

Ordinary Meeting

Meeting Date: Tuesday, 29 June, 2021
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 7)
All Councillors

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

Agenda

1. **Acknowledgement of Traditional Custodians**
2. **Opening Prayer**
3. **Australian National Anthem**
4. **Apologies / Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting - 25 May 2021
6. **Declarations of Interest**
7. **Presentation of Petitions**
8. **Mayoral Minute**

Mayoral Minute

MM21.14	Mayoral Minute - Financial Support - Dr Michael Davey	1
MM21.15	Mayoral Minute - Funding for Trauma and Protective Behaviours Project - \$1500.....	2
MM21.16	Mayoral Minute - Queens Birthday Honours - 2021	3

9. **Deputations and Presentations**
10. **Notices of Motion / Questions on Notice**

Notices of Motion / Questions on Notice

CL21.106	Rescission Motion - CL21.82 - Notice of Motion - Lawfulness of Council's Opening Prayer.....	4
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CL21.107	Rescission Motion - DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey.....	5
CL21.108	Notice of Motion - DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey.....	6
CL21.109	Notice of Motion - Donation - Five Villages Community Garden	7
CL21.110	Notice of Motion - Speed Limit Review - Princes Highway (Jervis Bay Road to Hawken Road).....	8
CL21.111	Notice of Motion - Interim Heritage Order - Nowra Recreation Reserve	9
CL21.112	Notice of Motion - Callala Community Gardens.....	15
CL21.113	Notice of Motion - Sussex Inlet Viking Festival	18
CL21.114	Notice of Motion - Councillor Bob Proudfoot.....	19
CL21.115	Notice of Motion - Vale Captain Gary Barton.....	20
CL21.116	Notice of Motion - Scenic Drive, Nowra - Play Equipment Replacement.....	21
CL21.117	Notice of Motion - Crookhaven Heads Sporting Facilities	22
CL21.118	Notice of Motion - Greenwell Point Foreshore Reserve, Activate Healthy Living	26
CL21.119	Notice of Motion - Greenwell Point Union Church Support	28
CL21.120	Notice of Motion - Worrigee Road Condition	29

11. Committee Reports

CL21.121	<u>Report of the Strategy & Assets Committee - 8 June 2021.....</u>	30
SA21.114	Request to Vary Donation - City of Shoalhaven Eisteddfod Inc	
SA21.115	Local Government Remuneration Tribunal - Councillor and Mayoral Fees 2021/2022 - Superannuation Payments	
SA21.123	Traffic Committee Reports - Sub Delegation of Authorisation to Director City Services	
CL21.122	<u>Report of the Shoalhaven Arts Board - 22 April 2021</u>	32
AB21.10	Shoalhaven City Art Collection - Acquisitions	
CL21.123	<u>Report of the Youth Advisory Committee - 5 May 2021</u>	33
CL21.124	<u>Report of the Business & Employment Development Committee - 19 May 2021</u>	38
BE21.18	Additional Item - Procurement of Local Goods and Services	
CL21.125	<u>Report of the Inclusion & Access Advisory Group - 24 May 2021</u>	39
IA21.9	Working Group - Promote and Engage	
CL21.126	<u>Report of the Shoalhaven Sports Board - 2 June 2021</u>	40
SB21.3	Membership - Indigenous Sporting Group & Accessible Sporting Experience	

12. Reports

City Performance

CL21.127	Special Local Roads Improvement Program	41
CL21.128	Delivery Program and Operational Plan, Budget 2021/22 - Exhibition Outcomes	48
CL21.129	Investment Report - May 2021	64
CL21.130	"Electoral Matter" and Use of Council Resources prior to Local Government Elections 2021	73
CL21.131	Policy - Induction and Ongoing Professional Development for Mayors and Councillors	79

City Futures

DE21.56	Proposed Amendments to Chapter G21: Car Parking and Traffic of Shoalhaven DCP 2014.....	81
---------	---	----

City Lifestyles

CL21.132	Tender - Appointment of an Operator Manager - Ulladulla Civic Centre	92
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Shoalhaven Water

CL21.133	Lease of Land - Old Nowra Wastewater Treatment Plant.....	94
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13. Confidential Reports

Committee Reports

CCL21.8 Report of the Strategy & Assets Committee - 8 June 2021

CSA21.25	Proposed Acquisition of Land - Moss Vale Road South Urban Release Area <i>Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.</i>
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There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

Reports

CCL21.9	Tenders - Appointment of an Operator Manager - Ulladulla Civic Centre <i>Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.</i> <i>There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.</i>
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CCL21.10 Lease of Land - Old Nowra Wastewater Treatment Plant

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

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

MM21.14 Mayoral Minute - Financial Support - Dr Michael Davey

HPERM Ref: D21/239301

Recommendation

That Council support Dr Michael Davey with some of his costs to ride around Australia on a postie bike – raising awareness for PTSD – with \$1000 from the unallocated donations budget.

Details

Dr Michael Davey is a bit of a legend when it comes to taking on epic challenges. In 2014 he rode his push bike around Australia raising awareness and \$51,000 for children suffering from cancer. In August 2021 he will be embarking on a new adventure to ride his postie bike around Australia to raise awareness and money for Defence Personnel suffering PTSD. Michael recently contacted Council seeking financial support for fuel costs for his postie bike and support vehicle. I recommend that Council support this worthy cause on behalf of our City – a Defence City.

MM21.14

MM21.15 Mayoral Minute - Funding for Trauma and Protective Behaviours Project - \$1500

HPERM Ref: D21/255730

Recommendation

That Shoalhaven City Council support *Big Fat Smile* with a financial donation of \$1500 from the unallocated donations budget to support them convening a conference for families and professionals to discuss trauma, protective behaviours and partnerships.

Details

Big Fat Smile provide family and child services across the Shoalhaven and Illawarra. They were instrumental in re-opening the old Cabbage Patch pre-school in Milton following the snap closure of a local preschool that left many families stranded for care. The families of that centre have been through the wringer with bushfires, floods, covid and the circumstances of the closure of the center. *Big Fat Smile* have undertaken to convene a conference of key stakeholders and establish a steering committee to offer continued support to the families.

Council's charter is committed to the health and welfare of children and this small donation will have a large impact in assisting families in their journey to recovery.

MM21.15

MM21.16 Mayoral Minute - Queens Birthday Honours - 2021

HPERM Ref: D21/256164

Recommendation

That Council receive the report and endorse congratulatory letters to recipients.

The 2021 Queens Birthday Honours were bestowed upon eight local identities this year.

Congratulations to the following:

Member (AM) in the General Division

- **Emeritus Professor Ian Riley AM** of Bawley Point, awarded a Member of the Order of Australia, AM, for his significant service to tertiary medical education, notably to tropical health.

Medal in the General Division (OAM)

- **Hazel King OAM** from Berry was awarded the Order of Australia Medal for service to horticulture and community history in the Shoalhaven.
- **Julia Armstrong OAM** from Jaspers Brush was also awarded the Order of Australia Medal for service to the performing arts through theatre support roles.
- **The late Don Ellison OAM** for his service to horticulture. Mr Ellison, a former Shoalhaven and Ballina resident who according to his family “lived, ate and slept everything horticulture”.
- **Ruan Sims OAM**, from Gerringong was awarded the Order of Australia (OAM) for her service to rugby league.

Conspicuous Service Cross (CSC)

- **Naval Commander Moses Raudino** was awarded the Conspicuous Service Cross for outstanding achievement in the field of navy training, in particular his work at the Royal Australian Naval College, HMAS Creswell.

Emergency Services Medal (ESM)

- **Michael Boadle**, from Marine Rescue Shoalhaven was awarded the Emergency Services Medal. Mr Boadle who lives at Orient Point has taken part in an astounding 325 rescue operations throughout his 11 years of volunteering with Marine Rescue Shoalhaven.

Australian Corrections Medal (ACM)

- **Sarah Howard**, South Coast Correctional Centre's Senior Services and Programs Officer, was awarded the Australian Corrections Medal for distinguished service.

MM21.16

CL21.106 Rescission Motion - CL21.82 - Notice of Motion - Lawfulness of Council's Opening Prayer

HPERM Ref: D21/217470

Submitted by: Cllr Greg Watson
Cllr Mitchell Pakes
Cllr Mark Kitchener

Purpose / Summary

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

Recommendation

That Council rescind the Motion relating to Item CL21.82 of the Council Meeting held on Tuesday 25 May 2021.

Background

The following resolution (MIN21.309) was adopted at the Ordinary Meeting held Tuesday 25 May 2021.

That Council:

1. *Note recent legal analysis published in the Alternative Law Journal which concludes that the practice of many Australian local councils of incorporating prayers into their formal meetings is unlawful.*
2. *Seek formal legal advice about whether Council's practice of including an Opening Christian Prayer as part of its proceedings is lawful.*

CL21.106

CL21.107 Rescission Motion - DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey

HPERM Ref: D21/219334

Submitted by: Clr Amanda Findley
 Clr Kaye Gartner
 Clr John Levett

Purpose / Summary

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

Recommendation

That Council rescind the Motion relating to Item DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey of the Council Meeting held on Tuesday 25 May 2021.

Background

The following resolution (MIN21.303) was adopted at the Ordinary Meeting held Tuesday 25 May 2021.

That Council:

1. *Receive the Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey update for information.*
1. *Proceed with the verification work (shallow scrapes to identify grave cuts) as recommended by Navin Officer Heritage Consultants on Lots 7 and 8 to verify the GPR survey results, to be funded by the proponent.*
2. *Consult with Jerrinja Local Aboriginal Land Council (LALC) on work on the adjoining Lot 9, and subject to their agreement allocate \$6,220 (excl GST) to fund the verification work on Jerrinja LALCs land (Lot 9).*
3. *Continue to liaise with key stakeholders including the Jerrinja LALC, Council's Aboriginal Advisory Committee, and the Huskisson Heritage Association (HHA).*

CL21.107

CL21.108 Notice of Motion - DE21.43 Update - Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey

HPERM Ref: D21/219346

Submitted by: Cllr Amanda Findley
Cllr Kaye Gartner
Cllr John Levett

Purpose / Summary

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

Recommendation

That

1. Council not proceed with any further investigations to validate the existence of indigenous and other graves on the sites as found by the ground penetrating radar, given that any further investigations made be contrary to the cultural traditions of Indigenous people who have occupied Australia in excess of 60,000 years.
2. Council accept the analysis that has been undertaken by Hunter Geophysics recording a high confidence of over 50 graves across the sites at Huskisson.
3. Precautionary Principles be applied to the application.

Note by the CEO

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

CL21.108

CL21.109 Notice of Motion - Donation - Five Villages Community Garden

HPERM Ref: D21/247323

Submitted by: Cllr Kaye Gartner

Purpose / Summary

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

Recommendation

That Council donate \$1,500.00 to Five Villages Community Garden to advance their next garden at the Yulunga Playground, Manyana.

Background

FVCG has become an incorporated association and is now able to receive donations.

To date, they have planted a demonstration fire resistant garden at the RFS depot in Manyana.

The Yulunga Reserve playground was recently embellished with a learn to ride tracks. Five Villages Community Garden's next project will provide a similar, low level screen for parts of the playground.

Note by the CEO

The 2020/21 Unallocated Donations budget has been fully expended. This allocation will be a budget variation for the June Quarterly Review.

CL21.109

CL21.110 Notice of Motion - Speed Limit Review - Princes Highway (Jervis Bay Road to Hawken Road)

HPERM Ref: D21/248793

Submitted by: Cllr Bob Proudfoot

Purpose / Summary

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

Recommendation

That Council write to Transport for NSW seeking a review of the current 100 km/h speed limit on the section of the Princes Highway from Jervis Bay Road, Falls Creek to Hawken Road, Tomerong. Ideally the review would occur without delay and result in a much lower and more appropriate speed limit.

Background

It would appear that the 100 km/h speed limit is now excessive. This assertion is supported by the accident record for this section of the Princes Highway, a pick-up and drop-off bus route which adds to the danger and the added impact of around 38 access driveways & 7 access roads.

CL21.110

CL21.111 Notice of Motion - Interim Heritage Order - Nowra Recreation Reserve

HPERM Ref: D21/251630

Submitted by: Cllr Nina Digiglio

Purpose / Summary

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

Recommendation

That Council

1. Engage a heritage consultant to investigate the heritage significance of Lot 104 DP1165533, Nowra Park
2. Receive a report on the outcomes of the investigation to enable appropriate consideration of a possible way forward, including the possible use of an Interim Heritage Order.

Background

Supporting arguments to engage a consultant to ensure that as Councillors we are doing our due diligence for the community.

The reserve would:

- pay homage to the long heritage of the site
- give back to the people of Nowra something of what has been taken from them. Nowra Recreation Park given to the people of Nowra in 1859
- Recognise Aboriginal people and their occupation of the site for thousands of years- bush tucker planting, interpretative signs. Nowra has no public monument acknowledging the history or cultural importance of the Aboriginal people
- Retain the "big tree"
- Establish links to the cedar getters
- Form a military memorial - links with Memorial Gates, drill hall, army camp
- Provide a quiet reflective area for the Cancer Centre patients, staff and visitors
- Contain a sensory garden

Lynne Allen 2016

The Shoalhaven Historical Society

Background History:

1826, Surveyor General Oxley is sent to report on cedar getters felling on government land as well as private land. (Ref 6 pg 36)

Oxley was involved in the "Alienation of Crown Lands" or "Unallocated Crown Lands" and may have at this time surveyed the village and recreation reserves. (Ref 9 pg 258)

CL21.111

A map named “Plan of the Land’s Located in the District of Illawarra” is at the Shoalhaven Historical Society, this map appears to be from 1826. The “Recreation Area” as described by R G Antill appears on this map.

1835, 28th November. County of St Vincent proclaimed. Around this time a map (AO5237) “A survey of roads and tracks in the Shoalhaven” is produced showing the Recreation ground

1851, Surveyor General Thomas Mitchell instructs Licensed Surveyor Mann to survey a village at Nowra.

1852, Village of Nowra is approved.

1854, 1st January. An Act for the Regulation and Protection of parks and other Places of Public Recreation, Convenience, Health and Enjoyment, 1854 (18 Vic, No33)

1854, 12th October 1854 the inclusion of a Race Course and a Fair Ground under Blank Cover to the Recreation Area proposal.

1855, 1st January. Starting date for, - An Act for the Regulation and Protection of Parks and other Places of Public Recreation, Convenience, Health and Enjoyment, 1854 (18 Vic, No 33)

1855, 15th February. First Recreation Reserve of 637.5 acres put aside by the Crown (HMR 55-19 Approved 15th Feb. 1855 CSL 55-115 mis 80-4235), comprising all that land between the present bridge over the Shoalhaven River and the Braidwood road. (Ref 1 pg 44)

“But there can be no dedication to a public use in a strict sense in such cases unless a public trust is created with respect to land.” (Ref 8.pgs 111 & 112)

1859, Monday, April 25th. As reported in the Illawarra Mercury. “In compliance with a public meeting, held at Mr Hyam’s Inn, about two years since, the Honorary Secretary, Mr Moss, has at last received the long expected communication from headquarters, that the following gentlemen, recommended at said meeting, are trustees for the Nowra Recreation Ground, viz. Andrew Aldcorn Esq, JP. J L Biddulph, Esq, JP. E de Mestre, K McKenzie, Esq, J P. James Graham, Michael Hyam, William Gollan and G U Alley, Esquires

1871, Nowra Council apply to the Lands Department for land to be put aside in the town for public recreation. (Ref 5 pg 7)

1875, 8th June For public safety and convenience council approve the installation of a pump and hose on the well at the intersection of North Street and Shoalhaven Street. A circular fence around the utility is to be erected. (Ref 1 pg 145)

1876, NSW Government Gazette Friday 29th December 1876, Nowra. Site for township Public Recreation Area, about 25 acres, set aside. That site is known as the Nowra Public Recreation Area.

1877, A picnic was arranged at the Recreation Area for children of St Johns Church of England Sunday School. (Ref 5 pg 11)

1881, The area was officially dedicated as Nowra Recreation and Showground reserve. (Ref 1 pg 44)

That this time the Nowra Recreation Reserve is official separated from the 637 acre Recreation Area.

1882, February. To improve the water supply Council agrees to have a further well dug. The site in the south east corner of Nowra Recreation and Showground Reserve. The well will be ten feet in diameter and, to be bricked as far as necessary and to have a dome top and palisade. The old well in North Street (now in the road itself) was securely covered and the pump from there installed on the Worrigeer Street well. (Ref 1 pg 147)

1882, Easter Monday. St Michaels Roman Catholic Church held a fundraising picnic and sports day on the Recreation reserve. (Ref 5 pg 11)

1882-3, A new concrete cricket wicket was constructed on the Recreation Reserve. (Ref 5 pg 12)

1883, Good Friday. The first big cricket match was played on the Ground. A Sydney XI led by Dave Gregory, who had the distinction of being Australia's first cricket captain. (Ref 5 pg 11)

1884, 26th August. During this month more than 230 ornamental trees were planted on the Nowra Recreation and showground reserve, having been donated by the Botanical Gardens Sydney. (Ref 1 pg 148)

1884, Council call for tenders to erect a pavilion on the Showground. (Ref 5 pg 12)

1885, 16th 17th January. All England XI Cricket team plays a match against the locals on the Nowra Recreation reserve. (Ref 3 pg 7)

Can you imagine the excitement in the town. They would have dressed in their Sunday best to go and watch an international sporting event in their town. It is also possible that this match was a world first. This match had moving boundaries. When the English went to the crease the boundaries were pushed out to Shoalhaven St, North St and the Shoalhaven River fence. When the locals went to the crease the boundaries came in ten yards. Of course this information may be anecdotal.

1887, 24th January. There was plenty of interest in the representative cricket match played at the Nowra Recreation Reserve between Shoalhaven and Parramatta. (Ref 3 pg 10)

1887, Council approved the construction of walks to connect the suspension bridge across Spains Creek (Now Nowra Creek) to the Recreation reserve. (Ref 5 pg 9)

1887, 6th June. A proclamation extinguished the section of North Street between West Street and Shoalhaven River included in Nowra Recreation Reserve. (Ref 5 pg 8)

1887, Foot racing was another favourite sport held on the ground. (Ref 5 pg 13)

1887, 25th November. An area of about 25 acres from the Shoalhaven River along Shoalhaven Street in the East, right up North Street, left into West Street to Junction Street, then right up Junction Street to the Shoalhaven River. The West boundary being the Shoalhaven River back to Shoalhaven Street. This area known as "Nowra Recreation Reserve" was proclaimed a reserve for public recreation and camping. (Ref 5 pg 9)

1888, 23rd November. Sir Henry Parkes and several parliamentary colleagues visit the Nowra Recreation Reserve. At which time Sir Henry addresses the gathering. (Ref 5 pg 15)

Amongst the dignitaries present on that day were Premier and Colonial Secretary, Sir Henry Parkes. His entourage included Secretary for Mines Francis Abigail CMG, local member W Fraser Martin MLA and MP's Nicholas Hawker, Richard Stevenson and Patric L C Shepherd. Sir Henry, in his address, mooted of an extension of the recently completed railway to Bomaderry, for Southern Shoalhaven and beyond. He also mentioned the possibility of giving women the vote and even allowing them to stand for parliament.

The father of our federation stood on Nowra Recreation Reserve and addressed the people of Nowra. That history is something worth preserving and shared with the community.

1889-90, three members of the cricket club waited on the trustees of the Nowra Recreation Reserve, requesting construction of a new wicket. (Ref 3 pg 12)

1892, The Botanical Gardens Sydney forwarded 120 trees to be planted on the Nowra Recreation and Showground Reserve. (Ref 5 pg 15)

1893, A further 112 trees and 280 shrubs were forwarded for planting on Nowra Recreation Reserve. (Ref 5 pg 15)

1893, 11th September Aubrey Rossekelly McCulloch appointed Inspector of Nuisances and Park Forester. One of his first duties was to make arrangements, with perseverance, with Nowra Cricket Club for the use of the concrete wicket on Nowra Recreation Reserve by any other cricket club. (Ref 1 pg 152)

1894 A delegation of residents expressed their concern that people were allowed to camp on the Nowra Recreation Reserve, a purpose that they believed was for other than public recreation. (Ref 1 pg 152)

It appears that Nowra Recreation Reserve is no stranger to controversy.

From the early 1900's city schools came to Nowra for rural camping activities. (Ref 5 pg 16)

1902, Regulations were Gazetted on the 3rd May for the Nowra Recreation Reserve and Showground. (Ref 5 pg 15)

1904, A further 100 Pinus Insignus and 50 Camphorlaurels were obtained and planted on Nowra Recreation Reserve, Showground and Bridge Road. (Ref 1 pg 168)

1905, 12th April the Nowra Golf Club opened its new links on the Recreation Reserve. The Shoalhaven Telegraph reported they would prove a decided acquisition for the town. (Ref 2)

1905 26 Aug The original 640 acre Recreation area gazetting was revoked.

Within the CBD the Nowra Recreation Reserve is the only remaining area of the original 637acre Recreation area.

