

Ordinary Meeting

Meeting Date: Tuesday, 25 February, 2025

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

Attachments (Under Separate Cover)

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Acknowledgement of Country

Walawaani (welcome),

Shoalhaven City Council recognises the First Peoples of the Shoalhaven and their ongoing connection to culture and country. We acknowledge Aboriginal people as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Walawaani njindiwan (safe journey to you all)

This acknowledgment includes Dhurga language. We recognise and understand that there are many diverse languages spoken within the Shoalhaven.

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“

Our values guide our behaviour and help us live in balance with our unique environment and each other to fulfill our goals. We are committed to behaving and acting in ways that reflect our values.

”



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Our values

Respect

We are mindful of and care about the feelings, wishes and rights of others

Integrity

We are committed to maintain high ethics and standards

Adaptability

We are ready for change and willing to embrace a new situation

Collaboration

We enjoy working together to deliver for our community



Our community snapshot



Population
109,611

13.5% born overseas
8.1% need disability assistance

Median age

48

19.2% aged 0-17
36.1% Population of avg. age 60+

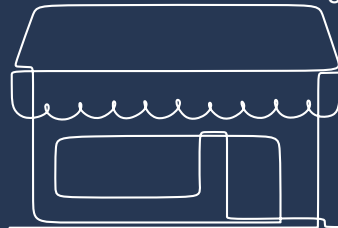


Labour Force

42,301

In workforce
48.8%

Unemployed
4.9%



Local Businesses
8,085



Land area

4,531 km



21%

of households are made up of couples with children

Total Households

45,894

25.8%
Mortgage

23.1%
Renting

3.4%
Social housing



6.5%

identify as Aboriginal and Torres Strait Islander

18%
Older couples without children

28%
Single person

10.3%
Single parent



Our councillors

Shoalhaven City Council – Performance Report Oct - Dec 2024



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Executive and organisational structure





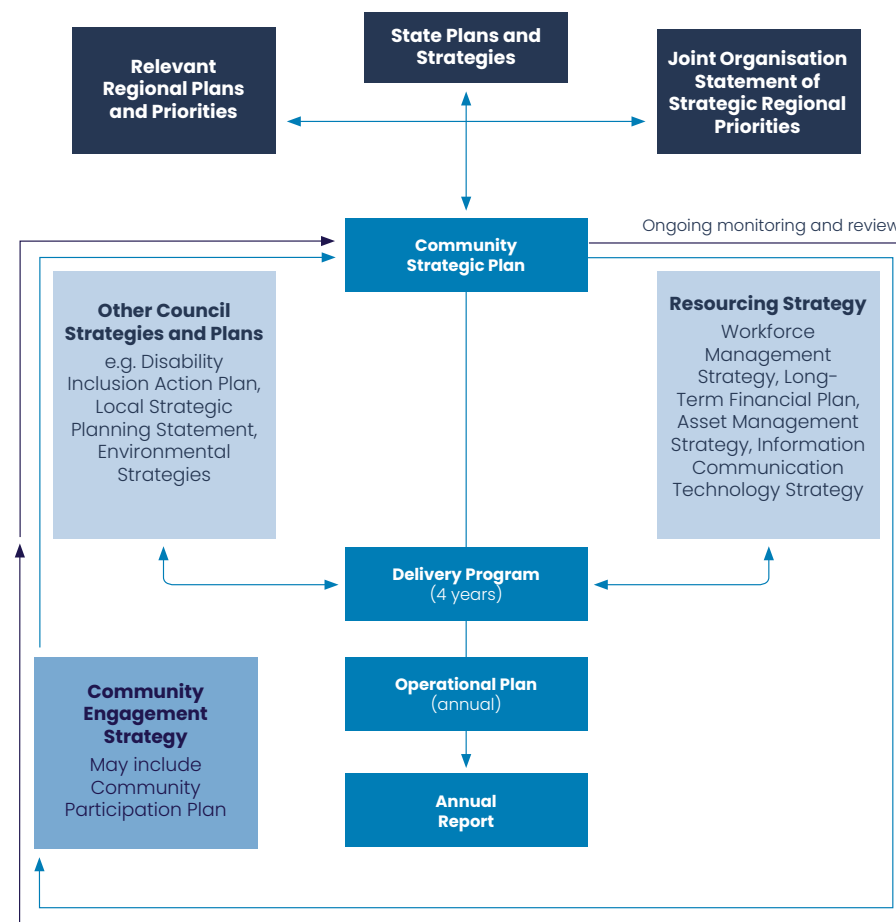
☰ Shoalhaven's *integrated plan structure*

The integrated plan is developed in conjunction with state and regional plans, the resourcing strategy, other supporting plans, councillors, staff and community.

The community plan for the Shoalhaven over the next ten years is captured in the community strategic plan (CSP). While Council will use the plan to develop its goals and actions, other government and non-government organisations can and will use the CSP to align their activities to meet Shoalhaven's needs.

The resourcing strategy is used to address the budget needs through the long term financial plan, assets required through the asset plan and Council's workforce through the workforce plan. The four-year delivery program objectives are Council's response to the CSP. The one-year operational plan actions details what will be completed over each 12 month period.

This report provides an overview of Council's performance between October and December in delivering the 2024-25 delivery program and operational plan.



Ongoing monitoring and review

Figure 1: Integrated Planning and Reporting Framework



Performance overview

The following section provides an overview of Council's progress with delivering on commitments in our Annual Plan.

This report provides a performance update on the 135 deliverables across the four key themes and eleven priority areas to 31 December 2024.

Overall progress shows:



4
Completed



118
On Track



6
On hold



5
Requires Attention



2
Deferred

Resilient, Safe, Accessible & Inclusive Communities

- 1.1** Support inclusive, safe and connected communities
- 1.2** Preserve, support and develop cultural and creative vitality across our communities
- 1.3** Support community wellbeing through fostering active and healthy communities

Sustainable, Liveable Environments

- 2.1** Manage our infrastructure for long term sustainability to meet community need
- 2.2** Manage growth and development with respect for environmental and community values
- 2.3** Protect the natural environment and enhance sustainability

Thriving Local Economies *that meet Community Needs*

- 3.1** Strengthen and diversify the economy
- 3.2** Deliver safe, vibrant and attractive public spaces

Effective, Responsible and Authentic Leadership

- 4.1** Deliver reliable, high quality services
- 4.2** Provide transparent leadership through effective government and administration
- 4.3** Inform and engage with the community about the decisions that affect their lives

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Resilient, Safe, Accessible & Inclusive Communities



12



Progress snapshot

88%
On Track

9%
On Hold

3%
Requires Attention



Highlights

- Worked with the community building relationships, inclusion and community pride through a range of activities, including launch of the East Nowra Skills Development Grant, planning of the 2025 Youth Week and delivered a successful Thrive Together Pop-Up partnership with Salt seeing over 200 attendees engaging with services.
- Commenced project planning for review of the Disability Inclusion Action Plan (DIAP) 2022-26 and finalised Draft Reconciliation Action Plan (RAP) for public exhibition.
- Council provided feedback into a range of strategic transport planning projects being undertaken by Transport for NSW including the following projects – Nowra Bypass, Illawarra Shoalhaven Strategic Regional Integrated Transport Plan, Princes Highway upgrade, and Milton-Ulladulla Bypass.
- Environmental Health regulatory inspections saw 433 inspections of On-Site sewage management systems, 179 food hygiene, 2 skin penetrations, 7 underground petroleum storage systems inspected, and 106 construction sites audited for adequate sediment and erosion controls.

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Our performance for the last 3 months

A 'good' to 'excellent' food
safety rating for
93%
of 160 food businesses

Swimming pool
safety
inspections
111

Attendances at Aquatic
and Leisure Centres
444,411

Shoalhaven Regional
Gallery attracts
29,729
guests



Construction site inspections













Thrive Together pop-up



Draft Reconciliation Action Plan


Resilient, Safe, Accessible and Inclusive *Communities*

 Completed
  On Track
  On hold
  Requires Attention
  Deferred
 KPI Status
  Critical
  Requires Attention
  On Track




Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.1.01.01 Coordinate Local Emergency Management Committee (LEMC) meetings and collaborate with combat agencies and functional areas to educate and prepare communities						
	LEMO is working hard with all stakeholders to ensure that the LEMC is working collaboratively across all organisations and agencies and to ensure that any new or worthwhile organisation presents to the full LEMC.	Maintain the Emergency Management Plan (EMPLAN) via a review either annually or after a major event	Q4	Due June 2025		Manager – Works & Services	
		Number of promotional activities to inform the community of the presence and functionality of the Community Information Hubs	3	3		Manager – Works & Services	The LEMO has met with many community organisations to discuss the Community Information Hubs and how the information on them is obtained and how it is displayed across the entire Shoalhaven LGA. This has allowed us to be more proactive in this space and allowed not for profit organisations to have their information displayed on these hubs.

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Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.1.01.02 Develop community profiles in consultation with each town and village within the Shoalhaven identifying hazards, critical infrastructure and vulnerable facilities/groups						
	<p>The Emergency Management Expo that was presented in Conjola will be replicated in the Shoalhaven LGA with the following locations identified, Vincentia, Kangaroo Valley and Sussex Inlet.</p> <p>The LEMO will be working with all of the LEMC Stakeholders as well as Councils Community Connections Team to ensure that we have a good uptake of Community attending the EM Expo</p>	Number of community profiles developed which identify hazards, critical infrastructure and vulnerable facilities/groups	3	3		Manager – Works & Services	We reached out to many communities (not just physical communities) to speak with them about identifying hazards as well as having plans and when to enact them. The information from these Communities is passed on back to all members of the LEMC to ensure that they can use that information for their planning and preparedness work.
➤	1.1.01.03 Liaise with the Rural Fire Service Strategic Planning Committee to deliver assigned and future projects for emergency service facilities as per allocated funding						
	<p>RFS Strategic Planning Committee & District Liaison meetings conducted on 27 November 2024.</p> <p>Monthly Project Update meetings held on 20 November, 13 December 2024. Status of all current projects discussed and recorded in corresponding minutes.</p>	Number of RFS Strategic Planning Committee meetings held	Q4	Due Jun 2025		Manager – Building & Property Services	



Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
1.1.01.04 Inspect Asset Protection Zones and fire trails for compliance against bushfire mitigation guidelines							
	Additional funding on going is required so that Council can meet its obligation under legislation for APZ and Bush Fire Trails compliance. Bushfire Mitigation Officers will continue to check, monitor and audit all of the APZ's and Fire Trails as part of their ongoing work requirements	Percentage of Asset Protection Zones inspected	30%	80%		Manager – Works & Services	80% of APZ have been inspected across the whole LGA, (All Districts) The other 20% was captured in the audit conducted in the previous quarter
		Percentage of Asset Protection Zones funded for maintenance	50%	98%		Manager – Works & Services	98% of APZ's have been funded in the way of mowing. 30-50% of tree maintenance is funded by Shoalhaven City Council All new APZ sites are not funded at all and requests to the RFS for funding have to be submitted by May of the previous financial year
1.1.01.05 Annual audit of Council's responsibilities within the Shoalhaven District Bushfire Plan							
	Audit is on track and regularly checked against any changes in the Plan by the Bushfire Mitigation Officers.	Audit completed, certified bushfire mitigation works assessed and asset custodians notified of rectification works by June 2025	50%	85%		Manager – Works & Services	85% has been completed within this period. Defect/additional works have been identified and additional funding through RFS grants Once all defects have been identified/finalised, they will be forwarded to the owners for rectification works



Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.1.02.01 Work with the NSW Government to progress the Crown Lands Plans of Management for City Lifestyles						
	Coordination with Crown Lands ongoing re. finalisation of 11x plans of management (assigned to City Lifestyles). 5x PoMs adopted. 6x under further development. See notes in separate, itemised KPIs for individual plans of management (documents).	All Crown Lands Plans of Management submitted to the Ministers Office	50%	50%	●	Manager - Open Space & Recreation Planning	Coordination with Crown Lands ongoing re. finalisation of 11x plans of management (assigned to City Lifestyles). 5x PoMs adopted. 6x under further development.
		Crown Land Plans of Management - General Community Use	50%	100%	●	Manager - Open Space & Recreation Planning	Adopted: 4 October 2024
		Crown Land Plans of Management - Parks	50%	80%	●	Manager - Open Space & Recreation Planning	PoM with NTS Corp for review. Feedback will be provided by 20 December. PoMs to go on public exhibition in February 2025.
		Crown Land Plans of Management - Sportsgrounds	50%	80%	●	Manager - Open Space & Recreation Planning	PoM with NTS Corp for review. Feedback will be provided by 20 December. PoMs to go on public exhibition in February 2025.
		Crown Land Plans of Management - Rotary Park (Ulladulla War Memorial)	50%	100%	●	Manager - Open Space & Recreation Planning	Adopted: 3 June 2024
		Crown Land Plans of Management - 275 Green Street Ulladulla	50%	100%	●	Manager - Open Space & Recreation Planning	Adopted: 3 June 2024
		Crown Land Plans of Management - Ulladulla Cemetery	50%	100%	●	Manager - Open Space & Recreation Planning	Adopted: 3 June 2024




Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
		Crown Land Plans of Management – Lady Denman Reserve	50%	100%		Manager – Open Space & Recreation Planning	Adopted: 19 April 2024
		Crown Land Plans of Management – Nowra Showground	50%	90%		Manager – Open Space & Recreation Planning	PoM sent to Crown – permission to exhibit – 12.12.24
		Crown Land Plans of Management – Berry Showground	50%	90%		Manager – Open Space & Recreation Planning	PoM sent to Crown – permission to exhibit – 12.12.24
		Crown Land Plans of Management – Milton Showground	50%	90%		Manager – Open Space & Recreation Planning	PoM sent to Crown – permission to exhibit – 12.12.24
		Crown Land Plans of Management – Kangaroo Valley Showground	50%	90%		Manager – Open Space & Recreation Planning	PoM sent to Crown – permission to exhibit – 12.12.24





Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.1.02.02 Work with community to improve sense of identity and belonging through the support of relationship building, inclusion and community pride						
	<p>The Community Capacity Building Team have</p> <ul style="list-style-type: none"> • Launched East Nowra Skills Development Grant however have received no eligible applications. • Youth Week 2025 planning has started with the aim to ensure partner organisations enable young people to guide Youth Week activities. • Started preparations for the 2025 ClubGrants round. • Delivered a successful Thrive Together Pop-Up partnering with Salt with over 200 attendees engaging with services. 	Number of initiatives supporting community programs and actions	Count	1	●	Manager – Cultural & Community Services	Thrive Together Pop Up at Bomaderry with over 300 participants
		Number of community relationships established and maintained (networks, organisations and individuals)	Count	34	●	Manager – Cultural & Community Services	<p>34 organisational relationships and over 60 individual relationships across numerous interagencies and initiatives including:</p> <ul style="list-style-type: none"> - Primary Homelessness Response Group, Thrive Together Pop-Ups, youth week planning and other service provider meetings.
		Number of initiatives which support and foster connections in the community	Count	2	●	Manager – Cultural & Community Services	<p>Due to staff vacancies the team have had reduced capacity to deliver initiatives.</p> <p>2 initiatives with more than 200 participants:</p> <ul style="list-style-type: none"> - Thrive Together Pop-Up - Primary Homelessness Response Group meetings





Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
>	1.1.03.01 Collaborate across City Lifestyles departments to provide a range of programs to activate Destination Parks and showgrounds						
	Swim Sport Fitness ran Holiday Ball Sports, Learn to Swim & Squad Programs at Sporting Facilities. Teams prepared destination parks and showgrounds for monthly markets at Huskisson, Milton, Berry, Nowra and Mollymook. Worked with Tourism to prepare for events such as, Huskisson Running Festival, NYE Fire Works and The Bay Games	Number of programs implemented at Destination parks across the Shoalhaven	2	3		Manager – Shoalhaven Swim Sport Fitness	Worked with Events team to prepare for events such as, NYE Fire Works at Voyager Park, The Bay Games, Markets, Huskisson Carnival, Remembrance Day Memorial Services across the Shoalhaven
>	1.1.03.02 Conduct accessibility audits of public & community buildings						
	An accessibility audit has been completed on building modifications at 4 McIntrye Way Bomaderry	Number of accessibility audits of public & community buildings undertaken	Q4	Due Jun 2025		Manager– Building & Property Services	



Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
11	1.1.03.03 Work with community to foster an inclusive Shoalhaven where everyone has equitable access to opportunities and continue to deliver priorities from the Disability Inclusion Action Plan						
	Due to staff vacancies, it has not been possible to progress DIAP actions in this quarter, however the team continues to attend the Shoalhaven Disability Forum meetings which is as a platform to building the capacity of service providers support the people they engage with. Presentations at the Forum have covered suicide prevention, accessible transport, community readiness for natural disasters, Anti-Discrimination Act, medical alert beacons and independent funeral guidance and support.	Number of initiatives which advocate for and empower community to support equitable access to opportunities	Count	2		Manager – Cultural & Community Services	This quarter, initiatives have included: – Disability Forum – Neurodiversity celebration week 2025 planning discussions
		Number of initiatives which raise awareness of community access and inclusion needs, and demonstrate best practice in inclusion and accessibility	Count	3		Manager – Cultural & Community Services	3 initiatives – Disability Forum – Beach Wheelchairs – Neurodiversity celebration week 2025 planning discussions





Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.1.03.04 Provide social planning advice to improve understanding of social needs and inform decision-making						
	<p>Provided advice on Core Principles and consultation planning for review of Community Strategic Plan, Disability Inclusion Action Plan and Community Infrastructure Strategic Plan. Commenced project planning for review of DIAP2022-2026.</p> <p>Finalised Draft Reconciliation Action Plan (RAP) for public exhibition, in consultation with the RAP Working Group and Yarning Group. Workshop with the two groups for planning the RAP Launch at Nowra Regional Gallery, 28 May 2025.</p> <p>Revised the RAP Yarning Group's Terms of Reference to clarify terms of membership and continue throughout the development and implementation of current and future RAPs.</p> <p>Participated in Illawarra Shoalhaven Active Transport Taskforce meeting, reviewing their recent audit in consideration of 2025 Implementation Plan, and discussion of future active transport spending.</p>	Advice provided on social planning, including through co-ordination of social planning projects	Count	10		Manager – Cultural & Community Services	Core Principles & consultation planning for review of CSP, DIAP and CISP; public exhibition & finalise Draft RAP in liaison with Council teams; RAP Launch; RAP Yarning Group Terms of Reference; Illawarra Shoalhaven Active Transport Taskforce audit, 2025 Implementation Plan, and future active transport spending.
		Reconciliation Action Plan endorsed by Reconciliation Australia, adopted by Council and launched by June 2025	50%	50%		Manager – Cultural & Community Services	Councillor Briefing and Council resolution to put the RAP on public exhibition during November 2025. Joint meeting of Yarning Group & Working Group to review feedback and discuss changes required to the draft. Commence planning for RAP Launch 28 May 2025.






Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
>	1.1.04.01 Provide feedback and input into cross government strategy development and implementation that aligns with key regional priorities related to public transport and improved transport connectivity						
	During the reporting period, Council staff continued to be involved and provided input and feedback into a range of strategic transport planning projects being undertaken by Transport for NSW including the following projects – Nowra Bypass, Illawarra Shoalhaven Strategic Regional Integrated Transport Plan, South East and Tablelands Strategic Regional Integrated Transport Plan, Princes Highway upgrade, and Milton-Ulladulla Bypass.	Number of advocacy efforts made with government agencies which actively contribute to transport strategy development (submissions and meetings)	Q4	Due Jun 2025		Manager – Strategic Planning	
>	1.1.05.01 Update the Affordable Housing Strategy and commence the preparation of a City-wide Housing Strategy						
	Council resolved (Oct 2024) to establish an Affordable Housing Action Taskforce to support the delivery of the actions in the Shoalhaven Affordable Housing Strategy adopted by Council in August 2024. Strategic Growth Principles to inform and provide the basis for the proposed City-wide Housing Strategy adopted by Council in Dec 2024 following exhibition. Housing Strategy background work continued. Submission made to the NSW Government Inquiry into options for essential worker housing in NSW and Council representatives appeared before the Inquiry in December 2024.	Publication of the Affordable Housing Strategy and City-wide Housing Strategy by June 2025	Q4	Due Jun 2025		Manager – Strategic Planning	








Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
1	1.1.06.01 Implement an inspection regime required to ensure the satisfactory operation of on-site sewage management systems for the maintenance of public and environmental health						
	Environmental Health Officers undertook 433 inspections of on-site sewage management systems in quarter 2 and issued 343 approvals to operate. While the team have met and exceeded their required inspection targets, the additional time required to follow up non-compliant systems and undertake administrative tasks has meant that the program continues to run behind schedule with approximately 1566 properties due for inspection before the end of FY 24/25.	Number of on-site sewage management systems inspections completed	600	815		Manager - Environmental Services	433 inspections were reported this quarter (815 YTD), including 84 inspections completed in Q1 but recorded in Q2
		Number of failed on-site sewage requiring regulatory action	Count	106		Manager - Environmental Services	106 onsite sewage management systems failed their inspection. 35 have since been rectified and issued operational approvals. 9 systems were issued with a Notice or Order to make repairs.








Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
1.1.06.02 Undertake environmental health regulatory inspections to ensure compliance with legislative standards							
	<p>The following Environmental Health inspections were completed during Quarter 2:</p> <p>433 On-site sewage management systems</p> <p>179 Food hygiene inspections, including 19 re-inspections</p> <p>2 Skin penetration inspections</p> <p>7 Underground petroleum storage systems</p> <p>106 Constructions site audited for adequate sediment and erosion controls</p>	Number of planned environmental health inspections completed	126	128		Manager - Environmental Services	<p>2 Skin penetration premises were inspected during quarter 2, all other inspections were completed in quarter 1.</p> <p>75 Public pools were inspected during quarter 2</p>
		Number of failed environmental health inspections requiring regulatory action	Count	15		Manager - Environmental Services	15 Commercial swimming pools failed their first inspection and required follow up.
1.1.06.03 Undertake swimming pool inspections in accordance with the adopted program							
	Compliance completed 111 swimming pool inspections in the October to December quarter, resulting in the issue of 41 certificates of compliance and 39 certificates of non-compliance.	Percentage of planned swimming pool inspections completed	95%	95%		Manager - Certification & Compliance	Compliance completed 111 inspections in the October to December quarter for 2024.







Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.1.06.04 Ranger Services undertake proactive patrols in order to meet the needs of the community and council						
	Rangers completed a total of 1,964 proactive patrols during the period. Beach patrols the highest with 888 patrols, 708 other patrols 280 proactive parking patrols and most importantly 88 school zone patrols, Progressive total of 3,745 for the end of six-month period with a target of 1,500. From these proactive patrols 518 penalty notices were issued.	Number of proactive ranger patrols	1,500	3,745		Manager - Certification & Compliance	Rangers completed a total of 1,964 proactive patrols during the period. Of these, there were 888 beach patrols, 708 other patrols (Council Showgrounds, camping hot spots, boat ramps, vegetation vandalism, illegal dumping, asset inspections and inland reserves), 280 proactive parking patrols and 88 school zone patrols.
	1.1.06.05 Undertake retail food premises regulatory inspections to ensure compliance with legislative standards						
	A total of 179 food hygiene inspections, including 19 re-inspections were undertaken during quarter 2 with 45% receiving an Excellent, 37% a Very Good, and 11% a Good food safety star rating.	Percentage of food businesses achieving 'good', 'very good' or 'excellent' food safety star rating	95%	93%		Manager - Environmental Services	160 food businesses were inspected during quarter 2. 11% achieved a 'good', 37% achieved 'very good' and 45% achieved 'excellent' food safety star rating
		Number of failed food hygiene inspections requiring regulatory action	Count	8		Manager - Environmental Services	8 Improvement Notices were issued to premises requiring regulatory action during quarter 2.




Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.2.01.01 Increase visitation to the Shoalhaven Regional Gallery						
	The number of visitors to SRG was 29,729, this is over the quarter target.	Number of visitors to Shoalhaven Regional Gallery	20,000	29,729		Manager – Cultural & Community Services	Total number of visitors to Shoalhaven Regional Gallery was 29,729 for Q2 over target of 20,000.
		Number of exhibitions which improve community access to works from the Shoalhaven City Arts Collection	2	2		Manager – Cultural & Community Services	Two exhibitions focused on works from the SRG collections; Sunbaker – works from the collection and The Crab's Dream, by Wade Marynowski.
		Number of people paying to attend Shoalhaven Regional Gallery public programs	500	1,475		Manager – Cultural & Community Services	Number of people paying to attend Shoalhaven Regional Gallery public programs was 1,475 which was over the target of 500 people.
		Percentage of visitors 'likely or very likely' to recommend Shoalhaven Regional Gallery	70%	91%		Manager – Cultural & Community Services	Percentage of visitors 'likely or very likely' to recommend Shoalhaven Regional Gallery was 91%.





Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.2.01.02 Shoalhaven Entertainment Centre will curate and deliver inclusive annual seasons of performing arts, events and public programs reflective of our diverse community						
	The 2024 calendar season of curated events is complete. 24 shows and 10,204 patrons. For the 2025 season we have locked in 17 shows with another 7 still to be assessed.	Grow ticketed attendance at Shoalhaven Entertainment Centre	Q4	Due Jun 2025		Manager – Commercial Services	
		Shoalhaven Entertainment Centre's Season shows make a positive contribution to cultural life in the Shoalhaven	86%	84%		Manager – Commercial Services	The 2 season shows for October to December had 1638 admissions. Both shows were morning matinees. 84% of attending patrons thought the SEC positively contributed to the cultural life of the Shoalhaven.
	1.2.01.03 Shoalhaven Regional Gallery will diversify and increase income generated by profitable programming initiatives						
	SRG has diversified income generated through profitable programming initiatives.	Shoalhaven Regional Gallery to submit a minimum of two grant applications per year to support programming	Q4	Due Jun 2025		Manager – Cultural & Community Services	
		Number of local visual artists contracted to deliver exhibition related programs	2	4		Manager – Cultural & Community Services	Number of local visual artists contracted to deliver exhibition related programs was four which exceeded the target of two over the last quarter.









Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.2.02.01 Progress development of a new Library at Sanctuary Point in line with adopted position of Council						
	A review of the design work and costs is currently being undertaken as well a feasibility study to gain continued endorsement by council. Expected completion date: February 2025.	Complete operational plan and budget for new Sanctuary Point Library	50%	25%		Manager – Open Space & Recreation Planning	Draft Operational plan and budget for the new Sanctuary Point Library is in progress. A review of the design work and costs is currently being undertaken as well a feasibility study to gain continued endorsement by council. MIN 24.148
	1.2.02.02 Staged implementation of Shoalhaven Entertainment Centre's Strategic Business and Marketing Plan						
	Shoalhaven Entertainment Centre's Strategic Business and Marketing Plan is on hold due to reduced resources	Percentage increase of food and beverage sales at Encore Cafe and Dining	Q4	Due Jun 2025		Manager – Commercial Services	
		Increase the number of Season Memberships to build audience engagement and revenue	Q4	Due Jun 2025		Manager – Commercial Services	





Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.2.03.01 Work with community to improve the recognition, protection and celebration of the diverse community, history and cultural heritage of the Shoalhaven						
	Due to Community Capacity Builder, Aboriginal and Community Capacity Builder, Aboriginal Cadet positions being vacant it has not been possible to progress outstanding work in this area however, the team continue to sit on the Local Government Regional NAIDOC Awards Planning Committee to support the 2025 event being hosted by Shellharbour Council and have also supported the development of Council's Reconciliation Action Plan.	Number of activities that recognise, protect or celebrate the diverse make up and cultural heritage of the Shoalhaven	Count	0		Manager – Cultural & Community Services	Due to staff vacancies in both identified Aboriginal positions these projects and initiatives have been put on hold.




Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.3.01.01 Shoalhaven Libraries will create opportunities for diverse communities to be welcomed and celebrated in appropriate ways through a range of events						
	Library events are held at all our main branches to create opportunities for diverse communities to be welcomed and celebrated for adults and children alike including inclusive story time, NAIDOC week celebrations, Seniors Week and LGBTQI+ Q&A events. Numbers of events may potentially be reduced due to staff shortages across all branches.	Number of Library events delivered	250	313		Manager – Cultural & Community Services	Library events are held at all our main branches and provide lifelong learning and enjoyment for adults and children alike.
		Number Library Visits	210,000	155,857		Manager – Cultural & Community Services	Staff shortages in the team delivering programs and events has reduced the capacity to deliver and facilitate programs. Issues with functionality of the people counting system are also a factor in lower than expected visit numbers. Staff continue to promote library services and membership through social media platforms, outreach visits and local media platforms.
		Number of Virtual Visits at Council's Libraries	400,000	411,724		Manager – Cultural & Community Services	Shoalhaven Libraries provides online services, resources and programs to its community. These resources are heavily used by the community despite being underfunded.
		Number of actions implemented from the Shoalhaven Libraries Strategic Plan 2024-2027	6	6		Manager – Cultural & Community Services	A number of actions from the Strategic Plan have been delivered. Including updating the Local Heritage Plan, adding special collections such as sensory items and decodable readers and continuing to seek out and strengthen partnerships with community groups and organisations
		Percentage increase in library memberships	Q4	Due Jun 2025		Manager – Cultural & Community Services	




Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	1.3.02.01 Deliver improved playing surfaces at Precincts and Destination Parks in the Shoalhaven						
	<p>50% Complete. Playing surface improvements on track with programs to be completed within acceptable time frame.</p> <p>The following Programs have been completed;</p> <ul style="list-style-type: none"> - Broadleaf herbicide: 41 precincts - Spring fertilizer and soil amendments: 28 precincts - Top Dressing: 2 precincts (Thomson St, Sussex Inlet & Frogs Hollow, Milton - following completion of drainage works) - Aeration: 17 precincts - Growth Regulator: 10 Precincts - Turf Pesticide Control: 3 precincts 	Undertake annual sports field improvement program	50%	50%		Manager – Shoalhaven Swim Sport Fitness	<p>50% Complete. Playing surface improvements on track with programs to be completed within acceptable time frame.</p> <p>Programs currently in planning phase for delivery within appropriate seasonal time frames:</p> <ul style="list-style-type: none"> - Seed over-sowing - Autumn fertilizer



Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.3.02.02 Continue to progress delivery of a new Community Infrastructure Strategic Plan by December 2025, in accordance with agreed methodology						
	30% complete (overall). Community Infrastructure Audit: 100% complete. Next stage: Community Infrastructure Needs Analysis: 20% complete.	Updated draft Community Infrastructure Strategic Plan finalised for distribution to key stakeholders for feedback by June 2025	50%	50%		Manager – Open Space & Recreation Planning	Timeline for delivery of CISP has been revised and accepted by Council. Project is on track for completion in June 2026. Community Infrastructure Audit: 100% complete. Next stage: Community Infrastructure Needs Analysis: 20% complete.
➤	1.3.02.03 Support Parkcare Group Volunteers to improve local parks and reserves						
	Action Plans for 1 new group and 1 established group has been approved. Current Parkcare figures: 51 groups, 326 volunteers and 802 volunteer hours for October, November, December quarter. The Parkcare Connect newsletter continues to be sent out seasonally. 23 groups have completed their WHS site safety plans and 135 individual volunteer site inductions to date and are ongoing. Plant inductions have commenced and will also be ongoing.	Maintain Annual Parkcare volunteer hours	Q4	Due Jun 2025		Manager – Works & Services	



Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.3.02.04 Implement the Shoalhaven Swim Sport Fitness Business Plan						
	Shoalhaven Swim Sport Fitness Business Plan was completed and implemented in Q4 2023/24. The business plan will continue to be reviewed and updated throughout 2024/25.	Identified strategies from Shoalhaven Swim Sport Fitness Business Plan implemented	50%	50%		Manager – Shoalhaven Swim Sport Fitness	<p>Business Plan Action Plan items have been implemented including:</p> <ul style="list-style-type: none"> • Customer Focus – Culture Count surveys and ongoing reviews of programs & customer service • Technology – new Point of Sale system selected (implementation planned for mid-2025) • Commencement of site specific Business Plans for all aquatic facilities • Updating of procedures underway • Environmental Sustainability Measures – investigations into reducing the use of LPG, converting to electricity underway • Increased training and support for Management Committees provided and ongoing • Fee Structure – development of a strategy to present to Council on fees and charges for commercial and professional hirers underway • Support provided to Recreation projects Planning & Delivery Team developing the Plans of Management

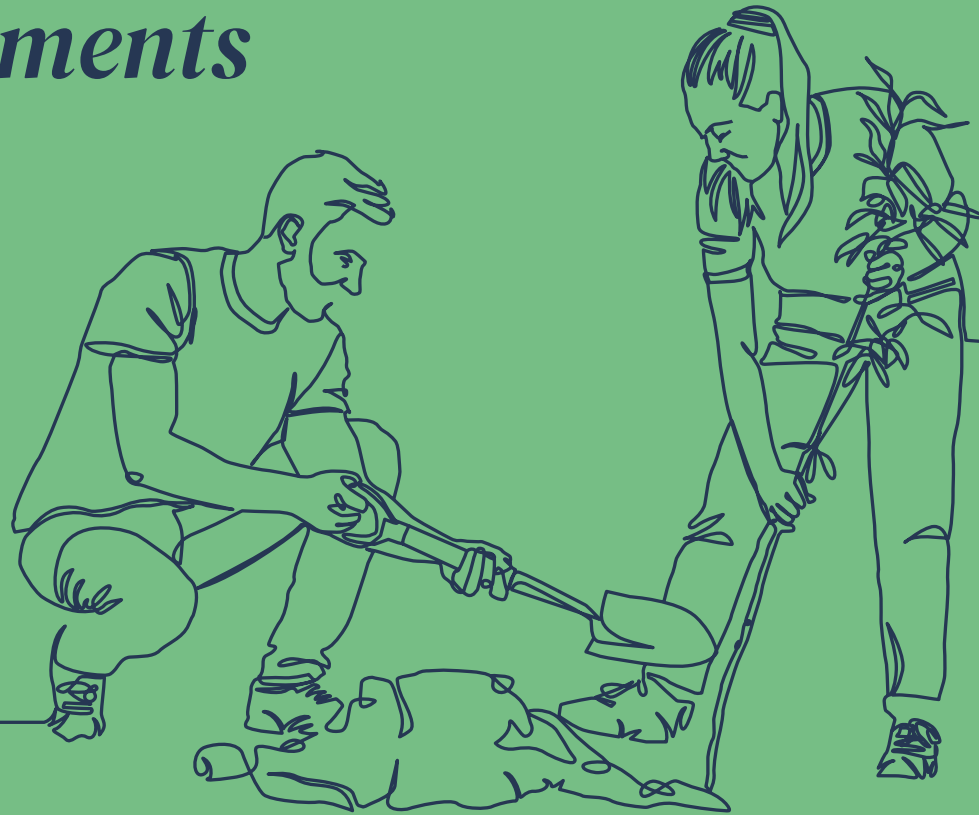


Action	Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤	1.3.02.05 Progress the delivery of agreed open space and recreation projects						
	Progress tracking well for recreation projects noted for completion in the 24/25 DPOP.	Open space and recreation projects delivered to agreed timelines	50%	50%	●	Manager – Open Space & Recreation Planning	Progression in accordance with available resourcing (staff, funding as allocated in DPOP 2024/25, and external inputs). See also updates provided in separate, project-specific Actions and KPIs.
➤	1.3.03.01 Provide a range of programs and services to cater for community demand for aquatics, health and fitness programs						
	Extensive range of services and programs provided for Aquatics and Health & Fitness throughout the first quarter across all facilities. This includes Learn to Swim and Squad Programs, 24/7 gymnasium access, Group Fitness classes (gymnasium, aqua aerobics and boot camp), Personal Training sessions, Teen Gym and other school-aged fitness programs along with programs / classes catered for aging demographics including Health Moves.	Maintain the number of attendances at Council's aquatic and leisure centres	410,000	444,411	●	Manager – Shoalhaven Swim Sport Fitness	Favourable weather conditions for aquatics and excellent participant numbers for Learn To Swim and Health & Fitness has seen strong visitation numbers across Quarters 1 and 2 (this also despite Nowra Aquatic Park being closed due to mechanical issues for 2 months).
➤	1.3.04.01 Support local networks and encourage knowledge sharing to improve equitable access to information and opportunities						
	Regular communication and two way information sharing with CCBs including a weekly DA report and other information and opportunities for the community.	Information and opportunities shared with community and ongoing support and guidance for the Community Consultative Body network	Count	16	●	Manager – Cultural & Community Services	Emails sent to all CCBs including, Public Exhibition notices, Weekly DA Tracker Reports, CCB Executive Meeting Invitation, Future Aged Care Research opportunity for Men. Targeted support to individual CCBs including advice on code of conduct, advice on accessing support from NSW Fair Trading and annual subsidy access.





Sustainable, liveable *environments*





Progress snapshot

3%
Completed

89%
On Track

8%
Requires Attention



Highlights

- Water quality monitoring program of Shoalhaven's estuaries, lakes, rivers and beaches continued with 8 catchments sampled including Curleys Bay, Shoalhaven River, Swan Lake, St Georges Basin, Lake Wollumboola, Currarong Creek, Lake Conjola, Lake Tabourie and Narrawallee Inlet.
- The Bushcare Action Plans continue to be prepared and reviewed. The Red Head Villages (Cunjurong Point – Manyana) Bushcare Group Action Plan was completed, along with Orient Point, River Road, Shoalhaven Heads and Boongaree.
- There were 364 priority weed inspections completed which included 109 infestation reports sent for priority weeds, and 255 'Nil Infestation' inspections. Inspection and control programs are in place for priority weeds such as Frogbit, Parthenium Weed, Alligator Weed, Boneseed, Bitou, two Ludwigia species and Salvinia.
- The Open Coast & Jervis Bay Coastal Management Plan (CMP) is now certified and gazetted. The Lake Conjola CMP and Lower Shoalhaven River CMP are currently in Stage 4. The Sussex Inlet, St Georges Basin, Swan Lake and Berrara Creek CMPs will enter Stage 4 – public exhibition in early 2025.

Our performance for the last 3 months

Environmental
assessments on
Development Applications

25

Invasive weed
inspections

364









94
Works in Natural
Area Reserves



56%
of Development Applications
processed within 40 days
target 65%

39



☰ Sustainable, livable *environments*

 Completed
  On Track
  On hold
  Requires Attention
  Deferred
 KPI Status
  Critical
  Requires Attention
  On Track


Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 2.1.01.01 Complete the Local Road Repair Program as listed in the 2024-25 adopted capital works program						
This information is included in reporting by ePMO	Percentage of planned road rehabilitation projects completed	35%	48%		Manager – Technical Services	Most road rehabilitation has been associated with Disaster works this Financial Year.
	Percentage of reportable road defects addressed within corporate timeframes in the procedure	60%	70%		Manager – Technical Services	Reporting process has been disrupted due to the roll out of Works On Line. Once works on line is fully implemented these metrics are planned to be tracked in real time. Accordingly the reported 'Achieved YTD' is an educated estimate.

41




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.1.02.01 Undertake Flood Studies and develop Floodplain Risk Management Studies and Plans						
<p>Five Flood Studies (FS) and Floodplain Risk Management Studies and Plans (FRMSP) are being delivered by the Floodplain Management Unit. Two of these, Clyde River and Willinga Lake, are programmed for completion in March 2025. These two projects have a draft Flood Study and Draft FRMSP report ready for public exhibition in early 2025.</p> <p>The Broughton Creek FS has completed the calibration and validation stage and design event modeling and preparation of the Draft Flood Study report is underway. This project will likely be completed by the end of FY24/25.</p> <p>The Lower Shoalhaven River FRMSP and St Georges Basin FRMSP investigations are progressing well, with flood modelling completed and mitigation options being investigated. All projects are progressing following their project plans.</p>	St Georges Basin Floodplain Risk Management Study and Plan adopted by Council by December 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Lower Shoalhaven River Floodplain Risk Management Study and Plan adopted by Council by December 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Updated Broughton Creek Flood Study adopted by Council by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Clyde River and the Willinga Lake Flood Studies and Floodplain Risk Management Studies and Plans adopted by Council by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Complete the Intermittently Closing and Opening Lakes and Lagoons (ICOLL) Catchments Flash Flood Warning System Scoping Study, and Flood Evacuation Capability Assessment investigations by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	
2.1.02.02 Complete the Stormwater Drainage Program as listed in the 2024-25 adopted capital works program						
This information is included in reporting by ePMO	Percentage of planned stormwater drainage projects completed	35%	50%		Manager – Technical Services	Just 5 projects in this year's program.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.1.02.03 Review the flood mitigation asset database and ensure it is up to date						
Responsibility for the task transferred teams as a result of directorate restructure. Initial project scoping to be undertaken in the coming quarter to determine the actions required.	Length of flood mitigation assets inspected	Q4	Due Jun 2025		Manager – Technical Services	
	Percentage of reported critical / urgent flood mitigation assets repaired as funded for maintenance	40%	75%		Manager – Technical Services	Flood mitigation works on track. This value represents 75% of budget has been expended.
2.1.02.04 Manage Council's Flood Alert Network						
All Flood Alert Network gauges have been recently audited and maintenance works undertaken as required. Furthermore, the ongoing and staged upgrade of the system from Alert 1 to Alert 2 is continuing which ultimately will improve the reliability of the system and reduce the long-term maintenance costs (Alert 1 systems are old and prone to failure, requiring more maintenance). The Floodplain Management Unit monitors the gauges daily and action maintenance of failing infrastructure as required.	Percentage of network operational	Q4	Due Jun 2025		Manager – Environmental Services	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.1.03.01 Complete the Pathways Program as listed in the 2024-25 adopted capital works program						
This information is included in reporting by ePMO	Percentage of planned pathways projects completed	35%	15%	●	Manager – Technical Services	Project scheduled for Q3 & Q4
2.1.04.01 Stage works greater than \$250,000 with a Design/Approval stage and Construction/Commissioning Stage in separate financial years						
With the formal creation of the ePMO, major projects are now required to have separate design phases to ensure thorough planning and budgeting. Exceptions are made on a case by case basis.	Percentage of works greater than \$250,000 staged in separate financial years (excluding newly identified Council priority projects)	Q4	Due Jun 2025		Manager – Technical Services	
2.1.05.01 Analyse roads condition inspection data to inform asset renewal planning						
Comprehensive road inspection data delayed after Christmas shutdown and required unanticipated post-processing. It will be returned by 24th January. Additional package purchased from contractor, to assist in processing the data into a four year works program to assist in prioritising and scoping works.	Completion of projects to increase the quality of condition data for transport assets	60%	60%	●	Manager – Technical Services	Thorough review of Kerb & Gutter assets, road component sets. Identification that traffic facilities are poorly represented in the system. Work commenced to support the revaluation of bulk earthworks, which is currently stored in an unmeasured manner for whole roads.
2.1.05.02 Support the organisation to review and update Asset Management Plans						
Project plan developed to guide the review of the suite of plans, within a proposed rationalised structure developed and organised into priority streams for delivery. Works to commence this quarter on the first plans in each stream.	Establish a hierarchy / priority list for the update of Asset Management Plans	Q4	Due Jun 2025		Manager – Technical Services	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.1.05.03 Establish the Maritime Commercial Services Unit, identify key assets and determine future actions and performance measures						
Maritime Commercial Services unit established, with current priority being a review of budgets for capital works and compliance, together with updating Crown Land licences at various facilities.	Prepare Maritime Asset Management Plans for adoption by Council by June 2025	50%	22.5%	●	Manager - Commercial Services	Awaiting program details from Technical Services on preparing AMP's
2.1.06.01 Investigate asset resilience and security of water supply opportunities						
Resilience activities include the development of the Bamarang to Milton Stage 2 project, mains replacement program (packages 3 & 4) and the development of Shoalhaven Water's Servicing Strategies) and hydraulic models. Prioritisation of asset strategy projects currently under way along with development of hydraulic models and staff training.	Develop Northern to Southern Water Supply Project to Construction Phase	50%	50%	●	Manager - Water Asset Planning & Development	Constructability, geotechnical and design phasing are being investigated to develop the project into design phases. The phasing will enable opportunities to design, construct and seek funding in "separable portions" for this very large project.
2.1.06.02 Identify and mitigate risk to critical water supply and wastewater assets						
Ongoing risk mitigation projects include relocation of gravity sewer mains impacted by coastal erosion in Erowal Bay, replacement of asbestos water mains as part of overall mains replacement program. Wastewater and water strategy work is now being developed and assessed for project prioritisation in the next 5 to 10 years.	Develop asset risk assessment and mitigation contingencies for critical water and wastewater assets	Q4	Due Jun 2025		Manager - Water Asset Planning & Development	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Review and assess redundancy in water supply schemes	50%	60%		Manager - Water Asset Planning & Development	Mains replacement program is well advanced with packages 3 & 4 currently underway. Package 3 due for completion in June 2025 and package 4 in December 2025.
2.1.06.03 Plan for Sewer & Water infrastructure to support West Culburra & Mundamia Urban Release Areas						
Design and investigation work for both projects is progressing in line with funding and delivery time frames identified by the developers.	Deliver Sewer & Water infrastructure concept design to support Mundamia Urban Release Areas	50%	10%		Manager - Water Asset Planning & Development	A contractor has been engaged to deliver the concept and detailed design of the wastewater infrastructure for Mundamia & Cabbage Tree Lane URA's. Detailed design is proposed to be completed by August 2025 with construction to commence mid 2025.
	Deliver Sewer & Water infrastructure concept design to support West Culburra Urban Release Areas	50%	58%		Manager - Water Asset Planning & Development	Culburra WWTP upgrades are currently in the concept design phase. Expected completion is mid to late February 2025. RFT of the procurement of equipment has begun with the next phase of works to progress to Detailed design.
2.1.06.04 Implement new regulatory and assurance framework for local water utilities						
Annual update submitted to the Department of Climate Change, Energy, Environment and Water (DCCEEW). Response submitted to requests for further information. DCCEEW currently identifies Shoalhaven Water as compliant with the Regulatory Assurance Framework.	Achieve regulatory compliance for local water utilities	Q4	Due Jun 2025		Manager - Water Asset Planning & Development	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.1.07.01 Implement the funded Building Fire Compliance Action Plan						
Project is still on track to be delivered, subject to funding. Building Fire Audits due this year are: 1. Lake Conjola Community Centre Asset 14000948 2. Erowal Bay Community Hall Asset 14000506 Council building fire measures are being maintained to 100% as funded.	Number of Building Fire Audits Reviewed	Q4	Due Jun 2025		Manager – Building & Property Services	
	Maintain existing Fire Safety Measures for Council buildings as funded	Q4	Due Jun 2025		Manager – Building & Property Services	
2.1.07.02 Ensure serviceability of public amenity buildings to budget and or community expectations						
Number of complaints in the last 3 month period- 6	Complete public amenity refurbishment or renewals as funded	50%	50%		Manager – Building & Property Services	Drafting of the Rotary Park South Nowra amenity in progress. Concept plan for the modification to Dolphin Point amenity is ready for review.
2.1.07.03 Implement initiatives to reduce the number of dry weather sewage overflow events						
Manhole IOT devices have been installed in Shoalhaven Heads, Culburra Beach, Vincentia and Ulladulla. Manhole installations are being prioritised based on sensitivity of receiving waters.	Number of monitoring sensors installed and monitored using “Internet of Things” technology	50	50		Manager – Water Operations & Maintenance	Manhole IOT sensors have been installed at Vincentia and Ulladulla in critical locations






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.2.01.01 Finalise the local planning documents to guide the development of the Moss Vale Road North Urban Release Area						
Public Exhibition of detailed Draft Development Control Plan Chapter and Infrastructure Funding Options Paper for the Urban Release Area concluded in September 2024. Range of resulting dialogue occurred with relevant NSW Government agencies, Infrastructure providers and landowner/developers. Council briefing to discuss next steps (planned for Dec 2024) and landowner liaison to be rearranged and matter to be reported to Council for formal consideration.	Publication Moss Vale Road North URA local planning documents	Q4	Due Jun 2025		Manager - Strategic Planning	
2.2.01.02 Develop planning controls and character statements to manage the contribution new development makes to neighbourhood or local character, including contemporary development and heritage controls for Berry						
<p>Work progressing including:</p> <p>City Wide LEP Character aims/objectives – Planning Proposal exhibition results reported to Council Nov 2024 to enable finalisation of LEP amendments. Decision pending due to recission motion.</p> <p>Strategic Growth Principles – adopted by Council in Dec 2024 following public exhibition.</p> <p>Additional Heritage Conservation Area and listings in Berry – Planning Proposal to amend the LEP submitted to NSW Government for required initial Gateway Determination in Dec 2024</p> <p>New Development Control Chapter, Berry East – initial draft prepared by Council staff and referred internally to technical officers within Council for initial review.</p>	Amendment of City-wide Local Environmental Plan to include new aims, objectives and heritage conservation areas; publication of development controls for Berry; and publication of character statements	50%	50%		Manager - Strategic Planning	<p>Character Planning Proposal – outcomes of formal exhibition reported to Council in late 2024 to enable finalization. Currently subject to a recission motion.</p> <p>Berry development and heritage controls – Planning Proposal submitted for Gateway determination and initial draft DCP finalized for internal consultation.</p>




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.2.01.03 Preparation of a new local infrastructure contributions scheme and governance framework						
Work continued on the preparation of the new Local Infrastructure Contributions Scheme (Contributions Plan) for Shoalhaven. Progress reports provided to Council's Executive Management Team to enable consideration of resourcing and other requirements to enable this key project to progress to finalisation in a timely manner. The infrastructures projects review and basic needs analysis is now complete. Work to determine new infrastructure list is close to completion. However overall timeframes have slipped due to other competing priorities.	Annual report on progress of preparing the new contributions scheme and governance framework	Q4	Due Jun 2025		Manager - Strategic Planning	
2.2.02.01 Assess and determine development applications within legislative timeframes and community expectations						
The percentage of DAs which have been determined within 40 statutory days rose from 53% to 56% on the latest quarter. This is reflective of the staff's continued focus on improving internal processes and identifying efficiencies through use of a DA Review Panel for new DAs, a Clearing House Meeting to focus on older DAs, improved practice guidance and increased collaboration with internal referral staff to identify technical issues earlier in the process.	Percentage of Development Applications processed within 40 days (DAs & S4.55s)	65%	56%		Manager - Development Services	The result is 56% of DAs and s4.55 Modifications having being determined within the statutory period. This is below the target of 65% – however is a rise from 53% in the previous quarter and is reflective of planning staff implementing strategies to minimise assessment delays.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.2.02.02 Resolve Subdivision and Subdivision Works Certificates to meet applicant and community expectations						
Staff continue to resolve Subdivision and Subdivision Works Certificates to meet applicant and community expectations	Percentage of Subdivision Certificates resolved within 14 days	75%	100%		Manager - Development Services	Above target
	Percentage of Subdivision Works Certificates completed in 28 days	65%	50%		Manager - Development Services	Result has almost achieved target which is a pleasing result considering the Development Engineering Team had only just filled a vacant role in the team which left the team a resource short since January 2024. With the vacant position now filled, results should continue to improve over the next quarter and beyond.
2.2.03.01 Provide development compliance services to the community						
Compliance received 125 new requests in the October to December quarter. This consisted of 98 requests for development related issues, 7 requests relating to stormwater concerns and 20 swimming pool requests. The majority of swimming pool requests were referrals from private certifiers.	Number of development non-compliance actions completed	Count	42		Manager - Certification & Compliance	Compliance completed 42 requests in the October to December quarter. This comprised of 34 development related requests, 3 stormwater requests and 5 swimming pool requests.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.2.04.01 Provide strategic feedback to Government and others on policies and strategies impacting on strategic land use in Shoalhaven						
Feedback and submissions provided during the quarter on/to: <ul style="list-style-type: none"> - Stricter Planning Regulation of Tobacco and Vape Stores (Council res) - Regional Housing Strategic Planning Fund - Proposed Low & Mid Rise Housing Reforms - Inquiry into Historical Development Consents - Proposed Housing Delivery Authority - Development not supported by contemporary studies - Inquiry into key worker accommodation 	Number of submissions regarding strategic land use made to Federal and State Government	Q4	Due Jun 2025		Manager - Strategic Planning	
2.3.01.01 Deliver the Shoalhaven Adaptation Plan						
Delivery of the Adaptation Plan is ongoing. Annual update report will be presented March 2025. Updated climate change risk assessment scheduled for 2025.	Number of actions delivered from the approved Shoalhaven Adaptation Plan	5	0		Manager – Environmental Services	Progress will be captured in Q4 following the annual report in March.





