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1. Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past and present.

Webcasting and Emergency Plan Statement

Pre-registered members of the public who address Council at the Addresses to Council Forum and those who attend Council Meetings should be aware that their image, and comments will be recorded, and broadcast live from Council's website.

Council broadcasts live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community. Recordings can be downloaded from Council's website for later viewing, or purchased from Council for viewing on a computer.

For further information on Privacy please refer to the Public Gallery Conduct Standards displayed in the Chamber.

Council accepts no responsibility for any defamatory or offensive statements. Members of the gallery should also refer to the Public Gallery Conduct Standards, for appropriate standards of behaviour during Council Meetings.

It should be noted that the Addresses to Council Forum is held prior to the Council Meeting from 4.30pm to 5.30pm.

Should Council need to consider confidential matters during a Council Meeting, invited members of the gallery may address the Council on the reasons why the meeting should not resolve into Committee of the Whole (Confidential Session).

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

In the event of an emergency, please evacuate the building using the nearest exit and follow the instructions given by the wardens. Do not use the lifts.

2. Apologies**3. Leave of Absence**

4. Confirmation of Minutes**4.1 Ordinary Meeting 27 November 2018**

That the Minutes of the Ordinary Council Meeting held on 27 November 2018 as circulated be taken as read and confirmed as a correct record of proceedings.

4.2 Committee of the Whole 27 November 2018

That the Minutes of the Committee of the Whole (Confidential) Council Meeting held on 27 November 2018 as circulated be taken as read and confirmed as a correct record of proceedings.

5. Declarations of Interest

Note: Councillors and staff who declare an Interest at the Council Meeting are also required to complete a Declaration of Interest form.

6. Confidential Business (Committee of the Whole in Closed Session)**7. Condolences****8. Mayoral Statements / Reports / Presentations****9. Mayoral Minutes****10. Councillors' Statements / Reports****11. Reports**

11.1 General Manager**11.1.1 Review of the Agency Information Guide (11138981)**

To the Mayor and Councillors

Directorate: **General Manager**
Group: **Council Services**

Manager: Flora Lepouras – Executive Manager / Public Officer
Author: Sonya Stewart – Public Information Officer

Summary

The purpose of this report is to advise Council of a review of Council's Agency Information Guide as required under the NSW *Government Information (Public Access) Act 2009* (GIPA Act) and to seek its adoption of the reviewed Guide. The GIPA Act states that agencies must have an Agency Information Guide (Guide) and must review and adopt its Guide at intervals of not more than 12 months. An agency may update and amend its Guide at any time.

The Agency Information Guide identifies the kinds of government information held by Council that is made publicly available and specifies the manner in which we make (or will make) government information publicly available.

Background

Under the GIPA Act Council must have an agency information guide that:

- (a) describes the structure and functions of the agency, and
- (b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and
- (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and
- (d) identifies the various kinds of government information held by the agency, and
- (e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and
- (f) specifies the manner in which the agency makes (or will make) government information publicly available, and
- (g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Agencies must notify the Information and Privacy Commission (IPC) prior to reviewing and amending their Agency Information Guide. Council notified the IPC that it was reviewing its Guide and forwarded the amended Guide for their comment. The IPC assessed Council's Guide on 23 November 2018 and provided feedback to

assist Council when it next reviews its Guide. The feedback and assessment is attached to this report (**Attachment 1**).

The Agency Information Guide has now been reviewed, amended and attached to this report (**Attachment 2**). The organisational structure chart has been updated and other changes are shown by the Track Changes function in Word.

The Agency Information Guide will be updated annually or earlier to reflect changes as they occur. This is to ensure the public have timely access to current and accurate information.

Financial/Resources Implications

Nil

Legal & Policy Implications

Nil

Public/Social Impact

Council aims to be accountable to the public in its decision making, by informing and making it easier for people to gain access to Council's information.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards

Strategy: 4.2.4 Provide a diverse range of business technology to facilitate information.

Consultations

Internal

Senior Management Team

External

Information & Privacy Commission

Political Donations Disclosure

N/A

Recommendation

- 1. That Council adopt the reviewed and updated Agency Information Guide as attached to this report.**
- 2. The Agency Information Guide be updated as and when required to reflect changes as they occur.**

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1. Feedback from the NSW Information and Privacy Commission
2. Agency Information Guide

Attachment 1 – Feedback and assessment from the NSW Information and Privacy Commission

information
and privacy
commission
new south wales

Enquiries: Claire Cato
Telephone: (02) 8071 7062
Our reference: IPC17/A000566

Ms Stewart
Public Information Officer
Shellharbour City Council
Locked Bag 155
Shellharbour City Centre NSW 2529

Dear Ms Stewart

Feedback on Shellharbour City Council's Agency Information Guide

Thank you for your email of 15 November 2018 notifying the Information Commissioner of amendment of Shellharbour City Council's Agency Information Guide (AIG).

AIGs provide a mechanism to make government information accessible, promote currency of information and appropriate release, and support the management of government information as a strategic asset.

In December 2016, the Information Commissioner released new AIG guidance materials on the Information and Privacy Commission's (IPC) website, including *Guideline 6: Agency Information Guides*, a self-assessment checklist for agencies, and a fact sheet on AIGs and the public. The IPC's AIG resources can be found at <http://www.ipc.nsw.gov.au/agency-information-guide>.

I have assessed Shellharbour City Council's AIG against the requirements of sections 20 to 22 of the *Government Information (Public Access) Act 2009* (GIPA Act), and guidance published by the IPC. In my assessment, I have considered the AIG available provided to the IPC and updated in November 2018. My feedback is attached to this letter, and is intended to assist Council when it next reviews its AIG in accordance with section 21 of the GIPA Act, at an interval of not more than 12 months.

Please do not hesitate to contact me on (02) 8071 7062 or by email to claire.cato@ipc.nsw.gov.au, if you have any questions about the feedback.

Yours sincerely

Claire Cato
Senior Investigation & Review Officer

Level 17, 201 Elizabeth Street, Sydney NSW 2000 • GPO Box 7011, Sydney NSW 2001
t 1800 ipc nsw (1800 472 679) • f 02 8114 3756 • e ipcinfo@ipc.nsw.gov.au

www.ipc.nsw.gov.au

Assessment Results for Shellharbour City Council's AIG

We conducted the assessment using the questions in the IPC's self-assessment checklist for agencies, which is published on the IPC's website at <http://www.ipc.nsw.gov.au/resources-public-sector-agencies-0>. The self-assessment checklist reflects the requirements of the GIPA Act and provides additional guidance. The checklist does not prescribe the structure and format that an AIG should follow. Rather, it is a practical tool for an agency to assess the content of its AIG once it has been prepared.

For practical guidance on how to prepare an AIG, please refer to the [Guideline for Agency Information Guides](#).

Mandatory Practice questions relate to the mandatory elements of the GIPA Act and agencies are strongly encouraged to complete them. Recommended Practice questions in the checklist have been included in italics to assist and guide an agency on how they may satisfy or demonstrate the requirements under the GIPA Act, or how to best promote and enhance Open Government, Open Data, and public participation. While these elements are not mandatory, they may assist agencies to assess their maturity in the utilisation of AIGs.

Assessment questions		Status	Comments
Open access information (Sections 6(2) & 18(a) of the GIPA Act)			
1	Mandatory Practice: Has the agency made its AIG publicly available on its website?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	The AIG is available on the Council's open access information page
	Recommended Practice: <i>Is it easily accessible on the agency's website, such as on its 'access to information' page?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AIG requirements (Section 20(1) of the GIPA Act)			
2	Mandatory Practice: Has the agency reviewed its AIG and adopted a new AIG at an interval of not more than 12 months?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Recommended Practice: <i>Does the AIG include the date it was last reviewed/adopted/amended?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Mandatory Practice: Does the AIG describe the structure of the agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
	Recommended Practice: <i>Does the AIG describe the multiple divisions of the agency if applicable?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
3	Recommended Practice: <i>Does the AIG describe how the agency operates in a cluster arrangement if applicable?</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	
	Recommended Practice: <i>Does it link to other agency AIGs where appropriate?</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	
4	Mandatory Practice: Does the AIG describe the functions of the agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	

Assessment questions		Status	Comments
5	Mandatory Practice: Does the AIG describe the way in which the functions, especially decision-making functions, of the agency affect members of the public?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
6	Mandatory Practice: Does the AIG specify any arrangements that exist to enable members of the public to participate in the formulation of the agency's policies?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
7	Mandatory Practice: Does the AIG specify any arrangements that exist to enable members of the public to participate in the exercise of the agency's functions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
8	Mandatory Practice: Does the AIG identify the various kinds of government information held by the agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
9	Mandatory Practice: Does the AIG identify the kinds of government information held by the agency that the agency makes or <u>will make</u> publicly available?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
10	Mandatory Practice: Does the AIG specify the manner in which the agency makes or will make government information publicly available?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
11	Mandatory Practice: Does the AIG identify the kinds of information that are made publicly available free of charge?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
12	Mandatory Practice: Does the AIG identify the kinds of information that will be made publicly available free of charge?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
13	Mandatory Practice: Does the AIG identify the kinds of information for which a charge is imposed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
14	Mandatory Practice: Does the AIG identify the kinds of information for which a charge will be imposed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
AIG Government Information (Section 20(2) of the GIPA Act)			
15	Mandatory Practice: Has the agency made government information publicly available as provided by its AIG? Recommended Practice: Is there a process for ensuring information is released, such as through a pro-active release strategy or committee?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
16	Mandatory Practice: Where the Director General of the Department of Local Government (now the Chief Executive of the Office of Local Government), in consultation with the Information Commissioner, has	<input type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	

Assessment questions		Status	Comments
adopted mandatory provisions for inclusion in the AIGs of local authorities – has the AIG (of a local authority) included the mandatory provision, unless otherwise approved by the Director General in a particular case? [Note references to the Director General of the Department of Local Government should be read as the Chief Executive Officer, Office of Local Government]		<input checked="" type="checkbox"/> N/A	
Role of the Information Commissioner (Section 22(1) of the GIPA Act)			
17	Mandatory Practice: Has the agency notified the Information Commissioner before adopting or amending its AIG?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Open Government, Open Data & public participation			
18	Recommended Practice: Does the AIG adopt a core set of headings in line with the Guideline for AIGs to promote consistency across the government sectors and make it easier for the public to find the information that they seek?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
19	Recommended Practice: Generally consider – How does the AIG promote Open Government?		
	Recommended Practice: Does the AIG provide a public resource that informs citizens about the information that the agency holds, the agency's engagement channels, and its decision-making processes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
20	Recommended Practice: Generally consider – How does the AIG identify any data held by the agency and detail the way the agency will make the data open to citizens?		
	Recommended Practice: Does the AIG link to other open data initiatives such as data.nsw.gov.au?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Council could provide a link to data.nsw.gov.au
21	Recommended Practice: Generally consider – How does the AIG inform the public about how the agency engages with citizens and stakeholders on the formulation of policy and service delivery?		
			The AIG informs the public about public exhibitions, the online engagement portal Let's Chat Shellharbour and the Community Strategic Plan

Assessment conducted by: Claire Cato, Senior Investigation and Review Officer

Date conducted: 23/11/18

Attachment 2 – Agency Information Guide



Prepared in accordance
with the provisions
of Section 20 of the
Government Information
(Public Access) Act 2009





agency information guide

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Executive Summary

The aim of this Agency Information Guide (the Guide) is to meet the requirements of the *Government Information (Public Access) Act 2009* (GIPA Act). The object of the GIPA Act is to open government information and decision making to the public and to encourage government agencies to be open, accountable, fair and effective.

Public participation is integral to open Government. This guide contains a number of mechanisms to ensure that citizens have access to and can participate in Shellharbour City Council's policy and service delivery.

Under the GIPA Act Council must have an agency information guide that:

- (a) describes the structure and functions of the agency, and
- (b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and
- (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and
- (d) identifies the various kinds of government information held by the agency, and
- (e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and
- (f) specifies the manner in which the agency makes (or will make) government information publicly available, and
- (g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Council must make government information publicly available as outlined by its agency information guide and must review and adopt a new agency information guide at intervals of not more than 12 months.

1. Structure and Function of Council

1.1. Description

Shellharbour City is bounded by Wollongong City in the north, the Tasman Sea in the east, the Municipality of Kiama in the south and Wingecarribee Shire in the west. Shellharbour City is an expanding urban area with significant rural areas and some industrial and commercial land uses. The City encompasses a total land area of about 154 square kilometres, including beaches, rivers, National and State Parks and other significant parklands.

Major features of the City include Macquarie Pass National Park, Killalea State Park, Bass Point Reserve (Coastal Marine Reserve), Blackbutt Forest Reserve, Myimbarr Wetlands, Lake Illawarra, Illawarra Regional Airport, Croom Regional Sporting Complex, Stockland Shellharbour, Shellharbour Hospital, Illawarra Institute of Technology (Shellharbour Campus) and various beaches.

The City is served by the Illawarra Highway, the Princes Highway and the South Coast railway line. The original inhabitants of the Shellharbour area were the Wodi Wodi tribe of the Thurawal Aboriginal people. European settlement dates from 1817. Council was first constituted on the 4th June 1859 and the municipality was gazetted as a City in 1996.

Shellharbour City Council currently serves a community of more than ~~70,994~~ ~~70,511~~ residents ([2017 Australian Bureau of Statistics](#)). The population of the city has continued to grow at a steady rate over the past 20 years (13%) and is expected to grow to 72,300 by the year 2021.

Shellharbour City Local Government Area

Updated November 2018

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1.2. Organisational Structure

Council's organisational structure comprises of three divisions and two units; Council Sustainability, Community and Customers, Amenity and Assets. Two Units; Council Services and Organisational Unit report to the General Manager Performance.

The General Manager of Shellharbour City Council is Mr Carey McIntyre.

The current structure of Shellharbour City Council is pictured below.



Updated May 2018



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1.3. Legislation Applicable to Council

Council is bound by the *Local Government Act 1993*. The purposes of this Act are as follows:

- (a) to provide the legal framework for an effective, efficient, environmentally responsible and open system of local government in New South Wales;
- (b) to regulate the relationships between the people and bodies comprising the system of local government in New South Wales;
- (c) to encourage and assist the effective participation of local communities in the affairs of local government;
- (d) to give councils:
 - the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and of the wider public
 - the responsibility for administering some regulatory systems under this Act
 - a role in the management, improvement and development of the resources of their areas,
- (e) to require councils, councillors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities.

As well as the Local Government Act, Council has powers and obligations under a number of other Acts including the following:

- *Coastal Protection Act 1979*
- *Community Land Development Act 1989*
- *Companion Animals Act 1998*
- *Contaminated Land Management Act 1997*
- *Conveyancing Act 1919*
- *Environmental Planning and Assessment Act 1979*
- *Fire Brigades Act 1989*
- *Fluoridation of Public Water Supplies Act 1957*
- *Food Act 1989*
- *Government Information (Public Access) Act 2009*
- *Heritage Act 1977*
- *Impounding Act 1993*
- *Library Act 1939*
- *Noxious Weeds Act 1993*
- *Privacy & Personal Information Protection (PPIP) Act 1998*
- *Protection of the Environment Operations Act 1997*
- *Public Health Act 1991*
- *Recreation Vehicles Act 1983*
- *Roads Act 1993*
- *State Records Act 1998*
- *State Emergency & Rescue Management Act 1989*
- *State Emergency Service Act 1989*
- *Strata Schemes (Freehold Development) Act 1973*
- *Strata Schemes (Leasehold Development) Act 1986*
- *Strata Schemes Management Act 1996*
- *Swimming Pools Act 1992*
- *Unclaimed Money Act 1995*



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1.4. Key Areas and Activities

Environment

- Environmental management
- Stormwater management
- Sustainability
- Pollution control
- Waste management
- Regulation management
- Development applications
- Property information certificates
- Building and site inspection
- Land use planning strategies
- Heritage
- Flooding and dams
- Section 94
- Drainage management

Community

- Community services management
- Children's services
- Youth services
- Cultural development
- Aged and people with disabilities
- AAC Aboriginal and Torres Strait Islander services
- Social planning
- Community festivals
- Cycleways and footpaths
- Community safety
- Roads safety
- Health services
- Companion animals
- Emergency services
- Cemeteries
- Croom Regional Sporting Complex
- Albion Park Showground
- Other playing fields
- Swimming centres
- Surf patrol
- Parklands
- Beaches
- Lake Illawarra
- Bass Point Reserve
- Blackbutt Reserve

- Shellharbour City Stadium

- Play equipment
- Public halls
- Neighbourhood and community centres
- Libraries and museums

Economy

- Classified roads
- Local roads
- Rural roads
- Bridges
- Car parks
- Signage
- Street lighting
- Illawarra Regional Airport
- Tourism
- Property development
- Economic development
- Shell Cove
- Council business activities
- Shellharbour Links Golf Course
- Sand mine
- Shellharbour Beachside Tourist Park

Organisation

- Corporate leadership and governance
- Financial services
- Rates levy
- Administration, governance and legal services
- Communications and events
- Customer services
- Risk management
- Corporate planning
- Information technology
- Telecommunications
- Geographic information systems
- Organisational development
- Plant and fleet management
- Works and services
- Operations and services management and executive support
- Engineering forward planning and design

Whether it is through the formulation of policies and strategies or day-to-day operations in neighbourhoods around the city, Council's functions and decision-making directly impact on the residents and ratepayers of Shellharbour, along with visitors to the area and potential investors.

Members of the public have many opportunities to take part in Council decision-making and other activities. These include participation at Council's public forums, commenting on plans or applications on public exhibition, attending community consultation forums, use of community engagement platforms, social media or contacting Council directly through its customer services section.

1.5. Functions of Shellharbour City Council

Under [Chapter 5 of the Local Government Act, 1993](#), Council's functions can be grouped into the following categories.

SERVICE FUNCTIONS	REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS	REVENUE FUNCTIONS	ADMIN FUNCTIONS	ENFORCEMENT FUNCTIONS
Provision of community health, recreation, education & information Services	Approvals Orders	Resumption of land Powers of entry and inspection	Rates Charges Fees Borrowings Investments	Employment of staff Mgt plans Financial reporting Annual reports	Proceedings for breaches of the Local Government Act & Regulations and other Acts & Regulations Prosecution of offences Recovery of rates and charges
Environmental Protection	Building Certificates				
Waste removal & Disposal					
Land & property, industry & tourism development & Assistance					
Civil Infrastructure Planning					
Civil Infrastructure Maintenance & Construction					



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1.6. Functions of General Manager

Under Part 2, 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 the 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.

2. How Council's Functions Affect Members of 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, infrastructure and the removal of garbage.

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. Members of the public must be aware of, and comply with, such regulations.

Ancillary functions affect 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.



agency information guide

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.

- 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 of 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 NAIDOC Week, Youth Week, Children's Week, Seniors week, White Ribbon Day Walk, Carols by Candlelight, Australia Day Celebrations, pool open days as well as promoting events of others.

3. Public Participation in Council's Policy Development and the Exercising of Functions

3.1. Addresses to Council

Addresses to Council are one way in which the Council is able to hear the views of members of the public regarding an item of business scheduled to be considered at the Council Meeting. The Council encourages the public to participate in this forum.

Addresses to Council can only relate to an item of business listed on the Business Paper for the meeting at which the address is to be made. People can register to address the Council on a maximum of three items listed for consideration at the meeting.

Nominated candidates for election to Federal, State or Local Government are prohibited from addressing the Council via this means. Serving Shellharbour City Councillors are also prohibited from addressing the Council.

Further information about registration and rules for addresses to Council can be found in Council's Code of Meeting Practice.

3.2. Representation

Shellharbour City Council comprises of seven Councillors including a Mayor and is not divided into wards. The Mayor is elected each year by the Councillors from among their numbers.

The role of the Councillor

(1) The role of a councillor under section 232 of the Local Government Act, 1993, is as follows:

- to be an active and contributing member of the governing body,
- to make considered and well informed decisions as a member of the governing body,
- to participate in the development of the integrated planning and reporting framework,
- to represent the collective interests of residents, ratepayers and the local community,



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- (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.

Role of Mayor (*Section 226 of the Local Government Act 1993*)

- (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.

3.3. Public Exhibition

Shellharbour City Council encourages involvement from the community to help us make decisions in relation to Council's policies, strategies, plans, studies, licence agreements and



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other documents. Council invites submissions from the community, key stakeholders and Councillors.

Documents are advertised in the local newspaper and placed on the [Public Exhibition](#) page of Council's website for a period of around 28 days. Hard copies for viewing are also made available at Council's administration building and at all branch libraries.

3.4. Have Your Say

Council's online engagement portal, [Have Your Say Lets Chat Shellharbour](#), 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, then post a statement.

3.5. Community Strategic Plan

The [Community Strategic Plan](#) (CSP) reflects the community's vision for the city and sets our direction for the future. It tells us the objectives we are striving to achieve, the strategies we will use to achieve them and the outcomes that will indicate we have reached those objectives.

The Community's vision is:

In 2030, Shellharbour City is a dynamic City that values and celebrates the unique diversity of our people, places and environment. We are a connected community working together to create a safe, sustainable future that provides opportunities for all to achieve their potential.

The CSP is developed and delivered as a partnership between Council and the community. It seeks to respond to community, environmental, leadership and economic challenges. It also integrates with key Council documents such as the Crime Prevention Plan, Local Environmental Plan 2013 and the Aboriginal Employment Strategy.

3.6. How you can contribute to the delivery of the CSP

The delivery of the CSP brings together anyone with a stake in the community vision - community members, business groups, government agencies and other stakeholders. Each will partner with Council to help deliver the Objectives and Strategies.

There are several ways in which the community can assist with the CSP; these are listed throughout the CSP starting from page 21 and were suggested by community members who participated in community engagement activities.

The CSP is available on Council's website by clicking [here](#).

4. Access to Information

4.1. Open Access Information

The GIPA Act and Regulations specify which type of documents held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to view 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. Copies can be provided to the public for reasonable copying charges.

Council holds a range of information concerning the Shellharbour local government area including the following:



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- [Policy documents](#)
- [Agendas, Minutes and Business Papers](#) for any meeting of Council or any Committee of Council
- [Annual Report](#) including Annual Financial Reports and Auditor's Report
- [Plans of management](#), [environmental planning instruments](#), [development control plans](#) and [contribution plans](#)
- Information about [Council](#)
- Information about [Development Applications lodged after 1 July 2010](#)
- [Approvals](#) and Orders
- [Building Certificates](#)
- Plans of land proposed to be compulsorily acquired
- [Compulsory acquisitions](#) notices
- [Leases and licences](#) for use of public land classified as community land
- Performance improvement orders
- Management Plans
- Any [Codes](#) referred to in the LGA
- [Land Register](#)
- Register of Investments (Included in the [Annual Report](#))
- Register of [Delegations](#)
- Register of [Graffiti removal](#) works
- Register of current Declarations of Disclosures of [Political donations](#)
- Register of [Voting on Planning Matters](#)
- A [list](#) of Open Access information not available on Council's website

If [Any of the](#) information listed above ~~including information about Development Applications not available~~[cannot be located](#) on Council's website, [requires an Informal Request for Information form](#) [can be lodged](#).

4.2. Types of Documents - Electronic and "Physical"

Council uses an Electronic Document Management System (EDMS) to manage its records. From April 2000 most hard copy physical files were replaced with electronic files.

The EDMS captures information under the following headings:

1. [Document](#)
2. Customer ~~name~~
3. [Subject New](#)
4. Properties ~~location~~
5. [Meetings](#)
6. [Human Resources](#)



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7. Application ~~s~~ number

8. Lands

9. Streets/~~Read~~ name

10. ~~Subject~~ title

The main types of "physical" files held by Council included older files such as: general subject files, development and building files, property files as well as street and park files.

If this information is not available on Council's website, it may be made available upon request. Informal Request for Information forms are available from Council's Website.

4.3. Proactive Release of Council Information

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.

The following information has been made available to the public under Council's proactive release program:

- Code of Conduct Statistics Report
- Councillor expenses 2016-2017
- Gifts and Benefits Register 2017
- Illawarra biodiversity strategy volume 1
- Illawarra biodiversity strategy volume 2
- Independent local government review panel 20 essential steps submission
- Independent local government review panel sustainable change submission
- Local government acts taskforce preliminary ideas further submission
- Local government acts taskforce preliminary ideas paper submission
- Right to Purchase Deed Stockland – Sale of Lamerton House
- Submission NSW Department of planning & infrastructure white paper

4.4. Informal Release of Council Information

Information that is not ~~readily available or not~~ available on Council's website can be requested informally by completing an Informal Request for Information form. 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 the copyright Act

Council may impose conditions in response to an Informal Request for information and can decide by what means information is to be released to the applicant. Council may also ~~delete~~



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| redact information contained in a record if there is an overriding public interest against disclosure of that information.

| Reasonable fees may be charged for photocopying or to provide documents on DVD
provision of information on a USB.

4.5. Formal Access Application

If the information cannot be accessed through the methods listed previously in this guide, you can make a Formal Access application. Council must disclose information in response to a Formal Access application unless there is an overriding public interest against disclosure.

A Formal Access application is used as a last resort and is usually required when the information requested is of the following nature:

- sensitive information that requires careful consideration in terms of overriding public interest considerations against disclosure
- contains confidential information
- contains personal information of another person
- contains information about third parties
- would require a significant amount of time and/or resources to provide the information

| To make a formal access application, please complete at the Formal Access application form
needs to be completed and forwarded to Council along with the \$30 application fee.

5. Further Information

For further information about access to Council's information, please contact the Public Information Officer on 4221 6330.

5.1. Contact Details

The General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529
Phone: 4221 6111
Email: council@shellharbour.nsw.gov.au
Website: www.shellharbour.nsw.gov.au

Shellharbour Civic Centre
76 Cygnet Avenue
Shellharbour City Centre NSW 2529

8.30am to 4.30pm Monday to Friday

For further information, please contact the Information and Privacy Commission
Phone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au
Post: GPO Box 7011, Sydney NSW 2001
Office: Level 17, 201 Elizabeth Street, Sydney NSW 2000

**11.1.2 Model Code of Conduct Complaints Statistics 2017-2018
(11138982)**

To the Mayor and Councillors

Directorate: General Manager
Group: Council Services

Manager: Flora Lepouras – Executive Manager / Public Officer
Author: Sonya Stewart- Public Information Officer

Summary

The purpose of this report is to meet Shellharbour City Council's reporting obligations under the Procedures for the Administration of the Model Code of Conduct (Procedures), in relation to Code of Conduct Complaints Statistics for the period of 1 September 2017 to 31 August 2018.

There were no complaints about councillors or the General Manager received in the period.

Background

Under the Procedures, each council's complaints coordinator must report annually on a range of complaint statistics to their council and to the Office of Local Government within three months of the end of September. The Code of Conduct Complaints Statistics Report for the period 1 September 2017 to 31 August 2018 is attached to this report (**Attachment 1**).

The statistics that are to be reported are set out in clause 12.1 of the Procedures, shown in the extract below.

12.1 The complaints coordinator must arrange for the following statistics to be reported to council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,*
- b) the number of code of conduct complaints referred to a conduct reviewer,*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,*
- d) the number of code of conduct complaints investigated by a conduct reviewer,*
- e) the number of code of conduct complaints investigated by a conduct review committee,*

- f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
- g) the number of matters reviewed by the Office of Local Government and, without identifying particular matters, the outcome of the reviews, and
- h) The total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.