1906, 17th May. Botanical Gardens Sydney forward one Ficus tree to be planted on the Nowra Recreation Reserve. (Ref 5 pg 16)

1906, 24th May. Mayor assisted by representatives from Nowra Superior School and Nowra Convent School plant a Ficus tree in Nowra Recreation Reserve during Empire Day celebrations. (Ref 5 pg 16)

1908, about 150 schoolboys camped on the Nowra Recreation Reserve where they were housed in a row of bell tents. (Ref 5 pg 16)

"On a number of occasions the local Light Horse Regiment had their annual camp on Nowra Recreation Reserve. To the great delight of local youth, 500 mounted soldiers and their mounted band were a great sight and sound each morning as they paraded down Junction Street to the Post Office".

1919, A Council committee known as the Soldiers' Memorial Hospital Committee was set up. They recommended that the old school Camp site of two acres in the Nowra Recreation Reserve was the most suitable site for the new hospital. (Ref 1 pg 310)

1928, An area was removed from the southern end of Nowra Recreation Reserve and dedicated for show purposes, this area today is known as the Added Area. (Ref 5 pg 9)

1929, A portion of the Nowra Recreation Reserve had already been used for camping and the Chairman of the Trust stated it was intended to increase the amenities. (Ref 5 pg 16)

1937-8, As part of the Australian Sesquicentenary celebration a NSW XI played a Shoalhaven Cricket team on the Nowra Recreation Reserve. Bert Oldfield made the arrangements. Alan McGilvray led the visiting team. (Ref 3 pg 66)

1939, The 34th Battalion granted permission to use the Recreation Reserve. (Ref 5 pg 17)

1939, Saw the erection of brick toilets still in use today in original condition. (Ref 5 pg 17)

1939, Nowra Warriors Rugby League Club use the ground. (Ref 5 pg 17)

1939, Council clean out the well in the intersection of Shoalhaven and North Streets on the Nowra Recreation Reserve. (Ref 5 pg 17)

1940, Military occupation of the area starts. Cricket matches were still played there and Nowra High School and Nowra Intermediate High School had sporting events there. (Ref 5 pg18-19)

During World War II, timber huts were built on the eastern side along Shoalhaven Street and in the bush area along North Street. The permanent Volunteer Defence Corps occupied these until the end of hostilities. (Ref 9)

1942, January the 6th Armored Regiment moved onto the Recreation Ground. (Ref 5 pg 19)

1947, A decision was made to build a 60 bed hospital in Nowra but the word War would be deleted from the name. (Ref 1 pg 310)

1946, Military occupation of the area finishes.

1949 4th November an area dedicated for a Hospital. As part of the Jubilee celebration, trees were planted in the drive leading to the Hospital, in memory of fallen Diggers whose names were inscribed on plaques. (Ref 4 pg 26)

1951, Shoalhaven Memorial Hospital officially opened. (Ref 5 pg 10)

1953, Navy personnel are accommodated at the Added Area camping ground. (Ref 5 pg 21)

1960, "The Diggers Hall" was made available by the RSL Sub Branch and relocated to a small area of land resumed from Nowra Recreation Reserve adjacent to the Shoalhaven Memorial Hospital and next to the "Jubilee Trees". Today it is occupied by the Shoalhaven Pre School. (Ref 5 pg 10)

1960 An area on the northern side of the hospital established as Quota Park. (Ref 5 pg 10)

1986, Australian Bicentennial Authority with children from St Michael's School, plants eight groves of trees on the Nowra Recreation Reserve. (Ref 5 Pg 25)

1994, Shoalhaven City Council approve construction of an aero-medical helipad to the south of Shoalhaven District Memorial Hospital on 'Nowra Recreation Reserve'. (Ref 5 pg 10)

1998, More old growth trees removed from Nowra Recreation Reserve to facilitate helipad.

2002, A visitors car park for the Hospital was established on "Nowra Recreation Reserve". 16 old growth trees were removed. (Ref 5 pg10)

2004, Council re-open North Street across Nowra Recreation Park from West Street to Scenic Drive and remove three old growth trees. Scenic Drive is widened and resealed as the hospital has now turned around and the front is to Scenic Drive.

2005, Council re-design the intersection of Scenic Drive and Shoalhaven Street to facilitate hospital access, Quota Park is cleared of trees, seating and signage and then re-turfed.

Indigenous History:

The first attempt to turn the word 'Nowra' into English letters resulted in the explorer Charles Throsby writing 'nou-woo-ro' in 1821. It was reputedly a Dharawal Aboriginal word meaning either "black cockatoo" or "camping place". (Ref 10)

Endnotes and References

1. "Settlement in the South", R G Antill
2. *Golf Research*, A Clark
3. *A History of Shoalhaven Cricket*, A Clark
4. *From Leeches to Lasers*, A Clark
5. Nowra Park Recreation Ground Historical Research 2003. Prepared by Shoalhaven Historical Society Inc.
6. *Red Cedar; The Tree of Australia's History*, John Vader
7. *Garden Of New South Wales. (A history of Illawarra and Shoalhaven)*, Arthur Cousins BA.
8. *Legal Aspects of Boundary Surveying as apply in New South Wales*. Frank M Hallmann LL.b. (Sydney) Barrister-at-law

9. Royal Australian Historical Society Vol 28 *Life and work of Lieutenant John Oxley*
10. <https://www.aussietowns.com.au/>

Note by the CEO

Council resolved on 4 August 2020 (MIN20.539) to:

Reaffirm its previous in-principle support for the establishment and staged development of a master planned medical precinct centred on the current Shoalhaven District Memorial Hospital site and adjacent land, including, where required, the further acquisition and development of Nowra Park.

Additionally it is also noted that part of Nowra Park was rezoned in 2011 to facilitate the current Cancer Care Centre and the area subsequently subdivided from the Park as part of the development of the Centre and the adjacent GP Super Clinic.

CL21.112 Notice of Motion - Callala Community Gardens

HPERM Ref: D21/252973

Submitted by: Cllr Patricia White
Cllr Mitchell Pakes

Attachments: 1. Concept Plan [↓](#)

Purpose / Summary

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

Recommendation

That Council:

1. Grant growing access to Lot 1 DP825970 Callala Bay to Callala Community Gardens Association as required.
2. Undertake a Review of Environmental Assessment (REF) of Lot 1 DP825970 Callala Bay on behalf of the Callala Community Gardens to ascertain the area, with the \$1,700 cost for the assessment to be paid as an Unallocated Donation under Section 356 of the Local Government Act, 1993.
3. Liaise with Callala Community Gardens on any lease alterations required and the REF once completed.

Background

Callala Community Gardens has been an outstanding project created by local people on Council land in Emmett Street Callala Bay. The Association has been greatly assisted by a Federal Government Grant that has seen the Association create work sheds, solar power, garden beds, rainwater tanks and irrigation systems and fencing.

The Association has many members and monthly markets to sell produce. Currently, the Association is outgrowing the existing site and needs to expand.

A concept plan has been developed for growing access to Lot 1 DP825970 which the Association has a current lease agreement over, as well as Lot 6 where the gardens are currently located.

Since leasing Lot 6 and part of Lot 1 the CCG members have been removing the asparagus weed, senna and an excessive amount of rampant bamboo from Lot 1 under the guidance of one of their members who is also in bush care.

CCG note that a number of reasonably large trees were cut down on the south side over the last Christmas break and there is still much debris and stumps from this. CCG had no knowledge or part of this.

CCG propose to access the remainder of Lot 1 while continuing to maintain the control of noxious weeds but not disturb other vegetation or habitat. The plan is to position raised garden beds on the open areas (mainly on the south side where the area has been cleared).

This area measures 5.2 meters north towards the car park to the closest tree and extends the entire length of the block. Please refer to the attached concept map which is drawn to scale with additional beds.

CL21.112

These additional beds will facilitate rotation of beds and additional growing area. As the proposed beds will be raised there should be no effect on any of the vegetation currently on the block. CCG are not planning to fence Lot 1 allowing access to the wider community.

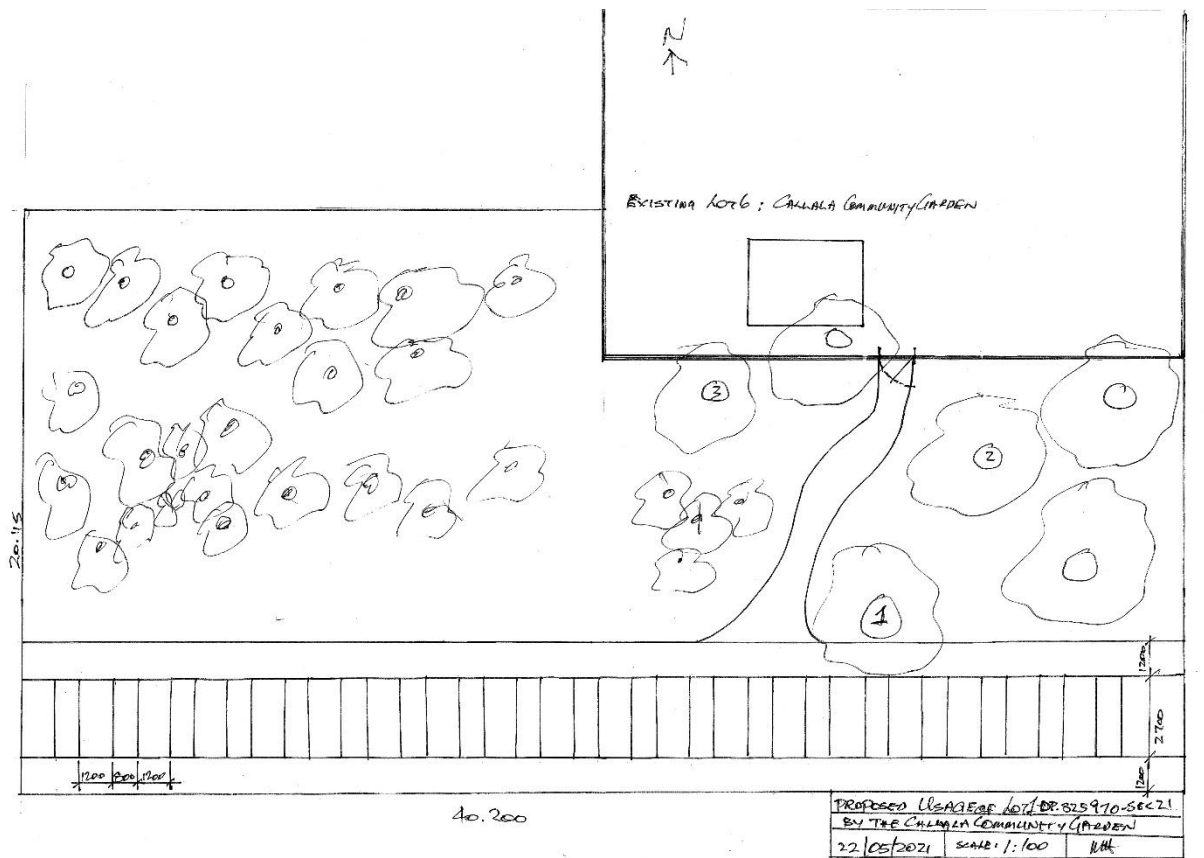
CCG have been advised that a REF will be required by Council at a cost of \$1700.00 which the Association does not have.

As these Community Gardens have been so successful with residents, and community and offer an important learning opportunity for the local school, I am recommending that Council carries out the REF at no cost to the Association.

We seek support from all Councillors for the Callala Community Gardens.

Note by the CEO

The 2020/21 Unallocated Donations budget has been fully expended. This allocation will be a budget variation for the June Quarterly Review.



CL21.112 - Attachment 1

CL21.113 Notice of Motion - Sussex Inlet Viking Festival

HPERM Ref: D21/253003

Submitted by: Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council:

1. Acknowledge the Sussex Inlet Business Chamber and Volunteers on the success of the Viking Festival held in Sussex Inlet on the June long weekend and write a letter of congratulations.
2. Assist the Sussex Inlet Business Chamber with letters of support for grant applications for the 2022 Viking Festival.
3. Establish a working group of Staff, Councillors, members of the Sussex Inlet Business Chamber, and volunteers to discuss the establishment of a Museum in Sussex Inlet to contain memorabilia from the early settlements in Sussex Inlet.

Background

In 1880 Jacob Ellmoos arrived at Sussex Inlet, crossing the bar into land already occupied for tens of thousands of years. He and his family developed a reliance on and relationship with the First Nations people of the area.

Some 141 years later Sussex Inlet has become a vibrant, inclusive, engaging, confident and fun community with over 3,500 people celebrating the Danish (Viking) and Indigenous heritage of Sussex Inlet on the June long weekend 2021. The event, capably organised and executed by the Sussex Inlet Chamber of Commerce, and the weekend exhibitions commitment brought praise from many people visiting our region and it was wonderful to see the engagement of many young people at the event. It was a fabulous weekend of fun and many local businesses were very busy with festival visitors. An analysis of numbers and feedback indicated that over 50% of ticket holders had not been to Sussex Inlet before. This will now become an annual event.

It was acknowledged during the Festival that there is a need to recognise the unique heritage of Sussex Inlet and establish a historical precinct in our Village to proudly display and exhibit this unique history that we are part of. The Ellmoos family provided support with both stories and memorabilia. There has been offers of early memorabilia as well as a Viking Boat. The Sussex Inlet Business Chamber will be discussing the capacity to establish a Museum in Jacobs Drive in coming weeks at community meetings.

I seek support from Councillors to congratulate the Sussex Inlet Business Chamber on the success of the Viking Festival and to establish a working group to assist with the establishment of the museum.

CL21.113

CL21.114 Notice of Motion - Councillor Bob Proudfoot

HPERM Ref: D21/255514

Submitted by: Cllr John Wells
Cllr Patricia White

Purpose / Summary

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

Recommendation

That Council:

1. Name the amenities/change facilities at Francis Ryan reserve, when renovated and extended, 'The Bob Proudfoot Pavilion'.
2. Select a place within the soon to be constructed Sanctuary Point Library (foyer, reading room/meeting space) 'Bob's Place'.
3. Place an appropriate plaque or sign at both locations acknowledging Bob Proudfoot's contribution to the vision, location, design and delivery of the pavilion and library in Sanctuary Point.

CL21.114

CL21.115 Notice of Motion - Vale Captain Gary Barton

HPERM Ref: D21/254867

Submitted by: Clr Mitchell Pakes
Clr Patricia White
Clr Greg Watson

Purpose / Summary

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

Recommendation

That Shoalhaven City Council:

1. Acknowledge the passing of Manyana Rural Fire Brigade Captain Gary Barton.
2. Acknowledge the years of dedication and service Gary gave to his community through the NSW Rural Fire Service.
3. Pass on our prayers to Gary's family, friends and his much loved Manyana Brigade.

Background

It is with great sadness that we hear the news of the passing of Manyana Rural Fire Brigade Captain Gary Barton. Gary passed away peacefully at Milton Hospital on 14 June 2021 after a short, determined battle with cancer.

Gary commenced his membership with the NSW RFS in July 2002 and was committed to the protection of his community through his roles both with the Manyana Brigade and also the Shoalhaven Community Engagement Brigade. Gary held the role of Community Engagement Captain from 2015 to 2019 where he spent countless hours engaging and educating the community on fire safety, Gary represented the Shoalhaven District at a number of community engagement seminars and was the leading force behind community engagement in the Shoalhaven during his tenure. In 2019, Gary was elected to the position of Captain with Manyana Brigade. This position allowed Gary to continue his passion for community engagement, focusing on the community he lived in, while also leading and mentoring the Manyana Brigade through countless incidents. Most notably, Gary lead the brigade through the Black Summer fires of 2019/2020.

Gary was also a passionate member of the Rural Fire Service Association, the representative association for NSW RFS volunteers and staff members. During Gary's distinguished membership with the RFSA State Council, Gary advocated with passion on behalf of his fellow members and was a driving force behind the successful campaign for 40km/h speed limits around emergency vehicles.

Personally, Gary was an avid train enthusiast and a long-term blood donor with the Australian Red Cross.

Rest in peace Gary.

CL21.115

CL21.116 Notice of Motion - Scenic Drive, Nowra - Play Equipment Replacement

HPERM Ref: D21/256863

Submitted by: Cllr Mitchell Pakes
Cllr Greg Watson

Purpose / Summary

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

Recommendation

That Council commit to replace the play equipment on Scenic Drive that has been removed for the new Nowra Bridge.

CL21.116

CL21.117 Notice of Motion - Crookhaven Heads Sporting Facilities

HPERM Ref: D21/257030

Submitted by: Cllr Mitchell Pakes
Cllr Greg Watson

Purpose / Summary

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

Recommendation

That Council:

1. Bring forward funding from the 2022/2023 Special Rate Variation for sporting fields maintenance and upgrades for completion of the drainage works on the final southern playing field, Crookhaven Heads Playing fields.
2. Acknowledges the current condition of the Crookhaven Heads Playing fields canteen, change rooms and toilets facility as a Category 3 condition (Significant Maintenance required to return to Acceptable Service Level).
3. Allocates \$100,000 in the 2021/2022 to undertake a detailed design process to replace the current facility.
4. Commit to funding to replacement facility in the 2022/2023 budget.
5. Establishes a working group to ensure the needs of the sporting community are met in the new design. The working group shall include representatives from the Culburra Cougars Football Club (Senior and Junior) and the Culburra Touch Football Club (Senior and Junior).

Background

Point 1 – The Culburra Cougars Football Club have spent a significant amount of the club's money to complete drainage and irrigation works to the playing fields.

The council have confirmed that through the special rate variation the northern playing fields (Ruby League fields) will have the drainage and irrigation upgraded this year.

It makes sense to allocate the funding required and complete the entire playing fields.

Point 2 – The Culburra Beach Cougars are the most decorated football club in the Shoalhaven. In my view and the view of the many user groups of the facility, the Crookhaven Heads playing fields facility would be the worst in the city. The condition is very poor and almost unusable.

The community deserve much better than the old, out of date, dilapidated facility they are using.

CL21.117

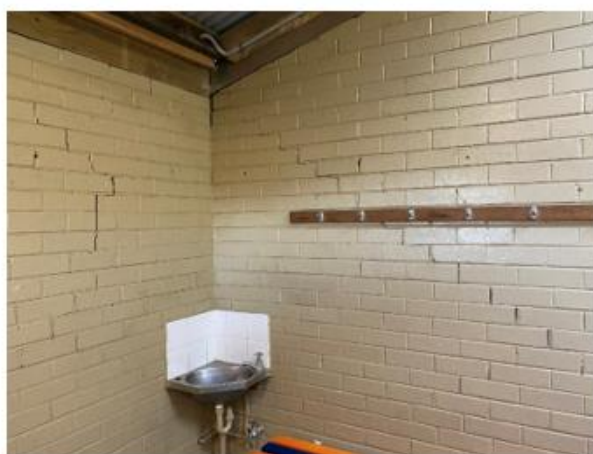


Proposed Drainage work by
Shoalhaven City Council

Remaining Drainage
works to be undertaken

Drainage work completed
by Culburra soccer club

CL21.117



CL21.117

Note by the CEO

Council has sourced grant funding under the Local Rounds and Community Infrastructure Fund Round 2 which will see the installation of drainage to the rugby league field at this location. The Request for Tender for this sports field and 4 others (5 in total) is currently out

to market. These projects are due for completion by the end of December 2021 in accordance with the funding body terms of agreement.

Should Council be of a mind to fund this further work at the Crookhaven Park by bringing forward SRV funding in the 2022/23 budget it could be managed as a variation, assuming the contractor has the capacity to undertake this work.

It is estimated that \$150,000 will be required, this includes project management and contingency.

Council staff have recently provided a letter of support to Culburra Cougars Football Club to assist their grant application under the Stronger Country Communities Fund Round 4 to complete the drainage of the soccer / football field.

To facilitate the detail design work to replace the change room / amenities (knock down / rebuild) \$100,000 would be required in the 2021/22 budget to undertake the necessary design and investigation work to enable the project to progress to 'shovel ready status' for consideration in the 2022/23 budget and enable grant funding applications to be prepared.

CL21.118 Notice of Motion - Greenwell Point Foreshore Reserve, Activate Healthy Living

HPERM Ref: D21/257071

Submitted by: Cllr Mitchell Pakes
Cllr Greg Watson

Purpose / Summary

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

Recommendation

That Council

1. Review the current masterplan for the Greenwell Point Foreshore Reserve to include:
 - a. New Toilet facility (As adopted by council)
 - b. New exercise equipment park (As adopted by council)
 - c. Provisions for a small regional skate park
2. Provides an update on any plans to upgrade the car park that joins the Foreshore Reserve and the Greenwell Point Pool.

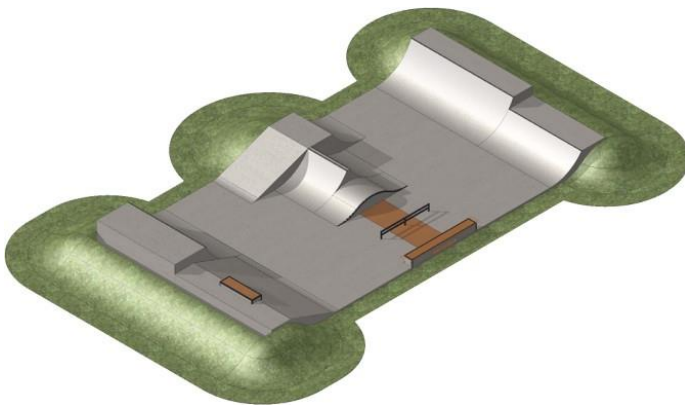
Background

As our city grows, we are seeing an influx of younger families moving to Greenwell Point.

