



AGENCY INFORMATION GUIDE

2025/2026

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Acknowledgement of

Country

Shellharbour City Council acknowledges the Traditional Custodians of Dharawal Country and recognises their continued connection to the land. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this city.

DOCUMENT HISTORY

VERSION	DATE/MONTH OF ADOPTION	YEAR OF ADOPTION
1.0	4 August	2015
2.0	9 August	2016
3.0	12 December	2017
4.0	11 December	2018
5.0	8 November	2022
6.0	24 October	2023
7.0	17 December	2024
8.0	24 February	2026



Lake Illawarra

ABOUT THE AGENCY INFORMATION GUIDE

WHAT IS THE AGENCY INFORMATION GUIDE

This Agency Information Guide has been produced by Shellharbour City Council in accordance with Section 20 of the Government Information (Public Access) Act 2009 and is reviewed annually.

The purpose of the document is to provide members of the community, Council staff, and the public with information concerning:

- The structure and functions of Shellharbour City Council
- The way in which the functions of Shellharbour City Council affect members of the public
- The avenues available to the public to participate in policy development and the exercise of Shellharbour City Council's functions
- The type of information available from Shellharbour City Council and how this information is made available

The Information Guide is available on Council's website www.shellharbour.nsw.gov.au

Wayde Peterson
Chief Executive Officer



Red Lamp Playground, Lake Illawarra, Accessible Swing



OUR CITY SHELL HARBOUR CITY

OUR CITY SHELLHARBOUR CITY

Shellharbour, a hidden gem on the NSW South Coast, is located just 100 kilometres from Sydney. Nestled between the Illawarra Escarpment and the Tasman Sea, our vibrant city offers a unique blend of stunning beaches, lush rainforests, and charming rural landscapes. The Traditional custodians of Dharawal country, have nurtured this land for thousands of years, creating a rich tapestry of natural beauty and cultural heritage.

Whether we are swimming or surfing at pristine beaches, hiking through the breathtaking Illawarra Escarpment, or exploring the waterfalls and wildlife of Macquarie Pass National Park, Shellharbour promises an unforgettable experience.

Shellharbour as a modern place has evolved from its agricultural roots to a thriving hub of healthcare, construction, and retail industries, offering new opportunities for both residents and visitors. With diverse and affordable housing options, improved infrastructure, and a strong commitment to sustainability, Shellharbour is a great place to live, work, or visit. Boasting thriving parks and green spaces, vibrant community events, distinct village experiences and the blend of natural beauty and modern living – Shellharbour is a welcoming community offering a great lifestyle to over 82,000 residents and growing.



Beverly Whitfield Ocean Pool, Shellharbour



STRUCTURE & FUNCTIONS OF COUNCIL

STRUCTURE & FUNCTIONS OF COUNCIL

OUR WARDS

Council was first constituted on 4 June 1859 and the municipality was gazetted as a City in 1996.

Shellharbour City has a popularly elected Mayor and eight Councillors. The City is made up of four wards - Wards A, B, C and D.

A

Ward A

Albion Park | Albion Park Rail | Calderwood | Macquarie Pass | Tongarra | Tullimbar | Yellow Rock Ridge

