ Resident	Shoalhaven Water Fees - objection; Charge developers for new infrastructure.	<p>Background</p> <ul style="list-style-type: none"> The water usage charge has risen by an average of less than 3% per year over the past 10 years. The water availability charge has risen from \$81 per year to \$88 per year in the past 10 years (\$7 rise in 10 years). Council's Water Fund has been in operational deficit for the past 3 years. There will be no dividend paid from the Water Fund as surplus will not be achieved in 2023/24. <p>Why the increased prices</p> <ul style="list-style-type: none"> Council has experienced a significant increase in our operating costs in the past 3 years. The proposed water price increases are targeting a breakeven operational budget for the Water Fund in 2024/25 financial year. The cost for electricity has increased by 72% in the past 3 years, cost for chemicals has increased by 70% in the same period. The cost for materials and contracting have increased by 30-50%. During the period of COVID we experienced a sharp reduction in water usage (due to the wet weather during that period). Our Water and Sewer Funds must also fund our water and sewer capital works programs (renewals, new works etc). <p>Impact of water price increase</p> <ul style="list-style-type: none"> For the average residential water customer (155kL per year) the availability charge will rise by \$57 per year (or \$1.10 per week) and water usage will rise from \$77 per year (or \$1.48 per week). In comparison with neighbouring and similar size Councils, Shoalhaven's water pricing will still be among the very lowest. <p>Developer Works</p> <ul style="list-style-type: none"> Shoalhaven Water collects charges from developers to construct infrastructure to support development areas. In the case of Badagarang a Government grant was also received.
D009	Community/ Resident	General objection	Noted.
D011	Community/ Resident	Operational feedback on efficiencies and staff numbers. Focus should be	Feedback on proposed budget and commentary is noted. See response D38.

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
		on essentials with all other non-essential services suspended. Review of spending required.	
D012	Community/ Resident	Detailed cost control needed; increase profitability of existing assets; reduce headcount.	Feedback on proposed budget and commentary is noted. See response D37.
D014, D015, D016, D017, D018, D019, D020, D021	Community/ Resident	Wharf Road boat ramp Shoalhaven Heads renewal prioritised over Myola Boat ramp project	<p>Waterways Infrastructure renewals such as boat launching ramps, pontoons, jetties and slipways are very large and complex projects that generally need to be funded through a combination of grants and Council capital works budget.</p> <p>The much needed replacement and upgrade of the Myola boat launching ramp and associated pontoon is a current commitment with significant grant funding already secured from the State Government.</p> <p>The Wharf Road boat ramp at Shoalhaven Heads has also been identified for future renewal and this project will be pursued when grant funding opportunities arise and Council budget permits.</p>
D022	Community/ Resident	Operational feedback on efficiencies and staff numbers. Review of consultant and contractor spending required. Shoalhaven Water Fees - objection.	Feedback on proposed budget and commentary is noted by staff. See response D37.
D023	Community/ Resident	Budget / Staffing / Shoalhaven Water Fees - objection.	Objection to fee increases noted. See response D007.
D024	Community/ Resident	Shoalhaven Water Fees - objection. Payment assistance.	<p>Objection to fee increases noted. See response D007.</p> <p>Council recognises that the proposed increase in water prices are significant and will impact our customers. Shoalhaven Water has a number of ways which support vulnerable customers:</p> <ul style="list-style-type: none"> - Pension rebates applied to eligible customers for both water and sewer charges - Payment Assistance Scheme that is administered through a network of local Community agencies, that provide financial support and guidance to residents of the Shoalhaven that are experiencing financial stress.
D026	Community/ Resident	Higher fees / Shoalhaven Water Fees - objection / Staffing reductions.	Objection to fee increases noted. See response D007.
D027	Community/ Resident	No allocation for individual capital projects. Shoalhaven Water Fees - objection.	Shoalhaven City Council has nominated to advertise budgets for the 24/25 Capital Works program by program line rather than itemised projects. From time to time, projects need to change and it is more informative and relevant to detail how much funding is available throughout the entire program. The \$5M NSW Government Pathways projects are in the 24/25 capital program now that funding agreements have been secured.
D029	Community/	Lack of action to address	Feedback on proposed budget and commentary is noted by

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
	Resident	financial sustainability; Reduce employee costs; unacceptable cumulative shortfall.	staff. See response D37.
D030	Milton Ulladulla Croquet Club (MUCC)	Funding for Milton Ulladulla Croquet Clubhouse Facilities at the Ulladulla Sports Park	Council is aware of the matters raised in the Milton Ulladulla Croquet Club's submission in relation to the draft DPOP 2024/25. The proposed figure (\$145,000) is not considered a realistic cost estimate for an adequately specified shed with suitable fit out for the purpose of providing a clubhouse facility. The proposal (as described) is not supported. Furthermore, there is insufficient funding available to support this request at this time. This request will be added to the Register of Community Requests for further consideration as part of a review (underway) of Council's Community Infrastructure Strategic Plan.
D031	Community/ Resident	Budget should be externally audited; consider reduction in some services with financial sustainability the main driver. Shoalhaven Water Fees - support.	Shoalhaven Water does not supply water to the Bawley Point area, these properties are provided water through private arrangements. It is agreed that all residents and businesses should adopt water saving and conservation practices. Feedback on proposed budget and commentary is noted by staff.
D036	Community/ Resident	Operational in-house savings; quality control on roads; Object to all increases.	Feedback on proposed budget and commentary is noted by staff.
D037, D038	Community/ Resident	Reduce operating costs as they are too high; address excessive loan borrowing and unrestricted cash reserves; address road maintenance; Shoalhaven Water Fees - objection.	<p>A bottom-up budget process was adopted in building the FY2024/25 operational and capital budgets to provide a realistic budget that is reflective of the cost incurred to deliver our current services at the current agreed service level and to meet legislative requirements. This results in a draft 2024/25 operating deficit which is larger than Council's previous budget however, is in line with the historical actual results achieved by Council.</p> <p>As operational savings, or revenue generation initiatives are identified through the Financial Sustainability Review project, and these initiatives are resolved by Council and ready for implementation, the operating budget will be revised at each Quarterly Budget Review process with the savings being quarantined with the expectation they are used to rebuild Council's unrestricted cash position, assist in funding future capital works, or assist with the repayment of Council borrowings.</p> <p>A prudent approach has been taken to council loans borrowings in FY2024/25, with borrowing only proposed for Waste Funded projects. This is a significant reduction in borrowing compared to previous budget cycles. Further, Council has budgets to repay \$10m in existing general fund loan borrowings utilising the sale proceed from the land sale program.</p> <p>The development of council's proposed capital budget was performed through our newly established Council's Enterprise Project Management Office (ePMO). The ePMO performed a thorough review of all requests and focused on those outstanding capital works projects that have commenced and will be incomplete by 30 June 2024 (carry forwards), and</p>

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
			projects not yet commenced but need to be delivered in FY2024/25 due to funding deed or other contractual obligations. This review process has ensured that our limited funds have been strategically allocated to our most critical capital projects.
D041	Community/ Resident	Object to Fees & Charges increases / Fix Infrastructure; Shoalhaven Water Fees - objection.	Objection to fee increases noted. See response D007.
D042	Community/ Resident	Concern Ulladulla Visitors Centre to be managed from Nowra.	Visitor Services are currently run from both Nowra and Ulladulla. Due to the current recruitment freeze resulting in less permanent staff, shifts from staff in Nowra to assist Ulladulla three days per week have been temporarily ceased. Noting that these extra shifts were only every supplementary to business as usual in Ulladulla.
D043	Community/ Resident	Funding for Myola Active Transport Grant funded program.	Myola Active Transport project is included in the budget capital project 132 on page 86. It is part of the NSW Government grant funding of \$5M.
D044	Community/ Resident	Draft document is not appropriately outlining current financial situation. Focus should be on control of budgets, tackling head count, efficiency measures, and clear measures of success required.	Feedback on proposed budget and commentary is noted. Refer to D037.
D048	Community/ Resident	Loss of Shoalhaven Recovery Hub grant-funded staff and programs	Council continues to advocate for funding to provide disaster recovery and social recovery of communities. Council will transition the Recovery Hotline to the customer contact centre from July 2024 and provide support on the most frequent requests.
D049	Community/ Resident	Limited time provided for feedback; Shoalhaven Water Fees - objection.	Objection to fee increases noted. See response D007.
D050	Community/ Resident	Request Opt-in Green Waste bin service	Request for service noted by staff.
D051	Community/ Resident	Financial Sustainability initiative savings targets required; ratepayer subsidy of tourists; Hyams Beach Paid Parking suggestion; Funding for Coastal Management actions.	Feedback on proposed budget and commentary is noted.
D055	Community/ Resident	Total Flood Warning System Funding	<p>Council received grant funding from the Australian Government to undertake a scoping study for the implementation of a Total Flood Warning System (TFWS) for Lake Conjola, Burrill Lake and Tabourie Lake catchments. This scoping study will be completed by the end of 2024 and include all technical details required to implement the system.</p> <p>Council has applied for 2/3 grant contribution from the NSW Government for the implementation of the TFWS. The outcome of this application will be released later this year. Council's Floodplain Management Unit is in strong support of the community feedback to include funding for the implementation of a TFWS in the FY24/25 budget. At this time,</p>

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
			24/25 funding was unable to be allocated to the project but will be reviewed on the outcome of the grant application.
D056	Community/ Resident	Roads improvements - Prince Edward Ave, Culburra Beach	Council is aware of the condition of Prince Edward Avenue, this road is not currently planned for resurfacing or rehabilitation within the current capital works plan. Council is currently undertaking a comprehensive road condition survey, which will allow us to prioritise road resurfacing and rehabilitation activities into the future. As such, these works may be identified for future years funding as part of this process.
D058	Community/ Resident	Flood Alert System ongoing capital funding	Council has not allocated the \$40K in annual funding towards the upgrade of Flood Alert System (Alert 1 to 2) in the 24/25 budget.
D059	Currarong Community Association (CCB)	Various infrastructure and maintenance requests in Currarong: Currarong Road; pedestrian footpath along caravan park; dog beach access signs, replacement of poisoned trees, shower upgrade, disability access for beaches.	Multiple issues and suggestions for capital works program and maintenance in Currarong, Full response will be provided directly to the CCB on the appropriate channel to direct these requests.
D060	Vincentia Ratepayers and Residents Association Inc (CCB)	Frederick Street / Elizabeth Drive Pedestrian Refuge, Shared User Path from Moona Creek to Plantation Point Fit for Purpose, Storm Water Collection and Discharge Solutions.	Multiple issues and suggestions for capital works program and operational budget for Vincentia. This items have been directed to staff for forward prioritising of capital programs.
D061	Community/ Resident	Fees and Charges increase queries, Suggestion to review the Shoalhaven Entertainment Centre, Rehabilitate Burrier Road, and capping of Councillor expenses.	<p>CERTIFICATION - Page 4 'Applications NOT involving building work' - These are new charges to cover CDC applications for demolition. Page 5 'Principal Certifier Fees' The new fee per inspection is \$317.10. Comment per inspection has been added against the fee in the version for adoption.</p> <p>COMMUNITY FACILITIES - Page 23 'Destination Facility Function'. The fee only applies to private and commercial one-off functions and will not impact regular hirers. The heritage halls require additional operational funds due to aging heritage infrastructure. Callala Beach Community Centre is a highly utilised wedding venue, and community expectation is that hirers should contribute to the upkeep of the hall in line with their use of the venue (there are two other halls in the village where the lower Village Hall fees apply).</p> <p>INFRASTRUCTURE AND WORKS - Page 64 Tree Inspections - 'Completion of a Simple Environmental Assessment' 'Application for re inspection - These fees have been adjusted to reflect the staff time to complete the work.</p> <p>LAND USE AND PLANNING - Page 71 'Search fee to provide information on Dwelling Entitlement Potential' 'Certificate Urgency Fee' - These are both fees for service and are optional at an individual's discretion. The proposed increases better reflect the work and priority that needs to go into the research and preparation of the certificates. As an alternative to a Dwelling Entitlement Potential request proponents can do their own research/due diligence and confirm the dwelling</p>

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Ref #	Submission From	Subject/Comment/Issue	Staff Comment and Recommended Action Required
			<p>entitlement status of a property. The Certificate Urgency Fee is for urgent certificate's that sit outside the normal 10.7 Certificate processing times and require staff to be dedicated to the task.</p> <p>TOURISM - Page 153 'Event Application Additional Fee - Traffic Impacts - Class 1 (Down to Class 4) and 'Event Application Processing Fee - Large Events' The additional fees have been introduced as a new way to process events impacting on traffic. This will allow the events team to issue Section 144's under the Roads Act, in place of the current Section 138's that event organisers are currently required to submit through the NSW Planning Portal. This new fee will be instead of the Section 138 fee and has been tiered to accommodate different levels of traffic impacts. It also allow for partial cost recovery of the multiple teams involved in reviewing the documentation submitted. The increase to the event application fees are to bring the fees in line with other neighbouring Councils, these fees have not been increased for the past two years. The fees are tiered to accommodate different event sizes, with a heavily discounted Not For Profit Charity rate available.</p>
D062	Community/ Resident	Non-core services funding, increasing management expenses, priorities too high level, some measures for success not clear. Shoalhaven Water Fees - objection.	Feedback on draft DPOP and commentary on measures of success is noted. Objection to Shoalhaven Water fees noted.
D065	Shoalhaven Heads Chamber of Commerce and Tourism	Revaluate Council's \$500K budget reduction for Economic Development and Tourism and the related impact on local economy, support for local business and social and economic impact of the cuts on delivery on Destination Management Plan, NSW Visitor Economy Strategy.	<p>Reduction in the Economic Development, Tourism & Events budget by \$500,000 ongoing, as directed by Council, will see the deletion the entire Tourism Event Support Program. This program supports off-season visitation to the region by way of an ROI of estimated \$50million per year to the region. The reduction in support for events has already seen the cessation of flagship events like Fairgrounds festival and the South Coast Food and Wine Festival in 2024.</p> <p>The remaining shortfall will cut the Tourism Marketing budget by close to 40%, which will result in a reduction of overall services. Including a reduction in winter marketing campaigns aimed at growing off-season visitation and promoting the region as a year-round destination. Also impacted will be peak season communications that manage and move people from hot spots, including the 100-beach challenge and conscious traveller messaging. Other cuts will include significant reduction in funding available via the Precinct Marketing Program, which supports local business chambers with dollar-for-dollar funding for their own regional marketing initiatives. In addition, Visitor Servicing is also undergoing a service review with results to be reviewed in the new financial year.</p>

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Delivery Program Operational Plan

The following proposed amendments to Council's Operational Plan Actions from the version placed on public exhibition. The Final Draft DPOP 2024-25 is included as **Attachment 1**, with the Fees and Charges included as **Attachment 2** (Part 1) and **Attachment 3** (Part 2).