The Greenwell Point Foreshore reserve is a perfect location for community members and visitors to enjoy.

I have met on many occasions with community members asking for Council to support the construction of a skate park for Greenwell Point.

Below are some images provided to me by community members of possible skate park designs.



CL21.118

Note by the CEO

The Greenwell Point Master Plan – Titania Reserve, was adopted in 2006. The Community Infrastructure Strategic Plan (CISP) which guides Council's investment in social infrastructure identifies Greenwell Point Foreshore / Titania Reserve as a District Recreation Park. The recommendations for the reserve are for upgrades to the play equipment to a district facility and the inclusion of accessible toilets.

A number of elements in this plan have been delivered as funding has become available either through Council budgets or successful grant funding applications. Most recently this includes:

- A new playground at a district level
- A new pathway between Church Street and Adelaide Street which is currently being delivered and funded via the Local Roads and Community Infrastructure Round 2; this will be completed at the end of 2021 in line with the grant funding agreement
- New pathways throughout the reserve
- Fishing platforms
- Picnic shelters, seating and barbeques at various locations along the foreshore
- New roundabout and car parking at the boat ramp
- Landscape planting including erosion and sediment control measures

The draft Delivery Program, Operational and Capital Works Program Budget for 2021/22 identifies funding to enable the delivery of the following items at Titania Reserve:

- New amenities (\$430,000)
- Exercise circuit / equipment and pathway at (\$200,000)

Further investigation work is required on the car parking requirements at the Greenwell Point Pool and associated costs. Once this is established it will be included in Council's Long Term Financial Plan for funding consideration.

The current CISP does not identify the requirement for a skate park. The CISP is due for review during 2021/22 and extensive community consultation will be undertaken across the Shoalhaven LGA to inform an updated CISP to enable planning for upgrades and new social infrastructure requirements across the City.

It is suggested that this is an appropriate process to consider a potential skate park for the Greenwell Point community along with other requirements that have evolved and to subsequently update the master plan for the Titania Reserve once this process is completed.

CL21.119 Notice of Motion - Greenwell Point Union Church Support

HPERM Ref: D21/257108

Submitted by: Cllr Mitchell Pakes
Cllr Greg Watson

Purpose / Summary

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

Recommendation

That Council provide and install outdoor seating at the new community memorial garden and wall, the cost to be funded from the Unallocated Donations budget.

Background

The Greenwell Point Union Church has funded and provided a memorial garden and wall for past residents of Greenwell Point.

When families visit this beautiful area they are forced to stand due to the lack of seating.

The Greenwell Point Union Church has asked if Council could assist and provide 3 park seats for the garden.

Note by the CEO

The 2020/21 Unallocated Donations budget has been fully expended. This allocation will be a budget variation for the June Quarterly Review.

CL21.119

CL21.120 Notice of Motion - Worrigee Road Condition

HPERM Ref: D21/257518

Submitted by: Cllr Mitchell Pakes
Cllr Greg Watson

Purpose / Summary

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

Recommendation

That Council:

1. Provide an update of any proposed roadworks for Worrigee Road (Intersection of Greenwell Point Road to Boston Road)
2. Undertake an audit of the current road condition.

Background

I have had representations from many residents that use Worrigee Road on a daily basis.

Worrigee Road has seen an increase in traffic over the last few years due to the increase of housing and services in the Worrigee and South Nowra Area. Worrigee Road is in a poor condition and requires urgent action.

CL21.120

CL21.121 Report of the Strategy & Assets Committee - 8 June 2021

HPERM Ref: D21/240534

SA21.114 Request to Vary Donation - City of Shoalhaven Eisteddfod Inc

HPERM Ref:
D21/222616

Recommendation

That Council:

1. Approve the City of Shoalhaven Eisteddfod Inc's request for a variation of purpose for the remaining \$7,630 from the 2020/21 Allocated Donation of \$10,130 as a contribution towards the costs of a project aimed at promoting and maintaining the profile of the Shoalhaven Eisteddfod for 2022.
2. Allocate an additional donation of \$2,670 towards the cost of this project bringing the total donation for the 2020/21 Financial Year to \$12,800.

SA21.115 Local Government Remuneration Tribunal - Councillor and Mayoral Fees 2021/2022 - Superannuation Payments

HPERM Ref:
D21/215900

Recommendation

That Council:

1. Note the Local Government Remuneration Tribunal's Annual Report and Determination dated 23 April 2021.
2. Adjust only the Additional Mayoral Fee to \$61,280 for the 2021/2022 financial year.
3. Note that the matter of superannuation payments for Councillors from July 2022 will be a policy matter for determination by the Council following the September 2021 Council Elections.

SA21.123 Traffic Committee Reports - Sub Delegation of Authorisation to Director City Services

HPERM Ref:
D21/170434

Recommendation

That Council:

1. Sub-Delegates to the Chief Executive Officer (Director City Services) the functions listed below that have been delegated to Shoalhaven City Council by Transport for NSW (TfNSW – formerly RMS).

The exercising of all functions of RMS under:

- a. Division 1 of Part 4 (Traffic control devices) of the Road Transport (Safety and Traffic Management) Act 1999
- b. Division 2 part 5 (Special event parking schemes) of the Road Transport (Safety and Traffic Management) Act 1999

CL21.121

2. Note that notwithstanding the Sub-Delegation above, that Councillors can still have a Traffic Committee item considered at an Ordinary meeting at a Councillor's request through the following process:
 - a. Councillors will be emailed the minutes of the Traffic Committee as a matter of standard process.
 - b. If a Councillor would like a Traffic Committee item considered at an Ordinary meeting, a request is to be email to Governance within 3 days of the Traffic Committee minutes being distributed and quote the Traffic Committee item number.
 - c. The CEO (Director City Services) will discuss the issue with the Councillor. If the Councillor would still like it considered at an Ordinary meeting it will be added to the agenda of the next meeting.

CL21.122 Report of the Shoalhaven Arts Board - 22 April 2021

HPERM Ref: D21/219284

AB21.10 Shoalhaven City Art Collection - Acquisitions

HPERM Ref:
D21/122525

Recommendation

That Council endorse the request of the Shoalhaven Arts Board to acquire the following works for inclusion in the Shoalhaven City Council Art Collection:

1. Purchase *Requiem for a Forest 1* – channel film by Tim Georgeson offered at \$8,000 utilising funding from the Arts Reserve and acquire one (1) further photographic work one (1) which is being offered under Cultural Gift Program:
 - a. Renaissance
2. Purchase *Endangered 11A & 11B (Dptych)* by Tamara Dean offered at \$23,000 utilising funding from the Arts Reserve and acquire five (5) further works which are being offered under the Cultural Gift Program:
 - a. Dusty Miller
 - b. Sacred Lotus
 - c. Juniper
 - d. Endangered 4
 - e. Endangered 6
3. Approve the allocation of \$31,000 from The Arts Reserve to fund the purchase of these two (2) works:
 - a. *Requiem for a Forest 1* - \$8,000
 - b. *Endangered 11A & 11B (Dptych)* - \$23,000
4. Pursue the acquisition of the other offered works in accordance with the Cultural Gift Program.

CL21.122

CL21.123 Report of the Youth Advisory Committee - 5 May 2021

HPERM Ref: D21/224692

Attachments: 1. Draft Terms of Reference [↓](#)

YA21.10 Youth Advisory Committee Terms Of Reference

HPERM Ref:
D21/156820

Recommendation

That the Youth Advisory Committee recommend that Council endorse the existing proposed amendments to the Youth Advisory Committee Terms of Reference along with the following amendments identified at the meeting:

1. Section 3.3 Membership

3.3.1 Appointments

*Remove the words “**attend and**” from point a) paragraph i)*

2. Section 3.5 Meetings

Amend Point b) to read as follows:

Meetings to be held Monday – Thursday during school terms between 10am – 12pm.

Note by the CEO:

In relation to Part 1 of the Recommendation the suggested wording for the revised terms of reference is:

18 students from Year 7 and above, from local high schools, be appointed as members. A maximum of 5 students may be elected from each local high school, however only a maximum of 2 students from each school may ~~attend and~~ vote at any meeting.

Removing the words ‘attend and’ will enable all students to attend, however only 2 will be able to vote at each meeting.

CL21.123



City Administrative Centre
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

Southern District Office
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: council@shoalhaven.nsw.gov.au

Website: www.shoalhaven.nsw.gov.au

For more information contact the Finance Corporate & Community Services Group

Youth Advisory Committee - Terms of Reference

Policy Number: POL21/29 • **Adopted:** 22/11/2016 • **Amended:** 22/08/2017, 7/02/2018, 21/08/2018 • **Minute Number:** MIN16.919, MIN17.748, MIN18.620 • **File:** 1506E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:** 1/12/2020

1. STATEMENT

Shoalhaven City Council has a Youth Advisory Committee whose objective is to represent the interests and views of young people to Council and the Community.

2. PURPOSE

- a) To represent the interests and views of young people to Council and the Community
- b) To provide an opportunity for young people to discuss issues of concern to young people
- c) To provide a mechanism for young people to make representations to organisations and various spheres of Government requesting appropriate action to improve facilities and services available to young people
- d) To give young people experience in Local Government and community affairs
- e) To create greater awareness and appreciation within the general community of the needs and talents of young people
- f) To provide a mechanism for young people to address youth issues themselves.

3. TERMS OF REFERENCE

3.1 Relationship to council

The Youth Advisory Committee is an Advisory Committee with delegated authority.

3.2 Delegated Authorities

Act within adopted budgets aligning with council's strategic plans and documents to deliver youth programs and activities that meet the needs of local young people.

3.3 Membership

3.3.1 Appointments

Shoalhaven City Council – Youth Advisory Committee – Terms of Reference

- a) A maximum of 26 youth members comprising of:
 - i) 18 students from Year 9-7 and above from local high schools, be appointed as members. A maximum of 5 students may be elected from each local high school, however only a maximum of 2 students from each school may attend and vote at any meeting;
 - ii) A maximum of 8 young people aged between 15-12 and 21-25 years from the community and/or Youth Services be appointed as members; and
- b) One representative for each of the Federal Member for Gilmore and the State Members for South Coast and Kiama; and
- c) Councillors of Shoalhaven City Council.

Council and the Youth Advisory Committee welcomes membership of young people from diverse and varied backgrounds. Other interested people may attend as support and observers but are not able to vote on motions. The Youth Advisory Committee may also call on other people to attend the meetings as required.

When a member turns 21-25 years of age, their position will be declared vacant.

3.3.2 Period of Membership

- a) The advisory committee will run on a 12-month term with an annual review. The purpose of the annual review is to ensure the Committee are still addressing the goals set by the group, as well as identifying opportunities for improvement and setting future direction.
- b) To maintain momentum, at the end of each 12-month term membership will be reviewed to allow members to assess their membership and the committee to appoint new members in vacant positions. Vacant positions will be recruited for through an Expression of Interest hosted through the Council's Get Involved platform and promoted through social media.
- c) To promote and encourage a diverse, inclusive and accessible Committee of young people Expressions of Interest for new members will be widely promoted across multiple platforms to include independent schools, work places, youth organisations, as well as targeted promotions to reach young people with a disability, CALD communities, Aboriginal and Torres Strait Islander young people and young people identifying as LGBTQIA+
- d) New membership applications will be collated by Council and recommendations presented to the Committee for voting.
- e) Where a member of the Committee is absent for three consecutive meetings (unless leave of absence has been sought and approved by the Committee), that position will be deemed vacant.
- f) Should a membership become vacant within the term for any reason, Council will call for nominations ensuring membership remains in accordance with these terms of reference.

3.3.3 Training

Shoalhaven City Council – Youth Advisory Committee – Terms of Reference

- a) Members will attend Youth Advisory Committee Induction and Planning Day annually.
- b) Regular training will be offered to members to assist in skill development. Topics will be voted on by the Committee and could include Advocacy, Networking, Public Speaking, Speech Writing, the inner workings of Council etc.

3.4 Quorum

The quorum to be 6 members

3.5 Meetings

- a) The Youth Advisory Committee meet quarterly and convene additional meetings when required;
- b) Meetings to be held on a week day during school terms and will alternate between morning and afternoon either 10 am - 12 pm or 2 pm – 4 pm; Meetings to be held on a week day during school terms between 10 am - 12 pm;
- c) A Guest Speaker be invited to attend Committee meetings; and
- d) Set agendas & minutes of the meetings will be undertaken by Executive Support staff, but will not necessarily have a business paper, unless there are Council issues to report to Youth Advisory Committee etc.

3.5.1 Chairperson

- a) A Chairperson will be voted in by the group at the end of each meeting to be in place for the next meeting.
- b) A member of Council staff will visit the nominated young person two weeks prior to each meeting to train them for the role of Chairperson; talk them through how the meetings are run, explain the Agenda, and answer any questions they may have.
- c) Agendas are to be sent out to members 1 week in advance of each meeting.
- d) To ensure agendas are accessible they should include a summary page, no more than one page long with Agenda items displayed. The full agenda will be available for those that wish to read it.

3.5.2 Meeting Format

- a) Meetings to open with a round table question e.g. What is happening in your school, community, workplace etc'. This will encourage open discussion and participation and keep the group up to date with local issues and opportunities which can be raised as topics for future meetings.
- b) Meetings will be held in rotating venues throughout the Shoalhaven LGA to give schools the opportunity to host meetings and cultivate an inclusive and accessible space. The first meeting of each year will be held in Council Chambers with following meetings taking place in venues across Shoalhaven LGA as nominated by the Committee.
- c) Preference is for meetings to be held in person to encourage participation and conversation; however, video link will remain an option for young people who are not able to attend in person.

3.6 Code of Conduct

Shoalhaven City Council – Youth Advisory Committee – Terms of Reference

Meetings be conducted in an informal manner, but still within Council's "Code of Meeting Practice" Policy.

4 — REVIEW

~~To be conducted annually at the Youth Advisory Committee Planning Day.~~

CL21.124 Report of the Business & Employment Development Committee - 19 May 2021

HPERM Ref: D21/229699

BE21.18 Additional Item - Procurement of Local Goods and Services

Recommendation

That Council:

1. Investigate the potential for increased utilisation of local goods and services that represent value for money and engage with local suppliers throughout the procurement process.
2. Hold a forum with interested suppliers to better understand the procurement processes of Council and procurement panels.
3. Invite Council's Procurement Manager to address the meeting on Council's procurement processes in relation to selection panels.

Note by the CEO:

Council's current Local Preference Policy provides for up to a 50% price preference discount for local suppliers. To assist our local suppliers, an online Procurement Q&A session was held by the Nowra CBD Business Chamber with Council's Procurement Manager to allow for any required clarification. The Q&A session was recorded and Nowra CBD Business Chamber will be releasing this shortly to assist local suppliers to navigate through the Council procurement process. This is the first of a number of Q&A sessions to be held and if COVID-19 restrictions allow, it is anticipated that the next one will be public forum.

CL21.124

CL21.125 Report of the Inclusion & Access Advisory Group - 24 May 2021

HPERM Ref: D21/255547

IA21.9 Working Group - Promote and Engage

HPERM Ref:
D21/187073

Recommendation

That Council

1. Develops an EOI application process to increase membership for the Committee.
2. Acknowledges that the Committee endorse the proposed actions developed by the working group as stated below.
 - a. Increased promotion of the IAAG and its functions.
 - b. Increased promotion of people with a disability within the Shoalhaven via inclusive and positive social media/media campaign
 - c. Increased committee membership through a membership expression of interest (EOI)
3. Acknowledges that the Committee endorse a Planning Day, to be scheduled for the first quarter of 2022 after a completed membership recruitment period.

CL21.125

CL21.126 Report of the Shoalhaven Sports Board - 2 June 2021

HPERM Ref: D21/245384

SB21.3 Membership - Indigenous Sporting Group & Accessible Sporting Experience

**HPERM Ref:
D21/111481**

Recommendation

That Council:

1. Endorse the Sports Board's recommended nominees to the Sports Board membership, being:
 - a. Tameka Gogerly (new member)
 - b. Lucy Burgmann (new member)
 - c. Liz Tooley (existing member)
 - d. Dr Phill Newlyn (existing member)
2. Write to all nominees thanking them for their interest
3. Write to the successful applicants, congratulating them, and sending the Sports Board Terms of Reference, Strategic Plan and upcoming meeting dates.

CL21.126

CL21.127 Special Local Roads Improvement Program

HPERM Ref: D21/244878

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Reason for Report

The purpose of this report is to seek Council endorsement of the Special Local Roads Improvement Program as outlined below.

Recommendation

That Council endorse:

1. The creation of the Special Local Roads Improvement Program with a total budget of \$10M for the 2021/22 financial year to improve the condition of relevant roads across Shoalhaven City Council.
2. The program be funded by Phase 3 of the Local Roads and Community Infrastructure Grant (\$4.2M) and an internal loan from the Section 7.11 Recoupment Reserve (\$5.8M).
3. The \$5.8M internal loan from Section 7.11 Recoupment Reserve be repaid over 10 years, starting 1 July 2023 funded from Shoalwater dividends received by the general fund.
4. The COVID-19 Contributions Discount Subsidy Policy be discontinued on 31 March 2022 for the internal borrowings funding strategy to be sustainable, and for Council to continue maintaining a sufficient level of working capital in future years. This is in line with the end of the pandemic period as defined by the current Section 10.17, ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979: COVID-19 Pandemic - Ministerial Orders (2021).
5. The local roads projects to be delivered under the Special Local Roads Improvement Program are to be determined by management, and the program will target local road works that require non-complex design and approval processes and thus deliver the maximum possible new road seal to customers within the 2021/22 financial year. The types of roads being targeted are
 - a. Local access gravel roads which are appropriate for sealing.
 - b. Urban sealed roads that have failed.
6. The 2021/22 Delivery Program and Operational Plan including Budget be updated to incorporate an additional \$10M of capital budget allocated to the Special Local Roads Improvement Program.

Options

1. To endorse the proposed recommendation.

Implications: Staff will commence delivery of the Special Local Roads Improvement Program that will improve the condition of the local roads. The community will see an improvement in the condition of roads across the Shoalhaven region.

CL21.127

2. To not endorse the recommendation or to make changes to the recommendation.

Implications: The Special Local Roads Improvement Program will not commence and/or Council would need to provide direction to staff in relation to changes made, including alternative funding sources, methodology to be used for identifying projects, etc.

Background

At the Strategy and Assets Committee meeting on Tuesday 18 May 2021 in a report titled “SA21.98 Response - Question on Notice – Road Renewals & Building Maintenance” Council was advised as follows:

Special schedule 7 of the financial statements records the percentage condition of Council’s Infrastructure Assets. A summary is provided in the table below. 2020 is the latest reporting period and 2015 is the reporting period after the former laser assessment. This format of reporting condition data as a percentage of the networks was introduced by the Office of Local Government in 2014 in addition to the other reporting requirements of special schedule 7 which have changed and evolved.

Special Schedule 7 of the Financial Statements is summarised in the following table:

	Sealed Road Condition %				
	Very Good (1)	Good (2)	Fair (3)	Poor (4)	Very Poor (5)
2020	32	26	34	7	1
2015	34	23	38	5	0

The special schedule 7 shows that based on visual subsampling, the percentage of roads in fair condition has decreased from 38% in 2015 to 34% in 2020 and poor to very poor has increased over the last 5 years from 5% to 8%.

The implications are that when maintenance funding is underfunded, or renewals are deferred the most likely outcome will be that the percentage condition will increase in the Poor and Very Poor Categories. Extended periods of wet weather can see this deterioration increase at a higher-than-normal rate, as roads are weakened by water that ingresses the pavement through cracked seals. Council’s strategy is to keep high utilised sealed roads in very good, good, and fair condition to have a greater customer experience.

The local unsealed road network results have failed to an even worse condition. Over the last nine years, on average, the shortfall in funds provided for the total road network annual maintenance has been 17% as shown in **Table 2** below which was also presented at the Strategy and Assets Committee on Tuesday 18 May 2021 in a report titled “SA21.98 Response - Question on Notice – Road Renewals & Building Maintenance”.

CL21.127

Table 2 – Summary of Special Schedule 7 of the Financial Statements from 2012 to 2020 showing comparison of required maintenance and actual maintenance figures for Sealed Road and All Road network.

	Sealed Road Network		ALL Road Network		% Actual/Required
	Required Annual maintenance	Actual Maintenance	Required Annual maintenance	Actual Maintenance	
2020	\$6,521,000	\$5,815,000	\$13,948,000	\$12,109,000	86%
2019	\$5,840,000	\$5,208,000	\$14,460,000	\$12,301,000	85%
2018	\$5,600,000	\$4,990,000	\$12,840,000	\$10,830,000	84%
2017	\$5,400,000	\$4,813,000	\$12,150,000	\$10,239,000	84%
2016	\$5,900,000	\$5,294,000	\$11,705,000	\$10,130,000	86%
2015	\$4,500,000	\$3,580,000	\$7,120,000	\$6,486,000	91%
2014	Not Available	Not Available	\$8,631,000	\$7,437,000	86%
2013	\$6,220,000	\$3,210,000	\$11,906,000	\$8,726,000	73%
2012	\$5,678,000	\$2,184,000	\$12,473,000	\$8,485,000	68%

An injection of funds to address the condition ratings of poor and very poor local roads is clearly required.