B

Ward B

Lake Illawarra | Mount Warrigal | Oak Flats

C

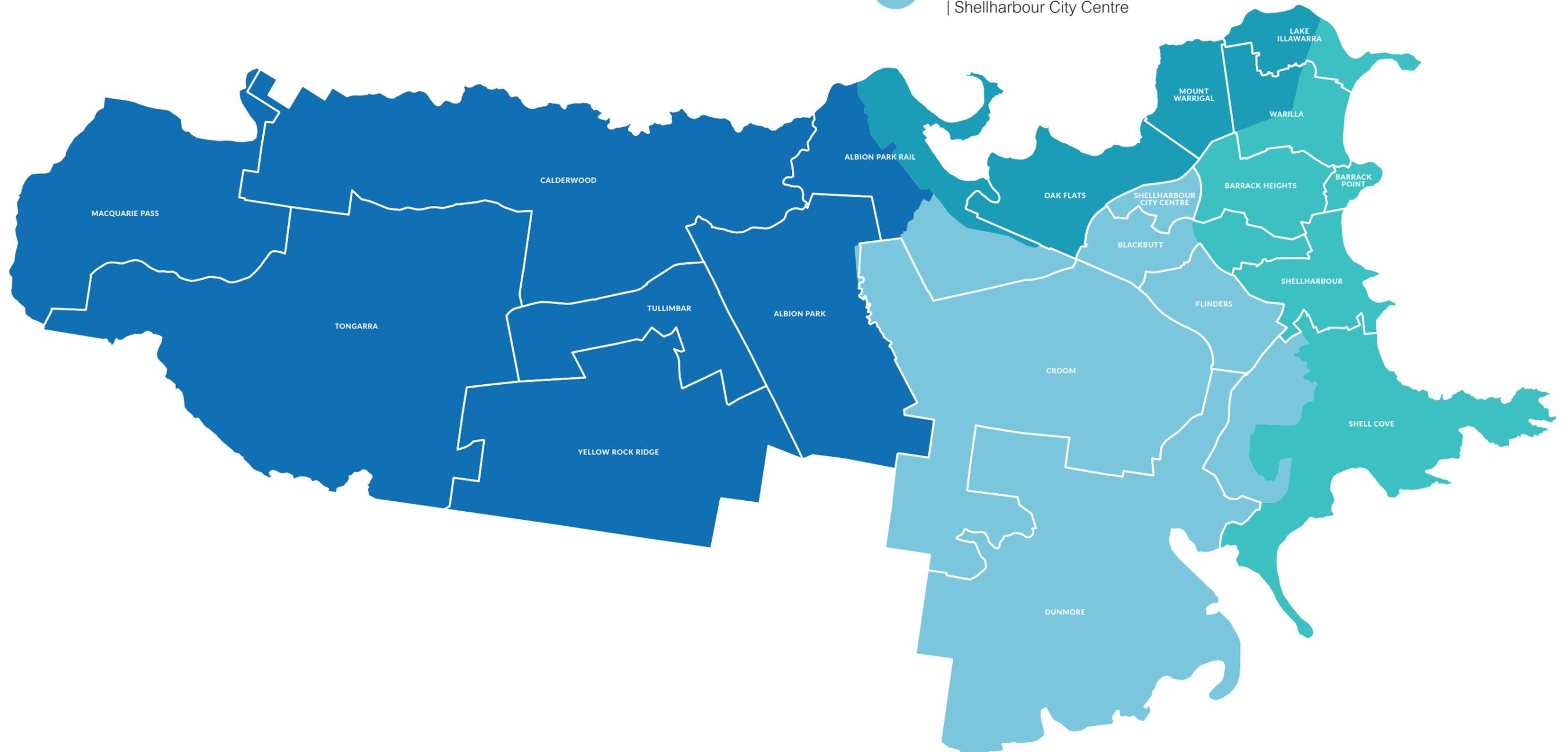
Ward C

Barrack Heights | Barrack Point | Shellharbour | Shell Cove

D

Ward D

Blackbutt | Croom | Dunmore | Flinders | Shellharbour City Centre



ELECTED COUNCIL MEMBERS



CHRIS HOMER
MAYOR | SHELLHARBOUR CITY



KELLIE MARSH
DEPUTY MAYOR | WARD A



MITCH ELLIS
COUNCILLOR | WARD A



JOHN DAVEY
COUNCILLOR | WARD B



MOIRA HAMILTON
COUNCILLOR | WARD B



LOU STEFANOVSKI
COUNCILLOR | WARD C



CRAIG RIDDING
COUNCILLOR | WARD C



ROB PETRESKI
COUNCILLOR | WARD C



KANE MURPHY
COUNCILLOR | WARD D

ROLE OF ELECTED COUNCIL (GOVERNING BODY)

Under section 223 of the Local Government Act 1993 the role of the governing body is as follows:

1.
 - a. To direct and control the affairs of the council in accordance with this Act,
 - b. To provide effective civic leadership to the local community,
 - c. To ensure as far as possible the financial sustainability of the council,
 - d. To ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and policies of the council,
 - e. To develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,
 - f. To determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,
 - g. To keep under review the performance of the council, including service delivery,
 - h. To make decisions necessary for the proper exercise of the council's regulatory functions,
 - i. To determine the process for appointment of the general manager by the council and to monitor the general manager's performance,
 - j. (Repealed)
 - k. To consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities
 - l. To be responsible for ensuring that the council act honestly, efficiently and appropriately.

2.
The governing body is to consult with the general manager in directing and controlling the affairs of the council.

An Ordinary Meeting of the Council will be held on a Tuesday commencing at 6pm. Ordinary Meetings are to be held at least ten times per year, each time in a different month.