Financial/resource implications

Nil

Legal & policy implications

The Procedures require Council to report to the Office of Local Government and Council on Council's Code of Conduct complaints statistics within three months of the end of September.

Public/social impact

Shellharbour City Council values accountability, integrity and respect by being honest, open and transparent. Reporting on the outcomes and costs associated in dealing with Council's Code of Conduct complaints makes council officials more accountable to the public for their actions.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.1 Led through collaboration

Strategy: 4.1.1 Ensure that the Mayor and Councillors are representative of the community providing strong, innovative and proactive leadership

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards

Consultations**Internal**

Nil

External

Office of Local Government

Political Donations Disclosure

Not applicable

Recommendation

That Council receive and note the Code of Conduct Complaints Statistics report for the period 1 September 2017 to 31 August 2018 as presented.

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1. Code of Conduct Complaints Statistics Report

Attachment 1 – Code of Conduct Complaints Statistics Report

Page 1 of 3

Model Code of Conduct Complaints Statistics Shellharbour City Council	
Number of Complaints	
1 a The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	0
b The total number of complaints finalised in the period about councillors and the GM under the code of conduct	0
Overview of Complaints and Cost	
2 a The number of complaints finalised at the outset by alternative means by the GM or Mayor	0
b The number of complaints referred to the Office of Local Government under a special complaints management arrangement	0
c The number of code of conduct complaints referred to a conduct reviewer	0
d The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
e The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
f The number of finalised code of conduct complaints investigated by a conduct reviewer	0
g The number of finalised code of conduct complaints investigated by a conduct review committee	0
h The number of finalised complaints investigated where there was found to be no breach	0
i The number of finalised complaints investigated where there was found to be a breach	0
j The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
k The number of complaints being investigated that are not yet finalised	0
l The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0

Preliminary Assessment Statistics

3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

- a To take no action 0
- b To resolve the complaint by alternative and appropriate strategies 0
- c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies 0
- d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police 0
- e To investigate the matter 0
- f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter 0

Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

- a That the council revise its policies or procedures 0
- b That a person or persons undertake training or other education 0

5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

- a That the council revise any of its policies or procedures 0
- b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach 0
- c That the subject person be counselled for their conduct 0
- d That the subject person apologise to any person or organisation affected by the breach 0
- e That findings of inappropriate conduct be made public 0
- f In the case of a breach by the GM, that action be taken under the GM's contract for the breach 0
- g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 0
- h In the case of a breach by a councillor, that the matter be referred to the Office for further action 0

6 Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures 0

Categories of misconduct	
7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a General conduct (Part 3)	0
b Conflict of interest (Part 4)	0
c Personal benefit (Part 5)	0
d Relationship between council officials (Part 6)	0
e Access to information and resources (Part 7)	0
Outcome of determinations	
8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

11.1.3 Proposed Ward Boundary Options - 2020 Local Government Council Elections (11141925)

To the Mayor and Councillors

Directorate: General Manager
Group: Council Services

Manager: Flora Lepouras – Executive Manager
Author: Flora Lepouras – Executive Manager

Summary

The purpose of this report is to seek Council's endorsement of the proposed ward boundary options to be placed on public exhibition in accordance with Section 210A of the *Local Government Act 1993*. The exhibition period will be extended to 42 days with a further two weeks for submissions due to the Christmas and holiday period.

It also recommends providing the community with the opportunity to suggest ward names as part of its submission on the proposed ward boundary options.

Background

A constitutional referendum was held on Saturday, 9 September 2017 on the following two questions:

1. The Mayor of the City of Shellharbour is currently elected annually by the seven (7) councillors. Do you favour the election of the Mayor by the voters of the voters of the City of Shellharbour for a four year term which necessitates an increase in the number of councillors by 1? This will result in a total of nine (9) elected representatives made up of one (1) Mayor and eight (8) councillors.

The result of this question was in favour of the Mayor being elected by the voters (popularly elected Mayor) and increasing the number of councillors to eight (8).

2. Currently the City of Shellharbour local government area has no ward structure. Do you favour the City of Shellharbour Local Government Area being comprised of wards?

The result of this question was in favour of Wards.

Section 201A of the *Local Government Act 1993* provides for the preparation and public notice of ward boundary proposals:

LOCAL GOVERNMENT ACT 1993 - SECT 210A***Consultation, public notice and exhibition of proposals regarding ward boundaries*****210A CONSULTATION, PUBLIC NOTICE AND EXHIBITION OF PROPOSALS REGARDING WARD BOUNDARIES**

(1) *Before dividing a council's area into wards or altering a council's ward boundaries, the council must:*

(a) consult the Electoral Commissioner and the Australian Statistician to ensure that, as far as practicable, the proposed boundaries of its wards correspond to the boundaries of appropriate districts (within the meaning of the [Electoral Act 2017](#)) and census districts, and to ensure that the proposed boundaries comply with section 210 (7), and

(b) prepare and publicly exhibit a plan detailing the proposed division or alteration (the

"ward boundary plan").

(2) *The council must give public notice of the following:*

(a) the place at which the ward boundary plan may be inspected,

(b) the period for which the plan will be exhibited (being a period of not less than 28 days),

(c) the period during which submissions regarding the ward boundary plan may be made to the council (being a period of not less than 42 days after the date on which the ward boundary plan is placed on public exhibition).

(3) *The council must, in accordance with its notice, publicly exhibit the ward boundary plan together with any other matter that it considers appropriate or necessary to better enable the plan and its implications to be understood.*

(4) *Any person may make a submission to the council regarding the ward boundary plan within the period referred to in subsection (2) (c).*

(5) *The council must consider submissions made in accordance with this section.*

Following consultation with the NSW State Electoral and Australian Bureau of Statistics, six Ward Boundary options have been prepared to be placed on public exhibition for consultation with the community. The Ward boundary options would form part of the public advertisement, be placed on Council's website and social media and available in large format for viewing at the Shellharbour Civic Centre and all branch libraries.

Ward boundaries are determined by a 'distribution process' which provides for an approximately equal number of electors in each ward in a local government area. The division of a local government area of into wards must not result in a variation of more than 10% between the number of electors in each ward of the local government area. The elector numbers are provided by the Australian Bureau of Statistics (ABS) and the ward boundary options in this report use the 2016 ABS census data (most current).

As the referendum for Shellharbour City Council determined that there would be eight councillors from the 2020 election the proposals were based on either four wards or two wards as the same number of councillors is to be elected for each ward

and the Mayor is to be excluded when determining the number if the Mayor is to be elected by all the electors of the local government area (*Section 280(2) Local Government Act 1993*).

The Ward boundary options proposed (based on 51964 electors in the Shellharbour local government area according to the 2016 ABS census data) are as follows:

Option 1 4 wards represented by 2 councillors in each ward

West ward	13187 electors
North ward	13468 electors
East ward	12765 electors
South ward	12544 electors

Option 2 4 wards represented by 2 councillors in each ward

West ward	12911 electors
North ward	13208 electors
East ward	12765 electors
South ward	13080 electors

Option 3 4 wards represented by 2 councillors in each ward

West ward	13439 electors
North ward	12906 electors
East ward	12831 electors
Central ward	12788 electors

Option 4 2 wards represented by 4 councillors in each ward

West ward	26003 electors
East ward	25961 electors

Option 5 2 wards represented by 4 councillors in each ward

North ward	25955 electors
South ward	26009 electors

Option 6 2 wards represented by 4 councillors in each ward

West ward	25895 electors
East ward	26069 electors

It should be noted that the wards have been named West, East etc. for ease of identification in each proposal at this stage. The Council will also be required to decide on names for each ward following the exhibition period and close of

submissions when this matter is reported back to Council for a final decision on the ward structure.

It is also recommended that the community be given the opportunity to suggest ward boundary names as part of its submissions identifying its preferred option for the consideration of Council.

Financial / Resources Implications

The only financial implication at this stage is the cost of advertisement for public exhibition and this is provided for in Council's current operational budget.

Legal and Policy implications

Council is following Section 210A of the *Local Government Act 1993* in relation to consultation, public notice and exhibition of proposals regarding ward boundaries.

Public / Social Impact

The community is being given the opportunity to lodge submissions to Council advising of its preferred option and potential names for ward boundaries for the consideration of Council.

The statutory public exhibition submission timeframes has been extended beyond the mandatory 28 days in order to account for the Christmas and holiday period in January.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 4.1 Led through collaboration

Strategy: 4.1.1 Ensure that the Mayor and Councillors are representative of the community providing strong, innovative and proactive leadership.

Strategy: 4.1.2 Actively engage, consult and inform the community

Consultations

Internal

Team Leader Spatial Technology

External

NSW Electoral Commission
Australian Bureau of Statistics

Political Donations Disclosure

Nil

Recommendation

That:

1. Council endorse the six (6) ward boundary options to be placed on public exhibition for a period of 42 days (from 15 December 2018 to 31 January 2019) and allowing a further two weeks for submissions to close on 15 February 2019, following which a further report will be presented to Council for consideration detailing the public exhibition outcomes and with further recommendations.
2. The community be requested to suggest names for its preferred ward boundary option for the consideration of Council.



Date of Meeting: 11 December 2018

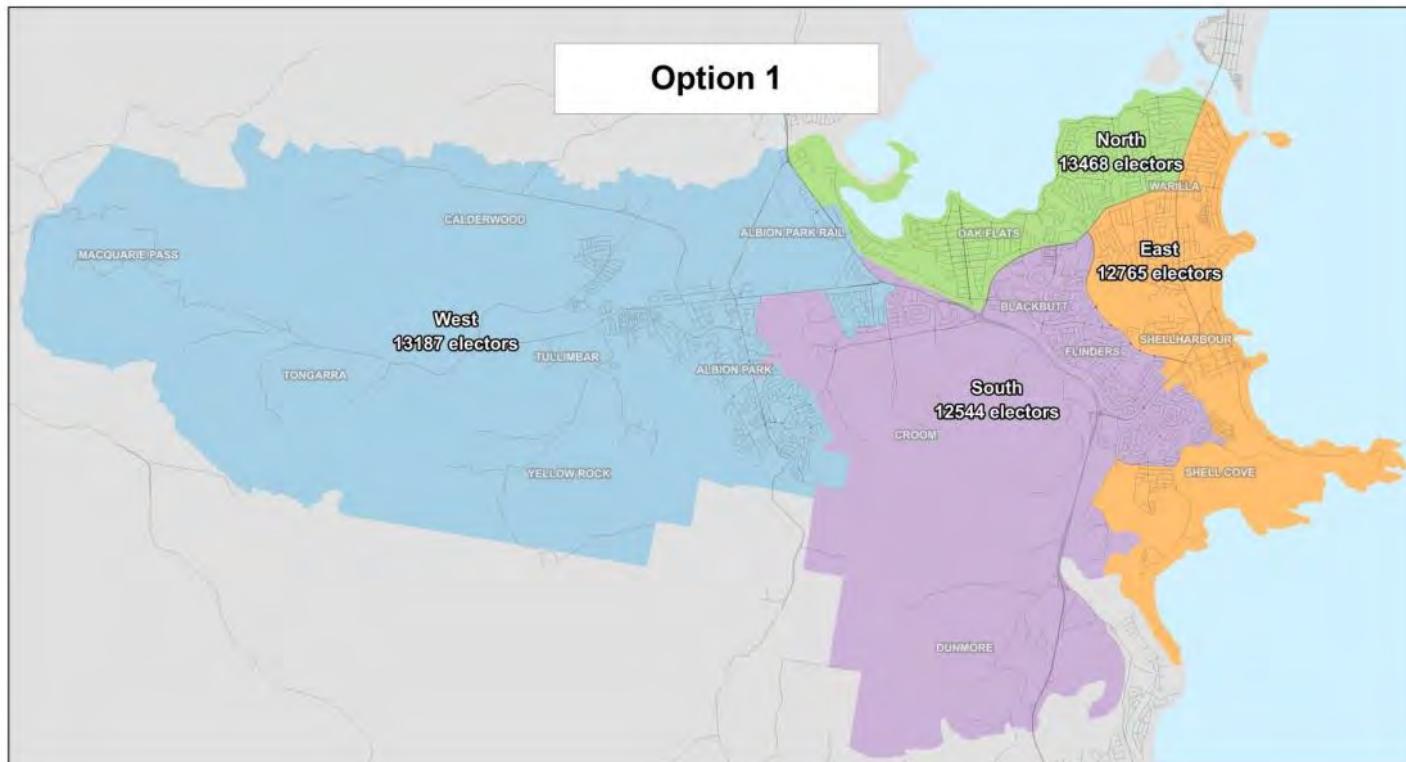
Attachments

Ward Boundary Options:

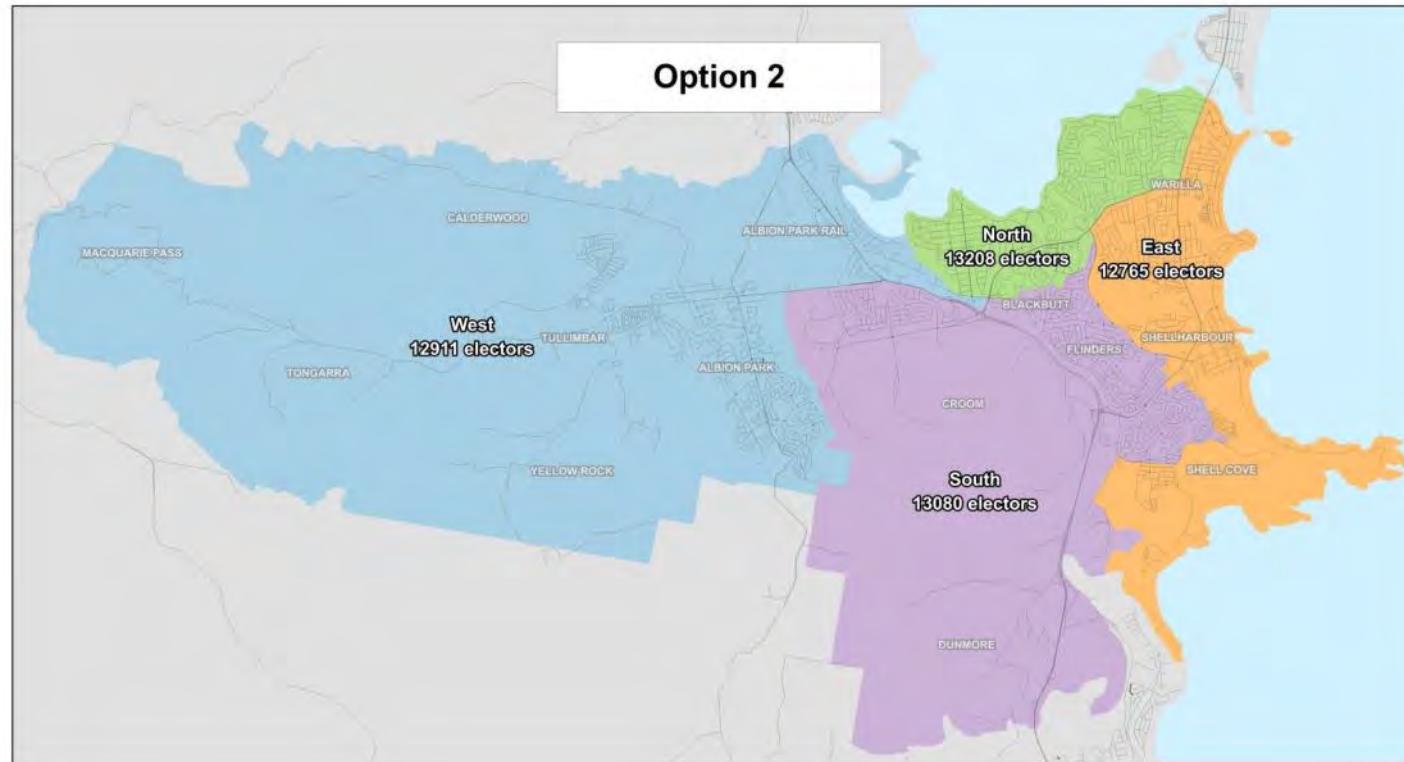
1. Option 1	- 4 wards represented by 2 councillors in each ward
2. Option 2	- 4 wards represented by 2 councillors in each ward
3. Option 3	- 4 wards represented by 2 councillors in each ward
4. Option 4	- 2 wards represented by 4 councillors in each ward
5. Option 5	- 2 wards represented by 4 councillors in each ward
6. Option 6	- 2 wards represented by 4 councillors in each ward

Attachment 1

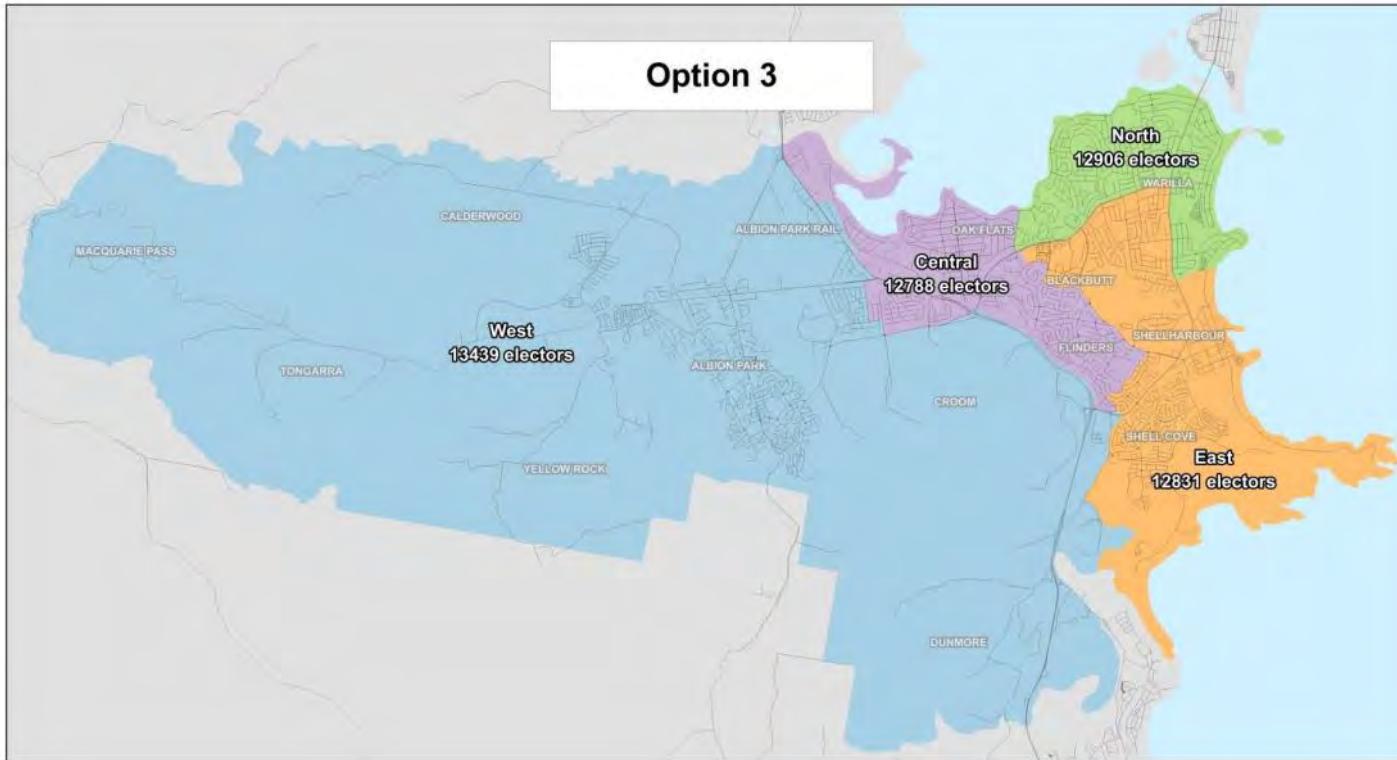
Option 1 - 4 wards represented by 2 councillors in each ward



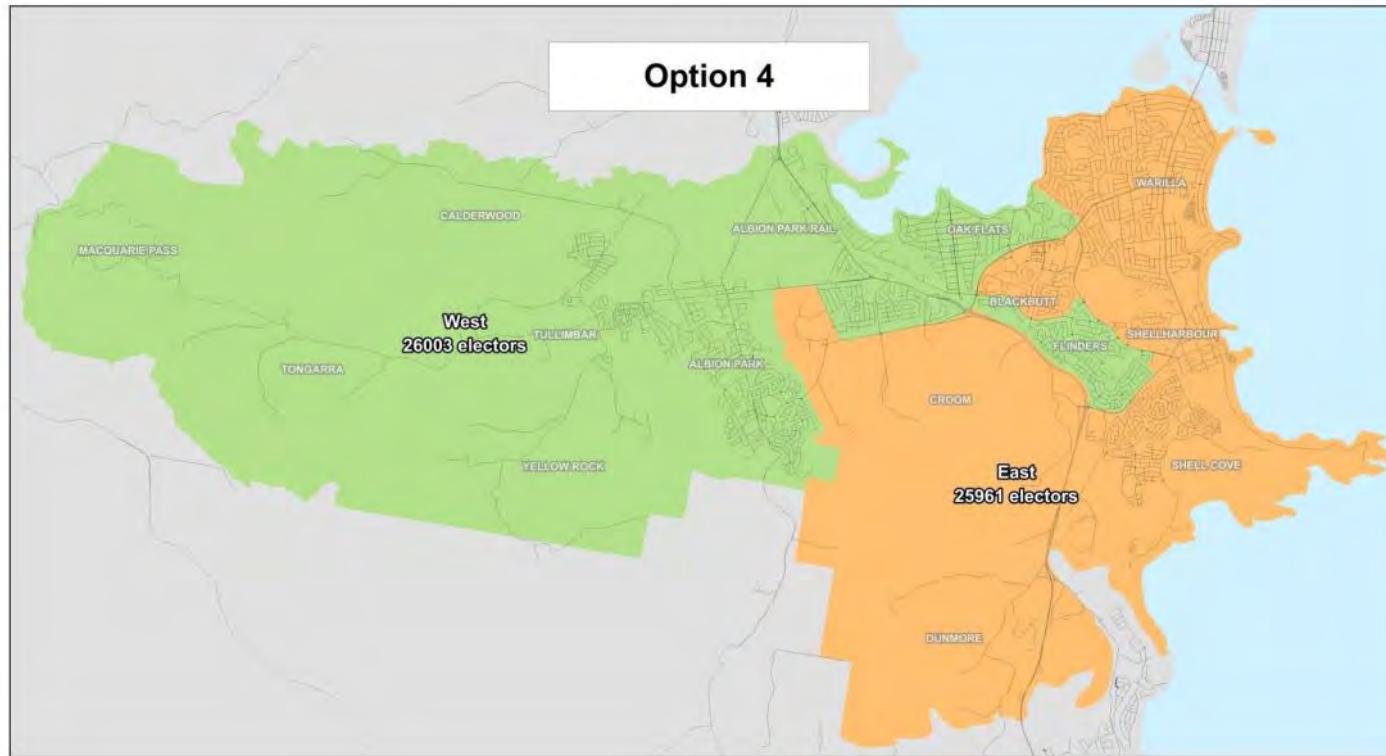
Option 2 - 4 wards represented by 2 councillors in each ward



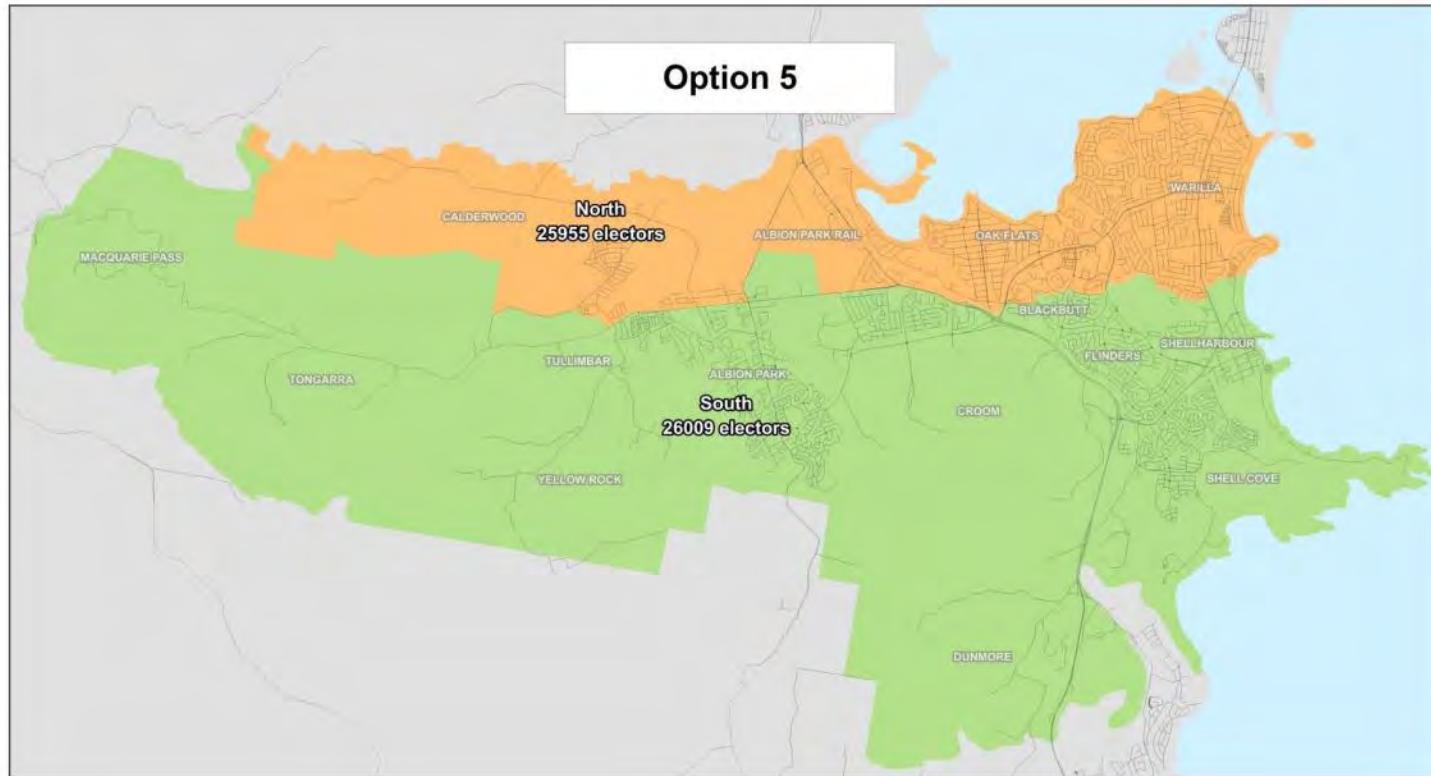
Option 3 - 4 wards represented by 2 councillors in each ward



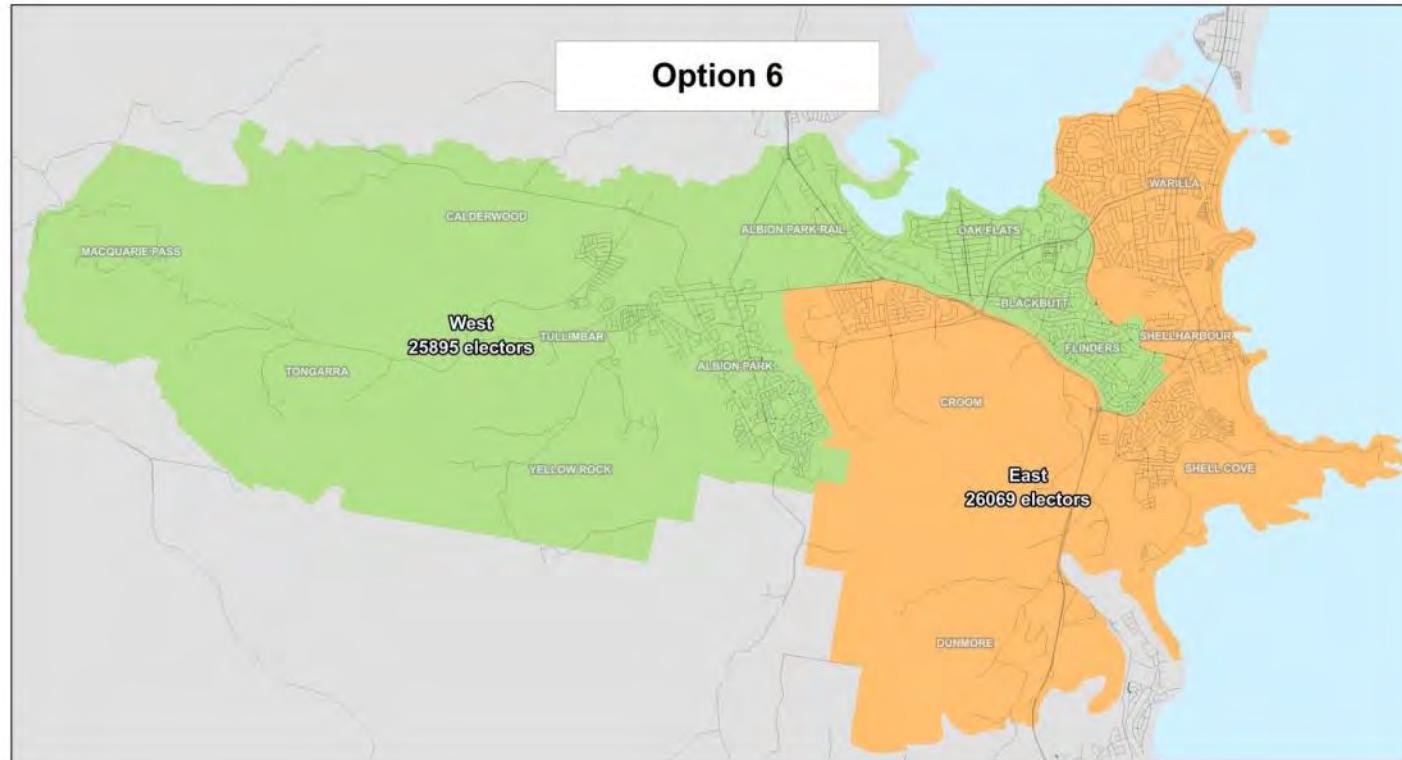
Option 4 - 2 wards represented by 4 councillors in each ward



Option 5 - 2 wards represented by 4 councillors in each ward



Option 6 - 2 wards represented by 4 councillors in each ward



11.2 Council Sustainability Directorate**11.2.1 Creation of an Easement for Underground Cables - Lot 9 in DP 238804, Addison Street Shellharbour Village (11139699)**

To the General Manager

Directorate: **Council Sustainability**

Group: **Business and Investment**

Manager: Gary Grantham – Acting Director Council Sustainability

Author: Donna Flanagan – Manager Property Services

Summary

The purpose of this report is to seek Council's approval for the creation of an easement for underground cables, right of access and restriction on use on the title of Lot 9 in DP 238804, Addison Street Shellharbour Village. The easement is required for the underground cables on the request of Endeavour Energy.