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.3.01.02 Continue implementation of Council's Sustainable Energy Strategy 2020-25 to reduce carbon emissions and increase the uptake of renewable energy to achieve Sustainability and Climate Policy targets						
Delivery of key actions within the Sustainable Energy Strategy continues including Towards Net-Zero Annual energy review. Strategy due for update in 2025.	Number of Sustainable Energy Strategy initiatives implemented	Q4	Due Jun 2025		Manager – Environmental Services	
	Estimated emissions reduced through Revolving Energy Fund projects (tonnes CO2e-)	Q4	Due Jun 2025		Manager – Environmental Services	
	Emissions saved through Sustainable Energy Strategy projects (tonnes CO2e-)	Q4	Due Jun 2025		Manager – Environmental Services	
2.3.02.01 Delivery of the Sustainability and Climate Action Plan						
Following recent appointment of the Sustainability Lead, work has recommenced on the delivery of Sustainability and Climate Action Plan objectives.	Number of resourced actions implemented from the approved Sustainability and Climate Action Plan	12	30		Manager – Environmental Services	There are 79 actions from the S&CAP. 30 have been completed, 12 are in-progress and 37 remain for completion.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.3.03.01 Undertake works within natural area reserves to improve biodiversity						
There have been 60 Natural Area reserve sites worked on by Bushcare volunteers, 21 by contractors and 13 worked on by Council's Aboriginal Bush Regenerators.	Number of natural area reserves with works completed towards maintaining or improving biodiversity	Count	94		Manager – Environmental Services	There have been 60 Natural Area reserve sites worked on by Bushcare volunteers, 21 by contractors and 13 worked on by Council's Aboriginal Bush Regenerators.
2.3.03.02 Support organisational environmental due diligence						
<p>This action relates to the completion of environmental assessments by Council's Land Management Unit to support the activities of Council. For this quarter, this primarily includes the completion of Review of Environmental Factors (REF) for existing dog off-leash access areas.</p> <p>During this quarter, one REF was completed for the dog off leash activity at River Road Reserve, Shoalhaven Heads. In total, five (5) have been completed and published. One is undergoing a final review and there are 14 other REFs with work required to finalise earlier drafts.</p> <p>Land Management has also actively been involved in the DA referral process providing advice on biodiversity matters and ensuring that the NSW Biodiversity Offset Scheme is appropriately applied in the following hierarchical steps – avoid, minimise and offset.</p>	Number of development application referrals for which required assessment of potential biodiversity impacts have been completed	Count	25		Manager – Environmental Services	25 DA referrals pertaining to biodiversity impacts were assessed in the quarter.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.3.03.03 Implement water quality monitoring program of Shoalhaven's estuaries, lakes, rivers and beaches to ensure the cleanliness of waterways for public and environmental health						
8 catchments were sampled during quarter 2 including Curleys Bay, Shoalhaven River, Swan Lake, St Georges Basin, Lake Wollumboola, Currarong creek, Lake Conjola, Lake Tabourie and Narrawallee Inlet. Budget cuts have reduced funding for the maintenance/replacement of water quality monitoring equipment. Without this funding this equipment will be unable to be replaced resulting in the end of the water quality monitoring program.	Percentage of planned water quality monitoring program completed	50%	100%		Manager – Environmental Services	8 catchments were sampled during quarter 2. Sampling was also undertaken for Environmental Protection Licenses at the Shoalhaven Heads Bores, Tilbury Cove and Lake Conjola Bores. Beachwatch Commenced at 11 beaches in December.
	Percentage of irregular water quality results whereby follow-up has occurred	100%	100%		Manager – Environmental Services	29 water quality exceedances (bacteriological & turbidity) were investigated.






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.3.03.04 Develop Coastal Management Programs as per the requirements of the NSW Coastal Management Act 2016 and the Coastal Manual						
The Open Coast & Jervis Bay CMP is now certified and gazetted. The Lake Conjola CMP and Lower Shoalhaven River CMP are currently in Stage 4. The Sussex Inlet, St Georges Basin, Swan Lake and Berrara Creek CMP will enter Stage 4 - public exhibition in early 2025.	Commence implementation of the Open Coast and Jervis Bay Coastal Management Program	Q4	Due Jun 2025		Manager – Environmental Services	
	Lake Conjola Coastal Management Program presented to Council for adoption by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Lower Shoalhaven River Coastal Management Program presented to Council for adoption by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Sussex Inlet, St Georges Basin, Swan Lake and Berrara Creek Coastal Management Program presented to Council for adoption by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	
	Secure external funding to implement the South Mollmook Coastal Protection Works	Q4	Due Jun 2025		Manager – Environmental Services	



	Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	2.3.03.05 Prepare new, or review existing Bushcare Group Action Plans in consultation with community						
	The Red Head Villages (Cunjurong Point – Manyana) Bushcare Group Action Plan was completed in the quarter. In total, four plans have been completed to date in the financial year. (Qtr 1: Orient Point, River Road, Shoalhaven Heads, Boongaree).	Number of Bushcare Group Action Plans reviewed	Q4	Due Jun 2025		Manager – Environmental Services	
	2.3.03.06 Undertake all actions required under Council's responsibility as Local Control Authority for weeds under the Biosecurity Act 2015 (NSW)						
	364 priority weed inspections were completed. There were 109 infestation reports sent for priority weeds, and 255 'Nil Infestation' inspections. High priority sites and high-risk pathways are being inspected for state and regional priority weeds. Inspection and control programs are in place for priority weeds that have a management goal of 'eradication' under the Biosecurity Act 2015 (NSW) (e.g., Frogbit, Parthenium Weed, Alligator Weed, Boneseed, Bitou, two Ludwigia species and Salvinia).	Number of priority weed inspections	Q4	Due Jun 2025		Manager – Environmental Services	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Percentage of failed priority weed inspections whereby corrective actions have been implemented	100%	100%		Manager – Environmental Services	364 priority weed inspections were completed. There were 109 infestation reports sent for priority weeds, and 255 'Nil Infestation' inspections.
	Number of prioritised natural areas undergoing vertebrate pest control eradication activities such as red fox baiting	2	0		Manager – Environmental Services	No pest animal control work has been undertaken directly by Council staff as there is currently no funding available. A funding application has been submitted for a control program through the Crown Reserves Improvement Fund. Rabbit control has been undertaken around a pre-school in Nowra based on a request by the asset custodian; and NPWS undertakes fox control under its shorebird and Brush-tailed Rock Wallaby protection projects with support from Council.
 2.3.03.07 Progress finalisation of Council's Urban Greening Strategy						
Urban Greening Strategy project brief completed. Work continues internally to hone scope of project prior to consultant engagement.	Urban Greening Strategy finalised by June 2025	Q4	Due Jun 2025		Manager – Environmental Services	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
2.3.04.01 Deliver the Sustainable Living Program for community members						
Sustainable living guide readily available for residents along with energy saving kits, sunspot solar program and website resources. No future workshops currently planned due to resource constraints.	Number of funded workshops or events delivered under the Sustainable Living Program	4	0	●	Manager – Environmental Services	Work needs to be completed to determine the future direction and resourcing of workshops under the sustainable living program.
	Number of environmental awareness programs disseminated to the community	2	15	●	Manager – Environmental Services	The Environmental Awareness Working Group continues to deliver an awareness campaign for environmental programs.
2.3.05.01 Maximise recycling opportunities at Council's waste facilities						
In conjunction with the NSW EPA, a trial of the collection of embedded batteries has begun at the Nowra recycling centre. The new rubber crumb plant is processing used tyres into rubber crumb.	Increase the number of material types recycled year on year	Q4	Due Jun 2025		Manager – Waste Services	





Thriving local economies that meet *community needs*





Progress snapshot

89%
On Track

5%
Requires Attention

6%
Deferred



Highlights

- Council staff are participating in the Illawarra Shoalhaven Joint Organisation (ISJO) facilitated projects including an Early Childhood Education and Care Regional Strategy and the Joint Organisation Net Zero Acceleration program.
- Tourism Services Centres were busy leading up to the holiday period with travellers seeking advice on events, activities and accommodation. Council's mobile pop-ups at Ulladulla, White Sands and Huskisson were well-received.
- Continued to deliver support to Aboriginal Tourism Operators in developing tourism businesses. The shoalhaven.com website lists 12 Aboriginal businesses showcasing visitor guides ranging from cultural walks to food operators.
- There were 73 community events processed and approved on Council land for this period. This is a 14% increase from the same period last year indicating a positive trend towards creating activated and liveable communities.

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Our performance for the last 3 months

Number of events
on Council owned or
managed land

73



Number of Council
grant applications

22 (ytd)



211

Business
networking
opportunities
attended

4.35 stars

Shoalhaven Visitor Centre
Rating





Tourism Service Centres advising locations and activities



Community events held on Council land



Aboriginal Tourism cultural walks



☰ Thriving local economies that meet *community needs*

✓ Completed
➤ On Track
⏸ On hold
⚠ Requires Attention
🕒 Deferred

KPI Status
🔴 Critical
🟡 Requires Attention
🟢 On Track

Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 3.1.01.01 Actively participate in events and networking opportunities with industry groups and businesses that support growth of the Shoalhaven economy						
<p>This quarter the team participated in 89 events and networking opportunities to build relationships with external networks, organisations and government agencies</p> <p>The team collaborated with and presented to business chambers, and supported teams within the Uptown Accelerator program. Meetings and collaboration occurred with external organisations such as RDA Illawarra Shoalhaven, DSSS, Destination NSW, and TfNSW.</p>	Number of external meetings, events and networking opportunities attended or facilitated to support businesses and industry groups	150	211	🟢	Manager – Cultural & Community Services	Year to date, the team have participated in 211 events and networking opportunities to build relationships with external networks, organisations and government agencies.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.01.02 Develop and implement a combined Tourism and Economic Development strategy						
<p>The Economic Development and Tourism Strategy 2025 has had the project plan presented to the Executive Management Team. Next steps are for a Councillor briefing in February 2025, and commencement of internal/ external engagement.</p> <p>This strategy is being developed wholly in-house due to financial resources, and due to this, the timeframe for completion has been extended to December 2025.</p>	Deliver a combined Tourism and Economic Development Strategy and Action Plan by June 2025	50%	30%		Manager – Cultural & Community Services	The Economic Development and Tourism Strategy 2025 has had the project plan presented to the Executive Management Team. Next steps are for a Councillor briefing in February 2025, and commencement of internal/ external engagement.
3.1.01.03 Support business networks and industry groups to allow businesses and employees to establish, develop and thrive in the Shoalhaven						
<p>The Economic Development and Tourism team supported 17 individuals/networks/groups within the region in order to assist businesses and the Shoalhaven economy.</p> <p>Council collaborates and partners with individuals and organisations to realise our shared goals for supporting and growing the Shoalhaven economy with business development.</p>	Number of networks, groups or individuals supported by the Economic Development Team	Count	45		Manager – Cultural & Community Services	<p>The Economic Development and Tourism team have supported 45 (year to date) individuals / networks/groups within the region in order to assist businesses and the Shoalhaven economy.</p> <p>This quarter, it included businesses supported during the Shoalhaven River Algae Red Alert, launch of the Business Partnership Program, and presentations to business chambers.</p>





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.01.04 Progress work to unlock the economic growth and employment generating opportunities of zoned but undeveloped land in the South Nowra Industrial Area						
Ecological Constraints Review and Biodiversity Offset Estimation report for the precinct completed Mid 2024. Identified range of associated challenges in 'unlocking' this important precinct. Work continuing on potential biodiversity offset opportunities. Finalised report to Council (for Jan 2025) to determine continued work to attempt to progress this matter, including the possible preparation of an 'interim' Development Control Plan Chapter. Continued to also liaise with NSW Government staff on the Regional Plan project related to this important area.	Amount of employment land delivered	Q4	Due Jun 2025		Manager – Strategic Planning	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.01.05 Actively engage with industry groups: Defence, Manufacturing, Farming, Construction, Administration, Tourism.						
Regular check-ins and meetings with industry groups and individuals assist the team to advocate on their behalf such as agriculture, tourism and aquaculture during disaster events. Council remain on the Steering Committee of the Illawarra Shoalhaven Regional Defence Network, which has received additional funding for the 2025 calendar year. Liaison with organisations such as Flagstaff, Transport for NSW, Department of Home Affairs, Department of Primary Industries and Regional Development, Regional Development Australia assist in connecting industry with resources.	Facilitate and participate in industry networking groups by attending, presenting and advocating for needs	4	30		Manager – Cultural & Community Services	Year to date, the team have engaged in, presented or advocated at 30 workshops, events and meetings by providing data, insights, support or advocacy to connect opportunities, along with liaising with government organisations to present opportunities and challenges that need more support.
	Develop “Business Champions” content series to celebrate business success stories in the region	Q4	Due Jun 2025		Manager – Cultural & Community Services	





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.01.06 Develop and create InvestShoalhaven.com website as a hub for resources, news and connection for Shoalhaven businesses						
<p>The new business website investshoalhaven.com was launched in May 2024. During this quarter there were 1,127 active users and 2,433 total page views.</p> <p>There were 46 blogs/articles published, including information on training, networking and development and opportunities for businesses of all sizes.</p> <p>A newsletter with recent articles is sent every month to around 1,700 subscribers, in the three months of this quarter.</p>	Publish regular news items on investshoalhaven.com and send monthly targeted emails to businesses	6	46		Manager – Cultural & Community Services	There were 46 news articles published on investshoalhaven.com . The articles included information on training, networking and development and opportunities for businesses of all sizes. The monthly newsletter resulted in approximately 700 click throughs.
	Grow engagement and pageviews of investshoalhaven.com	5%	34%		Manager – Cultural & Community Services	The new business website investshoalhaven.com was launched in May 2024 and includes news, toolkits and resources for local businesses and investors. During this quarter there were 1,127 active users and 2,433 total pageviews. Subscribers grew from approximately 1,300 to 1,750 (34%).





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.02.01 Provide advice and support to Council on external funding opportunities that are aligned to strategic objectives						
Year to date Council has submitted 40 grant applications to external funding sources with six being reported successful. The successful grants have brought in over \$590,000 in additional funding to help deliver projects for Council and community. The Grants Officer continues to provide an ongoing service to Council, researching and scanning both state and federal landscapes and briefing internal teams on funding opportunities that align with strategic projects.	Number of Council applications to external grant funding programs	50	40	●	Manager – Cultural & Community Services	There was an increase to 22 lodged applications in the second quarter because of the popularity of the Club Grants and Crown Reserve Improvement Funding programs. YTD there has been 40 applications to external funding sources.
	Number of successful grant applications bringing additional investment into projects/programs within the Shoalhaven	30	6	●	Manager – Cultural & Community Services	The Grants Officer is continuing to promote external funding opportunities and advocate for delivery ready projects. Year to date Council has reported 6 successful applications, one unsuccessful and 33 applications pending. The successful grants have brought in over \$590,000 in additional funding.
	Number of grant programs promoted externally to Industry via groups such as chambers of commerce and local community groups	30	32	●	Manager – Cultural & Community Services	Council's Grants Officer continues to work with local business networks and internal business units to promote funding opportunities to community. From October to December 2024 Council shared 15 x external funding opportunities bringing the year-to-date total to 32.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.02.02 Advocate for key initiatives and strategic projects that will assist in attracting investment and boosting the Shoalhaven economy						
Advocacy actions and feedback into policy from the Economic Development team are ongoing such as: a Key Moves project for Nowra is managed by the team to create actions that will enhance the CBD, supporting businesses in the Uptown Project Districts to enhance vibrancy through the office of the 24-hour Commissioner, and Visitor Economy Workshops with neighboring regions. Promotion of available employment land at Albatross Technology Park. Feedback and involvement in policy making such as Special entertainment Precinct, Community Improvement Districts and Short term Rental Accommodation. Assisting to advocate for resilience across several sectors such as local dairy and beef farmers, retail, hospitality and oyster growers.	Number of active contributions to regional, state or federal governments (meetings, phone conversations or written advice)	75	29		Manager – Cultural & Community Services	The Economic Development and Tourism team provided 29 contributions to regional, state or federal governments. This included workshops with DCCEEW, meetings with TfNSW, and correspondence to Ministers regarding transport matters.
3.1.02.03 Maintain Council's Key Projects Advocacy Document as a living prospectus to drive government investment						
The final Advocacy Document has been completed in draft, however executive have paused the development to print and distribution.	Update content of Key Projects Guide, print and distribute to align with Local Government and Federal Election campaigns	Count	1		Manager – Cultural & Community Services	The final Advocacy Document has been completed in draft, however executive have paused the development to print and distribution.






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.02.04 Advocate on behalf of businesses and community for connectivity upgrades and expansion of mobile and internet networks						
<p>Council has continued to liaise with Telstra to update the action-oriented connectivity plan, with actions both for Telstra and Council.</p> <p>A total of 3 actions have progressed in the Connectivity Plan with Council this quarter. These include advocacy and increasing the bandwidth in the town of Berry for peak periods, and to update the action plan and schedule regular briefings.</p>	Number of actions addressed in Council's Connectivity Plans	2	3		Manager – Cultural & Community Services	A total of 3 actions have progressed in the Connectivity Plan with Council this quarter (7 YTD). These include advocacy and increasing the bandwidth in the town of Berry for peak periods, and to update the action plan and schedule regular briefings.
3.1.03.01 Promote the Shoalhaven as a diverse region with a focus on off-season visitation						
Visitor economy in Shoalhaven during this quarter, had varying highlights such as an increase in spend to \$1.42 billion and increase in total nights by 9%. However, total visitors dropped by 12% and a lack of budget for campaigns and leads to industry saw a drop of 3% year on year of unique visitors to shoalhaven.com and reduced engagement across all channels. Off-season campaign development is underway with reduced budget for Autumn Wellness and Winter Foodie. The team is seeking funds from State and Federal bodies to assist with the shortfall in off-season marketing resources.	Grow unique users to Shoalhaven.com website to in turn drive leads to business listings	5%	3%		Manager – Cultural & Community Services	17,349 leads direct to businesses were achieved through the website this period, shoalhaven.com attracted 117,000 unique users in the period 1 October – 31 December 2024 which is down 3% year on year. This decrease is due to reduced marketing budgets for digital campaigns.





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.03.02 Advocate for and support events coming to Shoalhaven in the off-season to increase visitation, provide employment and boost the visitor economy						
Since the removal of the Tourism Event Support Program, the team continue to support event organisers in the Shoalhaven with a different approach. Key areas have included assisting in promoting grant funding for eligible events in the Shoalhaven and supporting the four Shoalhaven Uptown District Teams who have completed the 2024 Office of the 24-Hour Commissioner Uptown Accelerator Program. The team are also actively sourcing and meeting with Out of Area event organisers to showcase the region and the spaces available within the Shoalhaven to accommodate events.	Number of meetings, discussions and networking with event holders / businesses to encourage and support off-season events in Shoalhaven	15	36		Manager – Cultural & Community Services	The events team continue to meet regularly with local event organisers in the region to provide strategic advice and assist with the event application process. This month the team participated in 36 in person meetings with organisers and local operators (73 YTD). This included a range of existing and new organisers across the region. The team also continue to support the four Uptown District teams from Berry, Nowra, Huskisson and Sussex Inlet.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.1.03.03 Deliver Visitor Servicing Strategy including operational centres, mobile tourism services, industry support and merchandise sales						
<p>The lead-up to the holiday period has kept our centres busy with visitors, with travellers seeking advice on events, activities, and accommodations. Our mobile pop-ups at Ulladulla, White Sands, and Husky were well-received.</p> <p>VIS staff processed \$105,363 of ticket sales over the counter at the SEC Box Office for Q2. December saw the delivery of 25,600 new travel guides to local operators within region. The online shop attracted 1,755 new visitors, 66% using mobile devices and 76% of orders from new customers. New Christmas hampers assisted in generating \$2,339 sales revenue, a 407% increase from the previous period.</p>	Maintain a high quality of service and achieve Google business reviews above 4 stars for the Shoalhaven Visitor Centre	4	4		Manager – Cultural & Community Services	This quarter saw an increase of ratings at both Visitor Centres. Nowra received an average rating of 4.3 stars, Ulladulla achieved an impressive 4.4 stars. This outstanding performance across both centres results in an overall average of 4.35 stars.
	Increase total merchandise sales across all Shoalhaven Visitor Service sales channels	30,000	33,321		Manager – Cultural & Community Services	Quarters one and two cumulative merchandise sales across all Shoalhaven Visitor Service channels, including Nowra, Ulladulla, offsite, and online, totaled \$33,320, surpassing targets. This is an excellent achievement.
3.1.03.04 Deliver support to aboriginal tourism operators in developing tourism businesses						
12 Aboriginal businesses are listed on shoalhaven.com and in the visitor guide, ranging from cultural walks to food operators and collaborations with other businesses. Ongoing engagement has assisted businesses in developing new bookable product during the summer holidays.	Number of additional Australian Tourism Data Warehouse listings for Aboriginal Tourism Operators	6	12		Manager – Cultural & Community Services	12 Aboriginal businesses are listed on shoalhaven.com and in the visitor guide, ranging from cultural walks to food operators and collaborations with other businesses.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.2.01.01 Investigate opportunities for strategic development of key projects in our City						
<p>The team is collaborating with Strategic Planning team to investigate opportunities for Special Entertainment Precincts and are participating in Webinars and Training with office for the 24 Hour Economy Commissioner, to help develop and grow the Night time Economy in Nowra.</p> <p>Industrial land sales in Flinders Industrial Estate and Albatross Aviation Technology Park are in various stages of development and sale to attract businesses to grow or new businesses to move to the region.</p>	Actively promote investment opportunities such as hotels and other commercial ventures to potential markets, with a focus on CBD projects such as Nowra and the Shoalhaven Riverfront	100	100		Manager – Cultural & Community Services	Promotion of available employment land at Albatross Technology Park has also occurred to in an attempt to attract/grow the aviation and advanced manufacturing sectors in the Shoalhaven.
3.2.01.02 Support collaboration through Illawarra Shoalhaven Joint Organisation (ISJO) to advance Council and regional strategic objectives						
Key Council staff are participating in the ISJO facilitated projects including an Early Childhood Education and Care Regional Strategy and the Joint Organisation Net Zero Acceleration program.	Number of partnership initiatives for mutual benefit of ISJO stakeholders	2	2		Manager – Corporate Performance & Reporting	Continued participation in the Regional Illegal Dumping Program and Regional Soft Plastics Collection program.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.2.02.01 Progress master planning for the Nowra Riverfront Precinct and planning reviews to assist the revitalisation of the Nowra City Centre						
<p>Nowra Riverfront Precinct – Council continued to participate in the NSW Government’s Nowra Riverfront Advisory Taskforce that is overseeing planning for this precinct that is identified in the Illawarra-Shoalhaven Regional Plan, with a meeting held in December 2024. Grant application submitted to the Australian Government’s Regional Precincts and Partnerships Program (RPPP) for required funding to progress and finalize the master planning work – decision announcement is pending. Council staff also continued to assist Homes NSW regarding possible detailed redevelopment planning for the Mandalay Avenue sub precinct.</p> <p>Nowra CBD – The NSW Government’s Illawarra-Shoalhaven Regional Plan includes the development of a Strategic Road Map for the Nowra City enter as a key action. In May 2024 the Council reaffirmed its support for this project and noted it would await its outcomes before undertaking any planning review. Council continued to work collaboratively with the NSW Department of Planning, Housing & infrastructure during the quarter on the development of the Road Map. Council also wrote to the NSW Minister for Planning & Public Spaces regarding the progress of Strategic Roadmap work.</p>	Quarterly/Annual Progress reports issued to Council	Q4	Due Jun 2025		Manager - Strategic Planning	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
3.2.03.01 Facilitate and support the delivery of community and tourism events striving to achieve engaged, activated and liveable communities						
There were 73 events processed and approved on Council land in October to December. The 14% increase from the same period last year continues to indicate a positive trend towards creating activated and livable communities. This period is typically a busier time of year across the whole region with a number of larger commercial events being held in October and November, followed by a range of community events in December for the Christmas and New Year period. The event toolkit has continued to be rolled out to local event organisers to assist with the event application process and promote best practice event management across the region.	Number of approved events on Council owned or managed land	60	73		Manager – Cultural & Community Services	73 events were approved on council owned or managed land during the reporting period (114 YTD). In addition to this, there were a further 17 events across the Shoalhaven which the events team had interactions with, such as reviewing traffic, providing feedback or advice, supporting Development Applications or providing No Objections. There were an additional 10 approved events / markets cancelled due to a range of reasons.





Effective, responsible and authentic *leadership*



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Progress snapshot

6%
Completed

86%
On Track

6%
On Hold

2%
Deferred



Highlights

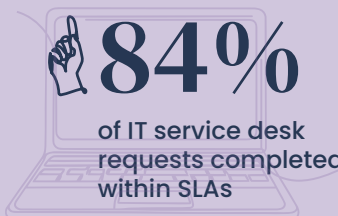
- Implementing initiatives as part of the Work Health and Safety Management Plan. The Silica Risk Assessment project, with the launch of the Leader Safety Walks, focusses on at risk and positive safety behaviours.
- Community engagement programs were conducted ranging from the Proposed Special Rate Variation, Mayor's Giving Tree, Opening of the Huskisson Mangrove Boardwalk and completed the Kangaroo Valley Natural Disasters Landslip Road repairs, all events attended by VIPs and media.
- A number of initiatives have been implemented as part of Council's financial sustainability review projects such as implementation of the Enterprise Project Management Office (ePMO), Grants program review and regular engagement with Senior Leadership Team on budget management.
- The OneCouncil Online Certificates project went live in December. Over 250 Certificate requests were lodged in the first three days of operation with minimal support requested from external applicants.

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Our performance for the last 3 months



2.24min
average wait time at
Nowra Customer Service
Centre
(5 min target)



84%
of IT service desk
requests completed
within SLAs

Customer service
enquiries resolved
at first contact
(80% target)

82.5%



50

Number of
media releases



Opening of the Huskisson Mangrove Boardwalk














Major landslip package works completion media ops



Proposed Special Rate Variation – Community consultation







Effective, responsible and authentic *leadership*

 Completed
  On Track
  On hold
  Requires Attention
  Deferred
 KPI Status
  Critical
  Requires Attention
  On Track




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.1.01.01 Provide an excellent customer experience by meeting Council's customer service standards for Contact Centre Operations						
This quarter, the Contact Centre has answered 72% of calls within the 30 second target. The calls abandoned rate is 3%, which is an excellent result as industry standard is 7%. We are consistently achieving above 80% first contact resolution.	Average wait time at the Customer Service Counter	5	2		Manager -Customer Experience	Average wait time in Q2 was 2.61 minutes and the average wait time in Q1 was 1.87 minutes. YTD average wait time is 2.24 minutes.
	Percentage of customer contacts that abandoned before being answered by the Contact Centre	7%	4%		Manager -Customer Experience	Average serve time in Q1 was 11.49 minutes and 9.35 minutes in Q2. YTD average serve time is 10.42 minutes.
	Percentage of customer enquiries resolved at first point of contact	80%	83%		Manager -Customer Experience	3% of calls were abandoned in Q2 and 4% of calls were abandoned in Q1 averaging 3.5% YTD.
						82.24% of calls were resolved at the first point of contact in Q2 and 82.85% of calls were resolved at the first point of contact in Q1. YTD average of 82.5% resolution

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Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Calls to Contact Centre answered within 30 seconds	30	41		Manager –Customer Experience	Average speed of answer (ASA) in Q2 was 33 seconds and in Q1 the ASA was 49 seconds averaging 41 seconds YTD. In Q2, 71% of calls were answered within 30 seconds and in Q1, 61.7% of calls were answered within 30 seconds (avg 66 seconds YTD).
	Percentage of customer requests conducted online	25%	35%		Manager –Customer Experience	In Q2, 36.7% of requests were submitted online by the customer and in Q1, 33.4% of customer requests were submitted online by the customer. YTD average of 35.05%.
 4.1.01.02 Run 'Voice of the Customer' programme by responding to feedback and identifying process improvements to close the feedback loop						
The voice of the customer program was set up last year and was on hold during Q2 this year for phone and in person customer satisfaction surveys due to the cost. Customer requests satisfaction surveys were still active in Q2 and a process is in place to review the feedback and identify improvements.	Measure quality of customer service provided through customer satisfaction (CSAT)	85%	82%		Manager –Customer Experience	CSAT in Q2 was only measured via customer requests (272 responses) which resulted in 82.35% satisfaction. In Q1 CSAT resulted in 80.79% satisfaction averaging in 81.57% YTD.
 4.1.01.03 Provide graphics and cartography support to the organisation and issue 10.7 planning certificates and dwelling entitlement certificates						
Total of 1,271 certificates issued during the quarter. Work substantially completed to move the issuing of certificates into the Tech1 System in December 2024. Range of mapping and graphic support provided to projects in the Strategic Planning Team and also elsewhere in Council.	Number of 10.7 planning certificates and dwelling entitlement certificates issued	Count	1,271		Manager – Strategic Planning	A total of 1,254 of 10.7 planning certificates and 17 dwelling entitlement certificates issued during this quarter.






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.1.02.01 Coordinate the delivery of a high quality Family Day Care service						
The team continues to coordinate the delivery of a high quality family day care service. Family Day Care continues to align with best practices and meet the challenges of the changing policy and regulatory environment to remain compliant.	Maintain and increase the number of Family Day Care Educators	Q4	Due Jun 2025		Manager – Cultural & Community Services	
	Percentage of scheduled Family Day Care inspections undertaken	100%	100%		Manager – Cultural & Community Services	All required annual Family Day Care educator inspections have been completed on schedule in the last quarter. All inspections have been documented and are held on file. There are no outstanding compliance issues from these inspections.
The service philosophy statement was reviewed to reflect our commitment to cultural responsiveness. The NS attended Cultural Connections Pilot session with the 'Include Me' unit and shared information with the team and educators. The Educational Leader worked with educators to share Aboriginal language with educators. One of the educator's work around building connection to Country was featured in the NSW FDC newsletter.	Number of engagement activities, programs and initiatives delivered with and for Aboriginal communities to create change to service or facilities at Shoalhaven Family Day Care	Count	6		Manager – Cultural & Community Services	The service continues to share information and promote cultural events and celebrations through newsletters and correspondence, and actively encourages educator involvement. We celebrated Aboriginal Languages Week in November. The service connects with peak bodies such as Koori Curriculum to support educators to incorporate First Nations perspectives into celebrations, and to offer children new ways of finding a meaningful connection to culture. We shared information with educators about how to write an authentic acknowledgement of Country.
4.1.03.01 Review and update the Bereavement Services Business Plan to reflect updated licencing requirements and legislation						
Service review in progress – Business Plan will be updated once review completed and recommendations considered. Interment Industry Scheme and Licencing requirements will be included in the updated plan	Bereavement Services Business Plan considered by Council before 31 December 2024	100%	60%		Manager – Commercial Services	Service review in progress – Business Plan to be updated once review has been completed and recommendations considered





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.1.04.01 Ensure minimal returns of adopted animals to the Shoalhaven Animal Shelter						
Staff continue to conduct dog-on-dog meetings prior to approving an adoption; however, a dog's behaviour (adopted or existing) may change in a home environment, which is not predictable. Meeting prior to adopting cats is challenging and due to adopted cats and existing animals not getting along. These processes are continually refined to ensure adoptions are placed in the most appropriate environments possible.	Percentage of adopted animal return rate	10%	6.15%		Manager – Certification & Compliance	In Q2, there were 130 adoptions with 8 returns, resulting in a return percentage of 6.15%. The returns included 5 dogs and 3 cats for the following reasons such as existing dog/cat doesn't get along with the new dog/cat; destructive behaviour (it was a puppy); showing resource guarding behaviour; plays too rough for children.
➤ 4.1.05.01 Provide excellent customer service for waste and recycling collection services						
<p>Council's Waste and Recycling Collection Services strive to provide high levels of customer service to the community.</p> <p>For 'compliments' received, the target is in hand.</p> <p>For 'complaints' received, the recent inclusion of complaints made direct to the contractor about missed bin collections, which are generally acceptably rectified within 2 days per contract requirements, has meant the target rates have become more difficult and will be adjusted accordingly for FY25. The exclusion of these complaints number reduces complaints to 189 YTD, with a good chance of meeting the intended target.</p>	Number of waste and recycling collection service compliments from customers	10	16		Manager – Waste Services	<p>In Q2, there were 5 compliments reported (16 YTD).</p> <p>This represents 2.67 compliments each month compared to the set target of 1.67 (resulting in better than the set target).</p>



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Number of justified waste and recycling collection service complaints from customers	180	294		Manager – Waste Services	In Q2, there were 168 complaints reported (294 YTD). This represents a rate of 1.57 complaints for every 10,000 pickups (the target measure is set to 'less is better' which is equivalent to approximately 1 complaint for every 10,000 bin pickups). The rate reduces to 1.01 complaints (which excludes 105 complaints made direct to the contractor as result of missed bin collection which are generally rectified within 2 days per contract requirements).
4.1.06.01 Provide potable water supply in accordance with Australian Drinking Water Guidelines						
Council continues to provide the community with water that meets the Australian Drinking Water Guidelines.	Number of E-Coli incidents encountered through testing program	Count	Nil		Manager – Water Operations & Maintenance	Council has had no E-Coli incidents
4.1.06.02 Ensure effective and efficient recording of water consumption through continuation of water meter replacement program						
Work continues on the two streams of work under this program. We have implemented a change in the criteria to use high volumes of water recorded as opposed to the previous criteria of Age 20yrs+. This change is anticipated to maximize the benefits derived from the replacement program.	Deliver the annual water meter replacement program	50%	50%		Manager – Water Business Services	Work continues on the replacement program with 401 meters replaced in this qtr.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.1.06.03 Increase the community awareness of the Shoalhaven Water financial support program and provide additional support and training to all key agencies that administer the Payment Assistance Scheme on behalf of Shoalhaven Water						
Planning is underway to participate in an event in February with the Energy and Water Ombudsman NSW and local agencies to promote the support program.	Deliver targeted communications and engagement activities to increase awareness of the Payment Assistance Scheme across the community	50%	50%		Manger - Water Business Services	Work continues to promote the Payment Assistance Scheme to the community.
➤ 4.2.01.01 Manage the organisational corporate planning and reporting needs and continue to provide improvements in business planning and reporting						
<ul style="list-style-type: none"> • July - Sept Q1 2024-25 Delivery Program Operational Plan Performance report completed and reported to 26 November Ordinary Meeting • Annual report and Financial Statements 2023-24 finalised and reported to 26 November Ordinary Meeting • Timetable for development of draft DPOP 2025-26 endorsed • Exhibited the updated Resourcing Strategy 2022-26 and Special Rate Variation proposal - reported to 17 December Ordinary Meeting 	Produce the Annual Report by November 2024	100%	100%		Manager - Corporate Performance & Reporting	Annual Report and audited Financial Statements were reported to the Office of Local Government prior to the 30 November deadline.
	Adopt the new suite of Integrated Planning & Reporting documents including the Community Strategic Plan and Delivery Program Operational Plan 2025-29 by June 2025	Q4	Due Jun 2025		Manager - Corporate Performance & Reporting	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.2.01.02 Coordinate Audit, Risk and Improvement Committee functions and responsibilities and deliver the planned internal audits						
ARIC is discharging their responsibilities as per the ARIC Charter and the ARIC annual plan. All the meetings have occurred as planned. Internal audits are progressing as per the approved internal audit plan.	Audit, Risk and Improvement Committee meetings delivered as per the Charter requirements	3	3	●	Chief Executive Officer (Acting)	The ARIC meeting for the 1st quarter occurred on 14 August 2024 and 2nd Quarter on 14 November. The meeting covered the activities as per the approved ARIC annual plan which reflects the ARIC Charter requirements. Also the meeting to discuss the Financial Statement occurred on 23 October 2024.
	ARIC annual report on its key activities and functions presented to Council	Q4	Due Jun 2025		Chief Executive Officer (Acting)	
	Conduct audits as per approved internal audit plan	40%	40%	●	Chief Executive Officer (Acting)	Internal audits are progressing as planned. Recruitment and Selection audit has been completed. Development Assessment and Procurement audits are in progress.
➤ 4.2.01.03 Process application requests for access to public information						
Council continues to received high numbers of both informal and formal GIPA applications. An additional staff member working two days per week has assisted in maintaining the turnaround time for applications. Council continues to see a year on year increase in the number of both informal and formal access applications under the GIPA Act.	Percentage of formal GIPA requests met within statutory requirements	Q4	Due Jun 2025		Manager – Business Assurance & Risk	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.2.01.04 Review and update Council's Business Continuity Planning Documents						
The Business Continuity Planning documents were reviewed and endorsed by EMT on the 15 September 2024. Another update is now required to align with any organisational structural change. For those departments deemed critical functions, the sub-plans will remain current. There will be a change in the Directorate Plans, to ensure the new structure is captured. EMT will be required to endorse the updated version. To be completed by 28 February 2025.	Staff provided training on revised Business Continuity Plans	50%	5%		Manager – Business Assurance & Risk	On hold until another review of the BCP is completed, to align the documentation with the new organisational structure. Scheduled to finalise new BCP by the 28 Feb 2025, then training of staff can occur.
4.2.01.05 Complete review and update of the key strategic business documents and plans of Shoalhaven Water as required under the Regulatory and Assurance framework for local water utilities						
Work is currently focused on the completion of our Development Servicing Plans and Long Term Financial Plan before the Strategic Business Plan can be drafted for review and endorsement.	Completion of long term financial model for both Water and Sewer funds	50%	50%		Manager – Water Business Services	Work continues to update our plans and asset strategies to support the development of our long-term financial model.
	Gain Council approval of Shoalhaven Water Strategic Business Plan	50%	40%		Manager – Water Business Services	Work is currently focused on the completion of our Development Servicing Plans and Long Term Financial Plan before the Strategic Business Plan can be drafted for review and endorsement.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.2.02.01 Ensure currency of Council's Risk Management Framework						
On the 15 Oct 2024, EMT reviewed the Risk Management Policy, ERM Framework overview document, and the strategic risk register and drafted the Risk Appetite Statement. ARIC reviewed all documents at the following meeting on the 4 November 2024. Council approval will be required for the Risk Management Policy and finalisation of the Risk Appetite Statement. The operational risk register is under constant review with the management team.	Operational Risk Register, Risk Appetite Statement and Strategic Risk Register reviewed annually by Executive Management Team and Audit, Risk & Improvement Committee and operational risk register reviewed by relevant management teams annually	Q4	Due Jun 2025		Manager – Business Assurance & Risk	
	High level risks reviewed regularly by relevant Managers, Directors and the Audit, Risk & Improvement Committee	1	1		Manager – Business Assurance & Risk	High risks reported to ARIC on 14 August 2024. High risk review required with relevant managers and directors in quarter 3.



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
<div>➤</div> 4.2.02.02 Manage Workers Compensation Self-Insurers Licence						
<p>As required for our self insurance licence for workers compensation, council must undertake the following tasks each financial year for the regulator SIRA:</p> <p>1. Case Management Audit is currently underway, with a final report expected by the end of January 2025.</p> <p>2. Actuarial assessment (to be scheduled in May 2025 for preliminary report, then finalisation occurs in July post the financial year ending).</p> <p>3. Excess of loss insurance has been obtained</p>	Achieve SIRA Auditing requirements for Workers Compensation Insurers Licensees	Q4	Due Jun 2025		Manager – Business Assurance & Risk	
<div>✓</div> 4.2.03.01 Annual review and update of Council's Workforce Plan to ensure strategies are updated and implemented						
The review of the Workforce Plan was completed in October.	Number of Equal Employment Opportunity Plan initiatives implemented	Count	23	●	Manager - People & Culture	<p>Of the 26 initiatives in the EEO Management Plan, 3 are outstanding:</p> <p>1. Cultural Immersion training for staff -this has been included in the draft Reconciliation Action Plan which is with Reconciliation Australia for endorsement.</p> <p>2. Provide EEO training to Executive Managers</p> <p>3. Develop a rewards and recognition policy</p>






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Percentage of staff with updated Performance Development Plan	Q4	Due Jun 2025		Manager – People & Culture	
➤ 4.2.03.02 Implement initiatives identified in the Work Health Safety & Injury Management Strategic Business Plan						
As required by SafeWork NSW, the silica risk assessment project, has commenced. Safety culture enhancements included the Safety Awards presentation where 21 individual and 37 teams were recognised along with the launch of the Leader Safety Walks which focus on at risk and positive safety behaviours. The results of the Leader Safety Walks will be tracked by the Committee of Safety Review.	Number of Strategic WHS Plan initiatives implemented	4	4	●	Manager – People & Culture	Highlights include the launch of Zero Tolerance online training, annual Safety Awards, launch of Safety Leader Walks and the silica safety project.
	Reduction in Lost time Injury Frequency Rate compared to previous 3 year period	Q4	Due Jun 2025		Manager – People & Culture	
➤ 4.2.03.03 Provide effective, proactive and strategic support to the organisation for Human Resources						
The HR Team have assisted the Executive Management Team with the Financial Sustainability project with improved reporting and analysis of employee numbers and leave liability.	Number of workplace change initiatives implemented	Count	3	●	Manager – People & Culture	The Libraries workplace change was presented to the Consultative Committee in October. The Executive/Directorate level workplace change was presented to the Consultative Committee in November and was implemented in December. The Finance team workplace change was presented to the Consultative Committee in December.





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.2.03.04 Continue to improve operating efficiencies in Payroll Unit						
The Pay Office continues to improve work processes. Recently, to give Shoalhaven City Council staff based in the Southern Area the opportunity to see a member of the Pay Office face to face, a Pay Expert is now located in the Ulladulla Office. There has been positive feedback from Southern based staff.	Complete transition to new electronic time and attendance system	50%	60%	●	Manager – People & Culture	For this quarter we are currently on track to complete transitions to new electronic time and attendance system.
⏸ 4.2.04.01 Implement an effective business partnership structure in supporting corporate information systems						
Executive level restructure implemented on 2 December, consolidating Directorates which aligns with the resourcing (i.e four business partners) in the Corporate Information Systems team. Planning for the agendas and communications to be distributed to stakeholders in January. First meeting initially scheduled for January 2025 will now be held in February 2025.	Number of Corporate Information Systems business partnership meetings facilitated	5	3	●	Chief Information Officer	Three system administration meetings conducted between July to December; - 4 September - 16 October - 10 December Strong engagement for participants. Minutes have been recorded for each meeting. Next Meeting scheduled Wednesday 5th February 2025.





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.2.04.02 Provide spatial services including Council's cadastre and land information maintenance, online GIS, mapping systems integration, road and place naming and property addressing						
Achievements completed during the period include: – Processed Road Naming and Addressing applications in timely manner. – Maintained Council's Cadastre, and processed Land and Property creation in GIS and OneCouncil. – Developed guidance documents for Addressing and Road Naming procedures. – Finalised GIS data release procedure – Completed training courses of VertiGIS – Drafted GIS training documents for Council's staff – Processed GIS enquiries for Shoalhaven Water GIS team	Percentage of Addressing and Road Naming applications processed within 7 days	100%	100%		Chief Information Officer	100% of Addressing and Road Naming applications have been processed within 7 days. 2 Road Naming applications and 820 Addressing allocations were processed within seven days in the last 3 months.
	Percentage of registered plans processed within 2 days of Land Registry Services notification	100%	99%		Chief Information Officer	100% of registered plans processed within 2 days of Land Registry Services notification. In total 216 lots mapped in GIS and recorded in OneCouncil.