Council will meet in the Council Chambers, Shellharbour Civic Centre, 76 Cygnet Avenue, Shellharbour City Centre.

ROLE OF THE MAYOR

Under section 226 of the Local Government Act 1993 the role of the Mayor is as follows:

- a.** To be the leader of the council and a leader in the local community,
- b.** To advance community cohesion and promote civic awareness,
- c.** To be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- d.** To exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- e.** To preside at meetings of the council,
- f.** To ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- g.** To ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- h.** To promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- i.** To promote partnerships between the council and key stakeholders,
- j.** To advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- k.** In conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- l.** To carry out the civic and ceremonial functions of the mayoral office,
- m.** To represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- n.** In consultation with the Councillors, to lead performance appraisals of the general manager,
- o.** To exercise any other functions of the council that the council determines.

ROLE OF A A COUNCILLOR

Under section 232 of the Local Government Act 1993 the role of a councillor is as follows:

- 1.**
 - a.** To be an active and contributing member of the governing body,
 - b.** To make considered and well informed decisions as a member of the governing body,
 - c.** To participate in the development of the integrated planning and reporting framework,
 - d.** To represent the collective interests of residents, ratepayers and the local community,
 - e.** To facilitate communication between the local community and the governing body,
 - f.** To uphold and represent accurately the policies and decisions of the governing body,
 - g.** To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

2.

A councillor is accountable to the local community for the performance of the council.

MANAGEMENT OF COUNCIL

Under section 335 of the Local Government Act 1993 the general manager of a council has the following functions:

- a. To conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- b. To implement, without undue delay, lawful decisions of the council,
- c. To advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- d. To advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,
- e. To prepare, in consultation with the mayor and governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,
- f. To ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- g. To exercise any of the functions of the council that are delegated by the council to the general manager,
- h. To appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- i. To direct and dismiss staff,
- j. To implement the council's workforce management strategy,
- k. Any other functions that are conferred or imposed on the general manager by or under this or any other Act.

Council's Chief Executive Officer is Wayde Peterson.

Note: Council resolved to change the position title of General Manager to Chief Executive Officer at its meeting on 1 September 2020.



Shellharbour City Council CEO, Wayde Peterson

ORGANISATIONAL STRUCTURE

To assist the Chief Executive Officer in the exercise of these functions, there are five directorates as outlined in the organisational structure.



COUNCIL FUNCTIONS

FUNCTIONS UNDER LOCAL GOVERNMENT ACT 1993

Council has functions conferred or imposed on it by the Local Government Act 1993. Under Chapter 5 of the Local Government Act 1993, Council's functions are as follows:

Service Functions:

- Providing of community health, recreation, education and information services
- Environmental protection
- Waste removal and disposal
- Land and property, industry and tourism development and assistance
- Civil infrastructure planning
- Civil infrastructure maintenance and construction

Regulatory Functions:

- Approvals
- Orders
- Building Certificates

Ancillary Functions:

- Resumption of land
- Powers of entry and inspection

Revenue Functions:

- Rates
- Charges
- Fees
- Borrowings
- Investments

Administrative Functions:

- Employment of staff
- Community Strategic and Management Plans
- Financial reporting
- Annual Reports

Enforcement Functions:

- Proceedings for breaches of the Local Government Act 1993 and other legislation
- Prosecution of offences
- Recovery of rates and charges

FUNCTIONS UNDER OTHER LEGISLATION

In addition to the Local Government Act 1993, Council has powers under a number of other Acts and Regulations including but not limited to:

- Airports Act 1996
- Biodiversity Conservation Act 2016
- Civil Liability Act 2002
- Coastal Management Act 2016
- Community Land Development Act 2021
- Companion Animals Act 1998
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Land Management Act 2016
- Environmental Planning and Assessment Act 1979
- Fire and Rescue NSW Act 1989
- Food Act 2003
- Geographical Names Act 1966
- Government Information (Public Access) Act 2009
- Heritage Act 1977
- Land Acquisition (Just Terms Compensation) Act 1991
- Library Act 1939
- Liquor Act 2007
- Privacy and Personal Information Protection Act 1998
- Protection of the Environment Operations Act 1997
- Public Health Act 2010
- Public Interest Disclosures Act 2022
- Public Spaces (Unattended Property) Act 2021
- Recreation Vehicles Act 1983
- Roads Act 1993
- Rural Fires Act 1997
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989
- State Records Act 1998
- Strata Schemes Development Act 2015
- Strata Schemes Management Act 2015
- Swimming Pools Act 1992
- Unclaimed Money Act 1995
- Valuation of Land Act 1916
- Waste Avoidance and Resource Recovery Act 2001
- Work Health and Safety Act 2011
- Workplace Injury Management and Workers Compensation Act 1998