Table 2 – Amendments to Draft DPOP 2024/25 Action Items

DPOP Original Item #	Amendment	Rationale
2.1.02.04	Update Action: Manage Council’s Flood Alert Network New KPI: Percentage of network operational – 100%	Funding for upgrade of 10% network from Alert 1 to Alert 2 not available in capital program for 24/25. Flood study and plans KPIs have been moved to 2.1.02.01.
3.1.01.03	Remove Action: Continue to develop and subdivide employment land including expressions of interest for sale Replaced Action: Support business networks and industry groups to allow businesses and employees to establish, develop and thrive in the Shoalhaven	Due to Council process for selling industrial land no longer proceeds to expression of interest (resolution).
3.1.03.02	Remove Action: Deliver an event support program to drive off-season visitation to reduce seasonality of tourism employment opportunities Replaced Action: Advocate for and support events coming to Shoalhaven in the off-season to increase visitation, provide employment and boost the visitor economy	As Council Tourism Event Support program has not allocated funding in 24/25 budget, action has been updated.

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Editorial and Formatting Changes

As part of the exhibition process some minor editorial and formatting changes were identified and these changes have been made to the DPOP and included in the documents provided with this report.

These changes have not been specifically identified within the body of the report as they do not change the intent of the document or any budget position and are considered minor in nature.

Considerations and Proposed Changes to 2024/25 Budget

Operational Budget

A bottom-up budget process was adopted in building the FY2024/25 operational and capital budgets. This approach provides a realistic budget that is reflective of the cost incurred to deliver our current services at the current agreed service level. It also ensures all costs required to meet legislative requirements are adequately budgeted for.

Council’s dedicated Financial Sustainability Review project team will continue to coordinate financial sustainability actions and initiatives in response to previous Council resolutions and those noted in the November 2023 AEC Financial Sustainability review, with the aim of returning Council into a financially sustainable position. As operational savings are identified through the Financial Sustainability Review project, and these savings are resolved by Council, ready for implementation, and can be reliably measured, the operating budget will be revised at each Quarterly Budget Review process with the savings being quarantined with

the expectation they are used to rebuild Council's unrestricted cash position, assist in funding future capital works, or assist with the repayment of Council borrowings.

Due to the status of this work, at present Council is unable to reliably measure, nor determine the timing, of these savings for inclusion in the budget. Council does expect the start realising savings from FY 2025 QBR 1, which will be reported to Council in November 2024.

Proposed changes to draft budget

The operational budget deficit when compared to the Draft exhibited budget has increased by \$2.4M, to \$21.0M (Draft: \$18.6M).

Rates and Annual Charges Income has increased by \$320K to reflect a small increase in rateable properties in 2024/25. This is due to the further subdivision of properties that have occurred since the Draft DPOP was prepared. This income is partially offset by a decrease of \$96K in User Fees and Charges arising from an adjustment to budgeted income from the Visitors Centre that was historically overstated. The net increase in income is \$224K.

Employee Benefits and On Costs have increased by \$1.1m due to required adjustments to Job Cost Recovery. These adjustments reduce the amount of employee costs expected to be recovered through capital expenditure, resulting in an increase in net operational employee costs. This adjustment does not change the gross budgeted amount for employee costs (total operational and capital) and does not increase Council's cash outflows for employee costs.

Materials and Contracts have also increased by \$1.4m. The increase is due to minor increases to operational expenditure which are funded by the \$224K net increase in income. The remainder of the increase is due to certain capital projects being reclassified as operating expenditure. The scope of these projects meets the definition of an operational project in accordance with Australian Accounting Standards. The reclassification of Materials and Contracts expenditure does not increase Council's cash outflows, as these costs were already in the capital budget.

Proposed Borrowings

Council has reduced its reliance on borrowings for FY 2024/25 and no changes to anticipated borrowings are proposed from what was published in the draft DPOP.

Capital Works Listing

It is important to note that the Draft DPOP was prepared prior to the March Quarterly Budget Review. As such, further changes were made to refine the Capital Works Program as outlined in **Attachment 1**.

Council proposes a capital spend for the year ended 30 June 2025 of \$126.9M (FY 2023/24: \$188.2M). The final program is \$61.3M less than the amount proposed in the FY2023/24 Budget. and an increase of \$15.5M on the draft DPOP (Draft: \$111.4M). General Fund works increased by \$13.5M, Water by \$0.25M and Sewer by \$1.7M.

March Quarterly Budget Adjustments showed capital carry forwards of \$42M. The entire capital program (including carry forwards) was reviewed prior to determining an appropriate deliverable FY 2024/25 capital program

Of the \$42M carry forward, \$9.9M was deferred to future years primarily the Local Road Upgrades Program (\$7.7M); Huskisson Service Lane - Morton Street (\$1.6M); and Mossvale Rd South URA - Land Acquisitions (Open Spaces) (\$634K). A further \$1M in grant funded projects was reclassified as operational due to finalisation of project scope.

From the draft DPOP \$21.6M of projects were deferred to future years, primarily: Local Road Upgrades Program (\$9.6M); Showground BLERF Projects (\$5.5M); Mundamia Urban Release Area - Roads LCLI (\$3.5M); ENSA - Detailed Design and Early Works (\$3M); a further \$550K was reclassified as operational due to change in project scope.

Additional new grant funded projects were added totalling \$5M. These relate to the Far North Collector (\$1.4M); Roads to Recovery 2025-2029 program (\$1.9M) West Nowra URA (\$1M), Culburra WWTP Upgrades (\$733K), and an additional \$410K for increased scope of works for Jervis Bay Road which is also funded from the Roads to Recovery program.

Due to the funding constraints currently faced by Council and despite the austerity measures taken to present a realistic and funded capital works program for FY 2024/25, it is unlikely there will be unrestricted general fund cash to commit to capital in FY2025/26, and onwards, unless a Special Rate Variation (SRV) is adopted. Therefore, Council has only presented a 1 year capital program in the FY2024/25 delivery program operational plan as there is no certainty around the future of the capital works program at this time.

Rating Structure

In order for Council to levy rates and charges for the 2024/25 rating year, Council is required to resolve the making of all rates and annual charges, in accordance with the Local Government Act 1993 & Local Government (General) Regulations 2005.

Following publication of Council's draft Statement of Revenue Policy, and in accordance with Section 532 of the Local Government Act 1993, maximum permissible income has been recalculated to incorporate new properties from the ongoing issue of supplementary land values from the Valuer General, up to 20 April 2024. This recalculation of maximum permissible rates income has resulted in minor changes.

The final rating structure for 2024/25, for both ordinary rates and special rates, is shown in the following tables. These changes have already been included in the DPOP documentation that has been provided with this report.

Table 3. Ordinary Rates

Sub-Category	No. of Rateable Properties	Land Value	Ad Valorem (c in \$)	Base Rate Amount (\$)	Total Rate Yield (\$)
Residential Rates	56,427	\$43,315,562,986	0.09923	\$760.00	\$85,866,884
Residential Non-Urban Rates	937	\$77,278,850	0.09923	\$50.00	\$123,534
Ordinary Farmland Rates	627	\$1,714,065,000	0.07520	\$1,012.00	\$1,923,501
Farmland Rates - Dairy Farmers	142	\$409,815,000	0.03970	\$1,144.00	\$325,145
Business Ordinary Rates	147	\$3,225,070	0.19932		\$6,428
Business Nowra Rates	378	\$276,769,980	0.51600	\$760.00	\$1,715,413
Business Commercial / Industrial Rates	1,881	\$1,802,814,108	0.17380	\$760.00	\$4,562,851
Business - Major Retail Centre - Nowra	1	\$10,700,000	0.72930	\$760.00	\$78,795
Business - Major Retail Centre - Vincentia	1	\$11,500,000	0.35130	\$760.00	\$41,160
	60,541	\$47,621,730,994			\$94,643,711

Table 4. Special Rates

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Sub-Category	No. of Rateable Properties	Land Value	Ad Valorem (c in \$)	Base Rate Amount (\$)	Total Rate Yield (\$)
Verons Road Upgrade Special Rate - Dwelling Potential	22	\$15,386,000	0.38260	\$2,674.00	\$117,695
Verons Road Upgrade Special Rate - No Dwelling Potential	10	\$4,215,000	0.07093	\$297.00	\$5,960
Nebraska Road Construction Special Rate	24	\$4,300,400	0.06743	\$119.00	\$5,756
Jerberra Rd Infrastructure	102	\$57,225,000	0.20371	\$1,142.00	\$233,057
Jerberra Electricity Infrastructure	102	\$57,225,000	0.06870	\$385.00	\$78,584
Jerberra Road - E2	16	\$1,128,500	0.36653	\$257.00	\$8,248
Sussex Area Special Rates	97	\$85,244,270	0.02175		\$18,541
Total	373	\$224,724,170			\$467,841

In accordance with Sections 534 and 535 of the Local Government Act 1993, Council can resolve to make rates and charges for the 2024/25 financial year.

Fees and charges

Cemeteries and Crematoria NSW (CCNSW) has confirmed the expansion of the interment services levy. The new levy is \$41 per cremation, \$63 per ash interment and \$156 per bodily interment. The levy will commence on 1 July 2024 for large operators, with GST to be applied on top of the forementioned amounts.

During the period of public exhibition the Department of Planning, Housing and Infrastructure released the FY2024/25 fee unit amounts for development applications resulting in a number of changes to the draft fees and charges. The impacted fees are located on page 36-45 in **Attachment 3**.

The fee for Holiday Van Owners incorrectly published the maximum price charged at Holiday Haven White Sands only (\$9,461) and not representative of the fee charged at other Parks (\$7,907). Both fees are increasing by 5.5% inclusive of GST. Any submissions relating to this item have been advised the correct fees via email and the error has been rectified.

A reduction of \$200 was made to Effluent Removal Charges for Properties with Bi-Weekly service due to administrative error.

The updated 2024-25 Fees and Charges (Part 2) is included as **Attachment 3**.

Conclusion

The 2024/25 Draft Budget was prepared based on the principles of prudent financial management and fiscal discipline. As demonstrated in the table below, the proposed changes to the 2024/25 Draft Budget have minimal impact on net unrestricted cash and the final 2024/25 budget will remain balanced and does not result in a negative unrestricted cash movement. This indicates that the budgeted general fund operational and capital expenditures do not exceed the general revenue and available internal and external

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restrictions of the Council and consequently conforms to the requirement of no cash deficit budgeting.

Draft 2024/25 Budget	2024/25 Budget (\$'000)			
	General Fund	Water Fund	Sewer Fund	Consol.
Net Operating Results	1,675	1,985	10,266	12,010
Net Surplus/(Deficit) before Capital	-25,291	345	8,241	-18,621
Other Cash Adjustments				
Capital Expenditure	-76,767	-14,385	-20,225	-111,377
New Borrowings	3,751	0	0	3,751
Loan Principal Repayments	-26,165	0	-5,045	-30,782
Net Gains from the disposal of assets	-6,099	0	0	-6,099
Proceeds from the disposal of assets	18,965	120	100	19,185
Receipt of Internal Loan Repayment	0	428	0	0
Depreciation Adjustment	64,553	15,144	17,523	97,220
Dividend Paid to General Fund		-167	-1,749	0
Net Cash Outflow	-20,088	3,125	870	-16,093
Reserve Movements				
Net Transfers from Reserves	20,119	-3,125	-870	16,124
General Fund Net Cash Movement	31	0	0	31

CL24.179

Adjustments to 2024/25 Draft Budget Post-Exhibition:	2024/25 Budget (\$'000)			
	General Fund	Water Fund	Sewer Fund	Consol.
Net Operating Results	-1,595	133	244	-1,218
Net Surplus/(Deficit) before Capital	-2,787	133	244	-2,410
Other Cash Adjustments				
Capital Expenditure	-13,540	-250	-1,732	-15,522
New Borrowings	0	0	0	0
Loan Principal Repayments	248	0	0	248
Net Gains from the disposal of assets	0	0	0	0
Proceeds from the disposal of assets	0	0	0	0
Receipt of Internal Loan Repayment	0	0	0	0
Depreciation Adjustment	0	0	0	0
Dividend Paid to General Fund	0	0	0	0
Net Cash Outflow	-14,886	-117	-1,488	-16,491
Reserve Movements				
Net Transfers from Reserves	14,856	117	1,488	16,461
General Fund Net Cash Movement	-30	0	0	-30

CL24.179

Updated 2024/25 Budget	2024/25 Budget (\$'000)			
	General Fund	Water Fund	Sewer Fund	Consol.
Net Operating Results	80	2,118	10,510	10,792
Net Surplus/(Deficit) before Capital	-28,078	478	8,485	-21,031
Other Cash Adjustments				
Capital Expenditure	-90,307	-14,635	-21,957	-126,899
New Borrowings	3,751	0	0	3,751
Loan Principal Repayments	-25,917	0	-5,045	-30,534
Proceeds from the disposal of assets	-6,099	0	0	-6,099
Proceeds from the disposal of assets	18,965	120	100	19,185
Receipt of Internal Loan Repayment	0	428	0	0
Depreciation Adjustment	64,553	15,144	17,523	97,220
Dividend Paid to General Fund	0	-167	-1,749	0
Net Cash Outflow	-34,974	3,008	-618	-32,584
Reserve Movements	0	0	0	0
Net Transfers from Reserves	34,975	-3,008	618	32,585
General Fund Net Cash Movement	1	0	0	1

CL24.179

Following the consideration of the submissions received and the identification of the required changes, it is recommended that the Draft Delivery Program and Operational Plan 2024/25, Draft Budget and Fees and Charges be adopted by Council, with proposed changes, as outlined in the recommendation at the beginning of this report.

CL24.180 Proposed Submission - NSW Parliamentary Inquiry: Historical Development Consents (Zombie Developments)

HPERM Ref: D24/202323

Department: Strategic Planning
Approver: Coralie McCarthy, Acting Director - City Futures

Attachments:

1. Media Release - Inquiry into Historical Development Consents [↓](#)
2. Terms of Reference - Inquiry into historical development consents [↓](#)
3. Draft Submission - Inquiry into Historic Development Consents (under separate cover) [⇒](#)

Reason for Report

This report seeks Council's endorsement of a draft Submission prepared by staff to the NSW Legislative Assembly Committee on Environment and Planning led inquiry into historical development consents in NSW.