The easement will benefit the adjoining landowner and burden Council Land being Lot 3 DP 238804. Therefore, compensation is payable to Council for the burdening of the land. Accordingly, this report seeks Council approval to affix the Seal of Council on the plan of easement, 88B Instrument and other associated documentation.

A plan of the location of Lot 9 DP 238804 is shown in **Attachment 1**. A plan of the proposed easement has been prepared and is shown in **Attachment 2**.

This report also seeks Council approval for the amount of \$15,000 GST exclusive for compensation for creation of the easements encumbering Lot 9 in DP 238804 Addison Street, Shellharbour Village, being operational land.

Background

The owner of the adjoining land (being Lot 201 DP 1234034) has requested the creation of the easement for underground cables on a requirement from Endeavour Energy to enable the cables to join the power supply. The proposed easement is to be located along the eastern boundary of Lot 9 DP 238804 and run for 25.9 metres within an area of 77.7 square metres.

Lot 9 DP 238804 is operational land and is used as a public carpark. The restriction on use and right of access over Lot 9 will not affect the current use of the carpark.

An easement is defined as a right to use the land of another (not involving or taking of any part of the natural produce of that land, or any part of its soil) or a right to prevent the owner of that land from using that land in a particular manner.

The easement is attached to the land and registered on the title. It continues indefinitely until it is expressly released by the owner of the benefited land or extinguished by the Supreme Court on evidence that it is no longer required. An easement is a valuable interest in the land.

The valuer stated that the compensation is applicable for the area to be affected by the proposed easement for underground cables as the operational land will be encumbered by the said easement.

The costs incurred with the creation of easement including but not limited to survey, legal, registration fees and the consideration of compensation for the granting of the easement is all payable by the applicant.

Council commissioned an independent valuer to assess compensation payable. The landowner has accepted the valuation and the compensation amount of \$15,000 GST exclusive.

It is a requirement of the *Local Government Act 1993, as amended*, and its Regulations for there to be a Resolution of Council in order to affix the Seal on the documents associated with the creation and registration of the easements.

Financial / Resources Implications

All costs incurred with the creation of easement including but not limited to survey, legal, registration fees and the consideration of compensation for the granting of the easement are payable by the applicant. An independent valuation has been undertaken to access the compensation payable, that being the amount of \$15,000 GST exclusive for compensation for creation of the easements encumbering Lot 9 in DP 238804 Addison Street, Shellharbour Village, being operational land.

Legal and Policy implications

It is a requirement of the *Local Government Act 1993, as amended*, and its Regulations for there to be a Resolution of Council in order to affix the Seal on the documents associated with the creation and registration of the easements.

Public / Social Impact

The public and social impact by the creation of easement is to assist with the underground cables for the adjoining landowner. For the encumbrances the easements will create on the public land, compensation is payable by the adjoining landowner to Council.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.4 Facilitate the development of the built environment to meet community needs

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards

Consultations

Internal

Asset Planning Manager
Asset Officer

External

Eagle Project Management
Opteon Valuers

Political Donations Disclosure

Not Applicable

Recommendation

That:

1. **Council approve \$15,000 GST exclusive for compensation for creation of the easements encumbering Lot 9 in DP 238804 Addison Street, Shellharbour Village being operational land.**
2. **The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation associated with the creation of the easements for underground cables right of access and restriction on use on the title of Lot 9 in DP 238804 Addison Street, Shellharbour Village under Council Seal.**
3. **The costs associated with the creation of the Easements for Underground cables right of access and restriction on use be charged to the applicant.**

Approved for Council's consideration: _____

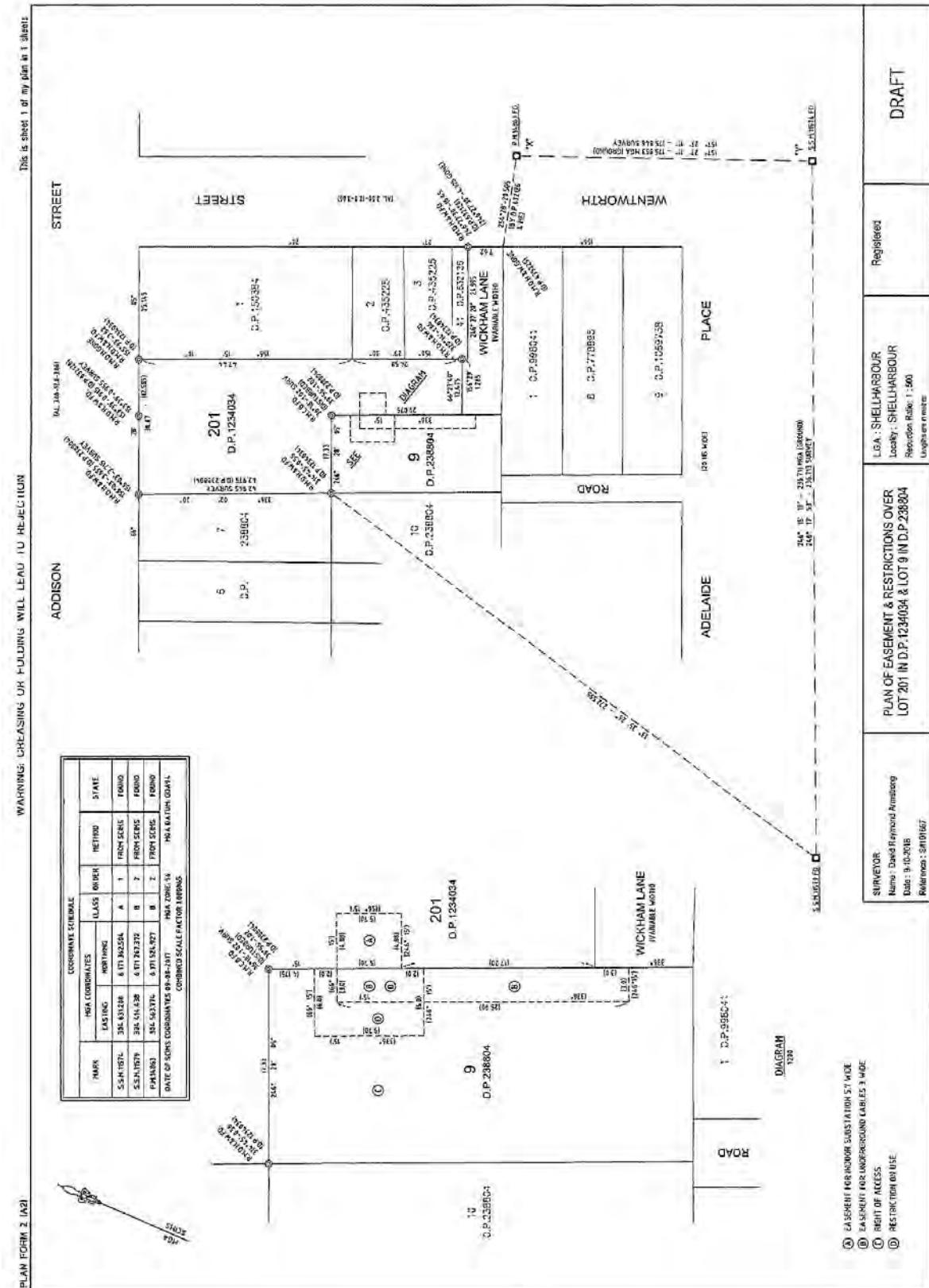
Date of Meeting: 11 December 2018

Attachments

1. Plan of the location of the Lot 9, DP 238804, Addison Street, Shellharbour
2. Plan of the proposed easement of Lot 9, DP 238804, Addison Street, Shellharbour

Attachment 1 – Plan of the location of the Lot 9, DP 238804, Addison Street, Shellharbour

Attachment 2 - Plan of the proposed easement of Lot 9, DP 238804, Addison Street, Shellharbour



PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 Sheet(s)	
Registered : Title System :	Office Use Only	Office Use Only DRAFT	
PLAN OF EASEMENT & RESTRICTIONS OVER LOT 201 IN D.P.1234034 & LOT 9 IN D.P.238804	LGA : SHELLHARBOUR Locality : SHELLHARBOUR Parish : TERRAGONG County : CAMDEN		
<p>Survey Certificate</p> <p>I, DAVID RAYMOND ARMSTRONG of ENGINEERING SURVEY GROUP, 5 MOSS STREET, NOWRA 2541 a surveyor registered under the Surveying and Spatial Information Act 2002, certify that :</p> <p>(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on , or</p> <p>(b) The part of the land shown in the plan (*being/ *excluding **) was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2017.</p> <p>Datum Line : "X" - "Y" (MGA) Type : *Urban/*Rural The terrain is *Level-Undulating / *Steep-Mountainous</p> <p>Signature : Dated : Surveyor identification No. : 8909 Surveyor registered under the Surveying and Spatial Information Act 2002</p> <p>* Strike out inappropriate words. ** Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>	<p>Crown Lands NSW / Western Lands Office Approval</p> <p>I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature : Date : File Number : Office :</p> <p>Subdivision Certificate</p> <p>I, *Authorised Person/ *General Manager/ *Accredited Certifier, certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature : Accreditation number : Consent Authority : Date of Endorsement : Subdivision Certificate number : File number :</p> <p>* Strike through if inapplicable.</p>		
Plans used in the preparation of survey/compilation: D.P.1234034	<p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p> <p>PURSUANT TO SEC. 88B OF THE CONVEYANCING ACT 1919 IT IS INTENDED TO CREATE :</p> <ol style="list-style-type: none"> 1. EASEMENT FOR INDOOR SUBSTATION 5.7 WIDE 2. EASEMENT FOR UNDERGROUND CABLES 3 WIDE 3. RIGHT OF ACCESS 4. RESTRICTION ON USE 		
Surveyor's Reference: S#101667	Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A		

PLAN FORM 6A (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 2 of 2 Sheet(s)
Office Use Only		Office Use Only
Registered :		
PLAN OF EASEMENT & RESTRICTIONS OVER LOT 201 IN D.P.1234034 & LOT 9 IN D.P.238804	DRAFT	
Subdivision Certificate Number :	This sheet is for the provision of the following information as required : <ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) SS1 Regulation 2017• Statement of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919• Signatures and seals - see 195D Conveyancing Act 1919• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.	
If space is insufficient use additional annexure sheet		
Surveyor's Reference: S#101667		

11.2.2 Proposed name change of Croom Cricket Oval - Croom (11140536)

To the General Manager

Directorate: Council Sustainability

Group: Business and Investment

Manager: Gary Grantham – Acting Director Council Sustainability

Author: Donna Flanagan – Manager Property Services

Summary

The purpose of this report is to consider a request from The Rail Cricket Club to change the name of the Croom Cricket Oval to the 'Dunham-Norwell Oval'. Both Brian Dunham and John Norwell have been involved with the club for many years and are both life members.

The Croom Cricket Oval is currently being relocated within the Croom Sporting Complex due to the reconfiguration of Croom for the construction of the Albion Park Rail Bypass. **Attachment 1** outlines the new location.

As the Croom Cricket Oval is now a part of the Croom Regional Sporting Complex with the ground now being shared by another sporting group, it is recommended that the Croom Cricket Oval be renamed to Croom Oval with the facilities attached to the Croom Cricket Oval being named after life members. Those facilities being the amenities building and the cricket nets.

Council's Naming and Addressing (Roads, Public Reserves, Parks, Sportsfields, Assets) Policy allows for naming of Council assets after 'a person whom has made a significant contribution to the Council or the Shellharbour Local Government Area' and references public having the opportunity to address issues as part of the Council report process.

Background

The Rail Cricket Club has requested the ground to be changed to incorporate surnames of life members Brian Dunham and John Norwell, as they both have been actively involved with the Rail Cricket Club for many years and are life members. A copy of the correspondence is shown in **Attachment 2 and 3**.

Brian Dunham

Brian has been a volunteer/player of The Rail Cricket Club for over 40 years. He started playing for The Rail Cricket Club in the season of 1979-1980. Brian started off as an Assistant Curator in 1980 and became the Head Curator from 1992 onwards.

Brian has been on The Rail Cricket Club Committee for over 38 years taking on many roles assisting on fundraising days and working bees. He has operated the canteen. At one stage the canteen was named the 'Brian Dunham Canteen' with a plaque made up in his honour. He has taken out the 'Clubman of The Year' for those that have given up their time for the best interest of the club a total of 5 times (equal with John Norwell) which is the most anyone has been awarded for the club. He was also awarded with Life Membership in 1990 and continues to volunteer at the club.

Brian has also won many awards for the South Coast District Cricket Association for 'Curator of The Year' for his preparation of The Rail Cricket Club Croom Oval. Brian was also nominated for the Home Grown Heros on Big Bash Cricket for his dedication and involvement at The Rail Cricket Club.

John Norwell

In 1978 John first became involved with the Rail Cricket Club where he assisted with training, umpiring and scoring for several years. In 1983 John started playing cricket and continued until 1999.

In 1986 John joined the committee commencing as Treasurer (for seven years) and taking on the role of Secretary for a number of years. John is currently still a committee member.

Over the time John applied for grants to enhance the ground including sight screens, watering system, turf wicket mower, roller, new perimeter fence, artificial turf for lower grade pitches and covers for the turf wicket. John was made a life member in 1996.

History of the Naming of the Croom Cricket Oval

The Croom Cricket Oval was previously named the Neville Hilton Oval. On 17 May 2005 the Rail Cricket Club wrote to Council requesting that the Neville Hilton Oval be renamed to simply be the Croom Cricket Oval. A Notice of Motion was submitted by a Councillor at the Ordinary Council Meeting on 1 May 2007 in which the:

Mayor advised that he had received advice from the Rail Cricket Club had written to Council on 17 May 2005 asking that Neville Hilton Oval be renamed Croom Cricket Ground. Signage was erected at the Oval soon after, reflecting this change.

MOTION:

That Council ratify the previous decision to change the name from Neville Hilton Oval to Croom Cricket Ground.

Consultation with other user groups

The main other user of the Croom Cricket Oval is the Albion Park Crows AFL club. Local schools also use the facility for school sports and gala days. The AFL and Cricket Associations also utilise the ground on occasion. Representatives from the

Albion Park Crows AFL have indicated they have no issues with the renaming of the ground however feel a more generic name would be more suitable.

It is suggested that the Croom Cricket Oval be renamed Croom Oval. This will reflect the location of the sporting field and take into account all codes who use the facility.

Set out in **Table 1** below are options in relation to changing of names for the Croom Cricket Oval, the oval, the amenities building and also the cricket nets.

Table 1 - Name change options

Option	Pros	Cons
Croom Cricket Oval retains it's current name	<ul style="list-style-type: none">Locally known as this nameShould retain the suburb name as it identifies the location of the facilityThe facility is part of the larger Croom Regional Sporting Complexreflect the location of the facilityreflect the sporting codes who use the facility	<ul style="list-style-type: none">Nil
Name the Amenities building the 'Brian Dunham Canteen'	<ul style="list-style-type: none">Current canteen at one stage was named the 'Brian Dunham Canteen'.Acknowledges the contribution the individual has given to the code of sport and the facility	<ul style="list-style-type: none">Nil
Name the cricket nets the 'John Norwell Cricket Nets'	<ul style="list-style-type: none">Acknowledges the contribution the individual has given to the code of sport and the facility	<ul style="list-style-type: none">Nil

If accepted by Council, the name The Croom Oval will be provided to the Geographical Names Board (GNB).

Signs would be created and installed within the complex to reflect the various names.

Conclusion

The facility is utilised by a number of codes of sport and various groups. It is acknowledged that Brian Dunham and John Norwell have displayed a high level of commitment to the Rail Cricket community. The Croom Cricket Ground should retain the suburb name as it identifies the location of the facility which is part of the Croom Regional Sporting Complex.

To acknowledge the contribution of Brian Dunham and John Norwell it is recommended that Council name the amenities building the “Brian Dunham Canteen” and the cricket nets ‘John Norwell Cricket Nets’.

Financial / Resources Implications

Signage costs would be the responsibility of the Rail Cricket Club.

Legal and Policy implications

Council’s Naming and Addressing (Roads, Public Reserves, Parks, Sportsfields, Assets) Policy allows for naming of Council assets after ‘a person whom has made a significant contribution to the Council or the Shellharbour Local Government Area’ and references public having the opportunity to address issues as part of the Council report process.

The Geographic Names Board NSW (GNB) allows the naming of facilities within reserves, no formal approval is required. The GNB must be notified of these names to ensure the name, position and origin is recorded in the Spatial Services’ Digital Topographic Database and the name shown on maps, where relevant.

Public / Social Impact

Brian Dunham and John Norwell have displayed a high level of commitment to the Rail Cricket community. The naming of the facilities has a positive public and social impact as it gives the community the opportunity to formally acknowledge and show gratitude towards Brian Dunham and John Norwell devotion to the Club and the sport.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A City that is connected through places and spaces

Strategy: 2.3.5 Recognise, protect and celebrate our heritage

Consultations**Internal**

Manager Business Information Solutions
Recreation Planner
Communications/Community Engagement Officer
Team Leader Property

External

The Rail Cricket Club
Albion Park Crown AFL Club

Political Donations Disclosure

Not Applicable.

Recommendation**That Council:**

- 1. Name the Amenities building the ‘Brian Dunham Canteen’.**
- 2. Name the cricket nets the ‘John Norwell Cricket Nets’.**
- 3. Advise the Rail Cricket Club of its decision based on:**
 - i) The location of the facility and sporting codes who use the facility.**
 - ii) The current canteen at one stage was named the ‘Brian Dunham Canteen’.**

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

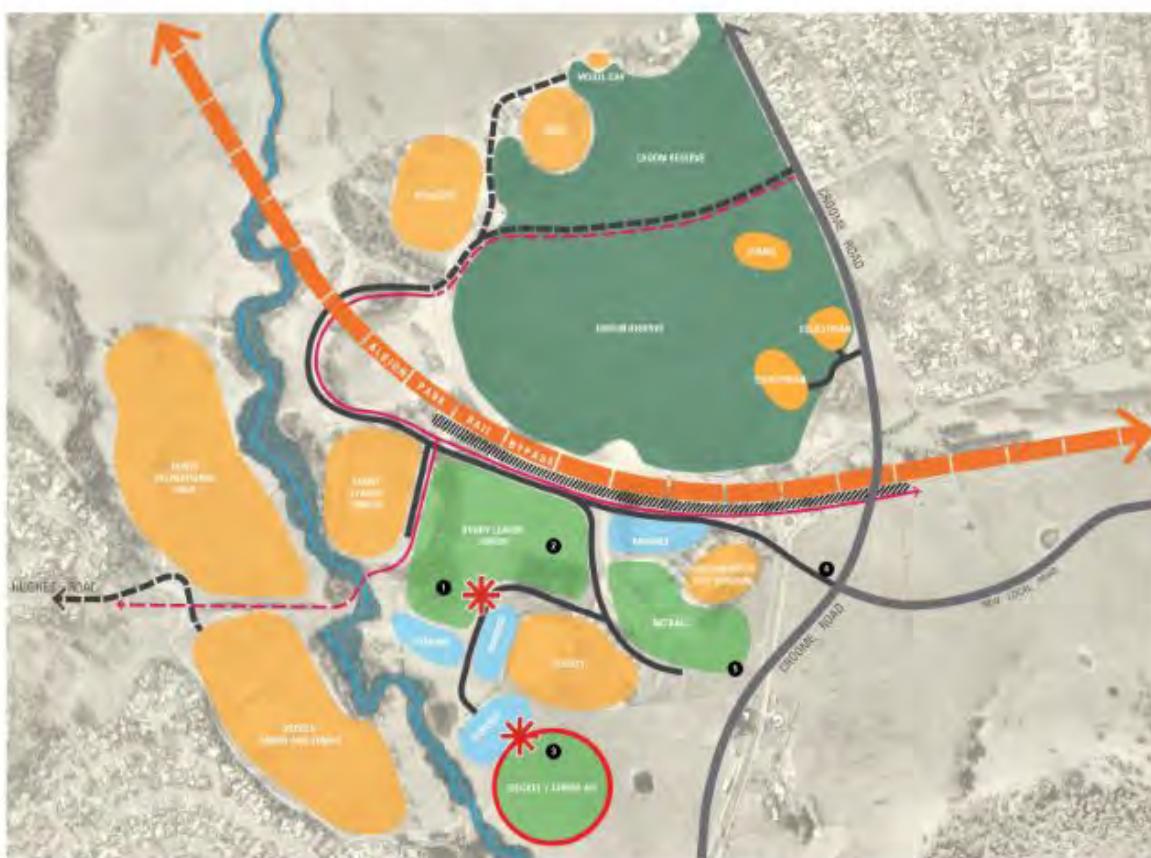
Attachments

1. New location of Croom Cricket/AFL Oval
2. Information on Brian Dunham
3. Information on John Norwell

Attachment 1 – New location of Croom Cricket/AFL Oval



Proposed changes to Croom Regional Sporting Complex



Up to
30% travel time
saving



Attachment 2 - Information on Brian Dunham**The Life Of Brian at The Rail Cricket Club**

Brian Dunham has been a volunteer/player of The Rail Cricket Club for over 40 years.

He started playing for The Rail CC in the season of 1979-1980, over the years he has played in 2nd, 3rd, 4th and 5th grade. Brian started off as an assistant curator in 1980 and became the head curator from 1992 onwards with only minimal breaks in over all the years. Brian has been on The Rail CC committee for over 38 years taking on many roles on the board helping out on fundraiser days and working bees. He has run the canteen, even at one stage the canteen was named the "Brian Dunham Canteen" with a plaque made up in his honour. He has taken out the "Clubman Of The Year" which is a prestige award for those that have given up their valuable time for the best interest of the club a total of 5 times (equal with John Norwell) which is the most anyone has been awarded for the club. He was also awarded with Life Membership in 1990 for his valuable service for The Rail CC which he still continues to give up his time until this day. Brian has also won countless awards for the South Coast District Cricket Association for "Curator of The Year" for his outstanding preparation of The Rail CC Croome Rd Ground. Brian was also nominated for the Home Grown Heros on the Big Bash Cricket which was screened on TV for his dedication and involvement at The Rail CC.

The Curators job consists of maintaining the turf wicket and astro wicket grounds with Brian exceeding the amount of hours that are needed to maintain the grounds. He is down at the ground almost everyday to check to make sure that all is good and pick out any weeds to keep the ground well maintained. Brian works at the ground 8 months of the year to prepare before the season starts.

His job consists of:

- Mowing around the ground facilities and the centre square wicket
- Watering the ground to prepare wicket and out field
- Rolling the wicket 3 to 4 times per week
- Fertilizing and weeding the wicket and field
- Scarifying annually and throughout the season to keep the wicket at its best
- Marking the creases for every match
- Maintaining the astro turf wickets by doing the edge of grass on the wicket
- Keeping the maintenance on all grounds equipment/machinery up to date
- After the games cleaning of sheds/toilets and surrounding ground

Brian was part of a winning premiership team for the Rail 4th grade last season filling in for them when players were unavailable and even captained a game to help the side make the finals.

Brian has been a most valuable member, player, volunteer, mentor and most of all a great friend for all at The Rail CC. He is most respected by everyone that has known Brian and highly respected by other cricket clubs in our region.

Brian Dunham would be a great candidate for a ground to be named after him, it would be a wonderful honour for all of his hard work and many years that he has been dedicated to The Rail Cricket Club on which he has never taken any money as a fee for his service, we are very lucky to have this wonderful man at our Club.