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.2.04.03 Maintain and improve Council's corporate business systems to ensure legislative compliance, effective operation and security						
Bi-annual system access audits are programmed as part of the Corporate Information System administrator's duties. Next audit is scheduled for January/ February.	Council software licences renewed within budget in a timely manner and compliance maintained	100%	100%		Chief Information Officer	Council's Corporate Software continues to operate in a compliant manner and the corporate software budget tracking well for this financial year. Audits on system usage has realised savings on some licence renewals. Effective planning of upcoming licence renewals and regular discussions have allowed for analysis and effective decision making to forecast budget projections.
OneCouncil profiles are continuously reviewed and refined to ensure access is secure as per staff delegations and privacy considerations, whilst staff are able to perform the tasks effectively.						
	Progress two of the following OneCouncil Regulatory processes by June 2025: Certificates, Enforcements, BAGs/Section 68 or Health/ Licencing applications	1	1		Chief Information Officer	Online Certificates project went live on 9 December 2024. Over 250 Certificate requests have been lodged and paid for online by external applicants in the first three days of operation. Minimal support has been required. Process documentation supplied to all users. Plan to complete Fire Safety and Food Shop Inspection process in March 2025 and Enforcements in June 2025.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Ensure core information systems are regularly upgraded to ensure currency and effective operation (i.e OneCouncil and Content Manager)	1	1		Chief Information Officer	Upgrade to 2024B has been successfully completed on 17 December 2024. SME's started testing beginning of November however issues were encountered with Web Services for WorxOnline integration which has been resolved. Previous upgrades occurred in February and staff were given 3 months to test. The reduction of testing has streamlined the testing and upgrade process.
 4.2.04.04 Provide effective, secure and efficient record keeping frameworks and services to meet strategic, legislative and operational requirements of the organisation						
Council continues to meet its record keeping obligations in an increasingly challenging environment. Statistical monitoring is showing correspondence processing times improving during this period. Financial constraints have hampered further advancement in record keeping digitisation program.	Carry out a records management maturity self assessment and submit it to State Records NSW	Q4	Due Jun 2025		Chief Information Officer	






Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.2.04.05 Provide efficient and secure Information Technology Support Services and Systems						
Information Technology Support and Services continue to be delivered in an efficient and secure manner. Continual improvements are being made to enhance our cyber security posture and maturity in line with the ASD Essential 8 framework.	Percentage of service desk requests completed within service level agreements	80%	84%		Chief Information Officer	For quarter 2, Level 1 and Level 2 IT Support requests – 1,638 incidents and requests resolved with 84% (1,384) being within the KPI. YTD = 84% 3,580 Requests 3,016 SLA Met Q1=84% 1,942 Requests 1,632 SLA Met Q2=84% 1,638 Requests 1,384 SLA Met
	Critical systems Up Time	99.9%	100%		Chief Information Officer	No major outages outside maintenance windows occurred with critical systems during last quarter resulting in no significant loss in productivity.
	Maintain satisfaction score for completed service desk requests	95%	99%		Chief Information Officer	For all of Information Services, quarter 2 satisfaction score is 98.9% Quarter 1 – Satisfaction score 99.7 % 702 tickets Surveyed – 591 rated Excellent, 98 rated Good, 11 rated OK, 2 rated Bad Quarter 2 – Satisfaction score 98.9 % 706 tickets Surveyed – 613 rated Excellent, 85 rated Good, 7 rated OK, 1 rated Bad YTD – 98.5%



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.2.05.01 Council's principles of Financial Sustainability are considered in financial decision making						
<p>A number of initiatives have been implemented as part of Council's financial sustainability review project. These include:</p> <ul style="list-style-type: none"> - Regular engagement with the Senior Leadership Team on budget setting principle, long term financial plan preparation, current financial results, and continual re-confirmation of expectations relating to budget management. - Implementation of the Enterprise Project Management Office (ePMO) which requires business cases to be formally submitted and reviewed by a central team prior to funding being considered for a capital works project. - Grants application require a business case review prior to an application being submitted. Grants requiring a council co-contribution, which is not already included in the current year budget, requires Executive Management approval prior to application being submitted, and ultimately endorsement of Council prior to a grant being accepted. - Several cost savings measures have been implemented and endorsed by Council through the Quarter 1 Budget Review (adopted in November 2024), with the goal of improving financial sustainability being a key driver in the decision making process. 	Improvement in Operating Performance Ratio (OLG Measure)	Q4	Due Jun2025		Chief Financial Officer	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.2.05.02 Meet legislative and statutory requirements for financial reporting						
The 2023/24 financial statements, together with the auditor's reports, were presented to Council on 26 November 2024.	Annual audited statement adopted without qualified comments by October 2024	100%	100%		Chief Financial Officer	Council received an unqualified audit opinion on 31 October 2024.
➤ 4.2.05.03 Coordinate delivery of the Financial Sustainability Project to address the recommendations outlined in the 2023 financial review across key pillars of Asset and Project Management, Financial Management and Service Planning						
<p>This quarter, the Sustainable Financial Futures Plan (SFFP) was developed to document Councils action plan to deliver a minimum of \$10 million in operational savings over the next 4 years. The SFFP was reported to Council in December and progress against the Plan will be communicated monthly to Council and the community through Council's website and video updates.</p> <p>The financial sustainability project is continuing it's focus on the service review programme. This quarter the focus has been on finalising the Family Day Care and Bereavement Services reviews. The Shoalhaven Entertainment Centre review has been scoped and will commence next quarter.</p>	Quarterly Productivity and Efficiency report on Financial Sustainability project outcomes provided to Council	50%	50%		Project Manager – Financial Sustainability	The next quarterly productivity and efficiency result will be reported to Council in February 2025, in line with QBR2 reporting. This report will capture savings achieved from October – December 2024 through the financial sustainability project actions.
➤ 4.2.06.01 Deliver Council's Business Improvement and Service Review Program						
Agreed 2024 Service Review Program is underway with Bereavement Services, Customer Experience and Communications and Engagement reviews in progress. Councillors received a briefing on the Family Day Care review and an update on implementation of the Plant and Fleet review recommendations. Draft program for 2025 has been presented to EMT ahead of finalisation of the program.	Endorsed Business Improvement and Service Review Program implemented by June 2025	50%	40%		Manager – Corporate Performance & Reporting	Review program slightly behind schedule with an additional stage incorporated in the Communications and Engagement review which is due for completion by end of January. Customer Service review will continue into 2025.










Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.2.06.02 Continue the identification and delivery of Business Improvements initiatives to support the efficient operation for Shoalhaven Water						
During this quarter, three previously identified improvements and seven newly identified improvements were successfully implemented. A further four improvements have been identified by staff and are scheduled for future implementation.	Delivery of the program of business improvement activities planned for 2024/25	50%	50%	●	Manger – Water Business Services	This quarter has seen the successful delivery of the final milestone in closing the deprecated legacy Effluent Management System. Additionally, support was given for the upgrade to the latest version of the One Council system and facilitated the release of Phase 1a of the new applications system.
➤ 4.2.07.01 Analyse fleet replacement schedule, ensure appropriate budget planning and order completion						
Replacement schedules and budgets being reviewed as per Service Review recommendations and internal project plan	Order plant and vehicles in accordance with the approved Replacement Program	55%	55%	●	Manager – Commercial Services	Orders placed as per priority list
➤ 4.2.08.01 Actively monitor and maximise tenancy rates to ensure council's property are let						
<p>All habitable buildings are let. (100% tenanted).</p> <p>Buildings that are uninhabitable and vacant:</p> <p>-39a Berry Street – sale settlement occurred 31/10/24.</p> <p>-16 Berry Street- Long term vacant. Demolition order issued 12/11/24.</p> <p>-Pleasant way- Bee Thai restaurant long term vacant. Sale of property occurred 13/12/24 (settlement 11/4/25).</p> <p>-100 St Vincent Street- Vacant- Occupation Certificate issued. Lease to Safe Waters Community Care Inc. executed 20/12/24.</p>	Vacancy rate (across all categories) of Council tenanted buildings	5%	0%	●	Manager – Building & Property Services	<p>Annual target 5% vacancy rate.</p> <p>Achieved <1% vacancy rate across total of leases/licences Council owned and managed property</p>








Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
➤ 4.2.08.02 Create a strategy with measurable actions for Council's strategic property assets, including investigation into alternate revenue streams						
Sites are being reviewed as part of Council's ongoing Land Sales program.	Progress land sales of underperforming assets, and prepare other land for sale (including commencing land reclassification, rezoning or other preparatory works)	50%	50%	●	Manager – Building & Property Services	Properties settled in November 2024 (39a Berry Street, 5 Kean Ave). Other properties currently on the market include, Wollamia (Stage 5a) due to auction 27 March and settle prior to end June 2025. Ilet Street, Mollymook & Queen Mary Street to be auctioned 27 March 2025.
➤ 4.2.09.01 Review and update the Holiday Haven Business Plan to reflect the current operating environment						
Business plan currently being reviewed in preparation to be updated, currently awaiting the forward capital budget for FY26 this will enable better forecasting going forward. It is anticipated that a draft shall be completed for Q4 for review	Deliver capital works program per adopted 2024/25 Holiday Haven capital plan	Q4	Due Jun 2025		Manager – Commercial Services	
	Deliver Holiday Haven occupancy growth	100%	100%	●	Manager – Commercial Services	Occupancy has delivered occupancy growth based on the corresponding period Q2 from last year with revenue improving as well from the introduction revised pricing structure
➤ 4.2.09.02 Finalise Holiday Parks Plans of Management ready for Crown Lands approval						
POM currently being reviewed and updated then shall be scheduled for councilors briefing for endorsement. It is anticipated that this shall be undertaken in Q3	Crown Lands plans of management finalised by June 2025	50%	50%	●	Manager – Commercial Services	Currently reviewing updated draft layout site arrangements. Plans of Management requires minor amendments to reflect the amendments to layout plans. Once the document is completed shall be reviewed prior to taking to Councilors briefing for endorsement. target date for briefing Q3



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.2.10.01 Establish an Enterprise Project Management Office to oversee and support project governance through management of the corporate Project Management Framework and assess project readiness for inclusion in capital budgets						
Enterprise Project Management Office established formally as of 14/10/2024. Projects now being assessed and managed through Project Lifecycle Management (PLM) for readiness and prioritisation.	Project Initiatives assessed in accordance with capital budget cycle	60%	60%		Manager – Technical Services	Mandate submissions for inclusion within the FY26 budget were required by 16/10/21. Assessment of mandates where the project is proposed for delivery in FY26 are 60% completed.
 4.2.10.02 Provide accurate information to Council and the community on Council's financial activities						
The Budgeting and analysis team is on track to deliver the December 2024 QBRs prior to the due date at the end of February 2025	Quarterly Budget Review Report submitted to Council	100%	100%		Chief Financial Officer	QBR1 Submitted to council on time.
 4.2.10.03 Develop a fair and equitable rating system that also improves Council's financial sustainability						
During the quarter Council undertook community consultation in relation to special rate variation options for 2025/26. Council voted on 17 December 2024 to apply to IPART for a 12% increase to rates in 2025/26. Application to IPART will be made in February 2025.	Percentage of Overdue Rates and Annual Charges (OLG Measure)	Q4	Due Jun 2025		Chief Financial Officer	
 4.2.10.04 Ensure best practice procurement and contract management that is focused on value for money outcomes, compliance and sustainability						
The Procurement Unit monitors purchases across the organisation for compliance with internal policies and external legislation. Individual purchases are being evaluated to identify opportunities for bulk procurement, savings and improved cost/benefit outcomes. All formal procurement processes are required to include sustainability as a key evaluation criteria.	Purchase Orders raised after invoice	5%	5%		Chief Financial Officer	The percentage of Purchase orders raised after the invoice date was 5% or lower for each month in the 2nd Quarter of 2024/2025.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.3.01.01 Facilitate staff education and awareness of the International Association for Public Participation (IAP2) Framework						
Internal working group for the Community Engagement Framework identified the need for IAP2 training across the organisation. Part of the Community Engagement Framework will be to ensure staff have access to IAP2 training. On hold until training budget freeze is released.	Update the Community Engagement Strategy 2022-26 to include the Community Engagement Framework ready for adoption by Council by December 2024	50%	90%		Manager – Media & Communications	The revised Community Engagement Strategy (including the Framework) is currently on public exhibition until 31 January 2025. If no significant feedback is received, the document will be considered endorsed by Council.
 4.3.01.02 Explain to our local community the impacts of strategic planning and ensure appropriate consultation is undertaken and information is available						
Limited strategic land use planning exhibitions and consultations undertaken during the quarter. Formal exhibitions undertaken during quarter included Planning Proposal PP076 (131 St.Vincent Street, Ulladulla) and Draft Amendment No.56 (45 Degree Rule) to Shoalhaven DCP2014.	Number of formal strategic planning exhibitions or consultations	Count	2		Manager – Strategic Planning	Two formal planning exhibitions during the quarter – Planning Proposal PP076 (131 St.Vincent Street, Ulladulla) and Draft Amendment No.56 (45 Degree Rule) to Shoalhaven DCP2014.
	Number of submissions received on strategic planning consultations	Count	419		Manager – Strategic Planning	Total of 419 submission received during the reporting period in relation to the the two formal planning exhibitions during the quarter (Planning Proposal PP076, 131 St.Vincent Street, Ulladulla) and Draft Amendment No.56, 45 Degree Rule to Shoalhaven DCP2014).




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
<div>➤</div> 4.3.01.03 Support staff to develop community engagement programs that provide authentic consultation activities						
<p>Our community engagement focus this quarter was the Proposed Special Rate Variation. We conducted diverse consultation activities, including an online survey, written submissions, two in-person workshops with over 50 participants, and pop-up information booths at six locations across Shoalhaven. We also provided a question box, email option for feedback, and presented at the Executive Community Consultative Bodies.</p> <p>We also launched the annual Mayor's Giving Box, expanding to six new collection locations across the region, officially opened the Huskisson Mangrove Boardwalk and completed the Natural Disasters Landslip Road repairs, all events attended by VIPs and media.</p>	Community engagement programs developed for all consultation activities that include evaluation and reporting back to the community	100%	100%	●	Manager – Media & Communications	<p>Our Get Involved site attracted 14,400 visitors, with 2,630 individuals completing our surveys. The top three surveys, based on responses, were the Proposed Special Rate Variation (1,966), the Proposed Amendment to Chapter G4: Tree & Vegetation Management Development, and the Lake Conjola CMP Stage 4.</p> <p>The community engagement program for the Special Rate Variation was comprehensive and targeted to ratepayers and communities across the Shoalhaven. A thorough engagement report that was developed and reported to Council. This report provided a detailed breakdown of our engagement plan, initiatives, consultation activities, communication channels, engagement results and outcomes.</p> <p>Additionally, we closed the loop on the Active Transport Strategy by providing the consultation report and the final adopted strategy to the community.</p>
<div>✓</div> 4.3.01.04 Support the conduct of the 2024 Local Government elections						
2024 Local Government Election conducted and completed, countback for vacancy also complete and induction arranged and being completed and will be reported in annual report.	Effective support of the local government election and onboarding of New Council	Q4	Due Jun 2025		Manager – Business Assurance & Risk	



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.3.02.01 Produce written and visual content that is informative and readily available to its target audience						
<p>With the new Mayor's inauguration, a weekly "Mayor's Message" column was introduced to keep the community updated. A dedicated tile on the Council's homepage allows community members to subscribe for updates. Clickable infographics were created to enhance accessibility to financial sustainability information.</p> <p>During the quarter, we responded to 115 design requests, including newspaper ads, business cards, certificates, and multi-deliverable campaigns. Notable projects included the Special Rate Variation, Councillor collateral, and signage for the Southern Headland Walk and Bereavement Services. Highlights included a 3-minute animation, annual reports, and new signage for cemeteries.</p>	Strategic communication and marketing plans developed for all campaigns	100%	100%		Manager – Media & Communications	<p>This quarter was marked by the implementation of comprehensive strategic communication plans that supported key business decisions and teams across the organisation.</p> <p>Noteworthy campaigns included the Proposed Special Rate Variation, a pool compliance awareness campaign, and a communication plan to support Shoalhaven Water's requirement to promote drought management.</p> <p>Additionally, communication plans were developed for the Coastal Management Plans for the Lower Shoalhaven River and Lake Conjola, the 45 Degree Rule amendment, the promotion of Thrive Together pop-ups, the public exhibition of the Reconciliation Action Plan, the Community Infrastructure Strategic Plan, and the proposed EV charging stations in Nowra.</p>



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.3.02.02 Optimise communication channels to directly reach target audiences						
This quarter, we focused on the Proposed Special Rate Variation with an extensive communication plan. We engaged ratepayers, elected representatives, and employees through various channels. Internally, we used all-staff emails, CEO chats, and the staff intranet. Externally, we sent letters to ratepayers, issued a media release, and distributed DL flyers. We monitored social media for real-time engagement and provided information on community hub screens, ran a radio campaign, and launched a HUB page on the Get Involved platform. Additionally, we developed a weekly newsletter for Councillors to keep them informed about projects and updates.	Maintain Council websites and regularly review content to enhance user experience and accessibility	50%	75%		Manager – Media & Communications	<p>Implemented several projects to enhance user experience and functionality across platforms:</p> <ul style="list-style-type: none"> - Added the Mayor's message on the website homepage, accompanied by a consistent page and email template - A live stream button was introduced for Council meetings, improving accessibility and engagement - Launched a user-friendly Rates Calculator to help residents easily determine their rates - Created Financial Sustainability Tiles - Assisted in designing the Financial Review Panel portal for better transparency - Published a holiday hour calendar for the Depo informing residents of operational hours - Developed an Artist Expression of Interest form for 2025 for the Shoalhaven Regional Gallery and added a news section to the homepage - The Shoalhaven Entertainment Centre website features an image slider to highlight upcoming events - Redesigned the OneCouncil forms for Shoalhaven Water enhancing usability, and provided fixes on the SSSF Locations template to improve user experience.





Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
4.3.03.01 Provide accurate and timely information to promote activities, programs and policies of Council						
<p>The team worked on:</p> <ul style="list-style-type: none"> - Promoting and facilitating large-scale community engagement initiatives such as the proposed Special Rate Variation options - Invested in the development of collateral, static and dynamic media to ensure accurate and timely information could be readily accessed - Collateral produced included internal and external communications, such as DL flyers, social media posts, video animation and video explainer by Acting CEO as well as letters to ratepayers, information on digital screens, radio campaign and media releases - Issued 50 media releases to journalists on subjects including the community engagement for the proposed SRV options, the induction of the new Council, promotion of the Australia Day Awards nominations, completion of the Huskisson Mangroves Boardwalk and the Natural Disasters Landslip Roads package in Kangaroo Valley and Burrier. These were promoted as part of the 170 posts to Council's Facebook, which included timely updates about community engagement activities, changes to waste collection services and promotion of the Mayor's Giving Box. - Responded to 24 media enquiries about matters including the formation of the finance review panel, Tomerong Quarry, an algal bloom at Shoalhaven River, the resignation of Cr Mitch Pakes and a new sink hole in Scott Street, Shoalhaven Heads. 	Number of media releases issued	60	90		Manager – Media & Communications	This was a remarkable quarter, with the team producing 50 media releases for the quarter (90 YTD). These releases covered subjects from the proposed Special Rate Variation, announcement of the new Community Finance Panel through to the launch of the new Rubber Crumb Plant, Australia Day Awards nominations and the Mayor's Giving Box launch.




Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
	Number of social media posts	480	514		Manager – Media & Communications	Facebook: 171 Instagram: 59 Linked In: 21 Equals = 251
4.3.03.02 Proactively respond to misinformation and provide factual information on all media platforms						
<p>At the start of the community engagement process for the proposed rate variation, there was a volume of inaccurate information spread about Council going to sack 500 staff. This rumour was first posted as a comment on the Council's Facebook page and was refuted as 'grossly inaccurate' immediately by staff. The accurate number of FTE was posted as well as provided to media upon request.</p> <p>Social media pages continue to be monitored and accurate information provided to educate the community. Closed groups remain a challenge for providing accurate information. New social media groups have started during this quarter that focus on the activities of Council and inaccuracies being addressed by the Communications team wherever necessary.</p> <p>We had a correction made to a story by the Daily Telegraph to provide the accurate figures proposed for the SRV options and that a decision to proceed had not yet been made.</p>	Responses to information requests from journalists	100%	100%		Manager – Media & Communications	<p>During this quarter, we responded to 24 media enquiries about matters including the formation of the finance review panel, Tomerong Quarry, an algal bloom at Shoalhaven River, the resignation of Cr Mitch Pakes and a new sink hole in Scott Street, Shoalhaven Heads.</p> <p>These were all responded to within the deadlines.</p>



Action Comment	Reporting Measure	Target / Timeframe	Q2 Achieved	KPI Status	Responsible Manager	Reporting Measure Comment
 4.3.03.03 Create engaging and interesting media opportunities and events that appeal to the community and is promoted more broadly						
<p>During this quarter we held a media opportunity to acknowledge the completion of the Huskisson Mangrove Boardwalk that included representatives of funding and supporting organisations. Local MPs (federal and state) joined with the Mayor and Councillors to mark the completion of the Kangaroo Valley Landslip roads package works.</p> <p>The Mayor's Giving Box was launched with a media opportunity at Nowra Centre Plaza with representatives of recipient schools, Salt Ministries and Manildra in attendance.</p> <p>The team has been working on the Australia Day Awards and Citizenship event to be held in January that will attract more than 100 people.</p>	Media events are held for completion of major projects	100%	100%		Manager – Media & Communications	<p>During this final quarter for 2024, we held media events for the completion of the Kangaroo Valley Landslip Roads Package with Fiona Phillips MP, Liza Butler MP and Gareth Ward MP; the Huskisson Mangrove Boardwalk with Minister for Regional NSW, Tara Moriarty, Fiona Phillips MP and Liza Butler MP in attendance.</p> <p>We also held media opps for the Mayor's Giving Box launch which included representatives of the school gift recipients, Salt Ministries and Manildra.</p>



Shoalhaven City Council – Performance Report Oct - Dec 2024

 Shoalhaven Swin Sport Fitness

CL25.50 - Attachment 1



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Report by Responsible Accounting Officer

Responsible Accounting Officer's Statement Quarterly Budget Review

For the period from 1 October 2024 to 31 December 2024

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review for Shoalhaven City Council for the quarter ended 31 December 2024 indicates that Council's projected financial position at 31 December 2024 will be satisfactory at year-end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



Katie Buckman

19/02/2025

Responsible Accounting Officer

Shoalhaven City Council

Income and Expenditure Budget Review Statement – By Fund

General Fund

	Original Budget 2024/2025 (\$'000)	Approved Changes (\$'000)		Revised Budget 2024/2025 (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Results 2024/2025 (\$'000)	Year To Date Actuals (\$'000)
		Carry forward from 2023/2024 (\$'000)	September QBR (\$'000)				
Rates & Annual Charges	129,666	0	7	129,673	(0)	129,673	129,549
User Charges and Fees	71,552	36	512	72,100	(255)	71,846	34,779
Interest and Investment Revenue	5,904	0	0	5,904	2,500	8,404	3,207
Other Revenues	4,957	241	301	5,499	132	5,631	2,881
Internal Revenue	69,549	0	75	69,624	617	70,241	35,885
Grants and Contributions provided for Operating Purposes	22,361	642	1,797	24,800	744	25,544	6,695
Grants and Contributions provided for Capital Purposes	28,158	43,572	13,597	85,327	(29,389)	55,938	14,822
Net Gains from the disposal of assets	6,099	0	0	6,099	0	6,099	0
Total Income	338,246	44,492	16,289	399,027	(25,652)	373,375	227,819
Employee Benefits and On-Costs	103,771	8	369	104,148	(2,149)	101,999	48,824
Borrowing Costs	4,767	0	(125)	4,642	(76)	4,566	2,339
Materials and Services	87,419	3,199	3,921	94,539	(3,786)	90,753	38,730
Depreciation and Amortisation	64,553	0	0	64,553	(2,401)	62,152	31,340
Other Expenses	20,249	8	(240)	20,018	(57)	19,961	4,410
Internal Expenses	57,407	0	148	57,555	788	58,342	30,454
Total Expenditure	338,166	3,216	4,073	345,455	(7,682)	337,773	156,097
Net Operating Results	80	41,276	12,216	53,572	(17,970)	35,602	71,722
Net Operating Results before capital grants and contributions	(28,078)	(2,296)	(1,381)	(31,755)	11,419	(20,336)	56,899

Proposed budget adjustments over \$50,000 are summarised in the table below:

Operating Income	Amount (\$'000)	Comments
User Charges and Fees	(255)	-244K shortfall in Development Application income offset by savings in employee costs. Net impact of adjustment is nil.
Interest and Investment Revenue	2,500	+1.5M increase in surplus fund interest (unrestricted), due to higher than anticipated rates of interest received on investments +980k increase in section 7.11 interest (restricted), due to higher s.711 developer contributions balances and higher interest rates
Other Revenues	132	+90K increase due to receipt of one-off Fire and Emergency Service Levy (FESL) income for the delivery of land classification data +70K recovery of legal costs - additional income allocated to increase Development Services' legal budget +50K service agreement income with JBT for Local Emergency works -84K shortfall in Certification income covered by employee costs savings
Internal Revenue	617	+422K ShoalWater contribution to Far North Collector (Bannada Way) +169K allocation to Revolving Energy Fund (REFund) to reflect cost savings realised on energy related projects. This is a revolving fund that is used to fund future energy saving projects that will create further savings to council.
Grants and Contributions provided for Operating Purposes	744	Additional funding for natural disasters (475K) and estuary management (244K)

Operating Expenditure	Amount (\$'000)	Comments
Employee Benefits and On-Costs	(2,149)	-1.643M net employee cost savings from July to December transferred to Financial Sustainability Reserve -349K employee cost savings in Development Services used to offset shortfall in Development Application income (noted under user charges and fees) and the remainder allocated to materials and services to increase budget for legal costs -117K operational employee cost savings transferred to fund capital employee cost shortfall relating to Natural Disaster works -84K employee costs savings in Certification and Compliance Services to offset shortfall in Compliance income
Borrowing Costs	(76)	Reduction in LED streetlighting internal loan repayments payable to ShoalWater due to the loan being drawn down later than forecasted

Materials and Services	(3,786)	<p>-2.948M reclassification from operational expenditure to capital expenditure for Bishop Drive VPA project</p> <p>-987K reduction in materials budget for northern pothole operating costs, budget moved to internal expenses due to cost reclassification. \$690K of this transfer is rephased to future years to reflect the planned spend under the terms of the grant</p> <p>-316K reallocation of operating budgets between materials and internal expenses for parks maintenance</p> <p>-91K budget not required for review/ implement of Economic Development Strategy this FY, returned to Economic Development Reserve</p> <p>+60K increase in budget for the operations of the communication towers</p> <p>+90K increase for the completion of the FESL land classification work, funded by one-off FESL income</p> <p>+140K increase in budget for emergency natural disaster works, where expenditure is operational in nature</p> <p>+175K increase in legal costs for development services, budget supplied by salary savings and recovery of legal costs</p>
Depreciation and Amortisation	(2,401)	Reduction in depreciation budget to align with the revised depreciation schedule
Other Expenses	(57)	- 63k reduction in donations budget. Council resolved in August MIN24.150 that the total expenditure for the Donations Program for 2024/2025 would be limited to \$180k
Internal Expenses	788	<p>+316K reallocation of operating budgets between materials and internal expenses for parks maintenance</p> <p>+297K net adjustment of budget as a result of reclassification from operating lease to plant hire for JCB pothole pro with balance carried forward to future years</p> <p>+122K increase for Renewable Energy Fund for Nowra & Ulladulla libraries offset by increase in internal income for Renewable Energy Fund</p> <p>+50K net increase in internal expenses for natural disasters relating to new grants (\$24.7K) and/or reclassification of budgets from employees & materials to internals primarily for plant charges and mechanical services tied to natural disaster projects - fully funded through natural disaster income.</p>

Capital Income	Amount (\$'000)	Comments
Capital Grants	(29,389)	<ul style="list-style-type: none"> -16.361M net reduction in natural disasters funding - projects completed under budget and removed, or projects forecast to be incomplete by 30 June 2025 have be rephased to future years -6.380M rephasing income for Federal roads stimulus package to future years -3.169M rephasing income for roads to recovery program 2025-2029 into future years - design work expected to commence late 2025 -1.042M reduction in income for far north collector - anticipated receipt in FY 2026 -1.003M reduction in grant funding for fixing country bridges programs - projects completed under budget -852K rephasing income for Manyana Bendelong RFS station into future years -237K reduction for reclassification of funding from capital to operational in estuary management -147K reduction in income for River road shared path stage 3 - project completed under budget -101K reduction in income for Huskisson mangrove boardwalk - project completed under budget -92K reduction in funding for Ulladulla maritime berthing facility - project not proceeding

Water Fund

	Original Budget 2024/2025 (\$'000)	Approved Changes (\$'000)		Revised Budget 2024/2025 (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Results 2024/2025 (\$'000)	Year To Date Actuals (\$'000)
		Carry forward from 2023/2024 (\$'000)	September QBR (\$'000)				
Rates & Annual Charges	8,669	0	0	8,669	0	8,669	4,309
User Charges and Fees	30,726	0	13	30,739	(882)	29,856	12,629
Interest and Investment Revenue	1,851	0	0	1,851	534	2,385	1,346
Other Revenues	255	0	0	255	(49)	206	35
Internal Revenue	3,375	0	0	3,375	141	3,516	1,777
Grants and Contributions provided for Operating Purposes	0	0	0	0	0	0	0
Grants and Contributions provided for Capital Purposes	1,640	5	33	1,677	0	1,677	486
Net Gains from the disposal of assets	0	0	0	0	0	0	0
Total Income	46,516	5	46	46,567	(256)	46,311	20,583
Employee Benefits and On-Costs	12,239	0	0	12,239	(1,507)	10,732	4,536
Borrowing Costs	0	0	0	0	0	0	0
Materials and Services	10,060	0	271	10,331	(48)	10,283	3,972
Depreciation and Amortisation	15,144	0	0	15,144	1,030	16,173	8,087
Other Expenses	59	0	0	59	0	59	0
Internal Expenses	6,896	0	(162)	6,734	1	6,734	3,525
Total Expenditure	44,398	0	109	44,507	(525)	43,982	20,120
Net Operating Results	2,118	5	(63)	2,060	269	2,329	462
Net Operating Results before capital grants and contributions	478	0	(95)	382	269	651	(24)

Proposed budget adjustments over \$50,000 are summarised in the table below:

Operating Income	Amount (\$'000)	Comments
User Charges and Fees	(882)	-200K to move Sewer's portion of JBT contract revenue to Sewer fund -900K Water usage below forecast +210K Water standpipe usage above forecast
Interest and Investment Revenue	534	+610K increase to interest income due to higher than anticipated rates of interest received on investments -76K internal loan interest budget adjusted to align with confirmed repayment commencement date (LED streetlighting)
Internal Revenue	141	+141K recovery of electricity charges from general and sewer fund. Electricity managed by, and paid from, water fund (materials and services).

Operating Expenditure	Amount (\$'000)	Comments
Employee Benefits and On-Costs	(1,507)	-1,587K salary savings realised in the operations and maintenance department - returned to water reserve +100K more private works than expected. Offset by revenue received
Materials and Services	(48)	+100K required for additional chemicals in the water treatment plants -335K trainee contracts less than expected by cost and volume +80K budget request for electricity management software (Azility). Cost greater than forecasted +70K more private works than expected. Offset by extra revenue received
Depreciation and Amortisation	1,030	Deprecation actuals are greater than forecasted

Sewer Fund

	Original Budget 2024/2025 (\$'000)	Approved Changes (\$'000)		Revised Budget 2024/2025 (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Results 2024/2025 (\$'000)	Year To Date Actuals (\$'000)
		Carry forward from 2023/2024 (\$'000)	September QBR (\$'000)				
Rates & Annual Charges	55,143	0	425	55,568	1,300	56,868	29,091
User Charges and Fees	4,839	0	113	4,952	540	5,492	3,068
Interest and Investment Revenue	722	0	0	722	1,045	1,767	793
Other Revenues	19	0	0	19	0	19	27
Internal Revenue	2,118	0	0	2,118	0	2,118	971
Grants and Contributions provided for Operating Purposes	0	0	0	0	0	0	0
Grants and Contributions provided for Capital Purposes	2,025	0	0	2,025	0	2,025	565
Net Gains from the disposal of assets	0	0	0	0	0	0	0
Total Income	64,866	0	538	65,404	2,885	68,289	34,515
Employee Benefits and On-Costs	12,222	0	0	12,222	200	12,422	6,289
Borrowing Costs	2,907	0	0	2,907	0	2,907	1,481
Materials and Services	14,439	0	(867)	13,572	(59)	13,513	5,234
Depreciation and Amortisation	17,523	0	0	17,523	537	18,060	9,030
Other Expenses	39	0	(4)	35	13	48	48
Internal Expenses	7,226	0	39	7,265	100	7,364	4,520
Total Expenditure	54,355	0	(832)	53,523	791	54,314	26,602
Net Operating Results	10,511	0	1,370	11,881	2,094	13,975	7,912
Net Operating Results before capital grants and contributions	8,486	0	1,370	9,856	2,094	11,950	7,347

Proposed budget adjustments over \$50,000 are summarised in the table below:

Operating Income	Amount (\$'000)	Comments
Rates & Annual Charges	1,300	Increase in Sewer availability revenue. Growth in development and new connections greater than forecasted
User Charges and Fees	540	+400K received Sewer's portion of JBT contract revenue +150K net increase in development and application revenue. Received more than forecasted
Interest and Investment Revenue	1,045	+830K projection of total interest received increased +215K received more interest from customer accounts than forecasted

Operating Expenditure	Amount (\$'000)	Comments
Employee Benefits and On-Costs	200	+200K to supply Sewer with budget to complete contract with JBT. Offset by revenue received
Materials and Services	(59)	+50K to supply Sewer with budget to complete contract with JBT. Offset by revenue received -515K reduction in sewer treatment plant costs. Using more cost-effective disposal methods +250K increase in effluent customer service requests. No budget adjustment to effluent income, will reconsider in QBR3 +100K increase in budget for research and development contract with University of Wollongong
Depreciation and Amortisation	537	Deprecation actuals are greater than forecasted
Internal Expenses	100	-167K reduction in internal septic tank charges +65K increase in electricity administration costs paid to water fund. Cost greater than expected +200K increase in waste management charge paid to waste fund. Cost greater than expected

Income and Expenditure Budget Review Statement – By Function

	Original Budget 2024/2025 (\$'000)	Approved Changes (\$'000)		Revised Budget 2024/2025 (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Results 2024/2025 (\$'000)	Year To Date Actuals (\$'000)
		Carry forward from 2023/2024 (\$'000)	September QBR (\$'000)				
Bridges	3,935	867	853	5,656	(1,003)	4,653	230
Buildings and Property	2,672	0	13	2,685	11	2,696	1,751
Commercial Undertakings	47,622	0	309	47,932	5	47,937	22,340
Community and Culture	2,235	576	79	2,890	10	2,899	1,379
Economic Development	1,145	537	(2,645)	(963)	(92)	(1,054)	(1,694)
Environmental Management	1,486	768	666	2,920	(91)	2,828	1,143
Fire Protection and Emergency Services	1,248	30,896	7,569	39,713	(16,718)	22,994	6,448
Governance and Civic	36	0	0	36	0	36	34
Internal Corporate Services	158,201	3,780	275	162,256	2,622	164,877	121,423
Land Use Planning	576	0	0	576	(9)	568	357
Open Space, Sport and Recreation	1,106	771	14	1,891	101	1,991	1,077
Regulatory Services	10,146	0	55	10,201	(258)	9,944	4,780
Roads and Transport	14,374	1,915	6,386	22,676	(9,614)	13,062	1,738
Stormwater	0	0	0	0	21	21	21
Strategic Roads and Bridges	4,400	3,400	3,000	10,800	(618)	10,182	7,824
Waste and Recycling Program	81,136	0	510	81,646	0	81,646	58,351
Water and Sewer Services	112,510	5	584	113,098	2,629	115,727	55,381
Waterways Infrastructure	700	982	(795)	887	(18)	869	334
Total Income	443,529	44,496	16,874	504,899	(23,023)	481,876	282,916
Bridges	0	0	0	0	0	0	0
Buildings and Property	16,155	26	(58)	16,123	262	16,385	7,854
Commercial Undertakings	51,891	68	(134)	51,905	(1,057)	50,848	25,145
Community and Culture	9,597	92	3	9,612	(315)	9,297	4,110
Economic Development	682	35	26	743	87	830	378

Environmental Management	2,478	734	1,233	4,421	183	4,604	1,712
Fire Protection and Emergency Services	5,364	817	1,540	7,720	24	7,744	4,038
Governance and Civic	9,769	0	(55)	10,645	(9)	10,636	4,611
Internal Corporate Services	63,531	44	1,231	63,900	(3,897)	60,003	29,667
Land Use Planning	4,089	530	(89)	4,286	(921)	3,365	1,126
Open Space, Sport and Recreation	20,431	56	190	20,619	708	21,327	10,833
Regulatory Services	21,438	63	(15)	21,137	(595)	20,542	9,828
Roads and Transport	47,657	751	(246)	48,678	(92)	48,586	21,892
Stormwater	1,671	0	114	1,919	0	1,919	732
Strategic Roads and Bridges	0	0	0	0	0	0	0
Waste and Recycling Program	76,954	0	335	77,289	(1,320)	75,969	31,264
Water and Sewer Services	99,138	0	(727)	98,412	331	98,742	46,950
Waterways Infrastructure	6,075	0	0	6,076	(805)	5,271	2,680
Total Expenditure	436,919	3,216	3,350	443,485	(7,415)	436,070	202,820
Net Operating Results^	6,609	41,281	13,524	61,414	(15,608)	45,806	80,096

^Operating results by function exclude profit on sale of assets totalling \$6,099k.

Capital Budget Review Statement

	Original Budget 2024/2025 (\$'000)	Approved Changes (\$'000)		Revised Budget 2024/2025 (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Results 2024/2025 (\$'000)	Year To Date Actuals (\$'000)	Note
		Carry forward from 2023/2024 (\$'000)	September QBR (\$'000)					
Capital Funding								
Grants - General	30,440	42,134	2,478	75,052	(29,186)	45,866	24,626	(1) (2) (5) (6) (8) (14)
Grants - Water	0	514	(217)	296	0	296	248	
Grants - Sewer	1,733	0	0	1,733	0	1,733	194	
Loans	19,821	822	(239)	20,404	(4,645)	15,759	5,318	(3) (12) (13) (19) (21)
Developer Contributions - General	6,096	0	233	6,329	(3,952)	2,377	2,217	(10) (11) (12) (19)
Developer Contributions - Water	0	0	0	0	0	0	0	
Developer Contributions - Sewer	0	0	0	0	0	0	0	
Stormwater Management	812	113	9	934	94	1,028	233	
Special Rates Levy	5,286	955	(628)	5,613	334	5,947	1,750	(7)
Domestic Waste Management	7,242	285	185	7,712	326	8,038	1,597	(22)
Water Fund	14,635	3,640	1,513	19,789	(2,780)	17,009	8,121	(23) (24)
Sewer Fund	20,225	7,068	94	27,387	(26)	27,361	13,076	
Internal Restrictions/ General Fund	20,609	1,031	(417)	21,223	(494)	20,729	9,032	(3) (4) (8) (15) (16) (20) (22) (25)
Total Funding	126,899	56,562	3,011	186,471	(40,330)	146,142	66,411	

Capital Expenditure								
Bridges	8,561	392	698	9,651	(4,949)	4,702	1,820	(1) (2)
Buildings and Property	10,265	1,356	(95)	11,525	(3,282)	8,243	3,080	(3)
Commercial Undertakings	5,849	295	(1)	6,143	(7)	6,136	3,070	
Community and Culture	1,423	214	0	1,637	(30)	1,607	808	
Economic Development	2,285	3,039	(2,412)	2,912	549	3,460	1,652	(4)
Environmental Management	993	442	(268)	1,167	(61)	1,106	583	
Fire Protection and Emergency Services	2,000	36,123	6,696	44,820	(15,328)	29,492	16,966	(5) (6) (7) (8) (9) (26)
Governance and Civic	0	0	0	0	0	0	0	

Internal Corporate Services	4,134	65	103	4,301	2,805	7,106	4,374	(10)
Land Use Planning	0	0	0	0	10	10	10	
Open Space, Sport and Recreation	2,527	376	(2)	2,901	(201)	2,700	1,205	(11) (12) (13)
Regulatory Services	0	0	0	0	0	0	0	
Roads and Transport	22,996	2,500	(873)	26,435	(12,098)	14,337	4,772	(14) (15) (16) (20) (26) (27)
Stormwater	1,896	28	(30)	1,894	(1,320)	574	145	(18)
Strategic Roads and Bridges	9,998	302	(1,261)	7,227	(4,005)	3,222	1,761	(19) (20) (21) (27)
Waste and Recycling Program	15,019	105	167	15,291	500	15,791	4,293	(22)
Water and Sewer Services	36,592	11,222	1,390	49,204	(2,806)	46,398	21,639	(23) (24)
Waterways Infrastructure	2,362	103	(1,101)	1,364	(106)	1,257	233	(25)
Total Capital Expenditure	126,899	56,562	3,011	186,471	(40,330)	146,142	66,411	

Proposed budget adjustments over \$100,000 are summarised in the table below:

Note	Comments
(1)	Rephasing expenditure for Murrays, Western Distributor & Smarts grant-funded bridge renewals (-4.2M) to next year
(2)	Boxells Bridge project completed under grant-funded budget (-508k)
(3)	Rephasing expenditure for several building projects to next financial year, including Betta Electrical Demolition, Building Lift Replacements and Nowra Administration Fire Compliance. (reduction of 3.2M being 1.9M loan-funded and 1.3M general-funded).
(4)	Additional costs relating to Flinders Industrial Estate Stage 11, arising from electrical lead in works previously expected to be completed by adjacent property developer which did not commence in time. Additionally, there has been unexpected cost associated with road subgrade remediation. (+611k). Funded from Industrial Land Reserve.
(5)	Rephasing of Natural Disaster projects (-5.7M) to next year
(6)	Natural Disaster projects completed under the upper-funding limit, most notably the Major Landslip Package (-11.1M).
(7)	Rephasing of expenditure relating to the grant-funded Manyana RFS Station (-814k)
(8)	Transfer of Natural Disaster Opt-In fee (+634k) from planned operational works to capital projects.
(9)	Newly approved and additional approved expenditure for Natural Disaster projects (+331k)
(10)	Reimbursement to developer relating to the Bishop Drive (Mollymook), transferred from operational s7.11 funds to capital. (+2.8M)
(11)	Planning works relating to Sanctuary Point Library deferred (ref. MIN24.241) (-266k)
(12)	Allocation of existing low-cost loan and 7.11 funding to initiate detailed design for Moss Vale Road South URA, Open Space Embellishment Stage 3 (+1.18M, with 943k rephased to next year)
(13)	Playground replacement funds rephased to next financial year (-250k), required as a co-contribution for pending Crown Land Improvement grant for Arthur Jones Reserve.
(14)	Rephasing for several grant-funded projects to next financial year, including Roads to Recovery allocation, Shoalhaven Roads Project and South Coast Footpaths (-6.1M)
(15)	Transfer of betterment contribution to Natural Disaster projects (-220k)
(16)	Rephasing of Kingsley Avenue construction (-272k) construction delayed due to finalisation of required land acquisition.
(17)	Funding allocated to Yalwal Road Rehabilitation & Widening project reallocated to delivery of Yalwal & George Evans Intersection (-2.17M)
(18)	Rephasing of budget relating to developer reimbursements for Moss Vale Road South URA drainage (-1.4M). Timing subject to developer submitting claim.

(19)	Reallocation and rephasing of 7.11 funding within the Moss Vale Road South URA project group (-3.2M)
(20)	Rephasing of construction expenditure relating to 7.11 funded Sydney & Bowen Street, Huskisson upgrades, with the project in detailed design phase.
(21)	Increase in budget (379K) for Bannada Way (Far North Collector) to reflect actual costs incurred in finalising the project (works funded by ShoalWater).
(22)	Additional allocation of funding for Materials Recovery Facility as per MIN24.572 (+4M), with partial rephasing of expenditure to next financial year (-3.5M)
(23)	1,500K Request to carry forward project funds for the Bamarang to Milton pipeline project to 2026. Expenditure not expected until next year
(24)	1,263K Request to carry forward project funds for Water emergency funds and unplanned renewals to 2026 financial year. Not expected to use this portion of emergency funds for rest of 2025.
(25)	Rephasing of co-contribution relating to a pending grant application for Lake Conjola Boat Ramp Carpark (-107k)
(26)	Natural Disaster Co-contribution project remapped from 'Roads and Transport' (-1.44M) to 'Fire Protection and Emergency Services' program lines (+1.44M); Remapping Natural Disasters projects from 'Environmental Management' to 'Fire Protection and Emergency Services' program lines
(27)	Yalwal Road, and George Evans Intersection projects remapped from 'Roads and Transport' (-1.8M) to 'Strategic Roads and Bridges' (+1.8M) program.

Cash and Investments Budget Review Statement

Cash & Investments – Estimated Balance at Year Ending 30 June 2025

At 31 December 2024, Council has spent \$19.3M of General Fund cash in advance for grant funded projects whereby the grant monies have not yet been receipted. This resulted in negative unrestricted cash of \$23.8M.

\$8.9M of this relates to Natural Disaster projects, the majority of which are claims for Emergency Works (EW) or Immediate Reconstruction Works (IRW). EW's and IRW's are not covered by the Tripartite Agreement – an agreement between NSW Reconstruction Authority, Transport for NSW and Shoalhaven City Council that provides prepayment of funds - and therefore results in a cash payment to Council, as opposed to a draw down on the prepayment already received. It is anticipated that \$5.5M in EW and IRW claims will be paid prior to 31 March 2025 with an additional \$1.8M to be receipted before 30 June 2025..

To restore unrestricted cash back to NIL, internal restrictions will be utilised. The table below shows the “Actual” reserves balance and the “Revised” reserves balance.

	Estimated Balance 30 June 2025				December Year To Date Actual Balance	December Year To Date Revised Actual Balance
	Original Budget	Revised Budget	Recommended changes for Council Resolution	Projected Year End Results		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Externally Restricted						
Specific Purpose Unexpended Grants - General Fund	4,192	16,149	550	16,699	20,357	20,357
Specific Purpose Unexpended Loans	18,576	19,173	4,645	23,818	30,184	30,184
Developer Contributions - General Fund	20,187	19,552	6,210	25,762	25,660	25,660
Developer Contributions - Water Fund	20,463	14,364	60	14,424	13,169	13,169
Self Insurance Claims	6,694	7,275	0	7,275	6,901	6,901
Special Rates Variation	1	0	68	68	5,183	5,183
Stormwater Levy	368	501	(94)	407	604	604
Domestic Waste Management	2,647	1,242	(246)	996	12,994	12,994
Water Supplies	16,595	27,284	1,500	28,784	30,733	30,733
Sewer Services	10,783	29,084	2,787	31,871	36,901	36,901
Total Externally Restricted	100,506	134,624	15,480	150,104	182,687	182,687
Internally Restricted						
Arts Collection	45	45	0	45	45	0

Cemeteries	127	114	0	114	91	0
Coastal Management	309	500	(1)	499	234	0
Committed Capital Works	0	0	650	650	1,345	0
Communication Towers	12	0	0	0	0	0
Critical Asset Compliance	0	0	268	268	268	0
Dog-Off leash	86	85	0	85	78	0
Economic Development Projects	105	88	300	388	388	0
Employee Leave Entitlement	5,880	5,880	0	5,880	5,880	5,880
Financial Assistance Grant	14,882	13,127	0	13,127	6,563	0
Financial Sustainability Review savings	0	1,043	1,737	2,780	2,780	2,780
General Insurance	691	593	(28)	565	236	0
Industrial Land Development	2,768	4,994	7,162	12,156	5,818	0
Jervis Bay Territory Contract	279	0	0	0	0	0
Jetty Licensing	19	19	0	19	19	0
Land Decontamination	0	0	0	0	0	0
Plant Replacement	0	424	0	424	1,538	0
REFund Reserve	234	235	182	417	372	0
S7.11 Matching Funds	0	0	0	0	0	0
S7.11 Recoupment	1,415	3,254	846	4,100	4,318	393
Shoalhaven Foreshore Development	916	916	0	916	853	0
Sporting Facilities	301	309	0	309	302	0
Strategic Projects	198	205	0	205	0	0
Strategic Property Reserve	422	409	1,029	1,438	1,772	0
Trust - General Trust	4,761	4,506	0	4,506	4,815	4,815
Water Communication Towers	2,025	6,210	(348)	5,862	4,997	4,997
Total Internally Restricted	35,475	42,956	11,797	54,753	42,712	18,865
Total Restricted	135,981	177,580	27,277	204,857	225,399	201,552
Total Cash and Investments	138,241	179,840	28,570	208,410	201,552	201,552
Available Unrestricted Cash	2,260	2,260	1,293	3,553	(23,847)	0

Notes:

External restrictions are funds that must be spent for a specific purpose and cannot be used by council for general operations. Internal restrictions are funds that council has determined will be used for a specific future purpose. All other available cash is classified as Unrestricted.