Recommendation

That Council:

1. Endorse and finalise the draft Submission attached to this report and send it to the NSW Legislative Assembly Committee on Environment and Planning, and
2. Support relevant staff representing Council at any opportunities that may arise to address the NSW Legislative Assembly Committee on Environment and Planning to discuss Council's submission as part of the Inquiry process.

Options

1. As recommended.

Implications: Endorsing and providing the Submission takes full advantage of the opportunity to advocate for the improved management of historic development consents and the impacts they have on community and environmental values. The adopted submission will be sent to the Committee.

2. Adjust the Submission, for example, to include any additional matters that may be identified.

Implications: Ensures any additional Councillor feedback is included in the Submission.

3. Do not make a Submission.

Implications: The opportunity to advocate on this matter through the Inquiry will not be taken.

Background

The NSW Legislative Assembly Committee on Environment and Planning is conducting an inquiry into historical development consents. The Inquiry will examine the impact of historical development consents on the NSW planning system, development industry and property ownership.

The Committee will also consider policy and legal solutions to address concerns about historical development consents, including any barriers in using current legal provisions to respond to the issue.

Information about the role and types of NSW Government committees is provided online ([link](#)) and relevant background information is attached:

- **Attachment 1:** Media Release about the Inquiry.
- **Attachment 2:** Terms of Reference for the Inquiry.

Historic development consents, also informally called “zombie developments”, are consents approved years or often decades ago under previous planning legislation, that have commenced, but have not been completed. Meaning they are often picked up and recommenced or completed many years later. These consents are typically for large-scale developments (but not always) that, when executed, have the potential to have significant adverse social, environmental, or economic impacts that were not, or could not, be considered when the application was originally assessed and gained consent.

Under current planning law, development consents typically lapse after 5 years. A consent can be prevented from lapsing if building, engineering, or construction work relating to the consent is “physically commenced” within that 5-year period. The legal position on what constitutes commencement has changed since the introduction of the 1979 legislation. Initial requirements only needed minimal preparatory work such as survey work or removal of vegetation, while current requirements confirm such minor work is not sufficient. In either case, physical commencement of a consent undertaken in the initial 5-year period, ‘secures’ the consent, meaning the consent remains in force ready to be acted upon at any time.

Draft Submission

The draft Submission (**Attachment 3**) welcomes and supports the Inquiry, requests the opportunity for representatives of Council to address the Committee, and sets out how historic development consents are affecting Shoalhaven. This includes impacts and examples of consents in Shoalhaven and how they have or may affect community and environment values.

The Submission sets out a series of observations about the management of historic consents, including:

- The need to improve community awareness and education about historic consents and associated processes to enable communities to better understand and engage in land use planning decisions.
- Current barriers to identifying historic consents such as evolving commencement tests, legal considerations, and the logistics of record keeping.
- Opportunities, processes and supporting planning frameworks to
 - Strengthen the management of historic consents when they are reactivated.
 - Review and possibly revoke historic development consents.
- How to resource Councils to undertake any additional responsibilities associated with the management of historic development consents.

The following examples of historic consents in Shoalhaven are provided in the draft Submission to demonstrate local experience with historic consents and impacts/concerns:

1. 179-residential subdivision in Manyana: This example demonstrates the value local communities currently place on vegetated sites and potential biodiversity resources and the significant community support to secure the site in public ownership to safeguard them.
2. 32-unit residential flat building in Huskisson: This example demonstrates changing community values about local character and an increasing awareness about environmental values. This is demonstrated by an increasing number of community submissions made on the initial application and a series of proposed modifications over a 12-year span.
3. Rural-residential subdivision in Little Forest: This example demonstrates continued community concern about how reactivation of a historical consent avoids contemporary requirements to retain and manage vegetation and control soil erosion.

The Submission contains a significant and broader advocacy message prior to making a series of recommendations for the Committee's consideration. This highlights how the scale and scope of planning reform, both complete and underway, makes the task of managing historic consents more complex. It suggests the overhaul and renewal of the planning legislation and system provides a significant opportunity to not only manage historic development consents but also improve on the practice and limited success of continual reform.

The draft Submissions key recommendations suggest the NSW Government:

- Prepare a community education program to explain development consent processes, considerations, and the limitations on adjusting or revoking historic consents. This will enable communities to better participate in land use planning decisions.
- Build and promote a public register to inform communities about sites which benefit from approvals to provide greater transparency about approval mechanisms, timing, past decisions, and historic planning controls.
- Introduce a process to for the contemporary assessment of historic consents when reactivated, including mechanisms to adjust and/or revoke historic consents. This includes consideration of legal protections for Council and potential compensatory funding for applicants.
- Set contemporary definitions, tests, and processes to demonstrate or confirm a consent has commenced. This also needs to consider the challenges and implications of the retrospective application of new definitions, tests, and processes to historic consents.
- Provide necessary funding and resources to Council to implement any additional measures to manage historical development consents to not detract from its core development assessment and compliance activities.

To ensure that Council's intention to potentially provide a submission to this Inquiry was recognised, the draft Submission (Attachment 3) was provided by the nominated deadline of 3 June 2024, noting that an endorsed Council Submission would be provided by 28 June 2024. This approach was accepted and following consideration of this report Council staff will take the necessary next steps consistent with any resolution.

Internal Consultation

The draft Submission was prepared by staff in the City Futures and City Development Directorates and was informed by discussions with Council's Strategic Planning Working

Party on 9 May 2024, which identified current concerns with historic consents and examples of historic consents for inclusion in the submission.

In late 2022, the Working Party also discussed/investigated the preparation of a public register of historical consents to make relevant information public. However, evolving commencement tests, changing case law, the legal implications of confirming historic consents that had been commenced, and the logistics of reviewing decades of Council's records ruled out the creation of such a register.



LEGISLATIVE ASSEMBLY
Committee on Environment and Planning

19 March 2024

MEDIA RELEASE

Unearthing answers about zombie developments

Inquiry into historical development consents in NSW

A new inquiry by the Legislative Assembly Committee on Environment and Planning will be looking into historical development consents in New South Wales. Also known as "zombie developments", historical development consents are development projects which were approved years or sometimes decades ago but remain unfinished with minimal work completed. Sometimes, work on these developments may restart after years or decades of no activity.

'Zombie developments reflect the law at time the development consent was initially granted. Planning and environmental standards have changed since some of these older consents were issued and the community's expectations have shifted too,' said Chair, Clayton Barr MP.

'We are calling for submissions on the impact of these development consents on the NSW planning system, development industry and property ownership. We would also like to consider policy and legal solutions to address the issue, including what other jurisdictions have done to address similar issues.'

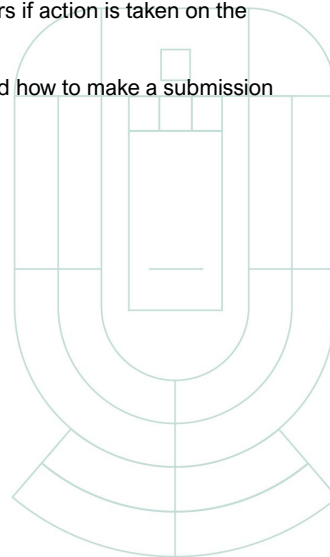
'The Committee would really like to hear from members of the community, businesses and local councils who live near or are affected by historical development consents.'

As part of the inquiry, the Committee will also consider any barriers in using the current planning framework to address the issue and the benefits and costs to taxpayers if action is taken on the issue.

Further information on the inquiry including the terms of reference and how to make a submission is available on the Committee's [webpage](#).

Submission close on **Monday, 3 June 2024**.

Media contact: Clayton Barr MP, Chair
(02) 4991 1466





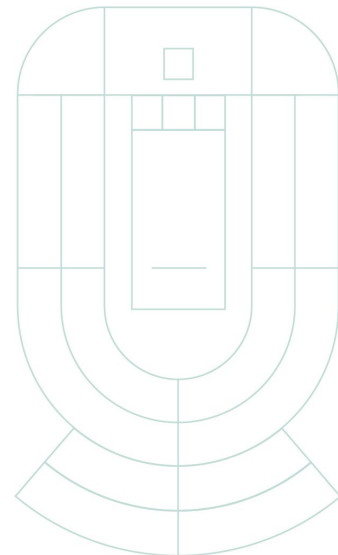
LEGISLATIVE ASSEMBLY
Committee on Environment and Planning

Inquiry into historical development consents in NSW

Terms of reference

That the Committee on Environment and Planning inquire into and report on historical development consents in New South Wales, including:

- (a) The current legal framework for development consents, including the physical commencement test.
- (b) Impacts to the planning system, development industry and property ownership as a result of the uncertain status of lawfully commenced development consents.
- (c) Any barriers to addressing historical development consents using current legal provisions, and the benefits and costs to taxpayers of taking action on historical development concerns.
- (d) Possible policy and legal options to address concerns regarding historical development consents, particularly the non-completion of consents that cannot lapse, and options for further regulatory support, including from other jurisdictions.
- (e) Any other matters.



CL24.181 Proposed Sale of 77 Princess Street Berry

HPERM Ref: D24/245405

Department: Strategic Property
Approver: Coralie McCarthy, Acting Director - City Futures

Attachments: 1. Survey Responses (under separate cover) ⇄

Reason for Report

This report considers the removal of 77 Princess Street Berry from Council's Land Sales Strategy due to community concern regarding the need for parking in Berry.

Recommendation

That Council:

1. Remove 77 Princess Street Berry (Lot 1 in DP 209665) from Council's Land Sales Strategy and not be considered for sale.
2. Note the considerable community feedback provided against the sale of this Council Land.

Options

1. That Council remove 77 Princess Street Berry (Lot 1 in DP 209665) from Council's Land Sales Strategy. **This is the preferred option.**

Implications: In line with community feedback and expectation in local Berry area. Loss of financial revenue from the potential sale (circa \$1m) of the land, and reputational risk as this land is being considered outside of the broader work investigating opportunities within the Land Sale program.

2. That Council note the community concern and defer consideration of 77 Princess Street Berry (Lot 1 in DP 209665) concurrently with the other land currently being investigated across the Shoalhaven LGA.

Implications: This may not appease the immediate community concern regarding the sale of the land and may cause ongoing distress to the residents and the business community of the township of Berry.

3. That Council resolve to sell Lot 77 Princess Street Berry (Lot 1 in DP 209665) as soon as possible and request staff take the necessary steps to bring the property to market immediately.

Implications: The SLEP 2014 has identified this site as part of a broader car parking strategy, and this would need to be reconsidered. This would not be in line with community feedback.

Background

Council resolved on 8 April 2024 to investigate various Council owned land holdings with the aim to find land appropriate for sale as part of its financial sustainability initiatives. Part of the investigation has included 77 Princess Street, Berry, which Council resolved to look at the

existing use, impact on the community, and potential to rezone this land with a further report to be brought back to Council on the outcomes of this investigation.

On 3 June 2024 a Notice of Motion was put to Council to consider removing the Princess Street land from the investigation process. Given that the land is not identified for sale, but rather for investigation only the following resolution was made:

1. *Recognise the significant community interest regarding not selling this site, particularly regarding parking needs in Berry and the impact selling this site will have on the Berry community.*
2. *Request the CEO prioritise a report back in respect of the previous resolution of Council regarding Lot 1 DP 209665 77 Princess Street, Berry” (MIN24.179), to Council before the end of June 2024, with this report including a summar of the investigation to date and detail on community feedback.*

Historically it should be noted that this land was acquired by Council on 18 August 2014 for the sum of \$435,000. This was following representations from the then owner given the land had a SP2 zoning (Special Infrastructure) in the Shoalhaven LEP and was intended under the DCP and Contributions Plan to be part of the broader car parking and access plan for the town centre. Council has removed the dwelling that was on the site after acquisition.

Council’s Property Steering Committee meeting on 5 August 2014, resolved that the site be classified as Operational land in accordance with section 31 (2) of the Local Government Act, 1993 for the purpose of car parking and access.

Internal Consultations – Site Investigations

The site is zoned as SP2 (Special Purposes – Car Parking) within the Shoalhaven Local Environmental Plan 2014. Refer to Image 1 and 2 showing the site and surrounding land zoning, as well as the car parking zoning. It can be seen that the zoning indicates that several adjacent landowners are also covered by the SP2 zoning with the intention of creating access and egress between the two Council carparks on Princess Street with road access on Alexandra Street. This intended zoning relies upon Council being able to acquire and dedicate an area of approximately 875m² to the rear of these properties; many of which are encumbered by buildings or services. Further, the process (if successful) to acquire this land may cost Council several millions of dollars in compensation to the affected landowners.

Should Council resolve to sell this land, this strategy would need to be reconsidered.

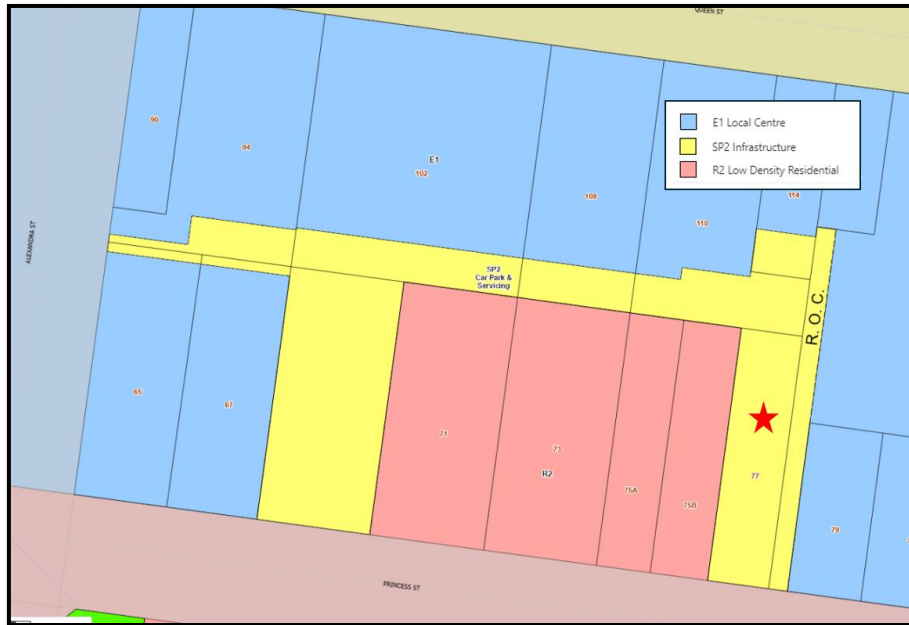


Image 1 – Subject Site Zoning (SP2)



Image 2 – Showing the neighbouring sites required to complete the carparking access and egress.