The creation of a Special Local Roads Improvement Program could provide an additional \$10 million to target local roadworks that require non-complex design and approval processes and thus deliver the maximum possible new road seal to customers within the 2021/22 financial year. The types of roads being targeted are:

- Local access gravel roads which are appropriate for sealing
- Urban sealed roads that have failed

Complex roadworks through difficult terrain and arterial rural roads are to be funded through traditional sources.

Financial Implications

Council has received notification from the Federal Minister for Infrastructure, Transport and Regional Development, the Hon Michael McCormack MP, that Council has been allocated \$4.2M under Phase 3 of the Local Roads and Community Infrastructure Program. The funding will be made available from 1 January 2022, with construction due to be completed by 30 June 2023. It is recommended to allocate these funds to the creation of the Special Local Roads Improvement Program. Additionally, to enable a larger scope of works and commence these works earlier, it is recommended to increase this to an amount of \$10M, coupled with an internal loan from the Section 7.11 Recoupment Reserve of \$5.8M.

The \$5.8M internal loan from the Section 7.11 Recoupment Reserve will be repaid over 10 years starting 1 July 2023 from Shoalwater dividends received by the general fund currently used to repay the external loan for the Braidwood Road construction. The Braidwood Road loan which will be fully repaid in the 2022/23 financial year. This is subject to the discontinuation of the COVID-19 Contributions Discount Subsidy Policy on 31 March 2022, which is in line with the end of the pandemic period as defined by the current Section 10.17, ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979: COVID-19 Pandemic - Ministerial Orders (2021).

CL21.127

It is important to note that the Section 7.11 Recoupment Reserve is fully committed to fund capital projects and to fund Section 7.11 subsidies as listed below:

Section 7.11 Recoupment Reserve Commitments (\$'000):

Opening deleted projects balance (01/07/2020)	23,369
2020/21 capital work program actuals	(989)
Recoupment reserve allocated to fund capital works in future years	(19,875)
Recoupment reserve budgeted for Covid-19 Subsidy	(2,505)
Unallocated Balance:	NIL

According to the original 2020/21 Budget and 10-year capital works program, the following capital projects to be funded from the Section 7.11 Recoupment Reserve are:

Name	Total
Sanctuary Point Library	2,167,362
W/Ulladulla Sports Complex	286,000
Yulunga Reserve	40,000
Frogs Holla Reserve upgrade	988,732
Southern SCARP - Artie Smith	1,000,000
SCARP Croquet	2,532,500
Moss Vale Road South URA Open Space embellishment	2,132,112
Nowra CBD All Day Carparking	370,776
Sanctuary Point carparking	714,116
Sussex Inlet Car Parking	442,077
Moss Vale Road URA Road Construction	4,724,061
Callala Bay Rd former DCP41	307,013
Sydney / Bowen St Construction (Owen to Hawke St),	902,435
Kings Point Drive (For 2kms from Princes Highway)	1,028,034
Croobyar Rd Upgrade	218,169
Moss Vale Road South URA Drainage	2,780,934
Local Drainage Improvement Program	229,873
Grand Total	20,864,195

After the original 2020/21 Budget was adopted, Council was successful in securing loans under the Low-Cost Loan Initiative for SCARP (\$2,532,500) and Moss Vale Road (\$2,861,200). Whilst Low-Cost Loans will be repaid over the next 10 years from the Section 7.11 Recoupment Reserve, and total commitments of this reserve will not change, it is beneficial from a cash management perspective and provides additional funds available for internal borrowings.

Please refer to the forecasted cash flow for the Section 7.11 Recoupment Reserve that takes into consideration the proposed \$5.8M of internal borrowings below:

CL21.127

(000's)	2021/22	2022/23	2023/24	2024/25	2025/26
Opening Reserve Balance on 1 July 2021 (estimate)	22,581	6,811	844	497	190
Section 7.11 Income (cash inflow)	1,200	1,320	1,360	1,400	1,700
Proposed Internal Loan Repayments (cash inflow)	0	0	580	580	580
Loan Repayments (cash outflow)	(2,287)	(2,287)	(2,287)	(2,287)	(2,287)
Capital Expenditures (cash outflow)	(7,383)	(5,000)	0	0	0
Proposed Internal borrowings (cash outflow)	(5,800)				
Section 7.11 Subsidy (cash outflow)	(1,500)				
Closing Reserve Balance	6,811	844	497	190	184

Forecasted cash flow (continued)

(000's)	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Opening Reserve Balance on 1 July 2021 (estimate)	184	228	890	1,624	2,590	3,612	6,222
Section 7.11 Income (cash inflow)	1,751	1,804	1,858	1,913	1,971	2,030	2,091
Proposed Internal Loan Repayments (cash inflow)	580	580	580	580	580	580	580
Loan Repayments (cash outflow)	(2,287)	(1,721)	(1,703)	(1,528)	(1,528)		
Closing Reserve Balance	228	890	1,624	2,590	3,612	6,222	8,893

It is important for Councillors to note that the forecasted cash flow is based on the assumption that COVID-19 Contributions Discount Subsidy payments will not exceed \$1.5M in future years.

The COVID-19 Contributions Discount Subsidy Policy was reviewed eight months ago with \$1M worth of subsidies paid to date and another \$500K to be paid next month. If the trend continues, the remaining \$1.5M allocated from the reserve will not be sufficient to fund subsidies for more than another eight months.

As such, for the proposed funding strategy to be sustainable, it is recommended for the Council to discontinue the COVID-19 Contributions Discount Subsidy Policy from March 2022. If Council continues providing Section 7.11 subsidies beyond March 2022, there will not be sufficient funds in the reserve to fund the \$5.8M of internal borrowings as demonstrated in the adjusted cash flow below based on the assumption that the level of subsidies provided monthly will not increase:

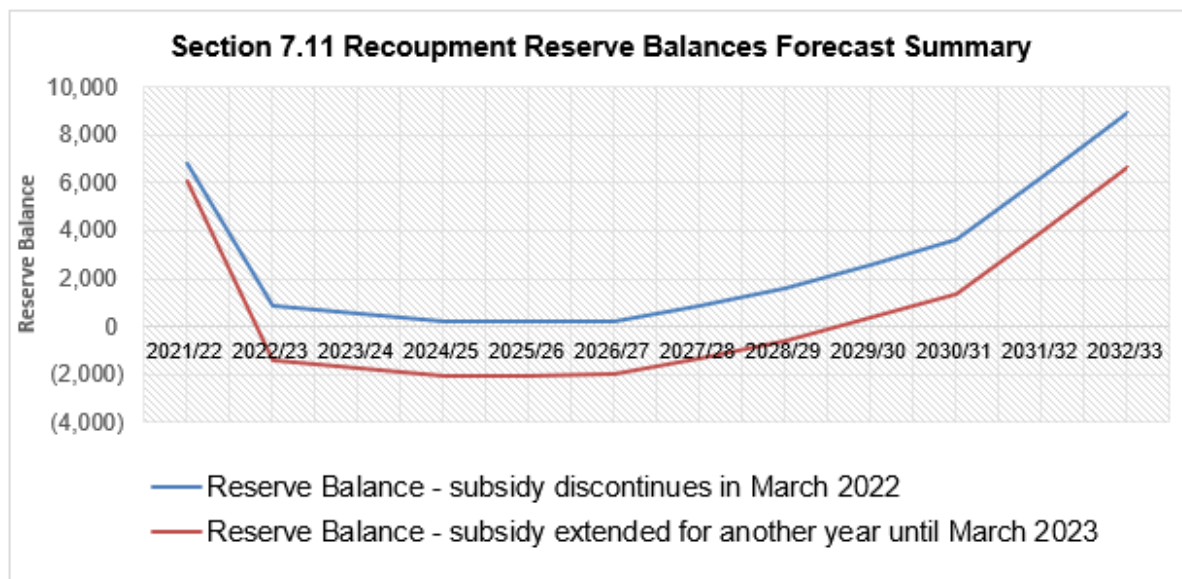
CL21.127

(000's)	2021/22	2022/23	2023/24	2024/25	2025/26
Opening Reserve Balance on 1 July 2021 (estimate)	22,581	6,061	(1,406)	(1,753)	(2,060)
Section 7.11 Income (cash inflow)	1,200	1,320	1,360	1,400	1,700
Proposed Internal Loan Repayments (cash inflow)	0	0	580	580	580
Loan Repayments (cash outflow)	(2,287)	(2,287)	(2,287)	(2,287)	(2,287)
Capital Expenditures (cash outflow)	(7,383)	(5,000)	0	0	0
Proposed Internal borrowings (cash outflow)	(5,800)				
7.11 Subsidy- Policy extended for another 12 months (until March 2023)	(2,250)	(1,500)			
Closing Reserve Balance positive/ (negative)	6,061	(1,406)	(1,753)	(2,060)	(2,066)

Forecasted cash flow (continued)

(000's)	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Opening Reserve Balance on 1 July 2021 (estimate)	(2,066)	(2,022)	(1,360)	(626)	340	1,362	3,972
Section 7.11 Income (cash inflow)	1,751	1,804	1,858	1,913	1,971	2,030	2,091
Proposed Internal Loan Repayments (cash inflow)	580	580	580	580	580	580	580
Loan Repayments (cash outflow)	(2,287)	(1,721)	(1,703)	(1,528)	(1,528)		
Capital Expenditures (cash outflow)	0	0	0	0			
Closing Reserve Balance positive/ (negative)	(2,022)	(1,360)	(626)	340	1,362	3,972	6,643

CL21.127



Based on the forecasted cash flow for the Section 7.11 Recoupment Reserve outlined above, management is comfortable that \$5.8M can be borrowed from this reserve with the loan to be paid back over 10 years starting 1 July 2023, which is subject to the COVID-19 Contributions Discount Subsidy Policy being discontinued in March 2022.

Management also considered an external loan as an alternative option. An internal loan is the preferred option as it provides fiscal flexibility and optimises cash management. The internal loan will be available immediately, can be drawn down gradually in line with the capital expenses, and loan repayments can be adjusted depending on the circumstances. In addition, Council will save \$1.2M over 10 years on interest expenses by borrowing internally.

CL21.127

CL21.128 Delivery Program and Operational Plan, Budget 2021/22 - Exhibition Outcomes

HPERM Ref: D21/211843

Department: Corporate Performance & Reporting
Approver: Kevin Voegt, Director - City Performance

Attachments:

1. Draft Delivery Program Operational Plan and Budget 2021/22 - Post Exhibition (under separate cover) [⇒](#)
2. Draft 2021/22 Fees & Charges Part 1 - Post Exhibition (under separate cover) [⇒](#)
3. Draft 2021/22 Fees & Charges Part 2 - Post Exhibition (under separate cover) [⇒](#)
4. 2021/22 Capital Works Movement Listings (under separate cover) [⇒](#)
5. Draft Delivery Program Operational Plan 2021/22 - Full Submissions (councillors information folder) [⇒](#)

Reason for Report

The purpose of this report is to seek Council's adoption of the Delivery Program and Operational Plan including the Draft Budget 2021/22.

The report provides a summary and comments related to the outcomes of the public exhibition process undertaken from 29 April 2021 to 27 May 2021.

Recommendation

That having considered the submissions received as part of the exhibition process for the Draft Delivery Program and Operational Plan 2021/22 including Budget, Capital Works Program and Fees and Charges, Council:

1. Adopt the 2021/22 Delivery Program and Operational Plan and Budget inclusive of the following changes:
 - a. Revision of the capital works listing as outlined in Attachment 4.
 - b. Include the following projects in the 2021/22 Capital Works Program identified in Table 1:
 - i. Dolphin Point Road footpath - \$10,000 Design & Approvals (\$100,000 Construction in 2022/23)
 - ii. Main Road Cambewarra Footpath extension - \$40,000
 - iii. Bingarra Lane, Bangalee Sacrificial seal - \$42,000
 - iv. Callala Beach Road Boardwalk/Pathway Detailed Design - \$50,000
 - c. Note that the additional \$10M Special Local Roads Improvement Program to be included in 2021/22 Delivery Program and Operational Plan and Budget subject to Council endorsement of the recommendation outlined in "Special Local Roads Improvement Program" report.
 - d. Note that the budget will remain flexible and might be subject to change particularly given that Council is yet to be notified about the outcome of Bushfire Local Economic Recovery (BLER) grant applications.

2. Adopt the 2021/22 Fees and Charges Part 1 and Part 2 with the following changes:
 - a. Include new fee “Voluntary Planning Agreement (VPA)” and “Works-in-kind Agreement (WIK)” of \$280 per application lodged with Council (MIN21.2)
3. Resolve to make the following rates and charges in accordance with Section 535 of the Local Government Act 1993 inclusive of a 2.0% rate increase:
 - a. Make an Ordinary Rate, consisting of an ad valorem rate of 0.18112c for each dollar of rateable land value in addition to a base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment, under Section 537 of the Local Government Act 1993, on all rateable land categorised as “Residential”, in accordance with Section 516, for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “RESIDENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment for the “RESIDENTIAL” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL” rate in accordance with Section 537(b) [base amount percentage is 49.94%].
 - b. Make an Ordinary Rate, consisting of an ad valorem rate of 0.37285c for each dollar of rateable land value, in accordance with Section 518 of the Local Government Act 1993: “Land is to be categorised as ‘business’ if it cannot be categorised as farmland, residential or mining”. Excepting all rateable land in the subcategories of Commercial/Industrial and Nowra, an ordinary rate be now made for the period of 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “BUSINESS”.
 - c. Make an Ordinary Rate, consisting of an ad valorem rate of 0.15010c for each dollar of rateable land value in addition to a base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland”, in accordance with Section 515, for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “FARMLAND”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment for the “FARMLAND” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND” rate in accordance with Section 537 (b) [base amount percentage is 24.61%].
 - d. Make an Ordinary Rate, consisting of an ad valorem rate of 0.18112c for each dollar of rateable land value in addition to a base amount of forty-seven dollars (\$47.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land which is zoned so as not to permit any building (i.e.; Small Lot Rural Subdivisions) and categorised as “Residential”, in accordance with Section 516, sub category “NON-URBAN”, in accordance with Section 529(2)(b), for the period 1 July 2021 to 30 June 2022, and in accordance with Section 543(1), this rate be named “RESIDENTIAL NON-URBAN”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of forty-seven dollars (\$47.00) per rateable assessment for the “RESIDENTIAL NON-URBAN” category will not produce more than 50% of the total amount payable by the levying of the “RESIDENTIAL NON-URBAN” rate in accordance with Section 537(b) [base amount percentage is 40.09%].
 - e. Make an Ordinary Rate, consisting of an ad valorem rate of 0.56420c for each dollar of rateable land value in addition to a base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment, in accordance with Section 537 of the

Local Government Act 1993, on all rateable land determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub-category “NOWRA”, in accordance with Section 529(2)(d), for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “BUSINESS NOWRA”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment for the “BUSINESS NOWRA” subcategory will not produce more than 50% of the total amount payable by the levying of the “BUSINESS NOWRA” rate in accordance with Section 537(b) [base amount percentage is 15.78%].

- f. Make an Ordinary Rate, consisting of an ad valorem rate of 0.26240c for each dollar of rateable land value in addition to a base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land used or zoned for professional/commercial trade or industrial purposes, determined to be a centre of activity and categorised as “Business”, in accordance with Section 518, sub category “COMMERCIAL/INDUSTRIAL”, in accordance with Section 529(2)(d), for the period of 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “BUSINESS COMMERCIAL/INDUSTRIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment for the “BUSINESS –COMMERCIAL/INDUSTRIAL” category will not produce more than 50% of the total amount payable by the levying of the “BUSINESS – COMMERCIAL/INDUSTRIAL” rate in accordance with Section 537(b) [base amount percentage is 30.59%].

- g. Make an Ordinary Rate, consisting of an ad valorem rate of 0.07640c for each dollar of rateable land value in addition to a base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment, in accordance with Section 537 of the Local Government Act 1993, on all rateable land categorised as “Farmland”, in accordance with Section 515, sub category “DAIRY FARMERS”, in accordance with Section 529(2)(a), for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(1), this rate be named “FARMLAND - DAIRY FARMERS”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of six hundred and sixty-eight dollars (\$668.00) per rateable assessment for the “FARMLAND – DAIRY FARMERS” category will not produce more than 50% of the total amount payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537(b) [base amount percentage is 32.89%].

- h. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.62359c for each dollar of rateable land value in addition to a base amount of two thousand six hundred and seventy-four dollars (\$2,674.00), for the cost of road upgrades required to enable property owners to develop their allotments in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties with building entitlement within the Verons Estate which, in the opinion of Council, derive special benefit and are subject to this rate, in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – DWELLING POTENTIAL”.

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

- i. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.14010c for each dollar of rateable land value in addition to a base amount of two hundred and ninety-eight dollars (\$298.00), for the cost of the road upgrades in the Verons Estate. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties without building entitlement within the Verons Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and ninety-eight dollars (\$298.00) per rateable assessment for the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” will not produce more than 50% of the total amount payable by the levying of the “VERONS ROAD UPGRADE SPECIAL RATE – NO DWELLING POTENTIAL” in accordance with Section 537(b) [base amount percentage is 50.00%].

- j. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.11677c for each dollar of rateable land value in addition to a base amount of one hundred and twenty-one dollars (\$121.00) for the cost associated with the Nebraska road construction project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Nebraska Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and twenty-one dollars (\$121.00) per rateable assessment for the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “NEBRASKA ROAD CONSTRUCTION SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.80%].

- k. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.43161c for each dollar of rateable land value in addition to a base amount of one thousand one hundred and four dollars (\$1,104.00) for the cost associated with the Jerberra road infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one thousand one hundred and four dollars (\$1,104.00) per rateable assessment for the “JERBERRA ROAD

INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD INFRASTRUCTURE SPECIAL RATE” in accordance with Section 53 (b) [base amount percentage is 49.97%].

- i. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.14563c for each dollar of rateable land value in addition to a base amount of three hundred and seventy-two dollars (\$372.00) per rateable assessment for the cost associated with the Jerberra electricity infrastructure project. In accordance with Section 495(1), the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and seventy-two dollars (\$372.00) per rateable assessment for the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ELECTRICITY INFRASTRUCTURE SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.94%].

- m. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.88193c for each dollar of rateable land value in addition to a base amount of two hundred fifty-seven dollars (\$257.00) per rateable assessment for the cost associated with the Jerberra Road E2 infrastructure project. In accordance with Section 495(1) the special rate is to be levied only on those rateable properties within the Jerberra Estate which, in the opinion of Council, derive special benefit and are subject to this rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “JERBERRA ROAD E2 SPECIAL RATE”.

Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred fifty-seven dollars (\$257.00) per rateable assessment for the “JERBERRA ROAD E2 SPECIAL RATE” will not produce more than 50% of the total amount payable by the levying of the “JERBERRA ROAD E2 SPECIAL RATE” in accordance with Section 537(b) [base amount percentage is 49.85%].

- n. Make a Special Rate, in accordance with Section 538, consisting of an ad valorem rate of 0.03167c for each dollar of rateable land value to meet the costs of business promotions for the Sussex Inlet area and surrounds, in accordance with Section 495(1), which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495(2) (a) (b) and (c). The special rate be now made for the period 1 July 2021 to 30 June 2022 and, in accordance with Section 543(2), this rate be named “SUSSEX AREA SPECIAL RATE”.
- o. Make an Annual Charge for Water Usage and Water Availability, in accordance with Section 502 and 552(1) (a) and (b), for the period 1 July 2021 to 30 June 2022, comprising a Water Usage Charge of \$1.80 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Water Availability Charge based on water meter size:

CL21.128

Size of Water Meter Service Connection	Charge 2021/22
20 mm (all residential customers)	\$84
25 mm	\$136
32mm	\$220
40mm	\$344
50mm	\$540
80mm	\$1,376
100mm	\$2,152
150mm	\$4,836
200mm	\$8,600

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

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

- p. Make an Annual Charge for Wastewater Usage and Wastewater Availability, in accordance with Section 502 and 552(3), for the period 1 July 2021 to 30 June 2022, comprising a Sewer Usage Charge of \$1.90 per kilolitre for all residential, commercial and Community Service Obligation categorised properties and a Sewer Availability Charge based on water meter size:

Size of Water Meter Service Connection	Charge 2021/22
20 mm	\$892
25 mm	\$1,244
32mm	\$1,900
40mm	\$2,520
50mm	\$3,564
80mm	\$7,352
100mm	\$10,540
150mm	\$18,164
200mm	\$28,180

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

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

- q. Make an Annual Charge for the availability of a Domestic Waste Management Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2021 to 30 June 2022, on all rateable properties categorised as residential for rating purposes and comprising of a building which is deemed to be a dwelling and located within the defined (urban) waste collection area.