ORIGINAL Budget +/- approved budget changes in previous quarters = REVISED Budget
REVISED Budget +/- recommended changes this quarter = PROJECTED year end result

Statements

Investments

The restricted funds are invested in accordance with Council's investment policy

Cash

Cash was last reconciled with the bank statement for the quarterly budget review ending 31 December 2024

Reconciliation

	\$'000
Bank Balance per statement	20,274
Unpresented cheques / deposits	2,748
Cash on hand	20
Total Cash on Hand Balance	23,042
Term Deposits	96,000
AMP At Call Account	2,419
AMP Notice Account	1
CBA Business Saver	33,791
Bonds	2,000
FRN	37,500
State Insurance Regulatory Authority	6,675
Fair Value adjustment	124
Total Investments	178,510
Total Cash & Investments balance	201,552
Total Cash & Investments per Ledger	201,552

Budget Review Key Performance Indicators Statement

OLG Key Performance Indicators

Indicator	Description	Calculation	Target	Fund	Revised Budget	Proposed Revised Budget
Local Government Industry Indicators						
Operating Performance Ratio	Measures Council's achievement of containing operating expenditure within operating revenue	Total continuing revenue (excl Cap Grants & Contributions) - Operating Expenses	Greater than 0%	General	-12.3%	-8.5%
		Total continuing revenue (excl Cap Grants & Contributions)		Water	0.8%	1.5%
				Sewer	15.6%	18.0%
Own Source Operating Revenue Ratio	Measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions	Total continuing operating revenue (less ALL grants and Contributions)	Greater than 60%	General	72.0%	77.8%
		Total continuing operating revenue		Water	96.4%	96.4%
				Sewer	96.9%	97.0%
Debt Service Cover Ratio	Measures the availability of operating cash to service debt including interest, principal and lease payments	Operating result before capital excluding Interest, Impairment, Depreciation and Amortisation	Greater than 2.0	General	1.5*	1.9
		Principal Repayments + Borrowing Interest Costs		Water	No Debt	No Debt
				Sewer	3.6	3.9
Infrastructure Asset Performance Indicators						
Infrastructure Renewal Ratio	To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating	Asset Renewals	Greater than 100%	General	47.5%	34.1%*
		Depreciation, amortisation, and impairment		Water	89.6%	76.9%
				Sewer	89.4%	83.7%

* Debt service cover ratio denominator removes the additional \$10m in voluntary loan repayments not contractually required to be paid in 2024-25

** Proposed Revised budget renewal ratio excludes Natural Disasters, if Natural Disasters had been included renewal ratio would be 74.34%, reduction from prior quarter due to infrastructure renewal carry forward/revotes of \$15.63M including natural disasters and \$7.69M excluding natural disasters

T-Corp Debt Covenant Ratios

Indicator	Description	Calculation	Target	Revised Budget	Proposed Revised Budget
Unrestricted Cash Expense Ratio	Indicates the number of months council can continue paying for its immediate expenses without additional cash inflow.	Total cash and investments excluding external restrictions	2 months	2.5	3.3
		Total General Fund operating expenses			
Debt Service Cover Ratio	Measures the availability of operating cash to service debt including interest, principal and lease payments	Operating result before capital excluding EBITDA	Greater than 1.5	1.9	3.1
		Principal Repayments + Borrowing Interest Costs			
Interest Cover Ratio	Measures the availability of operating cash to pay borrowing interest costs	Operating result before capital excluding EBITDA	Greater than 3.0	10.0	11.8
		Borrowing Interest Costs			

Budget Review Contracts and Other Expenses

Contracts Listing

Contracts that were entered into during the quarter with the value of more than \$50,000

Contractor	Contract Detail & Purpose	Contract Value	Commencement Date	Duration of Contract	Budgeted (Y/N)
Telstra Limited (AMEX)	PureCloud Annual Fees	195,362.00	22-Oct-2024	36 Months	Y
Fulton Hogan Industries Pty Ltd	Jervis Bay and Turpentine Rd, Contract - Contingency	1,188,400.73	13-Sep-2024	1 - 3 Months	Y
Jas Wearne Building Services Pty Ltd	Construct Control Room - Shoalhaven Materials Recovery Facility	122,000.00	23-Oct-2024	1 - 2 Months	Y
National Pump & Energy Ltd	Pumps and Accessories	62,530.66	05-Jun-2024	36 months	Y
Shore Hire Pty Ltd	Ratcliff Park - Longer Hire	120,000.00	30-Aug-2024	4 Months	Y
Boral Construction Materials	Matron Porter Drive - SUP - Stage 2	62,033.40	31-Oct-2024	3 - 6 Months	Y
Technology One Limited	eRecruitment Enhancement Package	51,642.50	09-Oct-2024	1 - 2 Months	Y
Country Motor Company	Supply & Deliver Vehicles (replacement)	62,361.60	01-Nov-2024	3 - 6 Months	Y
Country Motor Company	Supply & Deliver Vehicles (replacement)	224,200.00	01-Nov-2024	3 - 6 Months	Y
National Pump & Energy Ltd	Pumps and Accessories	76,643.67	16-Jul-2024	3 - 6 Months	Y
Kinghorn Motors Pty Ltd	Supply & Deliver Vehicles (replacement)	275,294.31	05-Nov-2024	3 - 6 Months	Y
Hunter H2O Holdings Pty Ltd	Concept and Detailed Design - Milton/Ulladulla Wastewater Treatment	1,601,560.00	18-Nov-2024	12 Months	Y
James Furlong Carpentry	Beach Access Renewal - Dolphin Point	50,622.00	19-Nov-2024	1 - 2 Months	Y
RURAL BITUMEN SERVICES PTY LTD	Supply Spray Seal and Aggerate	299,495.92	26-Jun-2024	24 Months	Y
MIENGINEERS	Project Management and Design Services	2,956,029.03	21-Nov-2024	36 Months	Y
CLOVER PIPELINES PTY LTD	Supply of PVC Pipes	116,114.88	07-May-2024	3 - 6 Months	Y
Brown Environmental Earthworks Planning	Numbaa and Pyree Levee Remediation Works	2,040,532.21	22-May-2024	2 Months	Y
CMW Geosciences	Sussex Inlet Exfiltration Geotechnical Investigations	73,291.90	25-Nov-2024	3 - 6 Months	Y
SMEC AUSTRALIA P/L	Survey, Utility Mapping & Geotechnical Investigations - Worrigee Intersection	165,000.00	27-Aug-2024	36 Months	Y

Contractor	Contract Detail & Purpose	Contract Value	Commencement Date	Duration of Contract	Budgeted (Y/N)
SMEC Australia P/L	Survey, Utility Mapping & Geotechnical Investigations - Callala Bay Intersection	165,000.00	27-Aug-2024	36 Months	Y
SMEC Australia P/L	Survey, Utility Mapping & Geotechnical Investigations - Callala Beach Rd, Shoal RP Callala Bch Rd	100,000.00	27-Aug-2024	36 Months	Y
SMEC Australia P/L	Survey, Utility Mapping & Geotechnical Investigations - Callala Bay Rd	110,000.00	27-Aug-2024	36 Months	Y
S & N Watson Plumbing	Roof Replacement	89,100.00	29-Nov-2024	1 - 3 Months	Y
SMEC Australia P/L	Survey, Utility Mapping & Investigations - Culburra Rd	110,000.00	27-Aug-2024	36 Months	Y
Metroid Electrical Engineering	Design Manufacture Outdoor CT Metered ATS Panels	420,827.00	06-Dec-2024	5 Months	Y
Fulton Hogan Industries Pty Ltd	Pavement Rehabilitation works – Various Roads – Central District Round 4	482,529.95	13-Dec-2024	1 - 3 Months	Y
Soilco P/L	Walking Floor Transportation - Shoalhaven Materials Recovery Facility	568,491.00	09-Dec-2024	6 Months	Y
Asphalt Laying Services Pty Ltd	Supply Spray Asphalt - Huskisson Road	51,271.73	28-Nov-2024	1 - 3 Months	Y
Asphalt Laying Services Pty Ltd	Supply Spray Asphalt - The Wool Road	174,941.98	28-Nov-2024	1 - 3 Months	Y
QES Electrical Contracting Pty Ltd	Replacement of Power Factor Correction Unit and Main Switch Board - Ulladulla Leisure Centre	107,124.27	22-Oct-2024	1 - 3 Months	Y
Rural Bitumen Services Pty Ltd	Supply Spray Seal and Aggerate	499,078.91	16-Nov-2022	36 Months	Y
Downer Edi Works	Supply Spray Seal and Aggerate	405,586.47	16-Nov-2022	36 Months	Y
Veolia / Recycling & Recovery Pty Ltd	Recyclables Processing Dec 2024 to Jun 2025	1,328,985.00	10-Dec-2024	1 - 3 Months	Y
Re Group	Comingled Processing - Dec 2024/Jan 2025	117,612.00	12-Dec-2024	1 - 3 Months	Y
Evolve Electrical & Design Pty Ltd	Bamarang WTP Electrical Upgrade	81,164.58	16-Dec-2024	1 - 3 Months	Y
Steel Line Garage Doors	Supply & Install Roller Doors - Shoalhaven Material Recovery Facility	379,466.97	17-Dec-2024	1 - 3 Months	Y
Vogue Landscaping	Landscaping and Remediation Works - Albatross Aviation Park	56,107.00	18-Dec-2024	1 - 3 Months	Y
Fulton Hogan Industries Pty Ltd	Greenwell Point Road Rehabilitation Works	762,274.44	20-Dec-2024	1 - 3 Months	Y
State Asphalt Services P/L	Supply Spray Asphalt - Paradise Beach Rd	397,044.78	18-Dec-2024	1 - 3 Months	Y
Illawarra Toyota	Supply & Deliver Tipper Truck	94,383.00	18-Dec-2024	3 - 6 Months	Y
Illawarra Toyota	Supply & Deliver Tipper Truck	84,254.00	18-Dec-2024	3 - 6 Months	Y
Pearce & Percy Constructions	Roof Replacement	81,362.30	20-Dec-2024	3 - 6 Months	Y

Contractor	Contract Detail & Purpose	Contract Value	Commencement Date	Duration of Contract	Budgeted (Y/N)
IJED Electric & Data	Switch Board Upgrade - St Georges Basin Community Centre	65,158.50	20-Dec-2024	1 - 3 Months	Y
Edwards Constructions (NSW) Pty Limited	Construction of Manyana RFS Station	2,820,958.91	15-Nov-2024	6 Months	Y
Stantec Australia Pty Ltd	West Nowra Urban Release Wastewater Design	628,903.00	21-Nov-2024	12 Months	Y
Viadux Pty Ltd	Supply Pipe & Fittings Callala STP	116,844.14	18-Nov-2024	3 Months	Y
SG Fleet Australia Pty Ltd SG Fleet Australia Pty Limited	Lease Road Maintenance Equipment	59,994.65	12-Dec-2024	12 Months	Y

Consultancy and Legal Expenses

Consultancy & legal expenses by directorate in accordance with MIN24.379

Directorate	Consultancy	Budgeted (Y/N)
Chief Executive Officer	6,617	Y
City Performance	23,558	Y
City Services	53,333	Y
City Development	451,545	Y
Shoalhaven Water	45,011	Y
YTD Actuals	580,063	

Directorate	Legal Expenses	Budgeted (Y/N)
Chief Executive Officer	-	
City Performance	119,642	Y
City Services	246,578	Y
City Development	654,962	Y
Shoalhaven Water	85,000	Y
YTD Actuals	1,106,182	

Definition of Consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendation or high-level specialist or professional advice to assist decision-making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other contractors.



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Attachment 3

Program	Carry Forwards \$'000
Bridges	4,231
Bridges	4,231
FCB-2B - Smarts Bridge, Croobyar Rd, Croobyar	
FCB-2B - Murrays Bridge, Conjola	
Western Distributor, MEMS Currowan Creek Fish Passage	
Buildings and Property	3,352
Community, Residential and Commercial Buildings	2,664
16 Berry Street - Betta Electrical Building - Demolition	
Berry Showground Resilience BLERF-0111	
K'Valley Showground Resilience BLERF-0111	
Milton Showground Resilience BLERF-0111	
Nowra Showground Resilience BLERF-0111	
Nowra Admin Building - Fire Compliance, BCA NCC	
BLD Nowra Shoalhaven Gallery Lift	
BLD Ulladula Civic Centre Lift Replace	
Corporate Buildings	238
BLD Nowra Admin Lift Replacement	
Property Management	450
Moss Vale Rd Open Space Acquisitions Funding	
Fire Protection and Emergency Services	8,837
Emergency Events / Recovery	8,023
1034-DM00945-TeraraRd-P1L1/P1L2-Levee-PWA	
1012-NQ00001-Illaroo Rd-Pavement-Betterment Grant	
1025-MT00119-McMahons Rd, North Nowra-70mm asphalt	
1129-AQ00020-The Wool Rd, Old Erawal Bay- Sinkhole	
1119-DM01202-Wattamolla Rd-Drainage CH4980	
Fire Protection and Emergency Services	814
BLD Manyana Bendalong new RFS station	
Open Space, Sport and Recreation	1,233
Parks, Reserves, Sport and Recreation Areas	1,233
Moss Vale Road South URA Open Space Embelishment - Inv & Des	
Original Bomaderry Basketball Stadium Redesign	
Sanctuary Point Library - Design & Invest	
Conjola Park Hoylake Grove Reserve - Memo of Agreement - imp	
Roads and Transport	6,788
Rural Roads	4,311
Roads to Recovery Program (R2R)	
Local Road Upgrades Program - \$40M Federal Grant	
Urban Roads	2,477
Dolphin Point Rd-Ped Footpath Cnstrct-South Coast Footpaths	
Myola Active Transport - South Coast Footpaths	
Placemaking for Vincentia Village BBRF	
Kingsley Ave Ulladulla Cul-de-sac Construction	
Old Southern Road - Shared Path - South Coast Footpaths	
Owen St, Huskisson - Construct Pedestrian Crossings	
Central (RERRF)	
Stormwater	1,279
Stormwater	1,279
Moss Vale Road South URA Drainage	
Strategic Roads and Bridges	4,837
Strategic Roads and Bridges	4,837
Moss Vale Road URA Road Construction	
Yalwal Rd & George Evans Rd Intersection Upgrade	
Waste and Recycling Program	3,500
Landfill and Transfer Station Operations	3,500
Materials Recovery Facility - Capital	

Water and Sewer Services	2,763
Water Services	2,763
Water Renewals	
Bamarang to Milton Pipeline Project	
Grand Total	36,820

Attachment 4

Program	Revotes \$'000
Open Space, Sport and Recreation	250
Parks, Reserves, Sport and Recreation Areas	250
Playground Replacement	
Waterways Infrastructure	107
Waterways Infrastructure	107
Lake Conjola Ent Rd boat ramp carpark stge 2-Boating Now R4	
Grand Total	357

Attachment 4

Program	Revotes \$'000
Open Space, Sport and Recreation	250
Parks, Reserves, Sport and Recreation Areas	250
Playground Replacement	
Waterways Infrastructure	107
Waterways Infrastructure	107
Lake Conjola Ent Rd boat ramp carpark stge 2-Boating Now R4	
Grand Total	357



Monthly Investment Review



January 2025

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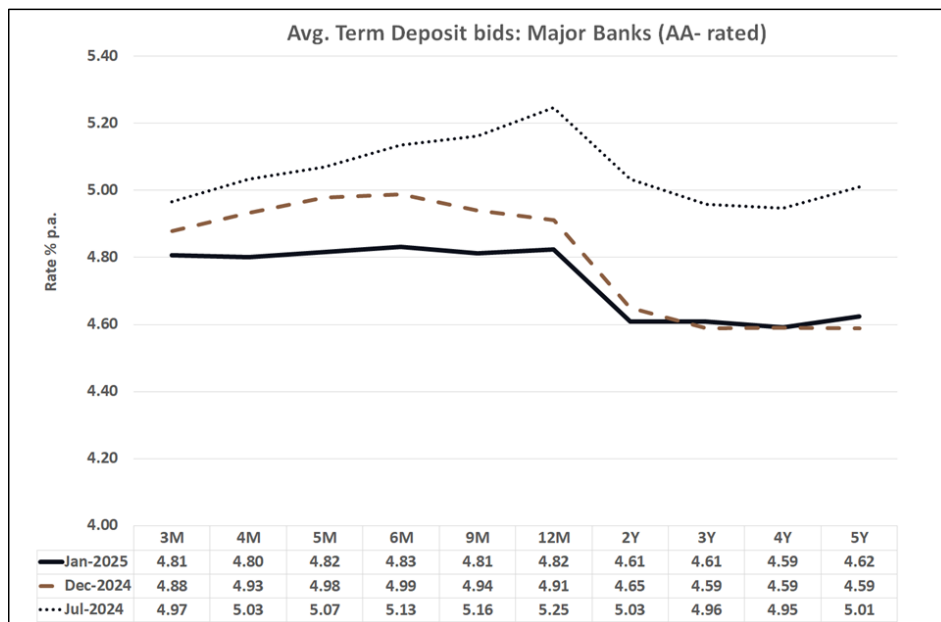
CL25.55 - Attachment 1



Market Update Summary

Risk markets rebounded strongly in January as financial markets again focused on expectations of additional rate cuts being priced over 2025 amid signs that inflation was continuing to ease.

In the deposit market, over January, at the very short-end of the curve (less than 6 months), the average deposit rates offered by the major banks fell up to 16bp compared to where they were last month (December). The major banks were quick to adjust their short-term rates in response to the lower than expected inflation print, with most bringing forward their rate cut expectations to potentially as early as February, if not March. In contrast, the average rates being offered for 1–5 year terms remained relatively flat compared to where they were in December, a reflection that the expectations for the number of rate cuts has remained unchanged.



Source: Imperium Markets

With rate cuts and a global economic downturn priced in over 2025, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 1–5 year fixed deposits and locking in rates above 4½% p.a. (small allocation only).



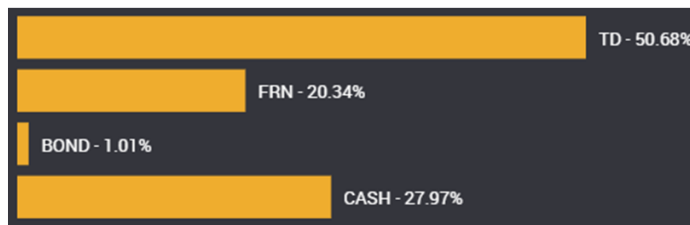
Shoalhaven City Council 's Portfolio & Compliance

Asset Allocation

The majority of the portfolio is directed to fixed term deposits and cash or cash notice accounts. The remainder of the portfolio is directed to liquid senior FRNs and fixed bonds.

Senior FRNs are starting to become slightly expensive on a historical basis, although new issuances should continue to be considered on a case by case scenario. In the interim, staggering a mix of fixed deposits between 12 months to 5 years remains a more optimal strategy to maximise returns over a longer-term cycle.

With multiple rate cuts and a global economic downturn being priced in 2025, investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against any potential future rate cuts by investing across 1-5 year fixed deposits, locking in and targeting yields above 4½% p.a. Should inflation be within the RBA's target band of 2-3% over the longer-term, returns around 4½% p.a. or higher should outperform benchmark.





Term to Maturity

All maturity limits (minimum and maximum) comply with the Investment Policy. Short-Medium Term (1-2 years) assets account for around 6% of the total investment portfolio, with capacity of ~\$125m remaining.

Once the immediate capital projects are completed, we recommend a proportion of longer-dated funds be allocated to 1-3 year fixed term deposits in combination with any attractive new FRNs (3-5 years) as they come to market (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 90 days	\$78,296,499	39.68%	0%	100%	\$119,026,710
✓	91 - 365 days	\$78,999,556	40.04%	0%	100%	\$118,323,653
✓	1 - 2 years	\$12,564,370	6.37%	0%	70%	\$125,561,876
✓	2 - 5 years	\$27,462,783	13.92%	0%	50%	\$71,198,821
✓	5 - 10 years	\$0	0.00%	0%	25%	\$49,330,802
		\$197,323,209	100.00%			



Counterparty

As at the end of January 2025, all counterparty exposures comply within the Policy limits. Capacity limits are also dependent on the movement in the cash balances. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to the regional bank (lower rated) ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	DBS Cov	AAA	\$1,003,726	0.51%	100.00%	\$196,319,483
✓	ANZ (Sunc.) Cov	AAA	\$2,018,976	1.02%	100.00%	\$195,304,233
✓	ANZ	AA-	\$27,578,370	13.98%	100.00%	\$169,744,839
✓	CBA	AA-	\$52,361,759	26.54%	100.00%	\$144,961,450
✓	HSBC Bank	AA-	\$2,015,818	1.02%	100.00%	\$195,307,391
✓	NAB	AA-	\$54,511,347	27.63%	100.00%	\$142,811,862
✓	Northern Terr.	AA-	\$2,000,000	1.01%	100.00%	\$195,323,209
✓	NSW (SIRA)	AA+	\$6,675,000	3.38%	100.00%	\$190,648,209
✓	Macquarie	A+	\$3,999,556	2.03%	100.00%	\$193,323,653
✓	Rabobank	A+	\$5,317,908	2.70%	100.00%	\$192,005,300
✓	ING Bank	A	\$24,711,324	12.52%	100.00%	\$172,611,885
✓	Bendigo	A-	\$10,601,230	5.37%	20.00%	\$28,863,412
✓	AMP Bank	BBB+	\$2,429,241	1.23%	5.00%	\$7,436,920
✓	Newcastle PBS	BBB+	\$2,098,954	1.06%	5.00%	\$7,767,206
			\$197,323,209	100.00%		

On 31st July 2024, ANZ's takeover of Suncorp Bank was formalised, and ratings agency S&P upgraded Suncorp's long-term credit rating to that of its parent company immediately (now rated AA-). Investor's exposure to Suncorp is now reflected under the parent company being ANZ.



Credit Quality

The portfolio is well diversified from a credit ratings perspective. The portfolio is entirely invested amongst the investment grade ADIs (BBB+ or higher). There is no exposure to Unrated assets now following the disposal of the TCorp Long-Term Growth Fund in Q1 2024.

All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AAA Category	\$3,022,702	2%	100%	\$194,300,507
✓	AA Category	\$145,142,294	74%	100%	\$52,180,915
✓	A+ to A Category	\$34,028,788	17%	100%	\$163,294,421
✓	A- Category	\$10,601,230	5%	40%	\$68,328,054
✓	BBB+ to BBB Category	\$4,528,195	2%	30%	\$54,668,768
✓	BBB- & NR Category	\$0	0%	5%	\$9,866,160
✓	NSW TCorp LTGF	\$0	0%	100%	\$197,323,209
		\$197,323,209	100.00%		



Performance

Council's performance for the month ending January 2025 (excluding cash) is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.36%	1.08%	2.17%	2.54%	4.36%
AusBond Bank Bill Index	0.38%	1.12%	2.25%	2.63%	4.48%
T/D Portfolio	0.43%	1.27%	2.55%	2.98%	5.09%
FRN Portfolio	0.45%	1.30%	2.61%	3.05%	5.21%
Bond Portfolio	0.10%	0.29%	0.56%	0.65%	1.10%
Council's Fixed Interest[^]	0.43%	1.25%	2.50%	2.93%	4.97%
Council's Total Portfolio^{^^}	0.43%	1.28%	2.57%	3.01%	5.65%
Relative (to Bank Bills)	0.05%	0.16%	0.32%	0.38%	1.17%

[^]Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

^{^^} Total portfolio returns includes historical holdings in the TCorp LTGF.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	4.35%	4.35%	4.35%	4.35%	4.36%
AusBond Bank Bill Index	4.59%	4.53%	4.52%	4.51%	4.48%
T/D Portfolio	5.20%	5.12%	5.12%	5.11%	5.09%
FRN Portfolio	5.39%	5.28%	5.24%	5.24%	5.21%
Bond Portfolio	1.24%	1.15%	1.12%	1.11%	1.10%
Council's Fixed Interest[^]	5.20%	5.06%	5.03%	5.02%	4.97%
Council's Total Portfolio^{^^}	5.20%	5.17%	5.17%	5.16%	5.65%
Relative (to Bank Bills)	0.61%	0.64%	0.65%	0.65%	1.17%

[^]Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

^{^^} Total portfolio returns includes historical holdings in the TCorp LTGF.

For the month of January, the total portfolio (excluding cash) provided a return of +0.43% (actual) or +5.20% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.38% (actual) or +4.59% p.a. (annualised). The longer-term positive performance continues to be anchored by the handful of deposits that were originally placed for terms greater than 12 months.



Recommendations for Council

AMP Business Saver & Notice Account

We note the AMP Business Saver and AMP 31 Day Notice Account are now sub optimal investments given the rise in deposit yields in recent months. We recommend switching into short-dated fixed deposits with the major banks yielding a considerably higher rate of return, or simply just redeem to replenish capital reserves.

Term Deposits

As at the end of January 2025, Council's **deposit** portfolio was yielding 5.02% p.a. (down 2bp from the previous month), with a weighted average duration of ~216 days (~7 months).

Going forward, once immediate capital projects are completed, a more optimal strategy would be staggering deposits across 9-24 months terms – this is likely to earn up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is growing belief that interest rate cuts and a global economic downturn is imminent and so locking in rates above 4½% p.a. across 1-5 year tenors may provide some income protection against a lower rate environment.

Please refer to the section below for further details on the Term Deposit market.

Securities

Primary (new) Senior FRNs (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario. Please refer to the section below for further details on the FRN market.

Council's FRN Portfolio

We recommend that Council retains most its FRNs at this stage. We will continue to monitor them individually and will advise when it is appropriate to sell to boost the overall returns of the portfolio in future.

Should there be a compelling new issue available (or in the case of an emergency), the following FRNs are up for consideration to be sold over the next few months:

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	~Capital Price (\$)	~Unrealised Gain (\$)
CBA	AA-	14/01/2027	AU3FN0065579	\$2,750,000	+55.5bp	\$100.233	\$6,405
NAB	AA-	25/02/2027	AU3FN0066528	\$4,000,000	+57.0bp	\$100.253	\$10,120
DBS	AAA	16/08/2027	AU3FN0080313	\$1,000,000	+62.0bp	\$100.373	\$3,726
Sunc.	AA-	25/01/2027	AU3FN0065694	\$2,700,000	+63.0bp	\$100.249	\$6,723



Council's Senior Fixed Bonds

In August 2021, Council invested into the following NTTC (AA-) fixed bond:

Investment Date	Maturity Date	Principal	Rate % p.a.	Interest Paid
27/08/2021	15/12/2025	\$2,000,000	1.20%	Annually

We believe this was prudent at the time of investment given the low rate environment and particularly after the RBA's easing decision in early November 2020 to 0.10% and their forward guidance towards official interest rates (no rate rises "until at least 2024").

The NTTC bond is a 'retail' offering and not a 'wholesale' issuance. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, it is considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.



Term Deposit Market Review

Current Term Deposits Rates

As at the end of January, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
Westpac	AA-	5 years	4.75%
BoQ	A-	5 years	4.75%
Hume Bank	BBB+	5 years	4.50%
Westpac	AA-	4 years	4.70%
BoQ	A-	4 years	4.70%
Hume Bank	BBB+	4 years	4.50%
Australian Military	BBB+	3 years	4.76%
Westpac	AA-	3 years	4.60%
BoQ	A-	3 years	4.50%
Australian Military	BBB+	2 years	4.80%
NAB	AA-	2 years	4.60%
Hume Bank	BBB+	2 years	4.60%
Westpac	AA-	2 years	4.55%
BoQ	A-	2 years	4.50%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (*we stress that rates are indicative, dependent on daily funding requirements and different for industry segments*):



ADI	LT Credit Rating	Term	Rate % p.a.
ICBC Sydney	A	12 months	4.85%
NAB	AA-	12 months	4.80%
Westpac	AA-	12 months	4.76%
Suncorp	AA-	12 months	4.75%
NAB	AA-	9 months	4.85%
ICBC Sydney	A	9 months	4.84%
Regional Australia	BBB+	9 months	4.80%
ICBC Sydney	A	6 months	4.93%
NAB	AA-	6 months	4.90%
Bendigo-Adelaide	A-	6 months	4.90%
Regional Australia	BBB+	6 months	4.90%
NAB	AA-	3 months	4.95%
ICBC Sydney	A	3 months	4.90%

For those investors that do not require high levels of liquidity and can stagger their investments longer term, they will be rewarded over a longer-term cycle if they roll for an average min. term of 12 months, with a spread of investments out to 5 years (this is where we see current value). In a normal market environment (upward sloping yield curve), investors could earn over a cycle, on average, up to ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits.

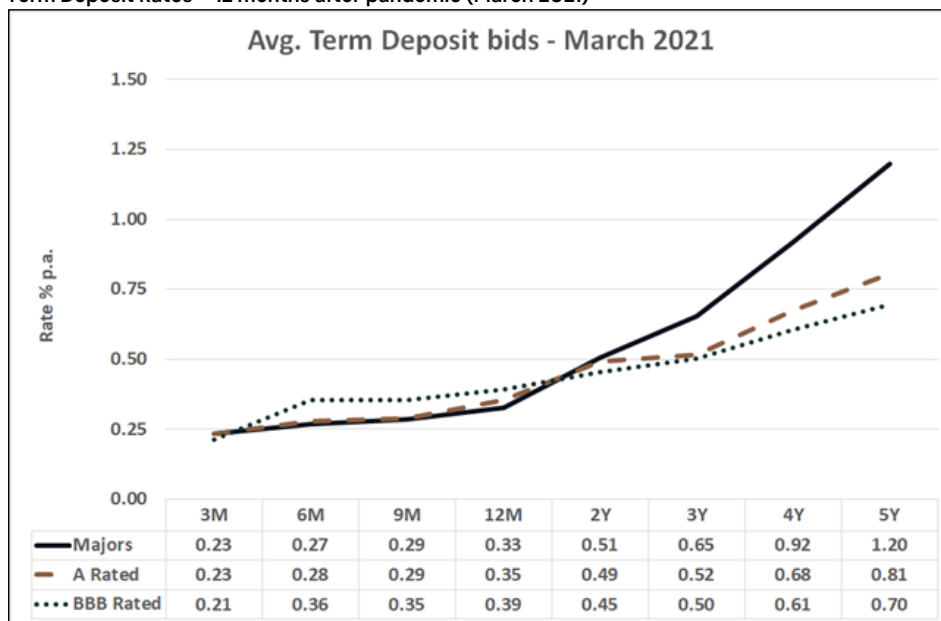
With rate cuts and a global economic downturn priced in over 2025, investors should consider allocating some longer-term surplus funds and undertake an insurance policy by investing across 1-5 year fixed deposits and locking in rates above 4½% p.a. This will provide some income protection if the RBA decides to start cutting rates in coming months.



Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

Term Deposit Rates – 12 months after pandemic (March 2021)



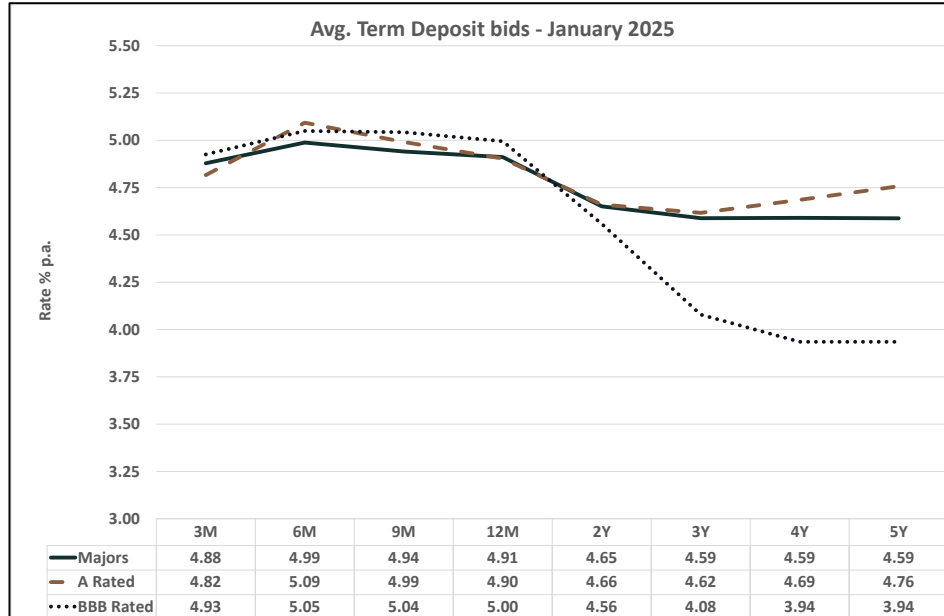
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, partially driven by the RBA's term funding facility coming to an end. In recent months, we have started to periodically see some of the lower rated ADIs ("A" and "BBB" rated) offering slightly higher rates compared to the domestic major banks ("AA" rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.



Going forward, investors should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge, although the major banks always seem to react more quickly than the rest of the market during periods of volatility:

Term Deposit Rates – Currently (January 2025)



Source: Imperium Markets

Financial Stability of the Banking (ADI) Sector

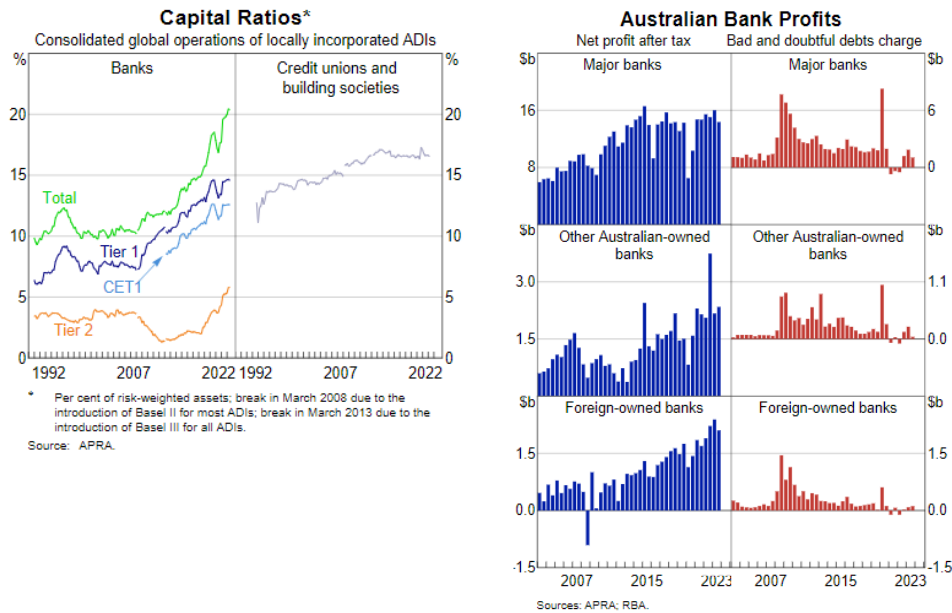
The RBA's latest Financial Stability report of 2024 reaffirms the strong balance sheet across the ADI sector. They noted that the risk of widespread financial stress remains limited due to the generally strong financial positions of most (individual) borrowers. Very few mortgage borrowers are in negative equity, limiting the impact on lenders (ADIs) in the event of default and supporting their ability to continue providing credit to the economy. Most businesses that have entered insolvency are small and have little debt, limiting the broader impact on the labour market and thus household incomes, and on the capital position of lenders (ADIs).

Australian banks (collectively the APRA regulated ADIs) have maintained prudent lending standards and are well positioned to continue supplying credit to the economy. A deterioration in economic conditions or temporary disruption to funding markets is unlikely to halt lending activity. Banks have anticipated an



increase in loan arrears and have capital and liquidity buffers well above regulatory requirements (see *Capital Ratios* chart below). APRA's mandate is to "protect depositors" and provide "financial stability".

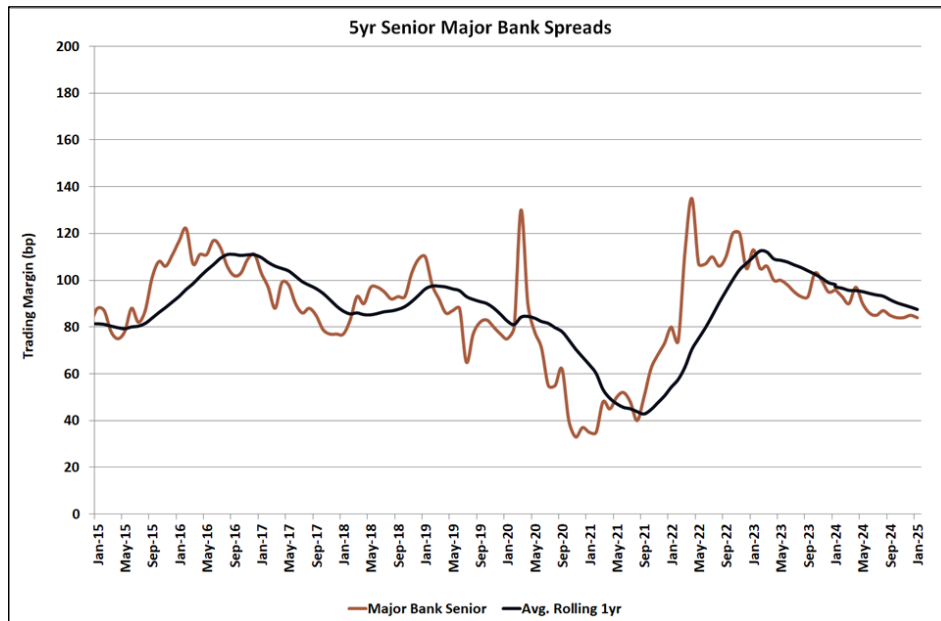
Over the past two decades, both domestic and international banks continue to operate and demonstrate high levels of profitability (see *Australian Bank Profits* chart below), which also includes two stress-test environments being the GFC (September 2008) and the COVID pandemic (March 2020):





Senior FRNs Market Review

Over January, amongst the senior major bank FRNs, physical credit securities marginally tightened at the longer-end of the curve. During the month, both CBA (AA-) and WBC (AA-) issued new 5 year senior securities at +84bp. Long-term major bank senior securities are approaching the 'expensive' territory especially if the 5yr margin tightens towards +80bp.



Source: IBS Capital

Outside of the two major banks, there was minimal new issuances from the ADIs during the holiday period, with only a handful of notable primary deals:

- OCBC (AA-) 3 year senior FRN at +70bp
- Newcastle Greater Mutual (BBB+) 5 year senior FRN at +125bp

Amongst the "A" rated sector, the securities tightened by around 5bp at the longer-end of the curve, whilst the "BBB" sector remained relatively flat. Overall, credit securities remain fair value on a historical basis without being overly exciting. FRNs will continue to play a role in investors' portfolios mainly based on their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment), whilst also providing some diversification to those investors skewed towards fixed assets.



Senior FRNs (ADIs)	31/01/2025	31/12/2024
"AA" rated – 5yrs	+84bp	+85bp
"AA" rated – 3yrs	+70bp	+70bp
"A" rated – 5yrs	+95bp	+100bp
"A" rated – 3yrs	+78bp	+83bp
"BBB" rated – 3yrs	+117bp	+118bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before mid-2027 for the "AA" rated ADIs (domestic major banks);
- On or before mid-2026 for the "A" rated ADIs; and
- Within 6–9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation remaining elevated by historical standards, this has seen a lift in longer-term bond yields over the past 3 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the some now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.07	1.10%	4.47%
AU3CB0280030	BoQ	A-	Senior	06/05/2026	1.26	1.40%	4.69%
AU3CB0299337	Bendigo	A-	Senior	15/05/2026	1.28	4.70%	4.56%
AU3CB0296168	BoQ	A-	Senior	27/01/2027	1.98	4.70%	4.72%



Economic Commentary

International Market

Risk markets rebounded strongly in January as financial markets again focused on expectations of additional rate cuts being priced over 2025 amid signs that inflation was continuing to ease.

Across equity markets, the S&P 500 Index rose +2.70%, whilst the NASDAQ gained +1.64%. Europe's main indices surged, with strong gains in Germany's DAX (+9.16%), France's CAC (+7.72%) and UK's FTSE (+6.13%).

US core CPI was +0.2% m/m against +0.3% expected, with the annual rate coming in at +3.2% y/y (below expectations of +3.3% y/y). Headline CPI was +0.4% m/m and +2.9% y/y as expected.

US Fed held rates as expected in January. Fed Chair Powell was however less hawkish in his press conference, saying, "we do not need to be in a hurry to adjust our policy stance".

The US unemployment rate fell 0.1%, to 4.1% in December (expectations were for unchanged at 4.2%). The official participation rate was unchanged at 62.5%, off a 62.8% cycle peak.

The Bank of Canada (BOC) cut rates by 25bp to 3.00% in line with expectations and the Riksbank also cut by 25bp to 2.25%. Canada's headline CPI for December came in at +1.8% y/y, down from +1.9% y/y in November. The core CPI however rose to +1.8% y/y, from +1.6% y/y over the month.

UK's core CPI printed 0.2% below consensus at +3.2% y/y, including a big drop in services inflation to +4.4% y/y (from +5.0% y/y). Q4 UK GDP is shaping up to be negative.

New Zealand's Q4 CPI data was broadly in line with market expectations, even if annual inflation remained steady at +2.2% rather than ticking down further.

China's Q4 GDP and December activity readings drew scepticism surrounding the +5.4% Q4 y/y GDP print. This was aided by somewhat curious large upward revisions to both Q2 and Q3 GDP, and the economy evidently regained some momentum last quarter, thanks to tailwinds from recent fiscal and monetary policy easing.

The MSCI World ex-Aus Index rose +3.44% for the month of January:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+2.70%	+5.87%	+24.66%	+10.18%	+13.37%	+11.72%
MSCI World ex-AUS	+3.44%	+5.30%	+20.01%	+7.92%	+10.54%	+8.78%
S&P ASX 200 Accum. Index	+4.57%	+5.11%	+15.17%	+11.44%	+7.97%	+8.65%

Source: S&P, MSCI



Domestic Market

Australia's Consumer Price Index (CPI) rose +0.2% in the December 2024 quarter and +2.4% y/y (below expectations of +2.5% y/y). Annual trimmed mean inflation was +3.2% y/y in the December 2024 quarter, down from +3.6% y/y in the September 2024 quarter.

The unemployment rate came in at 4.0% in December (rising from 3.93% to 3.98%). Employment growth was a strong +56k. The strong employment increase confirms trend employment growth remains healthy at 31k. The underemployment rate fell 0.1% to 6.0%, back around its 2022 lows after having moved up to 6.7%.

The RBA as recently as November assessed that an unemployment rate of around 4.5% was consistent with full employment. Their model estimates point to something even higher, near 4.7%. The RBA in December took a notable step towards acknowledging that unemployment does not need to rise towards those levels for comfort on the inflation outlook to build.

Retail sales came in +0.8% m/m higher in November. Spending rose in all retail industries but was strongest in clothing and footwear (+1.6%), and department stores (+1.8%).

The Australian dollar rose around +0.60%, finishing the month at US62.25 cents (from US61.88 cents the previous month).

Credit Market

The global credit indices remained marginally tightened during the month. They remain near the levels seen in early 2022 (prior to the rate hike cycle from most central banks):

Index	January 2025	December 2024
CDX North American 5yr CDS	48bp	49bp
iTraxx Europe 5yr CDS	53bp	57bp
iTraxx Australia 5yr CDS	66bp	67bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	January 2025	December 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.38%	+0.38%
Bloomberg AusBond Composite Bond Index (0+YR)	+0.19%	+0.51%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.47%	+0.43%
Bloomberg AusBond Credit Index (0+YR)	+0.44%	+0.71%
Bloomberg AusBond Treasury Index (0+YR)	+0.14%	+0.37%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-0.23%	-0.26%

Source: Bloomberg

Other Key Rates

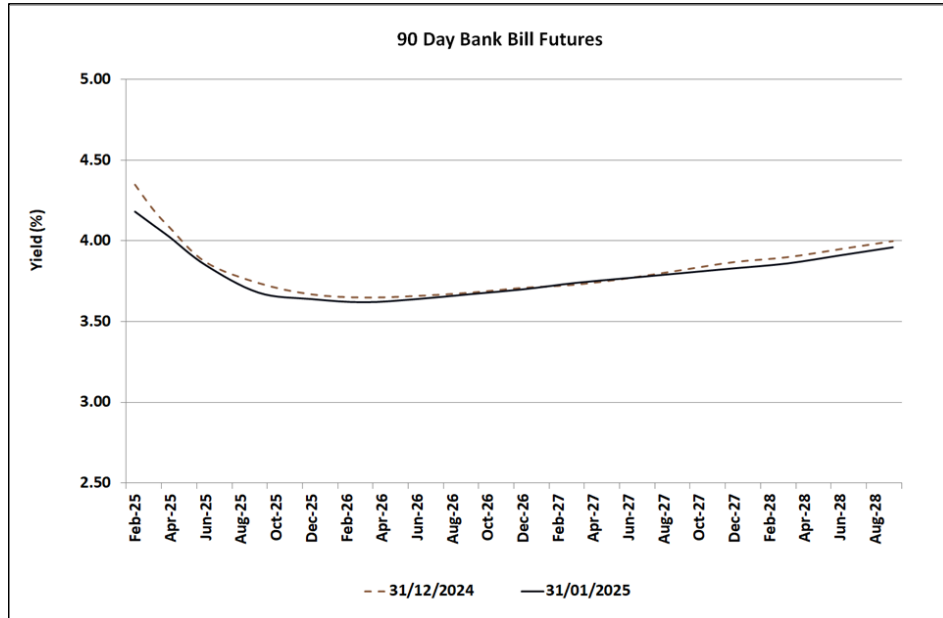
Index	January 2025	December 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.25%	4.42%
3yr Australian Government Bonds	3.80%	3.82%
10yr Australian Government Bonds	4.43%	4.37%
US Fed Funds Rate	4.25%-4.50%	4.25%-4.50%
2yr US Treasury Bonds	4.22%	4.25%
10yr US Treasury Bonds	4.58%	4.58%

Source: RBA, ASX, US Department of Treasury



90 Day Bill Futures

Bill futures surprisingly remained relatively flat this month, despite the lower than expected inflation print. The focus from the market remains on when rate cuts will be delivered in 2025, with the potential for a first cut as early as February or March:



Source: ASX

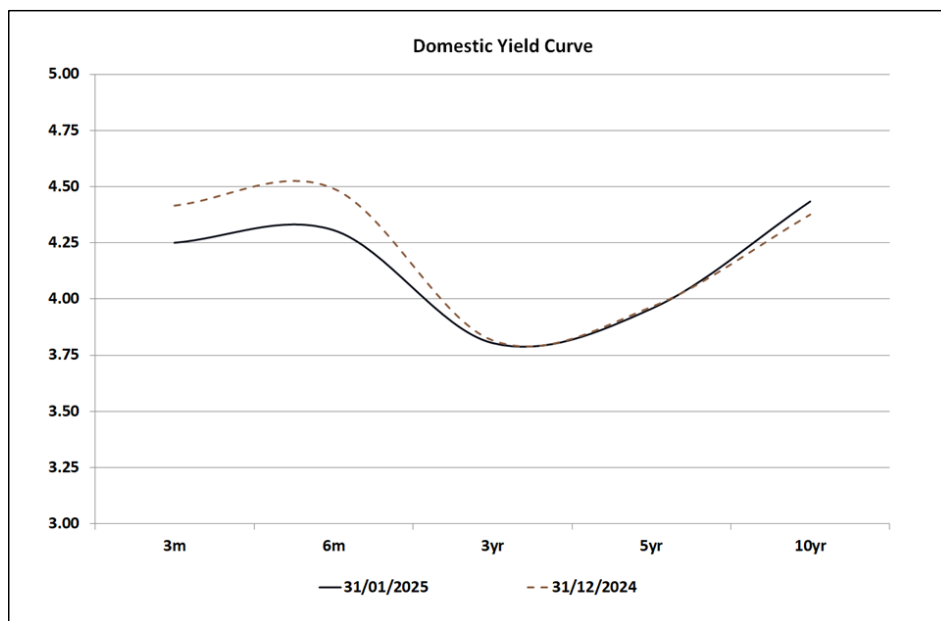


Fixed Interest Outlook

US Fed Chair Powell's most recent press conference confirmed the Fed is going to be much more cautious in 2025 and *"do not need to be in a hurry to adjust our policy stance"*, reflective of sticky inflation combined with President-elect Trump's proposed economic policies (which is expected to exacerbate price pressures). The futures market is now only pricing in two rate cuts in the US over 2025.