Council has developed a detailed Contributions Plans for the City. This is for developers to contribute to the provision of vital new infrastructure which is integral to their development. The site is also listed in the [Shoalhaven Contributions Plan](#) and if sold, this would need to be updated and reviewed.

External / Community Consultations

To accompany this investigation Council released a survey to allow the community an opportunity provide their thoughts, aspirations, and concerns over any of the land under investigation, which closed at 5pm on Friday, 14 June 2024.

CL24.181

As of 29 May 2024, Council's online survey received 127 responses regarding this site. It is noted that most respondents indicated concern over the potential loss of parking use and the need for parking in Berry. Some respondents raised concerns about signage into the parking area. There were a few respondents who mentioned that they didn't know this was Council owned and many assumed it belonged to the pub on Queen Street.

While the written feedback strongly indicated that the community required and utilised the site as car parking, anecdotal reviews indicated that as compared to other car parks in the Berry CBD this carpark didn't experience the same usage. The below Image 3 as a point of contrast shows the difference in usage between the two carparks on the same day; where Princess Street had 2 cars parked and Albert Street was at capacity. This may be due to a lack of signage indicating that Princess St site was a public / Council car park or proximity of Princess Street in relation to key retail business in the CBD.

A copy of the community responses has been included as **Attachment 1** to this report. The feedback is extensive within the survey for this site, and potentially there is a broader body of work required to consider the current and future parking needs of the Berry CBD. This should also consider the impact that recent addition of Boongaree Park may have had on parking constraints experienced by residents.



Image 3 – Aerial Image of Princess and Albert Street car parks on Friday 19 January, 2024.

Process for land sales

Should Council resolve to sell 77 Princess Street Berry, the contract of sale could include a restriction on the title to ensure that the parking spaces are maintained or otherwise provided for elsewhere within proximity to this site. This may mean that an adjoining owner or other interested entities acquire the site with the view of a larger masterplan for the area. This would be the preferred option should Council proceed to sell the site to ensure that parking is maintained within the Berry CBD.

Financial Implications

By not proceeding to sell the land, there is a potential foregone revenue of circa \$1m that would result from the sale of the site. Other more suitable sites would need to be identified to provide for Council's financial recovery.

If Council decides to retain the site for car parking purposes it would be beneficial to formalise the parking spaces, improve signage, and upgrade the road surfaces which require remediation works. Any cost associated with possible works would need to be considered as part of a future budget process.

CL24.181

Risk Implications

By removing the land from the sale independently of the broader Land Sale program, there is a risk that other sites will be removed in an ad hoc basis which could undermine the process.

CL24.181

CL24.182 Reclassification and Rezoning of Muir House - 10 Prince Alfred St Berry

HPERM Ref: D24/245593

Department: Strategic Property

Approver: Coralie McCarthy, Acting Director - City Futures

Reason for Report

Council at its meeting of 29 January 2024 (MIN24.41) considered the potential to rezone and reclassify “Muir House” (Lot 1 in DP 572830) and this report provides the outcomes of this investigation with options to progress this matter.

Recommendation

That Council:

1. Commence the preparation of a planning proposal to reclassify 10 Prince Alfred St Berry “Muir House” (Lot 1 in DP 572830) from community land to operational land in accordance with Section 34 of the Local Government Act 1993.
2. Include the reclassification and rezoning of as part of a bulk Planning Proposal, together with other sites which may be identified as part of the Land Sales program. It should be noted that this process must include a public hearing, chaired by an independent party, and may take several years to complete.
3. Continue to support the current lessee to provide options and / or alternate locations for the curation of its artworks.
4. Subject to the outcomes of the Planning Proposal work, a further report be brought to Council to consider the sale of the site.

Options

1. Resolve to commence the reclassification and rezoning process, as above. This will allow Council to undertake the requirements in accordance with the Local Government Act 1993 which would potentially lead to the disposal of a surplus asset to support Council in its financial recovery. **This is the preferred option.**

Implications: Loss of a community building within the Berry township and space used by community groups for the display and sale of artworks. The Berry community will have opportunity to provide feedback as part of the process. This process will take several years and future reports will be provided to Council as the matter progresses.

2. Do not resolve to reclassify and rezone the site, and further that the land be removed from Council’s Land Sales program.

Implications: It would also require a capital budget be identified to help remediate issues identified within the building and associated structures.

3. Resolve to reclassify and rezone the land, however the land be kept in Council ownership and an EOI be put to the market for a commercial lease.

Implications: Council would be required to bring the premises up to grade, including any access / egress, fire safety, parking, and building remediation works as identified. This

CL24.182

would require capital investment and the budget for these works is not currently available.

Background

The resolution from its meeting of 29 January 2024 required Council to undertake investigations on various levels to progress the consideration of this site; this included the following:

- Alternate options for the current lessee (being the Berry Community Activity Centre - BCAC) and options for alternate premises.
- The reclassification and rezoning requirements to make the land suitable for sale.
- The market valuation of the land having regards for the future classification and zone.

The current lease (LD8296) for the Berry Community Activity Centre (BCAC, Muir House & Stables – Apex Park) uses the premises to exhibit and sell art for local artists and is charged \$1,232.34 per annum. The lease was renewed on 10 May 2020 for a 5-year term terminating 9 May 2025 and there is no option to renew.

It should be noted that Berry Community Activity Centre also have a lease (LD7470) on part of Lot 2 excerpt from Lot 2 DP 572830 which expired 30 November 2023 and is month by month thereafter. The rent is \$2,653.36 per annum and there is no option to renew this lease.

Internal Consultations

In consultation with Council's Strategic Planning team the following key considerations are of note:

- The land is currently zoned RE1 (Public Recreation) under Shoalhaven LEP2014.
- The property is identified as a 'heritage item' in the LEP (Item No.47 – Federation weatherboard cottage including brick stables and hedge).
- To sell this land, it must be reclassified to 'operational', and rezoning (potentially R2 Low Density) would require a Planning Proposal and there must be a public hearing chaired by an independent party. Trusts or interests must be extinguished with NSW Government approval.
- The outcome of any public hearing and public exhibition of the Planning Proposal would need to be considered by Council in deciding whether to proceed with a reclassification.
- Any rezoning and reclassification of the subject property would need strategic justification to enable the initial Gateway determination for the Planning Proposal to be issued by NSW Planning. As such consideration needs to be given to the strategic justification and this would be better done as part of an overall Council Land process, rather than as a 'standalone' matter.
- The property came into Council ownership in 1976 following valuation and negotiation with the landowner, Council purchased the property for \$16,500. The Council report from 29 September 1975 indicated that it would be an "ideal permanent location for the Berry Museum." However, it should be noted that the Berry Museum are currently located at 135 Queen St Berry.

Options for Alternate Locations

Potential Options

- Consolidate operations into the Craft centre located next door. The BCAC currently lease the building next door (selling knitting, bangles, woodwork etc.) and run the Berry Markets. BCAC could consider housing both types of art within the one building.
- Sell their artwork at the Berry Markets
- License a room / building in the Berry Showground.
- Curate artworks within Berry Cafes & Restaurants.
- Sell art over the internet / social media platforms.
- Station Master Cottage - Council understands that this building may be owned by NSW Transport and could be available to lease.

Options Considered – which have been considered unviable by the BCAC.

- License a room in the Berry School of Arts building - these two types of uses are not suited to run alongside each other as there is no way of preventing the public entering a private event in the building.
- License a room in the Courthouse - the actual courthouse room would be potentially available to book on a short term basis (e.g. to run a 10 day exhibition) as it is available to others, however, is not available to exclusive use by one user group as this room is hired out for events.
- Make a wall available within a Council Building to allow community art exhibits - SEC, library or art centre.

While these options have been considered no alternate option has been finalised at this stage.

Community Consultations

Council has received representations from the current artists regarding the need for an art exhibition space. A letter received on 19 March 2024, noted that:

Apart from paintings in a variety of media, contributors to the gallery include art works from the Berry textiles group and the Berry Men's Shed, along with African style jewellery, ceramic jewellery and blown glass. All from artists and artisans residing within the Shoalhaven City Council area.

The cost of the art at Muir House is quite low compared to works of similar quality in commercial galleries in places such as the Southern Highlands and Blue Mountains. Muir House therefore enables local art lovers to acquire original art that they might normally be able to afford – therefore providing art access to a wider representation of the Shoalhaven community.

Muir House is able to provide quality art at a reasonable cost because it does not "mark-up" prices (which are typically 100%+) in the way commercial galleries must - to sustain profitability. This is largely because the upkeep and staffing of the gallery is carried out entirely by volunteers.

Council's Building Services team undertook a site meeting with the BCAC on 5 March 2024, while various topics were discussed the following is of note to this report:

- There are 15 members including one paid member of staff and two casuals who attend the monthly Berry Market for the Muir House Gallery.

- The larger meetings for the lessee occur once a month (mainly off site due to lack of space).
- Smaller meetings/discussions occurring weekly or as needed on site.
- For an artist to display their work onsite, they must volunteer their time in the gallery every month.
- The Muir House site also sells pieces made by Berry Spinners and Weavers and the local Men's Shed.
- 20% of the sales' income goes towards the gallery costs, 10% towards GST payments and the remaining goes towards the artist.
- The following space may be required to reaccommodate the art group:
 - Est 64m2 – for the display of the artworks (secure space)
 - Est 24m2 – to be used as a meeting space and workshop area.
 - Total space- 88 m2
 - Note- A slightly smaller space would be acceptable if it was single open space. The one space could accommodate the gallery, workshops and meetings, however the single space would need to be secured (single use).

Broader community consultation regarding the potential sale of this property has not been completed at this time. It should be noted that community consultation would formally occur as part of the Planning Proposal process. The recommendation requires a future report to consider the potential sale of the site, pending rezoning outcomes. Community consultation on the potential sale of this site would be considered as part of that process in the future. Alternatively, if Council wanted to consider community feedback sooner, a survey could be added to the land sales program in the short term to allow the community to provide feedback and comment.

Financial Implications

Subject to the land being rezoned to R2 (Low Density Residential) the land might attract a sale value between \$1.5 - \$1.85m, with the higher range possible subject to planning approval for a secondary / dual-occupancy dwelling.

Should Council decide to retain the site various remediation work may be required to keep the buildings in an appropriate condition for community use and a budget would need to be identified for these works.

As noted above, the current annual lease is \$1,232.34, which is due to expire by 9 May 2025.

The costs for the preparation of a Planning Proposal (which include preparation of the document, pre-lodgement and lodgement fees, gateway request, exhibition and reporting, as well as a public hearing are in the range of between \$50,000 - \$120,000. There are opportunities for Council to undertake the proposal against several sites concurrently which would reduce the individual cost. As such it is proposed that this planning proposal be included with the other sites as a bulk reclassification as part of Council's Land Sales program, (i.e. land which was identified within the report to Council on 8 April 2024 MIN24.179 or any others which may be brought to Council at a future date). While the cost of the bulk reclassification will not be known until the full details of all the land being considered, the costs will be reported back to Council once the final investigations have been completed.

Risk Implications

This site was excluded from Council's Land Sales project as a separate report provided for its investigation (i.e. the NoM from the 29 January 2024), however the strategic process and resultant Planning Proposal can undertake assessment over bulk groups of land inclusive of the land in the Land Sales Project, which provides an economy of scale. It is important that this matter is considered strategically alongside other properties in Berry and elsewhere, otherwise there is a risk that NSW Planning may not issue a favourable Gateway determination for any resultant Proposal.

Any rezoning and reclassification of the subject property would need strategic justification to enable the initial Gateway determination for the Planning Proposal to be issued by NSW Planning. As such consideration needs to be given to the strategic justification and this would be better done as part of an overall Council Land process, rather than as a 'standalone' matter.

It should be noted that this is not a simple process, and it will take several years for consideration and will be required to be reported back to council at key decision-making points.

CL24.183 Licence to Bomaderry Australian Football Club Incorporated - Pavilion Clubhouse - Artie Smith Oval Bomaderry

HPERM Ref: D24/48985

Department: Technical Services

Approver: Carey McIntyre, Director - City Services

Reason for Report

The reason for this report is to provide Council with an opportunity to approve a licence for the shared areas and an external storage room in Council's Pavilion Clubhouse at Artie Smith Oval, Part Lot 100 DP 1237704, 84 Cambewarra Road, Bomaderry, to be granted to Bomaderry Australian Football Club Incorporated.

Recommendation

That Council:

1. Enter into a 5-year licence with Bomaderry Australian Football Club Incorporated over Council community land known as the Pavilion Clubhouse at Artie Smith Oval, Part Lot 100 DP 1237704, 84 Cambewarra Road, Bomaderry, at a commencing rate of \$5,263.69 plus GST (if applicable) per annum, with annual rent increases in line with the Consumer Price Index (GST) Sydney;
2. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate authority to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

Options

1. Resolve as recommended

Implications: The licence will formalise future use by Bomaderry Australian Football Club Incorporated over the shared areas and an external storage room in the Pavilion Clubhouse as provided by the Local Government Act 1993. Council will provide a subsidised rental and securing the licence will ensure that Bomaderry Australian Football Club Inc has ongoing regular use of the facility.

2. Adopted an alternate recommendation

Implications: Bomaderry Australian Football Club Incorporated would not have the benefit of a licence agreement for the regular use of the Pavilion Clubhouse, and access would need to be arranged through a booking system administered by Council.