The amount for the standard residential domestic waste management service be \$412 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre

MGB for recycling. The landfill bin is collected weekly and recycling bin is collected fortnightly. For a higher annual charge of \$717, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$313, the 120-litre landfill bin may be substituted for an 80-litre landfill bin.

In accordance with Section 543(3), the charge be named “DOMESTIC WASTE MANAGEMENT CHARGE”.

- r. Make an Annual Charge for a Rural Domestic Waste Collection Service, pursuant to Sections 496 and 501 of the Local Government Act 1993, for the period 1 July 2021 to 30 June 2022, on rateable properties comprising of a building which is deemed to be a dwelling and located outside of the defined (urban) waste collection area and opt for the rural domestic waste collection service.

The amount for the rural domestic waste collection service be \$412 for one 120 litre mobile garbage bin (MGB) for landfill waste and one 240 litre MGB for recycling. The landfill bin is collected weekly, and the recycling is collected fortnightly. For a higher annual charge of \$717, the 120-litre landfill bin may be substituted for a 240-litre landfill bin. For a lower annual charge of \$313, the 120-litre landfill bin may be substituted for an 80-litre landfill bin.

In accordance with Section 543(3), the charge be named “RURAL DOMESTIC WASTE COLLECTION CHARGE”.

- s. Make an Annual Charge, pursuant to Section 496 of the Local Government Act 1993, for the period 1 July 2021 to 30 June 2022, of \$89 per assessment for administration and new works associated with future provision of domestic waste management services. The charge to be applied to any domestic assessments which have any boundary adjacent to a road receiving an urban domestic waste management service and

- i. Does not have a dwelling situated thereon, or
 - ii. The closest point of the dwelling is 100 metres or more from the boundary of the road and the ratepayer chooses not to receive a domestic waste management service.

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

- t. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act 1993, for the period 1 July 2021 to 30 June 2022, of \$25.00 per eligible residential or business rate assessment and \$12.50 per strata assessment. In accordance with Section 543(3), the charge be named “STORMWATER MANAGEMENT SERVICE CHARGE”.

- u. Make an Interest Rate of 1.5%, pursuant to Section 566(3) of the Local Government Act 1993, for the period 1 July 2021 to 30 June 2022 (inclusive), which does not exceed the maximum interest rate chargeable on overdue rates and charges, accruing daily on a simple interest basis.

4. Update the 2021/22 Delivery Program and Operational Plan to incorporate an additional \$10 million of capital budget allocated to the Special Local Roads Improvement Program.
5. Thank the community for providing their submissions as part of the exhibition process and provide a response to each submission, outlining the outcome and actions undertaken relating to the issues raised.

Options

1. To endorse the 2021/22 Delivery Program, Operational Plan and Budget and the proposed recommendations for the making of ordinary and special rates and annual charges.

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

2. Not endorse the recommendations and resolve to make changes to the 2021/22 Delivery Program, Operational Plan and Budget or to make rates and annual charges using different values.

Implications: Council would need to provide direction to staff in relation to necessary budget adjustments to accommodate changes to the 2021/22 Delivery Program, Operational Plan and Budget or the recommended alternate rates and charges.

Background

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

A report was provided to Council at the Strategy and Assets Committee on 13 April 2021 to seek to place the Draft Delivery Program, Budget, Fees and Charges for 2021/22 on exhibition. The suite of documents were endorsed for public exhibition at the 27 April Ordinary Meeting with the following resolution:

That Council:

1. *Endorse the 2021/22 Draft Delivery Program and Operational Plan, Budget, Fees and Charges (amended to include a rating structure limited to the 2% rate peg increase) for the purpose of placing on public exhibition for a period of 28 days.*
2. *Approve the Minister's allowable limit of a 2% rate peg in 2021/22 to the notional yield as permitted by Section 511 of the Local Government Act 1993.*
3. *Maintain the 2020/21 rating structure, comprising both base and ad valorem amounts noting that the use of a base amount results in bringing the higher and lower values closer together and in effect spreads the burden across the board to all ratepayers – noting also that this is a commonly used rating structure that is considered to provide the fairest and most equitable distribution of the rate levy across the LGA.*
4. *In accordance with Section 566(3) of the Act, endorse the rate of interest payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022 (inclusive) to be 1.5% per annum. It is noted that this is significantly lower than the 2020 OLG recommended maximum of 7%. Interest charges will continue to be waived for ratepayers that are experiencing financial hardship and apply for financial assistance under Council's Hardship Policy.*
5. *Note that the proposed Waste Fees and Charges for 2021/22 have been included in the Draft DPOP and are tabled to Council for endorsement in a separate report to this Strategy & Assets Committee Meeting.*
6. *Receive a report on feedback from the community on the Draft 2021/22 DPOP and Budget following the 28 days public exhibition period.*

Public Exhibition

In accordance with the resolution of Council, the 2021/22 Draft Delivery Program and Operational Plan, Budget, Fees and Charges were placed on public exhibition for a period of 28 days from 29 April until 27 May 2021.

Communication & Engagement Activities included:

- Emails to CCBs and presentation at the CCB Executive Committee meeting
- Social Media posts with DPOP video and two paid campaigns (9,301 total reach)
- “Get Involved” website (453 visits) including online submission form (6)
- Highlighted projects map on the “My Area” webpage
- Emails to Advisory Committees of Council
- 3 Media releases and mentions by the Mayor on radio
- Details in Council’s weekly e-news
- News items on Council’s website

The engagement was set at the level of inform and consult within the IAP2 framework. Focus on the engagement process was to inform the community about the documents, the key priorities, actions and projects that would be the focus for the next financial year.

Submissions could be made to Council either via the online Get Involved page or via email or letter to Council. The updated suite of draft documents are included as Attachments 1–3.

Summary of Submissions

A total of 20 individual submissions were received during the exhibition period. Within these submissions there were several items, requests and suggestions.

Many of the individual submissions also included requests for new projects, items for funding or inclusion of actions in Council’s DPOP. Some submissions contained multiple issues, items or requests. The submissions are included in Table 1 and are accompanied with a staff comment, recommendation or proposed action in response.

Copies of each submission have also been provided in the Councillor Information Folder – the Reference number (Ref#) cross references the original submission. All submitters will receive a detailed email response following adoption of the final documents with additional staff comments that were provided alongside the summary provided in the tables.

Table 1 - Submission Items and Recommended Action

Ref #	Subject / Comment / Issue	Submission From	Staff comment / Recommended Action Required
S01	Non-inclusion for pathway/cycle way along Dolphin Point Road when previous advice received from Councillor indicated detailed design & proposals 2021/22 and construction 2022/23.	Community/ Resident	<p>There was an oversight regarding the Dolphin Point Road footpath project not being included in the 2021/22 draft 10-year capital listing as previously advised in Council’s correspondence in December 2020. Council will also complete pedestrian safety improvement works along Dolphin Point Road in 2021/22 including vegetation removal and verge widening.</p> <p>Recommendation: The Dolphin Point Road footpath project to be added to the Capital Works Program as follows: -2021/2022 - \$10,000 Design & Approvals -2022/2023 - \$100,000 Construction</p>

CL21.128

Ref #	Subject / Comment / Issue	Submission From	Staff comment / Recommended Action Required
S02	Anomaly in proposed budget allocations between 3 wards within the Shoalhaven LGA.	Community/ Resident	Updated budget with amended capital project categorisation by Ward within new draft documents.
S03	Footpath extension - Main Rd Cambewarra	Councillor representation from community	<p>This footpath extension is supported by proposed mapping in the PAMP, is strategically identified and supported by staff for inclusion.</p> <p>Recommendation: Budget of \$40,000 be included in the Draft 2021/22 Capital Works Program for an extension of Main Road footpath, Cambewarra.</p>
S04	Unisex facilities are less clean, and females feel less safe. Encourages community engagement to confirm that unisex toilets are preferred in those locations.	Community/ Resident	<p>Building Services will continue to construct new toilet facilities as unisex. This is an inclusive approach which has been successful over recent years.</p> <p>Council encourages feedback from the community regarding cleaning service levels and will investigate areas where the experience can be improved.</p>
S05	Provision of arts and cultural facilities, including a new regional gallery and support for creation of the Arts Foundation.	Community/ Resident	<p>The Arts Board at its meeting November 2019 have resolved to support a Shoalhaven Cultural Strategic Plan with the formation of a working group to assess and progress this aim.</p> <p>SRG currently enjoys over 30,000 visitors per year and hosts more than 20 exhibitions per year. The collection has grown significantly through a strong acquisition strategy over the past 3 years. In the past 2 years, Shoalhaven City Council has invested in gallery improvements including a new HVAC system and increased art storage. At this stage, Council's DPOP and long-term capital plan do not identify the need for a replacement regional gallery.</p> <p>The Shoalhaven Arts Foundation is an identified priority of Council as included within the DPOP. Suitable funding for this priority will be sought through a range of sources across the year.</p>
S06	Congratulate Council on the quality of its Draft Delivery Program, Operations and Budget 2021/22. Convey its support for the plan, also supports the Meroo Road Streetscapes project.	Bomaderry Community Inc.	<p>Positive feedback on DPOP acknowledged.</p> <p>Bomaderry Meroo Road Streetscape - This project is not currently identified in the forward Capital Works Program.</p> <p>Noted for consideration by Northern District Team in future planning for streetscape works under Town Centre Improvement Program.</p>
S07	Commends the inclusion of capital projects for road improvements in Upper Kangaroo River, for resurfacing and associated repairs.	Upper Kangaroo River Progress Association	Positive feedback on DPOP acknowledged.

CL21-128

Ref #	Subject / Comment / Issue	Submission From	Staff comment / Recommended Action Required
S08	Road sealing request Bingarra Lane Bangalee	Community/ Resident	<p>The estimated cost for sacrificial seal on Bingarra Lane is \$42,000. This treatment is only suitable for low traffic volume roads where long lasting durable pavement is not constructed and only lasts 5-10 years before the seal fails and needs to be graded off and replaced.</p> <p>Recommendation: Budget of \$42,000 be included in the Draft 2021/22 Capital Works Program for a sacrificial seal of Bingarra Lane.</p>
S09	Request for playground and recreational facilities in Currarong	Community/ Resident	<p>The provision of new or upgraded social infrastructure is guided by Shoalhaven City Council's Community Infrastructure Strategic Plan (CISP). The CISP identifies the various reserves within Currarong and provides recommendations for any future works in these spaces.</p> <p>Future playground upgrades are not currently prioritised for Currarong. The CISP is scheduled for review later in 2021, which presents an opportunity for Council to review and consider any need for new facilities in our reserves. This suggestion is noted for future consideration.</p>
S10	Callala Beach Road Boardwalk/Pathway	Callala Bay Community Association	<p>The Central District Engineer supports the inclusion of \$50K in the draft 2021/22 budget to undertake detailed design on the agreed concept design for the pathway. This will enable the project to be eligible for future grant funding opportunities.</p> <p>Recommendation: Budget of \$50,000 be included in the Draft 2021/22 Capital Works Program for the detailed design of the Callala Beach Road Boardwalk/Pathway.</p>
S11	Callala Beach Road Pathway	Callala Beach Progress Association	As per S10
S12	Quay Rd, Callala Beach pathway, drainage, gutters	Community/ Resident	As per S10
S13	Sealing of roads South Nowra Industrial Area	Community/ Resident	<p>South Nowra industrial estate request for sealing upgrade is subject to two DA's currently. One is a subdivision which will see the intersection formalised into Flinders Estate (including part of the Links Road referred to) with the most recent DA under consideration likely to bring about sealing of the rest of Links Avenue if proponent agrees to contribution in development. The sealing of Links Road has been considered as a longer-term prospect subject to development in this part of the estate.</p>
S14	Request for matching funds of \$50K towards Red Head Villages Masterplan	Red Head Villages Association Inc.	<p>Community driven master plans are encouraged by Council, and specific aspects of these master plans can contribute to Council's strategic direction from specific projects or areas.</p> <p>Although community driven master plans can be supported by Council in principle, Council will generally not endorse a community master plan. Council encourages communities to seek their own funding for these documents, by seeking grant funding or in-kind donations.</p>

CL21.128

Ref #	Subject / Comment / Issue	Submission From	Staff comment / Recommended Action Required
S15	Multiple items - Bomaderry Streetscape designs Redhead Villages Masterplan co-contribution Callala Bay, Callala Beach Boardwalk/Pathway Pump Track Ulladulla Sports Park Detailed Design	Councillor representation from community	Bomaderry Streetscape - This project is not currently identified in the forward Capital Works Program. Noted for consideration by Northern District Team in future planning for streetscape works under Town Centre Improvement Program. Redhead Villages Masterplan Co-contribution – See S14 Callala Beach Boardwalk/Pathway – See S10 Pump Track Ulladulla Sports Park - Council currently has funding for the preparation of the Ulladulla Sports Park Master Plan including provision of a pump track area. Detailed design will be required for this project to be shovel ready for grant application. This design work is included in the existing \$350,000 budget allocation.
S16	Request to increase Shoalhaven River Festival financial support to \$100K to incorporate a lighting spectacular.	Community/ Resident	In 2020 the Shoalhaven River Festival was given \$20,000 despite the event not going ahead due to the COVID-19 climate. This funding was used to pay off roughly \$8,500 in debt from the year before, and it was agreed that the remaining \$11,500 was to be put towards the 2021 event. If approved, there is \$20,000 in the 2021 budget for this project bringing the Council support for the October 2021 event to roughly \$31,500. Staff understand this to be an additional request from the committee for funding, over and above the current funding allocation in the draft budget.
S17	Multiple items - Plantation Point project, Bay & Basin Hub project, paths and cycleways, Coastal Zone Management Plan, Sewer assets from Montague St south, Vincentia Boat Ramp toilets, Surf Lifesaving Club storage, advocate for new hospital to service Bay & Basin, advocate for very fast train loop to Tomerong from the ACT.	Vincentia Residents and Ratepayers Association	Full staff response will be provided directly, summary staff responses are included below: <ul style="list-style-type: none">Plantation Point Reserve to Nelson Beach inclusive access ramp is currently under constructionA skate park has been designed and will be included as part of the Bay and Basin Recreation Hub.Project 383 renamed Jervis/Frederick/Sutton St Footpath.Reallocation of \$50K to new project for design of Vincentia – Elizabeth Dr to Blenheim - Frederick - Round the Bay Shared User Path loop (brought forward from 2024/25).2 new Shared User Path suggestions noted by staff for forward planning, but not recommended for inclusion in 10 year program.Sewer assets from Montague St south (Project 890) - Current funding has been prioritised for other high risk sites. Shoalhaven Water does not have any current plans for the area around Montague St South as monitoring has indicated no major changes in this area.Cliff and slope stabilisation CZMP (Project 689) - Ongoing coastal maintenance budget for identified high risk coastal cliff and slope instability sites. It is a yearly budget to adequately manage emergency incidents in relation to cliffs and slopes in key risk areas.Request to fast-track Projects 77 and 346 forwarded to staff for consideration.Equipment storage for Little Nippers at Nelsons Beach to be investigated.

Ref #	Subject / Comment / Issue	Submission From	Staff comment / Recommended Action Required
S18	Ulladulla SES Headquarters & Ulladulla Men's Shed. Sealing of Driveway and installation of a compliant disabled carpark in Ulladulla SES carpark.	State Emergency Services	<p>Sealing of driveway - Council does not have plans to address this request.</p> <p>Disabled carpark – Council is planning to have a compliant disabled carpark designed (2021/22) with the intent to construct the following year.</p>
S19	State-of-the-art regional gallery and storage for the art collection.	Community/ Resident	<p>Shoalhaven Regional Gallery operates as a successful regional gallery, welcoming over 30,000 visitors per year and hosting more than 20 exhibitions per year. In the past 2 years, Shoalhaven City Council has invested in gallery improvements including a new HVAC system and increased art storage. At this stage, Council's DPOP and long-term capital plan do not identify the need for a new regional gallery and / or storage facility.</p> <p>The Shoalhaven Arts Board have received several reports in relation to the ongoing needs of the Gallery and continue to work towards achieving their adopted strategic plan with the vision of 'making the Shoalhaven a recognised, outstanding arts destination...' One of the goals in the plan (goal 4) to 'Enrich and Expand the Arts' which includes the strategy 'Champion and communicate the Board's support for the development of a powerful presence in the arts in the Shoalhaven, connecting artists, audience and community' The Arts Board continue to work with the community to provide strategic advice on the development of the arts across the Shoalhaven.</p>
S20	<p>Queries on budget allocation changes for Commercial Undertakings and Economic Development; income of Holiday Haven; Funds received by URA;</p> <p>Concern Council does not have adequate funds to address asset maintenance backlog</p> <p>Support for full 2.6% rate increase</p> <p>Suggestions to attain income from the growing tourism industry</p>	Huskisson Woollamia Community Voice	<p>Full staff response will be provided directly, summary included below:</p> <p>Holiday Haven is a self-sustaining venture that generates profit and makes a contribution back to general fund (details provided)</p> <p>It is anticipated that \$5.411 million will be invested in the Moss Vale Urban Release Area in 2021/22, with a total investment exceeding \$18 million over the next 3 years which is fully funded by Developer Contributions.</p> <p>The budget for Commercial Undertakings is reviewed and adjusted each year. The income and expenditure for Commercial Undertakings has been relatively static and the budget for 2021/22 is very similar to the actual performance in 2018/19 (details provided to submitter).</p> <p>Council is actively pursuing grant opportunities to invest in infrastructure and Economic Development has been very successful in securing some of these grants. The budget in 2021/22 is inclusive of approximately \$26 million in grant funds. The average expenditure for Economic Development, excluding grants (current and revote of prior year), has averaged \$3.5 million per year over the last 3 years and it is budgeted to perform similarly in 2021/22.</p>

CL21.128

Considerations and Proposed Changes to 2021/22 Budget

Capital Works Listing

It is important to note that the Draft DPOP was prepared prior to the March Quarterly Budget Review and before Council being notified about the successful Local Roads and Community Infrastructure grant applications. As such, further changes were made to refine the Capital Works Program.

The exhibited draft Capital Works listing anticipated carry forwards from 2020/21 and as a result of carry-forwards identified during the March Quarterly Budget review, including newly approved grant funded projects, some of the general programmed works were rephased into future years or replaced by March Quarterly budget adjustments to maintain a balanced budget and maximise budget allocation to specific capital projects.

In addition, management further refined the Capital Works Program to split large capital projects into two phases: design and construction. In total, \$35M of capital works were re-forecasted into 2022/2023 financial year (this includes \$10M for Material recovery Facility and \$10M for Water Mains Replacement projects).

As a result of the March Quarterly Budget Adjustments and submissions and rephasing, the total Capital Works Program for the General Fund increased from \$177M to \$189M, from \$54M to \$61M increase for Water and Sewer and an increase from \$230M to \$250M for consolidated funds.

Similar to the approach taken this financial year, the budget will remain flexible and might be subject to change particularly given that Council is yet to be notified about the outcome of Bushfire Local Economic Recovery (BLER) grant applications with the total value of capital projects inclusive of Council co-contribution of \$67M.

Editorial and Formatting Changes

As part of the exhibition process some further minor editorial and formatting changes were identified, primarily changes to specific wording or minor formatting errors. These changes have already been made to the DPOP and included in the documents provided with this report.

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

Rating Structure

In order for Council to levy rates and charges for the 2021/22 rating year, Council is required to resolve the making of all rates and annual charges, in accordance with the Local Government Act 1993 & Local Government (General) Regulations 2005.

With consideration to the unprecedented times of the COVID-19 pandemic, Council resolved to exhibit the draft budget with an increase to rates by 2.0% (2.0% rate peg only) in 2021/22.

One (1) submission was received in support of a 2.6% rate increase during the public exhibition period regarding the proposed 2021/22 Rating Structure. No submissions were received in opposition to the proposed rate increase.

Following publication of Council's draft Revenue Policy, in accordance with Section 532 of the Local Government Act 1993, the rating structure was updated by re-doing the calculations on the basis of Supplementary Notices from the Valuer-General dated 15 May 2021. The revision resulted in small changes and the revised rating structure for 2021/22 for ordinary and special rates is presented below. These changes have already been included in the DPOP documentation that has been provided with this report.