A man and a woman are sitting in green lawn chairs at an outdoor event. The man on the left is wearing a brown hat, sunglasses, and a grey t-shirt, smiling and gesturing with his right hand. The woman on the right is wearing a white cap, sunglasses, and a pink floral shirt, also smiling. In the background, other people are sitting on lawn chairs, some wearing hats and casual clothing. The scene is outdoors with green grass.

EFFECT OF COUNCIL'S FUNCTIONS ON THE PUBLIC

Australia Day, Breakfast by The Lake 2025

EFFECT OF COUNCIL'S FUNCTIONS ON THE PUBLIC

As a service organisation, the majority of the activities of Shellharbour City Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service Functions

These include provision of human services such as libraries, halls and community centres, recreation facilities, parks, footpaths, cycleways, beach lifeguards, removal of garbage, roads and other infrastructure.

Regulatory Functions

Ensure compliance with relevant legislation and guidelines. Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Council aims to ensure that members of the public are aware of, and comply with, such regulations.

Ancillary Functions

Affects only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue Functions

Affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative Functions

Do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

Enforcement Functions

Only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered dogs and parking offences.

Community Planning and Development Functions

Affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of the community. This includes initiating partnerships, participating on Regional, State or Commonwealth working parties, and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision for grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as Seniors Week, NAIDOC Week, Youth Week, Children's Week, as well as promoting other events.

PARTICIPATION IN COUNCIL DECISION MAKING

COUNCIL MEETINGS

Shellharbour City Council supports the principles of open government and encourages community involvement in general activities of Council. Members of the public have many opportunities to take part in Council decision-making and other activities.

An Ordinary Meeting of the Council will be held on a Tuesday commencing at 6pm. Ordinary Meetings are to be held at least ten times per year, each time in a different month.

Council meets in the Council Chambers, Shellharbour Civic Centre, 76 Cygnet Avenue, Shellharbour City Centre.

Details of meeting dates are listed on Council's website or are available from Customer Service by calling 4221 6111.

Council meetings are webcast so that members of the public are able to watch the meetings via Council's website.

Council's comprehensive meeting agendas called Business Papers are made available to the public on the Thursday before the meeting, excluding items that are to be addressed in a confidential session. Business Papers are available from Council's website or Shellharbour Civic Centre.

Minutes of the Council meetings are also available on Council's website.

ADDRESSES TO COUNCIL

Council encourages member of the public to participate in the decision making process. Community members may register to address Council on an item listed on the Business Paper, or residents and ratepayers may prefer to approach individual Councillors directly if they have a matter they wish Council to consider.

Addresses to Council can only relate to a Council Officer's report under Section 10 of the Business Paper for the meeting at which the address is to be made. People can apply to speak at a public forum on a maximum of three (3) items listed for consideration at the meeting.

Our Code of Meeting Practice details the procedures to be followed to register and make a public address to Council. This policy is available for viewing on Council's website.

ADVISORY COMMITTEE MEETINGS

Many of Council's advisory committees include considerable community and group representation. Council reviews membership of its committees every two years.

Council Advisory Committees include:

- Aboriginal Advisory Committee
- Coastal and Flood Risk Management Advisory Committee
- Disability, Access and Inclusion Advisory Committee
- Local Transport Forum

PUBLIC EXHIBITION

Community members are encouraged to participate in a range of discussions during the development of policies, strategies, plans, studies, licence agreements and other documents.

Documents are placed on the Public Exhibition page of Council's website for a period of 28 days or in accordance with relevant legislation.

Opportunities for input may include submissions, focus groups, surveys, public meetings or online forums.

COMMUNITY STRATEGIC PLAN

The Community Strategic Plan (CSP) is a road map for the future, providing a description of the route we need to take to reach our vision. Based around five themes that set out Council's long term goals, Council works together with state and federal government, businesses, other organisations and our community to achieve these. Our CSP sets out where we are now, where we want to be, the strategies and actions we will use to get there and the measures we will use to let the community know if we have arrived. It seeks to respond to the key themes of community, environment, economy, leadership and place.