Attachment 3 - Information on John Norwell**The Rail Cricket Club and Community involvement of John Norwell**

1978 was my first year involved with the club when our first junior teams started both my sons played and I helped out with training umpiring and scoring for several years.

1983 I started playing myself and continued till 1999

1986 I joined the committee as treasurer did that for 7 years and remained on the committee until the present day serving as secretary for 9 or ten years. There were a couple of years that I had a spell off the committee but was still involved.

Other roles I undertook during this time were publicity officer, junior coach, senior coaching coordinator, curator, groundsman, canteen person, junior and senior registrar, selector, team coordinator, fundraising at the pub and the bowling club for many years.

Applied for grants to enhance the ground eg sight screens, watering system, turf wicket mower, roller, new perimeter fence , artificial turf for lower grade pitches, covers for the turf wicket organised and supervised the purchase and installation of all of this equipment.

Was made a life member in 1996.

Other community involvement:

- Albion Park Oak Flats junior rugby league committee 6 years, coach, manager, fundraising coordinator
- 1st Albion Park Scouts, President for 2 years, scout leader for 4 years.
- Illawarra Family Day Care 28 years, President for the last 25 years.
- Member of South Coast and NSW cricket umpires' associations since 1999. Level 2 umpire, I have umpired in the South Coast District for the last 18 years as well as many representative appointments in ours and other districts.
- Level 1 cricket coach.

I was awarded The Australian Sports Medal in 2000 for my services to sport.

11.2.3 Draft Reciprocal Business Arrangement Policy (11141240)

To the General Manager

Directorate: **Council Sustainability**

Group: **Council Sustainability**

Manager: Gary Grantham – Acting Director Council Sustainability

Author: Gary Grantham – Acting Director Council Sustainability

Summary

The purpose of this report is to seek Council endorsement of the Draft Reciprocal Business Arrangements Policy to be placed on public exhibition for a period of 28 days.

Should any relevant submissions be received as a result of the public exhibition, a report will be submitted to Council for its consideration of the outcomes, and then adoption.

If there are no substantial changes or no relevant submissions received, it is proposed to adopt the Policy as shown in **Attachment 1**.

Background

At the Ordinary Council meeting of 1 May 2018, the Council resolved:

1. *That Council receive and note the report ‘Links Shell Cove and Shell Cove Tavern Business Relationships 2017/18’, that have been established with, Shellharbour Touch Football Association, Shellharbour Stingrays Rugby League Football Club and Shellharbour Sharks Rugby League Football Club.*
2. *Council Officers prepare a draft policy for business relationships, to be provided to the elected council for its consideration and possible endorsement.*
3. *That the report not be declassified.*

This report seeks Council's endorsement of the 'Draft Reciprocal Business Arrangements Policy, refer to **Attachment 1**.

As this is a new policy it will be put on exhibition for a period of 28 days, inviting submissions from members of the public. If any relevant submissions are received, a further report will be presented to Council outlining the submissions. If no relevant submissions are received during the exhibition period, the policy will be adopted.

Financial / Resources Implications

The current business relationships at The Links Shell Cove and the Shell Cove Tavern continue to have a positive financial impact on the business. Benefits are assessed each year to ensure value to Council.

Legal and Policy implications

There are no legal implications or policy implications to the public exhibition of this draft policy.

Public / Social Impact

The Reciprocal Business Agreements benefit Council operations as well as providing economic and social benefits to groups.

The formation of a policy for Reciprocal Business Arrangements will allow Council to continue existing reciprocal business, confidently move forward without further delay and assist in establishing customer growth across Council.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.1 Vibrant, safe, creative and inclusive

Strategy: 1.1.1 Deliver and promote events and activities for our community

Objective: 1.2 Active and healthy

Strategy 1.2.1 Provide access to services and facilities where people can live, learn and play

Strategy: 1.2.2 Provide diverse opportunities for sport, recreation and enjoyment in the City's parks, open spaces and facilities

Consultations**Internal**

Executive Leadership Team
Manager Procurement and Supply
Shell Cove Tavern Manager
Governance

External

Nil

Political Donations Disclosure

Not Applicable.

Recommendation

That:

1. **Council endorse the Draft Reciprocal Business Arrangements Policy to be placed on public exhibition for a period of 28 days calling for submissions.**
2. **If any relevant submissions are received as a result of public exhibition, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption.**
3. **If there are no relevant submissions received as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Draft Reciprocal Business Arrangements Policy as attached to this report.**

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1. Draft Reciprocal Business Policy

Attachment 1 – Draft Reciprocal Business Policy**Policy****Reciprocal Business Arrangements**

Policy Name: Reciprocal Business Arrangements Policy	Policy Number: POL-0110-V01
Date Adopted: tbc	Review Date: tbc
Policy Owner: Director Council Sustainability	

1. Policy Statement/Objective(s)

Shellharbour City Council is committed to ensuring a fair, transparent, socially equitable and accountable process for reciprocal business arrangements (RBAs) between Council and community groups, sporting groups and non-profit groups.

Council has opportunities to enhance its image and build the profile of the City in a cost effective manner through these arrangements.

This policy outlines the requirement and criteria for Council to enter into RBAs.

This policy aims to:

- Provide a mutually beneficial outcome for community groups, sporting groups, commercial and non-profit groups and Council.
- Ensure that a fair and transparent process is used in the adoption of these business arrangements.
- Further develop the range of existing events/activities to maximise the economic and social benefits to the city.
- Ensure that these arrangements are monitored in a way that Council sees no economic loss.
- Facilitate commercial and business activity with the generation of customer loyalty and goodwill, by extension of industry standard, commercial business initiatives, under appropriate accountability conditions.
- Establish strategic partnerships with other organisations.
- Inject resources, whether cash or in-kind contributions, into Council services, programs and facilities.

2. Scope

This policy applies to requests received by Council's operations for mutually beneficial reciprocal business arrangements in excess of \$4,999 but less than \$150,000 annually, in accordance with Council's Procurement Policy. Reciprocal business arrangements \$4,999 and less must be approved by the relevant Director and be inconsistent with this Policy and related procedures and templates.

RBA's will only be considered when there is alignment with objectives outlined in the Council Strategic Plan and Delivery Program and benefits to the City are demonstrable.

COLLABORATION	ACCOUNTABILITY	INTEGRITY	RESPECT	SUSTAINABILITY
Policy Name: Reciprocal Business Arrangements – POL110-V01				
Date of Adoption: [TBA]				
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RBAs must demonstrate and be consistent with Council's Core Values of Collaboration, Accountability, Integrity, Respect and Sustainability.

Exclusions

Council will only enter into RBA's with a business or an individual whose reputation and image is consistent with the values, objectives and policies of Council. Exclusions include:

2.1 General Restrictions

Council will not enter into an RBA:

- with any individual, organisation or commercial enterprise which has a matter pending decision by Council without prior consultation with the Director Council Sustainability;
- with entities that Council may have to inspect or regulate in order to ensure adequate propriety with, be at the discretion of the Director Council Sustainability;
- with any person or entity currently under investigation or which has been found guilty of any criminal or improper conduct by a court or any other legal authority.

RBAs can be terminated immediately if Council's reputation is damaged.

2.2 Naming Rights

- Approval to seek a naming rights RBA's of any event, program or initiative must be approved by the responsible Director. Any agreement including naming rights for any event, program or initiative must be approved by the responsible Director.
- Approval to seek naming rights for any Council owned and/or managed buildings or facilities must be approved by Council.

2.3 Exclusive Supply Arrangements

- RBA's may include brand exclusivity, purchase agreements or product supply rights where the agreement is consistent with the Council's Procurement Policy and does not adversely affect the operation of another Council service.

The Reciprocal Business Arrangement Request form to be completed and approved for each RBA is located on Council's website. Community groups, sporting groups, non-profit groups and commercial organisation who wish to request an RBA are to fill in this form and submit to Council.

3. References

Shellharbour City Council's Procurement Policy
Shellharbour City Council's Code of Conduct Policy

4. External/Internal Consultations

Manager The Links
Executive Leadership Team
Governance

5. Definitions

Reciprocal Business Arrangements (RBA) – a reciprocal business arrangement is an arrangement an external party to perform a certain act if the other performs a specified act as

COLLABORATION	ACCOUNTABILITY	INTEGRITY	RESPECT	SUSTAINABILITY
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well for the mutual benefit of both parties. Benefits can be in the form of cash contributions, in-kind support or a combination of both.

6. Variation and Review

Council reserves the right to review, vary or revoke this policy.

Review History

Date policy first adopted – Version 1	TBC
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7. Policy

7.1 Eligibility for reciprocal business arrangements (RBAs):

- Applications for reciprocal business arrangements will be considered from community groups, sporting groups, non-profit and commercial groups. Activities from these groups must be consistent with Council's Objectives, Strategies and Core Values and will not negatively impact on Council's reputation.
- Requests for RBAs must be made via the RBA Request Template located on Council's website. The template must be completed in full and submitted via email to council@shellharbour.nsw.gov.au
- Where expenditure will exceed \$150,000, a tender process must be undertaken in accordance with Council's Procurement Policy.
- Reciprocity must be commensurate with the benefits provided by Council.
- All RBAs are considered on a one-off basis for a maximum of 13 months. Council officers are not to make any guarantee of future arrangements beyond the term described in the RBA.

7.2 Confidentiality

Council officers will ensure all submissions and supporting material remains confidential. By submitting an RBA Request, the individual or group agrees to keep all information confidential whether the application is successful or not.

7.3 Assessment of submissions for a RBA

Applicants will be assessed against predetermined criteria including:

- 'Value for money' to Council – including the total cost of RBA and alternative RBA opportunities.
- Council's approved budget.
- Social impact on the community.
- Conflicts with existing RBAs or other Council sponsors.
- Applications considered suitable for funding will be forwarded to the General Manager for final approval.
- Successful applicants will receive formal notification from the Director Council Sustainability and will be required to sign the RBA.

7.4 Advertising

RBA's that involved advertising or publishing of Council's branding must be approved by the Director Community and Customers or their delegate.

COLLABORATION	ACCOUNTABILITY	INTEGRITY	RESPECT	SUSTAINABILITY
Policy Name: Reciprocal Business Arrangements – POL110-V01 Date of Adoption: [TBA] Page 3 of 5				

7.5 Terminations

Council reserves the right to withdraw from an RBA where the reciprocal party has not complied with the spirit of this policy and/or the RBA.

7.6 Assessments and reporting

At the end of each agreement and prior to any further one-off agreements between Council and the community group, sporting group, non-profit or commercial group:

- An assessment must be performed as to the success of the RBA and in particular if Council's expected benefits were realised.
- The assessment should be performed by at least three independent Council officers, one of which will be the Chief Financial Officer or their delegate.
- RBA assessment report to be presented to Council within three months of the expired agreement.

7.7 Conflicts of Interest

Applicants must identify and declare any actual, potential or perceived conflict of interest (if applicable) in accordance with Council's Code of Conduct Policy available on Council's website.

Any actual, potential or perceived conflict of interest posed by the potential reciprocal business arrangement will be identified as part of the assessment.

No Councillor or employee of Council may seek or receive a personal benefit or be perceived to receive any personal benefit, as a result of the sponsorship application from Council.

7.8 Procedure

Proposals are to be forwarded through to the Director Council Sustainability and assessed in consultation with Council's Manager Procurement and Supply and Council's Public Officer in accordance with Council's Procurement Policy.

A Council Report attaching the proposed Draft Reciprocal Business Agreement must be prepared by the relevant Council officer to seek Council's approval to proceed.

The relevant Council manager is to conduct a quarterly audit of the business arrangements to ensure that Council are receiving the benefits highlighted in the RBA and rectify any non-compliance with the group.

RBAs are not to be considered as part of the Sponsorship Policy or Financial Assistance Policy. For sponsorship and financial assistance please refer to procedures related to these policies.

8. Related Forms

Reciprocal Business Arrangement Request Template.

Note: Related forms can be located Online under "Forms"

9. Attachments

Nil.

COLLABORATION	ACCOUNTABILITY	INTEGRITY	RESPECT	SUSTAINABILITY
Policy Name: Reciprocal Business Arrangements – POL110-V01 Date of Adoption: [TBA] Page 4 of 5				

Policy Authorised by:

Name: Council Resolution Number - tbc

Date: tbc

DRAFT**COLLABORATION****ACCOUNTABILITY****INTEGRITY****RESPECT****SUSTAINABILITY**

Policy Name: Reciprocal Business Arrangements – POL110-V01

Date of Adoption: [TBA]

Page 5 of 5

11.2.4 Illawarra Regional Airport - Lot 701 DP 1102696 - Connors Building Pty Ltd - Lease Agreement (11145730)

To the General Manager

Directorate: Council Sustainability

Department: Business & Investment

Manager: Gary Grantham – Acting Director Council Sustainability
Author: Donna Flanagan – Manager Property Services

Summary

The purpose of this report is to seek a resolution of Council to sign, under Council seal, an agreement to lease and lease agreement for the occupation of Lot 701 DP 1102696 being 4/18 Airport Road Albion Park Rail, Illawarra Regional Airport for a term of 40 years. This is in-line with other tenants lease agreements at the airport.

The proposed lease is the outcome of a Tender process that was undertaken by Council officers and a subsequent report to Council which endorsed a recommendation for staff to undertake negotiations with interested parties. Tenders were advertised on Tuesday 24 October 2017 and closed at 10am on 14 November 2017.

Connors Building Pty Ltd has shown interest in the site and following negotiations, it is proposed to enter into the agreement to lease and lease agreement with Connors Building Pty Ltd.

It is proposed an Annual rental of \$15,522.00 plus GST and increase annually by CPI and rent review every five (5) years.

The subject site is vacant and shown in **Attachment 1** and **Attachment 2**.

Background

Council officers undertook a tender process in search of interested entities that would be prepared to enter into an agreement to lease for land at the Airport. The proposal included the following:

- The successful applicant is required to submit a development application for the proposed construction of structures and ancillary infrastructure.
- Subject to the above, a long-term lease in a vicinity of 20 and 40 years of the subject lands is proposed. The legal document to be entered includes an agreement for lease, construction agreement and lease.
- The successful applicant will be responsible to pay all costs ancillary to the operations of their business and the development.

- The property needs to be maintained at a commercial quality throughout the entire lease. At the conclusion of the lease, the structures and infrastructure on and within the land will revert to Council ownership, at no cost to Council.

Tenders were advertised on Tuesday 24 October 2017 and closed at 10am on 14 November 2017.

No submissions were received for Tenders 2017/91 and 2017/102 so a subsequent report to Council on 12 December 2017 resolved the following:

At the Ordinary Meeting of Council on 12 December 2017 it was resolved:

That Council:

1. *Not accept any tenders received for the subject advertised leased land tenders that include “2017/90 Part Lot 10 DP1157377”, “2017/91 Lot 701 DP1102696” and “2017/102 Lot 2 DP557396”.*
2. *Direct the General Manager or his nominated delegate to commence direct negotiations with potential entities for the development and long-term lease of the subject sites as noted within this report and that the outcome of the negotiations be reported to the Council at a future Ordinary Council Meeting.*

Following the above resolution, negotiations were undertaken and this report presents the recommended outcome from the negotiations.

Valuation

It is recommended that a lease agreement be entered into with Connors Building Pty Ltd for a term of 40 years. This is in-line with other lease agreements at the airport.

A business plan was presented to Council officers by Connors Building Pty Ltd which included:

“My business plan is to take this current development opportunity to provide apart from a private hangar for my own use, a maintenance workshop, preferably an airframe and engineer LAME capable of servicing 6A requirements plus 2 aviation commercial businesses, e.g AVIS, a cafeteria or whatever makes the most economic sense and fits with Councils’ decision for growth at the airport. I will be looking to sublet or rent out on a weekly basis the 3 commercial units”....”Overall I expect to generate at least 6 jobs within a 5 year time frame”

As stated by the proponent, permission to sublet a portion of the Lot is requested. Staff support the request on the grounds of this enabling a medium sized development to proceed on a commercial basis, which will in turn generate employment at the airport as well as generating further economic activity in the region. The proponent has indicated that they expect to generate at least 6 jobs

within a 5 year timeframe and within the first year after occupancy would expect to generate 3 jobs.

It was recommended that the annual rental for the first consecutive lease be \$16,815.00 plus GST per annum. This valuation (reviewed by an independent valuer) takes into account the fact that there are encumbrances over the land including various easements. This affects approximately 30% of the land which is undevelopable and only suitable for car parking or similar use.

The applicant is proposing a lower sum of \$15,522.00 plus GST due to the site being acknowledged to have contaminated material which the lessee will be responsible for managing and making safe, including remediation. This point is noted as part of the lease agreement which will contain the following clause:

“The lessee acknowledges that the Land and the Premises must be managed in accordance with the Asbestos Management Plan dated 2 July 2009 annexed and marked “D” to this Agreement”.

The valuation recommended taking into account the cost that may be incurred by the lessee in making safe the contaminated land and also removing any contaminated material within the construction of the building.

The applicant will be required to gain a development consent for the construction of the proposed building.

Financial / Resources Implications

The lessee will be responsible for all legal fees associated with the preparation of the lease agreements in accordance with Council's Fees and Charges.

It is proposed an Annual rental of \$15,522.00 plus GST and the annual current rental will include a rent review on each anniversary of the commencement date Consumer Price Index (CPI) is to apply, and on the anniversary of each fifth year a current market review is undertaken.

Legal and Policy implications

The land is classified as Operational under the *Local Government Act 1993* and there are no requirements for advertisement of the proposal or restrictions on the lease term. A Council resolution is required in order to affix the Seal of Council and to enter into the agreement to lease and lease agreement.

The applicant will be required to gain development consent for the construction of the proposed building.

Public / Social Impact

Entering into a 40 year lease agreement will continue to substantially add to the overall operations of the airport.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.6 Deliver sustainable whole of life asset management for the community

Objective: 4.2 Supported by a Council that is responsive, accountable and financially viable

Strategy: 4.2.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards

Consultations**Internal**

Manager Airport
Business Performance and Development Manager

External

Connors Building Pty Ltd
Walsh & Monaghan (Valuer)

Political Donations Disclosure

Not Applicable

Recommendation

That:

1. **Council enter into a lease agreement with Connors Building Pty Ltd for the occupation of Lot 701 DP 1102696 4/18 Airport Road, Albion Park Rail, Illawarra Regional Airport for a term of 40 years for aircraft storage, maintenance, aviation commercial business and sub leasing.**
2. **The annual rental is commenced at \$15,522.00 plus GST and increased annually by CPI and rent review every five (5) years.**
3. **Connors Building Pty Ltd be responsible for the legal and other associated costs including Development Application in entering into the lease agreement.**

- 4. The Mayor and General Manager, or his nominated delegate, be authorised to sign any documentation, including affixing of the Seal of Council, associated with the lease agreement with Connors Building Pty Ltd for the occupation of part Lot 701 DP 1102696 4/18 Airport Road Albion Park Rail, Illawarra Regional Airport.**

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1. Lot 701 DP 1102696, 4/18 Airport Road Albion Park Rail, Illawarra Regional Airport
2. Location within vicinity of Illawarra Regional Airport

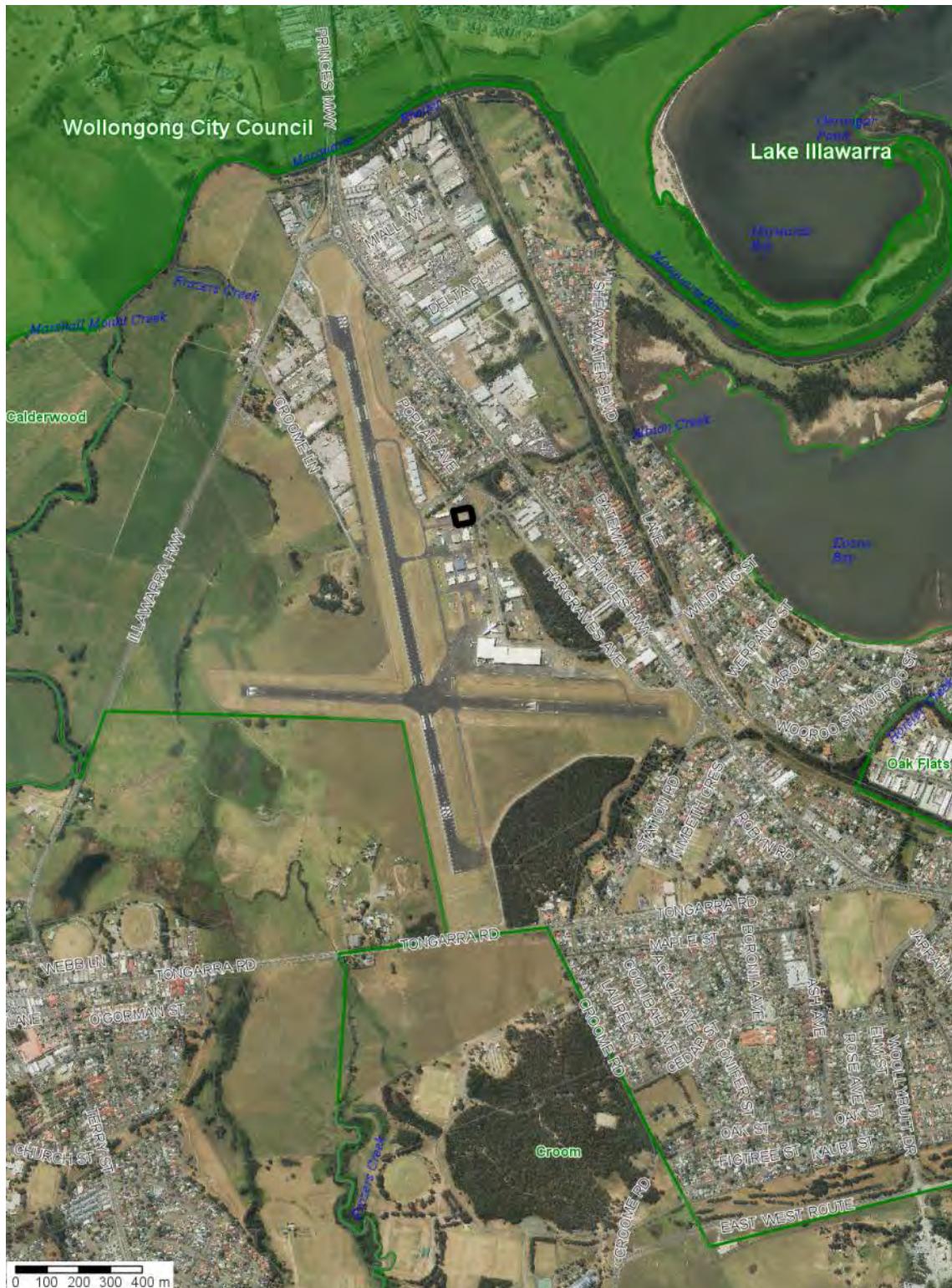
Attachment 1 – Lot 701 DP 1102696, 4/18 Airport Road Albion Park Rail, Illawarra Regional Airport

**Lot 701 DP 1102696 –
4/18 Airport Road,
Albion Park Rail**
Printed:
29/11/2018

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Attachment 2 - Location within vicinity of Illawarra Regional Airport

11.3 Community and Customers Directorate**11.3.1 Oak Flats Dog Agility Park Segregation (11140364)**

To the General Manager

Directorate: **Community and Customers**
Group: **City Planning**

Manager: Geoff Hoynes – Group Manager City Planning
Author: Bernadette Sharpe – Recreation Planner

Summary

The purpose of this report is to address a resolution of Council from the meeting of 21 November 2017 as follows:

That Council receive and note the report regarding Dog Agility Parks and off leash Areas.

Further that:

1. *Council officers prepare a Dog Friendly Areas Strategy and implementation plan for consideration by Council and that this include consultation with the community.*
2. *Council officers further investigate the feasibility of segregating large and small dogs at Oak Flats and Flinders Dog Agility Parks and that this include consultation with the community.*

The report provides an update on item one of the above resolution and in relation to item two, provides a recommendation for Council to trial a segregation of the Oak Flats Dog Agility Park.

Background

Following the resolution received at the Council meeting of 21 November 2017, an online survey was conducted between 11 April and 4 May 2018 on Council's website and social media platforms, to gauge the community's thoughts on dog friendly areas including dog agility parks. The survey received 318 visits and a total of 246 responses. Results from the community consultation will inform the preparation of a Dog Friendly Areas Strategy for Shellharbour and has assisted in investigating whether to segregate large and small dogs at Shellharbour's Dog Agility Parks.

Dog Friendly Areas Strategy Update

A Dog Friendly Areas Strategy aims to provide a holistic approach to the establishment, management and control of dogs in the public open space network.

Ensuring consideration from a planning, community, regulatory and environmental perspective.

The results from the survey conducted between 11 April and 4 May 2018, provided a good level of information that will help to inform the preparation of a Dog Friendly Areas Strategy. It is anticipated that the draft strategy will involve further community consultation and will be reported back to Council at the May 2019 meeting.

The Dog Friendly Areas Strategy will be based on similar strategies prepared by other local councils which address items such as:

- different dog friendly areas Council has (dog on-leash, off-leash and dog agility parks)
- benefits of dog friendly areas (social, regulatory, environmental and economic)
- community concerns
- quantity and provision of dog friendly areas including the method of identifying the most appropriate sites
- considering what embellishments a dog friendly area may need
- effective use of signage
- how to maintain dog friendly areas through signage, dog waste management and fencing
- regulation and rules around dog friendly areas
- communication - dog area promotion and education
- a dog off leash network action plan (identifying what we have and what priority of works need to be done)
- recommendations for existing and future dog friendly areas including consideration of other facilities such as public toilets
- funding sources

Segregating Shellharbour's Dog Agility Parks

A dog agility park is the term often referred to a dog off leash area that is fully fenced and includes a variety of landscape features and different activity spaces for dog owners and their dogs. A dog agility park may also include separate fenced spaces such as a separate enclosed area for small dogs and/or a separate 'time out' area for dogs that need to be given time away from other dogs.

Shellharbour City currently has two dog agility parks at Kingstone Street Oak Flats and Whittaker Street, Flinders. Investigations found that Oak Flats Dog Agility Park is a more suitable location out of the two dog agility parks to be segregated. Segregating the Oak Flats Dog Agility Park is more appropriate because it is a larger area of the two agility parks, it is located in a recreation precinct away from residences, can cater for a higher number of dogs and has off street parking for park users. **Attachment 1** provides an indicative plan of how the park segregation will be achieved.

In addition to the park site assessments, the results and comments from the online survey conducted between 11 April and 4 May 2018 identified 77.5% of participants supported segregation of dog agility parks. The survey also revealed 43 comments adding further support to segregating dog agility parks, including:

- To assist in socialising dogs and introducing dogs into the park for the first time
- To segregate excitable, energetic dogs from more timid dogs; and
- To provide an additional area to put your dog away from others

The survey also revealed the community's strong stance that ultimately it is the owner of a dog that has to take responsibility for their dogs behaviour in any public space including dog agility parks.

A number of comments from the community supported the segregation of large dogs from small dogs at dog agility parks. Discussions with Paws 4 Play (an association who provides advice to local councils on providing public space for dogs and their owners), advises that a great dog park will include **separate areas** for large and small dogs. In addition, information from American Society for the Prevention of Cruelty to Animals (ASPCA), highlights that segregation of dogs at parks can limit the number of possible dog attacks occurring.