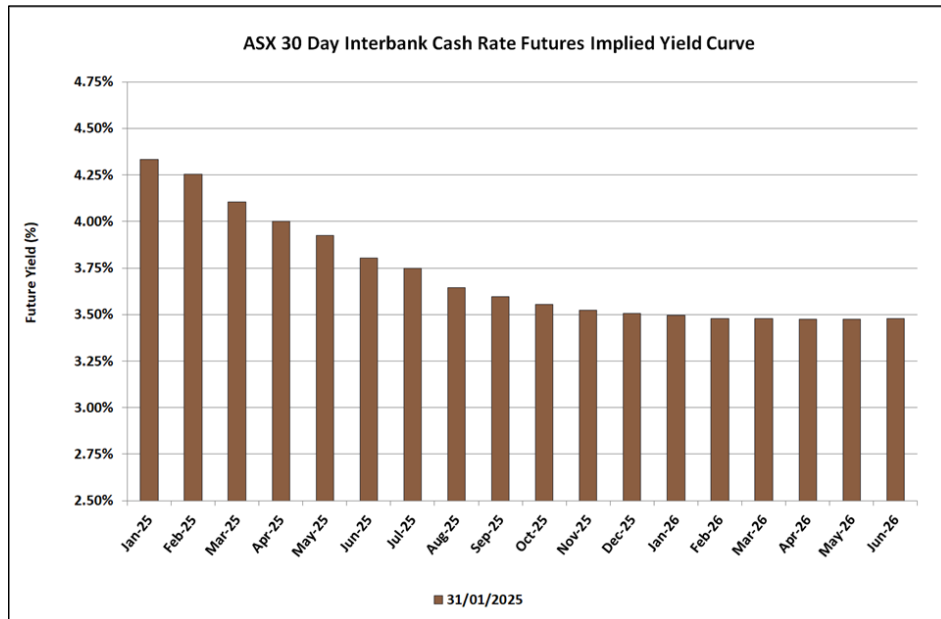
Domestically, the RBA's dovish pivot in December has been validated by the inflation outlook, with forecasts for Q4-24 trimmed mean CPI combining around +0.5% q/q, which was two-tenths below the November SMP forecasts. Inflation is not a barrier to rate cuts, especially as recent prints continue to show signs of easing. However, conditions in the labour market does not create much urgency to cut whilst the RBA's forecasts for an acceleration in activity growth remain intact.

Yields remained relatively flat at the long-end of the curve, whilst falling at the short-end, with markets anticipating an imminent rate cut.



Source: ASX, RBA

Financial markets have moved up their expectations of when the RBA will deliver their first rate cut over the next two months (inflation is not a barrier to a cut in February and the meeting is live.). Markets are pricing up to three rate cuts by the end of 2025:



Source: ASX

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Statement of Investments

as at 31 January 2025

Portfolio by Asset as at 31/01/2025

Asset Type: CASH

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
State Insurance Regulatory Authority	AA+	CASH	GENERAL	Monthly	31/01/2025	31/01/2025	0.0000	6,675,000.00	6,675,000.00	-	-
AMP Bank	BBB+	CASH	GENERAL	Monthly	31/01/2025	31/01/2025	4.8500	2,428,559.23	2,428,559.23	9,964.36	9,964.36
AMP Bank	BBB+	CASH	GENERAL	Monthly	31/01/2025	31/01/2025	3.0000	681.30	681.30	1.73	1.73
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/01/2025	31/01/2025	4.4000	33,911,419.26	33,911,419.26	126,291.63	126,291.63
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/01/2025	31/01/2025	0.0000	12,181,885.08	12,181,885.08	-	-
CASH SUBTOTALS								55,197,544.87	55,197,544.87	136,257.73	136,257.73

Asset Type: TD

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	05/03/2025	5.0800	3,000,000.00	3,000,000.00	140,709.04	12,943.56
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	12/03/2025	5.0800	3,000,000.00	3,000,000.00	140,709.04	12,943.56
Suncorp Bank	AA-	TD	GENERAL	At Maturity	03/09/2024	19/03/2025	5.0800	2,000,000.00	2,000,000.00	42,031.78	8,629.04
Suncorp Bank	AA-	TD	GENERAL	At Maturity	03/09/2024	26/03/2025	5.0700	2,000,000.00	2,000,000.00	41,949.04	8,612.05
Suncorp Bank	AA-	TD	GENERAL	At Maturity	03/09/2024	02/04/2025	5.0700	2,000,000.00	2,000,000.00	41,949.04	8,612.05
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	09/04/2025	5.0800	3,000,000.00	3,000,000.00	140,709.04	12,943.56

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Suncorp Bank	AA-	TD	GENERAL	At Maturity	05/07/2024	16/04/2025	5.3100	2,000,000.00	2,000,000.00	61,392.33	9,019.73
NAB	AA-	TD	GENERAL	At Maturity	28/10/2024	23/04/2025	5.0400	2,000,000.00	2,000,000.00	26,511.78	8,561.10
NAB	AA-	TD	GENERAL	At Maturity	28/10/2024	30/04/2025	5.0400	2,000,000.00	2,000,000.00	26,511.78	8,561.10
NAB	AA-	TD	GENERAL	At Maturity	03/12/2024	07/05/2025	5.1000	5,000,000.00	5,000,000.00	41,917.81	21,657.53
Suncorp Bank	AA-	TD	GENERAL	At Maturity	28/10/2024	07/05/2025	5.0100	2,000,000.00	2,000,000.00	26,353.97	8,510.14
Suncorp Bank	AA-	TD	GENERAL	At Maturity	05/07/2024	14/05/2025	5.3200	2,000,000.00	2,000,000.00	61,507.95	9,036.71
Suncorp Bank	AA-	TD	GENERAL	At Maturity	05/07/2024	21/05/2025	5.3200	2,000,000.00	2,000,000.00	61,507.95	9,036.71
NAB	AA-	TD	GENERAL	At Maturity	03/10/2024	18/06/2025	4.9800	5,000,000.00	5,000,000.00	82,545.21	21,147.95
NAB	AA-	TD	GENERAL	At Maturity	14/08/2024	18/06/2025	5.1000	2,000,000.00	2,000,000.00	47,786.30	8,663.01
Suncorp Bank	AA-	TD	GENERAL	At Maturity	03/09/2024	25/06/2025	4.9400	2,000,000.00	2,000,000.00	40,873.42	8,391.23
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	05/07/2024	09/07/2025	5.3700	2,000,000.00	2,000,000.00	62,086.03	9,121.64
NAB	AA-	TD	GENERAL	At Maturity	05/07/2024	16/07/2025	5.4500	2,000,000.00	2,000,000.00	63,010.96	9,257.53
Bendigo and Adelaide	A-	TD	GENERAL	At Maturity	30/01/2025	23/07/2025	4.8900	5,000,000.00	5,000,000.00	1,339.73	1,339.73
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	06/08/2025	5.2000	2,000,000.00	2,000,000.00	52,142.47	8,832.88
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	13/08/2025	5.2000	2,000,000.00	2,000,000.00	52,142.47	8,832.88
NAB	AA-	TD	GENERAL	At Maturity	26/08/2024	27/08/2025	5.0000	2,000,000.00	2,000,000.00	43,561.64	8,493.15
NAB	AA-	TD	GENERAL	At Maturity	02/08/2024	17/09/2025	5.1500	2,000,000.00	2,000,000.00	51,641.10	8,747.95
Bendigo and Adelaide	A-	TD	GENERAL	At Maturity	30/01/2025	24/09/2025	4.8500	5,000,000.00	5,000,000.00	1,328.77	1,328.77
NAB	AA-	TD	GENERAL	At Maturity	03/10/2024	08/10/2025	4.9000	5,000,000.00	5,000,000.00	81,219.18	20,808.22

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	03/10/2024	05/11/2025	4.8400	5,000,000.00	5,000,000.00	80,224.66	20,553.42
NAB	AA-	TD	GENERAL	At Maturity	03/12/2024	03/12/2025	5.0500	5,000,000.00	5,000,000.00	41,506.85	21,445.21
Suncorp Bank	AA-	TD	GENERAL	At Maturity	01/03/2024	11/12/2025	4.9000	3,000,000.00	3,000,000.00	135,723.29	12,484.93
NAB	AA-	TD	GENERAL	At Maturity	19/12/2024	17/12/2025	5.0000	5,000,000.00	5,000,000.00	30,136.99	21,232.88
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	17/12/2025	5.0000	3,000,000.00	3,000,000.00	138,493.15	12,739.73
NAB	AA-	TD	GENERAL	At Maturity	12/12/2024	07/01/2026	4.9300	5,000,000.00	5,000,000.00	34,442.47	20,935.62
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	01/03/2024	04/03/2026	4.9500	3,000,000.00	3,000,000.00	137,108.22	12,612.33
NAB	AA-	TD	GENERAL	At Maturity	01/03/2024	15/12/2027	4.7000	3,000,000.00	3,000,000.00	130,183.56	11,975.34
TD SUBTOTALS								100,000,000.00	100,000,000.00	2,161,256.99	388,011.23

Asset Type: FRN

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Newcastle Greater Mutual Group Ltd	BBB+	FRN	GENERAL	Quarterly	04/02/2020	04/02/2025	5.5411	2,098,954.20	2,100,000.00	28,373.47	9,882.89
Macquarie Bank	A+	FRN	GENERAL	Quarterly	09/12/2020	09/12/2025	4.9197	3,999,556.00	4,000,000.00	29,113.84	16,713.50
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	24/02/2021	24/02/2026	4.8651	2,098,500.60	2,100,000.00	19,033.87	8,677.21
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	14/01/2022	14/01/2027	5.0411	2,756,404.75	2,750,000.00	6,836.56	6,836.56
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	25/01/2022	25/01/2027	5.0703	2,706,723.00	2,700,000.00	1,500.25	1,500.25

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	27/01/2022	27/01/2027	5.0203	2,002,742.00	2,000,000.00	1,100.34	1,100.34
NAB	AA-	FRN	GENERAL	Quarterly	25/02/2022	25/02/2027	5.1351	4,010,120.00	4,000,000.00	38,267.05	17,445.27
DBS Bank	AAA	FRN	GENERAL	Quarterly	16/08/2023	16/08/2027	5.2263	1,003,726.00	1,000,000.00	10,738.97	4,438.78
HSBC Bank, Sydney Branch	AA-	FRN	GENERAL	Quarterly	03/03/2023	03/03/2028	5.4773	2,015,818.00	2,000,000.00	18,007.56	9,303.91
Suncorp Bank	AAA	FRN	GENERAL	Quarterly	12/07/2023	12/07/2028	5.3897	2,018,976.00	2,000,000.00	5,611.19	5,611.19
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	17/08/2023	17/08/2028	5.3763	1,006,890.00	1,000,000.00	11,047.19	4,566.17
Bendigo and Adelaide	A-	FRN	GENERAL	Quarterly	24/10/2024	24/10/2028	5.2750	601,230.00	600,000.00	693.70	693.70
ANZ Bank	AA-	FRN	GENERAL	Quarterly	05/02/2024	05/02/2029	5.3706	2,515,987.50	2,500,000.00	32,370.74	11,403.33
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	26/02/2024	26/02/2029	5.4479	2,012,608.00	2,000,000.00	20,000.51	9,253.97
Suncorp Bank	AA-	FRN	GENERAL	Quarterly	19/03/2024	19/03/2029	5.4427	1,257,158.75	1,250,000.00	8,201.33	5,778.21
Rabobank Australia Branch	A+	FRN	GENERAL	Quarterly	17/07/2024	17/07/2029	5.2408	1,302,558.40	1,300,000.00	2,799.88	2,799.88
ING Bank (Australia) Ltd	A	FRN	GENERAL	Quarterly	20/08/2024	20/08/2029	5.4400	2,711,323.80	2,700,000.00	29,376.00	12,474.74
NAB	AA-	FRN	GENERAL	Quarterly	14/11/2024	14/11/2029	5.2473	1,501,227.00	1,500,000.00	17,035.75	6,684.92
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	09/01/2025	09/01/2030	5.1869	2,505,160.00	2,500,000.00	8,171.14	8,171.14
FRN SUBTOTALS								40,125,664.00	40,000,000.00	288,279.36	143,335.96

Asset Type: BOND

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Northern Territory Treasury	AA-	BOND	GENERAL	Semi-Annual	27/08/2021	15/12/2025	1.2000	2,000,000.00	2,000,000.00	3,090.41	2,038.36
BOND SUBTOTALS								2,000,000.00	2,000,000.00	3,090.41	2,038.36

Portfolio by Asset Totals as at 31/01/2025

Type	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
CASH	55,197,544.87	55,197,544.87	136,257.73	136,257.73
TD	100,000,000.00	100,000,000.00	2,161,256.99	388,011.23
FRN	40,125,664.00	40,000,000.00	288,279.36	143,335.96
BOND	2,000,000.00	2,000,000.00	3,090.41	2,038.36
TOTALS	197,323,208.87	197,197,544.87	2,588,884.48	669,643.27

Councillor Expenses and Facilities Policy

Adoption Date:	16/11/1993
Amendment Date:	28/9/1999, 28/3/2004, 13/4/2004, 21/12/2004, 28/6/2005, 20/12/2005, 26/9/2006, 20/11/2007, 24/06/2008, 29/8/2008, 25/11/2008, 24/3/2009, 28/7/2009, 24/11/2009, 19/10/2010, 27/10/2011, 29/01/2013, 28/01/2014, 27/10/2015, 20/09/2022
Minute Number:	MIN93.2996, MIN99.1899, MIN00.288, MIN04.433, MIN04.1602, MIN05.897, MIN05.1837, MIN06.1308, MIN07.1739, MIN08.906, MIN08.1588, MIN09.387, MIN09.963, MIN09.1616, MIN10.1258, MIN11.1070, MIN13.18, MIN14.15, MIN15.680, MIN22.626
Next Review Date:	30/11/2023
Directorate:	City Performance
Record Number:	POL24/4 (5141e)

Councillor Expenses and Facilities Policy

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Councillor Expenses and Facilities Policy

Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2021 (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum Amount	Frequency
General travel expenses	As per the Local Government State Award – Kilometres Rate	Per year
Interstate, overseas and long distance intrastate travel expenses (Increased annually by CPI)	To be approved by Council by resolution. Capped at \$10,000 per councillor for all National and State associated travel (MIN23.688)	Per year
Accommodation and meals	The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.	Per meal/night
Professional development (Increased annually by CPI)	\$4,000 per councillor *Note this can be pooled with Councillors Individual budget for Conferences and Seminars	Per year
Conferences and seminars (Increased annually by CPI)	\$65,000 total for all councillors \$5,000 per councillor *Note this can be pooled with Councillors Individual budget for professional development	Per year
ICT expenses	As approved by CEO	Per year
Carer expenses (Increased annually by CPI)	\$3,000 for Childcare per councillor \$2,000 for Carer per councillor	Per year

Councillor Expenses and Facilities Policy

Home office expenses	\$1,600 per councillor	Per term
Christmas or festive cards and correspondence	Electronic only via subscription system.	Not relevant
Access to facilities in a Councillor common room [where applicable Clause 9.2]	Provided to all councillors	Not relevant
Incidentals	Nil provided to all councillors	Not Relevant
ANZAC Day Services	a) Council purchases one wreath for use at each Anzac Day Service. b) Each Councillor may attend whichever Anzac Day ceremony they nominate.	Annually
Council vehicle and fuel card [where applicable Clause 10]	Provided to the mayor if required or by alternative arrangement approved by the CEO	Not relevant
Reserved parking space at Council offices	Provided to the mayor and councillors	Not relevant
Furnished office [where applicable Clause 10]	Provided to the mayor	Not relevant
Number of exclusive staff supporting Mayor and Councillors [where applicable Clause 10]	Provided to the mayor and councillors	Not relevant

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

Part A – Introduction

1. Introduction

- 1.1 The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Shoalhaven City council.
- 1.2 The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4 Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

Councillor Expenses and Facilities Policy

- 1.5 Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy Objectives

- 2.1. The objectives of this policy are to:
- enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
 - ensure facilities and expenses provided to councillors meet community expectations
 - support a diversity of representation
 - fulfil the council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
- Proper conduct: councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - Reasonable expenses: providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
 - Participation and access: enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - Equity: there must be equitable access to expenses and facilities for all councillors
 - Appropriate use of resources: providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
 - Accountability and transparency: clearly stating and reporting on the expenses and facilities provided to councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to council.

Councillor Expenses and Facilities Policy

- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses**5. General Expenses**

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific Expenses**General travel arrangements and expenses**

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor may be reimbursed **in accordance with the Local Government State Award Kilometre Rate**, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
- for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cab charge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.4. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long

Councillor Expenses and Facilities Policy

- distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- 6.5. Total interstate, overseas and long distance intrastate travel expenses for all councillors will be required to be approved by Council by resolution.
 - 6.6. National and State associated travel will be capped at \$10,000 per councillor for (MIN23.688).
 - 6.7. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the CEO prior to travel.
 - 6.8. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
 - 6.9. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
 - 6.10. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
 - 6.11. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
 - 6.12. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
 - 6.13. Bookings for approved air travel are to be made through the CEO's office.
 - 6.14. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.15. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.16. In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the CEO. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.
- 6.17. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the Shoalhaven.
- 6.18. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees

Councillor Expenses and Facilities Policy

(Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

It is noted for Conferences and Seminars that a meal may be provided in conjunction with their registration that may be more than the Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 however, this would be included within the conference registration costs and therefore these rates would not apply to such meals.

6.19. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the **CEO**, being mindful of Clause **6.18**.

6.20. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

6.21. Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the **CEO**.

6.22. As an indicative guide for the standard of refreshments to be provided at council related meetings, the **CEO** must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

6.23. Council will set aside **\$4,000** per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.

6.24. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

6.25. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

6.26. Approval for professional development activities is subject to a prior written request to the **CEO** outlining the:

- details of the proposed professional development
- relevance to council priorities and business
- relevance to the exercise of the councillor's civic duties.

6.27. In assessing a councillor request for a professional development activity, the **CEO** must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

6.28. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.

6.29. Council will set aside a total amount of **\$65,000** annually (**\$5,000 per councillor**) in its budget to facilitate councillor attendance at conferences and seminars. This allocation

Councillor Expenses and Facilities Policy

is for all councillors. The **CEO** will ensure that access to expenses relating to conferences and seminars is distributed equitably.

- 6.30. Approval to attend a conference or seminar is subject to a written request to the **CEO**. In assessing a councillor request, the **CEO** must consider factors including the:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.31. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the CEO. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses **6.18-6.20**.
- 6.32. After returning from a conference or seminar, each Councillor shall provide a written report to council and that councillors submit that report within 40 days of attending a conference or seminars with the exception of the Annual Local Government NSW (LGNSW) and Annual Australian Government Association (ALGA) at a Council Ordinary Meeting. MIN23.688

Information and communications technology (ICT) expenses

- 6.33. Suitable technology to conduct council business based on individual needs given adequate access to geographical location as approved by the CEO.
- 6.34. Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.35. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a councillor, within the maximum limit.

Special requirement and carer expenses

- 6.36. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.37. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.38. In addition to the provisions above, the **CEO** may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.39. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of **\$2,000 and a maximum of \$3,000 for childcare** per annum for attendance at official business, plus reasonable travel from the principal place of residence.

Councillor Expenses and Facilities Policy

- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. In the event of caring for an adult person, councillors will need to provide suitable evidence to the **CEO** that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.42. Each councillor may be reimbursed up to **\$1,600** per **term** for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

ANZAC Day Ceremonies

- 6.43 Council shall purchase one wreath to be laid by a Councillor at each Anzac Day Service in the Shoalhaven.**

- 6.44 Each Councillor may attend whichever Anzac Day ceremony in the Shoalhaven they nominate to attend. Costs with respect to attendance shall be considered as Official Business under this Policy.**

7. Insurances

- 7.1 In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2 Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the councillor
 - a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
 - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.

Councillor Expenses and Facilities Policy

- 8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the **CEO** to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
 - of legal proceedings initiated by a councillor under any circumstances
 - of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

Part C – Facilities

9. General facilities for all councillors

Facilities

- 9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
 - a councillor common room appropriately furnished to include: stationary (Staplers, staples, staple remover, pencils, black and red pens, micron sleeves) photocopier, printer, desks, computer terminals, pigeon holes and tea, coffee, biscuits.
 - access to shared car parking spaces while attending council offices on official business
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor.
- 9.2. Councillors may book meeting rooms for official business within the Nowra Administration Building at no cost. Rooms may be booked through the Councillor Support Officer within the CEO's Office.
- 9.3. The provision of facilities will be of a standard deemed by the **CEO** as appropriate for the purpose.

Stationery

- 9.4. Council will provide the following stationery to councillors each year:
 - letterhead, to be used only for correspondence associated with civic duties
 - business cards

Councillor Expenses and Facilities Policy

- 9.5. As per Section 4, stamps shall only be used to support a councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.

Administration support

- 9.6. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the mayor's office or by a member of council's administrative staff as arranged by the **CEO** or their delegate.
- 9.7. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the mayor

- 10.1 Council will provide to the mayor an **optional** maintained vehicle to a similar standard of other council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the mayor's office.
- 10.2 The mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to council on a monthly basis.
- 10.3 The mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4 A parking space at council's offices will be reserved for the mayor's council-issued vehicle for use on official business, professional development and attendance at the mayor's office.
- 10.5 Council will provide the mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 10.6 In performing his or her civic duties, the mayor will be assisted by **a staff member to provide** administrative and secretarial support, as determined by the **CEO**.
- 10.7 The number of exclusive staff provided to support the mayor and councillors will not exceed **one** full time equivalent.
- 10.8 As per Section 4, staff in the mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
 - carer costs

Councillor Expenses and Facilities Policy

11.4. Final approval for payments made under this policy will be granted by the **CEO** or their delegate.

Direct payment

11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the **Governance Coordinator** for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the **Governance Coordinator**.

Advance payment

11.7. No cash advance payments are payable to Councillors in the course of their civic duties except in exceptional circumstances, as determined by the **CEO**.

Notification

11.8. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.

11.9. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

11.10. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:

- council will invoice the councillor for the expense
- the councillor will reimburse council for that expense within 14 days of the invoice date.

11.11. If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the **CEO** within the 14 days. In the absence of an explanation or prior agreement the **CEO** may elect to deduct the amount from the councillor's allowance in the immediate next pay cycle. Any outstanding amounts are to be rectified within 28 days unless a prior arrangement and agreement is authorised by the **CEO**.

Timeframe for reimbursement

11.12. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

12.1 If a councillor disputes a determination under this policy, the councillor should discuss the matter with the **CEO**.

12.2 If the councillor and the **CEO** cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

Councillor Expenses and Facilities Policy

13. Return or retention of facilities

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2 Should a councillor desire to keep any **home office equipment (excluding ICT equipment)** allocated by council, then this policy enables the councillor to make application to the **CEO** to purchase any such equipment. The **CEO** will determine an agreed fair market price or written down value for the item of equipment.
- 13.3 The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1 This policy will be published on council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations. **All expense reports are to be publicly available on the Shoalhaven City Council Website.**
- 15.3. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor **for Internal (Council arranged) and External expenditure** and as a total for all councillors.

16. Auditing

- 1.6 The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

17. Breaches

- 1.7 Suspected breaches of this policy are to be reported to the **CEO**.
- 1.8 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

Part E – Appendices**18. Appendix I: Related legislation, guidance and policies****Relevant legislation and guidance:**

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2021, Sections 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009

Councillor Expenses and Facilities Policy

- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.
- Ongoing Professional Development and Induction

Related Council policies:

- Code of Conduct
- Public Access to Council Information
- Councillor Interaction with Staff and Access to Information Policy
- Code of Meeting Practice

19. Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
*accompanying person *All costs incurred for an accompanying person required pre-approval by the CEO.	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor
CEO	Means the Chief Executive Officer (General Manager) of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales

Councillor Expenses and Facilities Policy

official business	<p>Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes:</p> <ul style="list-style-type: none"> meetings of council and committees of the whole meetings of committees facilitated by council civic receptions hosted or sponsored by council Australia Day and ANZAC Day Ceremonies Meetings with Community Consultative Bodies (CCB's) and Business Chambers Meetings with ratepayers and residents meetings, functions, workshops and other events to which attendance by a councillor has been requested and approved by council <p>Anything additional to those listed above require prior approval from CEO (or delegate)</p>
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the Local Government (General) Regulation 2021 (NSW)
year	Means the financial year, that is the 12 month period commencing on 1 July each year
Term	Means a four-year Council term, commencing on the day of the first declaration of ordinary elections and ending on the day appointed for the next ordinary elections, in accordance with the Local Government Act 1993
Home Office Equipment	Items required to work remotely such as desk, ergonomic chair, etc
ICT Equipment	Information and communications equipment such as Mobile communication device, notebook and/or Tablet device (iPad)

20. Ownership and Approval

20.1 Public Policy

Responsibility	role
Directorate	City Performance

Councillor Expenses and Facilities Policy

Endorser	EMT or Director
Approver	Council



New Code of Conduct

Adoption Date:	28/05/2019
Amendment Date:	29/10/2019, 15/12/2020, 27/06/2022, 12/03/2024
Minute Number:	MIN19.348, MIN19.792, MIN20.905, MIN22.429
Next Review Date:	
Related Legislation:	
Associated Policies/Documents:	
Directorate:	City Performance
Responsible Owner:	
Record Number:	POL24/134 (4420E)

Code of Conduct

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Code of Conduct



Acting Chief Executive Officer Message

As individuals and employees, we are responsible for our own actions and behaviour. As an employee of Shoalhaven City Council, the need for integrity, transparency and accountability is critical in all of our interactions to ensure we serve our community and manage its resources to the highest possible standards.

The Code of Conduct is for all staff at all levels and will guide you through the often complex and difficult issues we navigate in a local government environment, in both our internal and external communications. The code provides conduct obligations and standards for how we operate as individuals and as an organisation. It fosters good judgement to ensure our behaviour and actions are undertaken in an ethical and responsible manner.

Councillors, Council staff, Council delegates, administrators, members of Council committees and conduct reviewers should always observe the highest standards of honesty and avoid any form of conduct that would bring themselves or Council into disrepute.

Council's core values of Collaboration, Adaptability, Integrity and Respect are a wonderful expression of how we, as Council staff, strive to conduct ourselves and what we value in our organisation. The Code of Conduct is an important way for us as employees, to fulfil our core values.

Please familiarise yourself with the Code of Conduct that reflects our determination to earn the highest level of confidence from our community. Acquainting yourself with the code will ensure your actions and behaviour are in line with Council's values and standards, and that your duty to the public will always take precedence.

James Ruprai
Acting Chief Executive Officer

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Please familiarise yourself with the Code of Conduct
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take precedence. ¶

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Robyn Stevens¶
¶

Code of Conduct

Our Values

Values are the fundamental beliefs of a person or organisation.

These principles guide behaviour and help organisations to determine if they are on the right path and fulfilling their goals by creating an unwavering guide for all to follow.

Shoalhaven City Council has chosen four primary values:

Council's Core Values are reflected throughout the Code of Conduct.



Respect

We are mindful of and care about the feelings, wishes and rights of others

Integrity

We are committed to maintain high ethics and standards

Adaptability

We are ready for change and willing to embrace a new situation

Collaboration

We enjoy working together to deliver for our community

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Code of Conduct

Part 1: Introduction

The Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2021* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for Council officials. It is prescribed by regulation to assist Council officials to:

- Understand and comply with the standards of conduct that are expected of them
- Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- Act in a way that enhances public confidence in local government.

Shoalhaven City Council's Code of Conduct incorporates the provisions of the Model Code of Conduct and includes provisions that supplement the Model Code of Conduct. The Code of Conduct is extended in its application to persons that are volunteers, contractors and members of wholly advisory committees, boards and groups.

Council's Code of Conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, Council's Code of Conduct prescribes additional requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of Councils, delegates of Councils, (including members of Council committees that are delegates of a Council) and any other person a Council's adopted Code of Conduct applies to, must comply with the applicable provisions of their Council's Code of Conduct. It is the personal responsibility of Council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a Councillor to comply with the standards of conduct prescribed under this Code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on Councillors for misconduct, including suspension or disqualification from civic office. A Councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with Council's Code of Conduct may give rise to disciplinary action.

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Code of Conduct

Part 2: Definitions

In this code the following terms have the following meanings:

Administrator	An administrator of a Council appointed under the LGA other than an administrator appointed under section 66
Chief Executive Officer	The General Manager of the Council under s.335 of the Local Government Act, 1993. Includes the executive officer of a joint organisation
Committee	See the definition of "Council committee"
Complaint	A code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
Council	Includes county Councils and joint organisations
Council Committee	A committee established by a Council comprising of Councillors, staff or other persons that the Council has delegated functions to and the Council's audit, risk and improvement committee
Council Committee Member	A person other than a Councillor or member of staff of a Council who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a member of the Council's audit, risk and improvement committee
Council Official	Includes Councillors, members of staff of a Council, administrators, Council committee members, delegates of Council and, for the purposes of clause 4.16, Council advisers
Councillor	Any person elected or appointed to civic office, including the Mayor and includes members and chairpersons of county Councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
Conduct	Includes acts and omissions
Delegate of Council	A person (other than a Councillor or member of staff of a Council) or body, and the individual members of that body, to whom a function of the Council is delegated
Designated Person	A person referred to in clause 4.8
Election Campaign	Includes Council, state and federal election campaigns
Environmental Planning Instrument	Has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
Joint Organisation	A joint organisation established under section 4000 of the LGA

Code of Conduct

LGA	The <i>Local Government Act 1993</i>
Local Planning Panel	A local planning panel constituted under the Environmental Planning and Assessment Act 1979
Mayor	Includes the chairperson of a county Council or a joint organisation
Members of Staff of a Council	Includes members of staff of county Councils and joint organisations
The Office	Office of Local Government
Personal Information	Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
The Procedures	The Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
The Regulation	The Regulation the Local Government (General) Regulation <u>2021</u>
Voting Representative	A voting representative of the board of a joint organisation
Wholly Advisory Committee	A Council committee that the Council has not delegated any functions to

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Code of Conduct

Part 3: General Conduct Obligations

General Conduct

3.1 You must not conduct yourself in a manner that:

- a) is likely to bring the Council or other Council officials into disrepute
- b) is contrary to statutory requirements or the Council's administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this Code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act (section 439).

Fairness and Equity

- 3.3** You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4** You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5** An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and Discrimination

- 3.6** You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breast feeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7** For the purposes of this Code, "harassment" is any form of behaviour towards a person that:
 - a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

3.8 For the purposes of this Code, "sexual harassment" Sexual harassment is any form of behaviour towards a person that:

- a) is unwelcome (whether or not the person impacted has explicitly identified it as unwelcome or raised a concern about the conduct) wanted by the person
- b) is of a sexual nature (a sexual advance, request for sexual favours or other conduct of a sexual nature)
- c) a reasonable person (aware of all the circumstances) would anticipate could possibly make the person subjected to the conduct feel offended, humiliated, or intimidated

Note: Refer also to Council's Workplace Bullying Policy

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Code of Conduct

Bullying

3.9 You must not engage in bullying behaviour towards others.

3.10 For the purposes of this Code, "bullying behaviour" is any behaviour in which:

- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and
- b) the behaviour creates a risk to health and safety.

3.11 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments
- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.12 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this Code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a Council policy or administrative processes.

Note: Refer also to Council's Workplace Bullying Policy. Staff should also refer to Council's Grievance Policy

Work Health and Safety

3.13 All Council officials, including Councillors, owe statutory duties under the Work Health and Safety Act 2011 (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the Council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the Council relating to workplace health or safety that has been notified to Council staff
- e) report accidents, incidents, near misses, to the Chief Executive Officer or such other staff member nominated by the Chief Executive Officer, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Note: Staff should also refer to Council's Safety Management System

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Child Protection

- 3.14** All Council officials, including Councillors, are required to support and promote the safety, wellbeing and empowerment of children under the age of 18. Specifically you must:
- a) take all reasonable steps to protect children from harm
 - b) listen and respond to the views and concerns of children, particularly if they have stated that they or another child have been harmed in any way and/or are worried about their safety or the safety of another child
 - c) and respond to the views and concerns of children, particularly if they have stated that they or another child have been harmed in any way and/or are worried about their safety or the safety of another
 - d) model appropriate adult behaviour in an open and transparent way
 - e) respect the privacy of parents and children by not disclosing personal information
 - f) where child abuse is suspected, ensure that children are safe and protected from harm as quickly as possible
 - g) encourage children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them

3.15 You must not

- a) develop any 'special' relationships with children that may be seen as favouritism or inappropriate, including through the provision of gifts, showing inappropriate attention or exhibiting improper behaviour
- b) exhibit behaviours or engage in activities with children that may be construed as unnecessarily physical contact
- c) put children at risk of harm
- d) do things of a personal nature that a child can do for themselves such as toileting or changing clothes
- e) engage in open discussions of a mature or adult nature, or use inappropriate language in the presence of children
- f) express personal views on cultures, race or sexuality in the presence of children
- g) discriminate against any child, including on the basis of age, gender, sexuality, race, cultural background or disability
- h) ignore or disregard any concerns, suspicions or disclosures of child being harmed in any way

Land Use Planning, Development Assessment and Other Regulatory Functions

- 3.16** You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.17** In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

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Binding Caucus Votes

3.18 You must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.

3.19 For the purposes of clause [3.18](#), a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the Council or committee.

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3.20 Clause [3.18](#) does not prohibit Councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other Councillors on the merits of a matter.

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3.21 Clause [3.18](#) does not apply to a decision to elect the Mayor or Deputy Mayor, or to nominate a person to be a member of a Council committee or a representative of the Council on an external body.

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Obligations in Relation to Meetings

3.22 You must comply with rulings by the chair at Council and committee meetings or other proceedings of the Council unless a motion dissenting from the ruling is passed.

3.23 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other Council officials or any members of the public present during Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions).

3.24 You must not engage in conduct that disrupts Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

3.25 If you are a Councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the Council, or of a committee of the Council. Without limiting this clause, you must not:

- a) leave a meeting of the Council or a committee for the purposes of depriving the meeting of a quorum, or
- b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another Councillor from submitting a rescission motion with respect to the same decision, or
- c) deliberately seek to impede the consideration of business at a meeting.

Public Comment

3.26 In this section "public comment" includes

- a) public speaking engagements
- b) press releases, verbal comment to the media (including comments on radio or television)
- c) expressing views on social media, in correspondence or notices or where it is reasonably foreseeable that publication or circulation of the comment will enter the public domain and
- d) photos, video, public recording.

3.27 The Mayor and the Chief Executive Officer are the official spokespersons of Council.

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- 3.28** If you are a member of staff, or a Chairperson other than a Councillor, you are given authorisation to make public comment to the media as an official spokesperson of Council as set out in Council's Media Policy and/or expressly granted by the Mayor, Chief Executive Officer or their representative/ delegate.
- 3.29** When making a public comment in your capacity as an official representative of Council you must:
- a) defend and uphold Council's corporate and resolved position
 - b) not make any comment, written or verbal, that will bring Council, staff or Councillors into disrepute or are contrary to this Code
 - c) not divulge confidential Council information (*refer to clauses 8.10 and 8.11*)
 - d) not breach the privacy of other Council officials or those that deal with Council (*refer to clause 8.12*)
 - e) not make a comment that is offensive, humiliating, threatening or intimidating to other Council officials or those that deal with the Council (*refer to clause 8.20*)
 - f) you must not make any comment that contains content about the Council that is misleading or deceptive.
- 3.30** When making a personal public comment and the comment is in connection with your official role with Council you must:
- a) make it clear that such comment is expressed as a personal opinion
 - b) make it clear that you are not representing Council and that your views are not necessarily representative of Council or of Council adopted policy
 - c) ensure all public comments made in your personal capacity are made honestly and are not misleading to the public
 - d) not make any comment, written or verbal, that will bring Council, staff or Councillors into disrepute or are contrary to this Code
 - e) not make comment that is offensive, humiliating, threatening or intimidating to other Council officials or those that deal with the Council (*refer to 8.20*)
 - f) not divulge confidential Council information (*refer to 8.10 and 8.11*)
 - g) not breach the privacy of other Council officials or those that deal with Council (*refer to 8.12*).
- 3.31** Councillors are to refrain from making accusations of bullying in the media (including social media)

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Note: Refer also to Council's Media Policy¶

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Part 4: Pecuniary Interests

What is a Pecuniary Interest?

- 4.1** A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2** You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3** For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- a) your interest, or
 - b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4** For the purposes of clause 4.3:
- a) your "relative" is any of the following:
 - i. your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii. your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii. the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5** You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - b) just because the person is a member of, or is employed by, a Council or a statutory body, or is employed by the crown, or
 - c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What Interests do not Have to be Disclosed?

- 4.6** You do not have to disclose the following interests for the purposes of this part:
- a) your interest as an elector
 - b) your interest as a ratepayer or person liable to pay a charge
 - c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Code
 - d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Code
 - e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
 - f) if you are a Council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special

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- interest group, if you have been appointed to represent the organisation or group on the Council committee
- g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
 - h) an interest you have arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
 - i) an interest you have arising from the making by the Council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:
 - i. the performance by the Council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii. security for damage to footpaths or roads
 - iii. any other service to be rendered, or act to be done, by the Council by or under any act conferring functions on the Council, or by or under any contract
 - j) an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor)
 - k) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under section 252 of the LGA
 - l) an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor
 - m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
 - n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or a Council committee member
 - o) an interest arising from the appointment of a Councillor to a body as a representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What Disclosures Must be Made by a Designated Person?

- 4.8 Designated persons include:
- a) the Chief Executive Officer
 - b) other senior staff of the Council for the purposes of section 332 of the LGA
 - c) a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
 - d) a person (other than a member of the senior staff of the Council) who is a member of a committee of the Council identified by the Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

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- 4.9** A designated person:
- a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
 - b) must disclose pecuniary interests in accordance with clause 4.10.
- 4.10** A designated person must disclose in writing to the Chief Executive Officer (or if the person is the Chief Executive Officer, to the Council) the nature of any pecuniary interest the person has in any Council matter with which the person is dealing as soon as practicable after becoming aware of the interest.
- 4.11** Clause 4.10 does not require a designated person who is a member of staff of the Council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.
- 4.12** The Chief Executive Officer must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 4.13** A disclosure by the Chief Executive Officer must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Council and the Council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What Disclosures Must be Made by Council Staff Other Than Designated Persons?

- 4.14** A member of staff of Council, other than a designated person, must disclose in writing to their manager or the Chief Executive Officer the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 4.15** The staff member's manager or the Chief Executive Officer must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What Disclosures Must be Made by Council Advisers?

- 4.16** A person who, at the request or with the consent of the Council or a Council committee, gives advice on any matter at any meeting of the Council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17** A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What Disclosures Must be Made by a Council Committee Member?

- 4.18** A Council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19** For the purposes of clause 4.18, a "Council committee member" includes a member of staff of Council who is a member of the committee.

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What Disclosures Must be Made by a Councillor?

- 4.20** A Councillor:
- a) must prepare and submit written returns of interests in accordance with clause 4.21, and
 - b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of Interests in Written Returns

- 4.21** A Councillor or designated person must make and lodge with the Chief Executive Officer a return in the form set out in schedule 2 to this Code, disclosing the Councillor's or designated person's interests as specified in schedule 1 to this Code within 3 months after:
- a) becoming a Councillor or designated person, and
 - b) 30 June of each year, and
 - c) the Councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22** A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- a) they made and lodged a return under that clause in the preceding 3 months, or
 - b) they have ceased to be a Councillor or designated person in the preceding 3 months.
- 4.23** A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24** The Chief Executive Officer must keep a register of returns required to be made and lodged with the Chief Executive Officer.
- 4.25** Returns required to be lodged with the Chief Executive Officer under clause 4.21(a) and (b) must be tabled at the first meeting of the Council after the last day the return is required to be lodged.
- 4.26** Returns required to be lodged with the Chief Executive Officer under clause 4.21(c) must be tabled at the next Council meeting after the return is lodged.
- 4.27** Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of Pecuniary Interests at Meetings

- 4.28** A Councillor or a Council committee member who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29** The Councillor or Council committee member must not be present at, or in sight of, the meeting of the Council or committee:
- a) at any time during which the matter is being considered or discussed by the Council or committee, or
 - b) at any time during which the Council or committee is voting on any question in relation to the matter.

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- 4.30** In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31** A disclosure made at a meeting of a Council or Council committee must be recorded in the minutes of the meeting.
- 4.32** A general notice may be given to the Chief Executive Officer in writing by a Councillor or a Council committee member to the effect that the Councillor or Council committee member, or the Councillor's or Council committee member's spouse, de facto partner or relative, is:
- a) a member of, or in the employment of, a specified company or other body, or
 - b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the Council in which it is given (whichever is the sooner), sufficient disclosure of the Councillor's or Council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Council or Council committee after the date of the notice.
- 4.33** A Councillor or a Council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or Council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34** A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35** Despite clause 4.29, a Councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36** Clause 4.29 does not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- a) the matter is a proposal relating to:
 - i. the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area, or
 - ii. the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and
 - b) the pecuniary interest arises only because of an interest of the Councillor in the Councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - c) the Councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37** A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- a) be in the form set out in schedule 3 of this Code and contain the information required by that form, and
 - b) be laid on the table at a meeting of the Council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38** The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who has a pecuniary interest in a matter with which the Council is

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concerned to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the

Minister is of the opinion:

- a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

4.39 A Councillor or a Council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

Note: Refer also to Council's Internal Reporting Policy (Public Interests Disclosures Act)

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Part 5: Non-Pecuniary Conflicts of Interest

What is a Non-Pecuniary Conflict of Interest?

- 5.1 Non-pecuniary interests are private or personal interests a Council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this Code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a Council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of Council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this Code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing Non-Pecuniary Conflicts of Interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of Council staff other than the Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, such a disclosure is to be made to the Mayor.
- 5.7 If a disclosure is made at a Council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a Council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the Council official's extended family that the Council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship

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- c) an affiliation between the Council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
 - d) membership, as the Council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the Council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10** Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11** If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12** If you are a member of staff of Council other than the Chief Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the Chief Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the Mayor.
- 5.13** Despite clause 5.10(b), a Councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14** Council committee members are not required to declare and manage a nonpecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the Council committee.

Political Donations

- 5.15** Councillors should be aware that matters before Council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16** Where you are a Councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before Council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by

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complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.

5.17 For the purposes of this Part:

- a) a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
- b) "major political donor" has the same meaning as it has in the *Electoral Funding Act 2018*.

5.18 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

5.19 Despite clause 5.16, a Councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of Quorum as a Result of Compliance With This Part

5.20 A Councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i. the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area, or
 - ii. the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the Councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a Councillor or committee member from complying with a requirement under this Part under clause 5.21, the Councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other Business or Employment

5.23 The Chief Executive Officer must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council without the approval of the Council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council or that

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might conflict with the staff member's Council duties unless they have notified the Chief Executive Officer in writing of the employment, work or business and the Chief Executive Officer has given their written approval for the staff member to engage in the employment, work or business.

- 5.25** The Chief Executive Officer may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council, or that might conflict with the staff member's Council duties.
- 5.26** A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council if prohibited from doing so.
- 5.27** Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties
 - b) involve using confidential information or Council resources obtained through their work with the Council including where private use is permitted
 - c) require them to work while on Council duty
 - d) discredit or disadvantage the Council
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Note: Staff should also refer to Council's Working Outside of Council Policy

Personal Dealings With Council

- 5.28** You may have reason to deal with your Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a development consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29** You must undertake any personal dealings you have with the Council in a manner that is consistent with the way other members of the community deal with the Council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this Code.

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Part 6: Personal Benefit

6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a Council official or someone personally associated with them for their personal use and enjoyment.

6.2 A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the *Electoral Funding Act 2018*
- c) a gift provided to the Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council official or someone personally associated with them
- d) a benefit or facility provided by the Council to an employee or Councillor
- e) attendance by a Council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments of token value provided to Council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i. the discussion of official business
 - ii. work-related events such as Council-sponsored or community events, training, education sessions or workshops
 - iii. conferences
 - iv. council functions or events
 - v. social functions organised by groups, such as Council committees and community organisations.

Gifts and Benefits

6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are Offers of Gifts and Benefits to be Dealt With?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the Council being in or entering into a customer– supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the Council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the Chief Executive Officer in writing. The recipient, manager, or Chief Executive Officer must ensure that, at a minimum, the following details are recorded in the Council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit

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- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the Council, unless the nature of the gift or benefit makes this impractical.

Gifts and Benefits of Token Value

- 6.8** You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
 - b) gifts of alcohol that do not exceed a value of \$100
 - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
 - d) prizes or awards that do not exceed \$100 in value.

Gifts and Benefits of More Than Token Value

- 6.9** Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10** Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11** Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12** For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-Like Gifts”

- 6.13** For the purposes of clause 6.5(e), “cash-like gifts” include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and Undue Influence

- 6.14** You must not use your position to influence other Council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this clause where they seek to influence other Council officials through the proper exercise of their role as prescribed under the LGA.

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6.15 You must not take advantage (or seek to take advantage) of your status or position with Council, or of functions you perform for Council, in order to obtain a private benefit for yourself or for any other person or body.

Note: Refer also to the following Council policies:

- *Cultural Gifts Program Procedure*
- *International Gifts (Giving and Receiving) Policy*
- *Fraud & Corruption Prevention Policy*
- *Procurement Policy*
- *Declaration of Gifts and Benefits Form*

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Part 7: Relationships Between Council Officials

Obligations of Councillors and Administrators

7.1 Each Council is a body politic. The Councillors or administrator/s are the governing body of the Council. Under section 223 of the LGA, the role of the governing body of the Council includes the development and endorsement of the strategic plans, programs, strategies and policies of the Council, including those relating to workforce policy, and to keep the performance of the Council under review.

7.2 Councillors or administrators must not:

- a) direct Council staff other than by giving appropriate direction to the Chief Executive Officer by way of Council or committee resolution, or by the Mayor or administrator exercising their functions under section 226 of the LGA
- b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the Council or a delegate of the Council in the exercise of the functions of the staff member or delegate
- c) contact a member of the staff of the Council on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the Chief Executive Officer
- d) contact or issue instructions to any of the Council's contractors, including the Council's legal advisers, unless by the Mayor or administrator exercising their functions under section 226 of the LGA.

7.3 Despite clause 7.2, Councillors may contact the Council's external auditor or the chair of the Council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of Staff

7.4 Under section 335 of the LGA, the role of the Chief Executive Officer includes conducting the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council, implementing without undue delay, lawful decisions of the Council and ensuring that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of Council must:

- a) give their attention to the business of the Council while on duty
- b) ensure that their work is carried out ethically, efficiently, economically and effectively
- c) carry out reasonable and lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies and procedures of the Council, whether or not the staff member agrees with or approves of them
- e) ensure that any participation in political activities outside the service of the Council does not interfere with the performance of their official duties.

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Inappropriate Interactions

- 7.6** You must not engage in any of the following inappropriate interactions:
- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - b) Council staff approaching Councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - c) subject to clause 8.6, Council staff refusing to give information that is available to other Councillors to a particular Councillor
 - d) Councillors and administrators who have lodged an application with the Council, discussing the matter with Council staff in staff-only areas of the Council
 - e) Councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Councillor has a right to be heard by the panel at the meeting
 - f) Councillors and administrators being overbearing or threatening to Council staff
 - g) Council staff being overbearing or threatening to Councillors or administrators
 - h) Councillors and administrators making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this Code in public forums including social media
 - i) Councillors and administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make
 - j) Council staff providing ad hoc advice to Councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
 - k) Council staff meeting with applicants or objectors alone and outside office hours to discuss planning applications or proposals
 - l) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the Council associated with current or proposed legal proceedings unless permitted to do so by the Council's Chief Executive Officer or, in the case of the Mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

Note: Refer also to the Councillor and Staff Interaction Policy and Councillor Contact List

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Part 8: Access to Information and Council Resources

Councillor and Administrator Access to Information

- 8.1 The Chief Executive Officer is responsible for ensuring that Councillors and administrators can access information necessary for the performance of their official functions. The Chief Executive Officer and public officer are also responsible for ensuring that members of the public can access publicly available Council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The Chief Executive Officer must provide Councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of Council must provide full and timely information to Councillors and administrators sufficient to enable them to exercise their official functions and in accordance with Council procedures.
- 8.4 Members of staff of Council who provide any information to a particular Councillor in the performance of their official functions must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 8.5 Councillors and administrators who have a private interest only in Council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, Councillors and administrators who are precluded from participating in the consideration of a matter under this Code because they have a conflict of interest in the matter, are not entitled to request access to Council information in relation to the matter unless the information is otherwise available to members of the public, or the Council has determined to make the information available under the GIPA Act.