Table 2. Ordinary Rates

Sub-Category	No. of Rateable Properties	Land Value	Ad Valorem (c in \$)	Base Rate Amount (\$)	Total Rate Yield (\$)
Ordinary Residential Rates	54,971	\$20,323,410,505	0.18112	\$668.00	\$73,530,088
Residential Non-Urban Rates	948	\$36,762,400	0.18112	\$47.00	\$111,140
Ordinary Farmland Rates	656	\$894,504,200	0.15010	\$668.00	\$1,780,859
Farmland Rates - Dairy Farmers	142	\$253,351,000	0.07640	\$668.00	\$288,416
Ordinary Business Rates	150	\$1,720,120	0.37285		\$6,413
Business Nowra Rates	362	\$228,766,900	0.56420	\$668.00	\$1,532,519
Business Commercial / Industrial Rates	1,808	\$1,044,143,740	0.26240	\$668.00	\$3,947,577
Total	59,037	\$22,782,658,865			\$81,197,012

Table 3. Special Rates

Sub-Category	No. of Rateable Properties	Land Value	Ad Valorem (c in \$)	Base Rate Amount (\$)	Total Rate Yield (\$)
Verons Road Upgrade Special Rate - Dwelling Potential (commenced 1 July 2017)	22	\$9,440,000	0.62359	\$2,674.00	\$117,695
Verons Road Upgrade Special Rate - No Dwelling Potential (commenced 1 July 2017)	10	\$2,127,000	0.14010	\$298.00	\$5,960
Nebraska Road Construction Special Rate	23	\$2,402,400	0.11677	\$121.00	\$5,588
Jerberra Rd Infrastructure	106	\$27,147,100	0.43161	\$1,104.00	\$234,194
Jerberra Electricity Infrastructure	106	\$27,147,100	0.14563	\$372.00	\$78,966
Jerberra Road - E2	16	\$469,000	0.88193	\$257.00	\$8,248
Sussex Area Special Rates	99	\$51,790,315	0.03167		\$16,402
Total	382	\$120,522,915			\$467,053

In accordance with Sections 534 and 535 of the Local Government Act 1993, Council can resolve to make rates and charges for the 2021/22 financial year.

CL1.128

Conclusion

Following the consideration of the submissions received and the identification of the required changes, it is recommended that the Draft Delivery and Operational Plan 2021/22, Draft Budget and Fees and Charges be adopted by Council, with proposed changes, as outlined in the recommendation at the beginning of this report.

CL21.129 Investment Report - May 2021

HPERM Ref: D21/242085

Department: Finance

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Monthly Investment Report - Shoalhaven City Council - May 2021 (under separate cover) [⇒](#)

Reason for Report

This report is being submitted directly to the Ordinary Meeting due to the report from Council's investment advisors not being available in time for the Strategy and Assets Committee meeting.

In accordance with Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation, a written report is provided to Council setting out the details of all money it has invested.

Recommendation

That:

1. The report of the Chief Executive Officer (City Performance) on the Record of Investments for the period to 31 May 2021 be received for information.
2. Council note that Council's Investment Portfolio returned 1.17% for the month of May 2021, exceeding the benchmark AusBond Bank Bill Index (0.04% pa) by 113 basis points (1.13%).

Options

1. The report on the Record of Investments for the period to 31 May 2021 be received for information.

Implications: Nil

2. Further information regarding the Record of Investments for the period to 31 May 2021 be requested.

Implications: Nil

3. The report of the Record of Investments for the period to 31 May 2021 to be received for information, with any changes requested for the Record of Investments to be reflected in the report for the period to 30 June 2021.

Implications: Nil

Background

Please refer to the attached monthly report provided by Council's Investment Advisor, CPG Research and Advisory Pty Ltd.

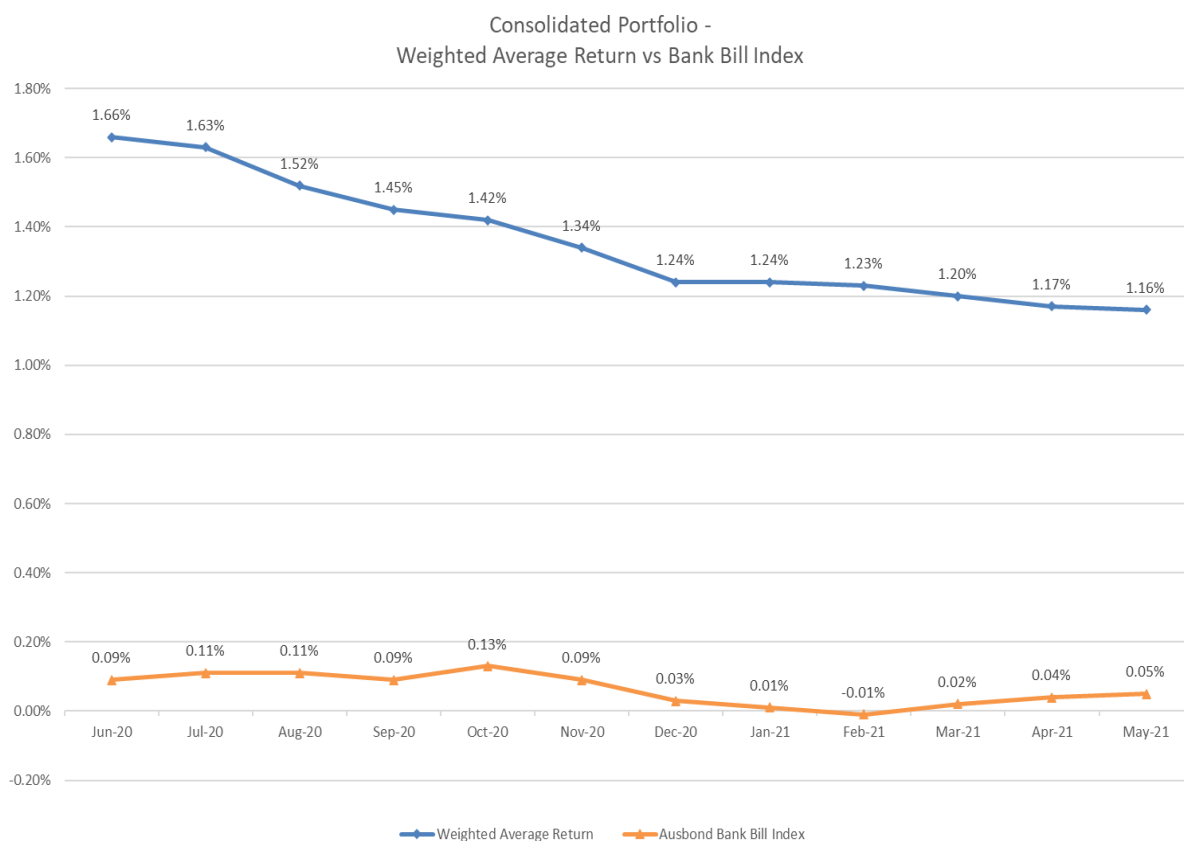
All investments are within the current Minister's Order. Investments are diversified across the eligible fixed interest universe and are well spread across maturities. Available capacity exists in all terms, with medium term particularly relevant to new issues.

Portfolio Return

Council's Investment Portfolio returned 1.16% for the month of May 2021, exceeding the benchmark AusBond Bank Bill Index (0.05% pa) by 111 basis points (1.11%).

Council's relative outperformance expanded through the falling rate cycle mainly due to longer dated deposits with yields around 1.4%, which is far above any available deposit. The outperformance of Council's Investment Portfolio continues to gradually decline as long-term investments mature and are replaced with low-interest deposits.

The following graph shows the performance of Council's Investment Portfolio against the benchmark on a rolling twelve (12) months basis. As can be seen, performance has consistently exceeded the benchmark due to the mix of Council's Investment Portfolio.



Interest Earned – May 2021

The following table shows the interest earned for the month of May 2021. The interest earned for the month of May was \$153,804 which was \$64,215 below the current budget.

Fund	Monthly Budget	Actual Earned	Difference	Revised Budget	Revised Difference
General	\$198,825	\$67,995	(\$130,830)	\$130,879	(\$62,884)
Water	\$64,208	\$48,951	(\$15,257)	\$60,811	(\$11,860)
Sewer	\$30,519	\$36,858	\$6,339	\$26,329	\$10,529
Total	\$293,552	\$153,804	(\$139,747)	\$218,019	(\$64,215)

CL21.129

Interest Earned - Year to Date

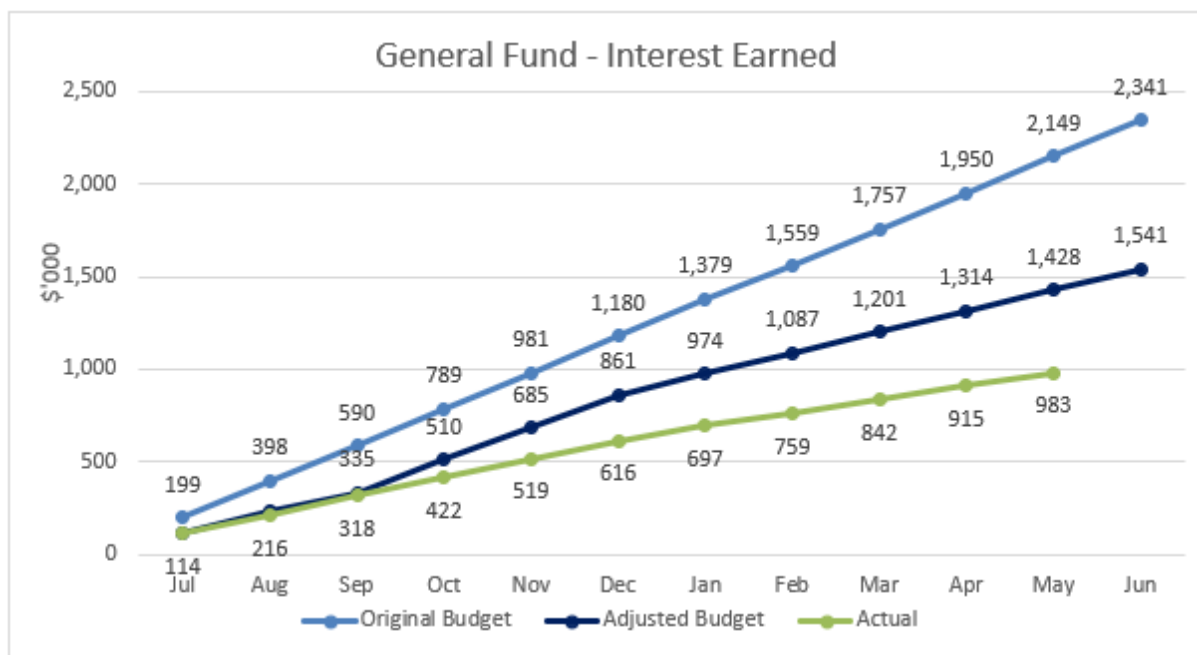
The COVID-19 pandemic has subsequently reduced Council's cash balance, which has resulted in a lower interest income than was budgeted for in the General Fund. In addition, the official cash rate is at a historic low of 0.1%.

The September, December and March Quarterly Budget Reviews resulted in a reduction in the interest income budget for the General Fund for the first, second and third quarters. The impact of these events on interest revenue continues to be monitored with the necessary adjustments to be reported in the end of the year budget report.

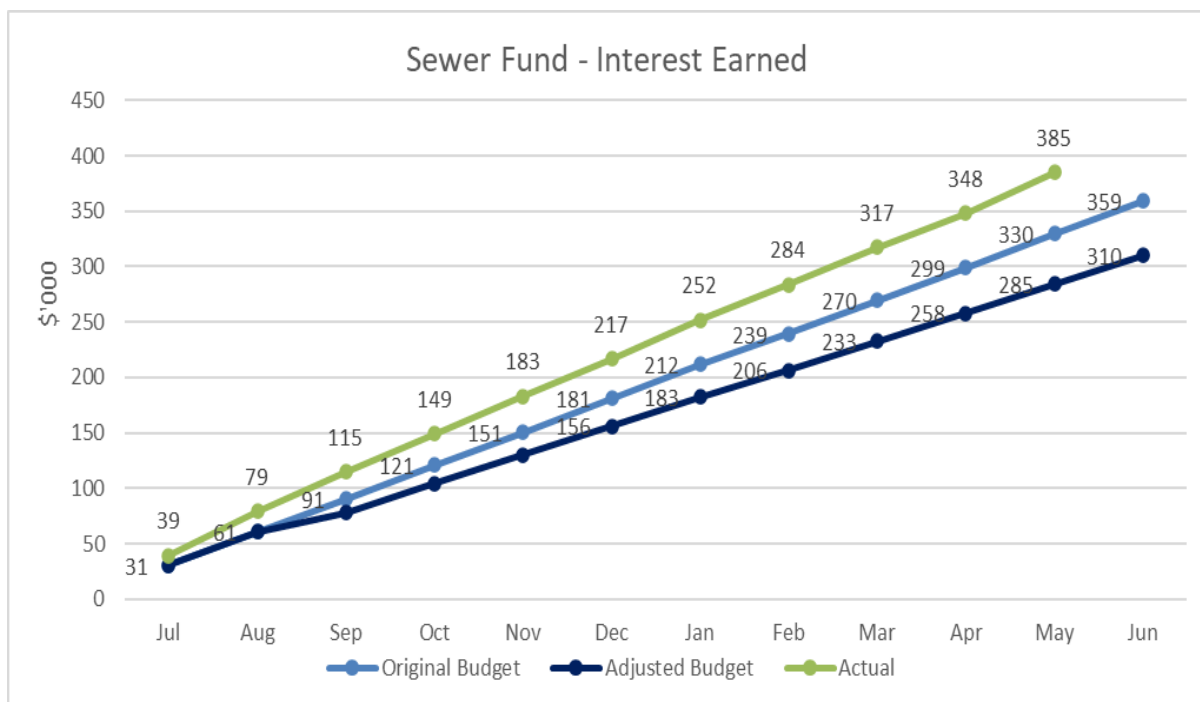
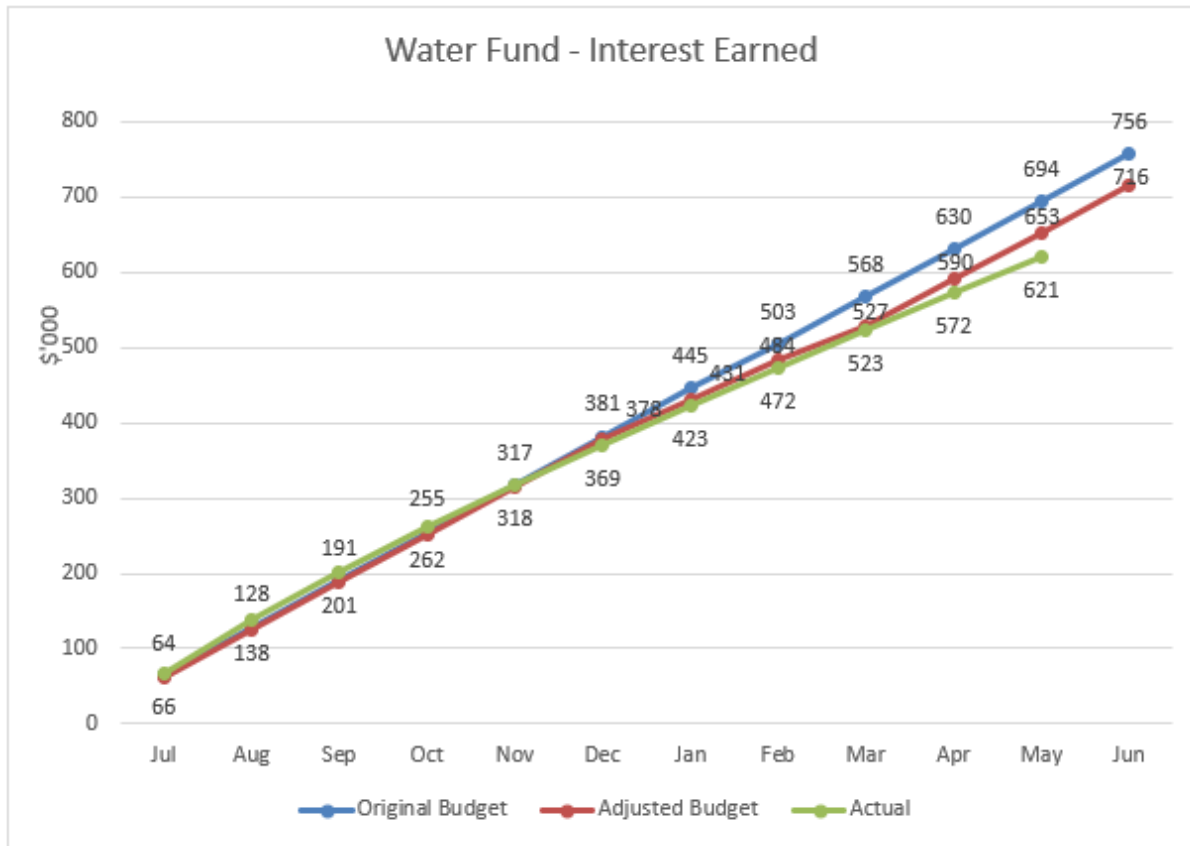
The following table shows how the actual amount of interest earned year to date has performed against the total budget forecast with 92% of the year to date. The interest earned to the month of May was \$1,988,551, 77.47% of the current full year budget.

Fund	Original Total Annual Budget	Actual YTD	% Achieved	Revised Budget	Revised %
General	\$2,341,000	\$983,112	42.00%	\$1,541,000	63.80%
Water	\$756,000	\$620,625	82.09%	\$716,000	86.68%
Sewer	\$359,333	\$384,813	107.09%	\$310,000	124.13%
Total	\$3,456,333	\$1,988,551	57.53%	\$2,567,000	77.47%

The graphs below illustrate the cumulative interest earned for the year for each fund against budget.



CL21.129



CL21.129

Cash and Restricted Assets

RECORD OF INVESTMENTS		
Cash and Investment Balances		
	May 2021	April 2021
Cash and Investments Held		
Cash at Bank - Transactional Account	\$9,947,544	\$6,221,883
Cash on Hand	\$27,190	\$28,191
Other Cash and Investments	\$169,789,009	\$173,721,628
	\$179,763,743	\$179,971,702
Fair Value Adjustment	\$487,917	\$507,593
Bank Reconciliation	\$257,021	\$479,058
	\$744,938	\$986,651
Book Value of Cash and Investments	\$180,508,681	\$180,958,353
Less Cash & Investments Held In Relation To Restricted Assets		
Employee Leave Entitlements	7,923,913	7,923,913
Land Decontamination	381,192	381,906
Critical Asset Compliance	1,428,939	1,361,327
Other Internal Reserves	4,330,375	4,441,111
Section 7.11 Matching Funds	311,169	311,169
Industrial Land Development Reserve	2,744,711	2,819,712
Plant Replacement	4,443,531	3,221,009
S7.11 Recoupment	17,293,084	20,038,942
Commitment To Capital Works	1,787,843	1,878,293
Property Reserve	0	1,121,179
Total Internally Restricted (A)	40,644,757	43,498,560
Self-Insurance Liability	2,208,277	\$2,208,277
Grant reserve	3,537,935	\$3,747,580
Section 7.11	15,577,308	\$16,624,674
Special Rate Variation	5,377,916	\$4,998,810
Storm Water Levy	1,110,076	\$1,002,693
Trust - Mayors Relief Fund	140,599	\$77,280
Trust - General Trust	2,876,133	\$3,014,442
Waste Disposal	12,877,200	\$13,047,277
Sewer Fund	32,367,495	\$34,918,765
Sewer Plant Fund	3,937,518	\$3,736,029
Section 64 Water	21,186,878	\$20,936,047
Water Fund	28,051,623	\$23,625,356
Water Communication Towers	2,329,289	\$2,338,168
Water Plant Fund	4,410,586	\$4,438,491
Total Externally Restricted (B)	135,988,832	\$134,713,889
Total Restricted (A + B)	176,633,590	\$178,212,450
Unrestricted Cash And Investments	\$3,875,091	\$2,745,903

CL21.129

Restricted Asset Movements

The table below lists the major movements in Restricted Assets:

Total Cash	-449,672	Expenses on projects net of rates payment received.
Plant Replacement	1,222,521	Timing of fuel cost allocations and disposals of fleet assets.
Property Reserve	-1,121,179	Purchase of Properties: 52 Coomea, Bomaderry (\$455,000) 26 Myrtle St Milton (\$694,000)
Sewer Fund	-2,551,270	Expenses on major projects and transfer of WIP balance from Water to Sewer fund.
S7.11 Recoupment	-2,745,858	Expenses on capital projects, including loan funded projects temporarily utilising this reserve. Reserve will be replenished from loans in June.
Water Fund	4,426,267	May was a rates instalment month
Other Internal reserve	-110,736	Expenses on drill rig for the communication towers \$65k and \$35k expenses on upgrade of sporting facilities.
Industrial Land Development Reserve	75,000	Expenses on Woollamia subdivision.
Unrestricted cash	1,129,188	May was a rates instalment month

Projects Funded from General Fund Balance

As at the end of April 2021, Council has a list of projects funded from the General Fund cash balance and for which grants have not yet been fully received. The total amount of the projects funded from the General Fund balance was \$8.5 million. Below is the list of the Top 5 projects in this category.

Projects	Amount (\$)
Currarong Road - Blackspot Program	\$1,605,506
Shoalhaven Heads River Rd Foreshore Precinct Rehabilitation	\$1,091,611
School Creek Bridge Disaster Assistance Rebuild	\$363,816
Boongaree - Building Better Regions	\$329,126
Sussex Inlet Rd Blackspot Program at Old Berrara Rd	\$303,095

It is noted that the Council entered into a loan agreement with TCorp in June 2021. These funds will be reflected on the June Investment Report with the funds transferred to Council's bank account on 11 June 2021.