Investigations have found that a number of Council areas provide dog agility parks that have segregated areas for small and large dogs. There are varying opinions of the benefits of providing a segregated dog agility park, however what is appreciated is a Council providing a variety of dog agility parks for dogs and their dog owners to experience.

Therefore, it is recommended that the Oak Flats Dog Agility Park be segregated based on dog size for a trial period of 12 months. After the trial period, a further report will be presented to Council providing an assessment of the segregation trial.

If resolved to segregate, the Oak Flats Dog Agility Park, signage will be installed once the segregation occurs which will distinguish between small dogs as weighing 15kgs or less and large dogs 15kgs or more. The community will be informed of the segregation when it occurs through Council's website and social media posts.

Financial / Resources Implications

There is \$10,000 allocated in the 2018/19 Delivery Program and Operational Plan for "dog agility park upgrades" which will be used for the segregation of the Oak Flats Dog Agility Park. The \$10,000 allocation will be utilised entirely to cover construction of an internal fence, additional gates, project management fees and minor embellishments to the small dog area.

It is anticipated that the preparation of the Dog Friendly Areas Strategy will be resourced by Council staff.

Legal and Policy implications

As with any public area where dogs are able to go, it is important to have effective regulation and management of these areas for the safety of the community and the environment. The preparation of a Dog Friendly Areas Strategy, will involve consideration of Councils enforcement policy (POL-0026_V02) and the *Companion Animals Act, 1998*.

Public / Social Impact

The results of the online survey demonstrates that off leash dog areas such as dog agility parks is a topic of broad community interest whether a dog owner or not and therefore requires careful planning and consideration.

Further, dog agility parks can provide a number of social benefits to the community, encouraging socialisation between dog owners, as well as an exercise facility for both owners and their dogs.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.2 Active and healthy

Strategy: 1.2.1 Provide access to services and facilities where people can live, learn and play

Objective: 1.2 Active and healthy

Strategy: 1.2.2 Provide diverse opportunities for sport, recreation and enjoyment in the City's parks, open spaces and facilities

Consultations

Internal

Asset Planning Manager
City Regulation Supervisor

External

Online survey conducted between 11 April and 4 May 2018

Political Donations Disclosure

Not Applicable

Recommendation

That Council:

- 1. Receive and note the update on the preparation of a Dog Friendly Areas Strategy.**
- 2. Segregate Oak Flats Dog Agility Park into two separate areas to accommodate large dogs and small dogs for a trial period of 12 months.**
- 3. Endorse that Council staff prepare a report that provides an assessment of the 12-month trial of the Oak Flats Dog Agility Park segregation and that it be presented to Council.**

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1. Oak Flats Dog Agility Park Segregation indicative plan

Attachment 1 - Oak Flats Dog Agility Park Segregation indicative plan



**11.3.2 Shellharbour Local Environmental Plan 2013 Planning Proposal
No. 0005/2018 - Various Sites - Mapping Anomalies (11140430)**

To the General Manager

Directorate: Community and Customers
Group: City Planning

Manager: Geoff Hoynes – Group Manager City Planning
Author: Jessica Lintern – Strategic Planner

Summary

The purpose of this report is to seek Council's resolution to prepare a Planning Proposal to amend *Shellharbour Local Environmental Plan 2013* (LEP) and *Shellharbour Rural Local Environmental Plan 2004* (Rural LEP) by rezoning land to address miscellaneous mapping anomalies. The mapping anomalies are minor in nature and do not seek to alter the underlying planning intent of the controls on the affected lands.

The identified mapping anomalies have occurred through various means. Generally, when recent surveys have been undertaken of properties to inform development, updated mapping data has been provided to Council with regards to the location of the property boundaries (the cadastre). This has resulted in the cadastral information being updated, although the LEP mapping boundaries have not been updated at the same time.

This has caused a minor misalignment between the LEP mapping boundaries and the updated cadastre. This Planning Proposal will seek to address this misalignment by updating the LEP mapping boundaries with the updated cadastre.

There are several properties that are affected by the minor misalignment of LEP mapping boundaries and the cadastre. The location and the current zoning of the affected properties are shown at **Attachment 1** and a list of the affected properties and a table of current and planning controls can be found at **Attachment 2**.

The report also recommends that the Planning Proposal be submitted to the NSW Department of Planning and Environment (DP&E) seeking a gateway determination. A copy of this report will form part of Council's submission to DP&E.

The Planning Proposal has been initiated by Council staff and not the landowners

Background

About Planning Proposals

A planning proposal is a document that explains the intended effect of a proposed amendment(s) to a Local Environmental Plan (LEP), in this case the Shellharbour LEP 2013, and sets out the justification for making the amendment.

This Planning Proposal will involve the following five key steps:

1. *Planning proposal* – Council is responsible for the preparation of a planning proposal, which explains the effect of and justification for the plan.
2. *Gateway* – The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultations occur with relevant public authorities, and if necessary, the proposal is varied.
3. *Consultation* – if required by the gateway determination, the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days). A person making a submission may also request a public hearing.
4. *Assessment* – Council will consider any submissions objecting and the proposal may be varied as necessary prior to adoption. Parliamentary Counsel then prepares a draft local environmental plan – the legal instrument.
5. *Decision* – with the Minister’s (or delegate’s) approval the plan becomes law and is published on the NSW legislation website.

Council is at step 1.

The LEP 2013 mapping anomalies Planning Proposal

It has come to Council staff’s attention that there are several minor mapping anomalies where the cadastre and LEP mapping boundaries are misaligned. This report proposes that these mapping anomalies be rectified as part of a single Planning Proposal. This will ensure that the original planning intent of the affected properties is reflected in the LEP.

There are a number of properties that are affected by the mapping anomalies, which are outlined in **Attachment 2**. The mapping anomalies have arisen through various means, such as the cadastre being updated through recent surveys that does not reflect the cadastral information used to undertake mapping for the LEP planning controls.

The following is a brief summary of the anomalies, grouped by location, that are intended to form part of the Planning Proposal:

- Crest Road, Albion Park properties – There are two affected properties along Crest Road where the adjoining boundary encroaches into the affected property. The planning proposal will seek to address this by aligning the LEP mapping boundaries with the cadastre. This will result in a shift of the applicable planning controls for each of the affected properties, as outlined in **Attachment 2**.

This is shown in Maps 1 and 2 of **Attachment 1**.

- Yellow Rock Road / Tullimbar Lane, Tullimbar Properties – The anomalies for the affected properties here have resulted from a recent survey of the creek bed that forms the boundary of these properties. The creek bed has shifted over time, which in turn has caused the cadastre to shift. The planning proposal will bring the LEP mapping boundaries in line with the updated cadastre.

One of the affected properties included in this locality (Lot 1 DP 1050550, 24 Yellow Rock Road, Tullimbar) is deferred from LEP 2013. The deferred matter boundary is now currently sitting across two properties, one of which is not intended to be deferred from LEP 2013 (Lot 202 DP 1230191, Yellow Rock Road, Tullimbar). This Planning Proposal will bring the parts of Lot 202 DP 1230191 currently deferred back into LEP 2013, and take the small portion of Lot 1 DP 1050550 currently in LEP 2013, back into the Rural LEP 2004.

There will also be a realignment of the applicable planning controls for the affected properties, as outlined in **Attachment 2**. The realignment of the planning controls will reflect the original planning intent for each of the properties.

This is shown in Maps 3, 4 and 5 of **Attachment 1**.

- Whistlers Run, Albion Park Properties – The lands affected by this anomaly were part of a recent subdivision that has provided an updated cadastre. The amendment to the mapping for these properties will shift the relevant planning controls (as outlined in **Attachment 2**) in line with the updated cadastre. The planning proposal will seek to rectify this misalignment and bring the relevant planning controls back in line with the original planning intent for each of the included properties.

This is shown in Maps 6 and 7 of **Attachment 1**.

- Ulan Place Road Reserve & Chaffey Way Road Reserve – The two road reserve areas included as part of this report have mapping anomalies within current roadways. The Planning Proposal will seek to map these areas in accordance with the surrounding planning controls as outlined in **Attachment 2**.

This is shown at Maps 8 and 9 respectively of **Attachment 1**.

The Whistlers Run, Albion Park and the Yellow Rock Road / Tullimbar Lane, Tullimbar are currently subject to three separate development applications. The Yellow Rock Road / Tullimbar Lane development application (DA0488/2018) is for the subdivision of the property into a 116 residential lots. There are two development applications that are located within the Whistlers Run properties. DA0113/2018 is for the consolidation of two lots and the development and subdivision of five townhouses. DA0404/2018 is for a two lot subdivision and the construction of two townhouses.

In order to progress the relevant development applications, the split zoning of the various subject sites needs to be addressed in order to satisfy minimum subdivision lot sizes. The Planning Proposal will address the mapping anomalies that are currently restricting the subdivision opportunities of these properties.

Financial / Resources Implications

If Council resolves to prepare a Planning Proposal, there is no Financial or Resource Implications except for staff time to prepare and process the proposal.

There are no fees applicable to this Planning Proposal as it has been initiated by Council.

Legal and Policy Implications

Should Council support the preparation of a Planning Proposal, the Planning Proposal will need to be sent to DP&E for gateway assessment.

The changes to the mapping will include modifications to the Land Zoning Map, Floor Space Ratio Map, Land Application Map, Lot Size Map, Additional Permitted Uses Map and Terrestrial Biodiversity Map to bring the mapping boundaries in line with the updated cadastre of the affected properties. The proposed changes to each property are outlined in **Attachment 2**.

The Planning Proposal will need to be prepared and assessed in accordance with the requirements of the *Environmental Planning & Assessment Act* and *Regulations*, the *Guide to Preparing Planning Proposals* and the *Guide to Preparing Local Environmental Plans* prepared by the NSW Department of Planning & Environment.

The relevant *Environmental Planning & Assessment Act* issues are outlined in the following sections of this report:

[Draft State Environmental Planning Policies, State Environmental Planning Policies \(SEPPs\), and Deemed State Environmental Planning Policies.](#)

Council officers have made an assessment of the planning proposals against the SEPPs. Based on this assessment, the planning proposal is consistent with or not applicable to the SEPPs.

[Local Planning Directions \(S9.1 of the Environmental Planning and Assessment Act\)](#)

Based on Council's assessment of the Planning Proposal there is an inconsistency with the following Directions. These inconsistencies are considered to be minor in nature and meets the criteria that permits inconsistency with the Directions. An assessment of the significance and approval for the inconsistencies will need to be undertaken by DP&E.

2.1 Environmental Protection Zones

The Planning Proposal seeks to rezone some areas of E3 Environmental Management and E4 Environmental Living land to R2 Low Density Residential and RU1 Primary Production. The Local Planning Direction states that a planning proposal must not reduce the environmental protection standards that apply to the land. Given the minor nature of the planning proposal and the small portions of land involved in the rezoning, the inconsistency is considered to be of minor significance. The two road reserves included in the Planning Proposal are currently zoned E4, however they are located in an existing road and it is not considered that rezoning this land will result in any adverse outcomes. The other sites included as part of the Planning Proposal are minor realignments of the mapping boundaries and are considered to be of minor significance.

4.3 Flood Prone Land

The Planning Proposal is not consistent with this Direction as one of the properties included in the Whistlers Run area is identified as flood prone land and this Planning Proposal will seek to rezone a small portion of the property from E4 Environmental Living to R2 Low Density Residential Development. The majority of the property is zoned R2, including the majority of the mapped flood prone area of the site, the inconsistency is considered to be of minor significance. Additionally, the site is currently developed for residential purposes, as such, it is not considered that the rezoning will cause any adverse impacts.

4.4 Planning for Bushfire Protection

The Planning Proposal is not consistent with this Direction as some of the included sites are mapped as bushfire prone land. In accordance with the Direction, the Planning Proposal will be referred to the Commissioner of the NSW Rural Fire Service following receipt of the gateway determination prior to any required exhibition period.

Plan making delegations

Given the matters in this Planning Proposal are considered to be of local significance, it is intended that as part of its gateway submission, Council staff apply to DP&E to use their plan making delegations, including to make or not make the plan under Section 3.36 of the *Environmental Planning and Assessment Act*, after any required consultation on the draft plan.

Public / Social Impact

The Planning Proposal will enable the affected sites to be appropriately zoned in accordance with the intended planning and objectives. The current split zoning of the sites is impacting any potential development of the affected lands. Resolving the mapping anomalies will be of significant benefit to the owners of the affected properties seeking to develop now or in the future.

Link to Community Strategic Plan

The planning proposal to address miscellaneous mapping anomalies supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.3 A City that is connected through places and spaces.

Strategy: 2.3.2 Undertake land use planning in a socially, economically and environmentally responsive manner.

2.3.4 Facilitate the development of the built environment to meet community needs.

Consultations**Internal**

Team Leader Environment
Manager Technical Services

Should Council resolve to prepare the Planning Proposal, a formal internal referral process will occur as part of the process to prepare the Planning Proposal.

External

The affected land owners will be notified should Council resolve to prepare the Planning Proposal.

If Council resolves to endorse the preparation of the Planning Proposal it will be referred to the NSW Department of Planning and Environment for review and gateway determination.

Given the minor nature of the Planning Proposal it is intended to seek exemption from formal public exhibition with newspaper notices and letters to land owners/adjoining land owners. The *Environmental Planning and Assessment Act* s3.22 allows for an amendment to an environmental planning instrument without compliance with the provisions of the Act if the proposal is to correct an obvious error consisting of a misdescription. This will be subject to assessment from DP&E.

Political Donations Disclosure

Not Applicable

Recommendation**That Council:**

1. Prepare a Planning Proposal (No. 0005/2018) to amend Shellharbour Local Environmental Plan 2013 and Shellharbour Rural Local Environmental Plan 2004 to address miscellaneous mapping anomalies as outlined at Attachment 2.
2. Authorise the General Manager to submit Shellharbour Local Environmental Planning Proposal No. 0005/2018 to the NSW Department of Planning & Environment in accordance with Section 3.34 of the *Environmental Planning & Assessment Act 1979* for review and gateway determination.
3. Delegate to the General Manager authority to make minor mapping and Local Environmental Plan instrument changes to Shellharbour Local Environmental Plan 2013 Planning Proposal No. 0005/2018 if and as required by the NSW Department of Planning & Environment's LEP Review Panel and gateway determination.
4. Request to not undertake full consultation, with public exhibition of the Planning Proposal due to the minor nature of the mapping anomalies, in accordance with section 3.22 of the *Environmental Planning and Assessment Act 1979*.
5. Approve that the Shellharbour Local Environmental Plan 2013 Planning Proposal No. 0005/2018 be publicly exhibited if required by the gateway determination.
6. Endorse a further report be provided to Council at the end of any consultation required by the gateway determination detailing the outcomes and with further recommendations regarding adoption.

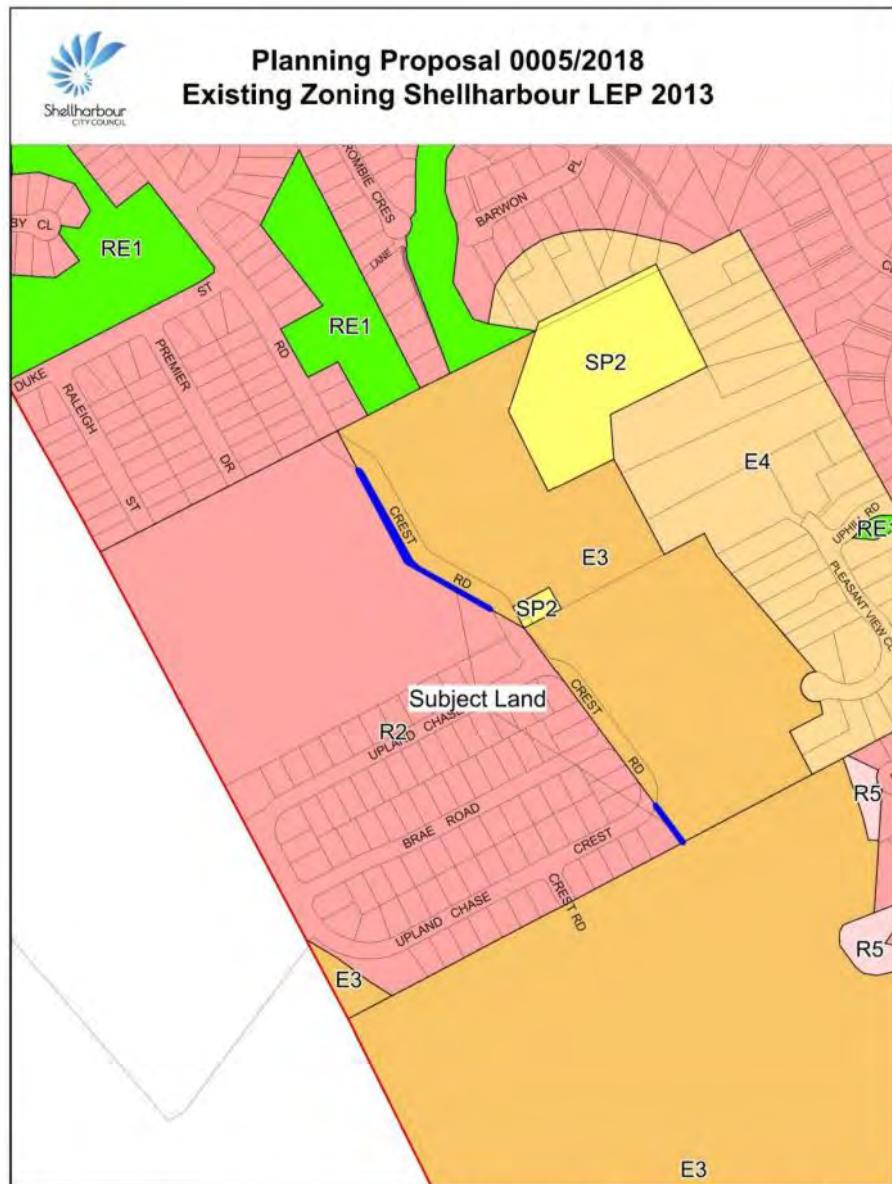
Approved for Council's consideration: _____

Date of Meeting: 11 December 2018**Attachments**

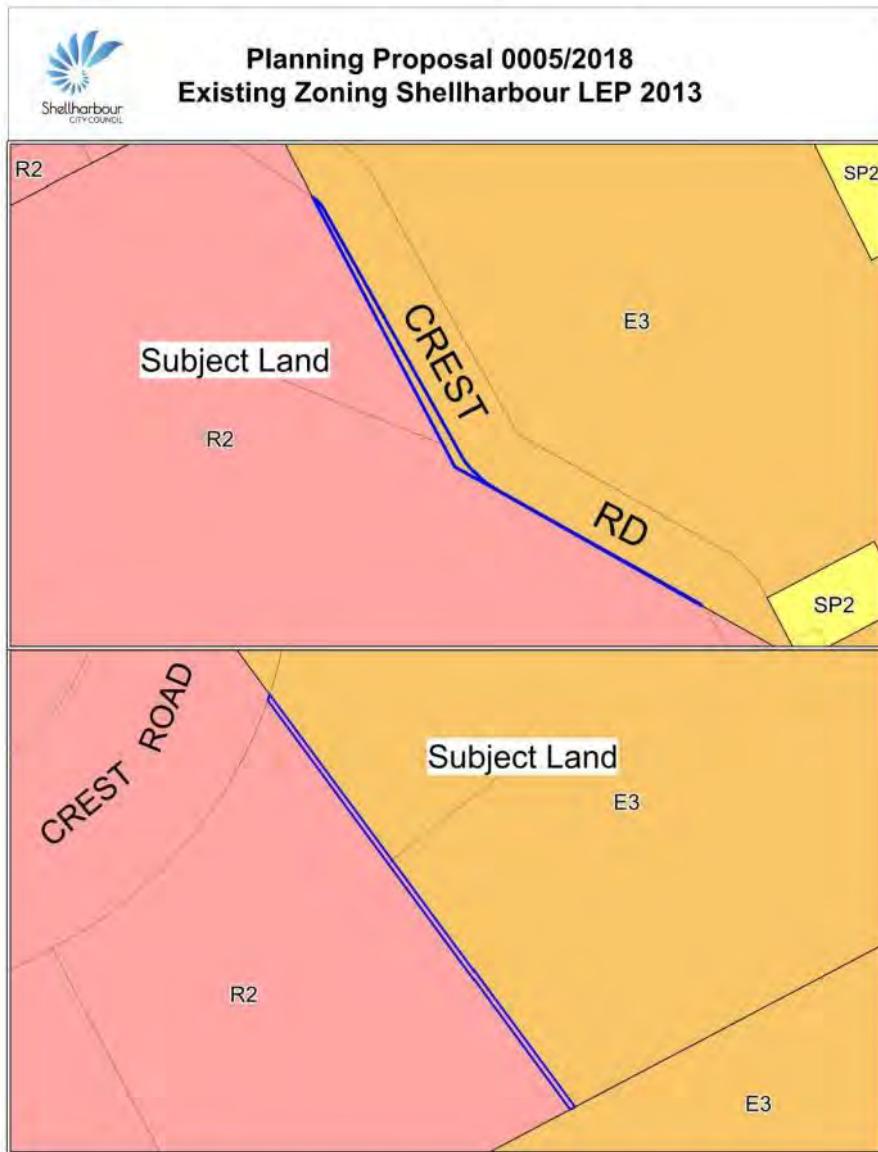
1. Locality Plans
2. Table of Affected Lands and Controls

Attachment 1 - PP0005/2018 – Locality Plans**PP0005/2018 – Attachment 1 – Locality Plans**