As part of the development of the Community Strategic Plan, a community engagement process was undertaken which provided the opportunity for the community to identify their priorities and aspirations for Shellharbour City.



Community
VISION
Growing together to
create a connected &
sustainable City.

LET'S CHAT HAVE YOUR SAY

Council's online engagement portal, [Letschatshellharbour.com](https://letschatshellharbour.com), is open for comments on various projects and activities that Council undertakes. People can read about updates and what others are saying about important Shellharbour City topics and then post a statement.

WEBSITE & SOCIAL MEDIA

Council's website www.shellharbour.nsw.gov.au is regularly updated with notifications and information on Council's activities, meeting agendas, business papers and minutes. The website also publishes notices and exhibitions, tenders, news items, events and many Council documents and reports. The website is reviewed and updated on a regular basis to ensure information is accurate and timely.

Council also provides information on Council activities, decisions and programs on the following Social Media platforms: Facebook, Instagram and LinkedIn.

COUNCIL'S NEWSLETTER

Council has a fortnightly e-newsletter "Shellharbour Snapshot" which shares the latest news, upcoming events, council projects and other information with the community. The community can subscribe to Shellharbour Snapshot via council's website.

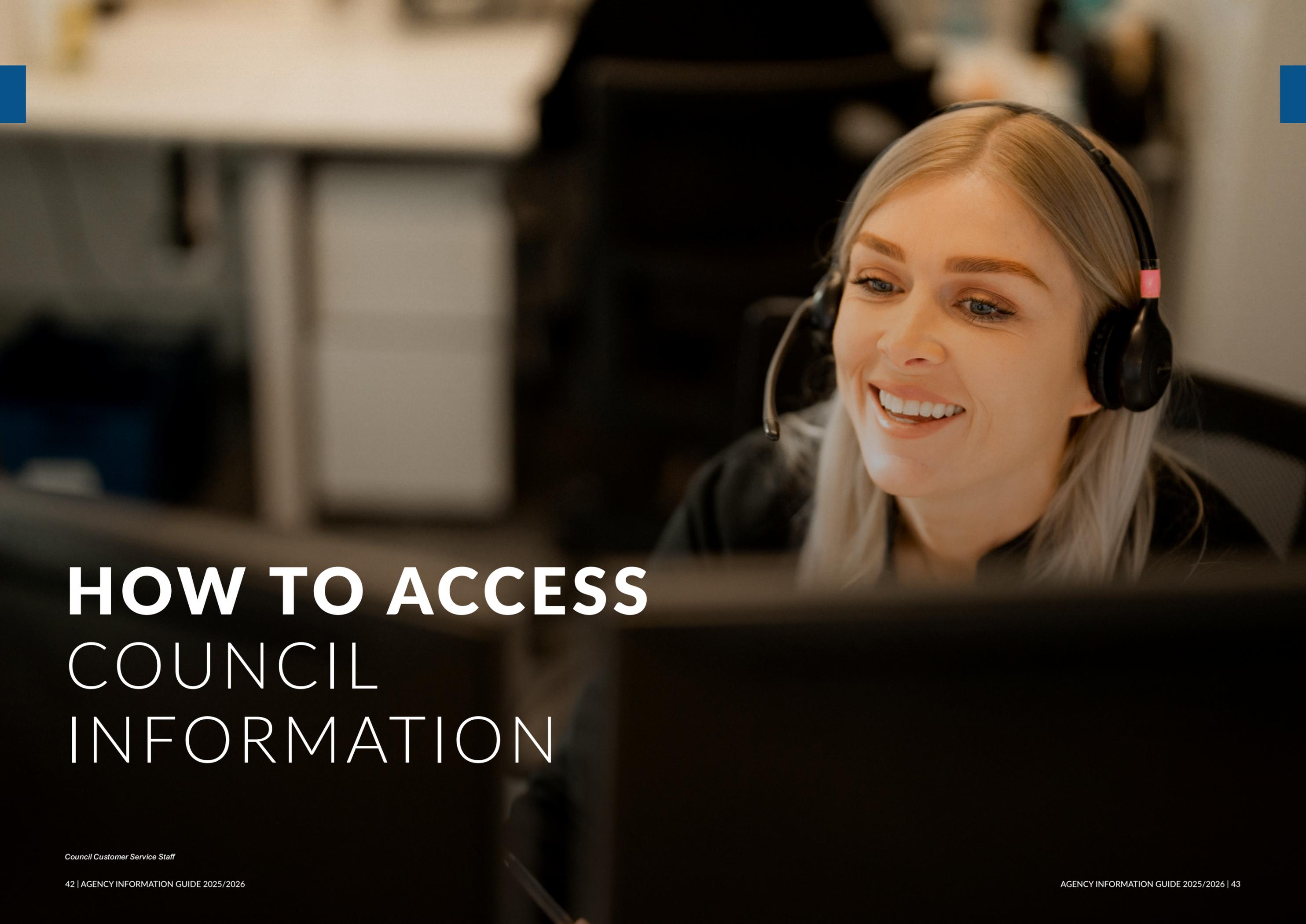
FEEDBACK & COMPLAINTS

Shellharbour City Council welcomes constructive feedback about the exercise of its functions and its delivery of services to the community.

Feedback and complaints can be provided in writing addressed to the Executive Manager, Corporate Governance and Risk (Public Officer) at council@shellharbour.nsw.gov.au or by completing the Customer Feedback/Complaint online form available on www.shellharbour.nsw.gov.au.



Council Engagement Meeting



HOW TO ACCESS COUNCIL INFORMATION

Council Customer Service Staff

OPEN ACCESS INFORMATION

Under the Government Information (Public Access) Act 2009 (GIPA Act) Council is required to make a wide range of information publicly available on its website.

Under section 18 of the Government Information (Public Access) Act 2009, the following documents are identified as 'Open Access Information' and will be released without the need for a Formal Access Application. These documents are mostly available on Council's **website**:

- Council's Agency Information Guide
- Information about Council contained in any document tabled in Parliament by or on behalf of Council, other than any document tabled by order of either House of Parliament
- Council's Policy Documents
- Council's Disclosure Log of Formal Access Applications
- Council's Register of Government Contracts
- Council's record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure; and
- Such other government information as may be prescribed by the GIPA Regulations as open access information.

PROACTIVE RELEASE

Council is authorised to make any information held, publicly available unless there is an overriding public interest against disclosure of the information. At intervals of 12 months, Council will review its proactive release program to identify the kinds of information Council holds, that are in the public interest and can be made publicly available.