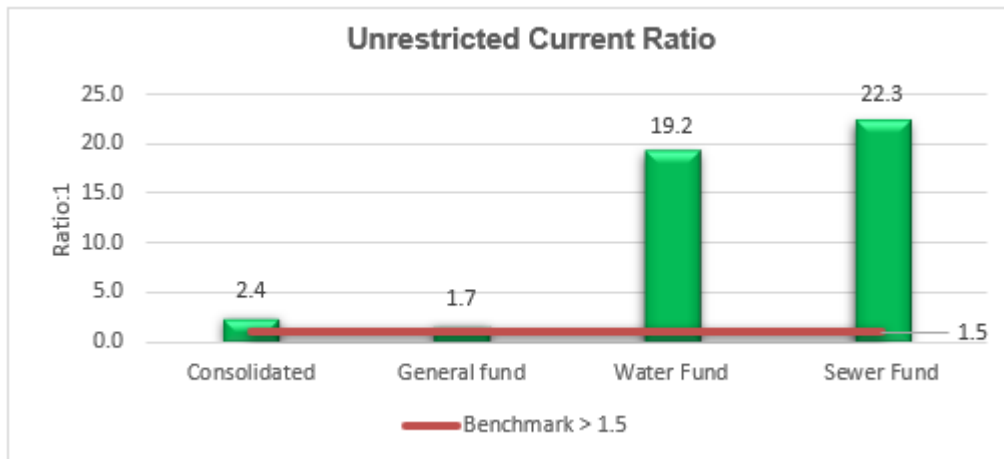
COVID-19 Impact

As at 9 June 2021, 12.38% of properties (7,292) were in default compared to 7.49% as reported on 30 April 2021. It is important to note that whilst the number of properties have increased since April 2021, the outstanding balance has not increased (\$7.3M). This indicates that some significant outstanding accounts have been paid, but the number of properties with smaller outstanding balances has increased. This shows a slight improvement in outstanding rates compared to previous years. The outstanding balance is expected to reduce by the end of June 2021 as a reminder notices were sent out to rate payers at the end of May.

Liquidity Indicators

In accordance with the Liquidity Contingency Plan presented to Council on 29 May 2021, the following liquidity indicators were included in the monthly Investment Report which will further enhance the transparency of Councils financial reporting.

All liquidity ratios remain above the benchmark and Council remains in a sound financial position.

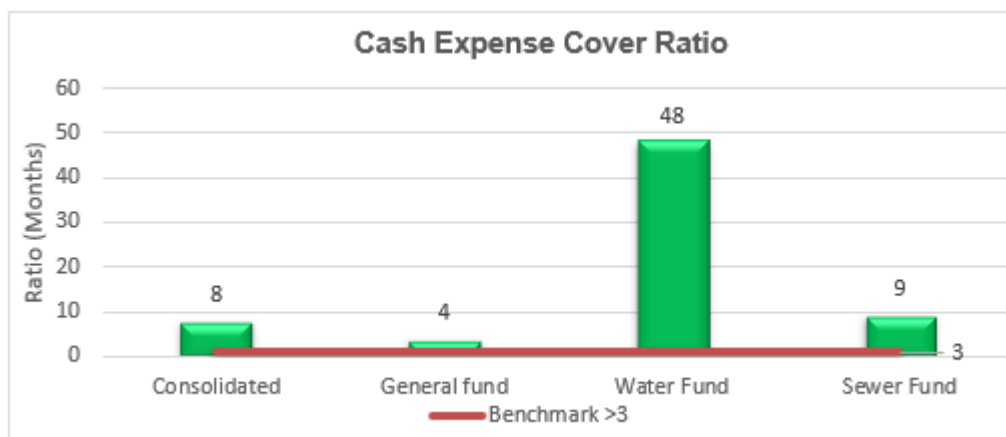


The **Unrestricted Current Ratio** is an indicator used to assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

The ratio remains above the benchmark as at the end of May for all funds.

Unrestricted Current Ratio =

(Current Assets less all external restrictions) / (Current Liabilities less specific purpose liabilities)

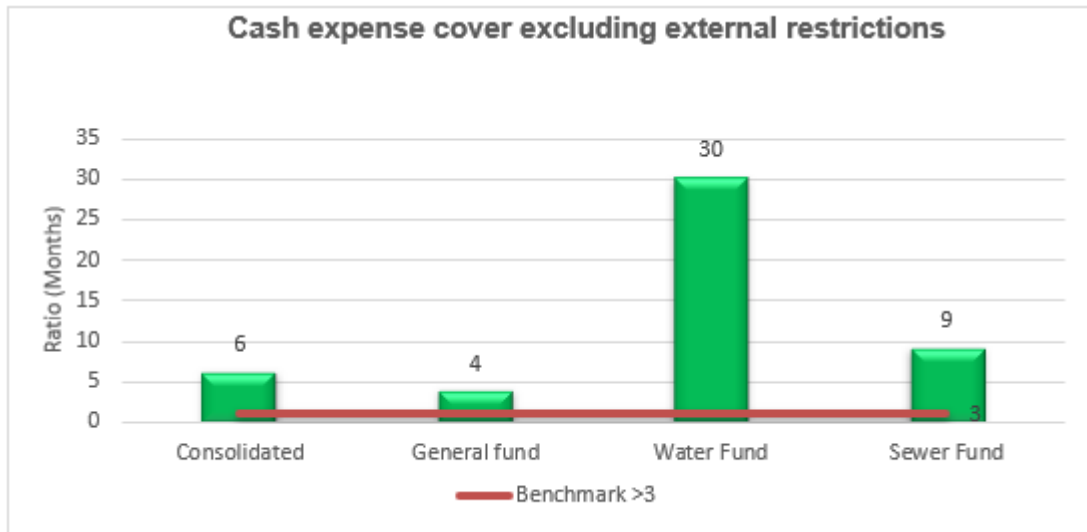


Cash Expense Cover Ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

The ratio remains above the benchmark of 3 months as at the end of May for all funds.

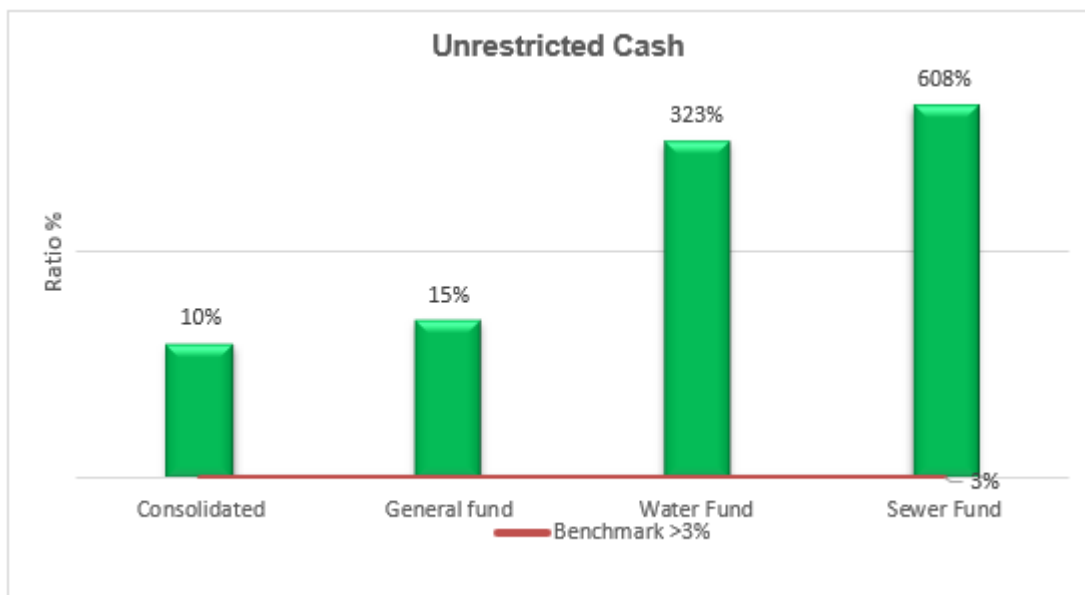
Cash expense cover ratio =

(Cash equivalents, TDs and FRNs x 12) / (Payments from cash flow of operating and financing activities)



Cash Expense Cover Ratio Excluding External Restrictions takes the OLG calculation for the Cash Expense Cover Ratio and removes external restrictions to represent the amount of months Council can continue paying for its immediate expenses without resorting to external restrictions.

The ratio remains above the benchmark of 3 months as at the end of May for all funds.



Unrestricted Cash is calculated as a total cash and Investments less external and Internal restrictions.

The unrestricted cash balance remains above the benchmark as at the end of May 2021 for all funds.

The benchmark is set up at 3% of budgeted cash outflows (excluding investment purchases and expenditures funded by reserves).

Financial Implications

Covid-19 has applied some pressure to Councils financial position, however despite this, Councils financial position is operating in a sound manner based on the current cash position

CL21.129

and liquidity ratios. It is also noted that revenue from interest earned forms a vital part of Council's revenue stream.

Statement by Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulations 2005 and Council's Investments Policy POL19/72.



Olena Tulubinska

Date: 21 June 2021

CL21.129

CL21.130 "Electoral Matter" and Use of Council Resources prior to Local Government Elections 2021

HPERM Ref: D21/244229

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. OLG Circular 21-12 [↓](#)

Reason for Report

This report is being submitted directly to the Ordinary Meeting due to the necessity of advising Council in a timely manner of provisions relating to the forthcoming Local Government Elections on 4 September 2021.

To advise Councillors of the content of the Office of Local Government's Circular No 21-12 titled "Electoral matter and use of Council resources prior to local government elections."

Recommendation

That the information in relation to use of council resources and the electoral matter be noted.

Options

1. To adopt the recommendation to note the information outlined in the report.
2. To adopt the recommendation to note information outlined in the report with additional recommendations as considered appropriate by Council.

Background

On 11 June 2021, the Office of Local Government (OLG) released Circular No 21-12 titled "*Electoral matter and use of Council resources prior to local government elections*", which outlined two key messages outlined below.

1. Use of Council Resources

Council officials must not use Council resources, property (including intellectual property), and facilities for the purposes of assisting their election campaign or the election campaign of others unless the use is lawfully authorised and proper payment is made where appropriate.

Under the Code of Conduct, the following must not be used for the purpose of assisting anyone's election campaign:

- Council resources (including Council staff), property or facilities, 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; and
- Council letterhead, Council crests, Council email or social media or other information that could give the appearance it is official Council material.

The use of Council resources for election purposes is also prohibited in the *Council Members – Payment of Expenses and Provision of Facilities Policy* (POL14/59), which at Clause 27 states:

Under no circumstances shall Councillors use the secretarial services, council facilities, equipment and services provided to produce election material or for any other political purposes in association with Local, State or Federal Government elections.

Breaches of a council's code of conduct may result in disciplinary action.

2. Publication of Electoral Matter by Council

In the 40 days preceding the election, councils need to consider whether their publications could amount to an “electoral matter”.

If a publication is considered “electoral matter” then Council should defer issuing the publication until after the election.

“Electoral matter” for the purposes of the *Local Government (General) Regulation 2005* broadly includes any matter that is intended or likely to affect voting in an election. The name, photograph and likeness of a candidate fall within the definition of “electoral matter”. Council publications that promote the achievements of the Council may also potentially fall within the definition of “electoral matter”.

For further clarification on “electoral matter”, refer to “Frequently Asked Questions” attached to the Circular.



Office of
Local Government

Circular to Councils

Circular Details	21-12 / 11 June 2021 / A755939
Previous Circular	17-12 – “Electoral matter” and use of council resources prior to local government elections
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

“Electoral matter” and use of council resources prior to local government elections

What’s new or changing

- Council officials must not use council resources, property (including intellectual property), and facilities for the purposes of assisting their election campaign or the election campaign of others unless the use is lawfully authorised and proper payment is made where appropriate.
- In the 40 days preceding the election, councils need to consider whether their publications could amount to an “electoral matter”.

What this will mean for your council

- Council officials must use council resources lawfully, ethically, effectively and carefully keeping in mind the council’s code of conduct and other policies such as the policy on the payment of expenses and the provision of facilities to mayors and councillors.
- “Electoral matter” is defined under clause 356A of the *Local Government (General) Regulation 2005*, and broadly includes any matter that is intended or likely to affect voting in an election. The name, photograph and likeness of a candidate fall within the definition of “electoral matter”.
- Council publications that promote the achievements of the council may also potentially fall within the definition of “electoral matter”.

Key points

- Under the *Model Code of Conduct for Local Councils in NSW*, the following **must not** be used for the purpose of assisting anyone’s election campaign:
 - council resources, property or facilities (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); and
 - council letterhead, council crests and other information that could give the appearance it is official council material.
- Breaches of a council’s code of conduct may result in disciplinary action.
- Councils and council officials should be mindful of the need to maintain community confidence in the integrity of the performance of the council’s functions and activities in the lead-up to elections. Councils should be mindful of how the community may perceive any of their activities or actions during this time.

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Where to go for further information

- For further clarification on “electoral matter”, refer to “Frequently Asked Questions” attached to the Circular.
- For further information, contact the Office’s Council Governance Team on 4428 4100.



Luke Walton
Acting Deputy Secretary
Local Government, Planning and Policy

Frequently Asked Questions

Q. What is “electoral matter”?

“Electoral matter” is defined under clause 356A of the *Local Government (General) Regulation 2005* (the Regulation) and broadly includes any matter that is intended or likely to affect voting in an election. The name, photograph and likeness of a candidate also fall within the definition of electoral matter.

The regulatory requirements that relate to “electoral matter” and “electoral material” under the Regulation apply in the 40 days preceding the election.

Q. Can council publications be “electoral matter”?

A council publication that makes no reference to the Mayor or councillors who are candidates and does not carry their images or statements will not constitute electoral matter if it is not intended or likely to affect voting at the election.

However, council publications that promote the achievements of the council may potentially have this effect and therefore may constitute “electoral matter” even if they do not carry the images or statements of the Mayor or councillors. This potentially includes end-of-term reports. More information on this is provided below.

Ultimately whether a council publication constitutes “electoral matter” is an assessment that needs to be made by each council on a case-by-case basis. If a council is in doubt, then it should defer issuing the publication until after the election.

Q. Does the Mayoral column constitute “electoral matter”?

Yes. Because the Mayoral column carries the Mayor’s image and name, it will constitute electoral matter if the Mayor is a candidate. Councils should instead consider publishing the Mayoral column in the 40 days preceding the election as a generic council column.

Q. Does the end-of term report constitute “electoral matter”?

Because the end of term report identifies the achievements of the council over its preceding term it may potentially constitute “electoral matter” because of its potential to impact on voting at the election.

Q. Can the end of term report be reported to council during caretaker period?

Yes. The end-of-term report *must* be presented to the final meeting of an outgoing council. The provisions in the Regulation relating to “electoral material” do not prevent the end-of-term report being presented to the council or from being made available on a council’s website as part of the business papers of the meeting.

However, because the final meeting of the outgoing council will normally fall within the 40 day “regulated period” preceding the election, councils should refrain from publishing the end-of-term report as a separate publication until after the elections on 4 September 2021. The end-of-term report should be appended to that year’s annual report.

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Q. Can mayors or councillors who are candidates attend council-arranged or community events?

Nothing in this circular should be interpreted as preventing the Mayor or councillors who are candidates from attending or presiding over council-arranged or community events in the lead up to the election.

Q. Can mayors or councillors who are candidates make “political statements” at council-arranged events?

Mayors or councillors who are candidates must not use council arranged events that they attend in an official capacity to actively campaign for re-election. However, nothing under the Model Code of Conduct would serve to preclude a councillor who is a candidate from expressing their political views or making political statements at such events.

Q. Can the mayor or councillors who are candidates make comments in the media?

This circular does not seek to prevent the Mayor or councillors who are candidates from offering media comment, provided that comment is not made in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources and the comment is not inconsistent with the council's adopted media policy.

CL21.131 Policy - Induction and Ongoing Professional Development for Mayors and Councillors

HPERM Ref: D21/246630

Department: Business Assurance & Risk

Approver: Kevin Voegt, Director - City Performance

Attachments: 1. OLG - Councillor Induction and Professional Development Guidelines and Model Policy (under separate cover) [⇒](#)
2. Draft Policy (under separate cover) [⇒](#)

Reason for Report

This report is being submitted directly to the Ordinary Meeting due to the need to seek initial feedback on the Draft Policy on Induction and Ongoing Professional Development for Mayors and Councillors prior to finalising the agenda for the candidate information sessions scheduled for Wednesday, 21 July 2021.

Recommendation

That Council adopt the attached Draft Policy - Induction and Ongoing Professional Development for Mayors and Councillors, POL19/41.

Options

1. As recommended.

Implications: The Policy on Induction and Ongoing Professional Development for Mayors and Councillors will be adopted to meet the professional development needs of the incoming Council following the Local Government Elections on 4 September 2021.

2. Council give alternative direction to staff.

Implications: This will delay the implementation of a policy to facilitate the professional development of the Mayor and Councillors.

Background

The Office of Local Government (OLG) conducted a consultation process in early 2018 to develop Councillor Induction and Professional Development Guidelines.

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

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

- (1) *The general manager must ensure that an induction training course is delivered to each councillor who has been elected to the council for the first time, within 6 months of the councillor's election.*

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

Following its 2018 consultation, the OLG issued guidelines in December 2018 (see Attachment 1) incorporating a Model Councillor Induction and Professional Development Policy at Appendix C.

The Model Policy omits initial provisions that gave rise to the concerns that Council noted in its consultation submission (as endorsed on 20 March 2018, MIN18.181), relating to the involvement of the elected Council in the development of Plans, and the level of detail in the public reporting of individual Councillors' training programs. The Model Policy offers an acceptable framework for Council and has consequently been used as the basis for the Draft Policy (Attachment 2).

This Draft Policy sets out requirements for an induction program, incorporating a knowledge component and a team-building component, along with an ongoing professional development program.

The OLG's guidelines outline topics to assist the induction of candidates who may be considering becoming a Councillor. A checklist is provided in the guidelines that should be considered for the candidate information sessions. These candidate information sessions have been scheduled for Wednesday, 21 July 2021, with one in Nowra and the other in Ulladulla.

The candidate information sessions are intended to be delivered in advance of the election and the induction and ongoing development programs will follow the election. Details of the content of each phase is listed in the appendices to the Draft Policy.

Initial feedback on the draft policy is sought ahead of finalising the agenda for the scheduled candidate information sessions.

Policy Implications

Council at present has no adopted policy regarding professional development for Mayors and Councillors.

Financial Implications

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

Risk Implications

Nil.

DE21.56 Proposed Amendments to Chapter G21: Car Parking and Traffic of Shoalhaven DCP 2014

HPERM Ref: D21/179024

Department: Strategic Planning

Approver: Robert Domm, Director - City Futures

Attachments: 1. Draft Chapter G21: Car Parking and Traffic [↓](#)

Note: This item was deferred from the Development & Environment Committee 1 June 2021 to enable further consideration of the options. The options section of the report has been expanded to cover the range of possible recommendations.

Reason for Report

- Present proposed amendments to Chapter G21: Car Parking and Traffic (Chapter G21) of the Shoalhaven Development Control Plan 2014 (the DCP) relating to:
 - Notice of Motion regarding medium density development visitor parking requirements.
 - Inclusion of provisions to proactively plan for the anticipated demand for electric vehicle charging facilities in the future.
- Obtain required endorsement to proceed to exhibition.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse and proceed to publicly exhibit the proposed amendments to Chapter 21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014 as outlined in Attachment 1, for a period of at least 28 days as per legislative requirements.
2. Receive a further report following the conclusion of the public exhibition period to consider feedback received and enable finalisation of the amendment.
3. Notify key stakeholders (including CCBs and Development Industry Representatives) of the exhibition arrangements, in due course.

Options

1. Original Recommendation (As printed).

Implications: This option is consistent with the 23 March 2021 resolution that resulted from a Notice of Motion (MIN21.137) regarding medium density residential / visitor parking and also proactively moves to respond to the anticipated future demand for electric vehicle charging facilities.

Medium density residential/visitor parking

The proposed medium density residential/visitor parking changes are however not favoured for a number of reasons outlined in this report, including:

- There is already often a parking shortfall in medium density development which results in congestion in the road network.

DE21.56

- In certain locations, congestion within the road network may result in pressure for Council to provide and maintain additional public parking facilities.
- Potential safety concerns and neighbourhood amenity concerns.
- Responsive and well-designed proposals can accommodate adequate parking without affecting yield and amenity.
- Variations can still be considered on a case-by-case basis, as such a broad change across the whole City may not be warranted / desirable.
- The requirement for parking based on the number of bedrooms, including rooms capable of being used as a bedroom, has been removed, potentially resulting in additional parking shortfalls.

Electric vehicle charging facilities

This option will allow some proactive consideration of electric vehicle charging facilities for all future dwellings in a response to the continued increase in popularity of vehicles requiring plug in charging facilities. This will help avoid the future costs to owners associated with retrofitting and installing charging ports in established dwellings.

2. Only exhibit the proposed Amendments to Chapter G21 related to electric vehicle charging facilities (as shown in Attachment 1) and retain and refine the current wording related to medium density residential / visitor parking.