Map 1



Map 2

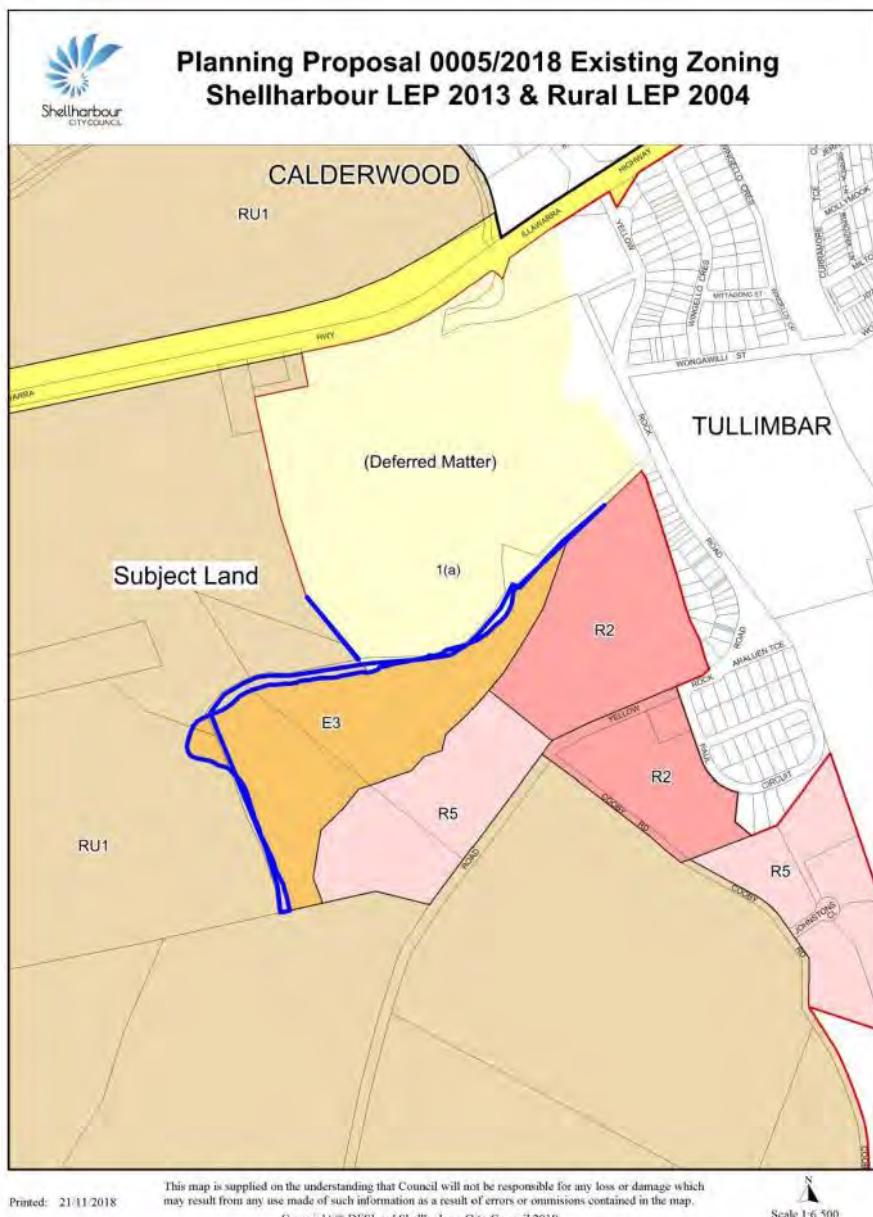


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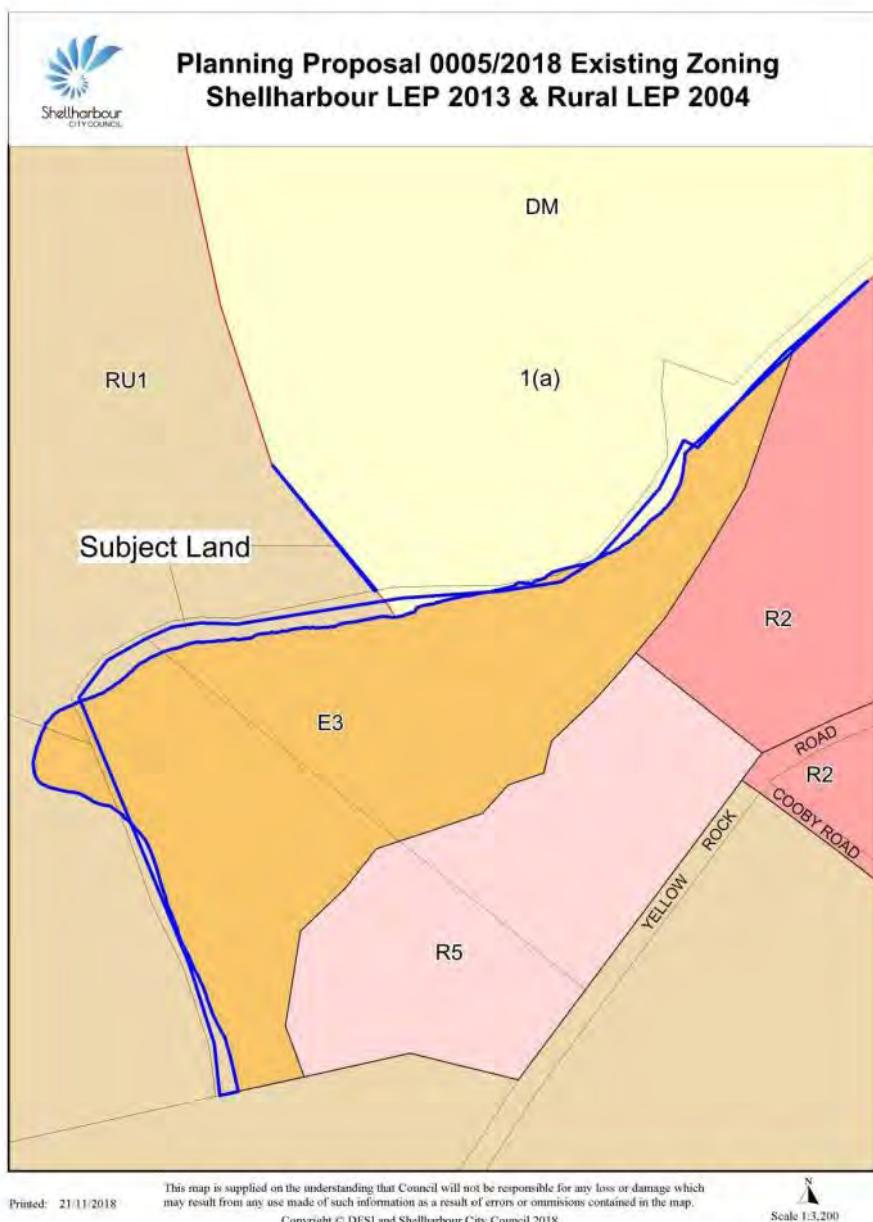
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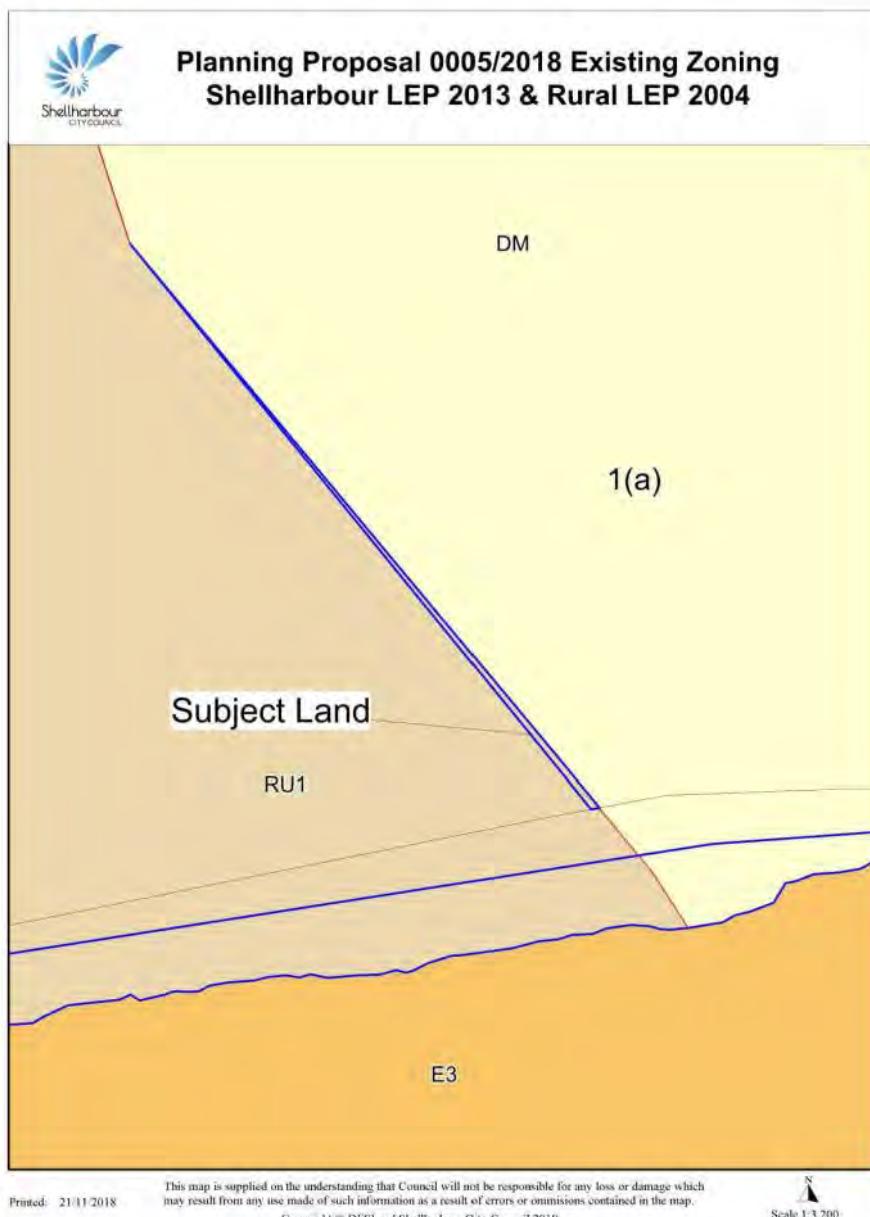
Map 3



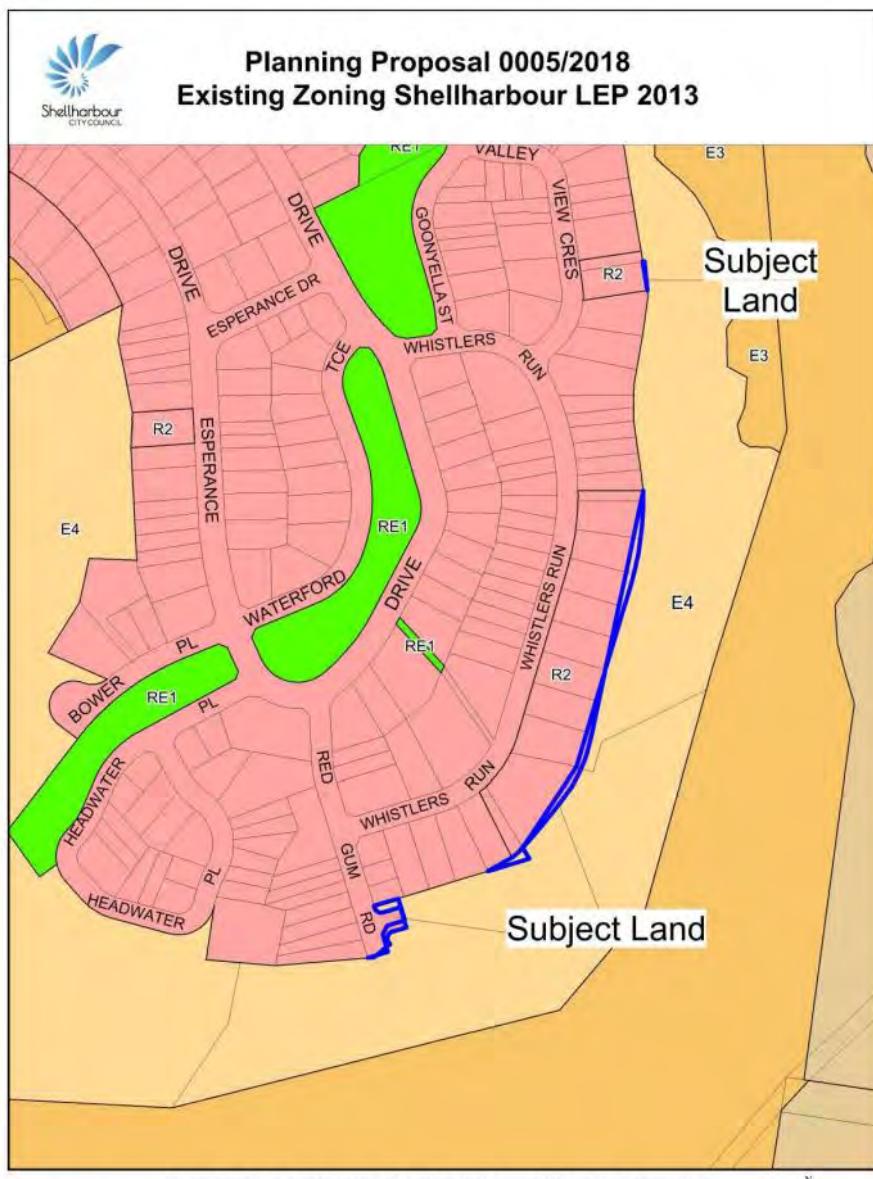
Map 4



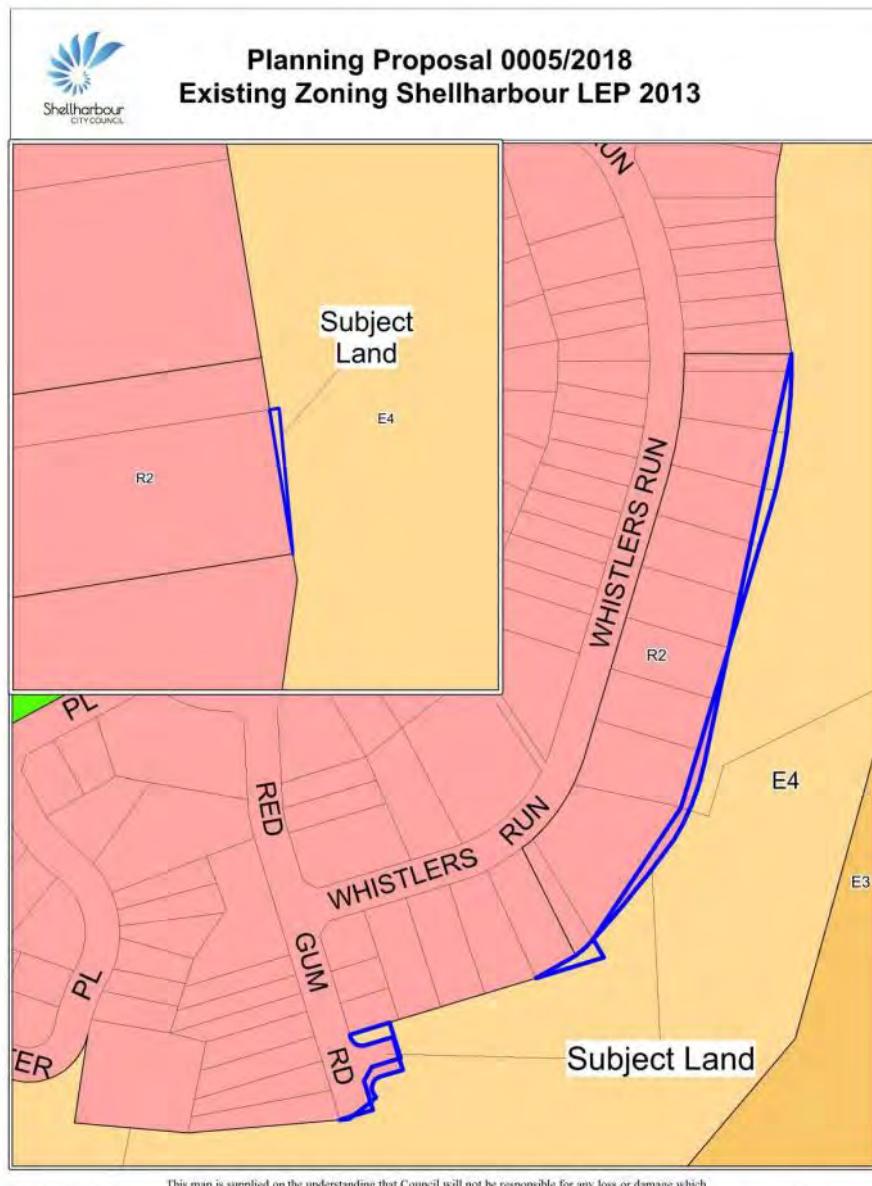
Map 5



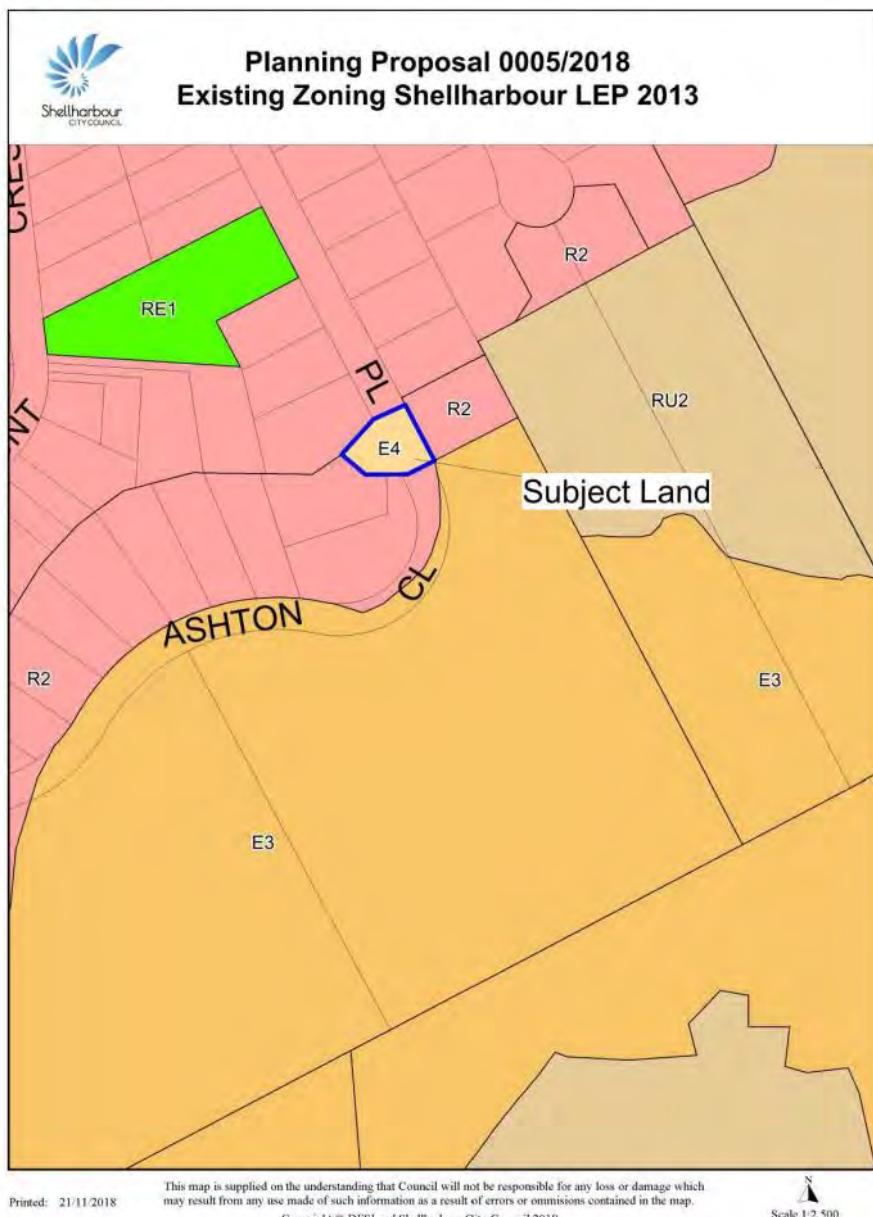
Map 6



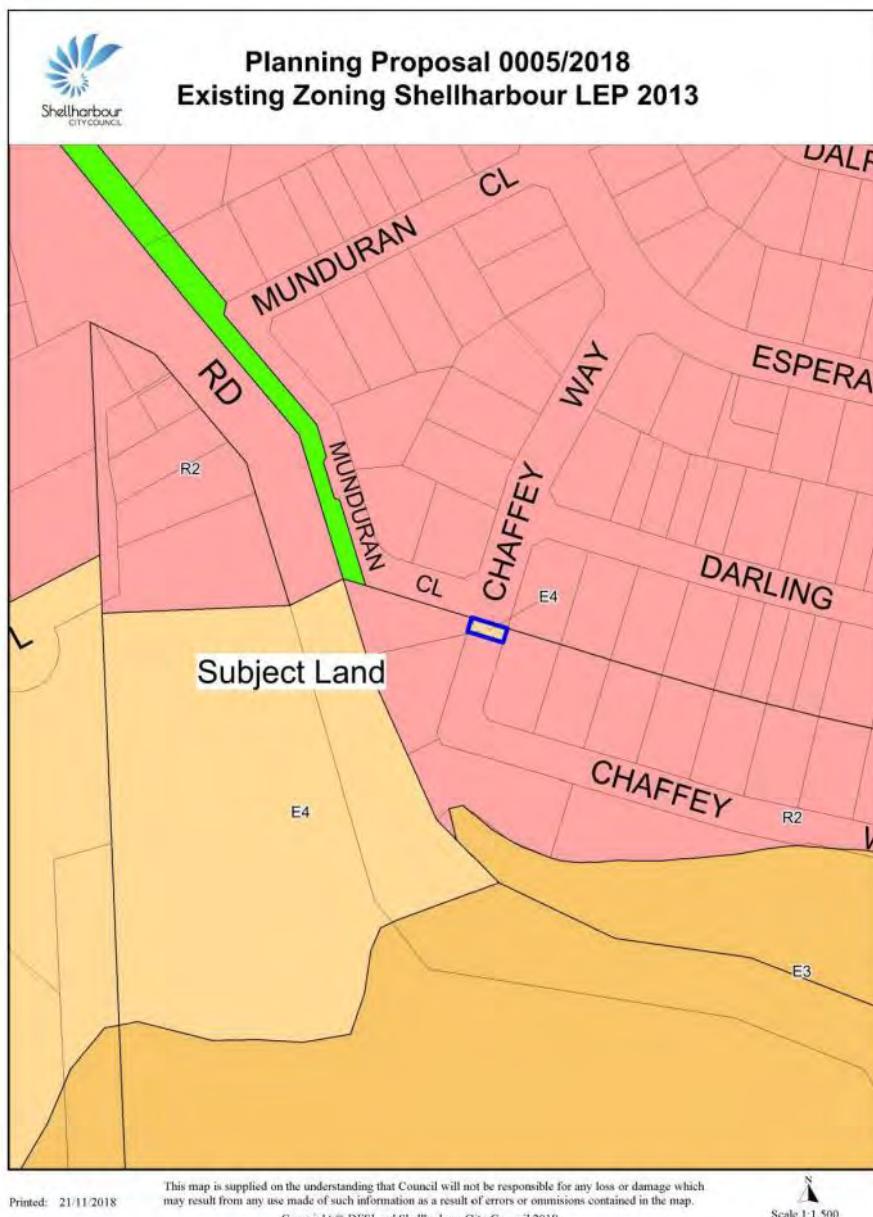
Map 7



Map 8



Map 9



Attachment 2 - PP0005/2018 – Table of Affected Lands and Controls

Property	Mapping anomaly	Maps and controls affected by the PP		
		Applicable Maps	Current Controls	Proposed Controls
Lot 201 DP 1230391 120 Yellow Rock Road, Tullimbar	Recent survey of the creek has adjusted the property boundaries. The proposal will adjust the LEP 2013 mapping boundaries to realign with the cadastre and the intended planning controls.	Land Zoning Map FSR Map	E3 Environmental Management R5 Large Lot Residential RU1 Primary Production 0.5 : 1 Nil	E3 Environmental Management R5 Large Lot Residential 0.5 : 1
Yellow Rock Road / Tullimbar Lane affected lands	Lot 202 DP 1230391 Yellow Rock Road, Tullimbar	Additional Permitted Uses Land Zoning Map FSR Map	Part Schedule 1 Part not applicable E3 Environmental Management R5 Large Lot Residential R2 Low Density Residential RU1 Primary Production 0.5 : 1 Nil	Schedule 1 E3 Environmental Management R5 Large Lot Residential R2 Low Density Residential 0.5 : 1
	Lot 1 DP 1050550 24 Yellow Rock Road, Tullimbar	Terrestrial Biodiversity Map (Area of High Conservation Value Rural LEP 2004) Land Application Map	Environmentally Sensitive Land Area of High Conservation Value (Rural LEP 2004) Part LEP 2013 Part Deferred Matter (Rural LEP 2004)	Environmentally Sensitive Land Environmentally Sensitive Land Area of High Conservation Value (Rural LEP 2004) LEP 2013 Part LEP Clause 6.14 Part not applicable
		Additional Permitted Uses Land Zoning Map FSR Map	Deferred Matter (Zone 1(a) Rural LEP 2004) E3 Environmental Management RU1 Primary Production 0.5 : 1 Deferred Matter	Deferred Matter (Zone 1(a) Rural LEP 2004) Deferred Matter Deferred Matter
		Lot Size Map Building Height Map Terrestrial Biodiversity Map	Deferred Matter 40 ha Deferred Matter 9m Deferred Matter (Area of High Conservation Value Rural LEP 2004) Environmentally Sensitive Land	Deferred Matter Deferred Matter Deferred Matter Deferred Matter (Area of High Conservation Value Rural LEP 2004) Environmentally Sensitive Land

		Land Zoning Map FSR Map	RU1 Primary Production E3 Environmental Management 0.5 : 1	RU1 Primary Production Nil
Lot 1 DP 724362 58 Tullimbar Lane, Tullimbar		Terrestrial Biodiversity Map Additional Permitted Uses Map	Environmentally Sensitive Land may require adjustment due to the realignment of the LEP mapping boundary for the E3 zone Part not applicable. Part LEP Clause 6.14	Not applicable
Lot 81 DP 634605 7 Tullimbar Lane, Tullimbar		Land Zoning Map FSR Map	RU1 Primary Production E3 Environmental Management 0.5 : 1	RU1 Primary Production Nil
		Terrestrial Biodiversity Additional Permitted Uses	Environmentally Sensitive Land may require adjustment due to the realignment of the LEP mapping boundary for the E3 zone Part not applicable. Part LEP Clause 6.14	Not applicable
		Land Zoning Map Lot Size Map	R2 Low Density Residential E3 Environmental Management 600 sqm 3 ha	R2 Low Density Residential 600 sqm
Lot 101 DP 1238120 Crest Road, Albion Park	Crest Road affected lands	FSR Map	0.5 : 1 Nil	0.5 : 1
		Land Zoning Map Lot Size Map	E3 Environmental Management R2 Low Density Residential 3 ha 600 sqm	E3 Environmental Management
Lot 87 DP 1229526 115 Crest Road, Albion Park		FSR Map	Nil 0.5 : 1	3 ha Nil

		Land Zoning Map	E4 Environmental Living R2 Low Density Residential	E4 Environmental Living
Lot 112 DP 1170763 Red Gum Road, Albion Park		FSR Map Nil 0.5 : 1 Lot Size Map 40 ha 600 sqm	Part LEP 2013 Schedule 1 Part Not applicable	LEP 2013 Schedule 1
	Additional Permitted Uses			
	Land Zoning Map	R2 Low Density Residential E4 Environmental Living	R2 Low Density Residential	
Red Gum Road, Road Reserve, Albion Park	FSR Map 0.5 : 1 Nil Lot Size Map 600 sqm 40 ha	0.5 : 1 Nil	600 sqm	
	Additional Permitted Uses	Part Not applicable	Not applicable	
	Land Zoning Map	R2 Low Density Residential E4 Environmental Living	R2 Low Density Residential	
Whistlers Run affected lands	FSR Map 0.5 : 1 Lot Size Map 450 sqm 600 sqm 40 ha	0.5 : 1 Nil	450 sqm	
	Additional Permitted Uses	Part Not applicable	Not applicable	
	Land Zoning Map	E4 Environmental Living E3 Environmental Management R2 Low Density Residential	E4 Environmental Living E3 Environmental Management R2 Low Density Residential	
Lot 113 DP 1170763 Whistlers Run, Albion Park	FSR Map Nil Lot Size Map 40 ha 600 sqm	Nil 0.5 : 1	40 ha 600 sqm	
Lot 101 to 109 DP 1170763 13 Valley View Crescent, 13, 15, 17, 19, 21, 23, 25, and 27 Whistlers Run, Albion Park	Land Zoning Map FSR Map 0.5 : 1 Nil Lot Size Map 600 sqm 40 ha	R2 Low Density Residential E4 Environmental Living Nil	R2 Low Density Residential E4 Environmental Living 600 sqm	

Road Reserves		Chaffey Way Road Reserve	Portion of Road Reserve to be rezoned to reflect surrounding land use	Land Zoning Map FSR Map	E4 Environmental Living R2 Low Density Residential Nil 0.5 : 1	R2 Low Density Residential 0.5 : 1
		Ulan Place Road Reserve	Portion of Road Reserve to be rezoned to reflect surrounding land use	Land Zoning Map FSR Map	E4 Environmental Living R2 Low Density Residential Nil 0.5 : 1	R2 Low Density Residential 0.5 : 1
				Lot Size Map	450 sqm 40 ha	450 sqm
				Building Height Map	6m	7.5m

11.3.3 Shellharbour City Event Strategy 2018-2021 (11140537)

To the General Manager

Directorate: Community and Customers

Group: Community Connections

Manager: Kathryn Baget-Juleff – Group Manager Community Connections

Author: Jamie Dawson – Manager Community Engagement and Activation

Summary

The purpose of this report is to provide Council with information on the outcome of the public exhibition of the Draft Shellharbour Event Strategy 2018-2021 (Event Strategy) and to seek a resolution to adopt the strategy for implementation.

This report includes a summary of the formal submissions received and Council's response to those submissions. This report seeks Council's adoption of the strategy and endorsement to direct up to \$50,000 of Quarter 2 and/or Quarter 3 budget savings to the Community Engagement and Activation budget subject to that being available. This will assist to deliver the short term goals and priorities of The Event Strategy as previously detailed in the report recommending Council place the Draft Event Strategy on public exhibition.

Background

At its ordinary meeting of 16 October 2018, Council resolved:

1. *That Council adopt the Draft Shellharbour City Event Strategy 2018 - 2021 for the purposes of public exhibition.*
2. *That the Draft Shellharbour City Event Strategy 2018 - 2021 be placed on public exhibition allowing for public submissions for a period of twenty-eight (28) days.*
3. *That following the close of the public exhibition period, the Draft Shellharbour City Event Strategy 2018 - 2021, together with any public submissions be reported back to Council for consideration and/or to be adopted.*

The period of public exhibition commenced on 24 October 2018 and concluded on 21 November 2018.

The Event Strategy (**Attachment 1**) is the first strategic Events framework for Shellharbour City. It outlines goals, outcomes, responsibilities and an action plan for implementation. The Event Strategy is guided by Council's Community Strategic Plan 2018 - 2028, Council's Cultural Plan (Make, Play, Grow) along with strategic

links to federal and state government policy, industry best practice, and community engagement and feedback. It will be used to inform Council's planning, programming and funding priorities over the next three years.

During the period of exhibition the documents were available for inspection at the Civic Centre, Council Libraries, as well as being available on Council's Website. Detailed online engagement was also run through Council's main engagement platform, Let's Chat Shellharbour. The Let's Chat engagement was actively promoted through Council's Facebook pages and via direct communications to key contacts and industry professionals.

Public Submissions

Council received a total of six submissions during the public exhibition period. The main points raised in these submissions are detailed in **Attachment 2**.

Taking into consideration the public submissions received, no changes are proposed to the draft Event Strategy previously presented to Council in October this year and subsequently publicly exhibited.

Financial / Resources Implications

This report seeks Council endorsement to direct up to \$50,000 of Quarter 2 and/or Quarter 3 budget savings to the 2018/19 Community Engagement and Activation budget subject to that being available.

To fully realise the goals, priorities and actions of The Event Strategy, the current budget is inadequate. The Event Strategy has detailed targets to increase the overall budget against event expenditure through local sponsorship, government funding and ticket sales, but this will not be sufficient to be able to deliver against all priority areas.