Note: Refer also to the Access to Information Policy and Councillor Access to Information Policy

Councillors and Administrators to Properly Examine and Consider Information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of Access to Information

- 8.8 Where the Chief Executive Officer or public officer determine to refuse access to information requested by a Councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the Councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The Chief Executive Officer or public officer must state the reasons for the decision if access is refused.

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Use of Certain Council Information

- 8.9** In regard to information obtained in your capacity as a Council official, you must:
- a) subject to clause 8.14, only access Council information needed for Council business
 - b) not use that Council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with Council
 - d) only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Use and Security of Confidential Information

- 8.10** You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11** In addition to your general obligations relating to the use of Council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - f) not use confidential information with the intention to cause harm or detriment to the Council or any other person or body
 - g) not disclose any confidential information discussed during a confidential session of a Council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Note: Refer also to Council's IT Security Policy

Personal Information

- 8.12** When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
 - b) the *Health Records and Information Privacy Act 2002*
 - c) the Information Protection Principles and Health Privacy Principles
 - d) the Council's privacy management plan
 - e) the Privacy Code of Practice for Local Government

Note: Refer also to the Information and Privacy Commission website: www.ipc.nsw.gov.au

Use of Council Resources

- 8.13** You must use Council resources ethically, effectively, efficiently and carefully in exercising your official functions and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

Note: See Council's Disposal of Assets Policy.

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Note for Councillors: Councillors must use allocated Council equipment or resources in accordance with the Council Members – Payment of Expenses and Provision of Facilities Policy.

Note for staff: Council does not lease plant or equipment to employees, except where there is an adopted policy covering these activities.

- 8.14** Union delegates and consultative committee members may have reasonable access to Council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.

Note: Refer also to the Local Government Award and Consultative Committee Constitution

- 8.15** You must be scrupulous in your use of Council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16** You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17** You must not use Council resources (including Council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18** You must not use the Council letterhead, Council crests, Council email or social media or other information that could give the appearance it is official Council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.19** You must not convert any property of the Council to your own use unless properly authorised.

Internet and IT Access and Use

- 8.20** You must not use Council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the Council's reputation.

Note: Refer also to Council's IT Security Policy

Council Record Keeping

- 8.21** You must comply with the requirements of the *State Records Act 1998* and the Council's records management policy.
- 8.22** All information created, sent and received in your official capacity is a Council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.

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8.23 All information stored in either soft or hard copy on Council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the Council and will be treated as Council records, regardless of whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of Council information or records, unless authorised to do so. If you need to alter or dispose of Council information or records, you must do so in consultation with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

Note: Refer also to the following Council policies:

- *Records Management Policy*
- *Records Security Policy and Procedures*
- *Councillor Record Keeping*

Councillor Access to Council Buildings

8.25 Councillors and administrators are entitled to have access to the Council chamber, committee room, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the Chief Executive Officer.

8.26 Councillors and administrators must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer (or their delegate) or as provided for in the procedures governing the interaction of Councillors and Council staff.

8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence Council staff decisions.

Note: Refer also to the Councillor and Staff Interaction Policy

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Part 9: Maintaining the Integrity of This Code**Complaints Made for an Improper Purpose**

- 9.1** You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this Code for an improper purpose.
- 9.2** For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another Council official
 - b) to damage another Council official's reputation
 - c) to obtain a political advantage
 - d) to influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the procedures
 - g) to take reprisal action against a person for making a complaint alleging a breach of this Code
 - h) to take reprisal action against a person for exercising a function prescribed under the procedures
 - i) to prevent or disrupt the effective administration of this Code under the procedures.

Detrimental Action

- 9.3** You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this Code.
- 9.4** You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5** For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance With Requirements Under the Procedures

- 9.6** You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7** You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8** You must comply with a practice ruling made by the Office under the Procedures.

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9.9 Where you are a Councillor or the Chief Executive Officer, you must comply with any Council resolution requiring you to take action as a result of a breach of this Code.

Disclosure of Information About the Consideration of a Matter Under the Procedures

9.10 All allegations of breaches of this Code must be dealt with under and in accordance with the Procedures.

9.11 You must not allege breaches of this Code other than by way of a complaint made or initiated under the Procedures.

9.12 You must not make allegations about, or disclose information about, suspected breaches of this Code at Council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

9.13 You must not disclose information about a complaint you have made alleging a breach of this Code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 2022*.

Note: Refer also to Council's Internal Reporting Policy (Public Interest Disclosures Act)

Complaints Alleging a Breach of this Part

9.15 Complaints alleging a breach of this Part by a Councillor, the Chief Executive Officer or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the Council for consideration in accordance with the Procedures.

9.16 Complaints alleging a breach of this Part by other Council officials are to be managed by the Chief Executive Officer in accordance with the Procedures.

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Schedule 1: Disclosures of Interests and Other Matters in Written Returns Submitted Under Clause 4.21

Part 1: Preliminary

Definitions

1 For the purposes of the schedules to this Code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the Councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

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professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a Councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the Councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters Relating to the Interests That Must be Included in Returns

- 2 *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3 *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a Councillor or designated person has an interest includes a reference to any real property situated in Australia in which the Councillor or designated person has an interest.
- 4 *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a Councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

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Part 2: Pecuniary Interests to be Disclosed in Returns

Real Property

- 5 A person making a return under clause 4.21 of this Code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
- 6 An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
- 7 An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- 8 For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

- 9 A person making a return under clause 4.21 of this Code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
- 10 A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- 11 For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to Travel

- 12 A person making a return under clause 4.21 of this Code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
- 13 A financial or other contribution to any travel need not be disclosed under this clause if it:
 - a) was made from public funds (including a contribution arising from travel on free passes issued under an act or from travel in government or Council vehicles), or

Code of Conduct

- b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- 14 For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and Positions in Corporations

- 15 A person making a return under clause 4.21 of this Code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
- 16 An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
- 17 An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- 18 An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.

Interests as a Property Developer or a Close Associate of a Property Developer

- 19 A person making a return under clause 4.21 of this Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- 20 For the purposes of clause 19 of this schedule:
- close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.
- property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Code of Conduct

Positions in Trade Unions and Professional or Business Associations

- 21** A person making a return under clause 4.21 of the Code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - c) a description of the position held in each of the unions and associations.
- 22** A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

Dispositions of Real Property

- 23** A person making a return under clause 4.21 of this Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- 24** A person making a return under clause 4.21 of this Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
- 25** A disposition of real property need not be disclosed if it was made prior to a person becoming a Councillor or designated person.

Sources of Income

- 26** A person making a return under clause 4.21 of this Code must disclose:
- a. each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b. each source of income received by the person in the period since 30 June of the previous financial year.
- 27** A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
 - i. a description of the occupation, and
 - ii. if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- 28** The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- 29** The source of any income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.

Code of Conduct

- 30 A fee paid to a Councillor or to the Mayor or Deputy Mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

- 31 A person making a return under clause 4.21 of this Code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
- 32 A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
- 33 A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - i. the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:
 - i. the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
 - e) subject to paragraph (a), the debt was discharged prior to the person becoming a Councillor or designated person.

Discretionary Disclosures

- 34 A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

Code of Conduct

Schedule 2: Form of Written Return of Interests Submitted Under Clause 4.21

‘Disclosures by Councillors and Designated Persons’ Return

- 1 The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
- 2 If this is the first return you have been required to lodge with the Chief Executive Officer after becoming a Councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a Councillor or designated person.
- 3 If you have previously lodged a return with the Chief Executive Officer and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the Chief Executive Officer, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a Councillor or designated person (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the Chief Executive Officer and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5 This form must be completed using block letters or typed.
- 6 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
- 7 If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word “NIL” is to be placed in an appropriate space under that heading.

Important Information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the Chief Executive Officer in a register of returns. The Chief Executive Officer is required to table all returns at a Council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Code of Conduct

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Code of Conduct

Disclosures Form

Disclosure of pecuniary interests and other matters by _____
[full name of Councillor or designated person]

as at [return date _/_/_] in respect of the period from [_/_/_] to [_/_/_]

_____ [Councillor's or designated person's signature]

//_

A. Real Property		
Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest	
B. Sources of Income		
1. Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June		
Sources of income I received from an occupation at any time since 30 June		
Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
2. Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June		
Sources of income I received from a trust since 30 June		
Name and address of settlor	Name and address of trustee	
3. Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June		
Sources of other income I received at any time since 30 June [Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]		
C. Gifts		
Description of each gift I received at any time since 30 June	Name and address of donor	
D. Contributions to Travel		
Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

Code of Conduct

E. Interests and Positions in Corporations

Name and address of each Nature of corporation in which I had an interest (if interest or held a position at any) the return date/at any time since 30 June	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)

F. Were you a Property Developer or a Close Associate of a Property Developer on the Return Date? (Y/N)

G. Positions in Trade Unions and Professional or Business Associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/ at any time since 30 June	Description of position

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of Property

1. Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2. Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary Disclosures

Code of Conduct

**Schedule 3: Form of Special Disclosure of Pecuniary Interest
Submitted Under Clause 4.37**

- 1 This form must be completed using block letters or typed.
- 2 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a Councillor has in the Councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the Council or Council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Code of Conduct

Disclosures Form - Pecuniary Interest Under Clause 4.37

Special disclosure of pecuniary interests by _____
[full name of Councillor]

in the matter of [insert name of environmental planning instrument]
which is to be considered at a meeting of the [name of Council or Council committee (as the case requires)]

to be held on the _____ day of _____ 20____.

Pecuniary Interest	
Address of the affected principal place of residence of the Councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the Councillor [Tick or cross one box.]	<input type="checkbox"/> The Councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the Councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the Councillor has an interest in the land.
Matter Giving Rise to Pecuniary Interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box.]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

- 1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.
- 2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a Councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Code of Conduct

Effect of proposed change of zone/planning control
on Councillor or associated person [insert one of the
following: "Appreciable financial gain" or "Appreciable
financial loss"]

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

— / — / —

[This form is to be retained by the Council's Chief Executive Officer and included in full in the minutes of the
meeting]

Code of Conduct

Forms



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


Conflicts of Interest Disclosure Form for Staff and Delegates of Council
City Performance

PROCESS FOR THE WRITTEN DISCLOSURE OF CONFLICTS OF INTEREST BY STAFF AND DELEGATES OF COUNCIL

This process applies the written disclosures of conflicts of interest by staff and delegates of the Council, Parts 4 and 5 of the [Code of Conduct](#) set out the obligations for the disclosure and management of conflicts of interest and should be referred to in detail when identifying, declaring and managing conflicts of interest.

STEPS FOR WRITTEN DISCLOSURE		
Action	Responsible person	Timeframe
STEP 1: As soon as a conflict of interest is identified, Part 1 of the Conflicts of Interest Disclosure Form is completed by the individual and forwarded to the manager. (For committee members: chairperson for the committee.)	Person who has conflict	As soon as possible for the declarer and within one week at the latest, and prior to any further involvement in the matter.
STEP 2: The individual meets with their Supervisor or Unit Manager to discuss the management strategy for the conflict of interest and agree upon action to manage that conflict of interest. Part 2 of form completed.	Person who has conflict	As soon as possible - within one week from receipt.
STEP 3: Signatures provided and Part 3 of the Conflicts of Interest Disclosure Form completed. Where panels are involved, the original form provided to panel convenor and members for signature/ acknowledgement.	Panel signs Part 3 B of form	As soon as possible - within one week from receipt.
STEP 4: Original Conflicts of Interest Disclosure Form provided to the Section Manager for acknowledgement. When satisfied with content, part 3 C of form is completed and signed.	Section Manager	As soon as possible - within one week from receipt.
STEP 5: Original Conflicts of Interest Disclosure Form forwarded to Public Officer who registers the conflict. If required a review of management strategy undertaken – includes consultation with relevant parties. If required, alternative management strategy will be agreed upon and implemented.	Public Officer	Registered as soon as received. Review timeframes vary according to type and terms of conflict.

The Register of Disclosures of Conflicts of Interest is maintained by the Public Officer. To promote transparency and accountability the register will be a public document, which is made available for viewing and copying in accordance with Section 12 of the Local Government Act 1993. For further information and advice contact the Public Officer on 02 4429 3268.

Office Use Only		
Related Policies:	Code of Conduct	
TRIM Form Number	FM22/45	
Owned by (Department):	City Performance	

Code of Conduct

CONFLICTS OF INTEREST DISCLOSURE FORM FOR STAFF AND DELEGATES OF COUNCIL

Part 1 – Nature of conflict of interest (Completed by person with conflict)	
Surname	
Given Names	
Role within Council (tick the appropriate box and complete additional information)	
Staff Member <input type="checkbox"/>	Position / Unit / Division
Delegate <input type="checkbox"/>	Relationship with Council
Matter under consideration (eg DA, number and description, committee discussion on.....)	
File / reference relating to the matter	
Role / duties performed by the Council staff member or delegate which have created a conflict of interest	
What private interests have created this conflict of interest (eg Member of club, family member etc)	
Type of conflict of interest identified (tick the appropriate box) Refer to Code of Conduct (Parts 4 & 5)	
Pecuniary interest <input type="checkbox"/>	
Significant non-pecuniary interest <input type="checkbox"/>	
Not significant non-pecuniary interest (explain why it is not significant) <input type="checkbox"/>	
Part 2 – Management of conflict of interest (to be completed by manager)	
How will the conflict of interest be managed	
Expected timeframe for when conflict will be removed (if at all) (eg once DA is passed through Council)	

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**CONFLICTS OF INTEREST I
DELEGATES OF COUNCIL**

Part 1 – Nature of conflict of interest (C	
Surname	
Given Names	
Role within Council (tick the appropriate b	
Staff Member <input type="checkbox"/>	Position / Unit
Delegate <input type="checkbox"/>	Relationship w
Matter under consideration (eg DA, numb	
File / reference relating to the matter	
Role / duties performed by the Council ste	
What private interests have created this o	
Type of conflict of interest identified (tick t Refer to Code of Conduct (Parts 4 & 5) ht	
Pecuniary interest <input type="checkbox"/>	
Significant non-pecuniary interest <input type="checkbox"/>	
Not significant non-pecuniary interest (ex	
Part 2 – Management of conflict of inte	
How will the conflict of interest be manage	
Expected timeframe for when conflict will i	

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CL25.53 - Attachment 1

Code of Conduct

Part 3 – Signatures and authorisations		
A. SIGNATURE BY THE INDIVIDUAL WITH THE CONFLICT I hereby declare that: <ul style="list-style-type: none"> • The above details are correct to the best of my knowledge and I make this conflict of interest disclosure in good faith and in accordance with the Code of Conduct • The above actions have been agreed on to resolve / manage the conflict of interest • I will notify my Manager, Director or Public Officer if and when the situation surrounding the conflict of interest changes 		
Name	Signature	Date
B. SIGNATURE OF PANEL CONVENOR AND PANEL MEMBERS WHEN CONFLICT OF INTEREST INVOLVES A SELECTION PANEL We the undersigned declare that: <ul style="list-style-type: none"> • We have received and appropriately noted this conflict of interest disclosure • We acknowledge and agree upon the action as outlined and formulated by the individual and their manager / supervisor / panel convenor to resolve / manage the conflict of interest 		
Convenor Name	Signature	Date
Name	Signature	Date
Name	Signature	Date
Name	Signature	Date
C. SIGNATURE BY SECTION MANAGER (OR NEXT LEVEL MANAGER FOR SENIOR STAFF) I hereby declare that: <ul style="list-style-type: none"> • I have received and appropriately noted this conflict of interest disclosure • The above actions have been agreed on to resolve / manage the conflict of interest 		
Name	Signature	Date





Code of Conduct

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

Gifts, Benefits and Hospitality Declaration Form

City Performance

Details of the Gift, Benefit or Hospitality	
Date gift offered or received	
Estimated retail value	\$
Description of the gift, benefit or hospitality	
Who was the gift given or offered to	
Name of recipient	
Position	
Organisation	
Who gave or offered the gift	
Name of giver	
Position	
Organisation	
Reason the gift was offered or given	
What action was taken	
Note: Section 6.5 of the Code of Conduct "You must not....(d) accept any gift or benefit of more than token value (\$100)"	
Gift Refused <input type="checkbox"/>	Gift Accepted <input type="checkbox"/>
For gifts of value (more than \$100) which are accepted. Why could the gift or benefit not be reasonably refused or returned (Note: Section 6.7 of the Code of Conduct: "It must be surrendered to Council unless to nature of the gift or benefit makes this impractical")	
What is the intended use for the gift, benefit or hospitality	
Declaration made by	
Name	
Position	
Date	Signature
Manager Authorisation – for declaration by staff	
Authorised Manager Name	
Position	
Date	Signature
Office Use Only	
Related Policies:	Code of Conduct
TRIM Form Number	FM22/46
Owned by (Department):	City Performance

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

Gifts, Benefits and Hospitality Declaration Form

City Performance

Details of the Gift, Benefit or Hospitality	
Date gift offered or received	
Estimated retail value	\$
Description of the gift, benefit or hospitality	
Who was the gift given or offered to	
Name of recipient	
Position	
Organisation	
Who gave or offered the gift	
Name of giver	
Position	
Organisation	
Reason the gift was offered or given	
What action was taken	
Note: Section 6.5 of the Code of Conduct "You must not....(d) accept any gift or benefit of more than token value (\$100)"	
Gift Refused <input type="checkbox"/>	Gift Accepted <input type="checkbox"/>
For gifts of value (more than \$100) which are accepted. Why could the gift or benefit not be reasonably refused or returned (Note: Section 6.7 of the Code of Conduct: "It must be surrendered to Council unless to nature of the gift or benefit makes this impractical")	
What is the intended use for the gift, benefit or hospitality	
Declaration made by	
Name	
Position	
Date	Signature
Manager Authorisation – for declaration by staff	
Authorised Manager Name	
Position	
Date	Signature
Office Use Only	
Related Policies:	POL22/95 – Code of Conduct
TRIM Form Number	FM22/46
Owned by (Department):	City Performance

shoalhaven.nsw.gov.au |  

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CL25.53 - Attachment 1

Code of Conduct

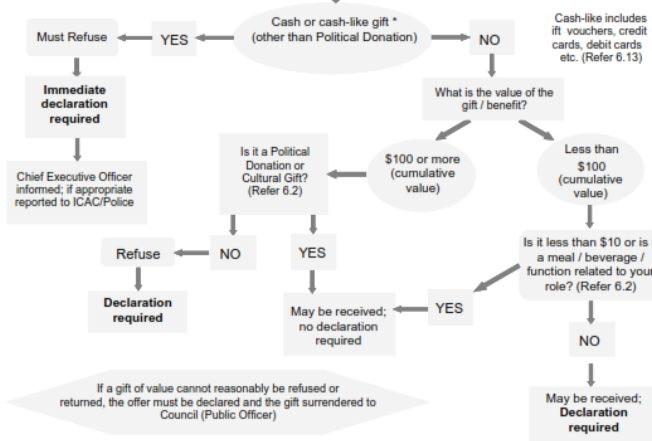


PROCEDURES FOR THE DECLARATION OF GIFTS, BENEFITS AND HOSPITALITY

These procedures relate to the obligations of staff, Councillors and delegates of the Council which are outlined in the Code of Conduct. Reference should be made to the Code of Conduct in relation to the giving or acceptance of gifts, benefits and hospitality.

GIFT, BENEFIT OR HOSPITALITY OFFERED

Assess your position, the value, purpose and perception of the offer against the Code of Conduct. Only consider acceptance if the giver of the gift is not attempting to secure favourable treatment from you or from Council.



All declarations must be recorded in the Gifts and Benefits Register as soon as practicable and no later than two (2) weeks of offering, accepting or declining the non-token gift, benefit or hospitality.

Action	Responsible person	Timeframe
Step 1: Gifts, Benefits and Hospitality form is completed.	Staff member or Councillor who receives the offer or gift.	Immediately. Where prior knowledge of the offer – before gift accepted.
FOR COUNCILLORS Step 2: Form provided to the Public Officer for registration.	Councillor	Form provided within one week, and registration by the Public Officer within one week of receipt.
FOR STAFF Step 2: Form provided to Unit Manager for consideration and, if agreed, authorisation.	Staff member who receives the offer or gift.	
Step 3: Form provided to the Public Officer for registration.	Unit Manager	Form provided within one week, and registration by the Public Officer within one week of receipt.

For further information and advice contact the Public Officer on 02 4429 3268.

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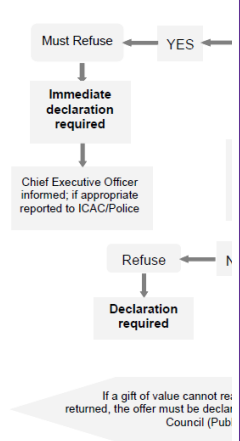


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These procedures relate to the obligations of staff, Councillors and delegates of the Council which are outlined in the Code of Conduct. Reference should be made to the Code of Conduct in relation to the giving or acceptance of gifts, benefits and hospitality.

GIFT, BENEFIT OR HOSPITALITY OFFERED

Assess your position, the value, purpose and perception of the offer against the Code of Conduct. Only consider acceptance if the giver of the gift is not attempting to secure favourable treatment from you or from Council.



All declarations must be recorded in the Gifts and Benefits Register as soon as practicable and no later than two (2) weeks of offering, accepting or declining the non-token gift, benefit or hospitality.

Action	Responsible person
Step 1: Gifts, Benefits and Hospitality form is completed.	Staff member who receives the offer or gift.
FOR COUNCILLORS Step 2: Form provided to the Public Officer for registration.	Councillor
FOR STAFF Step 2: Form provided to Unit Manager for consideration and, if agreed, authorisation.	Staff member who receives the offer or gift.
Step 3: Form provided to the Public Officer for registration.	Unit Manager

For further information and advice contact the Public Officer on 02 4429 3268.

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CL25.53 - Attachment 1



Code of Conduct - Procedures

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Part 1: Introduction

These procedures ("the Model Code Procedures") are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct").

The Model Code of Conduct is made under section 440 of the Local Government Act 1993 ("the LGA") and the Local Government (General) Regulation 2021 ("the Regulation"). Section 440 of the LGA requires every Council (including county Councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

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The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every Council (including county Councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, Councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to Councils are also to be taken as references to county Councils and joint organisations.

Note: In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms "board" for "Council", "chairperson" for "Mayor", "voting representative" for "Councillor" and "executive officer" for "Chief Executive Officer".

Note: In adopting the Model Code Procedures, county Councils should adapt them to substitute the term "chairperson" for "Mayor" and "member" for "Councillor".

Note: Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about Councillors (including the Mayor) or the Chief Executive Officer.

Part 2: Definitions

In these procedures the following terms have the following meanings:

Administrator	An administrator of a Council appointed under the LGA other than an administrator appointed under section 66
Chief Executive Officer	The General Manager of the Council under s.335 of the Local Government Act, 1993. Includes the executive officer of a joint organisation
Code of Conduct	A code of conduct adopted under section 440 of the LGA
Code of Conduct Complaint	A complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
Complainant	A person who makes a code of conduct complaint
Complainant Councillor	A Councillor who makes a code of conduct complaint
Complaints Coordinator	A person appointed by the Chief Executive Officer under these procedures as a complaints coordinator
Conduct Reviewer	A person appointed under these procedures to review allegations of breaches of the code of conduct by Councillors or the Chief Executive Officer
Council	Includes county Councils and joint organisations
Council Committee	A committee established by a Council comprising of Councillors, staff or other persons that the Council has delegated functions to and the Council's audit, risk and improvement committee
Council Committee Member	A person other than a Councillor or member of staff of a Council who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a member of the Council's audit, risk and improvement committee
Councillor	Any person elected or appointed to civic office, including the Mayor, and includes members and chairpersons of county Councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
Council Official	Any Councillor, member of staff of Council, administrator, Council committee member, delegate of Council and, for the purposes of clause 4.16 of the Model Code of Conduct, Council adviser

Delegate of Council	A person (other than a Councillor or member of staff of a Council) or body, and the individual members of that body, to whom a function of the Council is delegated
External Agency	A state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
ICAC	The Independent Commission Against Corruption
Investigator	A conduct reviewer
Joint Organisation	A joint organisation established under section 400O of the LGA
LGA	The <i>Local Government Act 1993</i>
Mayor	Includes the chairperson of a county Council or a joint organisation
Members of Staff of a Council	Includes members of staff of county Councils and joint organisations
The Office	The Office of Local Government
The Regulation	The Local Government (General) Regulation 2021
Respondent	A person whose conduct is the subject of investigation by a conduct reviewer under these procedures
Wholly Advisory Committee	A Council committee that the Council has not delegated any functions to

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Part 3: Administrative Framework

The Establishment of a Panel of Conduct Reviewers

- 3.1 The Council must establish a panel of conduct reviewers.
- 3.2 The Council may enter into an arrangement with one or more other Councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the Councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the Council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
- a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994, and
 - c) knowledge and experience of one or more of the following:
 - i. investigations
 - ii. law
 - iii. public administration
 - iv. public sector ethics
 - v. alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
- a) a councillor, or
 - b) a nominee for election as a councillor, or
 - c) an administrator, or
 - d) an employee of a council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.

- 3.10** The council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11** When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12** A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

The Appointment of an Internal Ombudsman to a Panel of Conduct Reviewers

- 3.13** Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14** To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15** An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16** Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

The Appointment of Complaints Coordinators

- 3.17** The Chief Executive Officer must appoint a member of staff of the Council or another person (such as, but not limited to, a member of staff of another Council or a member of staff of a joint organisation or other regional body associated with the Council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the Council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18** The Chief Executive Officer may appoint other members of staff of the Council or other persons (such as, but not limited to, members of staff of another Council or members of staff of a joint organisation or other regional body associated with the Council), to act as alternates to the complaints coordinator.

- 3.19** The Chief Executive Officer must not undertake the role of complaints coordinator.
- 3.20** The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21** The role of the complaints coordinator is to:
- a) coordinate the management of complaints made under the Council's code of conduct
 - b) liaise with and provide administrative support to a conduct reviewer
 - c) liaise with the Office and
 - d) arrange the annual reporting of code of conduct complaints statistics.

Part 4: How May Code of Conduct Complaints Be Made?

What is a Code of Conduct Complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a Council official in connection with their role as a Council official or the exercise of their functions as a Council official that would constitute a breach of the standards of conduct prescribed under the Council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
 - a) complaints about the standard or level of service provided by the Council or a Council official
 - b) complaints that relate solely to the merits of a decision made by the Council or a Council official or the exercise of a discretion by the Council or a Council official
 - c) complaints about the policies or procedures of the Council
 - d) complaints about the conduct of a Council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the Council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the Council's routine complaints management processes.

When Must a Code of Conduct Complaint be Made?

- 4.4 A code of conduct complaint must be made within 3 (three) months of the alleged conduct occurring or within 3 months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 (three) months may only be accepted if the Chief Executive Officer or their delegate, or, in the case of a complaint about the Chief Executive Officer, the Mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

How May a Code of Conduct Complaint About a Council Official Other Than the Chief Executive Officer be Made?

- 4.6 All code of conduct complaints other than those relating to the Chief Executive Officer are to be made to the Chief Executive Officer in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a Council official other than the Chief Executive Officer cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a Council official other than the Chief Executive Officer, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

4.9 The Chief Executive Officer or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.

4.10 Notwithstanding clauses 4.6 and 4.7, where the Chief Executive Officer becomes aware of a possible breach of the Council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How May a Code of Conduct Complaint About the Chief Executive Officer be Made?

4.11 Code of conduct complaints about the Chief Executive Officer are to be made to the Mayor in writing. This clause does not operate to prevent a person from making a complaint about the Chief Executive Officer to an external agency.

4.12 Where a code of conduct complaint about the Chief Executive Officer cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.

4.13 In making a code of conduct complaint about the Chief Executive Officer, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

4.14 The Mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.

4.15 Notwithstanding clauses 4.11 and 4.12, where the Mayor becomes aware of a possible breach of the Council's code of conduct by the Chief Executive Officer, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

Part 5: How Are Code of Conduct Complaints to Be Managed?

Delegation By Chief Executive Officers and Mayors of Their Functions Under This Part

- 5.1 A Chief Executive Officer or Mayor may delegate their functions under this Part to a member of staff of the Council or to a person or persons external to the Council other than an external agency. References in this Part to the Chief Executive Officer or Mayor are also to be taken to be references to their delegates.

Consideration of Complaints by Chief Executive Officers and Mayors

- 5.2 In exercising their functions under this Part, Chief Executive Officers and Mayors may consider the complaint assessment criteria prescribed under clause 6.31.

What Complaints May be Declined at the Outset?

- 5.3 Without limiting any other provision in these procedures, the Chief Executive Officer or, in the case of a complaint about the Chief Executive Officer, the Mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
- a) is not a code of conduct complaint, or
 - b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
 - c) is trivial, frivolous, vexatious or not made in good faith, or
 - d) relates to a matter the substance of which has previously been considered and addressed by the Council and does not warrant further action, or
 - e) is not made in a way that would allow the alleged conduct and any alleged breaches of the Council's code of conduct to be readily identified.

How are Code of Conduct Complaints About Staff (Other Than the Chief Executive Officer) to be Dealt With?

- 5.4 The Chief Executive Officer is responsible for the management of code of conduct complaints about members of staff of Council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.5 The Chief Executive Officer must refer code of conduct complaints about members of staff of Council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.6 The Chief Executive Officer may decide to take no action in relation to a code of conduct complaint about a member of staff of Council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.

- 5.7 Where the Chief Executive Officer decides to take no action in relation to a code of conduct complaint about a member of staff of Council, the Chief Executive Officer must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.8 Code of conduct complaints about members of staff of Council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are Code of Conduct Complaints About Delegates of Council, Council Advisers and Council Committee Members to be Dealt With?

- 5.10 The Chief Executive Officer is responsible for the management of code of conduct complaints about delegates of Council and Council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The Chief Executive Officer must refer code of conduct complaints about Council advisers, delegates of Council and Council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.12 The Chief Executive Officer may decide to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.
- 5.13 Where the Chief Executive Officer decides to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member, the Chief Executive Officer must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the Chief Executive Officer considers it to be practicable and appropriate to do so, the Chief Executive Officer may seek to resolve code of conduct complaints about delegates of Council or Council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the Council's code of conduct.
- 5.15 Where the Chief Executive Officer resolves a code of conduct complaint under clause 5.14 to the Chief Executive Officer's satisfaction, the Chief Executive Officer must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.

- 5.16** Sanctions for breaches of the code of conduct by delegates of Council and/or Council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
 - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the Chief Executive Officer
 - c) prosecution for any breach of the law
 - d) removing or restricting the person's delegation
 - e) removing the person from membership of the relevant Council committee.
- 5.17** Prior to imposing a sanction against a delegate of Council or a Council committee member under clause 5.16, the Chief Executive Officer or any person making enquiries on behalf of the Chief Executive Officer must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the Council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the Chief Executive Officer must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are Code of Conduct Complaints About Administrators to be Dealt With?

- 5.18** The Chief Executive Officer must refer all code of conduct complaints about administrators to the Office for its consideration.
- 5.19** The Chief Executive Officer must notify the complainant of the referral of their complaint in writing.

How are Code of Conduct Complaints About Councillors to be Dealt With?

- 5.20** The Chief Executive Officer must refer the following code of conduct complaints about Councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21** Where the Chief Executive Officer refers a complaint to the Office under clause 5.20, the Chief Executive Officer must notify the complainant of the referral in writing.
- 5.22** The Chief Executive Officer may decide to take no action in relation to a code of conduct complaint about a Councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.

- 5.23** Where the Chief Executive Officer decides to take no action in relation to a code of conduct complaint about a Councillor, the Chief Executive Officer must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24** Where the Chief Executive Officer considers it to be practicable and appropriate to do so, the Chief Executive Officer may seek to resolve code of conduct complaints about Councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the Council's code of conduct.
- 5.25** Where the Chief Executive Officer resolves a code of conduct complaint under clause 5.24 to the Chief Executive Officer's satisfaction, the Chief Executive Officer must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26** The Chief Executive Officer must refer all code of conduct complaints about Councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are Code of Conduct Complaints About the Chief Executive Officer to be Dealt With?

- 5.27** The Mayor must refer the following code of conduct complaints about the Chief Executive Officer to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28** Where the Mayor refers a complaint to the Office under clause 5.27, the Mayor must notify the complainant of the referral in writing.
- 5.29** The Mayor may decide to take no action in relation to a code of conduct complaint about the Chief Executive Officer, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30** Where the Mayor decides to take no action in relation to a code of conduct complaint about the Chief Executive Officer, the Mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

- 5.31** Where the Mayor considers it to be practicable and appropriate to do so, the Mayor may seek to resolve code of conduct complaints about the Chief Executive Officer, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the Council's code of conduct.
- 5.32** Where the Mayor resolves a code of conduct complaint under clause 5.31 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33** The Mayor must refer all code of conduct complaints about the Chief Executive Officer, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are Complaints About Both the Chief Executive Officer and the Mayor to be Dealt With?

- 5.34** Where the Chief Executive Officer or Mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the Chief Executive Officer and the Mayor, the Chief Executive Officer or Mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of the Council other than the Chief Executive Officer where the allegation is not serious, or to a person external to the Council, or
 - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of Code of Conduct Complaints to External Agencies

- 5.35** The Chief Executive Officer, Mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36** The Chief Executive Officer, Mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37** Where the Chief Executive Officer, Mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 5.38** Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the Council is subsequently advised otherwise by the referral agency.

Disclosure of the Identity of Complainants

- 5.39** In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
 - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
 - d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
 - e) it is otherwise in the public interest to do so.
- 5.40** Clause 5.39 does not apply to code of conduct complaints made by Councillors about other Councillors or the Chief Executive Officer.
- 5.41** Where a Councillor makes a code of conduct complaint about another Councillor or the Chief Executive Officer, and the complainant Councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.42** A request made by a complainant Councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.
- 5.43** The Chief Executive Officer or Mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant Councillor, but they are not obliged to comply with the request.
- 5.44** Where a complainant Councillor makes a request under clause 5.41, the Chief Executive Officer or Mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the Councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of Conduct Complaints Made as Public Interest Disclosures

- 5.45** These procedures do not override the provisions of the Public Interest Disclosures Act 1994. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the Council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.46** Where a Councillor makes a code of conduct complaint about another Councillor or the Chief Executive Officer as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant Councillor must consent in writing to the disclosure of their identity as the complainant.

- 5.47** Where a complainant Councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the Chief Executive Officer or the Mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the Public Interest Disclosures Act 1994.

Special Complaints Management Arrangements

- 5.48** The Chief Executive Officer may request in writing that the Office enter into a special complaints management arrangement with the Council in relation to code of conduct complaints made by or about a person or persons.
- 5.49** Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the Council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the Council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the Council.
- 5.50** A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.51** The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52** While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.
- 5.53** Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.
- 5.54** Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the Chief Executive Officer, review the arrangement to determine whether it should be renewed or amended.
- 5.55** A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

Part 6: Preliminary Assessment of Code of Conduct Complaints About Councillors or The Chief Executive Officer by Conduct Reviewers

Referral of Code of Conduct Complaints About Councillors or the Chief Executive Officer to Conduct Reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about Councillors or the Chief Executive Officer that have not been referred to an external agency or declined or resolved by the Chief Executive Officer, Mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the Chief Executive Officer or the Mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
 - a) a panel of conduct reviewers established by the Council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
 - a) they have a conflict of interest in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the Council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are the Council's legal service provider or are a member of a panel of legal service providers appointed by the Council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the Council, including any information about

- previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
 - 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
 - 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
 - a) comply with these procedures in their consideration of the matter, or
 - b) comply with a lawful and reasonable request by the complaints coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
 - 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

Preliminary Assessment of Code of Conduct Complaints About Councillors or the Chief Executive Officer by a Conduct Reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
 - a) to take no action
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - c) to refer the matter back to the Chief Executive Officer or, in the case of a complaint about the Chief Executive Officer, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - d) to refer the matter to an external agency
 - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator

- will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17** The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
 - 6.18** The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
 - 6.19** The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the Council's code of conduct.
 - 6.20** Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
 - 6.21** Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
 - 6.22** The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
 - a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
 - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a Councillor under section 440G of the LGA or disciplinary action against the Chief Executive Officer under their contract of employment if it were to be proven, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
 - 6.23** In determining whether a matter is sufficiently serious to warrant formal censure of a Councillor under section 440G of the LGA or disciplinary action against the Chief Executive Officer under their contract of employment. The conduct reviewer is to consider the following:
 - a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the Council
 - b) the likely impact of the alleged conduct on the reputation of the Council and public confidence in it
 - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
 - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
 - 6.24** The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
 - 6.25** The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral Back to the Chief Executive Officer or Mayor for Resolution

- 6.26** Where the conduct reviewer determines to refer a matter back to the Chief Executive Officer or to the Mayor to be resolved by alternative and appropriate means, they must write to the Chief Executive Officer or, in the case of a complaint about the Chief Executive Officer, to the Mayor, recommending the means by which the complaint may be resolved.
- 6.27** The conduct reviewer must consult with the Chief Executive Officer or Mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28** The Chief Executive Officer or Mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29** Where the conduct reviewer refers a matter back to the Chief Executive Officer or Mayor under clause 6.13(c), the Chief Executive Officer or, in the case of a complaint about the Chief Executive Officer, the Mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30** Where the conduct reviewer refers a matter back to the Chief Executive Officer or Mayor under clause 6.13(c), the Chief Executive Officer or, in the case of a complaint about the Chief Executive Officer, the Mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints Assessment Criteria

- 6.31** In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
 - a) whether the complaint is a code of conduct complaint for the purpose of these procedures
 - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the Council's code of conduct
 - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
 - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
 - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
 - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
 - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
 - i) any previous proven breaches of the Council's code of conduct
 - j) whether the conduct complained of forms part of an ongoing pattern of behaviour
 - k) whether there were mitigating circumstances giving rise to the conduct complained of

- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the Council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

Part 7: Investigations of Code of Conduct Complaints About Councillors or the Chief Executive Officer

What Matters May a Conduct Reviewer Investigate?

- 7.1 A conduct reviewer (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the Chief Executive Officer, or, in the case of alleged conduct on the part of the Chief Executive Officer, to the Mayor.
- 7.3 The Chief Executive Officer or the Mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are Investigations to be Commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
 - a) disclose the substance of the allegations against the respondent, and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) advise the respondent of the requirement to maintain confidentiality, and
 - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice, and
 - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the Chief Executive Officer, or in the case of a complaint about the Chief Executive Officer, to the complainant, the complaints coordinator and the Mayor. The notice must:

- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
- c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

Written and Oral Submissions

- 7.9** Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10** The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11** Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12** Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.
- 7.13** Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14** The investigator must consider all written and oral submissions made to them in relation to the matter.

How are Investigations to be Conducted?

- 7.15** Investigations are to be undertaken without undue delay.
- 7.16** Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17** Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18** Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19** An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or Resolution of a Matter After the Commencement of an Investigation

- 7.20** At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - b) refer the matter to the Chief Executive Officer, or, in the case of a complaint about the Chief Executive Officer, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - c) refer the matter to an external agency.
- 7.21** Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22** The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the Council's code of conduct.
- 7.23** Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the Chief Executive Officer, or in the case of a complaint about the Chief Executive Officer, to the respondent, the complainant, the complaints coordinator and the Mayor, discontinue their investigation of the matter.
- 7.24** Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25** An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft Investigation Reports

- 7.26** When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27** The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28** Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.

- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final Investigation Reports

- 7.33 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
 - a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i. constitutes a breach of the code of conduct, or
 - ii. does not constitute a breach of the code of conduct, and
 - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
 - a) a description of the allegations against the respondent
 - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
 - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
 - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
 - e) a description of any attempts made to resolve the matter by use of alternative means
 - f) the steps taken to investigate the matter
 - g) the facts of the matter
 - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - i) the investigator's determination and the reasons for that determination
 - j) any recommendations.

- 7.37** Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may recommend:
- a) in the case of a breach by the Chief Executive Officer, that disciplinary action be taken under the Chief Executive Officer's contract of employment for the breach, or
 - b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the LGA, or
 - c) in the case of a breach by a Councillor, that the Council resolves as follows:
 - i. that the Councillor be formally censured for the breach under section 440G of the LGA, and
 - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.38** Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39** Where the investigator has determined that there has been a breach of the Code of Conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that the Council revise any of its policies, practices or procedures.
- 7.40** Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may recommend:
- a) that the Council revise any of its policies, practices or procedures
 - b) that a person or persons undertake any training or other education.
- 7.41** The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42** At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - b) the investigator's determination and the reasons for that determination
 - c) any recommendations, and
 - d) such other additional information that the investigator considers may be relevant.
- 7.43** Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the Chief Executive Officer or, where the report relates to the Chief Executive Officer's conduct, to the Mayor, and this will finalise consideration of the matter under these procedures.
- 7.44** Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary Council meeting for the Council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary Council meeting following the election.

- 7.45** Where it is apparent to the Complaints Coordinator that the Council will not be able to form a quorum to consider the investigator's report, the Complaints Coordinator must refer the investigator's report to the Office for its consideration instead of reporting it to the Council under clause 7.44

Consideration of the Final Investigation Report by Council

- 7.46** The role of the Council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.
- 7.47** The Council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.48** Where the complainant is a Councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant Councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the Code of Conduct.
- 7.49** Prior to imposing a sanction, the Council must provide the respondent with an opportunity to make a submission to the Council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation/s.
- 7.50** Once the respondent has made their submission they must absent themselves from the meeting and, where they are a Councillor, take no part in any discussion or voting on the matter.
- 7.51** The Council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.52** Prior to imposing a sanction, the Council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the Office in relation to the report.
- 7.53** The Council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.54** The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55** Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the Council and the respondent.
- 7.56** The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.57** The Council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.

- 7.58** A Council may by resolution impose one or more of the following sanctions on a respondent:
- a) in the case of a breach by the Chief Executive Officer, that disciplinary action be taken under the Chief Executive Officer's contract for the breach, or
 - b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the LGA, or
 - c) in the case of a breach by a Councillor:
 - i. that the Councillor be formally censured for the breach under section 440G of the LGA, and
 - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.59** Where the Council censures a Councillor under section 440G of the LGA, the Council must specify in the censure resolution the grounds on which it is satisfied that the Councillor should be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that the council considers may be relevant or appropriate.
- 7.60** The Council is not obliged to adopt the investigator's recommendation/s. Where the Council proposes not to adopt the investigator's recommendation, the Council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 7.61** Where the Council resolves not to adopt the investigator's recommendation the complaints coordinator must notify the Office of the Council's decision and the reasons for it.

Part 8: Oversight and Rights of Review

The Office's Powers of Review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a Council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the Council, to defer taking further action in relation to a matter under consideration under the Council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

Complaints About Conduct Reviewers

- 8.4 The Chief Executive Officer or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The Chief Executive Officer must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The Chief Executive Officer must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

Practice Rulings

- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of Decisions to Impose Sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.59, paragraph (i), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.

- 8.12** A review under clause 8.11 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
 - c) that in imposing its sanction, the Council has failed to comply with a requirement under these procedures.
- 8.13** A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the Council has erred.
- 8.14** The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15** The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16** The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17** Where a person requests a review under clause 8.11, the Office may direct the Council to defer any action to implement a sanction. The Council must comply with a direction to defer action by the Office.
- 8.18** The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19** Where the Office considers that the investigator or the Council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary Council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary Council meeting following the election, and
 - b) the Council must:
 - i. review its decision to impose the sanction, and
 - ii. consider the Office's recommendation in doing so, and
 - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.20** Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), the Council resolves to reaffirm its previous decision, the Council must state in its resolution its reasons for doing so.

Part 9: Procedural Irregularities

- 9.1** A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2** A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

Part 10: Practice Directions

- 10.1** The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2** The Office will issue practice directions in writing, by circular to all Councils.
- 10.3** All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

Part 11: Reporting Statistics on Code of Conduct Complaints About Councillors and the Chief Executive Officer

- 11.1** The complaints coordinator must arrange for the following statistics to be reported to the Council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about Councillors and the Chief Executive Officer under the code of conduct in the year to September (the reporting period)
 - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
 - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
 - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
 - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
 - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
 - g) the total cost of dealing with code of conduct complaints made about Councillors and the Chief Executive Officer during the reporting period, including staff costs.
- 11.2** The Council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

Part 12: Confidentiality

- 12.1** Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2** Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the Chief Executive Officer or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3** Prior to seeking the Office's consent under clause 12.2, the Chief Executive Officer or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the Chief Executive Officer or their delegate, and consider any submission made by them.
- 12.4** In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the Chief Executive Officer or their delegate.
- 12.5** The Chief Executive Officer or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
 - b) the complaints coordinator
 - c) the Office, and
 - d) any other person the Chief Executive Officer or their delegate considers should be notified of the determination.
- 12.6** Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the Chief Executive Officer or their delegate under clause 12.2.
- 12.7** Clause 12.6 does not override any entitlement a person may have to access to Council information under the Government Information (Public Access) Act 2009 or to receive information under the Public Interest Disclosures Act 1994 in relation to a complaint they have made.



Complaint Handling Policy

Adoption Date:	28/06/2005
Amendment Date:	10/03/2009, 26/09/2022
Minute Number:	MIN05.730, MIN09.290, MIN22.722
Next Review Date:	01/12/2023
Related Legislation:	Local Government Act Protected Disclosures Act 2022 Independent Commission Against Corruption Act 1988 ("the ICAC Act")
Associated Policies/Documents:	Code of Conduct Code of Conduct Procedures Complaints Handling Procedures Internal Reporting Policy
Directorate:	City Performance
Responsible Owner:	Business Assurance and Risk
Record Number:	POL23/46

Complaint Handling Policy

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Complaint Handling Policy

1. Introduction**1.1. Policy Purpose**

Shoalhaven City Council is committed to delivering quality customer service and communicating effectively with our customers and the local community. Council values customer feedback as it helps with the continuous evaluation and improvement of our services.

We realise that sometimes, despite our best efforts, people may not be happy with the way we have performed or not performed a service.

Shoalhaven City Council's organisational values support our customer service commitments and complaint handling processes.

Our values are:

- Integrity
- Respect
- Collaboration
- Adaptability

We are committed to developing a culture of customer commitment in support of our values, where every employee instinctively acts with the understanding of the impact that their daily work and actions have on their immediate customers.

Our complaint management system is intended to:

- handle complaints fairly, efficiently and effectively
- enable us to respond to issues raised by people making a complaint in a timely and cost-effective way
- boost public confidence in our administrative process, and
- provide information that can be used by us to deliver quality improvements to our services, practices, products, procedures, staff, and complaint handling,
- outline the relevant external agencies for referral of serious breaches/complaints, and
- outline the Council's Management of unreasonable complainant conduct.

This policy provides guidance on the key principles and concepts of our complaint management system for Council customers.

1.2. Scope

This policy applies to all staff receiving or managing complaints from the public which are made to or about Council, in relation to our services, practices, products, procedures, staff and complaint handling.

Staff grievances, formal complaints alleging that an elected representative has breached the council's adopted code of conduct (code of conduct complaints) and public interest disclosures are dealt with under separate mechanisms.