Background

The Pavilion Clubhouse at Artie Smith Oval in Bomaderry forms part of the newly completed \$20 million upgraded sports facility in the first stage of the Shoalhaven Community and Recreation Precinct (SCaRP) project. The Pavilion Clubhouse is located on Part Lot 100 DP 1237704, 84 Cambewarra Road, Bomaderry, as shown in red hatching in **Figure 1** below:

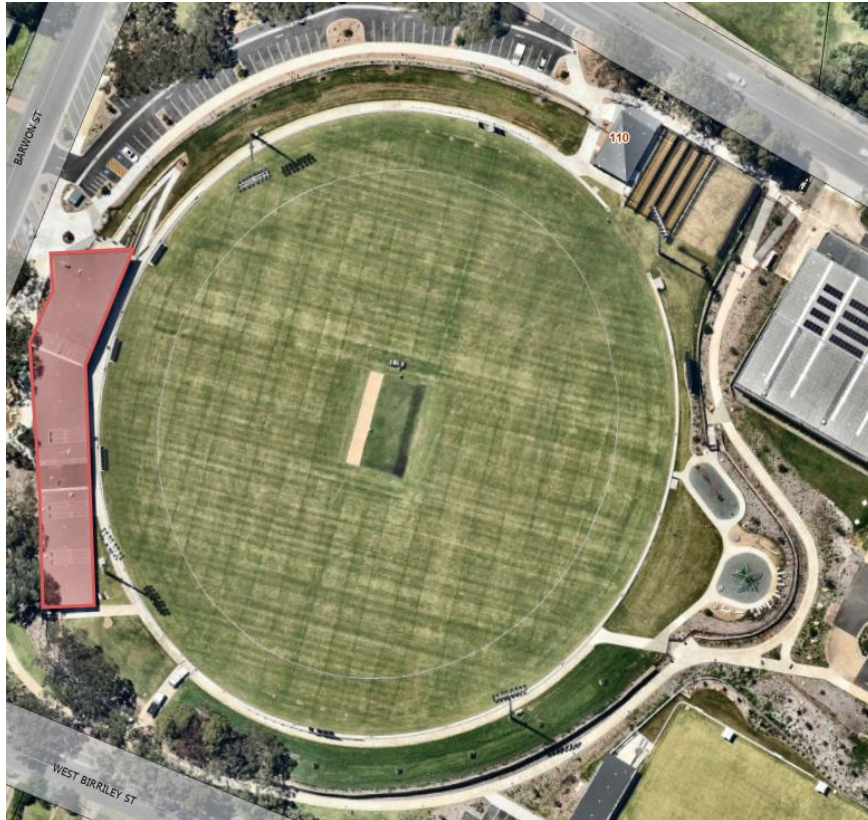


Figure 1: Pavilion Clubhouse at Artie Smith Oval

Lot 100 DP 1237704 is Council owned, classified as Community land and categorised as Sportsground. The land is listed in the generic Sportsground Plans of Management which provides express authorisation for leasing and licensing. The land is zoned RE1 Public Recreation.

The Bomaderry Australian Football Club Inc ('the Club') now wish to enter into a licence for the new premises. The licence will be over the kiosk, social room, office and an external storage room as shown below, highlighted yellow, in **Figure 2 & Figure 3**.

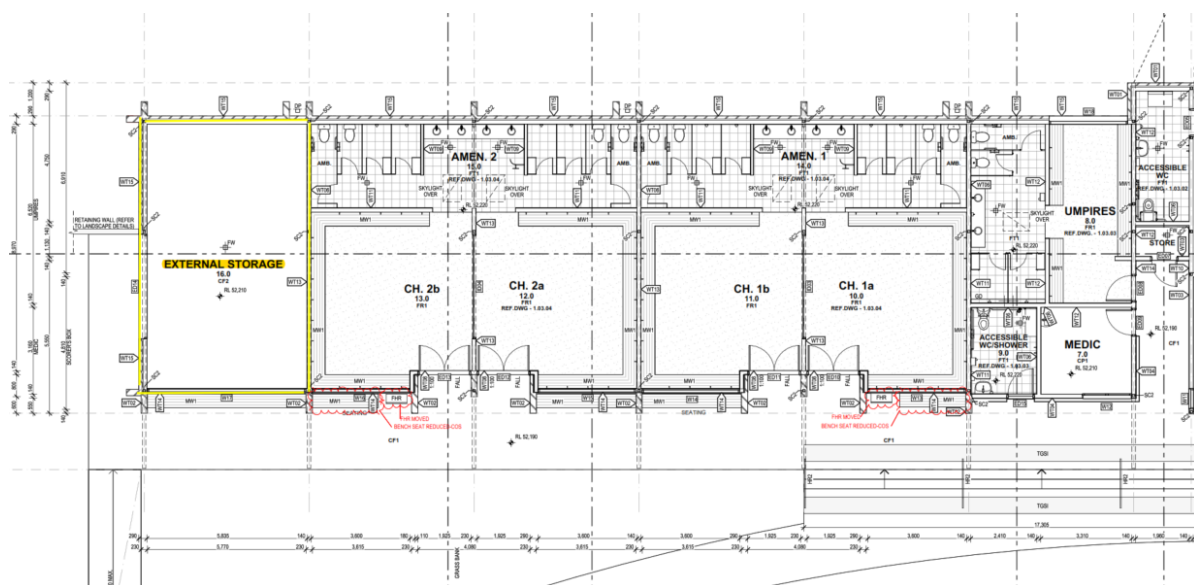


Figure 2: External Storage Room

CL24.183

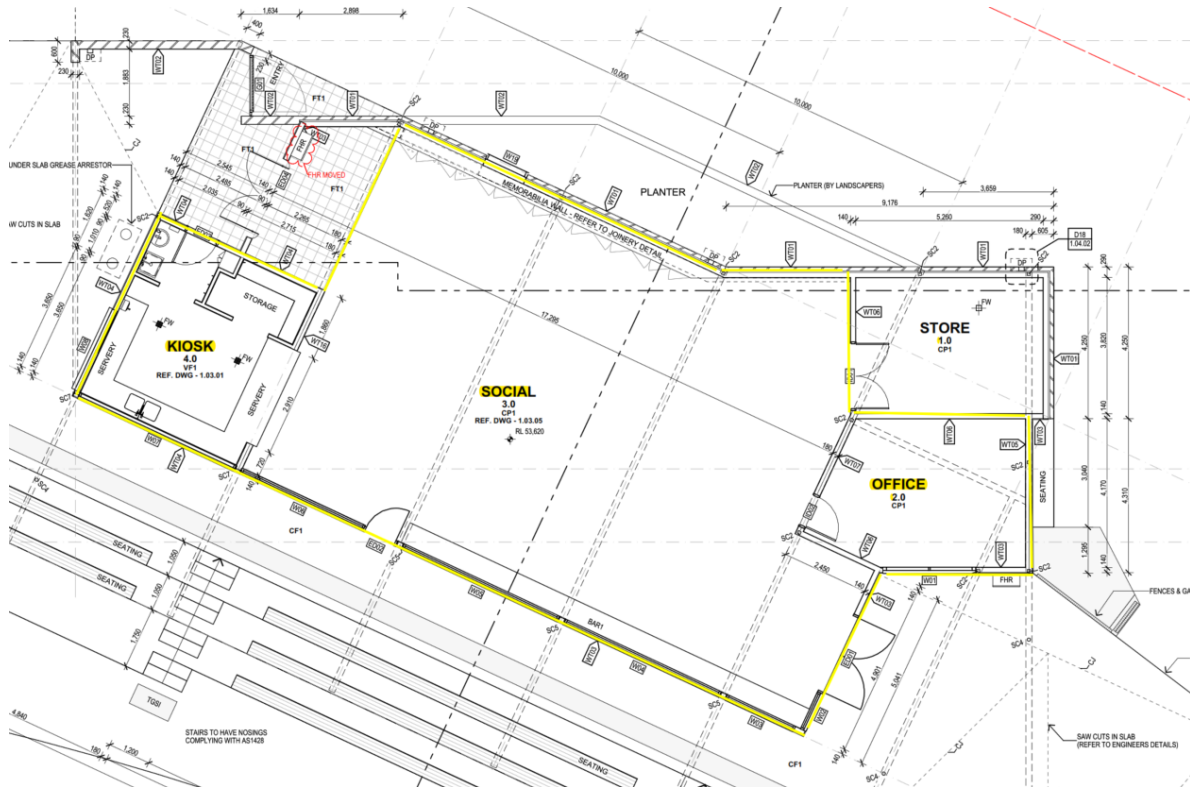


Figure 3: Kiosk, Social room and Office and Store room (the ‘Shared Area’).

CL24.183

The Club will have a licence over the Shared Area and an external storage room. Other community users will have access to the Shared Area through Council’s booking system during the licensee’s term. The Club will have exclusive use of the external storage room.

Bomaderry Cricket Club Incorporated is also entering into a seasonal licence for the Shared Area during their playing season which starts October and ends March. Bomaderry Cricket Club Inc and the Club will have set days and times to use the Shared Area so both clubs can operate simultaneously without conflict.

The proposed licence duration for the Club is for a 5-year term in accordance with Council policy. The intended purposes of the licence is for storage and activities ancillary to the running of Bomaderry Australian Football Club Inc.

In accordance with Occupation of Council Owned or Managed Land Policy (POL22/98), market valuation by a registered valuer was carried out for the Pavilion building and a calculated rental subsidy was applied, based on the community group considerations. The rental subsidy of 57.27% was calculated for the Club. Market rent for the Pavilion shared areas and storage room was determined by Walsh & Monaghan to be \$11,902.68 per annum (excluding GST if applicable) and with application of the subsidy, the resultant rent equates to \$5,263.69 per annum (excluding GST if applicable).

The Club will have minimal maintenance responsibilities and outgoings associated with the licence agreement. As other users will have access to the Shared Area, one Club cannot be solely responsible for reactive maintenance. Accordingly, the valuation and subsidy have taken this into account.

The Club will be responsible for cleaning and keeping tidy the external storage room and the Shared Area after each use. The Club will also contribute towards Council’s outgoings related to the premises. Council has calculated the Club’s contribution to Council’s outgoings by means of a percentage of occupation based on facility availability (bookable hours) and the hourly duration that the Club requires the facility, see **Figure 4** below.

AFL OCCUPANCY																
		January	February	March	April	May	June	July	August	September	October	November	December			
	Approx Duration (hr)	PRE-SEASON									PRE-SEASON			Annual Total	Annual Usage (hr)	Occupancy %
Occupancy/Activity																
Training (in Season)	4.5	0	0	0	18	18	16	18	17	8	0	0	0	95	427.5	
Matches	12	0	0	0	3	4	4	4	5	3	0	0	0	23	276	
Functions	5	0	1	1	2	2	2	2	2	2	0	1	1	16	80	
Training (Pre-Season)	3	7	13	16	0	0	0	0	0	0	0	8	6	50	150	
		7	14	17	23	24	22	24	24	13	0	9	7	184	933.5	26.4597506

Figure 4: Calculation of Occupancy Percentage of the Club

Licences that have a market annual rental of over \$5,000 must be approved by Council.

Internal Consultations

Licence negotiations have been carried out in consultation with the asset custodian, Swim Sport Fitness, who are supportive of the licence being granted.

Community Consultations

As the proposed licence is over Community land, 28 days public notice as required under Section 47 Local Government Act 1993 was completed. No public submissions were received.

Policy Implications

The proposed licence over community land is in accordance with Occupation of Council Owned or Managed Land Policy (POL22/98), with approval where the market licence fee is over \$5,000 per annum requiring Council resolution.

Financial Implications

In accordance with Occupation of Council Owned or Managed Land Policy (POL22/98), the licensee is to pay costs associated with valuation and preparation of the licence.

The Club has minimal maintenance responsibilities and outgoings. The valuation and subsequent subsidy has taken this into account.

Risk Implications

Nil

CL24.183

CL24.184 Proposed Policy Update - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land

HPERM Ref: D24/220959

Department: Technical Services
Approver: Carey McIntyre, Director - City Services

Attachments: 1. Draft Policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (under separate cover) [↗](#)

Reason for Report

The purpose of this report is to provide Council with the opportunity to endorse a 12 month trial of an updated policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land.

Recommendation

That Council:

1. Endorse a 12 month trial of updated policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (POL22/106);
2. Receive a report back following the trial.

Options

1. As recommended

Implications: The trial of the updated policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land can commence.

2. Council could not endorse the trial.

Implications: The existing Policy – POL16/77 - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land would continue to be in effect.

Background

On 31 October 2022 Council resolved (MIN22.809);

That the matter of Policy - Management of Mobile Food Vending Vehicles on Council Owned or Managed Land be deferred to a Cllr Briefing.

The first Councillor briefing was held on 24 November 2022.

The second Councillor briefing was held on 23 May 2024

Following on from those briefings the proposed policy has been updated by;

1. Simplifying the document - where a requirement is listed in a related approval document such as the section 68 approval, it has been removed as a condition in this policy.

2. Restricting operation locations to pre-approved locations vetted by Council in lieu of access to all Council owned roads and carparks subject to proximity to certain business types and parking restrictions.

Mobile Food Van operators will be required to obtain a Section 68 approval (as they currently do). Once an application fee and licence fee is paid, they will then have access to the approved locations.

The pre-approved locations will be included as an appendix to the Policy. Initial locations will be sought via an expression of interest process. The locations will be assessed for suitability in regard to safety and permissibility. Any application for a location within 1km of an existing food serving business will be reported to Council for consideration. After the initial EOI applications can be made at any time for consideration of additional locations. The approved locations will be available for all Mobile Food Vans approved under this policy to use and will be occupied on a first come first served basis.

The proposed steps moving forward are;

1. Conduct an EOI process for preferred Mobile Food Vending Vehicle operating locations.
2. Assess and approve suitable locations – reporting to Council if there are any locations within 1km of an existing food serving premise.
3. Undertake trial period
4. Seek feedback from the community and Mobile Food Vending Vehicle Operators.
5. Report back to Council to consider adoption of the Policy.

Internal Consultations

Engagement has occurred with the Environment Health department which oversees the Section 68 Approval process.

Community Consultations

Community consultation will form part of the trial period process.

Policy Implications

This revised Policy would supersede POL16/77.

Financial Implications

Council receives an application and licence fee set out in Councils fees and charges. At the proposed 24/25 rate and assuming 10 licence holders (matching the current number) it would result in an income of $10 \times \$1,690.7 = \$16,907$ in financial year 24/25.

It is anticipated that the simplified assessment criteria for assessment of licence applications will require less staff time to process applications.

Risk Implications

The EOI process is intended to manage risks around the selection of sites being suitable for the mobile food vending market. Council's authority to amend the list of approved sites will provide a mechanism to make adjustments should community feedback warrant any changes.

CL24.185 Tenders - Management & Operation Comerong Island Ferry Service

HPERM Ref: D24/264093

Department: Commercial Services

Approver: Carey McIntyre, Director - City Services

Reason for Report

To inform Council of the tender process for the Management & Operation of Comerong Island Ferry Service.

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.