It is estimated that the overall delivery budget requires an additional annual investment of \$150,000 over the coming years to fully deliver on all priorities of the Strategy. In order to deliver the medium and long terms goals and priorities of the community in relation to events, Council is asked to consider the Community Engagement and Activation budget recommendations of officers during the annual financial planning cycle, leading to the development of the 2019/20 operational budget. The recommendation of this report proposes an amount of \$75,000 be considered in 2019/20 and a further \$75,000 the following year.

Legal and Policy implications

Nil

Public / Social Impact

Events play a pivotal role in community building; bringing people from every religious, economic and social background together.

Events foster community pride, contribute to cultural celebration and understanding and events deeply strengthen the relationships between communities, local businesses and the visitor economy.

In addition, destination events allow Council to leverage significant opportunity for community, cultural and economic engagement; to report back on our achievements; to showcase services, projects and leadership; and to present and enhance the City as a tourist destination of choice. Events can achieve these outcomes in a way no other single investment can. Events are not just big business, they are smart business.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.1 Vibrant, safe, creative and inclusive

Strategies: 1.1.1 Deliver and promote events and activities for our community
Nurture a creative community participating in arts and cultural
1.1.5 activities

Objective: 1.2 Active and healthy

Provide diverse opportunities for sport, recreation and enjoyment

Strategy: 1.2.2 in the
City's parks, open spaces and facilities.

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.1 Activate a vibrant City Centre

Objective: 3.3 Welcomes, engages and attracts visitors

Strategy: 3.3.1 Promote our City as a tourist destination of choice

Consultations

Internal

Team Leader Shellharbour Youth Services

Manager Community Life

Executive Manager, Council Services

Manager Financial Services

Chief Financial Officer

Tourism Manager

Civic Centre Activation Manager

Community Engagement Officer

Communications Officer
Events and Activations Officer
Community Development Officer- Access & Participation
Aboriginal Advisory Committee
Australia Day Committee

External

The Event Strategy was placed on public exhibition for 28 days. An email inviting comments on the Strategy was sent to Council's Arts and Cultural mailing list along with targeted emails to external industry groups, individuals and organisations.

These organisations included:

Killalea State Park
KidsFest Shellharbour
The Farms Market
Frasers Property
LendLease
Shellharbour Village Community Group
Heritage Aircraft Restoration Society (HARS)
KaoKreative
Wild Rumpus
Verb Syndicate
Yours and Owls Festival
Laughter House Entertainment
Merrigong Theatre Company
Wonderwalls
Destination Wollongong
Wollongong City Council (City Centre Activation)

Political Donations Disclosure

Not Applicable

Recommendation

That Council:

1. Adopt the Shellharbour Event Strategy 2018-2021.
2. Endorse Council to direct up to \$50,000 of Quarter 2 and/or Quarter 3 budget savings to the 2018/19 Community Engagement and Activation budget subject to availability
3. At the time of developing the next two years operational plan budgets, consider an additional \$75,000 to the Community Engagement and Activation budget from the 2019/20 financial year onwards and a further

\$75,000 to the Community Engagement budget from the 2020/21 financial year onwards

Approved for Council's consideration:

Date of Meeting: 11 December 2018

Attachments

1. Shellharbour Event Strategy 2018-2021
2. Summary of submissions received and recommended actions

Attachment 1 – Shellharbour Event Strategy 2018-2021





ACKNOWLEDGEMENT OF SHELLHARBOUR CITY'S TRADITIONAL OWNERS

Shellharbour City respectfully acknowledges the Traditional Owners of the Dharawal and Yuin Nations and recognise their continued connection to the land and important meeting places that bring community together for events of social and cultural significance. Today we aim to respectfully honour that heritage in the presentation of our cultural events and are proud to say that Shellharbour City is a significant gathering place for all Aboriginal and Torres Strait Islander people.



Shellharbour City EVENT STRATEGY 2018-2021 | 3

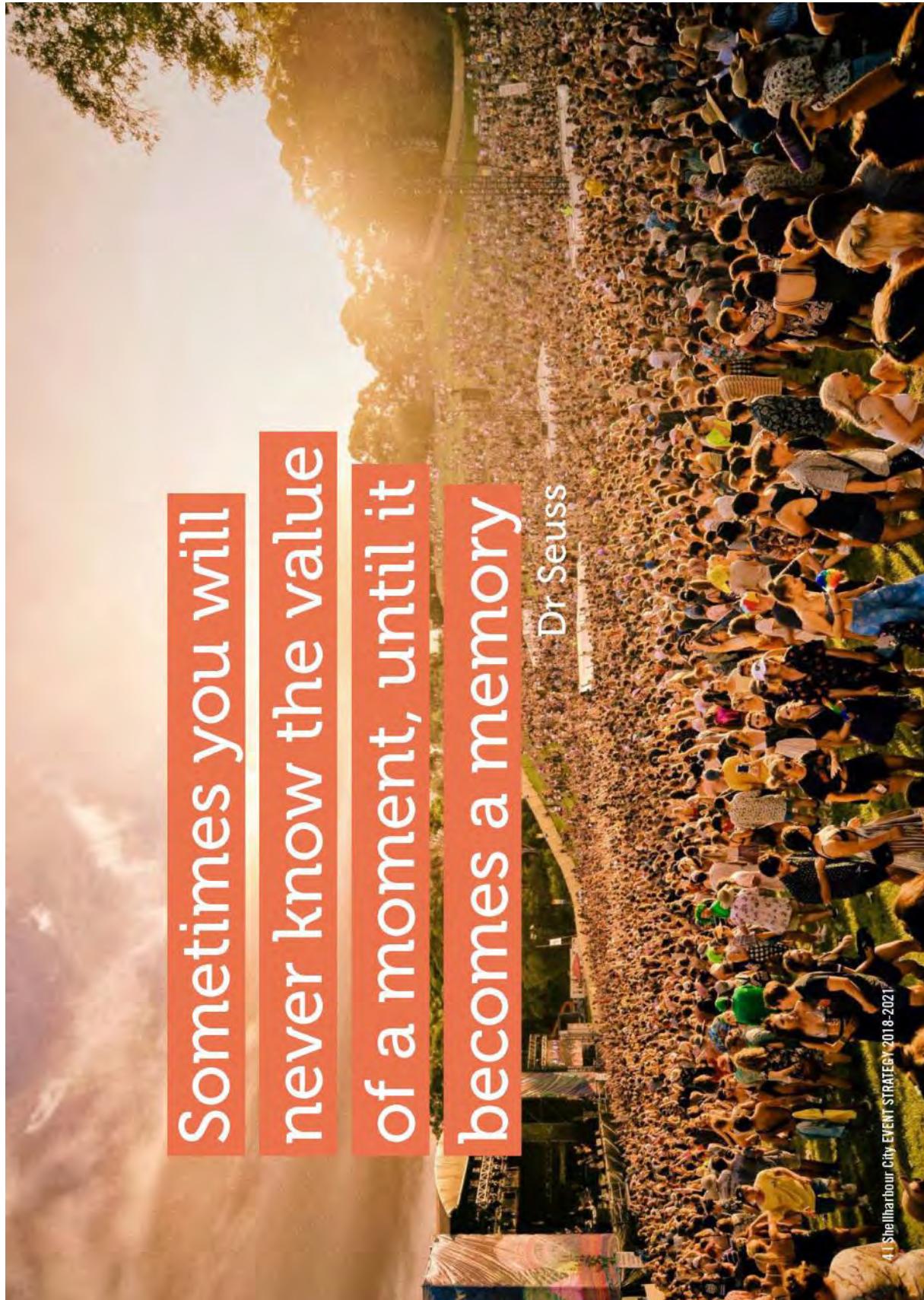
MESSAGE FROM THE MAYOR

The Shellharbour City Event Strategy is the first of its kind for our community. Events and cultural activities feature consistently at the top of almost all community feedback Council receives via community engagement including research for the Make Play Grow strategy, Community Strategic Plan reporting and other activities.

A focussed strategy ensures we are able to develop and maintain best practice and that Shellharbour City events are vibrant, high quality and relevant to our city. The strategy provides a guiding framework for developing and attracting new events, as well as facilitating the growth of existing events.

The Event Strategy builds on the success of the city's existing activities by developing a strong destination brand, targeting those that can enhance the city's reputation and align best with Council's strategic plans. It also provides guidance and inspiration for new events that might offer enormous potential for the community. Importantly, this strategy is aimed at ensuring activation in all areas of the city, east and west.





WHY AN EVENT STRATEGY?

Events bring significant value to communities. Different events make different contributions. Some emphasise social and community outcomes more strongly than others; whereas major events might help build a city's profile and often have a stronger economic focus than small-scale community events.

Council wants to streamline the event application processes to ensure efficiency for the community and event organisers. While doing this, we must ensure we protect our recreation assets and parklands in terms of sustainability, maintenance and safety.

Finally, events in Shellharbour City provide interconnection across the four pillars on which Council operates – meeting the needs of the Community, Customers, Councillors and Council.

The contribution of Events can be detailed against ECONOMIC and SOCIAL outcomes.

Economic

The **ECONOMIC** benefits of events are easiest to see and most often attract visitors, which stimulates the growth of local tourism and other local businesses. The tourism and events sector is of major importance to NSW, contributing billions and supporting tens of thousands of jobs - many of them in regional NSW.

Research undertaken by Destination NSW indicates strong growth over recent years.

- Tourism employment now accounts for approximately one in every 15 jobs in NSW.
- Number of visitor accommodation nights delivered by events visitors in NSW 7.2 million.
- Event visitors spent around **\$2.8 billion** in NSW in the year ending December 2017.
- Domestic and international visitors generated a massive **88.1 million** nights of accommodation in Regional NSW and **\$16.3 billion** in visitor (overnight and day trip) expenditure in 2017.

Social

The **SOCIAL** benefits of events are less visible, but they are arguably more important. Nothing brings people together like events and festivals do. They play a pivotal role in community building, bringing people from every religious, economic and social background together. Events

- **Foster Community Pride** - Events promote community pride by celebrating things that make a town special and evoke good feelings. Those things can be as "big" as ethnic heritage, or as "small" as a piece of pastry.
- **Contribute to Cultural Celebration and Understanding** - Events promote interconnectedness and can drive understanding and compassion for diversity and difference.
- **Strengthen Relationships** - Events act like stress relievers and help us balance our emotions.

OUR DEFINITIONS

Festivals: are an organised series of events or programs for the broader community that are linked around a particular theme or place. Festivals can happen over multiple or single days and can be focused on art, culture, religion, food, celebration or a combination.

Events: are activities that are time limited, organised, singular and delivered to the wider community or a target audience.

We recognise that there are many possible ways of defining events. For the purposes of this event strategy, our main categories of events include:

Community events – local public events organised for the community by either Council or other local groups and organisations. Community events generate social, community and cultural benefits, and some have economic benefits as well. The majority of event visitors are usually local.

Major or special events – public events that attract both the local community as well as visitors from outside the city. Major events attract large crowds, have complex infrastructure and generate significant economic, tourism, social, community and cultural benefits.

Special events differ from major events in their tendency to be one-off opportunities which can showcase the municipality, for example international sporting events. These events usually have a regional, state, national or international profile.

Civic events – are ceremonial, remembrance, advocacy or celebratory in nature and recognise national days and/or events of significance. Examples include Australia Day, Citizenship ceremonies, ANZAC Day, NAIDOC Week, Remembrance Day and Reconciliation Week.

Sporting events – are organised sports activities and games often held over multiple days, featuring competition among teams of athletes.

Corporate and business events – are a gathering that is sponsored by a business for its employees, business partners, clients and/or prospective clients. These events can be for larger audiences such as conventions or smaller events like conferences and meetings.

SNAPSHOT - OUR EVENTS AT A GLANCE

Shellharbour City Council has invested in events, of all sizes, for many years. Council values the contribution events make to the life of the city, by bringing communities together, attracting visitors, stimulating economic activity and raising our city's profile.

Shellharbour City Council:

- Currently presents or assists more than fifty events a year, generating and presenting events of varying scale ranging from small workshops to the Australia Day celebrations.
- Council endorses an annual calendar of events to ensure activation across the city.
- Is responsible for many annual civic events (ANZAC Day, Australia Day, Carols by Candlelight, Cities Service Boston Memorial Service, Reconciliation Week Walk and NAIDOC week). It also provided support (such as staff, marketing and social media) to more than thirty-five internal council events last year.
- Provided significant support last year for a range of community lead events including Clean Up Australia Day, National Tree Day, The Farm markets at Killalea, Wings over Illawarra and i987m Convoy.
- Has a range of event sites and venues such as the Stadium, the new Civic Centre and a range of sporting fields, outdoor event sites in Shellharbour city such as Reddall Reserve at Lake Illawarra, Albion Oval, Blackbutt Reserve, Macquarie Pass Harrison Park in Shellharbour City and Albion Park Showgrounds.
- Is in development for new activation programs for the Civic Centre Precinct, Calderwood Valley (in partnership with Lendlease) and the forthcoming Shell Cove Marina (in partnership with Frasers Property).

In the absence of any guiding strategy or framework, there is a lot to like about this story.

However, our consultation and research reveals that Shellharbour City is well behind comparative LGAs in terms of the overall investment and strategic development of events.

An analysis of the major event (greater than 1000 people) investment from 7 similar regional and metropolitan councils indicates that the dollar spend on major events per capita ranged from \$18.88 down to \$2.59. Shellharbour City's net investment is less than a dollar.

Whilst Shellharbour City has an abundance of public reserves, natural spaces and other event suitable environments, the City lacks any permanent (or temporary) event infrastructure to support the development and attraction of events and festivals.

Direct consultation with a range of community and commercial event organisers revealed that the often lengthy and complicated application process was a significant barrier to the development and presentation of events in the City. This translates to a lack of opportunity for our community and our customers to experience and participate in events and festivals.

Council has undertaken extensive community consultation over the last five years to develop the key directions and priorities to guide this Event Strategy.

WHAT YOU TOLD US:

Shellharbour Youth Plan
consultation:

92% 70%

of young people
want to see
more fun and
entertaining
events in
Shellharbour City

of young
people said that
opportunities to
come together
& connect with
friends were
important to them

Make Play Grow Cultural
Strategy consultation:

**7 OUT
OF
10**

of the community
identified top 10
'Big Ideas for a more
creative Shellharbour',
are related to events
and festivals

Council's Community
Strategic Plan 2018 -2028:

1 2

Events and
programs rate
second highest in
Council's services,
programs and
infrastructure;
after roads and
pavements.

Event Strategy consultation:

- Events should have a point of difference and a fresh approach and not be generic events that are available everywhere
- Council should build on the success of the current events by engaging with the local community to ensure events are distinct, high quality and reflective of Shellharbour City
- Events should be a reflection of Shellharbour's unique qualities as a place, for example its natural environment, the Escarpment and Lake Illawarra, walking the Macquarie Pass, reflecting the water culture in the surf at Killalea or the region's rich Aboriginal and settler heritage
- Events should be inclusive, accessible and represent Shellharbour's cultural diversity
- Events should not all be confined to one location but operate city wide
- There should be more offerings in winter and events which engage with young people
- Youth Council survey respondents identified a general need for Under 18 activities and events that mix families and friends and wanted to see more opportunities for local artists to present their work
- External event organisers identified a need for a more timely and effective Council approval process and a more 'flexible approach to Council costs charged back to organisers'
- There is a need to develop a more transparent and effective process for Council funding and sponsorship of events
- There are opportunities for significant Aboriginal events based at Killalea and Bass Point
- There are currently no viable options for presenting ticketed events in the city



OUR AMBITION

Shellharbour City events will showcase our newest and oldest places. We will bring people together to enjoy what's unique to our city: our histories, our communities and our future.

In partnership with our Community and our Customers we will:

- Create events that uniquely reflect this place**
- Produce events that entertain, stimulate & inspire visitors**
- Build and engage communities through events**
- Address the barriers to staging events in Shellharbour City**

We want all events in Shellharbour City to model best practice. This means they are:

- Accessible and Inclusive
- Diverse and representative of the cultural aims AND cultural heritage of our City
- Sustainable and waste-wise
- Well planned and documented with a thorough evaluation process
- Efficient and properly resourced
- Relevant to our community
- Developed from PLACE



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WHAT WILL COUNCIL DO?

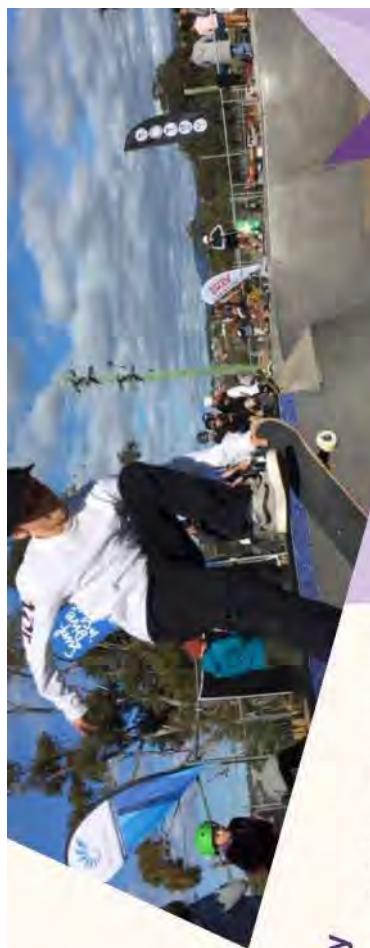
This is the first Event Strategy for Shellharbour City and it sets a clear vision for how we will build and for what we want to achieve. It outlines goals, outcomes, responsibilities and an action plan for implementation.

Our Strategy is focused on developing our City's existing events, attracting new events to the City and addressing the barriers to presenting events that was clearly identified through stakeholder engagement.

We believe Shellharbour's City's vision for events should embrace the distinct offer that only this place can make. It should provide a pathway and an aspiration that will develop the offering of this place and its people in a way that is unique and authentic.

We see our role as one of:





HOW CAN I BE PART OF THE ACTION?

Event Organisers

The most significant outcome of this Event Strategy is to shift Shellharbour towards a more event friendly, efficient environment for event organisers and event developers wanting to engage in the City. Put simply, we want you to put on quality events in our City.

We encourage you to use Council as a resource. Work with us during your planning and development process. The more we understand, the more we can help. Council hosts a number of major and minor events and activities in the City annually. We have the experience to assist you with:

- Event Management advice
- Event Application processes
- Food Safety Standards
- Venues, Parks and Facilities
- Risk Management
- Marketing advice

Community

This event framework helps us ensure access and participation across our City. The aim is to provide higher quality, more innovative events and to ensure a diverse offering for our diverse community. Positive events offer significant social and community benefit. They can help strengthen relationships between communities, provide opportunities to celebrate heritage and history, foster community pride and they can help us with empathy and understanding. We want our community to participate, attend events, volunteer with local community events and to make sure you have the opportunity to share ideas and feedback on what we are doing well, or not so well.

For ways to be kept up to date and to hear more about what is happening with Events across our City see page 28.

Want to get in touch?

Email the events team at events@shellharbour.nsw.gov.au



Businesses

Great events and festivals are a major tourist attractor. Events themselves drive significant economic contribution to a local economy. Event visitors spent around \$2.8 billion in NSW in the year ending December 2017.

(Source: National and International Visitor Surveys, YE December 2017, Destination NSW)

The opportunity for local business and industry to be involved is significant. There are opportunities to leverage off an increased events profile for increased diversity of business, for wider promotion, to participate and benefit through sponsorship, to put on events and to participate in events for business development and awareness.



GOALS AND PRIORITIES

Goal 1:

**create events
that uniquely
reflect this
place**

This goal is based on a simple two-way premise: places affect people (and events), and people (and events) have an effect on place. This premise can be illustrated by two hypothetical examples:

- The experience of watching an outdoor screening of the film *Titanic* at the Waterfront marina-side park will be made all the more powerful and poignant by the place's proximity to the site of the Cities Service Boston shipwreck.
- The festive atmosphere of visitors' dancing in the middle of Tongarra Road at an Albion Park festival concert means that people can sense a change in their social memory of that place the next time they stop there to buy a paper on the way to work.

Engaging with place is a powerful tool in the development of events and festivals for Shellharbour City. Place is best considered in several ways:

- As a reflection of the communities that use it
- As a culmination of its histories and memories and as a product of its natural and built character.
- By creating events with close regard to place, Shellharbour City can develop an offering for its communities and visitors that is unique. Attending an event in Shellharbour City should ideally be an experience visitors cannot have anywhere else.

Priorities:

**Produce highly distinctive and valued
Council events - deliver events of higher
distinction, quality and value by:**

- Devising events in a targeted way to achieve a specific aim
- Creating civic events with a local point of difference
- Maximising resources
- Evaluating events based on an agreed evaluation framework.

**Build and engage communities through
events - events should foster collaboration with
communities from diverse sectors. These include:**

- Event-specific communities and demographics (eg: Aboriginal communities, Young People and People with Disabilities)
- Local businesses
- Local community groups
- Artists – both local and visiting



CURIOS ARTS FESTIVAL, HAMPSHIRE (UK)

Curious is a festival like no other. Taking place each July in the breath taking grounds of Pylewell Park, it is dreamy, eccentric, fun and ultimately, irresistible.

Expect fabulous novelists, exceptional historians, poet laureates, dogs on leads, gin and tonics, and sitting on a deckchair with a view of the Solent although you are just as likely to find yourself on a secret midnight bat-walk, reciting a sonnet on top of an elegantly restored old routemaster or listening to some of the UK's most exciting musicians.

Curious is an experience, not just a few tents in a field.

(curiousartsfestival.com)

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GOALS AND PRIORITIES

Goal 2:

produce events
and stimulate
that stimulate
and inspire our
community and
our visitors

Events that are entertaining and innovative ensure that people have great experiences and create strong memories for visitors and locals in Shellharbour City. Highly successful events have the opportunity to bring communities together and instil a sense of community pride by celebrating the things that make

our City special. Hometown pride is a critical factor in the development and improvement of a community. Residents with community pride are more likely to speak positively about their City to others and to volunteer with organisations and activities that support the common good.

Priorities:

Nurture innovative creative programming - foster an inspiring event landscape by:

- Sourcing original event content that is rarely seen in the region
- Combining different program elements in innovative ways
- Fostering artistic exchange.

Celebrate the people and the places across our City - Ensure the City's events make a positive contribution to the individual community's perceptions of their quality of life by:

- Attracting and developing events that align to the spirit of Shellharbour City
- Ensuring that events showcase our places and reflect the spirit of our people, including local Aboriginal communities
- Ensure that visitors have a positive experience of the city when attending events in Shellharbour City.

Evaluate and measure local event impact - Ensure Council is able to determine which events it should deliver, invest in and support. A robust evaluation should be aligned with the Event Strategy Goals and the Community Strategic Plan 2018-28 and can be used to assess the benefits and relevance of current Council produced events, supported community events as well as third party events.



THE ENCHANTED FOREST, PERTHSHIRE (SCOTLAND)

Set amidst the stunning autumn woodland of Scotland's Faskally Wood in Highland Perthshire, The Enchanted Forest is Scotland's premier sound and light event. Think mind-blowing light displays and interactive elements beautifully choreographed with originally composed music experienced by visitors of all ages and from all over the world.

This annual event, which runs across 4 weeks and 5 weekends, attracts approximately 80,000 visitors each year. Each year's atmospheric show is firmly rooted in nature highlighting the natural wonders all around us and inspired by the hidden beauty of the wild forest after dark.

(enchantedforest.org.uk)



Imagine this...

GOALS AND PRIORITIES

Goal 3:

make
Shellharbour
City an event
friendly city

The delivery of a major event has many moving parts –
from the initial idea or opportunity through to securing
suitable facilities, sponsorship and consents, marketing

and ticket sales and delivering the event itself. All these
parts of the process need to work together to create an
event-friendly environment.

Priorities:

Address the barriers - ensure the business
environment (regulatory and planning environment)
is tailored for events and delivers the best
outcomes for the city.

Develop an Event Planning Toolkit
– simplify and support more opportunities for
community generated events and attract more
external events in the city.

**Undertake a review of Council policies
and procedures** - make it easier to stage
events in Shellharbour City by:

- Simplifying the application process
- Establishing criteria for use of Council
approved event sites
- Setting approval parameters proportionate
to the scale of the event (e.g. expected
attendance, parking) and the type of event
(e.g. music festival, market) or its timing
(e.g. night or day event).

**Investigate the installation of
permanent event infrastructure in
Shellharbour City** - Temporary staging, power,
lighting and sound are often the major expenditure
items for event and festival producers. Permanent
event infrastructure reduces time and cost and
makes it easier for current and prospective event
producers to stage events and festivals.

CAPPADOCIA, CAPPADOCIA (TURKEY)

Music, contemporary art exhibitions, gastronomy and yoga – Cappadox takes place in Cappadocia, an area of Turkey known for its natural beauty and being a world heritage site.

The immersive festival ticks off everything from classical music, inspiring talks, film screenings, meditation workshops, nature walks and cycle tours, all set within the magnificent caves. The musicians featured at this festival are usually local or international acts with a Turkish connection.

It's the perfect festival for getting back to nature and to excite the mind.

(cappadox.com)

Imagine
this



11 December 2018 | Shellharbour City EVENT STRATEGY 2018-2021

GOALS AND PRIORITIES

Goal 4: grow the offer of external events

Council has limited resources for the development and production of events. Therefore, the development of external event providers and external events is of significant value in promoting and facilitating the local event landscape. This can be achieved by reducing barriers to staging events, facilitating the professional development of emerging event producers and developing the funding pathway opportunities for current and emerging local events.

This achieves several outcomes:

- It provides a suite of event offerings for Shellharbour City residents and visitors
- It develops the professional capacity of its local event business practice
- It seeds the development of future events for the city and region.

Priorities:

Offer targeted funding support to local event producers – develop a freshly designed and administered events grants programme that will:

- Offer a user-friendly, equitable, timely and transparent submission process
- Have clear guidelines linked to Council's objectives and deadlines announced well in advance
- Allow for a less reactive and more planned approach to Council's event objectives by offering both an open entry grant programme along with targeted request for proposals to achieve particular aims or to align with key Council initiatives.

Build capacity - establish an 'events workshop' for emerging event producers in order to offer pathways to professional development such as:

- Event production and planning
- Event marketing and fund-raising
- Event programming



Goal 4:

grow the offer of external events (continued)

Seed partnerships with external event producers – strengthen relationships with external producers and key stakeholders that are already active in the region.

These include:

- Lendlease's cultural grants and support program at Calderwood Valley
- Killalea State Park's program of current and proposed events
- Local and regional education institutions
- Shell Cove Marina's activation program.

Develop and prioritise marketing support opportunities – undertake a review of required marketing and promotional infrastructure, systems and policies to ensure that both internal and external events are given every opportunity to succeed.



BOARDMASTERS, CORNWALL (UK)

From the first wave to the last beat, Boardmasters brings like-minded souls together for a unique festival experience. With parties that run late into the night, and beautiful beaches on which to recuperate during the day, Boardmasters is where adventure thrives and imagination flourishes.

Inspired by the freedom, adventure and creativity of surfing and music, Boardmasters has a vision to create a world that captures this experience and showcases it to a wider audience.