[Complaint Handling Policy](#)

1.3. Organisational commitment

Council's commitment to complaint management is outlined as follows:

WHO	COMMITMENT	HOW
Chief Executive Officer	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none"> • Provide adequate support and direction to key staff responsible for handling complaints • Regularly review reports about complaint trends and issues arising from complaints • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly • Encourage staff to make recommendations for system improvements • Recognise and reward good complaint handling by staff • Support recommendations for product service, staff and complaint handling improvements arising from the analysis of complaint data
Director City Performance	Foster an effective Complaint Management System	<ul style="list-style-type: none"> • Contribute to the development of an efficient, fair consistent and transparent complaints handling framework • Educate and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures • Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system • Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly • Recognise and commend good complaint handling by staff
Public Officer / Manager Business Assurance & Risk – supported by Complaints Officer	Establish and Manage Council's Complaint Management System	<ul style="list-style-type: none"> • Provide regular reports to the Chief Executive Officer on issues arising from complaint handling work • Ensure recommendations arising out of complaint data analysis are canvassed with the Chief Executive Officer and relevant director and implemented where appropriate • Train and empower staff to resolve complaints promptly and in accordance with Council's complaints framework • Ensure all staff are aware of Council's complaint handling framework • Encourage staff managing complaints to provide suggestions on ways to improve Council's complaint management system

Complaint Handling Policy

All staff	Understand and comply with Council's complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints • Assist people to make a complaint, if needed • Comply with this policy and its associated procedures • Implement Council's complaint management system as relevant to role and responsibilities • Provide feedback to management on issues arising from complaints • Provide suggestions on ways to improve the organisation's complaints management system • Implement changes arising from individual complaints and from the analysis of complaint data as directed by management • Keep all appropriate records in relation to a complaint as required by this policy, but not limited to correspondence with complainant, interview notes, the evidence relied upon in an investigation, investigation/complaint findings and reasons for decisions
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2. Objectives

2.1. Policy Statement

3. Terms and Definitions

Term	Meaning
Complaint	<p>A complaint is an expression of dissatisfaction with the level or quality of the service provided by Shoalhaven City Council. This includes:</p> <ul style="list-style-type: none"> • Policies and Procedures - Complaints with respect to the implementation of, or failure to implement, policies or procedures. These complaints are usually related to dissatisfaction with service charges, policy decisions or a practice covered by a policy or procedure • Employees– Complaints about employees are generally about dissatisfaction with the behaviour or conduct of a Council employee • Contractors – Complaints about the behavior or conduct of contractors engaged by Council to undertake works or provide services • Quality of Service – Complaints about quality of service are generally related to the quality of the finished job (e.g., not up to an expected standard, poor workmanship) or the length of time taken to complete the job/provide the service (e.g., outside of service standards)

Complaint Handling Policy

Corruption	<p>Corrupt conduct, as defined in the <i>Independent Commission Against Corruption Act 1988</i> ("the ICAC Act"), is deliberate or intentional wrongdoing, not negligence or a mistake. It must involve or affect an NSW public official or public sector organisation.</p> <p>Corrupt conduct involves:</p> <ul style="list-style-type: none"> An NSW public official improperly using, or trying to improperly use, the knowledge, power, or resources of his or her position for personal gain or the advantage of others An NSW public official dishonestly exercising his or her official functions or improperly exercising his or her official functions in a partial manner, exercising his or her functions in a way that breaches public trust or misuses information, or material acquired during his or her official functions A member of the public influencing, or trying to influence, an NSW public official to use his or her position in a way that is dishonest or partial A member of the public engaging in conduct that could involve one of the matters set out in section 8(2A) of the ICAC Act where such conduct impairs, or could impair, public confidence in public administration. <p>More information and the legislative provisions can be found on the Independent Commission Against Corruption (ICAC) website</p>
Complaint management system	All policies, procedures, practices, staff, hardware, and software used by Council in the management of complaints.
Customer request	<p>The following are Customer requests and not <u>complaints</u> under this policy:</p> <p>The definition of a <u>customer request</u> includes:</p> <ul style="list-style-type: none"> A customer request for Council to undertake works or services or take regulatory action, such as reports about neighbours, noise, dogs, unauthorised building work or similar issues that fall into the regulatory aspect of council service – unless (1) it is a second request where there has been no response to the first request or (2) in the view of the customer the response to their request was unsatisfactory Reports of damaged or faulty infrastructure Requests for approval or authority An objection to the Council's issue of a penalty notice or taking other regulatory action for an offence under an Act or Regulation. Responses to requests for feedback about the standard of our service provision [see the definition of feedback]

Complaint Handling Policy

	<ul style="list-style-type: none"> • Routine inquiries about the Council's business or operations • A request for an explanation of the content of or application of policies or procedures • Workplace grievances (see our grievance policy) • Public interest disclosures made by our Council Officials. The Council has adopted an Internal Reporting Policy (under the Protected Disclosures Act 2022) • Applications and requests to access council information (see our Access to Information Policy) • Formal allegations that an elected council official or the CEO has breached the code of conduct [refer to our Code of Conduct and related Code of Conduct procedures]. • A complaint about an individual, event, service or business for which Council is not responsible • Requests for review of determinations made by Council in relation to development applications, planning decisions, or the decision to issue a penalties or infringements <p>Many of the issues above are often called 'complaints' when a customer contacts Council because a customer is unhappy about the situation and wants something done. To Council, however, such matter will be considered a Customer Request. This terminology does not reduce the importance of the issue, nor remove the requirement for Council to respond. However, it does help Council differentiate between a complaint and a request so that the issue can be registered and monitored appropriately in Council's systems.</p> <p>The policies listed above can be accessed on Council's website www.shoalhaven.nsw.gov.au.</p>
Dispute	An unresolved complaint escalated either within or outside of our organisation.
Feedback	<p>Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about our services or complaint handling, where a response is not explicitly or implicitly expected or legally required.</p> <p>This includes submissions made to public consultation processes such as:</p> <ul style="list-style-type: none"> • Submissions or objections to Development or Planning Applications • The lodging of an appeal or objection in accordance with a standard procedure or policy, for example about an approved development or draft policy or plan. • Submissions made via the Council's "Get Involved" Webpage or other community engagement mechanisms

Complaint Handling Policy

Workplace Grievance	A clear, formal written statement by an individual staff member about another staff member or a work-related problem or incident involving other staff. These matters are dealt with under Council's Grievance Policy
Maladministration	Is a failure to comply with proper procedures or the law and may involve action or inaction and inefficient, bad, or improper administration. Examples would include council failing to act on reports of unauthorised work or illegal activities, failing to comply with tendering processes or misusing secrecy provisions.
Public interest disclosure	A report about wrongdoing made by a public official in New South Wales that meets the requirements of the Public Interest Disclosures Act 2022.

4. Provisions

4.1. Guiding Principles for Handling Complaints



4.1.1. Facilitate Complaints

1. <i>People Focus</i>	<ul style="list-style-type: none"> Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products, and complaint handling Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame People making complaints will be: <ul style="list-style-type: none"> provided with information about our complaint handling process provided with multiple and accessible ways to make complaints listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and provided with reasons for our decision/s and any options for redress or review A complaint may be lodged in the following ways: <ol style="list-style-type: none"> Online at: Council's website by following the link on the Homepage https://www.shoalhaven.nsw.gov.au By telephone on 1300 293 111 Email to: council@shoalhaven.nsw.gov.au By post to: The Chief Executive Officer Shoalhaven City Council PO Box 42 NOWRA NSW 2541 In person at one of the following locations;
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Deleted: between 9am and 5pm, Monday to Friday

Complaint Handling Policy

	<p>NOWRA 9am-4pm weekdays City Administrative Centre Bridge Road, Nowra</p> <p>ULLADULLA 10am-2pm weekdays Southern District Office Deering Street, Ulladulla</p> <ul style="list-style-type: none"> Where a customer outlines a complaint via Council's Official Facebook, Twitter and other Social Media Accounts, Council will not respond via social media. Only in cases where the complaint includes an email or postal address will a written response be provided.
2. <i>No Detriment to people making complaints</i>	<ul style="list-style-type: none"> Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.
3. <i>Anonymous Complaints</i>	<ul style="list-style-type: none"> We accept anonymous complaints and will carry out an investigation of the issues raised where there is sufficient information provided to allow us to do so. Where a complaint is lodged via telephone and anonymity is requested the complainant will be advised that Council will be unable to contact the complainant further if additional information is needed and they will not be advised of the outcome of the complaint.
4. <i>Accessibility</i>	<ul style="list-style-type: none"> We will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance. If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we will communicate with them through their representative if this is their wish and we have been advised of this wish by the complainant.
5. <i>No charge</i>	Complaining to us is free.

4.1.2. Respond to Complaints

1. <i>Early Resolution</i>	<ul style="list-style-type: none"> Where possible, complaints will be resolved at first contact with Council.
2. <i>Responsiveness</i>	<ul style="list-style-type: none"> Where complaints cannot be resolved at initial interaction with the Complainant, we will promptly acknowledge receipt of a complaint within 7 business days. Council will aim to resolve complaints in the following timeframes: <ul style="list-style-type: none"> <u>For urgent matters</u> – within 24 hours. These matters would include a complaint about a safety issue that has been reported previously but has not been responded to within the service stand. <u>For simple matters</u> – within ten working days of receipt. These matters would include requests for readily available information such as returning calls providing requested information and

Complaint Handling Policy

	<p>responding to correspondence where Council has not met the relevant service standard.</p> <ul style="list-style-type: none"> o Complex matters will require longer periods of time to investigate and address, however they should be resolved within 28 days from receipt. <ul style="list-style-type: none"> • Where timeframes cannot be met, the complainant will be advised before the time limit expires and given the reasons for the delay and a revised timeframe for resolution of the complaint/completion of the investigation. • We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately. • We are committed to managing people's expectations, and will inform them as soon as possible, of the following: <ul style="list-style-type: none"> o the complaints process o the expected time frames for our actions o their likely involvement in the process, and o where known, any limitation to the outcome they have requested • We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate). • We will also advise people as soon as possible if we are unable to meet our time frames for responding to their complaint and the reason for our delay.
3. <i>Objectivity & Fairness</i>	<ul style="list-style-type: none"> • We will address each complaint with integrity and in an equitable, objective, and unbiased manner. • We will ensure that the person handling a complaint is not the staff member whose conduct is being complained about and does not have a conflict of interest. • Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.
4. <i>Responding Flexibly</i>	<ul style="list-style-type: none"> • Our staff are empowered to resolve complaints promptly. We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives. • We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.
5. <i>Confidentiality</i>	<ul style="list-style-type: none"> • We will protect the identity of people making complaints where this is practical and appropriate. • Personal information that identifies individuals will only be disclosed or used by the Council as permitted under the relevant privacy laws and our confidentiality obligations.

4.1.3. Manage Parties to a Complaint

1. <i>Complaint involving multiple organisations or parts of Council</i>	<ul style="list-style-type: none"> • Where a complaint involves multiple organisations, we will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated. • Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.
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Complaint Handling Policy

	<ul style="list-style-type: none"> Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated. Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our staff but also the actions of our service providers.
2. <i>Complaints involving multiple or related parties</i>	<ul style="list-style-type: none"> When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.
3. <i>Empowerment of staff</i>	<ul style="list-style-type: none"> All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities. Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system
4. <i>Managing unreasonable conduct by people making complaints</i>	<ul style="list-style-type: none"> We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on: <ul style="list-style-type: none"> our ability to do our work and perform our functions in the most effective and efficient way possible the health, safety, and security of our staff, and our ability to allocate our resources fairly across all the complaints we receive. Our expectations of complainant conduct are reflected in our 'Individual Rights and Responsibilities of the Parties to a Complaint' document attached to this Policy. When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with our complaints handling framework We will manage unreasonable conduct by people making complaints in line with the NSW Ombudsman's Guidelines on managing unreasonable complainant conduct.

4.2. Our Complaint Management System

When responding to complaints, staff will act in accordance with our complaint handling procedures as well as any other internal documents providing guidance on the management of complaints.

Staff will also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The six key stages in our complaint management system are set out below.



Complaint Handling Policy

1. <i>Receive Complaint</i>	<ul style="list-style-type: none"> Unless the complaint has been resolved at an initial interaction with the customer, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint which will be provided to the customer. The record of the complaint will document: <ul style="list-style-type: none"> date of receipt the contact information of the person making a complaint issues raised by the person making a complaint and the outcome/s they seek any other relevant information or supporting documents that have been provided any additional support the person making a complaint requires
2. <i>Acknowledge Complaint</i>	<ul style="list-style-type: none"> We will acknowledge receipt of each complaint immediately on receipt and provide detailed acknowledgement within ten (10) business days of receipt at which time the customer will be advised of the Officer who will be dealing with their complaint and details of this Complaints Handling Policy Consideration will be given to the most appropriate medium (e.g., email, telephone, letter) for communicating with the person making a complaint.
3. <i>Assess & Address Complaint</i>	<p><u>Complaint Assessment</u></p> <ul style="list-style-type: none"> After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control and if an alternate process applies to the matter. We will consider the outcome/s sought by the person making a complaint Where there is more than one issue raised, we will determine whether each issue needs to be separately addressed. If any aspect of the complaint is unclear, we will seek clarification from the complainant. When determining how a complaint will be managed, we will consider: <ul style="list-style-type: none"> How serious, complicated, or urgent the complaint is Whether the complaint raises concerns about health and safety How the person making the complaint is being affected The risks involved if resolution of the complaint is delayed, and Whether a resolution requires the involvement of other organisations If the complaint is required to be notified or referred to other authorities. <p><u>Addressing complaints</u></p> <ul style="list-style-type: none"> After assessing the complaint, we will consider how to manage it. To manage a complaint, we may: <ul style="list-style-type: none"> give the person making a complaint information or an explanation undertake research about the service, person or area that the complaint is about, and/or investigate the claims made in the complaint. We will keep the complainant up to date on our progress, particularly if there are any delays.
4. <i>Providing reasons for decisions</i>	<ul style="list-style-type: none"> Following consideration of the complaint and any investigation into the issues raised, the responsible officer will contact the person making the complaint and advise them: <ul style="list-style-type: none"> the outcome of the complaint and any action we have taken in response the reason/s for our decision/s the remedy or resolution/s that we have proposed or put in place. If an investigation makes any adverse findings about an individual, we will consider any applicable privacy obligations under the Privacy and Personal Information Protection Act 1998 and any applicable exemptions

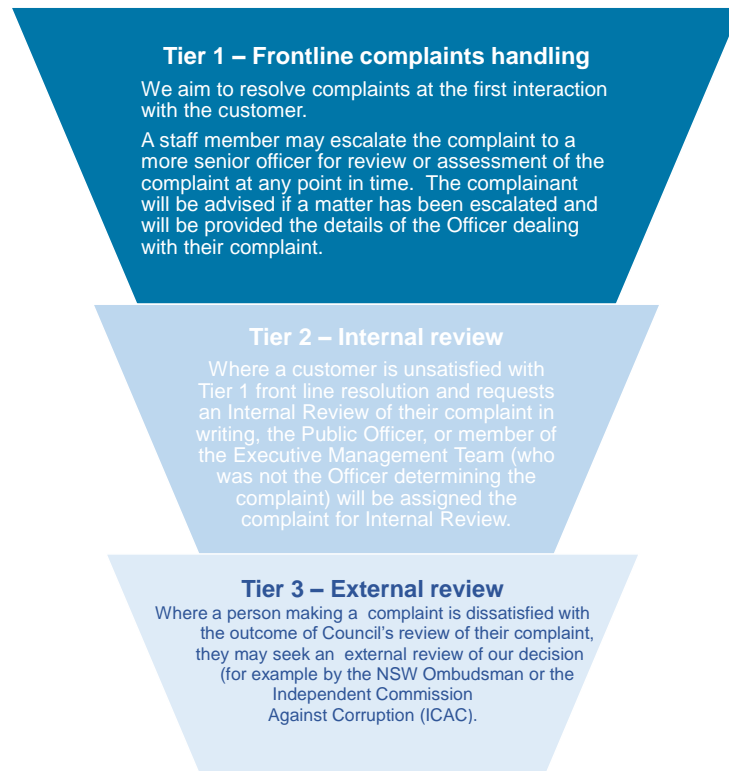
Complaint Handling Policy

	in or made pursuant to that Act, before sharing our findings with the person making the complaint.
5. <i>Providing complainant with review options and alternative avenues for resolution</i>	<ul style="list-style-type: none"> We will inform people who make complaints to or about us about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies that may deal with the complaint). <p><u>Referral to the Community Justice Centre</u> Council will promote and encourage the use of the free and confidential Community Justice Centre (CJC) services to assist community members and groups to seek mediated solutions for disputes between parties which cannot be resolved by the Council. Council may refer parties who agree to mediation to the CJC, or they can be accessed directly by parties to the dispute. The CJC can be contacted at 1800 990 777 or www.cjc.justice.nsw.gov.au.</p>
6. <i>Closing the complaint</i>	<ul style="list-style-type: none"> We will keep comprehensive records about each complaint, including: <ul style="list-style-type: none"> Our communication with the complainant How we managed the complaint The outcome/s of the complaint (including whether any aspect of it was substantiated) Recommendations made to address problems identified Decisions made on those recommendations, and Any outstanding actions that need to be followed up. We will ensure that outcomes are properly implemented, monitored, and reported to our Executive Leadership Team.

Complaint Handling Policy

4.3. Our Three Tiers of Complaint Handling for Complaint Escalation

Our three-tiered approach to complaints handling aims to have complaints responded to and resolved fairly, efficiently and effectively subject to their seriousness and stage in the process.



4.4. Accountability and Learning

4.4.1. Analysis and evaluation of complaints

Complaint Handling Policy

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make recommended improvements to our systems, policy and procedures.

4.4.2. Monitoring of the complaint management system

We will continually monitor our complaint management system to:

- Ensure its effectiveness in responding to and resolving complaints, and
- Identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and other tools.

4.4.3. Continuous improvement

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- Support the making and appropriate resolution of complaints
- Implement best practices in complaint handling
- Recognise and reward exemplary complaint handling by staff
- Regularly review the complaints management system and complaint data, and
- Implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

5. Implementation

Council's website will provide a clear outline of how to make a complaint and this policy.

A communication and education program will be undertaken for staff on the adoption of this policy and at regular intervals.

6. Related Legislation, Policies or Procedures

- Code of Conduct
- Code of Conduct Procedures
- Complaints Handling Procedures
- Local Government Act 1993
- Protected Disclosures Act 2022
- Internal Reporting Policy (PID)
- Independent Commission Against Corruption Act 1988 (The ICAC Act)

7. Risk Assessment

- Complaints are prioritised and assessed in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.
- When determining how a complaint will be managed, we will consider:
 - How serious, complicated, or urgent the complaint is
 - Whether the complaint raises concerns about health and safety
 - How the person making the complaint is being affected

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Code of Conduct Procedures¶
Complaints Handling Procedures¶
Local Government Act 1993¶
Protected Disclosures Act 2022¶
Internal Reporting Policy (PID)¶
Independent Commission Against Corruption Act 1988
(The ICAC Act)¶

Complaint Handling Policy

- The risks involved if resolution of the complaint is delayed
- Whether a resolution requires the involvement of other organisations
- If the complaint is required to be notified or referred to other authorities.

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8. Data and Reporting

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make recommended improvements to our systems, policy and procedures.

Regular reports are provided to the Chief Executive Officer and members of the Executive Leadership team on issues arising from complaint handling work.

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9. Monitoring and Review

This policy is subject to regular review at a maximum interval of two (2) years. Any recognised change to relevant legislation, directives or guidelines issued by agencies including the NSW Ombudsman and the Office of Local Government will instigate an immediate review of this policy to reflect any changes. Public consultation will be undertaken prior to substantive amendments being made to the policy.

10. Ownership and Approval

10.1. Public Policy

Responsibility	role
Directorate	Unit
Endorser	EMT or Director
Approver	Council

11. Attachments

11.1. Attachment 1 - Individual Rights and Responsibilities of the Parties to a Complaint

For Shoalhaven City Council to ensure that all complaints are dealt with fairly, efficiently and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all the parties to the complaint process.

Complainants have the right:

- To be treated with courtesy and respect

Complaint Handling Policy

- To make a complaint and to express their opinions in ways that are reasonable, lawful, and appropriate
- To a reasonable explanation of the organisation's complaints procedure, including details of the confidentiality and/or privacy rights or obligations that may apply
- To a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case
- To a timely response
- To be informed in at least general terms about the actions taken and outcome of their complaint
- To be given reasons that explain decisions affecting them
- To be informed of their rights of review on the decision of a complaint
- To communicate valid concerns and views without fear of reprisal or other unreasonable response
- Privacy

Council Staff have the right:

- To be treated with courtesy and respect
- To expect honesty, cooperation, and reasonable assistance from complainants
- To expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a complaint
- To a safe and healthy working environment
- To determine how a complaint will be dealt with under the Complaints Handling Policy
- To finalise complaints based on outcomes they consider to be satisfactory in the circumstances
- To modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant

Subjects of a complaint have the right:

- To be treated with courtesy and respect by Council staff
- To a fair and impartial assessment and, where appropriate, investigation of the allegations made against them
- To be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated
- To be informed about the substance of any proposed adverse comment or decision
- To be given a reasonable opportunity to put their case during any investigation and before any final decision is made
- To be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them
- To be protected from harassment by disgruntled complainants acting unreasonably.

Moss Vale Road North Urban Release Area

Public Exhibition: 26 Aug to 23 Sept 2024

**Review and Consideration of Submissions and Feedback
received on:**

- 1. Draft Development Controls (Development Control Plan)**
- 2. Proposed Local Infrastructure Contributions Framework**

February 2025

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1. Introduction

Council is planning a new residential area known as the Moss Vale Road North Urban Release Area (URA) that will be part of the suburb of Badagarang. The URA was initially identified for future residential development in the *Nowra-Bomaderry Structure Plan 2008* and will ultimately provide between 2,000-2,500 new homes, a local shopping centre, and open space. The future community will be supported with a range of infrastructure, including parks, playgrounds, and roads.

The URA was initially rezoned in 2014 with a range of planning controls included in the Shoalhaven Local Environmental Plan 2014. Council updated these LEP controls in late 2023 to ensure a range of new land use planning and environmental considerations are managed.

Two additional local planning documents need to be finalised to complete the release planning for this URA and enable the consideration of detailed development applications for its actual development. These are **Development Controls** (in the Development Control Plan) and a **Local Infrastructure Development Contributions Framework**. These documents must be in place before Council can consider any development applications for residential subdivision and subsequent dwellings.

Council exhibited draft documents from 26 August to 23 September 2024. This document summarises the submissions Council received in response to the exhibition.

Council received 14 submissions from community members (including landowners within the area), 5 submissions from the Moss Vale North Owners Group (a group with ownership/development interests in the majority of the URA), and the following relevant NSW Government Agencies:

- Transport for NSW.
- NSW Rural Fire Service.
- NSW Department of Climate Change, Energy, and the Environment.

Consultation with the Rural Fire Service, Transport for NSW, and the Owners Group will most likely continue as the development controls and Local Infrastructure Development Contributions Framework are settled.

The submissions have been themed into categories:

- Objections to the delivery of the URA.
- Infrastructure selection and the funding and delivering local infrastructure.

- Sustainable development.
- Dwelling diversity.
- Acquisition and dedication of riparian corridors.
- Managing flood risk.
- Managing the impact on existing communities, including the notification of future development activity.

2. Background

2.1 Development Controls

Development controls are the detailed controls which support planning controls that are in the LEP. They aim to guide the design of subdivisions and dwellings, the street network, protect the environment, and manage flooding and bushfire.

The draft development controls are informed by a range of technical documents including landscape specifications, requirements for vegetation management plan, and a water cycle assessment setting out measures to manage the quality and quantity of water from the new development. The development controls for the URA will ultimately be contained in a new chapter in the *Shoalhaven Development Control Plan 2014*.

2.2 Infrastructure Planning and Delivery

The area requires a range of future infrastructure to enable development and support the future community. Identified infrastructure and facilities include:

- Connections to the existing (external) road network.
- Significant internal roads (Collector Roads) connecting parts of the URA.
- A drainage network to manage stormwater run-off.
- Recreation areas and open space.
- A network of natural areas along watercourses.
- The upgrade of existing regional and district community facilities including libraries, swimming pools, and art galleries.

This infrastructure will ideally be delivered prior to or at the same time as development occurs. The significant infrastructure – the items enabling development – such as new connections to Moss Vale Road and water/sewer projects, will ideally be delivered upfront to enable the timely delivery of new housing, increase liveability, and meet the needs of the emerging community.

The Local Infrastructure Contributions Framework for this URA could take several forms. An important consideration in settling the framework is the NSW Government's local infrastructure contributions policy. This currently sets a \$30,000 per dwelling threshold for contributions in areas such as this one. The analysis of a variety of development scenarios demonstrates the essential infrastructure needed to support the URA significantly exceeds the contributions able to be collected with this current threshold that is in place.

Acknowledging this funding constraint, the following potential options for a local infrastructure contributions framework have been identified:

- **Reduce the infrastructure to lower the cost beneath the threshold:** This requires an exercise to identify and prioritise infrastructure. It will however ultimately lead to the undersupply of infrastructure, either to enable development or support the community.
- 3. **Apply to increase the threshold to deliver all the identified infrastructure:** This requires an application to the Independent Pricing and Regulatory Tribunal (IPART) to vary the current cap, a process which can potentially take 12-18 months. An application of this nature also does not guarantee the requested amount or secure all the required infrastructure.
- 4. **Federal and State Government funding:** Several funding initiatives have been foreshadowed however none are currently open for applications or relevant for the URA. These initiatives are accessed through competitive application processes and there is no guarantee the necessary funding can be secured.
- 5. **Development funds and delivers all identified local infrastructure:** This relies on the developers of the URA proposing to deliver the necessary infrastructure and/or make the required contributions (secured via a voluntary planning agreement or agreements). This is considered the most “complete” option at this point to secure the delivery of all local infrastructure but is a solution which must be supported/proposed by the developers.
- 6. **Council leads the delivery of infrastructure below the threshold, with the responsibility for delivering remaining infrastructure borne by development:** This would be a collaborative approach where Council leads and coordinates the delivery of key infrastructure to enable development, such as road and bridges, and development delivers the infrastructure directly related to development, such as drainage and local parks. This option could possibly be prepared/facilitated in a short timeframe (around 6 months).

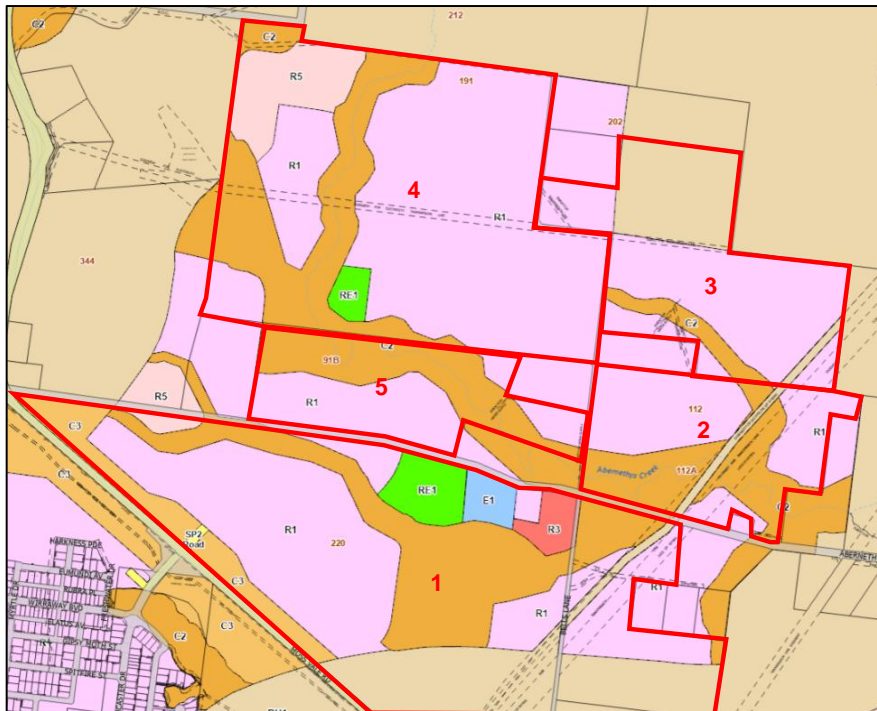
In the exhibition material, the final option was identified the potentially preferred option as it works with the NSW Government’s threshold on development contributions and can potentially be delivered quickly to “release” the area for development, allowing development activity to commence in a timelier manner. Requiring development to dedicate the land for roads, drainage and open space to Council at no cost removes potential land acquisition costs of over \$10m.

The proposed approach also retains previously supported arrangements for development to fund the restoration of natural areas, maintain them for a period of 5-years, and dedicate them to Council at no cost. This will be secured in the development controls.

2.3 Moss Vale North Owners Group

The Moss Vale North Owners Group is a group of five owners/developers who have an interest in the majority of the URA (approximately 200-hectares of the 240-hectare site).

No	Current Ownership Interest	Site	Legal Description
1	Cavi Property Group/Cambewarra Park P/L	220 Moss Vale Road	Lot 4 DP 268209
2	Arissa Group	112 Bells Lane	Lot 22 DP 1284124
3	H&M South Coast Pty Ltd/Haverton Homes	Bells Lane	Lot 7 DP 618693
4	Mayrin Group	191 Bells Lane	Lot 1 DP 1191186
5	Cambewarra Developments	91b Bells Lane	Lot 4 DP 708356



3. Community Submissions

3.1 Objections to Delivery of Urban URA

Submissions - 1

Feedback

One submission objected to the delivery of the URA, citing experiences with damage to road infrastructure and slow repairs and upgrades.

"Strongly object to the proposal, I live in Cambewarra Village and for the past numerous years have had to put up with having our roads ruined by water upgrades, roundabouts, and road works that were extremely slow."

Consideration of Feedback

The planning and delivery of the URA is well advanced and supported with a significant history of land use planning activity and documents. The URA will provide a significant supply of new homes in the Nowra-Bomaderry area helping meet housing needs. Council engaged the community during the preparation of planning documents relating to the URA.

Council first identified the URA as a "New Living Area" in its *Nowra Bomaderry Structure Plan* (adopted by Council in 2006). This Structure Plan identified several new residential areas in the Nowra-Bomaderry area for development over a 25-year period. The NSW Government endorsed the Structure Plan in 2008. The URA is now a regionally significant release are identified in the *NSW Illawarra-Shoalhaven Regional Plan 2041* (2021).

Council introduced initial planning controls for the URA in 2014, in the *Shoalhaven Local Environmental Plan 2014*. These controls were updated at the end of 2023 in response to contemporary information and policy positions on managing flood risk and biodiversity values.

The recently completed exhibition provided opportunities for feedback on draft development controls and a proposed Local Infrastructure Contribution Framework for the URA. These two documents are essential to provide further guidance on the delivery of the planned development and fund and deliver the infrastructure necessary to support the future community.

Recommended Response

Nil.

Note: The strategic and policy decisions related to this URA were implemented in 2014.

3.2 Funding and Delivering Local Infrastructure

Submissions - 4

Feedback

Several submissions raised the need for new and upgraded infrastructure to service the future community including schools, roads, and health facilities.

Now with the Badagarang subdivision our local infrastructure isn't coping. We need schools, shops, medical facilities, better roads etc. to be in place before adding another 2000-2500 homes.

The submissions raised infrastructure delivery responsibilities, especially for new roads within the URA, noting the potential cost to communities and access during natural disasters.

"[...] I asked [...] about responsibilities for new roads - i.e. the ones in this 'development'. The man said 'the Council'. A hugely important issue in relation to cost to the ratepayers and access/egress in the event of disasters."

The submissions raised concerns about Council's ability to deliver the infrastructure required to service the URA, in full or in part, expressing support for the options requiring developers to fund infrastructure or for Council to apply to the Independent Pricing and Regulatory Tribunal (IPART) to increase the amount of local infrastructure contributions Council can levy development.

"I strongly support the application to IPART to increase the cap to meet all infrastructure commitments as the most centralised way to deliver on Council's commitments."

Consideration of Feedback

Infrastructure Planning

The new community requires a wide range of infrastructure, facilities, and services. This includes transport infrastructure such as roads, pathways, cycleways and public transport, community facilities such as open space, parks, and playgrounds, and services such as schools, hospitals, and health facilities.

Council identified and zoned a new local centre for the URA. The permissible land uses and other planning and development controls allow the market and businesses to deliver a mix of commercial and retail uses, child care centres, and local health facilities in the URA.

Council is responsible for planning, funding, and delivering local infrastructure such as roads, pathways, cycleways, open space, parks, playgrounds, and drainage infrastructure. The proposed Local Infrastructure Contributions Framework outlines options to deliver these items.

Council has recently delivered new and upgraded road, water, and sewer infrastructure projects. These works include new pipe networks, pumping stations, and a roundabout on Moss Vale Road to provide access to the URA. Council has also completed the Far North Collector Road Network (Bannada Way), providing a new connection between Moss Vale Road and Illaroo Road.

The NSW Government is responsible for planning, funding, and delivering relevant infrastructure such as upgrades to State-owned and managed roads, health services, and education establishments. Council is continuing to advocate to the NSW Government agencies and other organisations to plan and deliver infrastructure which meets the needs of the future community. The identification of the URA in relevant strategic planning documents since 2008 ensures it is considered in the service planning activities of these agencies and organisations. In this regard it is noted the NSW Government is currently delivering a \$438 million upgrade to Shoalhaven Hospital, taking into account forecast population growth.

Development Contributions

Development contributions towards the delivery of local infrastructure are an essential part of the planning and delivery of the URA. These contributions are made by developers and collected by Council to help fund the cost of new infrastructure and services required by new development. Council's ability to levy new development is an important mechanism to ensure existing communities do not bear the cost of new infrastructure.

The proposed Local Infrastructure Contribution Framework identifies the local infrastructure needed to enable development of the URA and support the future community. The identified infrastructure includes parts of the road network within the URA and the connections to the existing road network, which together provide an evacuation route during flood events. Other infrastructure and facilities include open space, drainage, and the upgrade of existing district- or regional-community facilities (libraries, swimming pools etc.). The Framework also sets out potential options to fund the identified infrastructure.

The NSW Government's local infrastructure contributions policy is an important consideration for the URA. The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2021*, currently sets a \$30,000 threshold (or cap) for contributions per dwelling. Comparing scenarios of different development outcomes or dwelling yields against the infrastructure cost and the threshold

identifies a gap in infrastructure funding for the URA should the preparation of a Development Contributions Plan be selected as the contribution mechanism for the URA.

One of the options examined in the proposed Local Infrastructure Contributions framework paper is an application to the Independent Pricing and Regulatory Tribunal to increase the threshold/cap.

Although the Tribunal has favourably considered applications to increase contributions thresholds recently, examples of experiences with the application process of other councils suggests significant time (12-18 months) is required to complete the application process which will inevitably slow the delivery of the URA and the homes it is planned to provide.

However, an application to the Tribunal could provide significant benefits including facilitating Council's ability to levy development accordingly to provide the required infrastructure. It also reduces the extent of increased Council financial commitments when indexing of the contribution occurs, construction costs increase etc. A single, comprehensive contribution plan for the URA also provides the significant benefit of coordinating infrastructure delivery, lessening Council's administrative burden of coordinating delivery by development, managing alternative proposals, and striking voluntary planning agreements (to govern infrastructure delivery).

Transport for NSW also supports an application to the Tribunal to increase the contributions threshold to secure the delivery of road connections between the URA and existing network.

Recommended Response

7. Council continues to advocate with:
 - a. *Transport for NSW* for it to plan and deliver the upgrade of Moss Vale Road, including intersections with the local road network and the Princes Highway, and shared pathways to expand the current active transport network.
 - b. The *NSW Department of Education* for new and upgraded school facilities.
 - c. *Endeavour Energy* for the delivery of a new electricity distribution network.
8. Council continues to refine and cost the local infrastructure deemed necessary to support the URA to inform a future decision on the most appropriate funding mechanism(s).

3.3 Road Infrastructure

Submissions - 1

Feedback

This submission noted the large increase in traffic associated with the new URA's (Moss Vale Road South and Moss Vale Road North) and asked about measures to upgrade Moss Vale Road, its intersections with local roads, and improve the safety of the intersection of the Princes Highway and Moss Vale Road.

"Has the State Government been approached to improve the safety of the Princes Highway and the Moss Vale Road roundabout? There will be an increase in children attending the Bomaderry High School and this roundabout does not provide for any safe crossing. A serious accident waiting to happen."

The submission also asks how the proposed local road network would interact with the proposed Nowra-Bomaderry Bypass.

"Does this mean that the bypass will have to have a flyover of Collector Road, which will add to the cost. What arrangements have been made or is the bypass just going to disappear?"

Consideration of Feedback

Moss Vale Road Upgrades

The NSW Government, through Transport for NSW, is responsible for the management and upgrade of Moss Vale Road and intersections on the Princes Highway in response to planned growth. Potential upgrades of Moss Vale Road include a widening of the road and upgrades to intersections with local roads, such as Main Road, and the Princes Highway.

The need for an upgrade of the intersection between Moss Vale Road and Main Road has previously been identified to service both the southern and the northern URAs as they are developed. Council has also settled plans to connect to the new intersection once it has been delivered. The current roundabout on Moss Vale Road which provides access to the southern URA meets the current needs of that URA. There have been several investigations into the early delivery of this upgrade using grant funding and developer-led delivery, but delivery responsibility currently remains with Transport for NSW.

Council is continuing to advocate for Transport for NSW to meet the needs of the future community, with an upgraded road network. Identifying the URA in relevant strategic planning documents ensures it is considered in the service planning activity of this agency.

In 2022, Transport for NSW installed new traffic lights and signs at the intersection of the Princes Highway, Moss Vale Road and Cambewarra Road. The traffic lights activate when the traffic volumes are high to help drivers on Moss Vale Road access the Princes Highway. Transport for NSW is currently planning further upgrades to this intersection.

Delivery of Nowra-Bomaderry Bypass

Transport for NSW is leading the planning and delivery of the proposed Nowra-Bomaderry Bypass and is currently progressing the planning work for the Bypass (traffic modelling and preliminary environmental investigations).

The existing potential corridor for the future bypass in this location has been identified in the early planning work associated with the URA's in this location and largely kept free of additional development.

The planning and delivery of the URA is much more advanced than the work required to deliver the Bypass. Council has informed and sought feedback from Transport for NSW on the proposed local road network. Transport for NSW's bypass planning work will need to manage interactions with both existing and future local roads.

Recommended Response

Captured in recommendation No. 1 – Council's advocacy activities with *Transport for NSW* for it to plan and deliver the upgrade of Moss Vale Road including intersections with the local road network and the Princes Highway, and shared pathways to expand the current active transport network.

3.4 Community Infrastructure

Submissions - 1

Feedback

This submission supports the provision and embellishment of local parks but requests a greater range of facilities such as a skate park and pump track to meet the needs of the future community of the URA and other adjacent developments.

"[...] it is essential provisions are made for children activities including high standard equipment (e.g. Berry), BMX pump track, and a skate park. This will provide children with healthy outdoor activities [...]. Currently children must travel to Shoalhaven Heads for the nearest pump track and into Nowra for a skate park."

The submission also flags the need for Transport for NSW to contribute to the provision of active transport along Moss Vale Road to link the URA to nearby centres.

Consideration of Feedback

Open Space, Parks and Playgrounds

The exhibited documents identified indicative embellishment costs for open space (informed by Council's current Community Infrastructure Strategic Plan). The exhibited information did not confirm the actual range of facilities to be delivered.

The detailed or final planning for the open space areas still needs to occur and provides the opportunity to deliver a range of facilities.

Council is currently reviewing its Community Infrastructure Strategic Plan to identify the recreation needs of current and future communities and set out the response to meet those needs. The findings of this review will inform the embellishment of new open space.

Active Transport

Council is continuing to advocate for Transport for NSW to provide new and upgraded shared pathways to expand the active transport network.

Recommended Response

Open Space, Parks and Playgrounds

9. That Council use the contemporary findings in its updated Community Infrastructure Strategic Plan to inform the selection of facilities for the open space areas in the URA.

Active Transport

Captured in recommendation No. 1 – Council's advocacy activities with *Transport for NSW* for it to plan and deliver the upgrade of Moss Vale Road including intersections with the local road network and the Princes Highway, and shared pathways to expand the current active transport network.

3.5 Sustainable Development

Submissions - 1

Feedback

One submission raises concerns about urban heat and the management of stormwater.

“My concerns are the creation of heat sinks with so many houses packed on to tiny blocks which also impacts rain run off due to the loss of vegetation and open ground.”

Consideration of Feedback

Managing Urban Heat and Vegetation

The URA consists of cleared land used or previously used for agricultural activities such as grazing and agistment, with some minor stands of remnant vegetation. There are several watercourses flowing through the URA functioning as biodiversity corridors.

The draft development controls attempt to manage biodiversity values, protect existing and secure new vegetation, and manage water quality and quantity. These controls identify 70 hectares (about one third) of the URA to be restored, including revegetated riparian corridors and a landscaped buffer to Moss Vale Road. The open space and large-lot residential areas have been planned around the retention of existing trees.

Other opportunities to increase urban vegetation will be provided by future plantings in road verges and other open space (such as parks and playgrounds). The draft development controls also recommend minimum front, rear, and side setbacks, landscaped areas, and tree planting requirements for residential lots to ideally provide space between buildings and landscaped outcomes.

Managing Stormwater

Existing development controls require drainage infrastructure and water sensitive urban design to manage water quality and ensure no increased risk from flooding downstream of the URA. Additional development controls are proposed to increase the standard and performance of drainage infrastructure (see *Outcomes of Internal Review* section).

The proposed Local Infrastructure Contributions Framework broadly identifies the drainage infrastructure necessary to achieve this. The range of detention and bio-retention basins and wetlands confirmed in this framework were identified in the *Integrated Water Cycle Management Strategy* prepared for the URA in 2022.

Recommended Response

Nil.

3.6 Dwelling Diversity

Submissions - 1

Feedback

One submission provides observations on the development outcomes being delivered in the Moss Vale Road South Urban URA, raising concern about small lots and poor dwelling design. The submission recognises a range of lot sizes are proposed for the Moss Vale Road North URA but suggests larger lots on the edge and adjacent to the URA are required to increase dwelling diversity.

"[...] Unfortunately, the range of lot sizes is very limited. I would envisage a buffer around the [...] URAs of very much larger blocks. And a range of block sizes. People are prepared to pay for larger lots giving a range of lifestyles."

Consideration of Feedback

The majority of the URA is zoned *R1 General Residential* to provide for a range of dwelling outcomes including detached dwellings, dual occupancies, and secondary dwellings. This zone is supported with a minimum lot size for subdivision of 550m², with opportunities to provide smaller lots down to 300m². There are no controls setting maximum lot sizes. The existing controls provide the market/development industry a level of flexibility and the opportunities to deliver a diverse range of lot sizes and dwellings.

Further opportunities for dwelling diversity are provided by the medium density residential zone around the local centre and the 8.5 hectares of large lot residential land in selected locations on the periphery of the URA. These large lot areas provide the potential for approximately 75, 1,000m² lots (excluding the land required for local roads).

Council has committed to review the City-wide *Shoalhaven Growth Management Strategy* which includes the possible preparation of a Local Housing Strategy and Rural Lands Strategy. These documents provide the opportunity to confirm strategically important agricultural land, investigate the need for larger lots, and consider opportunities for rural-residential subdivision across Shoalhaven.

Recommended Response

Nil.

3.7 Acquisition & Dedication of Riparian Corridors

Submissions - 1

Feedback

A submission was received from the owner of a 2.8-hectare site within the URA objecting to the proposed requirements for the restoration and dedication of riparian corridors to Council (at no cost). The submission identifies that a large part of the site is zoned C2 Environmental Conservation to protect a watercourse and associated corridor which limits development opportunities. It also suggested that Council acquired land in the Moss Vale Road South Urban URA and should be adopting a similar approach for this URA.

"We strongly object to Council's proposal to take away our land and offer no compensation whatsoever. If Council cannot afford to pay a fair remuneration, then the development should be postponed, until an equitable outcome can be reached."

Consideration of Feedback

The planning for the URA occurred at a precinct scale to identify a logical and orderly master planned development which manages environmental features such as watercourses, biodiversity values, and flood risk. This approach means, on occasions, development opportunities may be limited on smaller properties and/or properties with significant or large areas with biodiversity values.

The planning controls set for the URA in December 2023 applied the C2 Environmental Conservation zone to significant watercourses and associated corridors. Approximately 2.1 hectares of this (2.8-hectare) site (75%) is zoned C2 Environmental Conservation.

The draft Development Controls require future development to fund and carry out the restoration of the corridor. The proposed Local Infrastructure Contribution Framework identifies the preference for the dedication of riparian corridors to Council, at no cost. This ensures Council is responsible for the ongoing management of these sensitive areas. It is noted that part of the original approach from the previous owners group when requesting that the planning for this URA be brought forward involved the rehabilitation and management of the riparian corridors that are a feature of the area.

There are no current opportunities/proposals to acquire the land zoned C2 Environmental Conservation as this would increase the amount of local infrastructure contributions, exacerbating the problem of setting/maintaining contributions for the URA at a sustainable level. In addition, the acquisition and revegetation of natural areas are not listed on the NSW Government's *Essential Works* List outlined in its Local Infrastructure Contributions

Policy. This prevents Council from including acquisition and revegetation activities in any future development contributions plan.

The land Council has acquired and continues to acquire in the Moss Vale Road South Urban URA is to provide for roads, drainage, and open space. It is also noted that the riparian corridor extent within the southern URA is much more limited than the within the Northern URA.

The R1 General Residential zone and associated planning controls apply to about 7,000m² of the site and provide a range of development opportunities. Although some of this area is required to provide asset protection zones to manage the bushfire risk from the riparian corridor, opportunities include standard residential lots (5-6 at 550m²), small lots (10 at 300m²), or a medium-density development due to the site's proximity to the local centre. There are also opportunities to consolidate with adjoining properties or retain the existing property.

Recommended Response

Nil.

3.8 Managing Flood Risk

Submissions – 6 (Form Letters).

Feedback

These submissions raise concerns about the increased rate and volume of stormwater run-off likely to flow from the developed URA into Abernethys Creek and potential, associated increases in flood risk affecting downstream properties, particularly the ones east of the South Coast Rail Line, adjacent to Abernethys Creek, and close to the confluence of Abernethys Creek with the Shoalhaven River.

The submissions request confirmation that the proposed drainage infrastructure solution will manage flood risk (to current levels) during localised flash flooding and larger flood events across the Shoalhaven River's catchment. The submissions note the challenge and the need to consider:

- The area of hard surface (roads, driveways, roofs etc) to be developed across the URA.
- The performance of the proposed drainage infrastructure.
- The effect of other infrastructure projects, such as the Berry to Bomaderry Highway upgrades, on flood risk.
- The mechanisms to release water after rainfall events and after any downstream flooding has resided.

The submissions request a meeting with Council staff to allow concerned residents to share the details and experiences of recent flood events. The submissions also call for rain gauges to be installed throughout the Abernethys Creek Catchment and for the increased maintenance of Abernethys Creek.

Consideration of Feedback

Managing Flood Risk

The area east of the railway, adjacent to Abernethys Creek, and close to the confluence of Abernethys Creek with the Shoalhaven River has an identified level of flood risk. The Lower Shoalhaven River Flood Study, which includes flood modelling based on current development and infrastructure, demonstrates the area is at risk from 1% annual probability and greater flood events.

The technical studies and flood modelling prepared to inform the planning of the URA confirms the:

- **rate** of run-off from the URA will be controlled to pre-development levels with drainage and stormwater detention infrastructure constructed throughout the URA.
- increased **volume** of run-off from proposed impervious surfaces in the URA does not create adverse downstream impacts (+/- 10mm in currently identified flood water levels).

The delivery of the future drainage and stormwater detention infrastructure for the URA will be secured through the development controls, local infrastructure contributions framework and ultimately development approvals. Together, these two planning/development control documents will set the location, size, development standard, and funding mechanism for the infrastructure. Council also administers the sign-off, or certification, of the construction of the infrastructure to ensure it meets applicable and required standards.

The flood modelling undertaken included and compared pre- and post-development scenarios for a range of flood events up to and including the 1% annual exceedance probability flood event (or 1 in 100-year event). It also considered the influence of recently delivered infrastructure such as the Berry-Bomaderry Highway upgrade.

The lack of downstream impacts from the future development (+/- 10mm) are due to the comparative size of the URA, which is much smaller than the larger catchment of Abernethys Creek and assumed saturated catchments and soils providing similar run-off volumes as hard surfaces.

The technical study – known as the Integrated Water Cycle Assessment - and flood modelling report will be made available on Council's Get Involved webpage about Planning for Growth in Nowra-Bomaderry:

(<https://getinvolved.shoalhaven.nsw.gov.au/planning-for-growth-nowra-and-bomaderry>).