Details

Project Description

Council owns a vehicular ferry, *The Cormorant*, which provides vehicular access to Comerong Island residents, their guests, contractors, and visitors to the National Park.

The operation and management of the ferry service is outsourced to a contractor to manage staffing, the provision of minor maintenance, maintenance checklists and any other materials, equipment and tools necessary to conduct the ferry service for the term of the contract.

The Contract for the Works as specified is a Lump Sum Contract, with a Schedule of Rates to allow amendment to the lump sum amount if changes to the ferry operating hours occur.

CL24.185

Tendering

Council called tenders for the Comerong Island Ferry Services – Management & Operation on 30 April 2024 which closed at 10:00am on 21 May 2024. Two tenders were received at the time of closing. Tenders were received from the following:

Tenderer	Location
East West Ferry Services Pty Ltd	Numbaa
Ferrymen Port Macquarie Pty Ltd	Port Macquarie

Table 1: Tenders received.

Details relating 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

Sufficient funds have been allocated in the Comerong Island Ferry – Management & Operation budget for 2024-2025. Funding is available to cover the tender amount including other project costs.

Risk Implications

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

CL24.185

CL24.186 Protection of Bushland Along the Old Wool Rd Heritage Track, St Georges Basin

HPERM Ref: D24/189226

Department: Environmental Services

Approver: James Ruprai, Director - City Development

Reason for Report

To report the outcomes of discussions and an on-site inspection regarding the protection of bushland along The Old Wool Road Heritage Track at St Georges Basin (per MIN23.30).

Recommendation

That Council receive this report on the outcomes of discussions and the on-site inspection regarding the protection of bushland along The Old Wool Road Heritage Track at St Georges Basin.

Options

1. That Council receive the report as presented.

Implications: Council will be updated on the protection of bushland in and around The Old Wool Road Heritage Track; and will be aware of, and support intended next steps in relation to Council's reserve 'The Old Wool Road Reserve'.

2. That Council receive the report and provide additional recommendations.

Implications: Implications will be dependent on the resolution(s) developed.

Background

At the Ordinary Meeting of 23 January 2023, Council resolved that:

1. *Council liaise with Basin Villages Community Forum to organise a Councillor/staff briefing/workshop by the Forum to discuss actions to protect important bushland areas of 2.20ha Council managed reserve adjacent to The Old Wool Rd - BSG548 19271 Lot 70 DP 25550 The Wool Rd, St Georges Basin, and the Old Wool Road Heritage Track.*
2. *Council Organise an on-site inspection of the Council managed reserve and heritage track for available Councillors and appropriate staff and with Forum members.*
3. *A further report be provided to Council following discussions and onsite inspections.*

Councillors and Council staff met on site with members of the Basin Villages Forum community members on 18 April 2023 to share knowledge of the history and environmental sensitivities pertaining within The Old Wool Road (Heritage Track) and adjacent land parcels.

The site inspection reviewed options available for the Natural Area reserve known as 'The Old Wool Road Reserve' (Lot 70 DP 25550) (Figure 1) and the Heritage Track, subject to finance and approval processes. The following potential actions were raised:

- Survey of the Heritage Track to inform the accurate location of the bushwalking trail and to distinguish it from the adjoining private property.
- Installation of controls including barricades and signage to restrict unfettered access.

- Use of arborist tags on trees, in conjunction with further signage, to better delineate the location of the Heritage Track.
- Council engagement with adjacent landholders to inform them of their responsibilities in terms of preventing unfettered access to the community land.
- Increase in the presence of Council Rangers over a period.
- Change in the zoning of the community land from Public Recreation to a Conservation zoning.

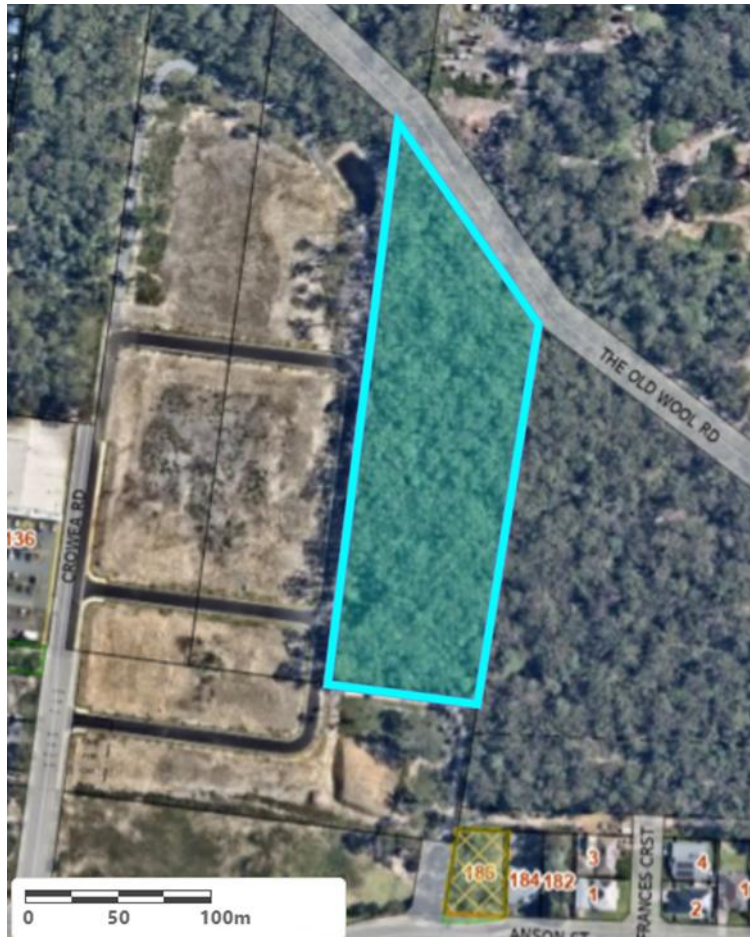


Figure 1 The Old Wool Road Reserve

A survey would be required to ascertain the location of the Heritage Track in relation to The Old Wool Road boundaries. However, upon liaison with the Technical Services Department of City Services and from analysis of aerial photographs, there are many parts of this track that are outside of The Old Wool Road boundaries. It is considered that this will raise significant financial issues including land exchanges or acquisitions, or both. Council is not able to pursue this at this point in time.

Thus, it is considered that the primary action to be pursued is the review of controls to prevent unfettered access to The Old Wool Road Reserve. This reserve is 2.2 hectares and is included in the current Generic Community Land - Plan of Management – Natural Areas (Shoalhaven City Council, 2016) and subject to the broad range of generic actions included within the plan. Existing walking tracks within the reserve are yet to be established as formal infrastructure assets.

It must be noted that as part of the development of the subdivision adjacent to The Old Wool Road Reserve, bollards have been installed to prevent access from along the western edge (Figure 2).



Figure 2 Bollards located at the western edge of The Old Wool Road Reserve

Next steps

Given the current available resources, there will be no creation of additional formal assets within the reserve in the immediate future (e.g., walking tracks). The reserve will be managed primarily to maintain ecological integrity, to rationalise walking tracks and to formalise those that are primary. The key management activities to be undertaken will be installation of reserve signage, inspections, remediation of potential adverse human impacts such as dumping, and through compliance activities as required.

Installation of signage will be prioritised to occur given the subdivision works are well advanced.

The Generic Plan of Management will be reviewed in the coming months to ensure that it captures the contextualised issues that are prevalent at The Old Wool Road Reserve.

Financial Implications

Funding to undertake the actions described above will be sourced from the operational budget for Natural Areas and undertaken on a prioritised basis with consideration of the range of actions required across all of Council's Natural Area reserves.

CL24.187 Membership Application - Southern Coastal Management Program Advisory Committee

HPERM Ref: D24/143043

Department: Business Assurance & Risk

Approver: James Ruprai, Director - City Development

Reason for Report

The purpose of this report is to seek endorsement from Council to appoint a new member to the Southern Coastal Management Program Advisory Committee.

Recommendation

That Council appoint Ms Natalie Lloyd as an Indigenous Representative on the Southern Coastal Management Program Advisory Committee.

Options

1. Adopt the recommendation as written.

Implications: Ms Natalie Lloyd will be appointed as an Indigenous Representative

2. Adopt an alternate recommendation.

Implications: Unknown

Background

Council has received an application for membership from Ms Natalie Lloyd to become a member of the Southern Coastal Management Program Advisory Committee.

Council resolved 5 December 2022 (MIN22.937):

That Council as recommended by the Aboriginal Advisory Committee, encourage the appointment of two (2) Indigenous representatives, male and female, on all Council Advisory Committees.

Community engagement

Following MIN22.937, Council initiated contact with Local Aboriginal Land Councils (LALCs) advising them of the resolution and seeking nominations in addition to promoting Council Committees at NAIDOC events, through social media and through recognised Aboriginal organisations.

By Council endorsing Ms Lloyd as a member on the Committee, this will enable the Committee to gain an additional Indigenous Representative.

Policy implications

This recommendation is in accordance with the Terms of Reference for Coastal Management Program Advisory Committee.

CL24.187

CL24.188 Regional Application No. RA23/1002 – Berry Hotel - 120-122 Queen St and 77-83 Princess St Berry

DA. No: RA23/1002/4

HPERM Ref: D24/234763

Department: Development Services
Approver: James Ruprai, Director - City Development

Attachments: 1. S4.15 Assessment Report - 120 Queen St Berry - Lot 1 DP 578257 (under separate cover) [⇄](#)
2. Draft Determination - Refusal - 120 Queen St Berry - Lot 1 DP 578257 [↓](#)

Description of Development: Alterations and additions to the Berry Hotel at 120 Queen Street Berry, expansion of the Berry Hotel into 122 Queen Street, construction of new hotel accommodation at 79-83 Princess Street, consolidation of 4 lots, associated parking and landscaping, formalisation of access and parking on 77 Princess St, owned by Council.

Owner: 120 Queen Pty Ltd (79-83 Princess St, Berry), Proprietors of SP 93194 (122 Queen St, Berry), and Shoalhaven City Council (77 Princess St, Berry)

Applicant: Feros Hotel Group Pty Ltd

Notification Dates: 11 October 2023 to 8 November 2023

No. of Submissions: 378 Submissions

Purpose / Reason for consideration by Council

The matter is put to Council in accordance with the protocol developed for these regionally significant applications to afford Council the opportunity to consider the Application, and put forward its opinion via formal resolution to the Panel.

Recommendation

That:

1. Council receive and note the report RA23/1002 – Berry Hotel – 120-122 Queen St and 77-83 Princess St Berry
2. Council support the refusal of RA23/1002 for '*Alterations and additions to the Berry Hotel at 120 Queen Street Berry, expansion of the Berry Hotel into 122 Queen Street, construction of new hotel accommodation at 79-83 Princess Street, consolidation of 4 lots, associated parking and landscaping, formalisation of access and parking on 77 Princess St, owned by Council*' on the basis that it has not satisfactorily assessed the requirements under section 4.15 of the *Environmental Planning and Assessment Act 1979*.
3. The resolution made by Council be submitted to the Southern Regional Planning Panel prior to their consideration and determination of RA23/1002.

CL24.188

Options

1. Support the consultant’s recommendation to the Southern Regional Planning Panel (SRPP) for approval of the application and advise the SRPP accordingly.

Implications: The recommendation would be provided to the SRPP for their information as part of their consideration of the regional application.

2. Make an alternative resolution and make a separate submission to the SRPP.

Implications: The alternative resolution would be provided to the SRPP for their consideration. The SRPP will be the determining authority for the application.

Location Map



Figure 1 – Site location / Aerial view

Planning Assessment

As the capital investment value of the development is more than \$5 million and Council is the owner of part of the land subject to the application, in accordance with section 3 of Schedule 6 of SEPP (Planning Systems) 2021, the application constitutes a Regional Development Application, and the Southern Regional Planning Panel is the determining authority for the application.

The DA has been (independently) assessed under s4.15 of the *Environmental Planning and Assessment Act 1979* by a reputable Planning Consultancy – The Planning Hub (see **Attachment 1**) as a management measure intended to deal with any potential conflicts of interest and to comply with Council’s Conflict of Interests Policy POL22/149.

CL24.188

The assessment conducted has revealed that the application submitted has not satisfactorily addressed all the requirements under s4.15 and recommends to the Southern Regional Planning Panel that the Application be determined by means of refusal.

The Southern Regional Planning Panel is meeting to determine the Application on 26th June 2024.

Financial & Legal Implications:

The submitted Application is already before the Land and Environment Court as a result of the applicant having commenced proceedings for a deemed refusal. Council is incurring costs associated with this matter.

Summary and Conclusion

This application has not been satisfactorily assessed having regard to section 4.15 (Evaluation) under the EP&A Act 1979. Based upon the recommendations of the section 4.15 Assessment Report (**Attachment 1**), Development Application No. RA23/1002 is recommended to the SRPP for refusal for the reasons outlined in the draft recommended refusal document contained in **Attachment 2** to this report.



Address all correspondence to: The Chief Executive Officer,
PO Box 42, Nowra NSW 2541 Australia

shoalhaven.nsw.gov.au/contact | 1300 293 111

shoalhaven.nsw.gov.au    

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	RA23/1002
Applicant	Feros Hotel Group Limited
Description of development	Alterations and additions to the Berry Hotel at 120 Queen Street Berry, expansion of the Berry Hotel into 122 Queen Street, construction of new hotel accommodation at 79-83 Princess Street, consolidation of 4 lots, associated parking and landscaping, formalisation of access and parking on 77 Princess St, owned by Council.
Property	120 Queen St, BERRY – Lot 1 DP 578257 122 Queen St, BERRY – Lot 1 SP 93194 77 Princess St, BERRY – Lot 1 DP 209665 79 Princess St, BERRY – Lot 1 DP 342913 81 Princess St, BERRY – Lot 2 DP 342913 83 Princess St, BERRY – Lot 3 DP 342913
Determination	Refusal
Date of determination	To Be Confirmed

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by way of refusal.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority’s decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

REASONS FOR REFUSAL

1. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development contravenes clause 4.3 – Height of buildings of the SLEP 2014.
2. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not satisfactorily address the objectives of the E1 Local Centre zone under the SLEP 2014.
3. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not satisfactorily address clause 4.6 – Exceptions to development standards of the SLEP 2014.
4. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not satisfactorily address clause 5.10 – Heritage conservation of SLEP 2014.
5. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not satisfactorily demonstrated compliance with Clause 7.1 of the SLEP 2014.
6. Pursuant to Section 4.15(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not satisfactorily demonstrated compliance with the objectives of Section 3.2, Chapter 2 of the SDCP 2014.
7. Pursuant to Section 4.15(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not satisfactorily demonstrated compliance with the objectives, controls, performance criteria and acceptable solutions specified in Section 4, Section 5.2, and Section 5.9.1 of Chapter N2 of the SDCP 2014.
8. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not satisfactorily address the Objectives, Performance Solutions and Acceptable Solutions provided in Section 5.1, Chapter G2 of the SDCP 2014.
9. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not satisfactorily demonstrated compliance with the performance criteria and acceptable solution of Section G17 in that the height of the fencing along Princess Street inhibits natural surveillance.
10. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not satisfactorily demonstrated compliance with

Chapter G21 of the SDCP 2014 in relation to car parking, loading facilities and pedestrian connectivity.

11. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development has not satisfactorily demonstrated that the proposal would not have an adverse impact upon the natural and built environment.
12. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development has not satisfactorily demonstrated that the proposal would not have an adverse social impact upon the surrounding locality.
13. Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the information submitted with the development application does not satisfactorily demonstrate that the site is suitable for the proposed use.
14. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, and having regard to the above matters, the granting of development consent is not considered to be in the public interest.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation, and other legislation. Some of these additional obligations are set out in the Conditions of development consent: advisory notes. The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a Construction Certificate or Subdivision Works Certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this consent (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction Certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Shoalhaven City Council.

Court means the NSW Land and Environment Court.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation Certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater
- the reuse of stormwater
- the detention of stormwater
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata Certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

CL24.189 Membership Appointment - Arts Advisory Committee

HPERM Ref: D24/227634

Department: Library Services

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

The purpose of this report is to seek endorsement from Council to appoint two (2) community members to the Arts Advisory Committee, following the recent call for Expressions of Interest to fill vacant community positions.

Recommendation

That Council:

1. Appoint Ms Alissar Gazal and Ms Claire Haywood as members of the Arts Advisory Committee for a 2-year term, to expire 24 June 2026.
2. Note that the Expression of Interest will remain open until two remaining community positions are filled.

Options

1. Adopt the recommendations as written.

Implications: Appointing the above members will fill two of the four membership vacancies.

2. Provide an alternative recommendation.

Implications: These will depend upon the nature of the recommendation.

Background

By the end of 2023 the Arts Advisory Committee (AAC) lost six (6) voting community members, including the Chair of the Committee. The majority of these positions came to the end of their term and one resigned.

Council has since advertised an Expression of Interest (EOI) to fill all vacant community positions on the Arts Advisory Committee. The first EOI push was from 17 October 2023 to 10 November 2023, advertised in local newspapers, via social media platforms and distributed via relevant City Lifestyles networks.

Following this, one application was received during this period from Stephen Buzacott who was subsequently appointed to the Arts Advisory Committee. This was reported to Council at its 4 December 2023 meeting **MIN23.704**.

A further Expression of Interest has remained open and intermittently re-posted via social media and City Lifestyles Networks to encourage further applications to fill the community member positions.

Council received another application on 7 December 2023 from Frank Howarth who was subsequently appointed to the Arts Advisory Committee. This was reported to Council at its 22 January 2024 meeting **MIN24.25**.

CL24.189

Two further applications have since been received from Ms Alissar Gazal and Ms Claire Haywood. As part of the selection process, informal interviews were conducted in line with the Arts Advisory Committee Terms of Reference ([ToR](#)).

The EOI assessment panel, consisting of a Council staff member Manager – Arts & Culture – delegated to Robin Sharpe, Acting Manager Libraries (as this position has been disestablished in Council's structure), the Chairperson of the Committee, as this role is currently vacant this function was delegated to all 3 voting Councillors on the Committee (upon the advice of governance), and one suitably qualified independent representative (Judith Blackall – Arts Specialist and locum Shoalhaven Regional Gallery Director) received a copies of the applications to review.

All panel members supported making a recommendation to Council for the appointment of Ms Alissar Gazal and Ms Claire Haywood as community member representatives to the Arts Advisory Committee.

The Panel recommended that Council appoint Ms Gazal and Ms Haywood as they will bring valuable insight and contributions to the discussions held by the AAC, through their breadth of experience in the arts including relevant committee membership, studies, and event management.

It has been proposed that the EOI remain open until the remaining two vacant community positions are filled so the AAC will have adequate membership to reach community representation requirements and quorum. The two remaining vacant positions will continue to be advertised on Council's [Arts Advisory Committee Webpage](#), via social media posts and relevant City Lifestyles networks.

Community Engagement

The first EOI was open from 17 October 2023 to 10 November 2023 and advertised in local newspapers, via social media platforms and distributed via relevant City Lifestyles networks.

The EOI has been intermittently re-posted via social media and relevant City Lifestyles networks since then and will remain open until all vacant community member positions are filled.

Policy Implications

The recommendation is in accordance with the Arts Advisory Committee Terms of Reference.

CL24.190 Membership Appointment - Youth Advisory Committee

HPERM Ref: D24/205871

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

Reason for Report

The purpose of this report is to seek endorsement from Council to appoint two new members to the Youth Advisory Committee, following the recent call for Expressions of Interest to fill four vacant community youth representative positions.

Recommendation

That Council:

1. Appoint Brianna Moroney and Kasey Henshaw as members of the Youth Advisory Committee for a 2-year term, to expire in May 2026.
2. Note that the Expression of Interest will remain open until the final two remaining community youth representative positions are filled.

Options

1. Adopt the recommendations as written.

Implications: Appointing the above members will fill two of the four membership vacancies.

2. Provide an alternative recommendation.

Implications: These will depend upon the nature of the recommendation.

Background

Council has kept the Expression of Interest (EOI) open to fill four vacant community youth representative positions on Council's Youth Advisory Committee (YAC) since January 2024. Two applications have been received from Brianna Moroney and Kasey Henshaw.

As per the [Terms of Reference](#) (ToR), each member of the EOI assessment panel, consisting of a Council staff member (Manager – Community Connections), one Committee member representative and one suitably qualified independent representative, received a copy of the applications to review. All panel members gave their vote on making a recommendation to Council for the appointment of both Brianna Moroney and Kasey Henshaw.

The Panel recommended that Council appoint both Brianna Moroney and Kasey Henshaw to the Committee as they will bring valuable insight into the discussions held by the YAC, particularly through their knowledge of issues facing young people in the Shoalhaven.

The assessment panel noted that both applicants demonstrated passion for supporting young people in the Shoalhaven and would be able to provide unique perspectives through their connections with local services such as Firefly Bay & Basin and Youth Insearch. They

both demonstrated strong communication and advocacy skills that would be of benefit to the YAC.

It has been determined that the EOI will remain open until the final two remaining vacant community youth representative positions are filled so the Committee will have adequate membership to reach quorum and representation from young people in the community. The two remaining vacant positions will continue to be advertised on Council's Youth Advisory Committee Webpage, see: <https://www.shoalhaven.nsw.gov.au/Council/Meetings/Council-Committees/Youth-Advisory-Committee>

Community Consultations

The EOI has been open in an ongoing manner since its recent promotion in January 2024 to fill the remaining vacant positions on the Committee. The EOI was advertised via social media platforms and distributed to relevant Community Connections networks.

Policy Implications

The recommendation is in accordance with the Youth Advisory Committee [Terms of Reference](#) adopted by Council on 27 March 2023.

CL24.190

CL24.191 Interim Report - Response to Notice of Motion - Francis Ryan Amenities Grant Funding

HPERM Ref: D24/241786

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

Reason for Report

The purpose of this report is to provide Council with an interim report on the representations made to the Stronger Country Communities Fund (SCCF) and options for the repurposing of an existing grant for projects connected with the Francis Ryan Reserve, in accordance with a related Notice of Motion (ref. MIN24.316).

Recommendation

That Council:

1. Receive the *Interim Report - Response to Notice of Motion - Francis Ryan Amenities Grant Funding*, as an update on representations made to the New South Wales Government – Stronger Country Communities Fund Round 4, in accordance with MIN24.316.
2. Direct the CEO (Director – City Lifestyles) to prepare a future report advising on the repurposing of grant funding from the New South Wales Government – Stronger Country Communities Fund Round 4, including options following discussions with the grant administrator.

Options

1. Accept the recommendation as proposed.

Implications: Council staff will continue to investigate options for repurposing the existing grant funding from the New South Wales Government – Stronger Country Communities Fund Round 4 (SCCF4) and further engage with the funding administrators regarding the feasibility of variation options.

2. Adopt an alternative recommendation, to be confirmed by Council.

Implications: To be confirmed, pending the outcome of Council's deliberations on the matter. Council would need to provide direction to the CEO via a revised recommendation.

Background

Resolution of Council – 3 June 2024 – MIN24.316

A Notice of Motion was considered at Council's Ordinary Meeting on 3 June 2024, relating to the grant funding representations associated with the construction of the Francis Ryan Amenities (Bob Proudfoot pavilion), Sanctuary Point, resulting in the following resolution:

RESOLVED

MIN24.316

That Council:

- 1. Notes the need for improved facilities the Frances Ryan Reserve, Sanctuary Point.*
- 2. Notes that Council staff have made enquiries about whether the \$398,000.00 NSW Stronger Country Communities Fund grant can be repurposed.*
- 3. Directs the CEO (City Lifestyles) to provide a timely report on the status of the representations made to the funding body and options for the use of the grant for projects connected with the Frances Ryan Reserve as part of the finalisation of the 2024-25 Delivery Program Operational Plan & Budget.*

This interim report actions Part 3 of this resolution by providing an update on the representations made to the New South Wales Stronger Country Communities Fund regarding the repurposing of the funding.

Council Representations

Council staff have maintained regular dialogue with the grant administrator and a variation request was submitted to the NSW Stronger Country Communities Fund on 11 April 2024 to repurpose the existing funding of \$398,000 to perimeter fencing at Francis Ryan Reserve, Sanctuary Point. Upgrades to the perimeter field fencing had been identified by user groups and Council staff.

Council received correspondence in relation to the variation request and grant program requirements on 19 May 2024, confirming that:

- No co-contribution is required for projects less than \$1 million.
- It is highly unlikely that the fencing option on its own will be accepted as a descope as it does not provide sufficient linkages to the original intent of the SCCF, which is to increase female participation in sport.
- If the existing facilities more broadly can be upgraded, and it is anticipated that the facilities will continue to be used for up to a five-year period, this may be seen as acceptable for purposes of this grant.
- Consideration of temporary solutions should also be considered.

Further discussions with the grant administrator identified that the current program end date for SCCF4 projects has been adjusted to four years from the date of funding deed execution, with all project works needing to be completed / finalised by 21 September 2026. An extension of time would need to be submitted for approval beyond the current approved date of 31 August 2024.

In addition to the upgrades of the existing reserve facilities, Council staff have discussed an alternate repurposing option that includes the installation of sub-surface drainage to the main rugby league field at Francis Ryan Reserve, Sanctuary Point.

Initial Grant Funding

On 21 September 2022, Council executed a funding deed to provide \$398,000 toward the replacement and upgrade of the amenities at Francis Ryan Reserve, Sanctuary Point. The deliverables of this funding included new changerooms and an amenities building to be known as the Bob Proudfoot Pavilion, which had a total project budget identified at the time of \$1,598,356.

For any grant request over \$1 million under the SCCF4, a financial co-contribution of 25 percent was required. It has now been confirmed by the grant administrator that no co-contribution is required for projects less than \$1 million.

CL24.191

Round 4 of the SCCF grant had an increased focus on female participation in sport. Eligible Local Government Areas were strongly encouraged to apply for funding to support projects relating to female sport participation.

Repurposing Options

Further discussions with the grant administrator will inform on the project types that may be acceptable for consideration of a variation request. Council staff have identified two potential repurposing opportunities for discussion including:

Option One: Upgrades of the Existing Amenities and Facilities

The existing building features public amenities, changerooms, a kiosk and a storeroom. The existing building was impacted by fire in July 2022, which resulted in damage to the accessible amenities and adjacent service bay.

Repairs have been undertaken to the fire damaged portions of the building and the amenities have been returned to an operational condition.

To align with the female participation objectives of the grant program, it is anticipated that a variation request to upgrade the existing building would focus on shower and toilet provisions within the changerooms.

Further design investigations are required to determine the feasibility of upgrading the existing amenities. These investigations will identify an approvals pathway, compliance requirements and project costings.

Option Two: Sub-surface Field Drainage

The existing main rugby league field at Francis Ryan Reserve, Sanctuary Point, is prone to poor drainage, particularly during extended periods of wet weather. This has resulted in damage to the field when used by sporting user groups during wet weather periods, and subsequent closures of the facility to prevent further damage.

Council currently has designs completed for the installation of sub-surface drainage to the main field at Francis Ryan Reserve, Sanctuary Point, with cost estimates of \$180,000. The installation of this sub-surface drainage would allow for rapid recovery of the field following wet weather events.

SCCF program has funded drainage work in the past, however, the grant administrator could not give a definitive answer without further information provided in a variation request for both options.

Whilst there are two options presented, Council staff will be working to identify other potential projects in the reserve precinct that could be presented to the funding body; this will include the aforementioned perimeter fencing, and the potential realignment of the sporting fields to create two senior fields on this site to meet player demand.

Internal Consultations

The Asset Custodian, Shoalhaven Swim Sport Fitness, are working alongside Council's Project Delivery team throughout the design and investigation stages. Once design investigations mature and a greater understanding of the feasibility of repurposing options has been identified, a further report will be provided to Council.

Financial Implications

Cost estimates are not yet available for an upgrade of the existing amenities building as project scoping is still underway. A more succinct financial report will be provided to Council in a future report.

Council has received \$70,000 from an insurance claim related to the fire of the existing building in 2022, which could provide additional funding to the project. With the potential SCCF4 funding of \$398,000, this would bring the total available funding (if approved) to \$468,000.

It is important to note that if a variation to repurpose the grant funding is not approved by the funding body, there may be a request to Council to return all, or part of, the \$159,000 in funding that Council had already received in advance.

Cost estimates for the sub-surface field drainage to the main rugby league field is \$180,000. If approved, the existing grant funding could provide 100% of the project funding.

The approval of a repurposing request is not contingent of Council providing a co-contribution to the project, as the project value would be less than \$1 million.