With a line-up covering everything from surf competitions to music, art, food, sustainability and wellbeing, Boardmasters is curated for free-spirited minds and passionate hearts.

boardmasters.com

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HOW WILL WE ACHIEVE THIS? (SUMMARY PROJECT PLAN)

GOAL	PROJECT	PARTNERS	FUNDING	SHORT <6 months	MEDIUM 6-12 months	LONG >12 months	ONGOING
Goal 1 and 2	In partnership with key stakeholders; develop a major commercial destination event that reflects the natural environment and lifestyle associated with that part of the City.	Killalea State Park; Fasers (Shell Cove); Local Business; Destination NSW	New, Sponsored; Ticket sales	★			
Goal 1	Undertake a comprehensive review and create strategic plans for Council's major events - Australia Day and Carols by Candlelight.	Tourism Shellharbour Internal Stakeholders; Australia Day Ctee;	Existing; Sponsorship	★			
Goal 1 and 2	Develop a destination music and arts festival event for Shellharbour Village in celebration of the 160 th anniversary of Shellharbour	Village Businesses; Create NSW; Local History/Heritage	New, Application Funding	★			
Goal 1	Conduct a feasibility study on the development of a multi-arts street festival for Albion Park town centre	Albion Park businesses; Local artists	Existing		★		
Goal 1	Engage with the local Aboriginal community on the development of a cultural event for the city, reflecting and celebrating local Aboriginal custom, art and community	Local Aboriginal advocacy and service organisations; AAC; Killalea State Park; Destination NSW	New, Application Funding	★			
Goal 3	Investigate the establishment of an Event Advisory Group to provide strategic input into the development of an event friendly city, including event development, funding and leverage opportunities.	Internal Stakeholders	Existing	★			
Goal 3 and 4	Develop an Event Planning Toolkit/Guide to simplify and support more opportunities for community generated events and attract more external events in the city. Toolkit to provide user-friendly online event resources and encourage and support best practice event management including environmental sustainability and accessibility.	Internal Stakeholders; Local event organisers; Building Better Regions Fund	Application funding (secured)	★			
Goal 3 and 4	Review and streamline processes to facilitate event organisation and delivery, including regulatory approvals and compliance.	Internal Stakeholders	Existing	★			



GOAL	PROJECT	PARTNERS	FUNDING			LONG >12 months	ONGOING
			SHORT <6 months	MEDIUM 6-12 months	LONG >12 months		
Goal 3 and 4	Manage and promote a Shellharbour City Events Calendar, as part of an integrated approach to engage the community and promote Shellharbour as an event friendly city externally.	Tourism Shellharbour; Local event organisers	Existing				★
Goal 3	Review event infrastructure and planning to ensure event related input into the infrastructure and capital works and renewal programs run by Council.	Internal Stakeholders; State and Federal Govt		★			
Goal 1, 2 and 3	Develop an impact assessment methodology and event evaluation guidelines to ensure events are representative of the Goals and Priorities of the Strategy	Internal Stakeholders		★			
Goal 3	Develop an Event Attraction Plan to identify new major event opportunities, conduct feasibility and business case analysis to determine likely returns, and facilitate key stakeholders' involvement.	Tourism Shellharbour; Destination NSW	Existing	★			
Goal 4	Develop and implement a Marketing and Communications Plan to promote internal and external event activities in partnership with relevant stakeholders.	Internal Stakeholders; Tourism Shellharbour	Existing	★			
Goal 2, 3 and 4	Convene a bi-annual local event forum to engage with local artists, creatives and event organisers and to invite event managers from successful regional events to mentor local event organisers (eg: Parkes Elvis Festival, Thredbo Jazz Festival and Four Winds Festival).	Internal Stakeholders; State and Federal Govt; Local event organisers	New; Application funding	★			
Goal 2 and 4	Establish an 'events workshop' program for emerging event producers to offer pathways to professional development such as <ul style="list-style-type: none"> • Event production and planning • Event marketing and fund-raising • Event programming 	Internal Stakeholders; State and Federal Govt; Local event organisers; Local education and training institutions	New; Application funding	★			

GOAL	PROJECT	PARTNERS	FUNDING	SHORT			MEDIUM		LONG		ONGOING
				<6 months	6-12 months	>12 months	6-12 months	>12 months	6-12 months	>12 months	
Goal 4	Review the current Event Sponsorship program with a view to the development of a public grants funding program for events with transparent guidelines and application processes.	Internal stakeholders	Existing	★							
Goal 3 and 4	Develop a strategy for events, festivals and infrastructure funding and/or sponsorship to grow and develop major events in the City	Internal Stakeholders; State and Federal Govt; Local event organisers; Commercial event organisations	Existing; Application funding		★						
Goal 3	Develop a training and work experience program for Events to offer genuine pathways to employment	Internal stakeholders; Youth Council; local education and training institutions	Existing		★						★
Goal 1, 2 and 3	Actively advocate for the importance of events in Shellharbour and undertake a comprehensive review of Council's investment to ensure a level playing field with perceived competitors and that Council officers are provided with the resources to meet the goals and priorities of this strategy.	Internal stakeholders	New		★						
Goal 3	Review the Sustainable Events Management Plan and integrate best practice sustainability and waste management guidelines into the new Event Planning Toolkit/Guide	Internal stakeholders	Existing	★							

HOW WILL WE MEASURE SUCCESS?

This Strategy provides Shellharbour City with the framework to plan, create and advocate for events and festivals that will benefit our Community and our Customers. The Strategy will be aligned to Council's Delivery Program and will be implemented from 2018 to 2021. Achievements and activity will be reported through the Integrated Planning and Reporting framework, including our Annual report.

The following indicators will help us ensure the goals of this Strategy remain on track over the life of the document.

Goal

Measure

Events contribute to a City that is vibrant, creative, safe and inclusive

- Community and Event surveying to ensure:
 - Event attendance measured against our demographics – proportionate representation
- Events contribute to an positive community perception

Events contribute to a City that welcomes, engages and attracts visitors

- Event attendance figures show an overall increase and an increase of Visitation numbers

Events foster local creative talent and recognise artistic and cultural strengths within our City

- Increase in representation of local artists, cultural groups or participants within event programming

Events support and contribute to increased employment opportunities and promote local business awareness and opportunity

- Increased opportunity measured through:
 - Economic impact studies
 - Community surveying

Events model best practice in terms of sustainability and waste management

- Number of events that complete the Sustainable Events Management plan.

Events are inclusive and accessible

- Number of new initiatives to improve access and inclusion implemented

Events activate our vibrant villages across all parts of our City

- Number of events in each part of our City

Develop programs that support the capacity of our communities to present safe, efficient, high quality events

- Number of programs offered
- Number of attendees to supported programs

- Increase in locally produced events

STRATEGIC LINKS (CONTINUING THE CONVERSATION)

This Strategy builds on information provided by our community across various stages of community consultation, engagement and market testing. It is also modelled on analysis and research in to national and international trends and best practice for events at a regional, state and national level.

Locally:

Council's Community Strategic Plan

OBJECTIVES:

Our City is....

- 1.1** Vibrant, safe, creative and inclusive
- 1.2** Active and healthy
- 2.2** Practices sustainable living
- 2.3** A city that is connected through places and spaces
- 3.3** Welcomes, engages and attracts visitors
- 4.1** Led through collaboration

STRATEGIES:

- 1.1.1** Deliver and promote events and activities for our community
- 1.1.5** Nurture a creative community participating in arts and cultural activities
- 1.2.2** Provide diverse opportunities for sport, recreation and enjoyment in the City's parks, open spaces and facilities
- 2.2.1** Provide community engagement and education on environmental sustainability
- 2.3.1** Activate a vibrant City Centre
- 2.3.4** Facilitate the development of the built environment to meet community needs
- 2.3.5** Recognise, protect and celebrate our heritage
- 3.1.1** Provide the community with a range of infrastructure delivered in a sustainable manner
- 3.3.1** Promote our City as a tourist destination of choice
- 4.1.3** Acknowledge and respect the Aboriginal community as the traditional custodians of the land

The goals, priorities and projects outlined in this plan correspond with many of Council's existing priorities and plans including:

- Make Play Grow - Creative Strategy 2015-2019
- Shellharbour Safety Strategy 2016-2021
- Disability Access and Inclusion Plan 2017-2021
- Healthy Ageing Strategy 2015-17
- Aboriginal Culture and Heritage Management Toolkit
- Albion Park, Oak Flats and Shellharbour Village Town Plans
- Libraries and Museum Strategy 2024
- Waste Management Strategy
- Economic Development Strategy 2014-2018
- Community Engagement Policy and Toolkit
- Tourism Shellharbour – Destination Management and Strategic Marketing Plan 2018 – 2022
- Cultural Diversity Framework

State:

- NSW State Plan – NSW 2021
- Create in NSW: NSW Arts and Cultural Policy Framework 2015
- Infrastructure NSW: Cultural Infrastructure Strategy 2016
- NSW Government Cultural Infrastructure Action Plan 2018
- NSW Aboriginal Arts and Cultural Strategy 2015 – 2018: Connection, Culture, Pathways
- Create NSW Cultural Tourism Toolkit
- Regional Arts NSW Business Plan 2015-18
- NSW Regional Conferencing Strategy and Action Plan (Destination NSW)
- Aboriginal Tourism Action Plan 2017 – 2020 (Destination NSW)
- Department Premier and Cabinet: Event Starter Guide

National:

- 'Creative Australia': National Cultural Policy 2013
- Tourism Australia: Tourism 2020 Strategy
- Accessible Events: A Guide for Organisers (meetingsevents.com.au)
- A Culturally Ambitious Nation: Australia Council for the Arts Strategic Plan 2014-2019
- Australia Council for the Arts: Engaged communities Arts connecting with communities program

Regional:

- Illawarra Regional Strategy 2006-2031

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ACKNOWLEDGEMENTS

This strategy was developed in collaboration with Dr Michael Cohen and Kim Spinks of City People (www.citypeople.com.au).

Shellharbour City Council would also like to acknowledge and thank the following individuals and organisations who contributed their thoughts and ideas in support of this document:

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Jessica Clark

Illawarra iTEC
Destination Wollongong
Merrigong Theatre IPAC
KidsFest Shellharbour
Kao Kreative
Heritage Aircraft Restoration Society (HARS)
Wild Rumpus
The Farms Market
Laughter House Entertainment and KISS Arts Festival
Wonderwalls Festival Director
Lendlease (Calderwood)
Frasers Property

To continue the conversation and hear more about what is happening with Events across our City:



Like Shellharbour
City Council on
Facebook



Follow
@shellharbourcitycouncil
on Instagram



Share your event photos
using the hashtag
#loveshellharbour



Contribute and have your say at
letschat.shellharbour.com



Write to us at
events@shellharbour.nsw.gov.au



Enquiries and feedback should be made to:

The General Manager
Shellharbour City Council
Locked Bag 155
Shellharbour City Centre NSW 2529

Telephone: (02) 42221 6111
Facsimile: (02) 42221 6016
E-mail: council@shellharbour.nsw.gov.au

www.shellharbour.nsw.gov.au

Attachment 2 – Summary of submissions received and recommended actions

GENERAL SUBMISSIONS					
No	ISSUE	ISSUES RAISED	OFFICER	RESPONSE / ACTION	COUNCIL'S RECOMMENDATION
1	General contribution	Contribution of ideas for annual events in the LGA, Submission received following the article in the Illawarra Mercury.	PQ	Thank you and acknowledgement letter sent. Contribution to be considered in the annual cycle of event planning.	None Does not affect current content of the Strategy
2	General contribution	Additional contribution of ideas for tourism events in the LGA. Submission received following acknowledgement letter sent for first submission.	PQ	Thank you and acknowledgement letter sent. Contribution to be considered in the annual cycle of event planning.	None Does not affect current content of the Strategy
3	General contribution	Additional contribution of ideas for tourism events in the LGA. 3rd submission received following acknowledgement letter sent for 2nd submission.	PQ	Thank you and acknowledgement letter sent. Contribution to be considered in the annual cycle of event planning.	None Does not affect current content of the Strategy
4	General clarification	Direct questions in relation to whether the event strategy would recognise that there are existing plans/strategies within council and ensure priority to support these and as to whether the strategy would recognise that some events will need to involve adjacent councils. Other general clarifying questions	JD	Acknowledgement letter sent.	Follow up email to clarify questions raised Questions do not affect current content of the Strategy.
5	General contribution	Contribution of specific events that could be based in Shellharbour Village.	PQ	Thank you and acknowledgement letter sent. Contribution to be considered in the annual cycle of event planning.	None Does not affect current content of the Strategy
6	Letter of support	General letter of support for the Goals and Priorities of the strategy.	JD	Acknowledgement letter sent.	None Does not affect current content of the Strategy

11.3.4 Night Markets at the Shellharbour Civic Centre (11140790)

To the General Manager

Directorate: Community and Customers

Group: Community Connections

Manager: Kathryn Baget-Juleff – Group Manager Community Connections

Author: Katrina Owers – Manager Civic Centre Activation

Summary

The purpose of this report is to respond to a resolution of Council from its meeting of 25 September 2018. The resolution is as follows:

That Council officers prepare a report on options for night markets to be held at the Civic Centre.

This report provides options for markets at the Shellharbour Civic Centre (Civic Centre) and recommends that Council receive and note the report.

Background

The Civic Centre was open to the community on 4 January 2018 and is a destination in and of itself. It aims to deliver a vibrant precinct offering a variety of activities and a space that is sustainable - socially, environmentally and financially.

Since opening the Civic Centre, a number of different programs and events have been held to activate the various spaces and promote the Centre to community and customers.

The community foyer and auditorium provide flexibility with programs and an all-weather venue. Whereas the Civic Square and backyard designs do not allow for vehicle access and there is limited power in the Civic Square and no outdoor power supply in the backyard. Programs to activate these spaces are limited to small scale programming or programs that require limited power.

Existing Markets Shellharbour City and Surrounds

Markets can provide a range of products to the community, ranging from the provision of fresh food to goods and services. Markets can be a one-off occasion or a regular event.

Successful markets are determined by considering what goods and services exist or are lacking in the area. The proximity to other markets and retail is critical to ensure the market does not duplicate goods and services offered by businesses within the local area and nearby markets. When assessing suitability for markets and location the following criteria should/can be considered:

1. Venue capacity and consideration on how attendees will move through the site and stall layout
2. Where vehicles are unable to drive onto site, consideration needs to be given on how the stallholders would be able to load and unload their vehicles
3. The type of market proposed and any licences, health and safety regulations to be considered. For example all mobile food vans and trucks are required to be registered with their local council. All other food stalls must meet Councils terms and conditions for outdoor stalls which includes refrigeration.
4. All food stalls, high risk stallholders and businesses are required to have public liability insurance.

There are currently 10 regular markets held in the Shellharbour Local Government Area and surrounding areas, in addition there are a growing number of seasonal twilight markets that are enjoyed by the community. These are outlined in **Table 1**.

Table 1: Existing markets in the Shellharbour Local Government Area and surrounding areas

Market	When	Day/Twilight
Monthly		
The Farm's Market Killalea	1st Sunday	Day
Kiama Seaside Market	3rd Sunday	Day
Kiama Markers & Growers Market	4th Saturday	Day
Puckey's Night Market	1st Wednesday	Twilight
Wollongong Twilight	1st Friday from Oct/Mar	Twilight
Weekly Market		
Kiama Farmers Market	Wednesday	Day/Twilight
Eat Street Market	Thursday	Twilight
Warrawong Market	Saturday	Day
Dapto Market	Sunday	Day
Friday Forage Markets	Friday	Day
Sessional Market		
Christmas Twilight Edition - The Farm's Market	December	Twilight
Sculptures Twilight Market	September/October	Twilight
Made in Kiama - Handmade market	December	Twilight
Shellharbour Central Christmas Market	November /December	Twilight
Wollongong Makers Market	December	Day

Options for Night Markets at the Civic Centre

The Civic Centre provides a highly visible, accessible location and could offer unique speciality indoor markets. Taking into consideration nearby retail and dining offerings and existing markets in the Shellharbour Local Government Area and

surrounding areas, one-off annual speciality markets providing something different to the community would be Council's best option as this type of market would not be in completion with other local markets.

Based on feedback received through the development of the Events Strategy, Shellharbour Youth Plan and the Arts and Cultural Strategy; Make, Play, Grow, the following markets would provide a unique offering and support existing activation at the Civic Centre. **Attachment 1** outlines the proposed market options and timing to be ensure maximum visitation and to meet the needs of potential stallholders. The running of the proposed market options could be covered by Council's insurance where items are not able to be eaten, ingested or applied. It is proposed to deliver these markets as part of the Civic Centre Activation program.

Financial / Resources Implications

Staffing will be required to be onsite for the set up/pack up and duration of the market.

It is proposed the market options would be held within Civic Centre operating hours and would require additional cleaning due to increased visitation.

Cost to book a stall could be applied to stallholders under Councils Fees and Charges.

Legal and Policy implications

Nil

Public / Social Impact

The Civic Centre is a focal point of the engagement that exists between the Community, our Councillors and our customers and the services, operations and products that can be offered by Council. The proposed market options at the Civic Centre provide activation of the precinct, supports the local economy, sustainability and brings the community together.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 1.1 Vibrant, safe, creative and inclusive

Strategy: 1.1.1 Deliver and promote events and activities for our community

Objective: 2.3 A City that is connected through places and spaces

Strategy: 2.3.1 Activate a vibrant City Centre

Consultations

Internal

Team Leader Children's and Youth Services
Manager Community Engagement and Activation
Environment Officer
Tourism Manager
Risk & Audit Manager

External

Sculptures @ Killalea
Farm Markets

Political Donations Disclosure

Not Applicable

Recommendation

That Council receive and note the report titled Night Markets at the Shellharbour Civic Centre.

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

1.Civic Centre Market Options

Attachment 1: Civic Centre Market Options

Market		Market Description	Location	Month/Time	Pros	Cons
1	Youth Market	A market designed by young people with goods designed and created by young people in Shellharbour. The market would be complimented by workshops for young people on ' how to market' their goods and sell their product.	Civic Square, Foyer and Auditorium	April 2019 Day and Twilight	<ul style="list-style-type: none">• Unique market, not competing with local businesses or other markets• Working with the Youth Council• In line with the youth strategy• Supporting young entrepreneurs• Activating to Civic Centre to new audiences & diverse demographics• Reduce waste by selling preloved items• Positive interaction with youth and the community	Additional staffing costs
2	Handmade Market	Targeting seniors, volunteers groups and senior groups to sell old fashioned goods	Community foyer	July 2019 Day	<ul style="list-style-type: none">• Activating the Civic Centre• Not competing with local business or other markets• Bringing together like minded people• In line with the Arts and Cultural Strategy; Make, Play, Grow	Additional staffing costs
3	'Meet the Maker' Market	Arts and crafts market to be held during <i>Sculptures at Killalea</i> where the community can meet local creatives and makers – have a chat and browse through quality, locally made art.	Community foyer and auditorium	September Day and Twilight	<ul style="list-style-type: none">• Activating to Civic Centre• Complement Sculptures at Killalea satellite exhibition at the Civic Centre• Not competing with local business or other markets• In line with the Arts and Cultural Strategy; Make, Play, Grow	Additional staffing costs

4	Baby and children's Market	A pre-loved goods market selling maternity, baby products as part of Children's Week and Garage sale trail.	Auditorium	October 2019 Twilight	<ul style="list-style-type: none">• Not competing with local business or other markets• Reduce waste by selling preloved items• Activating to civic centre to new audiences and diverse demographics• Bringing together like minded people	Additional staffing costs

11.4 Amenity and Assets Directorate**11.4.1 Council Use of Glyphosate (11140534)**

To the General Manager

Directorate: **Amenity and Assets**
Group: **Services**

Manager: Rosemary Crowhurst – Group Manager Services
Author: Scott Rowe – Parks Manager

Summary

The purpose of this report is to respond to a resolution of Council at its meeting of 4 September 2018:

‘That council officers prepare a report on Council’s use of Glyphosate and Glyphosate based products. Such a report shall include, but not be limited to, where it is used, how much is used on an annual basis, any special safety inductions for staff who use it, any medical monitoring of staff who use it, any special steps that are taken to prevent it entering the environment, any possible substitutes and any insurance implications due to its use.’

It is recommended that Council receive and note this report.

Background

Council has been using Glyphosate and Glyphosate-based products in the City to assist in the management of vegetation. The use of these chemicals has trended down despite growth in the City from development and increasing population, requiring the management of weeds and maintenance of additional parks and sporting fields.

Australian Pesticide & Veterinary Medicines Authority (APVMA)

The Australian Pesticide & Veterinary Medicines Authority is the national regulator for agricultural chemicals. Glyphosate is registered for use in Australia by the APVMA regulator and they continue to track and consider any new scientific information associated with safety and effectiveness of glyphosate.

The media statement from APVMA on 8 October 2018 outlines in part “the APVMA determined that glyphosate is safe to use according to label directions”. More information on the product and the APVMA regulatory activity is available on their website at <https://apvma.gov.au>.

Council use of Glyphosate**Where it is used**

Council uses glyphosate based products to treat weeds and other problematic vegetation in parks, sports fields, natural areas, cemeteries, golf course, road verges and medians, aquatics facilities and the airport.

Council is aiming to minimise Glyphosate and other chemical use. Council is utilising information from SafeWork NSW, horticultural industry bodies and Australian Pesticide & Veterinary Medicines Authority (APVMA) to assess and improve its use of chemicals for weed management.

How much is used

A reduction in use of Glyphosate has been achieved over the past four years, **Table 1** shows use of Glyphosate over this period. This reduction has resulted from a change in work practices to include increased mechanical edging adjacent to concrete pathways, signs, furniture and kerb and gutters. It has also been complimented with efficient mulching of gardens to reduce weeds which has contributed to the trend of decreasing use of Glyphosate. There has also been a focus on removal of surplus or redundant fixtures that are obstructions to mowing and typically had vegetation surrounding the fixture that was treated with Glyphosate. New spray equipment has been purchased to ensure application is efficient and effective.

Table 1 – Use of Glyphosate on Council Parks, Reserves and Roads

Year	Quantity of Glyphosate used (L)
2014	1,425
2015	1,193
2016	900
2017	1,000

Special safety inductions for staff who use it

In New South Wales it is mandatory that all commercial applicators of pesticides hold a chemical applicators certificate. This certificate is renewed every five years to ensure currency. All Council staff who apply chemicals are required to hold this ticket and maintain currency.

Council keep accurate records of pesticide applications. This information includes the name of the pesticide, application rates, address where the pesticide is being applied, time, date, weather conditions and the certified applicator.

Council has a Pesticide Notification Plan. That plan sets out how the community will be notified of pesticide application throughout the city. This gives the community the understanding of what is being applied and where. It gives the community the ability

to make informed decisions on their level of exposure to the pesticides being applied.

Monitoring of staff who use it

Council collaborated with SafeWork NSW in February 2016 to ensure Council's processes and controls for use of glyphosate by staff were robust, effective and best practice. This was confirmed by testing conducted by SafeWork NSW laboratory TestSafe. Seven staff participated in testing from Parks and Gardens. All seven results returned a 'not detectable' level of Glyphosate.

Medical monitoring of staff is not a requirement for Glyphosate, however, Council's participation in the program has assisted both its staff and SafeWork NSW in providing advice on how to use the chemical. Council has undertaken further testing in 2018 in conjunction with SafeWork NSW. Six staff participated in testing from Parks and Gardens. All six results returned a "not detectable" level of Glyphosate.

Special steps taken to prevent it entering the environment

All use of Glyphosate is carried out as per the manufacturers labelled requirements. Various forms of the product are available such as 'Roundup Biactive' which is registered for use adjacent to waterways. Council staff are trained and certified to identify the appropriate quantity and method of application of product for each set task. Other methods used include cut and paste, scrape and paint, direct injection, splatter gun and wand swabbing.

Possible substitutes

Commercially available and affordable alternatives to glyphosate are limited. There are minimal organic alternatives available, however those that are available have been cost prohibitive and contain high levels of citric acid and salts which present different hazards to both the applicator and the environment. Alternate weed control methods and chemicals are reviewed as they become available to the market.

Lismore City Council in July 2017, investigated alternatives and a spokeswomen indicated in a media article 'while some plant-based organic herbicides did work, they were around 40 times more expensive. Manual weed control is very time-consuming and not practical across the 600 parks and gardens managed by Lismore City Council.'

Several Councils including Marrickville and Byron Council have trialled steam treatment with mixed results. Marrickville did not continue to use steam, whilst Byron Council continue to move toward zero chemical treatment of weeds. Steam treatment is a labour intensive, expensive process with its own set of Work Health and Safety risks associated with steam and potential burn injuries from applicators. The treatment has limited effect on some weed species as regrowth occurs rapidly.

Insurance implications

There are no implications at present for any of Council's insurance policies regarding the use of Glyphosate.

Financial / Resources Implications

The use of glyphosate assists Council to manage weed infestations and problematic vegetation in a cost-effective manner.

Legal and Policy implications

Nil

Public / Social Impact

The use of glyphosate-based herbicide controls the presence of weeds throughout the city. The visual amenity is improved with a reduction of weeds. The use of glyphosate helps Council manage the risk of declared and environmental weeds in the natural environment which can impact on the biodiversity value of remnant bushland areas. Endangered Ecological Communities and Threatened Species are at risk of irreversible damage if weed infestations go untreated. Glyphosate based herbicides are currently the most cost-effective methods of controls in these environments. The urban environment has created a necessity to use herbicides to protect biodiversity.

Link to Community Strategic Plan

This report supports the following objectives and strategies of the Community Strategic Plan:

Objective: 2.1 Protects, promotes and enhances its natural environment

Strategy: 2.1.1 Manage and improve catchments cleanliness, health and biodiversity of creeks, waterways and oceans

Objective: 3.1 Plans, builds and manages infrastructure for the community

Strategy: 3.1.2 Maintains the City's assets to meet community needs and the delivery of services

Consultations**Internal**

Field Safety Officer
Team Leader Environment
Risk and Audit Manager

Parks Supervisor
Natural Areas Supervisor
Mowing Supervisor
Aquatics Coordinator
Dunmore Landfill Operations Manager
Manager The Links
Airport Manager

External

Safe Work NSW
Illawarra District Weeds Authority

Political Donations Disclosure

Not Applicable

Recommendation

That Council receive and note the report titled Council Use of Glyphosate.

Approved for Council's consideration: _____

Date of Meeting: 11 December 2018

Attachments

Nil

12. Committee Recommendations

12.1 Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 21 November 2018 recommended for adoption.

That the Recommendations from the Disability Access and Inclusion Advisory Committee Meeting held 21 November 2018 be adopted.

12.2 Recommendations from the Traffic Committee Meeting held 5 December 2018 recommended for adoption.

That the Recommendations from the Traffic Committee Meeting held 5 December 2018 be adopted.

13. Items for Information**14. Notices of Rescission/Alteration Motions**

Nil

15. Notices of Motion

Nil

16. Questions on Notice (must be submitted in writing)

16.1 **Question on Notice submitted by Cr Peter Moran: Street Recycling Bins (11146168)**

To the General Manager, Mayor and Councillors

Question on Notice:

Given that Council has previously resolved to place street recycling bins in Oak Flats and Warilla, when will these bins be provided.



Cr Peter Moran

Date of Meeting: 11 December 2018

17. Urgent Business

18. Committee of the Whole in Closed Session (Closed to the Public): Adjournment

19. Committee of the Whole in Closed Session: Consideration of Adoption of Decisions Reached in Closed Session

20. Consideration of Motions to Declassify Reports Considered in Closed Session