Council has a number of documents available through proactive release on Council's **website** including:

- **Plans & Strategies**
- **Open Access Information**

INFORMAL RELEASE

Information that is not available on Council's website can be requested by completing an Access to Information Request (informal) which can be found on the website at **Access to Council Information**.

Council is authorised to release information held by it in response to an informal request unless:

- a. There is an overriding public interest against disclosure of the information
- b. To do so would impose an additional unreasonable cost to council
- c. To do so would breach copyright.

There is no application fee for an informal request for information. However, copies of development application information lodged before July 2010 incur a fee of \$30.00 in accordance with Council's Fees and Charges.

An Informal Request to Access Information is not reviewable by the NSW Information and Privacy Commission (IPC) or NSW Civil and Administrative Decisions Tribunal (NCAT) and has no statutory timeframe for determination.

FORMAL ACCESS APPLICATION

Prior to lodging a Formal Access Application, a person seeking information from Council should check if the information being sought is already available on Council's website or could easily be made available through an informal request application.

If information:

- Is not available via Proactive or Informal Release; or
- Involves a large volume of information, requires extensive research and accordingly will involve an unreasonable amount of time and resources to produce; or
- Contains personal or confidential information about a third party which may require consultation; or
- Is of a sensitive nature that requires careful weighing of the consideration in favour of and against disclosure; then

Council requires a Formal Access Application to be submitted which can be found on the website at **Access to Council Information**.

To make a formal access application, it must:

- Be in writing and sent to or lodged at Shellharbour City Council,
- Clearly indicate that it is a formal access application made under the Government Information (Public Access) Act 2009,
- Include a payment of the \$30 application fee,
- Provide a postal or email address for correspondence, and
- Include such information as is reasonably necessary to enable the government information applied for to be identified.

FEES & CHARGES

The Government Information (Public Access) Regulation 2018 requires that Open Access information held by Council is to be made publicly available for inspection, free of charge.

The public is entitled to inspect these documents on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) and at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge.

Formal Access Applications require payment of \$30.00 application fee and \$30.00 hourly processing charges may apply in accordance with Council's Fees and Charges.



Shellharbour City Council
Dharawal Country
76 Cygnet Avenue, Shellharbour City Centre NSW 2529

Telephone: (02) 4221 6111

Email: council@shellharbour.nsw.gov.au

shellharbour.nsw.gov.au

Shellharbour City Council Admin Building