Council's broader work preparing the Lower Shoalhaven River Floodplain Risk Management Study and Plan is investigating the feasibility of a potential upgrade and/or realignment of Abernathy's Creek flood mitigation drain.

Maintaining Watercourses

It is not the role or function of development controls to program regular maintenance activities for watercourses, especially for watercourses located outside of the URA. These are scheduled and undertaken through Council's maintenance programs.

Resident Meeting

Council has been engaging with the group of landowners who made these submissions since late 2022. This engagement started with a meeting where the landowners

presented their concerns to some Councillors and Council staff about flood risk and the potential impacts from the URA (during an earlier planning exercise for the URA). Council has subsequently exchanged correspondence on at least 12 occasions since the meeting on a range of matters including:

- Evidence and details of flood events.
- Identification and management of flood risk associated with the URA.
- Maintenance of Abernethys Creek.
- Planned upgrades of bridge infrastructure over Abernethys Creek.

Council's correspondence has confirmed:

- The current level of flood risk will not be adversely increased by the URA,
- Maintenance activities planned for or underway in Abernethys Creek, and
- Opportunities to participate in Council's broader flood risk management work, namely the preparation of the *Lower Shoalhaven Flood Risk Management Study and Plan*. This document will investigate the consequences of flooding on the community and measures to mitigate flood risk and impacts.

It is also not reasonable or practical to assert or require that the planning for the release of this URA will resolve and manage all the issues associated with Abernethys Creek.

The landowners have been provided with adequate access to Council staff through the above meetings and exchanges of correspondence.

Recommended Response

Nil.

3.9 Managing Existing Properties within the URA

Submissions - 1

Feedback

This submission raises concerns about the potential for future subdivision design and new homes to impact on the privacy, amenity, and access arrangements for property owners not looking to sell or develop their sites. For example, the location of multiple back-yards and fencing along the side boundaries of existing properties. The submission suggests a potential solution of requiring local roads along the boundaries of existing properties.

Consideration of Feedback

The URA is made up of a core of 6-8 large landholdings ranging in size from 18 to 83 hectares. There are also numerous smaller sites (or in holdings) scattered throughout the URA resulting from earlier rural-residential subdivisions, most likely concessional lots and these are typically 1 to 2-hectares.

The planning for the URA largely assumes all owners, current and future, will ultimately participate in the delivery of the URA and either sell or redevelop their properties, essentially incorporating them into larger subdivision precincts and planning activities. This is what has previously occurred in the development of similar areas in the longer term. The draft development controls therefore do not attempt to fully manage the integration of existing properties into the remainder of the URA.

However, it is recognised some existing owners may choose to retain their properties in their current state. The draft development controls can be adjusted to manage potential impacts on the privacy, amenity, and access arrangements of existing properties. Requiring subdivision proposals to consider this matter ensures it is also further considered and managed through the development application process.

The draft development controls do not set the location of all local roads (other than perimeter roads for bushfire management purposes) to provide flexibility for subdivision designs. This reduced prescription allows developments to more plan efficient lot layouts, safer road networks and also consider particular circumstances (like existing properties).

Recommended Response

10. Add a development control which requires the consideration of existing properties in subdivision planning activities. The control will include objectives for managing impacts on the privacy, amenity, and access arrangements of existing properties.

3.10 Notification of Future Development Proposals

Submissions – 6 (Form Letter).

Feedback

These submissions are critical of Council's notification of the exhibition of local planning documents for the URA and request further efforts to notify more of the community before any further decisions are made in this regard.

"I do not believe all community have been given the opportunity to voice their concerns regarding the MVRN URA Development. [...] I therefore propose, Council make a further effort to ensure as many residents as possible are informed of this project before any further decisions are finalised [...]."

Consideration of feedback

The public exhibition of the local planning documents was notified on Council's main website with a Public Notice and on its community engagement website (Get Involved). Notification letters were sent to relevant Community Consultative Bodies, affected and adjoining owners, and other community members registered to receive updates on the delivery of the URA. Updates were also posted on Council's social media channels and in its Community Newsletter. These activities exceeded the requirements of relevant planning regulations governing notification of public exhibitions.

Council is currently updating its Community Engagement Strategy and Community Participation Plan – key documents setting out how Council will engage the community on its decisions. Any future exhibition processes will comply with the commitments made in these documents.

It is noted that this URA and others have had a long planning and related community notification and engagement history, starting with the work on the Nowra-Bomaderry Structure Plan that was completed in 2008. Throughout this Council has attempted to ensure that landowners and the broader community have the opportunity to provide input and comment.

Recommended Response

Nil.

3.11 Miscellaneous

Submissions - 1

Feedback

One submission enquired about how to purchase a property in the URA.

Consideration of Feedback

The enquirer was advised that Council's current work will facilitate the delivery of the URA, making it ready for subdivision and construction activity. The advice confirmed Council is not responsible for selling land or homes within the URA.

Recommended Response

Nil.

4. NSW Government Agency Submissions

4.1 NSW Rural Fire Service (RFS)

Feedback

Securing Access for All Stages of Development

The RFS notes that the draft development controls adequately address its previous feedback on an earlier exhibited version of the controls which required the provision of suitable access to each of the identified development stages of the URA.

Asset Protection Zones

The RFS considers the note referencing the opportunity to use Short Fire Run methodology (Section 8.5 of the draft development controls) to identify alternative sizes of Asset Protection Zones does not add value and that performance-based solutions should be avoided in strategic planning documents.

Consideration of Feedback

Securing Access for All Stages of Development

Although the location and route of proposed access roads meet the RFS's requirements, further advice has been sought on the width of the "perimeter roads" proposed to service the URA.

Asset Protection Zones

The note referred to in the submission states the following with regard to short fire run modelling:

"Short-fire run modelling results endorsed by the NSW Rural Fire Service should inform reduced APZs."

Section A1.11 *Assessing remnant bushland and narrow vegetation corridors* of Planning for Bushfire Protection 2019 notes:

"The size and shape of small areas of vegetation influences the behaviour of bush fires and the associated risk to the built environment. Small or narrow parcels of vegetation have less opportunity to support fully developed bush fires because of their limited size."

Short fire run assessment is noted in Planning for Bushfire Protection as an appropriate approach for small or narrow parcels of vegetation. Due to the narrow nature of parts of the riparian corridors, a short fire run assessment approach may be appropriate to apply

to review the size of identified Asset Protection Zones, which are based on a methodology in line with large scale hazards. Reference to the need for this methodology to be utilised for any proposal to reduce the size of Asset Protection Zones, and that it must be endorsed by RFS, is therefore considered appropriate.

Any short fire run assessment would occur during the preparation of development applications. The development controls, the key guidance document for preparing development applications, is therefore considered to be a suitable location for the information to be referenced.

Recommended Response

11. Council incorporate the RFS's advice on the appropriate width and design of perimeter access roads into the development controls.

4.2 Department of Climate Change, Energy, the Environment, and Water

Feedback

Water Licensing and Approvals

This submission acknowledges the proposed preservation of identified riparian corridors along watercourses in the URA, and the requirements for development to rehabilitate the corridors. The submission notes rehabilitation and revegetation management plans are not included in the proposed local contributions framework.

The submission supports the provision of Bushfire Asset Protection Zones on road reserves as opposed to any encroachment of them into the riparian corridors.

Conservation Programs, Heritage & Regulation

The submission recommends four minor amendments to the draft development controls:

- Delineate more clearly between colours applied to the Vegetated Buffer and Natural Open Space areas.
- Identify that a Biodiversity Development Assessment Report may be required at development application stage.
- Expand the Indicative Layout Plan objectives to include an objective to secure buffers to significant remnant vegetation and riparian areas.
- Correct references to the C2 Environmental Conservation zone.

The submission also confirms that previous feedback (provided by the Department's Water, Floodplains, and Coast Team) has been incorporated into the draft development controls.

Consideration of Feedback

Water Licensing and Approvals

The support for the identified riparian corridor and bushfire management measures are noted. There are no current opportunities to include rehabilitation and revegetation activities in the approach to infrastructure contributions as this would increase the amount of local infrastructure contributions, exacerbating the problem of keeping contributions for the URA to a sustainable level. Additionally, such activities are not listed on the NSW Government's *Essential Works* List outlined in its Local Infrastructure Contributions Policy.

Conservation Programs, Heritage & Regulation

The requested amendments are considered reasonable/appropriate.

Recommended Response

12. Council amend the exhibited draft development controls to:

- a. Update Figure 2 to more clearly delineate the Vegetated Buffer and Natural Open Space areas.
- b. Add a 'Note' against Acceptable Solution A7.1 regarding the potential need for Biodiversity Development Assessment Reports to support development applications.
- c. Add the following to Section 8.1 Indicative Layout Plan:
 - i. New objective *'Provide buffers to significant remnant vegetation and riparian areas.'*
 - ii. New Acceptable Solution *'Roads are utilised to provide buffers to significant remnant vegetation and riparian areas.'*
- d. Amend all references to *E2 Environmental Conservation* in the development controls to *C2 Environmental Conservation*.

4.3 Transport for NSW

Feedback

Transport for NSW provided feedback on the following matters:

1. Road Infrastructure: The submission:
 - a. Highlights the importance of the Pestells Lane connection to secure access to the Princes Highway and provide a flood evacuation route and queries the likely timing for the delivery of the connection. It recommends:
 - i. Triggers (like number of lots) for the delivery of the connection, and
 - ii. Mechanisms to acquire the necessary land, within and outside the URA to deliver the connection.
 - b. Seeks clarification on the suitability of the current intersection of Pestells Lane with the Princes Highway to service the URA.
 - c. Suggests an additional connection from the URA to the Princes Highway via Abernethys Lane be considered.
 - d. Requests the provision of a minimum 2.5m wide shared path on Collector Roads and sufficient space for bus infrastructure.
 - e. Requests that the note about bus capable infrastructure be strengthened and included as a Development Control.
2. Development Staging: The submission raises concerns that the fragmented ownership of the URA and the flexible controls for development staging will facilitate alternative staging and delivery outcomes which may ultimately impact the delivery of infrastructure. It recommends additional mechanisms to adjust the timeframes and funding mechanisms for the delivery of identified road connections should development stages be adjusted.
3. Local Infrastructure Contributions Framework: The submission raises concerns about the adequacy of estimates of future road connections and whether the necessary funds will be available during the early stages of development to deliver the initial or enabling infrastructure. It is recommended that Council use the opportunity to apply to increase the current cap on contributions to secure the funds for the identified infrastructure.

4. Business Park: The submission advises there should be:
 - a. No direct access provided between the part of the URA zoned E3 Productivity Support and Moss Vale Road.
 - b. Adequate separation between any access servicing this area and the intersection of Moss Vale Road, Bells Lane, and Bannada Way.
5. Draft Development Controls: The submission provides a range of feedback on various components of the draft controls.
6. Vegetated Buffer to Moss Vale Road: The submission confirms the Agency's support for the proposed buffer as the land may be required for future upgrades and widening of Moss Vale Road. The submission requests controls which restrict delivery of local roads in the buffer.
7. Nowra-Bomaderry Bypass: The submission supports the preservation of the land identified for a potential corridor for the proposed Nowra-Bomaderry Bypass, requesting development is managed so as not to encroach on the corridor.

Consideration of Feedback

Road Infrastructure

Pestells Lane Connection: The timing or trigger for the delivery of the connection between the URA and Pestells Lane is still to be determined but early delivery has been identified if Transport for NSW's upgrade of Moss Vale Road are delayed. The acquisition and/or dedication of land required for the connection will potentially be secured through the final local infrastructure contributions framework.

Pestells Lane & Princes Highway Intersection: Transport for NSW's is responsible for this intersection. The original designs of this intersection responded to planned growth and included paths on both sides of the bridge and roundabouts on both sides of the interchange. Transport for NSW removed components during delivery due to budget constraints. Council's Transport Study confirms the current intersection will accommodate and service the traffic generated by the URA. It also highlights an upgrade will be required to service further planned growth in the Meroo Meadow Long-term Investigation Area (located to the north of the URA). The planned connection to Pestells Lane can be designed in a way which will not jeopardise future upgrades of the intersection.

Abernethys Lane Connection: Council's Transport Study identifies this connection as a possible future connection but one that is not initially essential to service the URA. Earlier planning work also demonstrated that the residents of Abernethys Lane object to the

concept of an additional access using this road. The delivery of the Nowra-Bomaderry Bypass provides a future opportunity to revisit the delivery of this optional connection.

Shared Paths: The draft development controls require 2.5m wide paths for all Collector Roads in the URA.

Bus Capable Infrastructure: The transfer of this note to a development control is reasonable.

Development Staging

The exhibited development controls include a staging plan to manage the orderly development of the URA and timely provision of infrastructure. The proposed controls also allow Council to consider variations to the staging plan if the orderly delivery of the development and infrastructure is not compromised. The controls also require alternative staging proposals to demonstrate they will deliver the required infrastructure.

The planning and development controls provide a level of flexibility to allow the market to respond with a diversity of lot sizes and house types. This flexibility makes it hard to identify the exact or final number of lots or dwellings which could be delivered. It is also impossible for Council to accurately predict, and therefore confirm, development timeframes as the market will lead subdivision and construction activity. The development of some stages of the URA also rely on the delivery of significant enabling infrastructure for which the delivery timeframe is currently unknown.

The local infrastructure contributions framework will coordinate the delivery of infrastructure, for example, by identifying the timing or “development triggers” requiring the delivery of infrastructure.

Local Infrastructure Contributions Framework

Early delivery of enabling infrastructure could be achieved through several mechanisms with costs recouped throughout the life of the development. These mechanisms include delivery by development as “works-in-kind”, low-cost loans, or the use of Federal and State Government infrastructure funding initiatives.

Section 3.2 of this report examines the funding and delivery of infrastructure and recommends Council continue to identify the infrastructure cost for the URA to identify the most appropriate mechanism to secure infrastructure funding.

Business Park

The development controls for the part of URA zoned E3 Productivity Support are provided in *Chapter G17 Business, Commercial and Retail Activities*. The Indicative Layout Plan

(Figure 2) in the exhibited controls suggests an access point from this land to Bells Lane. The suggested location meets Transport for NSW's request.

Development Staging Information:

Vegetated Buffer to Moss Vale Road

The development controls, through *Figure 2 Indicative Layout Plan*, confirm the proposed location of the local roads outside of the long identified (and zoned) vegetated buffer. Supporting controls for the street network and hierarchy require the road network to be delivered in accordance with indicative layout plan, with roads minimised in the vegetated buffer.

Nowra-Bomaderry Bypass

The corridor identified for the proposed Nowra-Bomaderry Bypass is identified and protected through planning controls in *Shoalhaven Local Environmental Plan 2014*. This includes a rural zone and a specific provision preventing development from comprising the future Bypass.

Recommended Response

7. Council continue its advocacy and collaboration efforts with Transport for NSW to:
 - a. Understand its planning and delivery timeframes for the upgrade of Moss Vale Road, including intersections with the local road network and the Princes Highway, and shared pathways to expand the current active transport network.
 - b. Confirm delivery timing/trigger for the Pestells Lane connection.
 - c. Provide further input into the preparation of the local infrastructure contributions framework for the URA.
8. Council adjust the current "note" about the need to deliver bus capable infrastructure to a full "Development Control".

5. Moss Vale North Owners Group Submission(s)

The Owners Group made a total of four submissions consisting of:

- Joint Landowner Submission, supplemented with additional information in December 2024.
- Mayrin Group's submission specific to 191 Bells Lane.
- Cambewarra Development's submission specific to 91b Bells Lane.
- H&M South Coast Pty Ltd/Haverton Homes submission specific to Lot 7 Bells Lane.

The submissions addressed the following general matters, providing detailed feedback for each:

- The proposed local infrastructure contributions framework.
- Road network.
- Drainage infrastructure.
- Riparian corridors.
- Managing bushfire.
- Managing flood risk.
- Relocation of open space.
- Vegetated buffer to Moss Vale Road.
- Development staging.
- Draft development controls.

Proposed Local Infrastructure Contributions Framework

The submissions identify this framework as the most significant issue for the Owners Group but also confirmed a level of support for Option 5 (Council and Developer Collaboration) and generally with the items of essential infrastructure identified. Concerns raised related to the amount and cost of infrastructure, the risk of delaying development as planning agreements are struck, and an inequitable framework for all landowners.

However, the offered support for Option 5 is subject to there being a collaborative working group to resolve the final framework. The Owners Group request that their involvement in the working group be as an active and equal stakeholder and contributor. The Group has also offered to undertake, fund and share updated engineering and design costings

for the infrastructure based on updated flood modelling it has prepared. The requested aims of the working group are to:

- Identify the types and amounts of infrastructure to be delivered through a future Development Contributions Plan, requesting that such a plan include all Collector Roads (an increase on the proposed),
- Reduce the identified shortfall in monetary contributions, and
- Determine a fairer apportionment and allocation for any remaining shortfall.

The submissions identify the following opportunities to address the contributions shortfall:

- Dwelling yield assumptions.
- Opportunities to increase dwelling yield, both within the currently proposed controls and other strategic mechanisms.
- Appropriateness of the proposed infrastructure (claim it is over-engineered with excessive road widths, bridge widths, and over stipulation of roundabouts).
- Alternative infrastructure delivery models.
- Potential design and cost savings, including the use of more accurate flood modelling.
- Equitable allocation of contributions to landowners.

The submissions also ask for other matters to be added to the contributions framework, including dedication of land for open space and riparian corridors and the revegetation of the riparian corridors.

Road Network

The submissions identify several concerns with the proposed road network including the requirement for certain collector roads, widths of roads and road reserves, number of roundabouts, need for bus capable infrastructure, and requirements for rear lane access. The submissions query if the current road designs are consistent with Council, State, and National design guidelines and highlight potential impacts on development yield.

Drainage Infrastructure

The submissions request the finalisation of the drainage strategy for the URA to confirm the final location and design of the various pieces of infrastructure, noting the potential impacts on developable area and dwelling yield. They also request the investigation of opportunities to reduce the overall footprint of infrastructure through the use of underground treatment devices and detention basins which, when dry, can function as open space.

Riparian Corridors

The submissions request a review of the riparian corridor boundaries and their adjustment to a “top-of-bank” measurement and to exclude areas currently included to help manage flood risk. They also request a range of development types and activities be permitted in the riparian corridors, including roads, asset protection zones, drainage basins, and parks.

The submissions state that the proposed revegetation of corridors or creation of newly vegetated corridors is unnecessarily burdensome and raises urban design and safety issues. For example, it will create areas unable to be supervised close to dwellings causing a reduction in safety. It is proposed that the corridors be re-established on a site-by-site basis with outcomes guided by the NSW Government’s guidelines only, indicating they should not be heavily treed and should include passive open space.

Managing Bushfire

The submissions claim that the changing bushfire impacts of future riparian corridors and potential positioning of drainage infrastructure have not been properly considered and may impact development footprint.

Managing Flood Risk

The Owners Group has commissioned a ground level survey and updated flood risk modelling using the survey outcomes. The submissions raise concerns about the amount of fill required to manage flood risk, the retaining infrastructure required at the edges of areas of fill, and the need to raise roads and open space.

The submissions also identify the priority of delivering the flood evacuation route and recommends Council apply for any Federal and/or State Government infrastructure funding initiatives to assist.

Relocation of Open Space

The submissions request the relocation of currently proposed parks to the areas of the URA zoned for Environmental Conservation and Environmental Management.

Vegetated Buffer to Moss Vale Road

The submissions request the removal of the prescribed width from the vegetated buffer to Moss Vale Road.

Staging

The submissions request the deletion of the proposed staging plan from the development controls, allowing each development application to address the applicable criteria regardless of the sequence in which other stages progress.

Draft Development Controls

The submissions highlight the importance of the development controls in supporting and streamlining the orderly submissions and processing of future development applications. The removal of what the Owners Group consider to be prescriptive controls for low and medium density housing and the village centre is requested. The submissions also identifies several inconsistencies in the figures in the draft development controls and requests all controls which duplicate the NSW Government's legislation and guidelines be deleted and instead referenced in the controls.

Consideration of Feedback

The number and scope of the matters raised by the current Owners Group with both the draft development controls and proposed local infrastructure contributions framework is significant and complex.

As a result, there is clear benefit in a series of meetings or collaborative workshops with the Owners Group to discuss and potentially resolve a range of matters. These can occur on the understanding that the currently identified outcomes:

- Earlier and consistent strategic outcomes that were identified and agreed to through earlier planning stages, such as the buffer along Moss Vale Road.
- Were essentially proposed by the previous Owners Group and form the basis for Council's earlier decision to bring forward and progress the detailed planning for release of the URA for development.
- Reflect the recommendations of the suite of technical studies Council has commissioned to inform its planning of the URA. These have totalled approximately \$500,000 to date and include an Integrated Water Cycle Assessment and Traffic Studies.
- Respond to NSW Government Agency policy or advice, for example, the width of riparian corridors, the width of the buffer to Moss Vale Road to assist with future road widening, or the measures required to manage flood risk (land zoning to remove development opportunities, areas of fill, and provision of an evacuation route).

Some of the matters raised in the submission were resolved or set in the planning controls in December 2023. This includes minimum lot sizes, the width of riparian corridors, and location of significant open space. These matters can only be adjusted or reconsidered in the LEP through the preparation of a Planning Proposal recommending adjustments to the planning controls. This requires a repeat of the Gateway process which requires a public exhibition and agency consultation and it would take 12-18 months to complete.

Other matters can be addressed through the adjustment of the draft development controls or the flexible application of any final controls as development applications are prepared and assessed. Development controls are considered as guidance and provide multiple opportunities for flexible application.

More work is needed to identify, design, and cost all essential infrastructure necessary to support the URA at an acceptable level. This proposed work includes collaboration with the Owners Group and Transport for NSW to provide a forum to address their concerns and keep them informed of infrastructure projects and costs. Once settled, this information will help inform the selection of an appropriate local contributions framework for the URA.

Recommended Response

9. Council collaborate with the Moss Vale North Owners Group to identify reasonable opportunities for further adjustments of the draft development controls and inform the preparation of the local infrastructure contributions framework.

Summary of Recommended Adjustments to Draft Development Controls

No.	DCP Ref.	Change	Reason
1	6 Key Development Outcomes for Moss Vale Road North URA	<ul style="list-style-type: none"> Insert a note clarifying the permissibility of health services facilities provided by the State Environmental Planning Policy. Change the pattern of the hatching identifying the small lot areas on <i>Figure 2 Indicative Layout Plan</i>. 	To respond to feedback from Council's City Development-Development Services Team.
2	6 Key Development Outcomes for Moss Vale Road North URA	Change the colour of 'vegetated buffer' on <i>Figure 2 Indicative Layout Plan</i> .	To respond to submission from DCCEEW (Conservation Programs, Heritage and Regulation) requesting better delineation between the Vegetated Buffer and Natural Open Space areas.
3	7 Satisfactory Arrangements for Local Infrastructure	Update <i>Figure 3 Satisfactory Arrangements for Infrastructure</i> to indicate the northwestern open space as a 'Local' park.	To respond to feedback from Councils Open Space and Recreation Planning team to better align with community needs analysis.
4	7 Satisfactory Arrangements for Local Infrastructure	Adjust <i>Figure 3 Satisfactory Arrangements for Infrastructure</i> to identify the location of two bridges on Bells lane and shorten the length of bridge identified on Abernethys Lane.	To respond to feedback from Council's City Development-Development Services Team.
5	8.1 Indicative Layout Plan	<p>Add a new objective: 'Provide buffers to significant remnant vegetation and riparian areas.'</p> <p>Add a new acceptable solution: 'Roads are utilised to provide buffers to significant remnant vegetation and riparian areas.'</p>	To respond to submission from DCCEEW (Conservation Programs, Heritage and Regulation) requesting reference to ensuring buffers are provided to significant remnant vegetation and riparian areas, including through the use of perimeter roads as shown in the Indicative Layout Plan.
6	8.1 Indicative Layout Plan	Add a new objective: Natural open space is used to promote continuous and connected biodiversity corridors.	To respond to feedback from Council's City Development-Development Services Team.

Summary of Recommended Adjustments to Draft Development Controls

7	8.3 Aboriginal Cultural Heritage	<ul style="list-style-type: none"> • Add a definition to help with interpretation of “relevant Aboriginal stakeholder”. • Add a note clarifying an Aboriginal Heritage Impact Permit may be required subject to the findings of any Aboriginal Cultural Heritage Assessment. • Add a note to suggest consultation with suitably qualified heritage professional or Aboriginal cultural heritage profession may be required. 	To respond to feedback from Council’s City Development-Development Services Team.
8	8.4 Managing Flood Risk	Update as per feedback received from internal stakeholders including refinements to the introductory text, Objectives, Mandatory Controls, Performance Criteria and Acceptable Solutions.	To respond to feedback from Council’s City Development-Environmental Services-Floodplain team.
9	8.4 Managing Flood Risk	Update acceptable solution to include “any other relevant flood legislation applicable at the time of lodgement.	To respond to feedback from Council’s City Development-Development Services Team.
10	New Stormwater Management Section	Insert new section as per advice received from internal stakeholders.	To respond to feedback from Council’s City Development-Environmental Services-Floodplain team.
11	8.6 Managing Natural Resources and Environmental Heritage	Insert note under Acceptable Solution A7.1 that a Biodiversity Development Assessment Report may be required at development application stage.	To respond to submission from DCCEEW (Conservation Programs, Heritage and Regulation) which notes that it is currently unclear that this may be required without cross-referencing Chapter G5 Biodiversity Impact Assessment of SDCP 2014.
12	8.7 Landscape Strategy	Update as per feedback received from internal stakeholders including refinements to the Objectives and Acceptable Solutions.	To respond to feedback from Council’s City Services - Open Space & Recreation Planning team.
13	8.8 Open Space System	Update as per feedback received from internal stakeholders including changing the category of the northwestern park from District to Local and	To respond to feedback from Council’s City Services - Open Space & Recreation Planning team.

Summary of Recommended Adjustments to Draft Development Controls

		delineation between open space and riparian lands.	
14	8.8 Open Space System	Adjust A14.1 to identify the trigger as the issue of a Subdivision Certificate, instead of an Occupation Certificate.	To respond to feedback from Council's City Development-Development Services Team.
15	8.11 Subdivision Design	Include additional mandatory control requiring all lots to provides a level building area that does not require inter-allotment retaining walls.	To respond to feedback from Council's City Development-Development Services Team.
16	8.11 Subdivision Design	Insert new planning controls requiring subdivision planning activity to consider existing residential and rural-residential properties proposed to be retained in their current form and ownership. The new controls will identify the need for subdivision design to consider opportunities to manage impacts on the privacy, amenity, and access arrangements of existing properties.	To respond to Submission No. 14 which requested development control to protect the privacy, amenity, and access arrangements for property owners not looking to sell or develop their sites.
17	12 Low Density Residential Development Controls	<ul style="list-style-type: none"> Remove controls relating to room depths, ceiling heights, trees in back gardens, calculation of attic space, widow, doors and other openings. Amend controls for corner lot garage setbacks and driveway crossovers for dual occupancies. Add a new control to require identification of zero lot line developments at subdivision stage. 	To respond to feedback from Council's City Development-Development Services Team.
18	Multiple	Amend references to <i>E2 Environmental Conservation</i> to <i>C2 Environmental Conservation</i> .	To respond to submission from DCCEEW (Conservation Programs, Heritage and Regulation) regarding need to reflect correct zoning label.



Backflow Prevention and Cross-connection Control

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Associated Policies/Documents:
Responsible Owner:
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1. Policy Purpose

The objectives of this policy are:

- To minimise public health risk
- To separate and protect the quality of the drinking water supply in Council's water reticulation system from real or potential hazards
- To ensure cross-connection control is properly managed within properties
- To define responsibilities for plumbers and property owners

2. Objectives

2.1 Policy Statement

As drinking water quality standards have increased across Australia due to community expectations, a greater focus has been given to the prevention of contamination of water reticulation systems.

State Government and Australian Standards have regulated cross-connection control and backflow prevention for a long period of time. The commencement of the Plumbing and Drainage Act 2011 established NSW Fair Trading as the single plumbing and drainage regulator in NSW. Shoalhaven City Council, under delegation from NSW Fair Trading, is required to take measures to ensure compliance and assist in the protection of public health.

Shoalhaven City Council is the statutory authority responsible under the Local Government Act 1993 for water supply in the City of Shoalhaven. "Council" in this document refers to "Shoalhaven City Council".

This policy forms part of the conditions for approval to draw water from the Council drinking water supply under Section 68 Part B (2) of the Local Government Act 1993.

3. Definitions

Term	Meaning
Backflow	<ul style="list-style-type: none"> • Flow in a direction contrary to the normal or intended direction of flow; and/or • The unintended flow of water from a potentially polluted source into a drinking water supply. <p>Backflow generally occurs from a property to the water supply system in instances where there is a pressure differential between the water main and the <u>property and can occur as back siphonage or back pressure.</u></p>
Back siphonage	<p><u>Reversal of flow of water caused by negative pressure in the distributing pipes of a water service or supply.</u></p> <p><u>Occurs when the water supply pressure falls below atmospheric pressure, usually due to a break in the water main, or if there is a significant draw on the water supply e.g., through firefighting activities.</u></p>

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Backs siphonage – occurs when the water supply pressure falls below atmospheric pressure, usually due to a break in the water main, or if there is a significant draw on the water supply e.g., through firefighting activities.¶
Backpressure – occurs where the pressure downstream (within a property) becomes greater than the pressure upstream i.e., a property's water pressure is greater than the main water supply.

Back pressure	A reversal of water flow caused by the downstream pressure becoming greater than the supply pressure. Occurs where the pressure downstream (within a property) becomes greater than the pressure upstream i.e., a property's water pressure is greater than the main water supply.	
Backflow Prevention Device	A device to prevent the reverse flow of water from a potentially polluted source into the drinking water supply system or Network Utility Operator's water supply. The device is either testable or non-testable. Only testable devices are required to be registered with Council. For typical household meters, backflow is prevented through a non-testable backflow device integrated with the water meter.	<p>Deleted: that</p> <p>Deleted: s</p> <p>Deleted: a</p> <p>Deleted: A backflow prevention device may be an air gap, break tank or mechanical device designed to prevent the unplanned reversal of flow of water or contaminants into a water service and</p>
Cross-connection	Any connection or arrangement, physical or otherwise, between any drinking water supply system either directly or indirectly connected to a water main, and any fixture, storage tank, receptacle, equipment, or device through which it may be possible for any non-drinking, used, unclean, polluted, or contaminated water, or any other substance, to enter any part of the drinking water system under any conditions.	
Cross-connection control	The control of risk to mitigate potential contamination into the drinking water supply system or Network Utility Operator's water supply.	<p>Deleted: a reticulation system (whether Council mains or private services) from potential sources within premises connected to the water reticulation system</p>
Standards	When used in this policy refer to Codes, Australian Standards, and Legislation listed in Section 5 of this policy.	Formatted: Not Highlight
NCC	National Construction Code	Formatted: Not Highlight
PCA	Plumbing Code of Australia. The PCA is Volume 3 of the National Construction Code (NCC) issued by the Australian Building Codes Board (ABCB).	Formatted: Not Highlight
Hazard Ratings	<p>A level of potential toxicity that may cause contamination in a drinking water system, having a rating of Low Hazard, Medium Hazard or High Hazard, determined in accordance with NCC Volume 3.</p> <ul style="list-style-type: none"> High hazard - Any conditions, device, or practice which in connection with the water supply has potential to cause death Medium hazard - Any condition, device, or practice which in connection with the water supply has the potential to endanger health Low hazard - Any condition, device, or practice which in connection with the water supply would constitute a nuisance but not endanger health or cause injury 	<p>Formatted: Not Highlight</p> <p>Formatted: Font: Italic, Not Highlight</p> <p>Deleted: Cross-connections are rated using three degrees of hazards as follows</p> <p>Formatted: Not Highlight</p> <p>Deleted: system</p> <p>Deleted: system</p> <p>Deleted: system</p>
NUO	Network Utility Operator (as defined in the PCA).	Formatted: Not Highlight

	Shoalhaven Water, Council's Water Utility, is the NUO referenced in this policy.
Individual Backflow Protection	The installation of a backflow prevention device at the point where a water service connects to a single fixture or appliance.
Zone Backflow Protection	The installation of a backflow prevention device at the point where a water service is connected to multiple fixtures or appliance, with no backflow prevention device installed as individual protection downstream of this point.
Containment Backflow Protection	The installation of a backflow prevention device at the point of connection of a Network Utility Operator's water supply to a site. A containment device is installed immediately downstream of the water meter(s) serving a property.

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4. Roles and Responsibilities

4.1 Provisions

4.1.1 Cross-connection Control

Only drinking water shall be supplied to plumbing fixtures or outlets used for drinking, bathing, culinary use, or the processing of food, medical or pharmaceutical products. All water supply systems shall be designed, installed, and maintained to prevent contaminants from being introduced into drinking water supply systems.

No device or system that may permit the introduction of any foreign substance into the water service shall be connected directly or indirectly to any other part of the water supply system (including fire protection, garden watering and irrigating systems) or to any temporary attachment to the water service without a method of cross-connection control and backflow prevention.

4.1.2 Backflow Prevention Assessment

Cross-connections and Backflow Prevention requirements are to be assessed ~~and Individual, Zone and Containment Hazard Ratings determined~~ in accordance with the PCA and AS/NZS 3500.1.

~~Backflow prevention devices shall then be selected and installed in accordance with the PCA and AS3500.1.~~

~~Containment protection hazard ratings are required to be determined according to the NCC building classification and in accordance with~~ the PCA (currently in Specification 41).

~~Council, as the NUO, prescribes the following variations to the PCA for containment protection:~~

- All class 7b buildings are deemed high hazard.
- Containment hazard is considered the same as the highest hazard posed within the site. For example, a hose tap at a grease arrestor requires a high hazard device, therefore the backflow prevention device required for containment protection is also required to be a high hazard device.

Deleted: Backflow protection requirements are determined by first identifying the individual hazards within premises. In working upstream from each hazard, the water shall be regarded as non-drinking water until a backflow prevention device is provided, suitable to the degree of hazard.¶ In assessing a potential backflow condition consideration must be given to the complexity of piping, the probability of piping change and negligent or incorrect use of equipment that may result in a backflow condition.¶

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Deleted: ~~Individual Backflow Protection~~ - the device shall be provided at the water connection to a fixture or appliance.¶ **Zone Backflow Protection** - the device shall be provided in the connection to specified sections of a plumbing system within a building or facility.¶ **Containment Backflow Protection** - the device shall be provided in the property service connection immediately downstream of the water meter(s) serving the property.¶

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- Premises where the hazard is unknown or where inspection is restricted, such as self-storage facilities, are deemed high hazard.
- Where a building has multiple building classifications (in accordance with the NCC) or the premise contains more than 1 building, each having different building classifications (in accordance with the NCC), the building classification with the highest hazard rating will be used to determine containment protection.
- Any premises with a fire service shall comply with Section 4.1.8 of this policy.

Where potential for cross-connection may occur between subdivided or strata properties, appropriate backflow devices must be fitted for site containment at each strata property. Such devices must be consistent with the highest hazard rating within the strata properties.

Council may at any time, where it deems necessary, require that a formal assessment in the form of a backflow survey be undertaken or require that backflow prevention device/s be installed.

4.1.3 Backflow Survey

Council requires a backflow survey to be submitted as required by a condition of a development application, complying development certificate, Shoalhaven Water Certificate of Compliance/Water Development Notice, or as deemed necessary in accordance with Section 4.1.2 of this policy.

Council requires the backflow survey to be undertaken by an accredited backflow plumber or a hydraulic consultant/engineer and submitted in writing to Council. The survey shall include the following information:

- Hydraulic consultant or plumber's name, address, and qualifications (e.g., license no.)
- Address of the property being surveyed
- Building classification of the buildings/structures on the property determined in accordance with the NCC
- Hazard rating/s within the premises
- Type and location of proposed device/s, and
- Certify that the hazard rating, type, and location of devices have been determined, selected, and located in accordance with the PCA and AS/NZS 3500.1

For large or complex sites, the survey shall be accompanied by a hydraulic plan showing location and type of backflow devices proposed.

The results of the survey shall be ratified by Council prior to installation, and written acknowledgement will be provided to the customer on acceptance of the survey.

Backflow prevention devices specified on the survey are to be installed, tested, and registered with Council prior to occupation or commencement of the approved use or within the timeframe specified in the acknowledgment.

4.1.4 Initial Installation and Registration of Backflow Devices

The property owner must undertake the necessary arrangements to install, test and register backflow devices in accordance with the Standards and this policy by:

- Engaging a licensed plumber for installation of such devices.

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Cross-connections are rated using three degrees of hazards as follows¶
High hazard - Any conditions, device, or practice which in connection with the water supply system has potential to cause death¶
Medium hazard - Any condition, device, or practice which in connection with the water supply system has the potential to endanger health¶
Low hazard - Any condition, device, or practice which in connection with the water supply system would constitute a nuisance but not endanger health or cause injury¶
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- Submitting a Certificate of Compliance (CoC) for plumbing and drainage works in accordance with the Plumbing and Drainage Act 2011, referencing the serial numbers of all new testable device/s.
- Engaging a licensed, accredited backflow plumber authorised by Council for testing of such devices
- Ensuring the submission to Council of an initial test report for each testable device installed on the property to initiate the registration process
- Payment of the fee for inspection of the installation and initial registration of the device(s) installed. Please note: Additional inspection fees may be applied where further inspections are required due to non-compliance with the installation requirements of the Standards (Refer Section 4.1.12 – Plumber Responsibilities)

The month of the initial test date becomes the anniversary month for annual testing purposes.

4.1.5 Annual Registration, Testing and Maintenance of Backflow Devices

All testable backflow prevention devices are required to be tested at intervals not exceeding twelve (12) months.

Each year the property owner(s) must ensure that all testable devices are tested by the designated anniversary date, and are maintained if required.

Council shall give notice to the property owner(s), or their designated contact person, approximately four (4) weeks in advance of when annual testing and certification of devices is required and due. The notice will include the annual registration fee.

Testing, and maintenance where necessary, must be carried out by a licensed accredited backflow plumber in accordance with the Standards. Results of the testing and maintenance must be submitted in the form of a test report compliant with the AS/NZS 2548.3 and must be forwarded to Council once completed and prior to the test due date. Council must be advised if the results cannot be forwarded due to a delay with maintenance or replacement.

Where a containment device has been replaced, an inspection of the installation of the replacement device will be carried out by Council to ensure compliance with the Standards.

A CoC shall be provided by the installing plumber for all replacement devices (containment, individual and Zone devices).

Annual registration of the device shall be deemed completed when:

- The test report has been received, reviewed, and accepted by Council, and
- Installation of any replacement device/s is compliant, and a CoC has been submitted for any such device, and
- Payment of the annual registration fee has been received.

Where the review by Council finds that the test report results or details or installation do not comply with the requirements of the standard, the report will be rejected, and registration will not be completed. The responsible plumber and/or property owner/representative will be advised to rectify.

Formal notice will be issued if the test reports for all devices on a property have not been received, or registration has not been completed within two (2) weeks of the due date. A late fee will apply for

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each four (4) week period (or part thereof) overdue, for each outstanding device, until registration is complete. Council may also act in accordance with clause 4.1.6.

4.1.6 Failure to Install, Register, Test or Maintain Devices

Where an owner has failed to ensure installation, registration, testing or maintenance of backflow prevention device(s), Council may do one or more of the following (as applicable):

- Send formal notification and issue a late fee, per device, for each four-week period overdue
- Test the device and charge a fee to the property owner
- Correct the installation configuration of a device in line with the requirements of the Standards and pass the cost of the works on to the property owner
- Apply a water flow restrictor to the metered water service for the property, and charge a fee for the removal of the restrictor
- Disconnect the water service if Council believes that the hazard presented by the activities on the property presents an unacceptable risk to the water supply and charge a fee for the disconnection/reconnection.

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Where a plumber has failed to install, test, or submit test reports for backflow prevention device/s in accordance with the Standards, Council may do the following (as applicable):

- Send formal notification to rectify the non-compliance
- Issue a defect notice in accordance with the Plumbing and Drainage Act 2011
- Charge a reinspection fee directly to the plumber
- Refuse to accept test reports from a plumber or remove a plumber from Council's list of accredited backflow plumbers (usually where there have been recurrent issues)
- Issue Penalty Infringement Notices in accordance with relevant legislation

4.1.7 Removal or Change of Device

If the process or activity at the premises has changed and the hazard rating changes, the property owner must submit a backflow survey in accordance with section 4.1.3 of this policy. In addition to the requirements of section 4.1.3, the survey shall identify the reason for such change of hazard rating. The results of the survey shall be ratified by Council prior to removal, installation or modification of the device, and written acknowledgement will be provided to the customer on acceptance of the survey.

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At any time where a device is added, removed, or changed, council must be advised in writing.

4.1.8 Fire Service Requirements

Owners of properties with separate hydrant and sprinkler fire services must install a testable double check detector assembly (DCDA). The device must be installed close to where the water service crosses the property boundary and upstream of any booster assembly or off-take.

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Isolation valves must be installed in accordance with AS2419.1 and shall be full-flow outside screw and yoke wheel-operated gate valves of the indicating type, or low torque wheel-operated multi-turn post indicator ball valves, or gear-operated butterfly valves.

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Council may allow lesser backflow prevention measures for domestic sprinkler systems or small drencher (wall wetting sprinkler) systems. This will be considered on a case by case basis and will require the submission of a hydraulic plan showing the location and type of backflow prevention.

Please note that the reduction of pressure across a backflow prevention device needs to be considered during the hydraulic design phase of a project to ensure minimum pressure requirements are met for fire services.

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4.1.9 Standpipes

Any standpipe connected to Council's water supply must have a testable backflow prevention device immediately after the standpipe. Alternatively, and only if the standpipe is used solely for the filling of a dedicated tanker or vessel (eg water carter), the vehicle or vessel is required to have a permanent air gap installed that complies with the requirements for a Registered Air Gap (RAG) as per the Standards. [The backflow prevention device is required to be installed, tested and registered in accordance with 4.1.4.](#)

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4.1.10 Reclaimed Water Supplies

Premises with a reclaimed water supply are required to install on the drinking water supply, a backflow containment device suitable for high hazard. The device must be either a Registered Break Tank (RBT) or a Reduced Pressure Zone Device (RPZD).

4.1.11 Relevant Registers

Council will compile and update on a regular basis:

- A register of properties and their owners/occupiers where testable backflow prevention devices are installed.
- A register of installed testable backflow prevention devices for each property.
- A register of authorised licensed plumbers qualified in backflow prevention device testing.

The list of local authorised licensed plumbers who are qualified in "Backflow Prevention" are available on Shoalhaven Water's website - www.shoalwater.nsw.gov.au.

4.1.12 Responsibilities

Plumbers

A licensed plumber must install all backflow prevention devices to comply with the Standards and submit a [CoC](#) for all new and replacement device installations.

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Only a licensed backflow accredited plumber may test/commission the devices.

Prior to acceptance of test reports, Council shall be provided with evidence of the plumber's backflow accreditation [\(only required on the first occasion a plumber submits test reports to Council\) and current test equipment calibration certificate.](#)

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Plumbers must submit the Test & Maintenance Report to Council as soon as practicable after testing the device.

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Penalties may apply where a plumber has failed to submit completed test reports within a reasonable timeframe.

Where a plumber has been notified to rectify the installation of a new or replacement backflow prevention device to comply with the Standards, and multiple additional inspections are required, the plumber responsible for the work may be charged a reinspection fee [and/or be issued with a defect notice and penalty infringement notice\(s\) in accordance with the Plumbing & Drainage Act 2011.](#)

Property Owners

The property owner must ensure that all backflow prevention devices installed comply with this policy. This includes installation, maintenance and testing of the device or devices in accordance with the Standards. Where rectification works have been notified by Council, the property owner is to ensure the works are carried out within the time specified.

The property owner is responsible for ensuring that all relevant documents are submitted to Council and that fees are paid within the required timeframes. Property owners may elect to delegate this responsibility to the property occupiers, however without written evidence supporting this delegation, Council will continue to deem the property owner responsible.

4.1.13 Fees and Charges

Fees and charges relating to backflow prevention are in accordance with the current, annually produced "Delivery Program and Operational Plan".

Council is not responsible for the cost of engaging a plumber for the installation and/or testing and maintenance of backflow prevention devices.

4.2 Implementation

Section 7 of the Plumbing & Drainage Act 2011 requires that plumbing and drainage work must comply with the PCA, and other standards or requirements prescribed by the legislation.

The PCA requires that water services be designed, constructed, and installed to operate in a way that avoids the likelihood of contamination of any part of the drinking water supply, and minimises any adverse impact on building occupants, the NUO's infrastructure, property and the environment. Furthermore, the PCA also specifies that the design, construction, installation, replacement, repair, alteration, and maintenance of water services must be in accordance with AS/NZS 3500.1.

Council has certain responsibilities that impact the requirement for backflow prevention and cross-connection control in the Shoalhaven. They are as follows:

- To provide drinking water to Australian Drinking Water Guidelines 2011 within the water supply reticulation systems up to and including meters on property boundaries
- For the approval, testing and inspection of water supply and sewerage plumbing within property boundaries, under delegation from NSW Fair Trading
- For the protection of public health in compliance with the Local Government Act, 1993 and the Public Health Act, 2010

Council is responsible for the regulation of containment, zone, and individual backflow prevention in the Shoalhaven. Shoalhaven Water, Council's Water Utility, maintains the register of all testable backflow prevention devices and manages the annual testing program and associated compliance activities. The backflow register and testing program includes all testable backflow prevention devices installed on properties within the Shoalhaven Region.

5. Related Legislation, Policies or Procedures

This policy should be read in conjunction with the following documents or legislation:

- NCC Volume Three - Plumbing Code of Australia (PCA)

- Plumbing and Drainage Act 2011
- Local Government Act 1993
- AS/NZS 3500.1 Plumbing and drainage – Part 1: Water Services (AS/NZS 3500.1)
- AS/NZS 2845.1 Water supply – Backflow prevention devices – Part 1: Material, design, and performance requirements (AS/NZS 2845.1)
- AS/NZS 2845.2 Water supply – Backflow prevention devices – Part 2: Registered air gaps and registered break tanks (AS/NZS 2845.2)
- AS/NZS 2845.3 Water supply – Backflow prevention devices – Part 3: Field testing and maintenance of testable devices (AS/NZS 2845.2)
- National Construction Code – Cross-connection control handbook, ABCB
- Shoalhaven Local Approvals Policy
- Metered Standpipe and Bulk Water Filling Station Policy

6. Risk Assessment

Risks identified against the Council Risk categories

Risk Category	Risk	Notes
Reputation	Council is not meeting its obligations for the supply of clean drinking water to its customers	This policy for management of backflow prevention in the Shoalhaven contributes to Council's obligation to provide drinking water to the Australian Drinking Water Guidelines 2011
	Installation of backflow devices do not meet the Standards	This policy requires inspection and approval of backflow device installations to the applicable Standards
Financial	Contamination of the drinking water supply could impose a financial cost to Council for cleanup operations	This policy provides the framework for a backflow prevention management program to mitigate the risk of contamination of the water supply from hazardous sites.
People	Contaminated drinking water affecting public health	This policy provides the framework for a backflow prevention management and compliance program that meets or exceeds the requirements of the PCA and Standards.
Environment	This policy does not impose an environmental risk	N/A

Risk Category	Risk	Notes
Property and Infrastructure	Non-compliant design or work to relevant standards	This policy outlines the assessment of backflow prevention design through the requirement for backflow surveys, and requires installations and testing is completed to Standards.
Governance (probity, transparency, resilience to scrutiny)	As the Network Utility Operator, Council has some requirements that vary from the PCA	Network Utility Operators may set rules that prescribe containment protection which differs from the PCA specifications. This policy specifies Council variations for containment backflow protection.

7. Data and Reporting

8. Monitoring and Review

In accordance with s165 (4) of the Local Government Act 1993, this policy will be reviewed within one year of the election of every new Council.

9. Ownership and Approval

9.1 Public policy

Responsibility	Responsible Owner
Directorate	Shoalhaven Water – Water Asset Planning & Development
Endorsement	Director Shoalhaven Water
Approval/Adoption	Council