Risk Implications

A variation to repurpose the grant funding for upgrades to the existing building may expose Council to the following risks:

- Negative community sentiment with perception that Council is expending funding on a building that is to be demolished in the short to medium term.
- If a variation to repurpose the grant funding is not approved by the funding body, there may be a request to Council to return all, or part of, the \$159,000 in funding that Council had already received.
- Negative community sentiment with perception that if a refurbishment is to occur, then the community is unlikely to have the much anticipated new building constructed.
- Construction cost escalations, or latent conditions during construction works, may increase the cost of any works to the existing building. There is no budget identified to fund any overspends on the project.
- Delay in approvals of a repurposing variation request may result in an alternate venue needing to be identified for the existing user group. Consultation has not occurred with the user groups as a scope is yet to be defined.
- There is no guarantee that the funding body will approve a repurposed variation request.

CL24.191

CL24.192 Acquisition of Easement - Sewer Purposes - Lot 122 DP 3060 Moss Vale Rd Badagarang

HPERM Ref: D24/216756

Department: Water Asset Planning & Development

Approver: Robert Horner, Executive Manager Shoalhaven Water

Reason for Report

This report provides Council with an opportunity to consider an easement acquisition over Lot 122 DP 3060, Moss Vale Road, Badagarang, for the purpose of sewer infrastructure.

Recommendation

That Council:

1. Acquires by agreement, an easement for sewer main 2.4 meters wide over Lot 122 DP 3060, Moss Vale Road, Badagarang.
2. Agrees to pay compensation of \$850 plus GST (if applicable) and reasonable legal and valuation costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. Authorises the Chief Executive Officer to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Options

1. Resolve as recommended.

Implications:

Acquisition of the easement is required to formalise the existing Shoalhaven Water sewer infrastructure, enabling legal capacity to access for operation and maintenance.

2. Not adopt the recommendation

Implications:

Council will continue to have no legal entitlement for future access, repair and maintenance of the subject asset.

Background

The subject sewer main (S2) was constructed in 2023 over private land, being lot 122 DP 3060. S2 was an extension of the existing sewer main (S1) to allow connection to the neighbouring subdivision within the Moss Vale Road Urban Release Area.

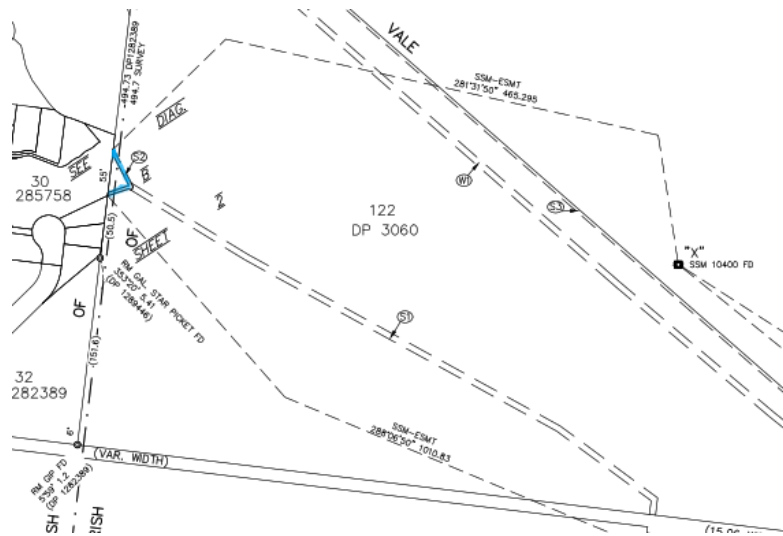
Shoalhaven Water obtained consent from the owner to undertake construction of the sewer main pipeline to avoid delays in the delivery of essential public infrastructure to the development area. At that time, no legal entitlement was created to benefit Council for future repair, maintenance and protection of this asset, therefore an easement is required.

CL24.192

A valuation undertaken on behalf of Council by Walsh & Monaghan Valuers Pty Ltd who assessed compensation for the easement at \$1,000 plus GST (if applicable) and subject to final survey. An offer at that amount was made to the owners which was rejected.

Negotiations followed. Final survey plan was provided on completion of works outlining a reduction in the easement area being acquired. Compensation was recalculated and an offer at \$850 plus GST (if applicable) was made and accepted by the owner.

The easement being acquired is marked (S2) and highlighted in blue on the registered plan below, over Lot 122 DP 3060.



CL24.192

Community Consultations

Community engagement is not required for operational purposes such as an easement acquisition.

Policy Implications

The acquisition of the easement will be undertaken in accordance with Council’s Acquisition of Land by Shoalhaven City Council, POL22/120.

Financial Implications

The compensation and reasonable costs associated with the acquisition are to be funded from Shoalhaven Water’s Sewer Fund.

Risk Implications

Acquisition of the easement is necessary to secure Shoalhaven Water’s legal rights to access, operate and maintain essential public infrastructure.

CL24.193 Rescission Motion - CL24.170 - Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program

HPERM Ref: D24/234562

Submitted by: Clr Paul Ell
Clr Serena Copley
Clr Patricia White
Clr John Wells

Purpose / Summary

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

Recommendation

That Council rescind the Motion relating to Item CL24.170 Notice of Motion - Removal of 77 Princess Street, Berry from Land Sales Strategy Program of the Council Meeting held on Monday 3 June 2024.

Background

The following resolution was adopted at the Ordinary Meeting held Monday 3 June 2024 (MIN24.314)

That Council:

- 1. Recognise the significant community interest in not selling this site, particularly regarding parking needs in Berry and the impact selling this site will have on the Berry community.*
- 2. Request the CEO prioritise a report back in respect of the previous resolution of Council regarding Lot 1 DP 209665 77 Princess Street, Berry ” (MIN24.179), to Council before the end of June 2024, with this report including a summary of the investigation to date and detail on community feedback.*

CL24.193

CL24.194 Notice of Motion - CL24.170 - Removal of 77 Princess Street, Berry from Land Sales Strategy Program

HPERM Ref: D24/234573

Submitted by: Clr Paul Ell
Clr Serena Copley
Clr Patricia White
Clr John Wells

Purpose / Summary

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

Recommendation

That Council:

1. Direct Council staff to remove Lot 1 DP 209665 77 Princess Street, Berry from Council's Land Sales Strategy and notify Berry Forum and Councils 'Get Involve page' of this resolution.
2. Maintain 77 Princes Street, Berry as Special Purpose 2 (Car Park and Servicing) public car parking for Berry.
3. Ensure this Council property is not provided for dedicated carparking use for any proposed private developments and signage be installed indicating public ownership and any conditions of use.
4. Notate Council's property file for 77 Princes Street Berry by the inclusion of this Notice of Motion and resulting resolution for further reference.

Note by the CEO

This Notice of Motion will be dealt with if the preceding Rescission Motion is carried.

CL24.194

CL24.195 Notice of Motion - Projects Funded Following Declared Natural Disasters

HPERM Ref: D24/252091

Submitted by: Clr Gillian Boyd
Clr Matthew Norris
Clr John Kotlash

Purpose / Summary

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

Recommendation

That the CEO report to Council:

1. The list of projects that received funding under disaster relief funding arrangements at both Federal and State Government level since 2019-20;
2. The projects on that list where the funding grant has been acquitted; and
3. The projects on that list that have not yet commenced.

Background

The Shoalhaven Local Government Area has experienced 15 declared Natural disasters since 2019-20, the first being the devastating Black Summer Bushfires in 2019-20 and the most recent being adverse rain event on 6 June 2024 that resulted in the calamitous sink hole in the Wool Road and general widespread damage to roads throughout the LGA.

Council staff sought grants under disaster funding arrangements at Federal and State Level to address specific infrastructure damage resulting from declared natural disasters. Residents experiencing the impact of disaster affected infrastructure must be assured that funding to redress the damage is being utilised appropriately and efficiently to restore the amenity of their community.

CL24.195

CL24.196 Question on Notice - Budget Shortfall / Natural Disasters

HPERM Ref: D24/251729

Submitted by: Cllr Tonia Gray

Question

Clarification of the relationship, if any, between the current budget shortfall and costs incurred by Council in responding to the need to rebuild damaged road infrastructure as a result of natural disasters during this current term of office including measures in place to ensure cost effective use of Council's financial resources.

1. To what extent can the causes of the current budget shortfall be attributed to the costs of reconstructing damaged road infrastructure resulting from severe weather events experienced across the Shoalhaven LGA in recent years?
2. Has Council experienced a backlog in funding needed to respond to reconstruction requirements?
3. What factors are considered by Council in selecting the winning tender to carry out reconstruction work?
4. Who makes the final decision on the selection of the contractor?
5. Which firms have been selected to carry out this work to date?
6. What systems or processes does Council have in place to ensure that work is carried out in a cost-effective way, such as, oversight and review of expenditure by the contractor and progress made with delivery of contractual commitments?

Background

- In recent times there has been various reports noting the financial pressure that has been placed on NSW local councils due to the need to respond to ongoing natural disasters, in particular repair of road infrastructure.
- Recently, the NRMA has noted a backlog in funding with the combined cost of the repairs blowout to Councils across NSW having reached \$2.8 billion. <https://www.mynrma.com.au/media/press-releases/2024/councils-need-to-fix-roads>
- A federal parliamentary committee has recently launched an inquiry into the sustainability of local government in light of growing difficulties in maintaining roads particularly in remote areas with recognition of the need of better alignment between correlation between funding and need.
- The United Services Union has recently reported on the growing crisis regarding infrastructure spending that has led to an inquiry into local government infrastructure funding and widespread concern about the financial viability of NSW councils and their revenue streams <https://usu.org.au/in-the-news-footpaths-at-1000-a-metre-spending-costs-out-of-control-as-fight-over-rate-rises-heats-up/>
- It would be of public interest for residents of the Shoalhaven to have an understanding of any financial pressure being experienced by Council that arises from a backlog in funding for this LGA.
- It would also be in the public interest for there to be a correlation between Council's current revenue shortfall and the ongoing need for reconstruction of road infrastructure due to natural disasters overall.

CL24.196

- In relation to Council's program to repair damaged infrastructure across our network of 2,500 roads, bridges, stormwater culverts and flood levees in such a way that is both cost-effective and meets the accepted standards of risk management and OH&S, it would be helpful for Council to provide a brief summary of the following:
 - a. the tender and contracting process
 - b. selection criteria as set out in the decision matrix
 - c. the names of selected firms
 - d. systems or processes that are in place for oversight of contractual performance to ensure efficient expenditure and performance in terms of contractual commitments.

Response

A report will be submitted to Council at a future Meeting in relation to the questions above.

CL24.197 Question on Notice - The Need for Greater Control of Dog Risks

HPERM Ref: D24/251874

Submitted by: Cllr Tonia Gray

Question

This matter is raised following outcomes of the Coronial Inquest into the 2020 Fatal Dog Attack of Ada Holland, and other recent dog incidents of significance

1. How many registered or identified dogs do we have in the Shoalhaven?
2. How many dog attacks are reported in the Shoalhaven each year?
3. What details are being recorded for each attack and what trends are we seeing with this data? (Dog age, sex, breed, location, contributing factors, triggers, consequence of attack, outcome)
4. How many dedicated 'Animal' Rangers in the Unit or are they all Compliance Officers?
5. What are the primary duties of these Rangers and what specialist training do they receive?
6. What budget is allocated for Companion Animal Services and where does this funding come from?
7. Of these funds, what proportion is put into public education programs, and how much goes to enforcement and incident management?
8. What was the result of the Ranger Services Media Campaign (Strategy and Assets Committee – Tuesday 12 May 2020 MIN20.356)? How was the \$30,000 spent and what impact did it have on reducing dog attack in the Shoalhaven?
9. During the Access Areas for Dogs Policy review did Council consult with any expert animal behaviourists, pet educators, specialist dog trainers, veterinarians, or breed assessors?
10. During the Access Areas for Dogs Policy review did Council consult with the Office of Local Government?
11. The Access Areas for Dogs Policy makes no direct reference to controlling dog risks or ensuring community safety. Why is that?

Background:

In the last 10 years there have been two fatal dog attacks in the Shoalhaven (dog-human) and hundreds more dog-dog attacks.

Even with Councils Zero Tolerance approach, there are still too many dog incidents in the Shoalhaven.

Many dog attacks go unreported, especially so if the dog is smaller or the injury minor.

Pet data is not always reliable as many breeders fail to add animals to the register or owners frequently forget to remove them from the register.

With population growth we can expect to see more dogs in the Shoalhaven.

Changes in housing density will mean more dogs in closer proximity and greater attack risks.

Expect more dog noise complaints.

CL24.197

Fewer yards means more owners will need to exercise and socialise their animals in public spaces.

Holes in legislation are preventing the effective control and sale of dogs.

The approach that we're taking isn't working as well as it needs to.

Controlling dog risks requires a different approach that is risk focussed (proactive response) more so than incident driven (reactive).

This is not just a local issue – it's bigger than SCC and extends across all States and Territories of Australia – however the Shoalhaven along with Blacktown and Lake Macquarie councils is an identified 'black spot' and as such has a duty to act.

There needs to be an intergovernmental approach to preventing dog attack that focuses more on preventing them than responding to them – invest more in the fence so we have to spend less on the ambulance.

Our Council should be working collaboratively with ALL levels of government, with experts, Universities and target advisory bodies on new approaches to controlling dog risks that are fit for the future.

These need to be grounded in education, take an innovative approach, and be backed up by sound legislation.

Key issues:

The issue of dog attack is not exclusive to the Shoalhaven, and it is increasing with population growth.

Pet ownership is significantly correlated with higher levels of social capital however, with the push for increased living densities there will be more pets living in units and small yards; higher concentrations of dogs living in close proximity, all with the potential to attack.

Dog attacks are more prevalent in lower socio-economic areas.

While Rangers throughout the country are under resourced, rates of dog attack will continue to rise, and it's only a matter of time before we see another fatal dog attack unless we devise workable strategies to control the risk.

Councils all over the country are doing the best they can with the resources available, however, this is not enough. To do a better job, at minimum, the following must be addressed:

- Tougher breeding controls for people who sell or give away animals – often uncertain of breed and temperament – on Gumtree or other unregulated online sites, public noticeboards and the like.
- Increased awareness. More open, accessible and contextual public information about dog risks and how to control them that extends beyond compliance.
- Tighter regulation around owner competency. Dog owners around the NSW / Australia must demonstrate they have the required knowledge and skills to effectively control their animals.

Response

A report will be submitted to Council at a future Meeting in relation to the questions above.

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.