The wording for a possible recommendation in this regard follows:

That Council:

- a. *Proceed to publicly exhibit the proposed amendments related to electric vehicle charging facilities to Chapter 21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014 as outlined in Attachment 1 and also exhibit refinements to the wording relating to location of resident spaces to reinforce that the intent is for the parking for each dwelling to be collocated with each dwelling, not enclosed in a garage, for a period of at least 28 days as per legislative requirements.*
- b. *Receive a further report following the conclusion of the public exhibition period to consider feedback received and enable finalisation of the amendment.*
- c. *Notify key stakeholders (including CCBs and Development Industry Representatives) of the exhibition arrangements, in due course.*

Implications: This option is more preferable as it allows proactive consideration of electric vehicle charging facilities in all future residential development. This will help avoid the costs to owners associated with retrofitting and installing charging ports in established dwellings in the future.

This option also retains the current resident and visitor parking rates associated with medium density development that meet the realistic demand for parking spaces (regional industry standard) and assist in managing on street parking impacts within Shoalhaven's road network. This option also seeks to refine the wording relating to location of resident spaces to reinforce that the intent is for the parking for each dwelling to be collocated with each dwelling, not enclosed in a garage.

3. The original recommendation with expanded provisions related to electric vehicle charging facilities.

The wording for a possible recommendation in this regard follows:

That Council:

- a. *Proceed to publicly exhibit the proposed amendments to Chapter 21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014 as outlined in Attachment 1, with the following changes to the proposed acceptable solutions, with any minor wording refinement as needed prior to exhibition, for a period of at least 28 days as per legislative requirements:*

Amended A3.1- Each parking bay be supplied with a 240v power socket for undercover parking or where outdoor parking is the solution a bollard arrangement with power supply for the sole use of each dwelling.

Amended A3.2 - Where 10 or more parking spaces are required for non-residential development within the B3 commercial core and B4 Mixed use zones in the Nowra CBD a minimum of 20% of spaces are to be designed and constructed with electrical power points for EV charging.

New A3.3 - where more than 50 parking spaces are required the principle of A3.2 apply but additional requirements include additional electrical cabling to manage higher voltage/volume charging (greater than 240v)

- b. *Receive a further report following the conclusion of the public exhibition period to consider feedback received and enable finalisation of the amendment.*
 - c. *Notify key stakeholders (including CCBs and Development Industry Representatives) of the exhibition arrangements, in due course.*
4. Proceed to exhibit only the expanded provisions related to electric vehicle charging facilities.

The wording for a possible recommendation in this regard follows:

- a. *Proceed to publicly exhibit only the proposed amendments to Chapter 21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014 related Electric Vehicle Charging Facilities to as outlined in Attachment 1, with the following changes to the proposed acceptable solutions, with any minor wording refinement as needed prior to exhibition, for a period of at least 28 days as per legislative requirements:*

Amended A3.1- Each parking bay be supplied with a 240v power socket for undercover parking or where outdoor parking is the solution a bollard arrangement with power supply for the sole use of each dwelling.

Amended A3.2 - Where 10 or more parking spaces are required for non- residential development within the B3 commercial core and B4 Mixed use zones in the Nowra CBD a minimum of 20% of spaces are to be designed and constructed with electrical power points for EV charging.

New A3.3 - where more than 50 parking spaces are required the principle of A3.2 apply but additional requirements include additional electrical cabling to manage higher voltage/volume charging (greater than 240v)

- b. *Receive a further report following the conclusion of the public exhibition period to consider feedback received and enable finalisation of the amendment.*
 - c. *Notify key stakeholders (including CCBs and Development Industry Representatives) of the exhibition arrangements, in due course.*
5. Not proceed with an amendment to Chapter G21.

Implications: This is not the preferred option as Chapter G21 could not be amended (at this point in time) to require consideration of electric vehicle charging facilities for

residential development. Further, medium density resident / visitor parking would not be resolved in any form.

Background

Following a Notice of Motion, Council resolved on 23 March 2021 (MIN21.137) to:

1. *Prepare a draft amendment to Section 5.1 (medium density land use typologies in row one of the car parking schedule) of Chapter G21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014 to remove the existing standard and:*
 - a. *Require:*
 - i. *1 space per one bedroom dwelling.*
 - ii. *1.5 spaces per 2 bedroom dwelling.*
 - iii. *2 spaces per dwelling containing three or more bedrooms.*
 - b. *Clarify that development referred to in 1(i) above, that the parking rates specified includes visitor spaces. At least one space per units should be provided for the sole benefit of each unit. Any parking on site exceeding the minimum requirements are to be provided as visitor spaces.*
 - c. *Delete the following note “Spaces for each dwelling are to be enclosed within the dwelling footprint. Visitor car parking is in addition to resident parking, must be unencumbered / open and cannot be stacked / tandem” and in its place insert the following note in relation to 1(ii) above “The arrangement and layout of the above parking will be assessed on merit and on a case by case basis. Visitor parking within new developments may be catered for within driveways of individual dwellings where it can be demonstrated that other dwellings within the complex are not impacted upon. Alternatively, visitor parking may be provided on a communal basis and upon common property”.*
2. *Receive a further report seeking endorsement to publicly notify and exhibit the draft amendment in accordance with Part 3 of the Environmental Planning and Assessment Regulation.*

Amendment 4 to Chapter G21 – Why the current provisions were introduced

On 6 October 2020, Council resolved (MIN20.716) to finalise an amendment to Chapter G21 to improve its function, address gaps in policy and address operational issues or matters that needed clarification that had been identified since the Shoalhaven DCP 2014 originally commenced.

With regards to parking requirements for medium density development, the amendment sought to amend the parking provisions to refine the parking rates for residents and introduce specific visitor space requirements to reflect the changes in parking rates.

An excerpt of the adopted/current provision is provided below (**Figure 1**).

Land Use Type	Standard	Notes
Residential		
Attached dwellings	1 space per dwelling containing no more than 2 bedrooms or rooms capable of use as a bedroom.	Spaces for each dwelling are to be enclosed within the dwelling footprint.
Dual occupancy	2 spaces per:	Visitor car parking is in addition to resident parking, must be unencumbered/open and cannot be stacked/tandem.
Group homes	<ul style="list-style-type: none"> Dwelling containing 3 or more bedrooms or rooms capable of use as a bedroom; or Dual occupancy dwelling where the lot is located in a cul-de-sac, regardless of lot size or number of bedrooms. At least one on-site car space shall be provided behind the building line. 	
Integrated housing development		
Multi dwelling housing		
Multi dwelling housing (terraces)		
Manor houses		
Residential flat buildings	For developments with 3 or more dwellings, 0.5 car parking spaces per dwelling for visitors.	
Semi-detached dwelling		
Shop top housing		

Figure 1: Current Medium Density Parking Provisions (Chapter G21, Shoalhaven DCP 2014, Version 4)

The changes sought to ensure that appropriate and realistic provisions for parking (resident and visitor) were provided based on the number of bedrooms or rooms that could be used as a bedroom. Realistically in Shoalhaven, car ownership is high and is likely to remain high, with limited public transport opportunities, and therefore, there is a high demand for resident and visitor spaces associated with development (proportionate to size).

The current approach is considered generally consistent with DCP provisions for councils surrounding Shoalhaven and those in the Illawarra-Shoalhaven Region. This demonstrates a consistent regional approach acknowledging similar markets and regional characteristics. **Table 1** provides a summary and relevant commentary.

Table 1: Comparison of surrounding/ISJO council provisions

Relevant Council	Medium Density DCP Parking Provision	Comparison to Shoalhaven's Current Provisions
Wollongong	<u>Residents:</u> <ul style="list-style-type: none"> 1 space per dwelling (<70m²). 1.5 spaces per dwelling (70-110m²). 2 spaces per dwelling (>100m²). <u>Visitors, an additional:</u> <ul style="list-style-type: none"> 0.2 car parking spaces per dwelling for visitors. 	<p>Similar resident parking rates.</p> <p>Visitor rate per space is less acknowledging the 'Green Bus', good walkability and strong public transport network.</p>
Shellharbour	<u>Residents:</u> <ul style="list-style-type: none"> 1 space per one bedroom dwelling. 1.5 spaces per two + bedroom dwellings. 	<p>Less onerous resident parking rates.</p> <p>Requirement for separate visitor spaces with differentiation between provision based on size.</p>

	<u>Visitors, an additional:</u> <ul style="list-style-type: none"> 0.25 car parking spaces per one bedroom dwelling. 0.5 car parking spaces per two + bedroom dwellings. 	
Kiama	<u>Residents:</u> <ul style="list-style-type: none"> 1 space per one-two bedroom dwelling. 2 spaces per three + bedroom dwellings. <u>Visitors, an additional:</u> <ul style="list-style-type: none"> 1 space per 2 dwellings. 	Same resident parking rates. Same visitor space rates (0.5 per dwelling).
Eurobodalla	<u>Residents:</u> <ul style="list-style-type: none"> 2 spaces per dwelling. 	More onerous resident parking rates. No visitor rates.
Queanbeyan-Palerang (Queanbeyan DCP)	<u>Residents:</u> <ul style="list-style-type: none"> 1 space per dwelling <60m². 2 spaces for all other dwellings. <u>Visitors, an additional:</u> <ul style="list-style-type: none"> 2 spaces. Plus 1 space per 4 dwellings (in excess of 4 dwellings). 	More onerous resident and visitor parking rates.

DE21.56

Policy Implications – Medium Density Resident/Visitor Parking

In a general sense, enough usable parking needs to be provided on site to accommodate both resident and reasonable visitor demand, without the need to utilise on street parking on a regular basis.

Often medium density development in Shoalhaven does not provide an adequate amount of usable parking, which results in congestion in the road network and neighbourhood issues. Depending on the location and road network characteristics, this can result in safety and congestion implications.

Figure 2 shows an example of parking that should be provided on a development site that has been transferred to the public road on a regular basis, and an example of a visitor/resident conflict, where the formal visitor space is blocked by the resident (or additional visitor).



Figure 2: Examples road congestion (left) and visitor/resident parking space conflict (right)

It was never the intention of the DCP controls that all resident spaces be provided in garage form. Carports and unencumbered/open parking spaces are acceptable, as long as they are

within the title/land area of each dwelling. The wording of the relevant DCP note would benefit from clarification; however, the intent was to ensure that parking for each dwelling is collocated with each dwelling.

The change outlined in the Notice of Motion also excludes the commentary relating to the requirement for parking based on the number of bedrooms, which also includes rooms capable of being used as a bedroom. This is an important distinction that attempts to ensure that adequate parking is provided, not less if the changes proposed by the Notice of Motion are followed through with. This is particularly relevant if the resident spaces will include the visitor parking requirements as well.

Experience demonstrates that responsive and well-designed proposals usually can maximise landscaping opportunities, minimise garage dominance, ensure efficient manoeuvring and provide hardstand alternatives. As such, it may be more appropriate to consider variations on a case by case basis rather than making the change holistically across the whole City.

Electric Vehicle Charging Opportunities

Shoalhaven currently has a mix of vehicle technologies and fuel typologies, including conventional petrol, diesel and electric/hybrid. Considering new technology advancements and the influence of overseas vehicle manufacturers, electric vehicles will further increase in popularity and become more widely available in Australia and locally in Shoalhaven. The Federal Government's [Future Fuels Strategy Discussion Paper](#) notes that in December 2020, there were 50 different battery electric, plug in hybrid and hybrid models available to the market, with electric vehicles expected to exceed a quarter of all vehicle sales by 2030.

On 23 October 2020, Chapter G21 was amended to require adequate charging facilities for electric vehicles to be provided in the Nowra CBD, relating to residential flat buildings, mixed use development, commercial/retail development and tourist and visitor accommodation. Where 10 or more parking spaces are required, 10% of the spaces are to be designed and constructed so that electric vehicle charging points / stations can be installed now, or at a later time.

As the majority of electric vehicle charging will happen in homes, it would also be appropriate for this to be considered at the dwelling design stage, either at the time of dwelling construction or installation in the future, as desired. This is a cost effective way to manage future demand for charging facilities and avoids landowners needing to undertake costly installation and retrofitting in the future.

It is recommended that the current provisions in Chapter G21 be expanded to require the provision of one electric vehicle charging point / station per future dwelling (not one per parking space) in a residential development (including a standard dwelling house) across Shoalhaven. The charging point / station could be installed at the point of construction, or at a later time, as desired. The proposed provision is outlined at **Attachment 1**.

Community Engagement

Any DCP amendment would be publicly exhibited for at least 28 days in accordance with legislative requirements on Council's website.

Development Industry Representatives and all CCBs would be directly notified of the exhibition arrangements.

Through a number of strategic planning exhibitions and development application notifications, the community has raised concern about parking and congestion in relation to medium density housing.

There has also been community interest in the wider consideration of electric vehicle charging facility both on private and public land.

Financial and Risk Implications

The draft Amendment will continue to be resourced within the existing Strategic Planning budget.

A reduction in the number of parking spaces provided on site for residents and visitors may result in on-street congestion and the need for Council to consider alternative public parking solutions in certain locations, at a potentially significant cost to Council and ratepayers. It is noted that the NSW Government Planning Reforms appear to be indicating that soon Council will no longer be able to fund public parking through a contributions plan mechanism.

Whilst there are no direct financial implications for Council relating to the proposed requirement for electric vehicle charging facilities for new dwellings, the proposal allow charging facilities to be planned and provided for in a cost-effective way that avoids landowners needing to undertake costly installation and retrofitting in the future.

In certain locations, congestion within the road network associated with unplanned on street parking may result in increased safety issues.

Shoalhaven Development Control Plan 2014

Chapter G21: Car Parking and Traffic

Land Use Type	Standard	Notes
Residential		
Attached dwellings	1 space per dwelling containing no more than 2 bedrooms or rooms capable of use as a bedroom.	Spaces for each dwelling are to be enclosed within the dwelling footprint.
Dual occupancy	2 spaces per:	Visitor car parking is in addition to resident parking, must be unencumbered/open and cannot be stacked/tandem.
Group homes	<ul style="list-style-type: none"> Dwelling containing 3 or more bedrooms or rooms capable of use as a bedroom; or 	
Integrated housing development	<ul style="list-style-type: none"> Dual occupancy dwelling where the lot is located in a cul-de-sac, regardless of lot size or number of bedrooms. At least one on-site car space shall be provided behind the building line. 	
Multi dwelling housing		
Multi dwelling housing (terraces)		
Manor houses		
Residential flat buildings	For developments with 3 or more dwellings, 0.5 car parking spaces per dwelling for visitors.	
Semi-detached dwelling	1 space per one bedroom dwelling.	A bedroom includes a room or rooms capable of use as a bedroom.
Shop top housing	1.5 spaces per two bedroom dwelling.	
	2 spaces per dwelling containing three or more dwellings.	The arrangement and layout of the required parking will be assessed on merit and on a case-by-case basis. Visitor parking within new developments may be catered for within driveways of individual dwellings where it can be demonstrated that other dwellings within the complex are not impacted upon. Alternatively, visitor parking may be provided on a communal basis and upon common property.
	The parking rates specified above includes visitor spaces. At least one space per dwelling should be provided for the sole benefit of each dwelling. Any parking on site exceeding the minimum requirements is to be provided as visitor spaces.	
Boarding house	As per the requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009.	
Dwelling house	2 spaces.	One of these spaces may be considered forward of the building line, in a tandem arrangement with the other space, where the setback is at least 5.5m to promote accessibility and to accommodate the vehicle wholly within the site.
Hostel	1 space for: <ul style="list-style-type: none"> Each room (with up to 4 beds per room) in the hostel; and Every 5 beds in a dormitory. 1 parking space for every 2 people employed in connection with the development and on duty at any one	

Shoalhaven Development Control Plan 2014

Chapter G21: Car Parking and Traffic

the requirements of Part D3 of the [Building Code of Australia](#).

- A2.2 Where access for people with a disability is expected, a minimum of 1 accessible space is required and thereafter one additional space per 100 spaces or part thereof.

Note: Council encourages the provision of parking for people with a disability in excess of the minimum standards wherever practical.

- A2.3 For Class 6 and 9b [buildings](#):

- Up to 1000 car [parking spaces](#) - 1 accessible space is required for every 50 car [parking spaces](#) or part thereof.
- In excess of 1000 car [parking spaces](#) - 1 accessible space is required for each additional 100 car [parking spaces](#) or part thereof.

- A2.4 Accessible parking shall be:

- Compliant with AS2890. Associated kerb ramps and path access must also be provided and need to comply with AS2890 and AS1428.
- Located close to the entry of the [building](#) to minimise travel distances and maximise accessibility.
- Located at ground level.
- Identified through the use of signs, logos and colouring.

Note: It is the responsibility of the applicant/[owner](#) to ensure that the [development](#) complies with relevant antidiscrimination legislation, in particular the *Disability Discrimination Act 1992*. This Act covers disabilities not catered for in the minimum standards in the [Building Code of Australia](#).

P3 Adequate charging facilities are provided for electric vehicles.

- A3.1 A minimum of one electrical vehicle charging point/station is to be designed and constructed for each dwelling in a [residential development](#), so that charging facilities can be installed now, or at a later time. The charging point/station is for the sole use of each dwelling.

Shoalhaven Development Control Plan 2014

Chapter G21: Car Parking and Traffic

	<p>A3.2 Where 10 or more parking spaces are required for non-residential development residential flat buildings, mixed use development, commercial/retail development and tourist and visitor accommodation within the B3 Commercial Core and B4 Mixed Use zones in the Nowra CBD, a minimum of 10% of spaces are to be designed and constructed so that electrical vehicle charging points/stations can be installed now, or at a later time.</p> <p>Note: Opportunities for electric vehicle charging points/stations should also be considered in the public domain. This may include consideration of the capacity for electric vehicle charging points/stations to be installed at a later time.</p>
P4 Angled parking minimises impacts of vehicle fumes on alfresco dining areas and improves driveability.	A4.1 Angled parking shall be “nose in” parking.
P5 To encourage the use of bicycles.	<p>A5.1 New developments, particularly educational establishments, recreational facilities, shops and civic buildings, should provide appropriate bicycle parking/storage facilities in accordance with current AUSTROADS Guidelines and or Australian Standards.</p> <p>A5.2 The design and installation of bicycle parking facilities should also comply with AS2890.3.</p> <p>A5.3 Larger developments should provide showers and associated amenities to encourage and cater for bicycle use.</p>

5.4 Car Park Landscape Design

Performance Criteria	Acceptable Solutions
<p>P6 The car park landscape design:</p> <ul style="list-style-type: none"> Lessens the visual impact of car park areas. Provides shade areas for cars and pedestrians. Ensures that the landscaping is an integral part of the car park design. 	<p>A6.1 A development application must include detailed landscape plans indicating dimensions, levels and drainage, existing vegetation as well as location, type and character of proposed plantings.</p> <p>Note: Refer to Chapter G3: Landscape Design Guidelines for more information.</p>

CL21.132 Tender - Appointment of an Operator Manager - Ulladulla Civic Centre

HPERM Ref: D21/227335

Department: Library Services

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To inform Council of the tender process for Appointment of an Operator Manager – Ulladulla Civic Centre.

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

This report is submitted directly to the Ordinary Council Meeting pursuant to Clause 3 of Council's "Acceptance of Tenders – Reports to Council" Policy.

Recommendation

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

Options

1. Accept the recommendation and consider the matter in a confidential setting.

Details

At Council's Strategy & Assets Committee Meeting on 10 November 2020 Council resolved (MIN20.833) to:

1. *Receive and note the report from Asset Technologies Pacific on the Business Plan for the Management and Operation of the Ulladulla Function Centre and Management Models.*
2. *Not proceed at this time to bring the management and operation of the Ulladulla Civic Centre in-house;*
3. *Delegate to the Chief Executive Officer the authority to negotiate and enter into a contract for the continued management and operation of the Ulladulla Civic Centre with the Milton Ulladulla Ex-Servos for a period of up to 12 months for an amount not exceeding the tender threshold.*
4. *Proceed to call for a public Request for Tender process via the open market for the management and operation of the Ulladulla Civic Centre with a report to Council by June 2021.*

Council called Tenders for the appointment of an Operator Manager – Ulladulla Civic Centre on 4 May 2021 which closed at 10am on 27 May 2021.

CL21.132

Tenders Received

Tenders were received from the following:

Tenderer	Location
Milton Ulladulla ExServos Club Ltd	Ulladulla

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

Policy Implications

Nil for this report.

Financial Implications:

Refer to confidential report.

CL21.132

CL21.133 Lease of Land - Old Nowra Wastewater Treatment Plant

HPERM Ref: D21/250311

Department: Water Business Services

Approver: Robert Horner, Executive Manager Shoalhaven Water

Reason for Report

Council has received an Unsolicited Proposal to lease a portion of land that previously operated as the Nowra Wastewater Treatment Plant (Lot 401 DP 1256042, Terara Rd). The land is classified the land as Operational Land.

Recommendation

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 in relation to the lease of land that previously operated as the Nowra Wastewater Treatment Plant (Lot 401 DP 1256042, Terara Rd).

Options

1. As recommended.

Implications: The confidential report will be considered by Council.

2. Not adopt as recommended.

Implications: Council will not consider the confidential report.

CL21.133

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
 - (i) performance management and reporting,
 - (ii) asset maintenance and enhancement,
 - (iii) funding decisions,
 - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services

Chapter 3, 8C Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.